APPLICATION NO:
F/2000/1413

LOCATION:
Kintaline Lower Wokingham Road, Crowthorne.

APPLICANT:
Mr D Baigent C/O W M Graham And Associate

PROPOSAL:
Proposed erection of detached double garage.

EARLIEST DATE FOR DECISION: **11/06/2000**

APPLICATION EXPIRY DATE: **28/06/2000**

CASE OFFICER: **Elaine Connor**

Copy for Application file

Appeal Decision

Hearing held on 06 February 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Sue Turner RIBA MRTPI IHBC

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

Date 22 MAR 2001

Appeal Ref: APP/X0360/A/00/1053064
Kintaline, Lower Wokingham Road, Wokingham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr D Baigent against Wokingham District Council.
- The application (ref: 2000/F/1413), is dated 2 May 2000.
- The development proposed is the erection of a detached double garage.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Procedural Matters

1. At the Hearing an application for costs was made by Mr D Baigent against Wokingham District Council. This application is the subject of a separate Decision.

2. If the appeal had not been lodged the Council would have refused planning permission because it considers that the development would have a negative impact on the character of the area.

3. During the course of the application the garage roof was redesigned in order to reduce the bulk of the proposed building. The main parties have confirmed this change and I am satisfied that it would not prejudice any third parties. I will therefore have regard to amended plan 2271/06 revision C.

Main Issue

4. I consider that the main issue in this case is the effect of the proposed development on the character and appearance of the surrounding area.

Planning Policy

5. The development plan for the area includes the Berkshire Structure Plan 1995 and the South East Area Local Plan 1994. The overall strategy of the Structure Plan is set out in Policy OS1. One of its objectives is to protect and enhance the character and quality of Berkshire's landscape, environment and heritage. Also relevant to this case is Policy EN1, which seeks to ensure that development in towns, villages and other built up areas is appropriate in scale, form, impact, character and siting to its location. It includes criterion (i), which states that development should embody a high standard of design, layout and landscaping and help maintain and where possible enhance the character of its surroundings.

6. The Local Plan Policies which I consider relevant to this case are SBE1 and SBE2. Policy SBE1 seeks to ensure that new development shall be of a high standard of design appropriate to the character of the area in which it is to be situated. It includes the

requirements that it should make a positive contribution to its setting and the character of the area and that it should retain important natural, man made or landscape features of the site compatible with good design. Policy SBE2 states that proposals for development which would adversely affect the character of an area by virtue of its siting, scale, form, massing, colour or texture will not normally be permitted.

7. My attention has been drawn to the Deposit Draft Wokingham Local Plan. Policies WOS2 and WOS3 set out general development and development control principles, whilst Policy WBE1 reiterates the objectives of adopted policies SBE1 and SBE2. I will attach appropriate weight to these policies to reflect the fact that the Deposit Draft Local Plan has been the subject of a Local Plan Inquiry and is at an advanced stage in the development plan process.

Reasons

8. The appeal site is situated in an established residential area with traditional frontage development. The properties are predominantly large detached houses set back from the road in generous plots. Although the Lower Wokingham Road is a busy main route, the locality contains extensive areas of trees and landscaping which create a pleasant, wooded character. I observed during my visit to the site that whilst a number of houses have garages in the front gardens, these are generally effectively screened by well established planting.

9. Kintaline is a substantial detached house, recently created by rebuilding and extending an original bungalow on the site. It is situated on a long, narrow plot with a site layout and relationship to the road which are typical of the area. The front garden is bounded to the south by a well established conifer hedge, to the north by a high timber fence and to the front by a low close boarded fence and young trees and shrubs.

10. It was confirmed at the Hearing that the Council now has no objection to the design of the proposed garage as the amended roof design satisfactorily deals with earlier concerns regarding its bulk. However the Council objects to the siting of the building forward of the main building line and considers that it would be visible when approaching the site, particularly from the south.

11. The appellant explained at the Hearing that the siting of the proposed garage has been determined by a number of factors, including the restricted width of the site and the Environment Agency's required distance between the building and the watercourse running along the northern site boundary. These constraints, together with the need to balance avoiding overshadowing ground floor rooms of the house and siting the building as far back from the road as possible, have resulted in the proposed central location. However the appellant argues that existing trees, together with additional planting along the front boundary, would soon create an effective screen which would be characteristic of the area and which would make the development acceptable.

12. From my observations of other properties in the area I do not consider that the siting of the proposed garage would be inconsistent with the established pattern of development. I am also satisfied that the boundary treatment along the north and south boundaries would effectively screen the garage from the neighbouring properties and from oblique views along the road. Although the garage would be set well back into the site behind existing mature trees, the currently weak front boundary would make the proposal more visible from the road directly in front of the site than other garages in similar locations in the area.

However I consider that this would be a temporary situation which could be satisfactorily overcome in an acceptable period of time by the introduction of substantial landscaping to the front boundary. I am satisfied, therefore, that the preservation of the attractive wooded character of the area could be ensured by an appropriate condition requiring the planting of additional landscaping to the front boundary of the site.

Other Matters

13. It was confirmed at the Hearing that the appellant's ecological survey has established that the diversion of the small watercourse on the site could be carried out satisfactorily and that on this basis the Environment Agency has no objection to the proposal.

14. The Council confirmed at the Hearing that having received the appellant's proposed foundation detail it no longer had any objection to the proximity of the proposed garage to the existing oak tree.

15. The occupant of Cahirciveen, which has living room windows facing south towards the appeal property, has objected to the proposal. However I consider that the distance between the two buildings, the existing high boundary fence and the shallow roof pitch of the proposed garage would minimise its impact. I am satisfied that the proposed garage would not cause unacceptable harm to the living conditions of the occupants of Cahirciveen.

Conditions

16. It was agreed at the Hearing that a condition to increase the amount of planting along the front boundary of the site, as I have described above, would be appropriate. I will attach a single condition to deal with this matter and the protection of the existing trees on the site in order to maintain the existing landscape character of the area.

17. The Environment Agency, on being consulted by the Council, has also suggested a condition to require a detailed scheme for the diversion of the watercourse in order to protect, restore or replace the natural features of importance within or adjoining the watercourse. I agree that such a condition is necessary and will attach one accordingly.

18. The Council has suggested a condition requiring the finishes of the new work to resemble those of the existing building. Whilst I agree that a condition to ensure the satisfactory appearance of the building is necessary, it was noted at the Hearing that the reduced roof pitch of the proposed garage may prevent the use of roof tiles which match those of the house. I will therefore attach a condition, as agreed by both parties at the Hearing, to require the use of materials which have been approved by the Council.

19. The Council has suggested a condition to keep the garage available for parking of vehicles ancillary to the residential use of the house. I agree that such a condition is necessary in order to ensure adequate parking is kept available on the site and to reduce the likelihood of roadside parking. I will attach a condition accordingly.

Conclusions

20. I conclude that the proposed development would not harm the character of the area and that it would be consistent with Structure Plan Policies OS1 and EN1, with Local Plan Policies SBE1 and SBE2 and with emerging Policies WOS2, WOS3 and WBE1 of the Deposit Draft

Local Plan. I have considered all other matters raised but find none which outweigh my conclusion on the main issue.

Formal Decision

21. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the erection of a detached double garage at Kintaline, Lower Wokingham Road, Wokingham in accordance with the terms of the application No: 2000/F/1413 dated 2 May 2000, and the plans submitted therewith, subject to the following conditions:

    (i) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.

    (ii) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. This shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a detailed scheme for the reinforcement of the hedgerow to the eastern site boundary. Development shall be carried out in accordance with the approved scheme.

    (iii) Development shall not begin until the diversion of the water course has been carried out in accordance with a detailed scheme, to be submitted to and approved in writing by the local planning authority.

    (iv) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the garage hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

    (v) The garage hereby permitted shall be kept available for the parking of cars at all times.

Information

22. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.

23. This decision does not convey any approval or consent that may be required under any enactment, byelaw, order or regulation other than section 57 of the Town and Country Planning Act 1990.

24. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.

25. Attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970, as amended.

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

S.M. Leedale. MSc. DipTP. MRTPI	Gregory Gray Associates, Redcliffe, 17, Dinorben Close, Fleet, GU13 9SL
R.W.Franklin	W.M.Graham Associates

FOR THE LOCAL PLANNING AUTHORITY:

Elaine Connor	Wokingham District Council

DOCUMENTS

Document	1	List of persons present at the Hearing.
Document	2	Letter of Notification of the Hearing.
Document	3	Response from the Environment Agency.
Document	4	Appellant's application for costs.

PLANS

Plan	A	Site Plan
Plan	B	2271/06 Revision C. Proposed garage

The Planning Inspectorate

RIGHT TO CHALLENGE THE DECISION

The attached appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for redetermination. It does not follow necessarily that the original decision on the appeal will be reversed when it is redetermined.

You may wish to consider taking legal advice before embarking on a challenge. The following notes are provided for guidance only.

Under the provision of section 288 of the Town and Country Planning Act 1990, or section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the grounds:

1. that the decision is not within the powers of the Act; or

2. that any of the `relevant requirements' have not been complied with; (`relevant requirements' means any requirements of the 1990 Acts or of the Planning Tribunals Act 1992, or of any order, regulation or rule made under those Acts).

The two grounds noted above mean in effect that a decision cannot be challenged merely because someone does not agree with the Inspector's judgement. Those challenging a decision have to be able to show that a serious mistake was made by the Inspector when reaching his or her decision; or, for instance, that the inquiry, hearing or site visit was not handled correctly, or that the appeal procedures were not carried out properly. If a mistake has been made the Court has discretion not to quash the decision if it considers the interests of the person making the challenge have not been prejudiced.

It is important to note that such an application to the High Court must be lodged with the Crown Office <u>within 6 weeks</u> from the date of the decision. This time limit cannot be extended.

An appellant whose appeal has been allowed by an Inspector should note that `a person aggrieved' may include third parties as well as the local planning authority.

If you require further advice about making a High Court challenge you should consult a solicitor, or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London WC2 2LL. Telephone: 020 794 76000.

INSPECTION OF DOCUMENTS

It is our policy to retain case files for a period of one year from the date of the Inspector's decision. Any person entitled to be notified of the decision in an inquiry case has a legal right to apply to inspect the listed documents, photographs and plans within 6 weeks of the date of the decision. Other requests to see the appeal documents will not normally be refused. All requests should be made to Room 14/04, Tollgate House, Houlton Street, Bristol BS2 9DJ, quoting our appeal reference and stating the day on which you wish to visit. Please give at least 3 working days notice and include a daytime telephone number, if possible.

COMPLAINTS TO THE INSPECTORATE

Any complaints about the Inspector's decision, or about the way in which the Inspector has conducted the case, or any procedural aspect of the appeal should be made in writing to the complaints officer in Room 14/04, Tollgate House, Houlton Street, Bristol BS2 9DJ. Telephone: 0117 987 8927, quoting our appeal reference. You should normally receive a reply within 15 days of our receipt of your letter. You should note however, we cannot reconsider an appeal on which a decision has been issued. This can be done following a successful High Court challenge as explained overleaf.

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION (THE OMBUDSMAN)

If you consider that you have been unfairly treated through maladministration by us you can ask the Ombudsman to investigate. The Ombudsman cannot be approached direct; reference can be made to him only by an MP. While this does not have to be your local MP (whose name and address will be in the local library) in most cases he or she will be the easiest person to approach. Although the Ombudsman can recommend various forms of redress he cannot alter the Inspector's decision in any way.

COUNCIL ON TRIBUNALS

If you feel there was something wrong with the basic procedure used for the appeal, a complaint can be made to the `Council on Tribunals', 22 Kingsway, London WC2B 6LE. The Council will take the matter up if they think it comes within their scope. They are not concerned with the merits and cannot change the outcome of the appeal decision.

© Crown copyright
405 (September 00)
Printed in Great Britain by the Planning Inspectorate on recycled paper

Costs Decision

Hearing held on 06 February 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Sue Turner RIBA MRTPI IHBC

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

Date 22 MAR 2001

Costs application in relation to Appeal Ref: APP/X0360/A/00/1050364
Kintaline, Lower Wokingham Road, Wokingham.

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
- The application is made by Mr D Baigent for a full award of costs against Wokingham District Council.
- The hearing was in connection with an appeal against the failure to determine an application for planning permission for the erection of a detached double garage.

Summary of Decision: The application fails and no award of costs is made.

The Submissions for the appellant

1. The application is made under paragraph 26 of Annex 3 to Circular 8/93. The Council has acted unreasonably in failing to determine the application within the statutory period and in not seeking agreement to the extension of that period with the appellant. In August 2000 it was confirmed that the initial objections of the Environment Agency had been overcome. The Council had ample opportunity to determine the application between this date and 31 October 2000 when the appeal was lodged. During this period the appellant made numerous approaches to the Council requesting a decision but no explanation was given for the delay in determination.

2. As a result of the delay in determining the application the appellant has been unable to market the appeal property effectively and numerous prospective purchasers have withdrawn because there is no garage accommodation.

The Response by the Council

3. The appellant was aware that the Environment Agency had a holding objection to the proposed development and this was not dealt with until August. The appellant was informed by telephone, shortly before the appeal was lodged, that the officer's report had been completed and that the recommendation was for the refusal of planning permission. Although the time taken to deal with the application was longer than desirable it was not unreasonable given that the decision was imminent at the time the appeal was made.

Inspector's reasoning

4. I have dealt with the application for costs in accordance with the policy guidelines in Circular 8/93 and all the relevant circumstances. Irrespective of the appeal outcome, costs may only be awarded against a party who has behaved unreasonably and thereby caused another party to incur or waste expenditure unnecessarily.

5. Both parties accept that it would not have been possible to determine the planning application before August 2000 due to the outstanding objection by the Environment Agency. Once this objection had been satisfactorily dealt with by the completion of an ecological survey the appellant informed the Council accordingly in a letter dated 3 August 2000. The Environment Agency formally confirmed the removal of its objection in a letter dated 23 August 2000.

6. I do not consider that the Council has shown that it had specific or adequate reasons for not reaching a decision during the period between August 2000 and the end of October 2000. On this basis I consider that the Council has acted unreasonably. However the appellant was informed verbally that the planning application was to be recommended for refusal and was therefore aware, at the time the appeal was made, that in order to progress the proposal an appeal would have to be made in any case. It is my view that the appeal was an inevitability and that the costs relating to the proceedings before me would have been incurred even if the planning application had been determined earlier.

7. I note the appellant's argument that the delay caused by the Council's failure to determine the application has led to difficulties and delay in marketing the appeal property. However my powers do not extend to awards of compensation for indirect losses such as those which may result from delay in obtaining planning permission via the appeal process. I therefore conclude that whilst the Council has acted unreasonably, this has not caused the appellant unnecessary expense.

Formal Decision

8. In exercise of the powers transferred to me, I refuse the application for an award of costs.



INSPECTOR

finished

DEVELOPMENT CONTROL/BUILDING CONTROL CHECKLIST

CHECKLIST WHEN A BUILDING REGULATION APPLICATION HAS BEEN RECEIVED.

SITE DETAILS		CASE OFFICER
PLANNING APPLICATION NUMBER	1413	EC
BUILDING CONTROL NUMBER	FP2000/0515	Brian
APPLICANT/AGENT	WH Graham	
ADDRESS OF SITE	Kintaline Lower Wokingham Road Crowthorne FINCHAMPSTEAD	
DESCRIPTION OF PROPOSED WORK	detached double garage	

DRAWING NUMBERS	BC	DC
BLOCK PLAN		
ELEVATIONS	file not in system. ? archived -	
FLOOR PLANS		

CHECKLIST	1ST CHECK	2ND CHECK
PERMITTED DEVELOPMENT		
APPLIC. NECESSARY-NOT RECEIVED		
APPLIC.RECEIVED & APPROVED on Appeal	22/3/01	
APPLIC.RECEIVED-NO DECISION		
APPLIC.REFUSED		
DIFFERENCES BETWEEN DC/BC DRAWINGS		
IF YES, WHAT ARE THE DIFFERENCES ?		
DATE	23/11/01	

PROBLEMS	REQUESTED	RECEIVED	REMINDER
PLANNING PERMISSION NEEDED			
REVISED PLANS NEEDED			
PLANNING APPLIC.REFUSED			
WAIT FOR PLANNING DECISION			

COMMENCED ON SITE	
NO PLANNING DECISION	
NO PLANNING APPLICATION	

LAND AT KINTALINE
LOWER WOKINGHAM ROAD

CROWTHORNE

Report commissioned by: Greg Gray Associates

Report prepared by: John G Kelcey, B.Sc(Hons), ALI, FGS, MIHT, C.Biol, M.I.Biol, MILAM, MIEA
Environmental Consultant
38 Church Street
Wolverton
Milton Keynes
MK12 5JN

Tel. No. 01908 322452

CONTENTS

		Page No:
1.0	INTRODUCTION	1
2.0	SITE DESCRIPTION	1
3.0	PHYSICAL CHARACTERISTICS OF THE DITCH	1
4.0	VEGETATION	2
5.0	ANIMALS	2
6.0	PROPOSALS	3
7.0	CONCLUSIONS	4

APPENDICES

I	CORRESPONDENCE WITH THE ENVIRONMENT AGENCY	5
II	PLAN OF SUBJECT SITE	10
III	DIAGRAMMATIC HABITAT / VEGETATION OF THE DITCH AND THE ADJACENT LAND	12
IV	DIAGRAMMATIC CROSS SECTIONS OF THE DITCH	14
V	PROPOSALS	16

1.0 INTRODUCTION

1.1 In its response to a planning application for the construction of a garage, the Environment Agency requested that an ecological survey and nature conservation assessment be undertaken of the Subject Site, especially in relation to protected species. . The correspondence is given in Appendix I (page 5) and the Subject Site is shown in the plan in Appendix II (page10).

2.0 SITE DESCRIPTION

2.1 The site is a former house that has been demolished and another built. The area adjacent to the house is partly a waiting area and partly used for the temporary storage of materials.

2.2 The site is bordered to the north and south by the gardens of houses. The east side is bordered by Old Wokingham Road. The garden of the house extends c.100m to the west.

3.0 PHYSICAL CHARACTERISTICS OF THE DITCH

3.1 The ditch enters the north-east corner of the site and extends for about 14m parallel to and 1.5m to 3.5m from the northern boundary fence, see the plan in Appendix III (page 12). The ditch is then culverted under a concrete hard standing for 21m, after which it continues west parallel to and about 2m from the northern garden boundary fence.

3.2 At the east end the ditch has an almost square cross section, whereas the west end is more saucer shaped. Diagrammatic cross sections of the ditch about 2-3m from the eastern boundary and 1.0m west of the culvert are given in Appendix IV (page 14).

3.3 At the time of the survey the ditch was dry save for a 1-2m section of the eastern culvert where there was about 25mm depth of water.

3.4 The bed at the east end comprises sections of mud, shingle and gravel. At the west end it is 'mud' (albeit dry).

4.0 VEGETATION

4.1 About half of the section of the ditch between the concrete hard standing and the east end is shaded by oak and silver birch.

4.2 There is no submerged, floating leaved or marginal/emergent aquatic vegetation. In addition to the tree canopy, the east section of the ditch is covered by a combination of male fern, low growing *Rhododendron*, yellow loosestrife and pendulous sedge, see Appendix IV (page 14).

4.3 The vegetation between the ditch and the northern boundary fence is predominantly strawberry (cultivated) with common dog violet, bramble and broad-leaved willow herb. On the south side there is a small area of vegetation between the ditch and the disturbed area, the vegetation comprises strawberry, selfheal and dandelion.

4.4 The channel, banks and adjacent area of the ditch to the west of the concrete area are virtually devoid of vegetation for about 2m from the culvert. The ground under the mature pine adjacent to the ditch comprises a small area of grassland including Yorkshire fog. On the opposite side of the ditch there is an area of foxglove and low growing *Rhododendron*.

5.0 ANIMALS

5.1 The channel is dry and consequently there are no aquatic animals. No easily visible invertebrate animals were seen in the small area (c. 0.5-1.0sqm) of water in the east section adjacent to the culvert. No mammals, reptiles or amphibians were seen. No birds were seen adjacent to the ditch.

6.0 PROPOSALS

6.1 The proposals comprise two elements, see Appendix V (page 16):-

a) The diversion of about 7m of the existing ditch into a new open channel between the existing ditch and the north boundary fence.

b) The conversion of the 21m of culvert to an open ditch adjacent to the northern boundary fence.

6.2 The proposals would not result in any loss of ditch. The diversion would slightly increase the length and the conversion of the culvert to an open ditch would add a 21m of open ditch.

6.3 The new ditch would have an invert of c.600mm and bank slopes of 1:1 (or thereabouts). The invert would comprise the natural materials. If it is considered desirable the invert and/or the banks could be planted with marginal/emergent plant species for example those listed in Table 6.1 (below) (the list is provisional):-

Table 6.1

Plant Species List

Yellow iris
Purple loosestrife
Flowering rush
Marsh woundwort
Water mint
Water forget-me-not

6.4 The margins of the ditch would be sown with grass and planted with garden plants (shrubs and herbs).

6.5 As was previously the case the ditch and the land adjacent to it will be managed and maintained as part of the garden to the house.

7.0 CONCLUSIONS

7.1 The ditch was within the curtilage of a pre-existing house. It was managed and maintained as part of the garden of the house.

7.2 The existing ditch is of little, if any, wildlife value. No fully or partially protected plant or animal species were seen and none are likely to occur.

7.3 The proposal would result in the re-alignment of about 7m of ditch and the creation of about 21m of ditch that is currently culverted. As a consequence there will be a substantial nature conservation benefit

APPENDIX I

CORRESPONDENCE WITH THE ENVIRONMENT AGENCY

C611

Our ref: SU86SW/22/S
Your ref: 2271/wmg/cm

Date: 24 May 2000

ENVIRONMENT AGENCY

W M Graham
WMG Chartered Architects
1 Rectory Road
Wokingham
Berkshire
RG40 1DJ

Dear Mr Graham

KINTALINE, LOWER WOKINGHAM ROAD, WOKINGHAM

I write further to your letter of 3rd May 2000 regarding the diversion of the watercourse crossing the above site. I can confirm that the Environment Agency welcomes the proposal to open the previously culverted ditch by means of diversion. The Agency will consider the ditch to be suitable if the constructed ditch dimensions reflect those of the up- and downstream sections of ditch. Consent will only be required if it is proposed to block the flow (or potential flow) of water in the ditch as part of the temporary works.

If you have any further queries, please do not hesitate to contact me directly.

Yours faithfully

AMANDA REED
Development Planning Engineer

Direct dial 01276 454331
Direct fax 01276 454352

WMC

Environment Agency
Frimley Office, Swift House, Frimley Business Park, Camberley, Surrey, GU16 5SQ
Tel: 01276 454300 Fax: 01276 454301

Our ref: SP\2000\001790\001
Your ref: F/2000/1413

ENVIRONMENT AGENCY

Date: 5th July 2000

District Planning Officer
Wokingham District Council
Council Offices, Shute End,
PO Box 157
Wokingham
Berkshire
RG11 1BN

For the attention of: Elaine Connor

Dear Madam

ERECTION OF DOUBLE GARAGE - KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

Thank you for your letter dated 18 May 2000 which was received on 22 May 2000. You are asked to quote the following reference in any correspondence: SU86SW/22/8. The Environment Agency has the following comments:

The Environment Agency **OBJECTS** to the proposed development for the following reasons:

REASON: The proposals include development in close proximity to the re-aligned watercourse. This will adversely affect the character and conservation value of the watercourse; increase the risk of accidental pollution; increase the likelihood that undesirable forms of bank retention work may need to be adopted in future; and preclude the creation of an adequate buffer zone.

ADVICE TO PLANNING AUTHORITY

AMANDA REED

Conservation: Contact Liz Baldwin on 01276 45 4430

The location of the new garage should be moved so that a minimum of 2 metres is established between any new structure and the re-alligned ditch. At present due to the close proximity of the garage to the stream, the proposals are not acceptable.

Although the Agency encourages culverted sections of watercourses to be opened up, we require further information about the existing ditch that will be filled in prior to approval of the diversion. In particular we require an ecological survey of the ditch to identify any rare, declining, protected (such as water voles) or otherwise important flora, or habitats along the length of the watercourse to be filled in. The Agency would ask to be consulted on the results of the survey.

AQUATIC INVERTEBRATE SURVEY

Cont/d.

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 5SQ
Telephone : 01276 454300 Fax : 01276 454301

Details of the new ditch, including cross sections and proposed landscaping should also be provided. Planting should comprise of native species only. Use of locally native species in landscaping plans is essential in order to benefit local wildlife and to help maintain the region's natural balance of flora. It will also help to prevent the spread of invasive, alien species within the region. In addition, native specimens from the existing ditch, proposed to be infilled, could be translocated into the new ditch.

Buffer zones to watercourses are required for the following purposes:
(i) to allow the watercourse to undergo natural processes of erosion and deposition, and associated changes in alignment and bank profile, without the need for artificial bank protection works and the associated destruction of natural bank habitat;
(ii) to provide for the terrestrial life stages of aquatic insects, for nesting of water-related bird species, and for bank dwelling small mammals;
(iii) to provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats;
(iv) to allow for the maintenance of a zone of natural character with vegetation that gives rise to a range of conditions of light and shade in the watercourse itself. This mix of conditions encourages proliferation of a wide range of aquatic species, including fish;
(v) to allow, where appropriate, for the regrading of banks to a lower and safer profile, in areas where there is public access;
(vi) to prevent overshadowing of watercourses by buildings; and
(vii) to reduce the risk of accidental pollution from run-off.

The buffer zones should be undisturbed and maintained for wildlife. They should not include any built development including hardstanding.

If you are minded to grant permission for the proposals despite the above, it is essential that you contact me before a determination is made.

DECISION NOTICE

Would you please forward a copy of the decision notice to this office quoting our reference.

A copy of this letter has been sent to the agent.

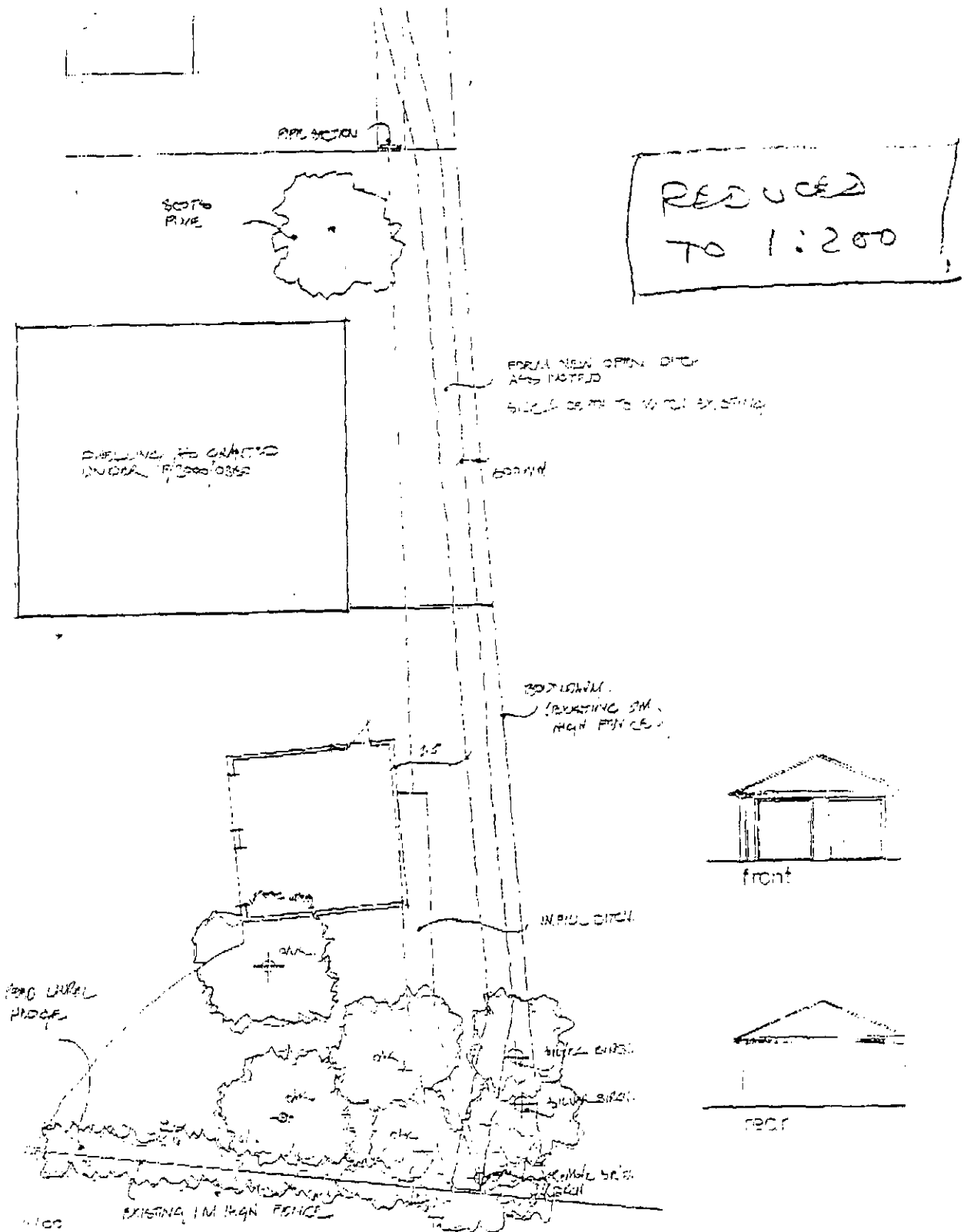
If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: W M Graham Associates, 1 Rectory Road, Wokingham RG40 1DJ

~~Contd~~.


REDUCED TO 1:200
front
rear

APPENDIX II

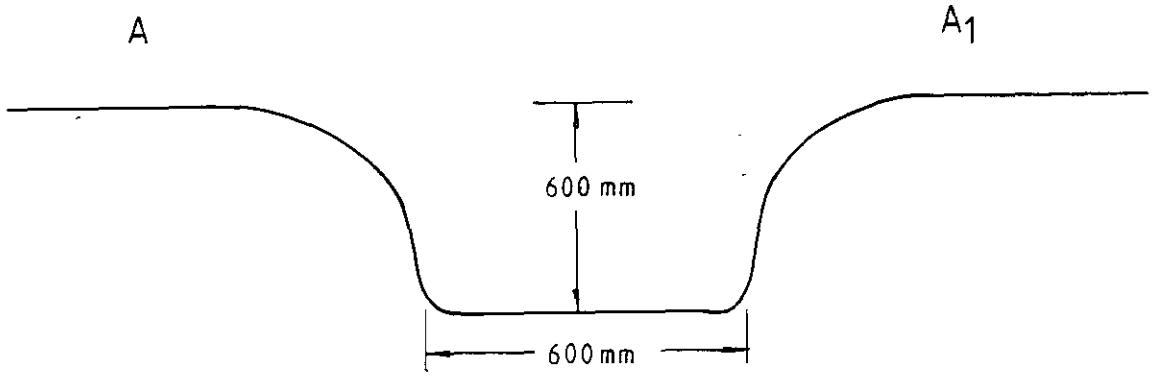
PLAN OF SUBJECT SITE

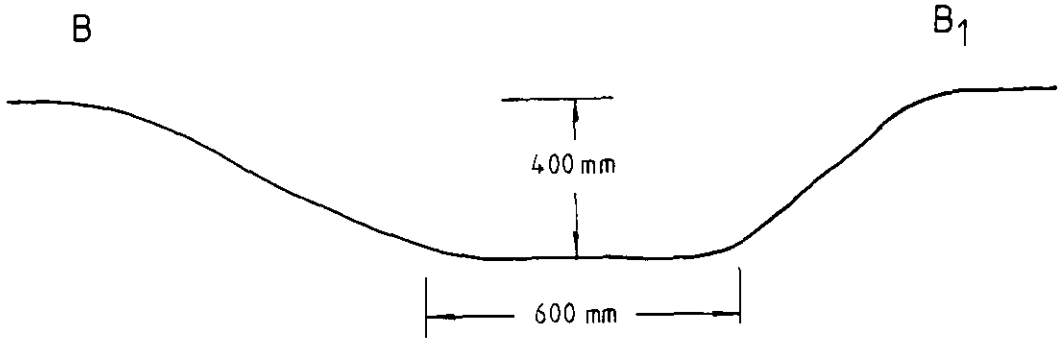
APPENDIX III

DIAGRAMMATIC HABITAT / VEGETATION OF THE DITCH AND THE ADJACENT LAND

APPENDIX IV

DIAGRAMMATIC CROSS SECTIONS OF THE DITCH





'X' SECTIONS THROUGH DITCH

N.T.S.

APPENDIX V

PROPOSALS

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

Tel: (0118) 974 6451

Date: **18 May 2000**

My ref: F/2000/1413

CONFIDENTIAL

Councillor Cockroft
113a Nine Mile Ride
Finchampstead
RG40 4HX

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/2000/1413
Kintaline, Lower Wokingham Road, , Crowthorne.
Proposed erection of detached double garage.

I write to let you know that the above mentioned house holder 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 may wish the application to be listed for consideration by the Development Control Sub-Committee. This form must be received no later than 28 days from the date of this letter.

If you have any questions please do not hesitate to contact **Elaine Connor** on **(0118) 974 6451**.

Yours faithfully,

John Mitchell

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Elaine Connor** Application Number: **F/2000/1413**
Kintaline, Lower Wokingham Road, , Crowthorne.
Proposed erection of detached double garage.
I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Cockroft

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

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

Tel: (0118) 974 6451

Date: **18 May 2000**

My ref: F/2000/1413

CONFIDENTIAL

Councillor Cockroft
113a Nine Mile Ride
Finchampstead
RG40 4HX

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/2000/1413
Kintaline, Lower Wokingham Road, , Crowthorne.
Proposed erection of detached double garage.

I write to let you know that the above mentioned house holder 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 may wish the application to be listed for consideration by the Development Control Sub-Committee. This form must be received no later than 28 days from the date of this letter.

If you have any questions please do not hesitate to contact **Elaine Connor** on **(0118) 974 6451**.

Yours faithfully,

John Mitchell

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Elaine Connor** Application Number: **F/2000/1413**
Kintaline, Lower Wokingham Road, , Crowthorne.
Proposed erection of detached double garage.
I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Cockroft

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

PLANNING SERVICES	HPT 30175
POL	TLS
DC	ENF
APP	
CS	
05 JUN 2000	
COPIES TO:	ACK:
	FILE:

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: 2271/wmg/cm

2 June 2000

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

For the attention of Elaine Conner

Dear Ms Conner

KINTALINE LOWER WOKINGHAM ROAD CROWTHORNE

With reference to application No. F/2000/1413 dated 18 May 200 please find enclosed a copy of our letter dated 6 May 2000 to the Environment Agency and their reply dated 24 May 2000.

This letter provides the information with regard to the future of the ditch.

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

Ref: 2271/wmg/cm

6 May 2000

Ms A Reed
Development Planning Engineer
Environment Agency
Frimley Offices
Swift House
Frimley
GU15 3SQ

Dear Ms Reed

KINFALINE LOWER WOKINGHAM ROAD WOKINGHAM

With reference to our discussion yesterday on site regarding the diversion of a surface water ditch please find enclosed two copies of Dwg. No. 2271 - 06 and OS sheets.

On behalf of our client it is our intention to lodge a Town Planning application with Wokingham District Council for a double garage.

As discussed it is intended to direct the open and piped sections of the existing culvert into an open culvert to allow a garage to be located as shown on Dwg. No. 2271 - 06.

For backgound information the dwelling currently under construction on site was granted planning permission under Wokingham District Council No. F/2000/0360 (April 2000)

With regard to the proposals for the ditch could you please confirm what, if any, further action is required.

Should you require any furtner information at this satge please do not hesitate to contact us.

Yours sincerely

W M Graham

Enc

cc Mr D Baigent

Our ref: SU86SW/22/8
Your ref: 2271/wmg/cm

Date: 24 May 2000

ENVIRONMENT AGENCY

W M Graham
WMG Chartered Architects
1 Rectory Road
Wokingham
Berkshire
RG40 1DJ

Dear Mr Graham

KINTALINE, LOWER WOKINGHAM ROAD, WOKINGHAM

I write further to your letter of 3rd May 2000 regarding the diversion of the watercourse crossing the above site. I can confirm that the Environment Agency welcomes the proposal to open the previously culverted ditch by means of diversion. The Agency will consider the ditch to be suitable if the constructed ditch dimensions reflect those of the up- and downstream sections of ditch. Consent will only be required if it is proposed to block the flow (or potential flow) of water in the ditch as part of the temporary works.

If you have any further queries, please do not hesitate to contact me directly.

Yours faithfully

AMANDA REED
Development Planning Engineer

Direct dial 01276 454331
Direct fax 01276 454352

Environment Agency
Frimley Office, Swift House, Frimley Business Park, Camberley, Surrey, GU16 5SQ
Tel: 01276 454300 Fax: 01276 454301

See part 1 plans.

To:
Neil Etherington
Senior Arboricultural Officer

19 MAY 2000

From: Elaine Connor

Date: 18 May 2000

Application Number: F/2000/1413

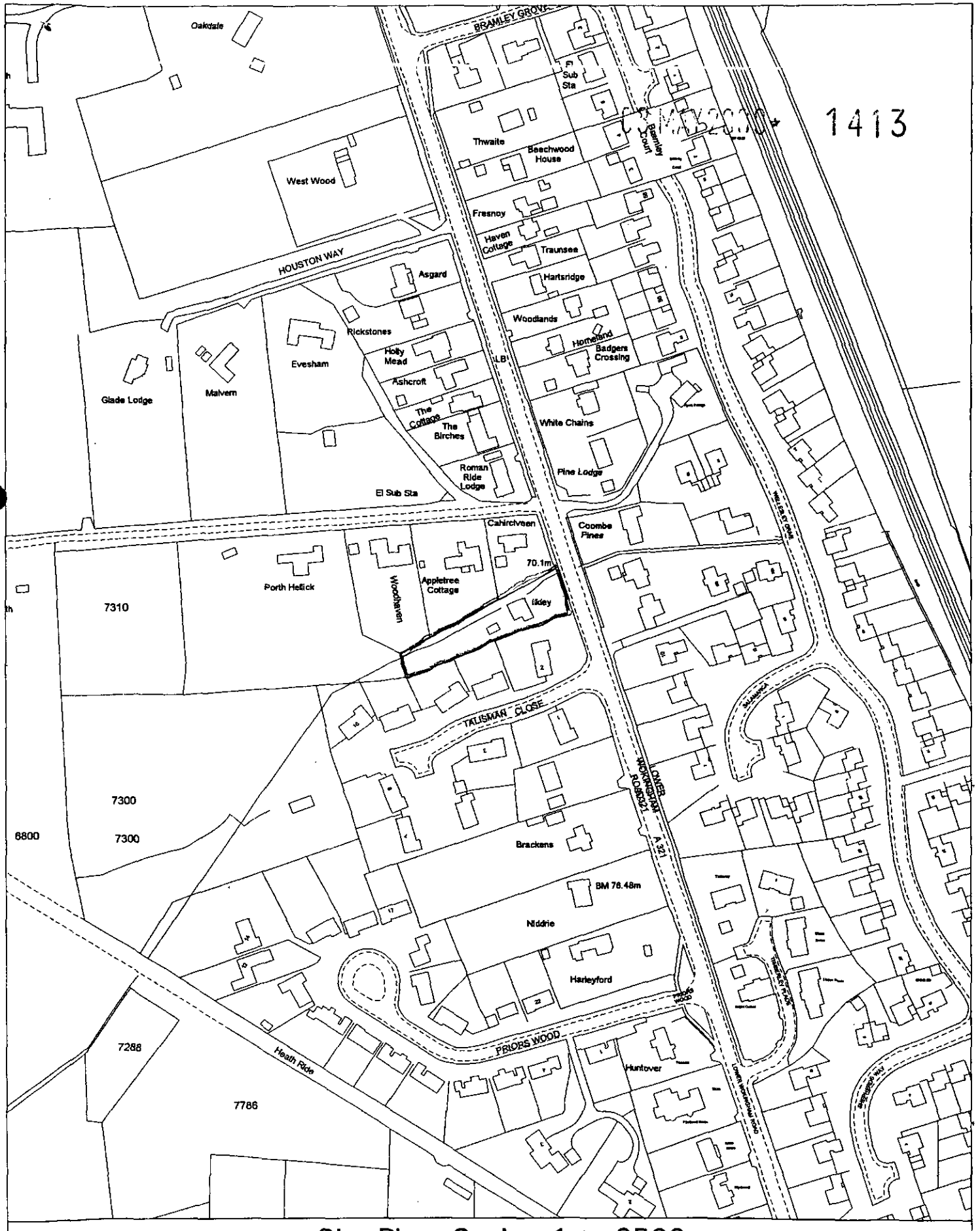
Proposal: Proposed erection of detached double garage..

Site Address:
Kintaline, Lower Wokingham Road, , Crowthorne.

Applicant:
Mr D Baigent C/O W M Graham And Associates.

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

Check nearest Oak on site



Site Plan, Scale: 1 to 2500

This copy has been produced specifically for the map return scheme purposes only. No further copies may be made.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO Office. © Crown Copyright. Wokingham District Council, Licence No. LA086134

Date: 16 December 1999

N
W E
S

1959/a

HOUSEHOLDER PLANNING APPLICATION

03 MAY 2013

WOKINGHAM DISTRICT COUNCIL

Please answer all questions in CAPITAL letters. If any question does not apply, put N/A in the space.
Please submit 6 copies of the completed form and your plans to: Planning Department, Wokingham District Council, PO Box 157, Shute End, Wokingham, Berkshire, RG11 1WR.
Notes to help you fill in the form are attached.
If you still have any questions about the form, please call Ian Jordan on 0734 778763.

For office use only
Application No.

You can use this form for applying for full permission only for:

* extensions
* loft conversions
* garages and outbuildings
* garden fences or walls
* new or altered access

This form is for householders (and their agents) occupying houses or bungalows only. You must use the General Planning Application form for all other types of application.

1.	YOUR NAME	MR D BAIGENT
	ADDRESS	KINTALINE
		LOWER WOKINGHAM ROAD
		WOKINGHAM
	POST CODE	RG45 6BT Tel. No. 01344 772080
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. 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	KINTALINE
		LOWER WOKINGHAM ROAD
		WOKINGHAM
4. Give brief details of the proposal e.g. two storey side extension.	ABOUT THE APPLICATION	Erection of detached double garage

5. ARE THERE ANY TREES ON THE SITE? YES / ~~NO~~
If YES, please show their positions, spread, and species of the trees on the plans. Indicate any which are to be felled.
Please see Dwgs.

6. PLEASE LIST THE EXTERNAL MATERIAL TO BE USED
To match dwelling

7. WILL PEDESTRIANS/VEHICLES ACCESS THE SITE? YES / ~~NO~~
Please show details of the existing access and any proposed changes on the plans.

8. WILL THE CAR PARKING PROVISION AT THE SITE BE CHANGED? If YES, please show details of any changes on the plans. ~~YES~~ / NO

9. DOES A PUBLIC RIGHT OF WAY TOUCH OR CROSS THE SITE? ~~YES~~ / NO
If YES, please show the route and any proposed alternative on the plans.

10. CHECK LIST Please ensure that you enclose the following:-

(a) 6 copies of this form, signed and dated ✓

(b) The fee (the current scale of fees is attached) £95
If no fee is payable please say why below

(c) 6 copies of plans and drawings ✓
(i) 1:2500 scale location plan with application, site outlined in red. ✓
(ii) 1:500 scale site layout plan showing position of adjoining dwellings ✓
(iii) 1:100 or 1:200 scale floor plans and elevations

11. CERTIFICATE OF OWNERSHIP (SECTION 66 TOWN AND COUNTRY PLANNING ACT 1990)
Please delete either Certificate A or Certificate B below. If neither apply you must complete a full certificate obtainable from the Planning Department.

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

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 (a) of any part of the land to which the application relates.

* None of the land forms part of an agricultural holding.

~~**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

~~* None of the land forms part of an agricultural holding~~

SIGNED W M GRAHAM ASSOCIATES

ON BEHALF OF MR D BAIGENT

DATE 2nd May 2000

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS

'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL

Telephone: 01252 624004 Fax: 01252 684160

E-Mail: info@ggassoociates.co.uk

PLANNING SERVICES		32647
POL		
DC EC		
APP		
CS		
04 AUG 2000		
COPIES TO:	ACK:	
	FILE:	

Miss. E. Connor,
Planning Department,
Wokingham District Council,
Shute End,
Wokingham,
Berks, RG40 1WR.

3rd August 2000

Dear Miss. Connor,

PROPOSED ERECTION OF DETACHED DOUBLE GARAGE KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE. F/2000/1413

I attach copy correspondence with the Environment Agency.

As there are no ecological implications I trust that you will now be in a position to determine the application without any further delay.

Yours sincerely,

Mark Leedale

Gregory Gray Associates
CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

Ms L. Baldwin
Environment Agency
Swift House
Frimley Business Park
Frimley GU16 5SQ

3rd August 2000

Dear Ms Baldwin

KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE.
SP/2000/01790/001

Pursuant to your letter of 5th July to the District Planning Officer, I attach a copy of a report commissioned by our client. As you will see there are no environmental implications involved in the relocation of this drainage ditch.

I also attach a copy of my client's Consultant's letter of 2nd August and would welcome your comments. Whilst I am not an ecologist, it seems to me that the standard approach adopted by the Agency to such matters needs careful reassessment to save us all time and money, so that we may concentrate on the more significant ecological issues as and when they arise.

Yours sincerely,

Mark Leedale

Cc Wokingham DC

Received by Wokingham District Council

Application No: F/2000/1413

Proposal:
Proposed erection of detached double garage.

Location:
Kintaline, Lower Wokingham Road, , Crowthorne.

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 Elaine Connor P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 11/06/2000. 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

18 May 2000

Recd 11.50AM 17.7.00

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS

'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.

Telephone: 01252 624004 Fax: 01252 684160

E-Mail: info@ggassoociates.co.uk

PLANNING SERVICES RPT 31925
POL
DC
CDP
CS
2000
ACK:
FILE:

Miss. E. Connor,
~~Planning Department,~~
Wokingham District Council,
Shute End,
Wokingham,
Berks, RG40 1WR.

17th July 2000

Dear Miss. Connor,

PROPOSED ERECTION OF DETACHED DOUBLE GARAGE
KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE.

I write further to our telephone conversation on Friday.

I am in the process of instructing an ecologist in relation of the Environment Agency letter of 5th July.

As for the matter of visual impact, you will be able to gain a clear impression of the screening effect of understorey planting by reference to those properties which I have referred you to in earlier correspondence. As you will see the planting largely obscures the garage buildings and, importantly, Laurel is relatively fast growing so its impact will be fairly quick.

I trust on this basis your initial objection on visual grounds will be overcome and we are confident that the ecological matters will be satisfactory addressed.

Yours sincerely,

Mark Leedale

1959/a

HOUSEHOLDER PLANNING APPLICATION

13 MAY 2016

WOKINGHAM DISTRICT COUNCIL

Please answer all questions in CAPITAL letters. If any question does not apply, put N/A in the space.
Please submit 6 copies of the completed form and your plans to: Planning Department, Wokingham District Council, PO Box 157, Shute End, Wokingham, Berkshire, RG11 1WR.
Notes to help you fill in the form are attached.
If you still have any questions about the form, please call Ian Jordan on 0734 778763.

For office use only
Application No.

You can use this form for applying for full permission only for:

* extensions
* loft conversions
* garages and outbuildings
* garden fences or walls
* new or altered access

This form is for householders (and their agents) occupying houses or bungalows only. You must use the General Planning Application form for all other types of application.

1.	YOUR NAME	MR D BAIGENT
	ADDRESS	KINTALINE
		LOWER WOKINGHAM ROAD
		WOKINGHAM
	POST CODE	RG45 6BT Tel. No. 01344 772080
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. 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	KINTALINE
		LOWER WOKINGHAM ROAD
		WOKINGHAM
4. Give brief details of the proposal e.g. two storey side extension.	ABOUT THE APPLICATION	Erection of detached double garage

5. ARE THERE ANY TREES ON THE SITE? YES / NO
If YES, please show their positions, spread, and species of the trees on the plans. *Indicate any which are to be felled.*
Please see Dwgs.

6. PLEASE LIST THE EXTERNAL MATERIAL TO BE USED
To match dwelling

7. WILL PEDESTRIANS/VEHICLES ACCESS THE SITE? YES / NO
Please show details of the existing access and any proposed changes on the plans.

8. WILL THE CAR PARKING PROVISION AT THE SITE BE CHANGED? If YES, please show details of any changes on the plans. YES / NO

9. DOES A PUBLIC RIGHT OF WAY TOUCH OR CROSS THE SITE? YES / NO
If YES, please show the route and any proposed alternative on the plans.

10. CHECK LIST Please ensure that you enclose the following:-

(a) 6 copies of this form, signed and dated ✓

(b) The fee (the current scale of fees is attached) £95
If no fee is payable please say why below

(c) 6 copies of plans and drawings ✓
(i) 1:2500 scale location plan with application, site outlined in red. ✓
(ii) 1:500 scale site layout plan showing position of adjoining dwellings ✓
(iii) 1:100 or 1:200 scale floor plans and elevations

11. CERTIFICATE OF OWNERSHIP (SECTION 66 TOWN AND COUNTRY PLANNING ACT 1990)
Please delete either Certificate A or Certificate B below. If neither apply you must complete a full certificate obtainable from the Planning Department.

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

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 (a) of any part of the land to which the application relates.

* None of the land forms part of an agricultural holding.

~~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

~~* None of the land forms part of an agricultural holding~~

SIGNED W M GRAHAM ASSOCIATES

ON BEHALF OF MR D BAIGENT

DATE 2nd May 2000

~~HKLEY~~ KINTALINE

ADDRESS LOWER WOKINGHAM ROAD PARISH FINCHAMPSTEAD

PLOT No. ORD. SHEET No. SU 8164 (10

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
103/56	Mr P W MONK	OA DWELLING	15.2.56	–
744/57	C E MASON	"	29.8.57	–
1061/57	"	"	14.1.58	
34/58	"	bungalow & garage	11.3.58	APP
BR 6766	MR C COLLISHAW	roof conversion	8.7.77	APP
06756	"	"	4.8.77	N/A
BRA 5550	MR. FIELDER	REPL. SLAB	16.7.88	APP
FP98/7217	"	Underpinning	16.2.98	APP
BN98/0696	"	"	28.9.98	
F/2000/0284	MR D Baigent	Partial demolition existing dwelling & rebuilding	13.04.00	

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

(2) 1933 KINTALINE

ADDRESS LOWER WOKINGHAM ROAD PARISH

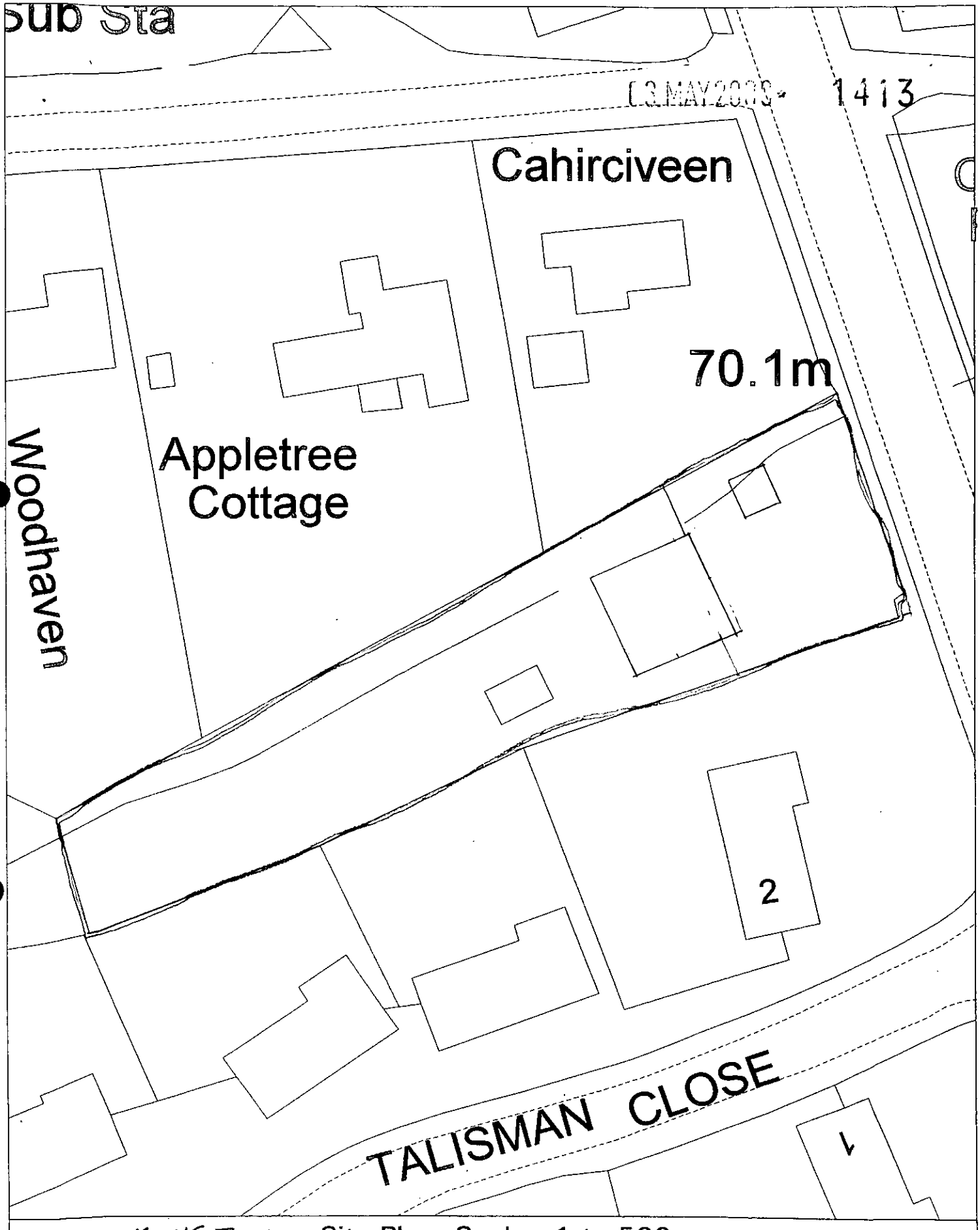
PLOT No ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
F/2000/0360	Mr. D. Baigent	Dem part dwelling, rebuild to form 5 bed house	11.04.00	C

MINISTRY DECISION

SPECIAL ORDERS



EXISTING Site Plan, Scale: 1 to 500

This copy has been produced specifically for the map return scheme purposes only. No further copies may be made.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO Office. © Crown Copyright. Wokingham District Council, Licence No. LA086134
Date: 16 December 1999

N
W E
S

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

PLANNING SE... 31290
CS EC
03 JUL 2000
COPIES TO: ACK:
FILE:

Ms E Conner
Planning Department,
Wokingham District Council,
Shute End,
Wokingham,
Berks, RG40 1WR.

30 June 2000

0118 974 64804 (2 Pages)

Dear Ms Conner,

PROPOSED ERECTION OF DETACHED DOUBLE GARAGE KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE.

I act for David Baigent, The applicant, in respect of the above matter.

I understand that the proposal as submitted is not to your liking and accordingly it is intended to submit amended plans early next week in order to try and resolve the matter between us. This will involve the submission of more detailed plans; the inclusion of additional understorey planting at the frontage; lowering of the ridge by about 700mm; and the full hips of all roof slopes. This will considerably reduce the bulk of the building and the planting will supplement that which exists.

I would also add that there are double garages at the following properties along this part of Lower Wokingham all of which are in front of the dwelling. All result from relatively recent permissions.

- Badgers Crossing
- Harts Lodge
- Beechwood House
- Emerald House
- Tudor Gables
- Birch Grove
- Middle Earth

Additionally, the road is characterised by mature trees and understorey planting to the frontage of properties and my Clients site replicated this character. May I respectfully suggest that your Council could only reasonably withhold permission if the garage building was obtrusive or uncharacteristic of the townscape. Neither circumstance exists.

If it would help then I would be more than happy to attend a site visit or meeting at your offices. In the meantime please do telephone me if you would like to discuss this application .

Yours sincerely,



Mark Leedale

Enc.
Cc W M Graham
D Baigent

Gregory Gray Associates
CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

CS EC

COPIES TO: FILE:

Ms E Conner
Planning Department,
Wokingham District Council,
Shute End,
Wokingham,
Berks, RG40 1WR.

30 June 2000

0118 974 64804 (2 Pages)

Dear Ms Conner,

PROPOSED ERECTION OF DETACHED DOUBLE GARAGE KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE.

I act for David Baigent, The applicant, in respect of the above matter.

I understand that the proposal as submitted is not to your liking and accordingly it is intended to submit amended plans early next week in order to try and resolve the matter between us. This will involve the submission of more detailed plans; the inclusion of additional understorey planting at the frontage; lowering of the ridge by about 700mm; and the full hips of all roof slopes. This will considerably reduce the bulk of the building and the planting will supplement that which exists.

I would also add that there are double garages at the following properties along this part of Lower Wokingham all of which are in front of the dwelling. All result from relatively recent permissions.

- Badgers Crossing
- Harts Lodge
- Beechwood House
- Emerald House
- Tudor Gables
- Birch Grove
- Middle Earth

Additionally, the road is characterised by mature trees and understorey planting to the frontage of properties and my Clients site replicated this character. May I respectfully suggest that your Council could only reasonably withhold permission if the garage building was obtrusive or uncharacteristic of the townscape. Neither circumstance exists.

If it would help then I would be more than happy to attend a site visit or meeting at your offices. In the meantime please do telephone me if you would like to discuss this application .

Yours sincerely,

Mark Leedale

Enc.
Cc W M Graham
D Baigent

BY HAND 03/07.

PLANNING SERVICES	31057
POL	TEL
DC	ENF
APP	
CS	EC
04 JUL 2000	
COPIES TO:	ACK:
	FILE:

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: 2271/wmg/cm

3 July 2000

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

Ms Elaine Connor

Dear Ms Connor

KINTALINE LOWER WOKINGHAM ROAD WOKINGHAM

With reference to the fax from Gregory Gray Associates on 30 June 2000 please find enclosed two copies of Dwgs. Nos. 2271 - 06B & 08C.

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 Gregory Gray Associates
Mr D Baigent

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: 2271/wmg/cm

23 June 2000

30956

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

For the attention of Elaine Connor

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
[illegible]	
[illegible]	
23 JUN [illegible]	
COPIES TO:	ACK:
	FILE:

Dear Ms Connor

KINTALINE LOWER WOKINGHAM ROAD WOKINGHAM

With reference to our meeting regarding the above and application F/2000/1413 please find enclosed two copies of Dwg. No. 2271 - 06A and 08B

We have reduced the size and height of the garage and shown the reduced impact on the elevation.

We would appreciate your views on the views the proposals which we understand would be without prejudice.

We look forward to hearing from you.

Yours sincerely

W M Graham

Enc

WORK SHEET FOR : Elaine Connor

Application Number : F/2000/1413

Applicant : Mr D Baigent C/O W M Graham And Associates.

Location : Kintaline, Lower Wokingham Road, , Crowthorne.

Proposal : Proposed erection of detached double garage.

Site Notice Displayed ? :	YES	NO	DATE

Date of Neighbour Notifications : .....

Date of Site Visit : .....

Date Registered : 03/05/2000

Earliest Date for Decision : 11/06/2000

Latest Consultation Date/Site Notice Expiry Date : 11/06/2000

Application Expiry Date: 28/06/2000

Consultation Responses :

PARISH COUNCIL : No Objection

ENV. AGENCY : Objected to original plan - see file
no objection to revisions

LANDSCAPE : Objected due to proximity to oak tree

OBS : 1 letter of Objection

Planning Issues : IMPACT UPON ST. SCENE

BSP: OS1, EN
SEALP: STV1, SBE1, SBE2
WDLP: WOS2, WOS3, WBE1

Application Number: F/2000/1413
PROP: Detached double garage
Appraisal :

The scheme proposes the erection of a detached double garage to be located forward of the main dwelling. The scheme has been reduced in size & has been moved away from the side boundary with 'Cahirciveen'
The existing scheme proposes a construction approx. 5.5m x 5.5m into a hipped roof design with a ridge height of appwx. 3.5m.
Although the site is screened along the front boundary adjacent to Lower Williamson Road there are very clear views through the front of the site & the dwelling is clearly visible. It is therefore considered that the proposed garage given its siting would be an obtrusive feature in the street scene & would be out of character.

It is therefore considered that the proposed garage would have a negative impact upon the street scene

Recomendation : Approval: ☐ **Refusal:** ☑
(tick appropriate box)

Application Number F/2000/1413
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			It is considered that the proposed detached double garage due to its scale & massing & its position forward of the main dwelling would be an obtrusive feature in the street scene. The prop garage would therefore have a negative impact upon the character of the area. As such the prop is contrary to policy EN of the BSP, SBE1 & SBE2 of the STACP & WBE1 & WDLP (Deposit Draft)
		N16	BSP : OS1
			STACP : STV1.
			WDLP : WOS2, WOS3.

RECORD OF SITE VISIT

SITE ADDRESS: Kintaline Lower Wokingham Road Crowthorne.

APPLICATION NUMBER: F/2000/1413

OFFICER: Elaine Connor

DATE OF SITE VISIT:.....

1 SITE/STATUTORY NOTICE DISPLAYED ?

2. DESCRIPTION OF SURROUNDINGS

3. DESCRIPTION OF SITE/BUILDING

4. RELATIONSHIP TO ADJOINING PROPERTIES

5. SITE CONSTRAINTS

TREES

ACCESS/PARKING

LEVELS

BOUNDARY TREATMENT

OTHERS

HIGHWAYS CONSULTATION SHEET

From: Elaine Connor

Date: 18 May 2000

Application Number: F/2000/1413

Proposal: Proposed erection of detached double garage.

Parish: FINCHAMPSTEAD PARISH

Site Address:
Kintaline, Lower Wokingham Road, , Crowthorne.

Applicant:
Mr D Baigent C/O W M Graham And 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).

Caumonts

SC:23 (Insert: Geragmg, Parking & Turning).

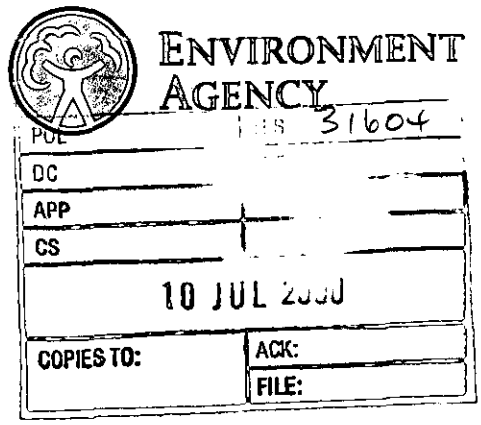
SR:06

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

30/05/00.

Our ref: SP\2000\001790\001
Your ref: F/2000/1413

Date: 5th July 2000



District Planning Officer
Wokingham District Council
Council Offices, Shute End,
PO Box 157
Wokingham
Berkshire
RG11 1BN

For the attention of: Elaine Connor

Dear Madam

ERECTION OF DOUBLE GARAGE - KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

Thank you for your letter dated 18 May 2000 which was received on 22 May 2000. You are asked to quote the following reference in any correspondence: **SU86SW/22/8**. The Environment Agency has the following comments:

The Environment Agency **OBJECTS** to the proposed development for the following reasons:

REASON: The proposals include development in close proximity to the re-aligned watercourse. This will adversely affect the character and conservation value of the watercourse; increase the risk of accidental pollution; increase the likelihood that undesirable forms of bank retention work may need to be adopted in future; and preclude the creation of an adequate buffer zone.

ADVICE TO PLANNING AUTHORITY

Conservation: Contact Liz Baldwin on 01276 45 4430

The location of the new garage should be moved so that a minimum of 2 metres is established between any new structure and the re-alligned ditch. At present due to the close proximity of the garage to the stream, the proposals are not acceptable.

Although the Agency encourages culverted sections of watercourses to be opened up, we require further information about the existing ditch that will be filled in prior to approval of the diversion. In particular we require an ecological survey of the ditch to identify any rare, declining, protected (such as water voles) or otherwise important flora, or habitats along the length of the watercourse to be filled in. The Agency would ask to be consulted on the results of the survey.

SPOKE TO ENV. A.

Cont/d..

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 5SQ
Telephone : 01276 454300 Fax : 01276 454301

Details of the new ditch, including cross sections and proposed landscaping should also be provided. Planting should comprise of native species only. Use of locally native species in landscaping plans is essential in order to benefit local wildlife and to help maintain the region's natural balance of flora. It will also help to prevent the spread of invasive, alien species within the region. In addition, native specimens from the existing ditch, proposed to be infilled, could be translocated into the new ditch.

Buffer zones to watercourses are required for the following purposes:
(i) to allow the watercourse to undergo natural processes of erosion and deposition, and associated changes in alignment and bank profile, without the need for artificial bank protection works and the associated destruction of natural bank habitat;
(ii) to provide for the terrestrial life stages of aquatic insects, for nesting of water-related bird species, and for bank dwelling small mammals;
(iii) to provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats;
(iv) to allow for the maintenance of a zone of natural character with vegetation that gives rise to a range of conditions of light and shade in the watercourse itself. This mix of conditions encourages proliferation of a wide range of aquatic species, including fish;
(v) to allow, where appropriate, for the regrading of banks to a lower and safer profile, in areas where there is public access;
(vi) to prevent overshadowing of watercourses by buildings; and
(vii) to reduce the risk of accidental pollution from run-off.

The buffer zones should be undisturbed and maintained for wildlife. They should not include any built development including hardstanding.

If you are minded to grant permission for the proposals despite the above, it is essential that you contact me before a determination is made.

DECISION NOTICE

Would you please forward a copy of the decision notice to this office quoting our reference.

A copy of this letter has been sent to the agent.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: W M Graham Associates, 1 Rectory Road, Wokingham RG40 1DJ

~~Cont/d~~.

TO: **DEVELOPMENT CONTROL**
Elaine Connor

FROM: Environmental Design

DATE: 18/07/00

Location: Kintaline, Lower Wokingham Road, Crowthorne

Proposal: Double detached garage

Application Number: F/2000/1413

In response to your consultation dated 18 May 2000 for the above application, the arboricultural comments are as follows:

The position of the garage is unacceptable in relation to the nearest oak tree. It should be positioned a minimum of 4.5 metres from this tree.

Neil Etherington
Senior Arboriculturist

FROM: Elaine Connor

DATE: 18 May 2000

PLANNING SERVICES | HPT
POL | TLG
DC | ENF
APP
CS
05 JUN 2000
COPIES TO: | ACK: | FILE:

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/1413

Proposal: Proposed erection of detached double garage..

Site Address: Kintaline, Lower Wokingham Road, , Crowthorne.

Applicant: Mr D Baigent C/O W M Graham And Associates.

Your observations are required in respect of this application **by 11/06/2000** .

The Parish Council has no objections to this application.

SIGNED: C.S. Cl DATE: 2-6-00

Clerk.To Finchampstead Parish/Town Council.

PLANNING SERVICES | HPT
POL | TLS
DC
APP
CS
24 JUL 2000
COPIES TO: | ACK:
FILE:

David Farr
"Cahirciveen"
Lower Wokingham Road
Crowthorne
Berks
RG45 6BT

Tel: 01344 773662

Environment Services Department
Planning Services
P.O.Box 157
Shute End, Wokingham
Berks. RG40 1WR

21st[nd] July 2000

Re: Application Number- F/2000/1413
At site address- Kintaline, Lower Wokingham Road

Dear Sir or Madam,

Having viewed the amended proposed location of the detached double garage on the above planning application – **I am again writing to object to this construction.**

As I stated in my last objection (2nd June), my house, which neighbours this property, actually sits "sideways on" to the Lower Wokingham Road – accordingly the view from my lounge would look directly at the wall of this garage – this I feel is **highly inappropriate.**

Accordingly I again most strongly object to the garage being sited in the proposed location.

I would have thought that any such plan for a detached garage should have been envisaged by the occupier at the time that he put in his original proposal for the extension to the actual house.

I must say that had I realised further planning applications would be forthcoming, then I would have also objected to the house extension – which co-incidentally bears little relationship to that which was proposed.

You may feel it appropriate to enquire whether I should expect to receive yet further applications for extensions etc.?

Yours faithfully,

D.G.Farr

Date: 17 July 2000

To: Case Officer

We have received Revised Plans for the following planning application:

Application Number: F/2000/1413

Location: Kintaline, Lower Wokingham Road, Crowthorne.

Proposal: Proposed erection of detached double garage.

Applicant: Mr D Baigent, C/O W M Graham And Associates.

Case Officer: Elaine Connor

The new plans show the following: Reduction in height of garage by approximately 2.3m, and relocation of proposed garage an additional 2.5m from side boundary. Drawing no 2271/06/C.

Comments are required by 24/07/2000.

Should you have any queries regarding this application please contact the case officer Elaine Connor on (0118) 974 6451.

(RING ONE)

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

App No. 1413 (Planaps) / (Ludhouse) Date Rec. 11th JULY '00

Location: 'KINTALINE' LWR WOKINGHAM ROAD,

Parish FINCHAMPSTEAD.

Applicant: MR. BAIGENT.

Description of attached plans ~~MR BAIGENT~~
PLANS TO SHOW REDUCTION IN ~~FOR~~ HEIGHT OF GARAGE BY APPROX 2.3m, & relocation of prop. garage an additional 2.5m from side boundary

Drawing No's: 2271/06/C.

CONSULTEES

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

Please tick which of the following you wish consulted.

OTHERS: MR D. FARR
"CAHIRCIVEEN"
LWR WOKINGHAM RD.,
RG45 6BT

Drawing No's

1. NK (Landscape & Trees) ____ ☐
2. NK (Env. Design) ____ ☐
3. XA (Highways) ____ ☐
4. NF (Building Control) ____ ☐
5. BC/DC Liaison ____ ☐

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

NEIGHBOURS: ____

Date for Responses 7days

FURTHER ACTION

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

Redate Application Y / N From ____

New Site Notice Y / N

New Description ____

CASE OFFICER EC.

Consultations Sent by Admin. on 17.07.PS.

Yellow - Part One Copy
Green - Officer's Copy

B Hand
10/07/2000

31649
VEC
11 JUL 2000
COPIES TO:
ACK:
FILE:

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: 2271/wmg/cm

10 July 2000

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

REVISED PLAN

For the attention of Elaine Connor

1413

Dear Ms Connor

KINTALINE LOWER WOKINGHAM ROAD WOKINGHAM

With reference to the Environment Agency letter of 5 July 2000 and the Gregory Grey Associates letter of 7 July 2000 regarding the above and application No. Please find enclosed five copies of Dwg. No. 2271 - 06C showing a revised location. A copy has been forwarded to the Environment Agency.

Should you require any further details please do not hesitate to contact us.

Yours sincerely

W M Graham

Enc

cc Mr D Baigent (A1 + A1 Letter)
Gregory Gray Associates
Mr S Paxman (Ref: SP/2000/001790/001)

PLANNING SERVICES | HPT
POL | LS
DC
APP | EC
CS DMS
05 JUN 2000
COPIES TO: | ACK: | FILE:

David Farr
"Cahirciveen"
Lower Wokingham Road
Crowthorne
Berks
RG45 6BT

Tel: 01344 773662

Environment Services Department
Planning Services
P.O.Box 157
Shute End, Wokingham
Berks. RG40 1WR

2nd June 2000

Re: Application Number- F/2000/1413
At site address- Kintaline, Lower Wokingham Road

Dear Sir or Madam,

Having viewed the proposed location of the detached double garage on the above planning application – **I am writing to object to this construction.**

My house, which neighbours this property, actually sits "sideways on" to the Lower Wokingham Road – accordingly the view from my lounge would look directly at the wall of this garage – this I feel is **highly inappropriate** .

Accordingly I most strongly object to the garage being sited in the proposed location.

Yours faithfully,

D.G.Farr

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	1109	RESPONSE NUMBER:	2566

RESPONDENT INFORMATION:

Martin & Pole, Nicholas
Salisbury House
Milton Road
Wokingham
Berkshire
RG40 1DB

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	Object
POLICY/PROPOSAL:	WBE1	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:

Whilst the aim of the policy is sound, it has no development control function. Policy should either be relegated to the supporting text, or omitted from the plan.

SUMMARY OF LPA RESPONSE:

No change. The proper test is not whether the policy has a development control function. Legislation has not defined the scope of land use planning. The courts, as quoted in PPG1, have concluded that the test is whether it relates to the development and use of land. Therefore the policy is appropriate as it sets out the Council's policy towards the use of land. The policy is in accordance with the guidance given in PPG1, in particular para. 17 and Annex A para.1, that development plans should set out design policies against which development proposals are to be considered and reject poor designs.

SUPPORT

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	24	RESPONSE NUMBER:	1308

RESPONDENT INFORMATION:

Ms L Erler
64 Cutbush Lane
Shinfield
READING
Berkshire
RG2 9AG

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	support
POLICY/PROPOSAL:	WBE1	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:	SUMMARY OF LPA RESPONSE:
Apply to proposed developments, especially by-pass near Cutbush, formerly Badger Farm, Shinfield.	Support welcomed and noted. Paragraph 0.29 has been extended to emphasise the Council's commitment to ensuring compliance with plan policies.

Wokingham District Draft Local Plan
Representations

RESPONDENT NUMBER:	1106	RESPONSE NUMBER:	2493

RESPONDENT INFORMATION:

Mr P Garber
George Wimpey Plc
7 Jayes Park Courtyard
Sheep Green, Ockley
DORKING
Surrey
RH5 5RR

CLIENT INFORMATION:

CHAPTER:	4	SUPPORT/OBJECT:	*Object*
POLICY/PROPOSAL:	WBE1	PARAGRAPH NUMBER:	
HOUSING SITE REF:		PROPOSED AMENDMENT REF:	
SITE ADDRESS:			

SUMMARY OF REPRESENTATION:	SUMMARY OF LPA RESPONSE:
Policy is too restrictive. Replace "will require" with "will seek".	No change. The policy is in accordance with the guidance given in PPG1, in particular para. 17 and Annex A, para.1, that development plans should set out design policies against which development proposals are to be considered and reject poor designs.

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

Tel: (0118) 974 6451

Date: **18 May 2000**

My ref: F/2000/1413

CONFIDENTIAL

Councillor Long
Foxfield
Wick Hill Lane
Finchampstead
RG40 3PY

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/2000/1413
Kintaline, Lower Wokingham Road, , Crowthorne.
Proposed erection of detached double garage.

I write to let you know that the above mentioned house holder 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 may wish the application to be listed for consideration by the Development Control Sub-Committee. This form must be received no later than 28 days from the date of this letter.

If you have any questions please do not hesitate to contact **Elaine Connor** on **(0118) 974 6451**.

Yours faithfully,

John Mitchell

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Elaine Connor** Application Number: **F/2000/1413**
Kintaline, Lower Wokingham Road, , Crowthorne.
Proposed erection of detached double garage.
I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Long

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

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date:	03 MAY 2000
Officer: EC	Application No. F/2000/1413

Map No. 109 Site 0.15

Easting: ..... Flood Pln .....

Northing: ..... Mineral .....

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State

☐ Incorrect Fee ☐ Invalid ☐ PD

Description:

(F) Proposed erection of detached double garage

Location: Kintaline Lower Wokingham Road.

Parish: FINCHAMPSTEAD Wok w/out. Ward: Finch South

18.5.2000

Applicant: Mr D. Baigent

Fee Received 95.00 Required ..... Additional ..... Refund .....

(4)

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 : 18:5:2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control	NF: .....
Landscape	NK: .....
Trees	NK: ✓ .....
Conservation Officer	NK: .....
Environmental Health	NA: .....
Housing	NA: .....
Leisure & Cultural services	PA: .....
Public Rights of Way	PA: .....
Property	NG: .....
District Secretary (only if called in by SOS)	MA: .....
Policy & Plans	QA: .....
Strategic Planning (JSPU)	HA: .....
Minerals (BABTIE)	GA: .....
Archaeological Site (BABTIE)	: .....
Education	AP: .....
Social Services	BT: .....
Highways	XA: ✓ .....

EXTERNAL CONSULTATIONS

Adjacent D P A	: .....
Adjacent Parish	: .....
Southern Electricity Board	BN: .....
British Gas	BM: .....
PSA Oil Pipeline	BD: .....
Transco	: .....
Environment Agency (Re-routing of ditch)	BP: ✓ .....

Rail Track	BI: .....
Police Arch. Liaison Officer	PC: .....

HERITAGE BODIES

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

OTHERS:

no pre-apps

.....

.....

NEIGHBOURS:

S/N + Cabirciveen, Appletree Cottage, Woodhaven, Porth Henick } Roman Ride, Crowthorne

2, 4, 6 + 8 - Talisman Close ✓

Mulberry House, Lowend, Coombe Pines } Lower Wokingham Rd.

By hand 3/5/00

03.MAY2000 1413

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: 2271/wmg/cm

3 May 2000

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

Dear Sir/Madam

KINTALINE LOWER WOKINGHAM ROAD WOKINGHAM

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

a) Householder Planning Application including Certificate A
b) Fee note for £95.00 (cheque included)
c) Os extracts
d) Dwgs. Nos. 2271 - 06

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

Yours faithfully

W M Grham

Enc

~~HKLEY~~ KINTALINE

ADDRESS LOWER WOKINGHAM ROAD PARISH FINCHAMPSTEAD

PLOT No. ORD. SHEET No. SU 8164 (10

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
103/56	Mr P W MONK	OA DWELLING	15.2.56	-
766/57	C E MASON	"	29.8.57	-
1061/57	"	"	14.1.58	
34/58	"	bungalow & garage	11.3.58	APP
BE 6766	MR C COLLISHAW	CONSERVATORY	8.7.77	APP
06756	"	"	4.8.77	N/A
BRA 5550	MR. FIELDER	REPL. SLAB	16.7.88	APP
FP98/7217	"	Underpinning	16.2.98	APP
BN98/0696	"	"	28.9.98	
F/2000/0284	Mr D Baigent	Partial demolition existing dwelling & rebuilding	13.04.00	

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

(2) 1933 KINTALINE

ADDRESS LOWER WOKINGHAM ROAD PARISH

PLOT No ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
F/2000/0360	Mr. D. Baigent	Dem part dwelling, rebuild to form 5 bed house	11.04.00	C

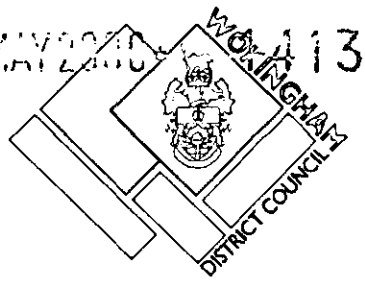
MINISTRY DECISION

SPECIAL ORDERS

1959/a

HOUSEHOLDER PLANNING APPLICATION

03 MAY 2013



Please answer all questions in CAPITAL letters. If any question does not apply, put N/A in the space.
Please submit 6 copies of the completed form and your plans to: Planning Department, Wokingham District Council, PO Box 157, Shute End, Wokingham, Berkshire, RG11 1WR.
Notes to help you fill in the form are attached.
If you still have any questions about the form, please call Ian Jordan on 0734 778763.

For office use only
Application No.

You can use this form for applying for full permission only for:

* extensions
* loft conversions
* garages and outbuildings
* garden fences or walls
* new or altered access

This form is for householders (and their agents) occupying houses or bungalows only. You must use the General Planning Application form for all other types of application.

1.	YOUR NAME	MR D BAIGENT
	ADDRESS	KINTALINE
		LOWER WOKINGHAM ROAD
		WOKINGHAM
	POST CODE	RG45 6BT Tel. No. 01344 772080
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. 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	KINTALINE
		LOWER WOKINGHAM ROAD
		WOKINGHAM
4. Give brief details of the proposal e.g. two storey side extension.	ABOUT THE APPLICATION	Erection of detached double garage

5. ARE THERE ANY TREES ON THE SITE? YES / ~~NO~~
If YES, please show their positions, spread, and species of the trees on the plans. Indicate any which are to be felled.
Please see Dwgs.

6. PLEASE LIST THE EXTERNAL MATERIAL TO BE USED
To match dwelling

7. WILL PEDESTRIANS/VEHICLES ACCESS THE SITE? YES / ~~NO~~
Please show details of the existing access and any proposed changes on the plans.

8. WILL THE CAR PARKING PROVISION AT THE SITE BE CHANGED? If YES, please show details of any changes on the plans. ~~YES~~ / NO

9. DOES A PUBLIC RIGHT OF WAY TOUCH OR CROSS THE SITE? ~~YES~~ / NO
If YES, please show the route and any proposed alternative on the plans.

10. CHECK LIST Please ensure that you enclose the following:-

(a) 6 copies of this form, signed and dated ✓

(b) The fee (the current scale of fees is attached) £95

If no fee is payable please say why below

(c) 6 copies of plans and drawings ✓

(i) 1:2500 scale location plan with application, site outlined in red. ✓

(ii) 1:500 scale site layout plan showing position of adjoining dwellings ✓

(iii) 1:100 or 1:200 scale floor plans and elevations

11. CERTIFICATE OF OWNERSHIP (SECTION 66 TOWN AND COUNTRY PLANNING ACT 1990)
Please delete either Certificate A or Certificate B below. If neither apply you must complete a full certificate obtainable from the Planning Department.

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

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 (a) of any part of the land to which the application relates.

* None of the land forms part of an agricultural holding.

~~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.

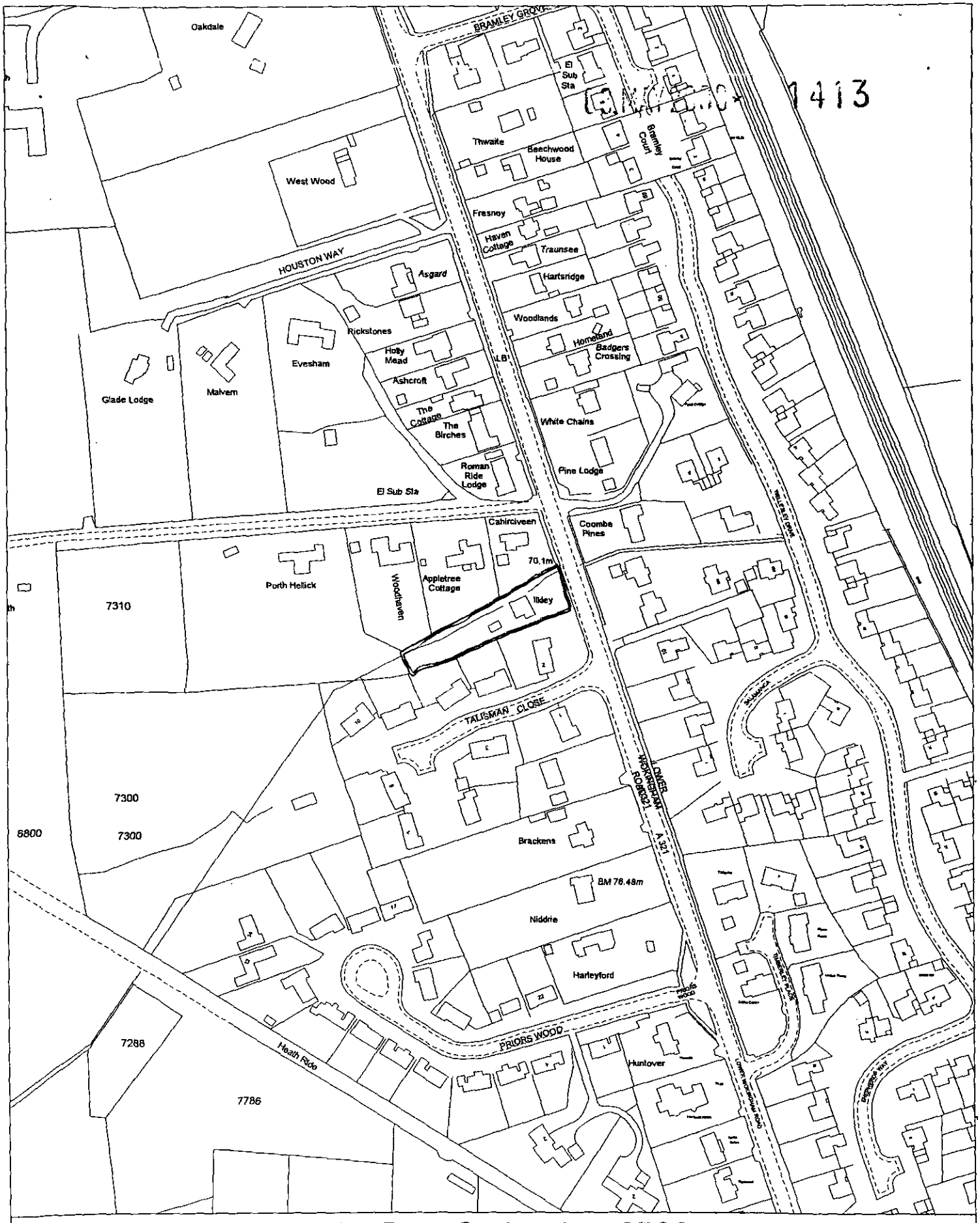
Owner's (a) name	Address at which notice was served	Date on which notice was served

~~* None of the land forms part of an agricultural holding~~

SIGNED W M GRAHAM ASSOCIATES

ON BEHALF OF MR D BAIGENT

DATE 2nd May 2000



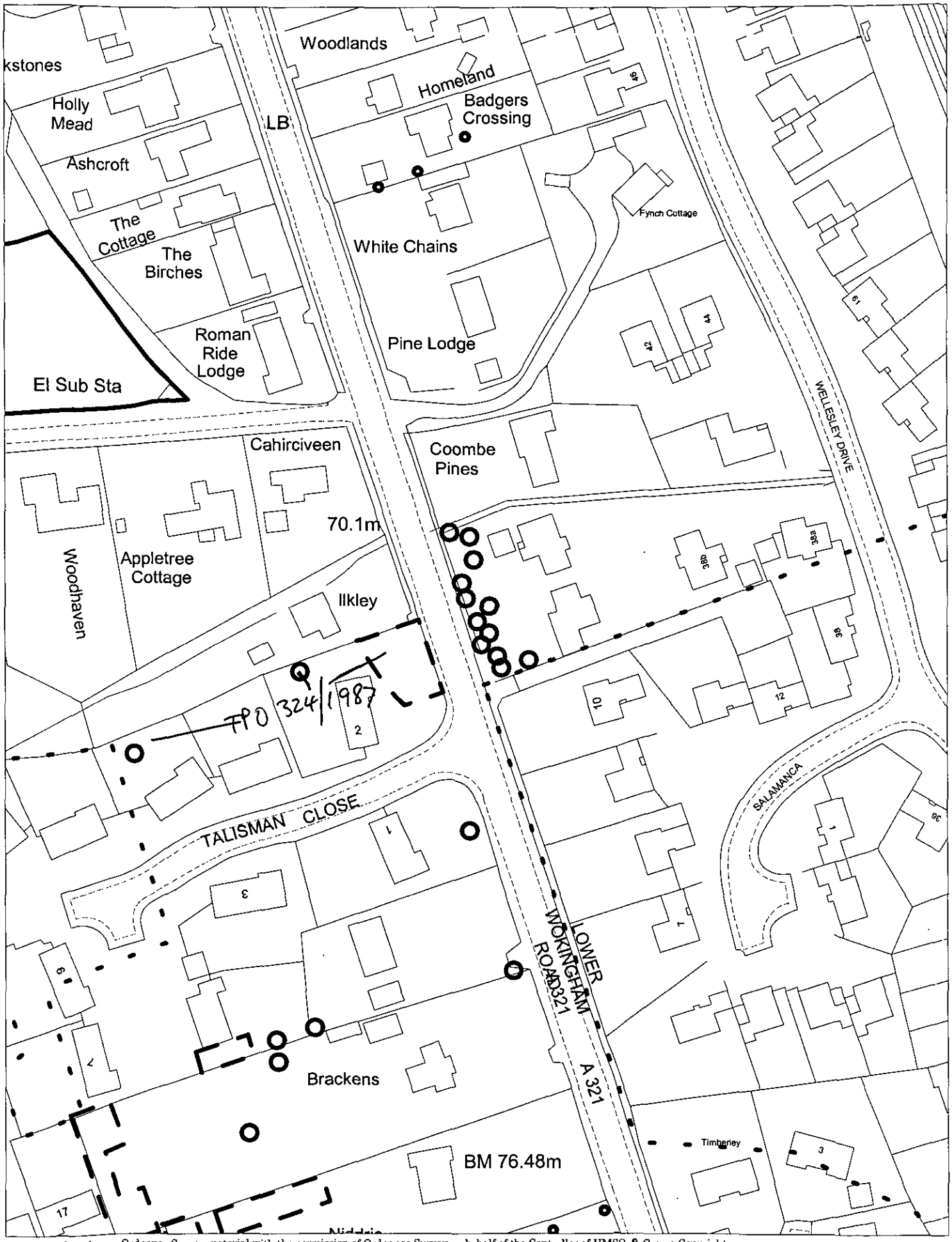
Site Plan, Scale: 1 to 2500

This copy has been produced specifically for the map return scheme purposes only. No further copies may be made.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO Office. © Crown Copyright. Wokingham District Council, Licence No. LA086134

Date: 16 December 1999

N
W E
S



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Wokingham District Council Licence LA086134

Landscape Section, Environmental Services, Wokingham District Council.

23 May 2000

Scale: 1 : 1250

N W E S



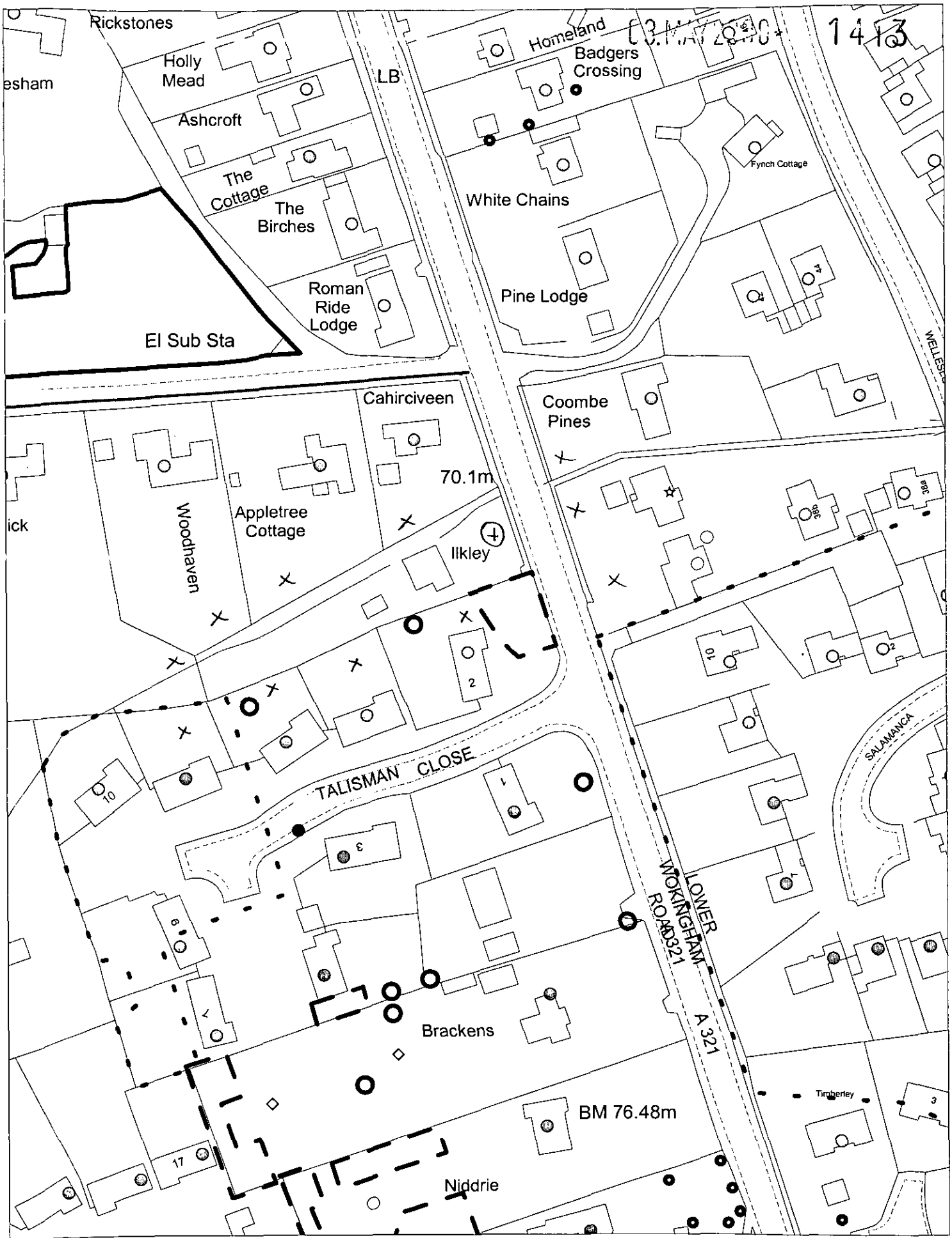
Site Plan, Scale: 1 to 2500

This copy has been produced specifically for the map return scheme purposes only. No further copies may be made.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO Office. © Crown Copyright. Wokingham District Council, Licence No. LA086134

Date: 16 December 1999

N
W E
S

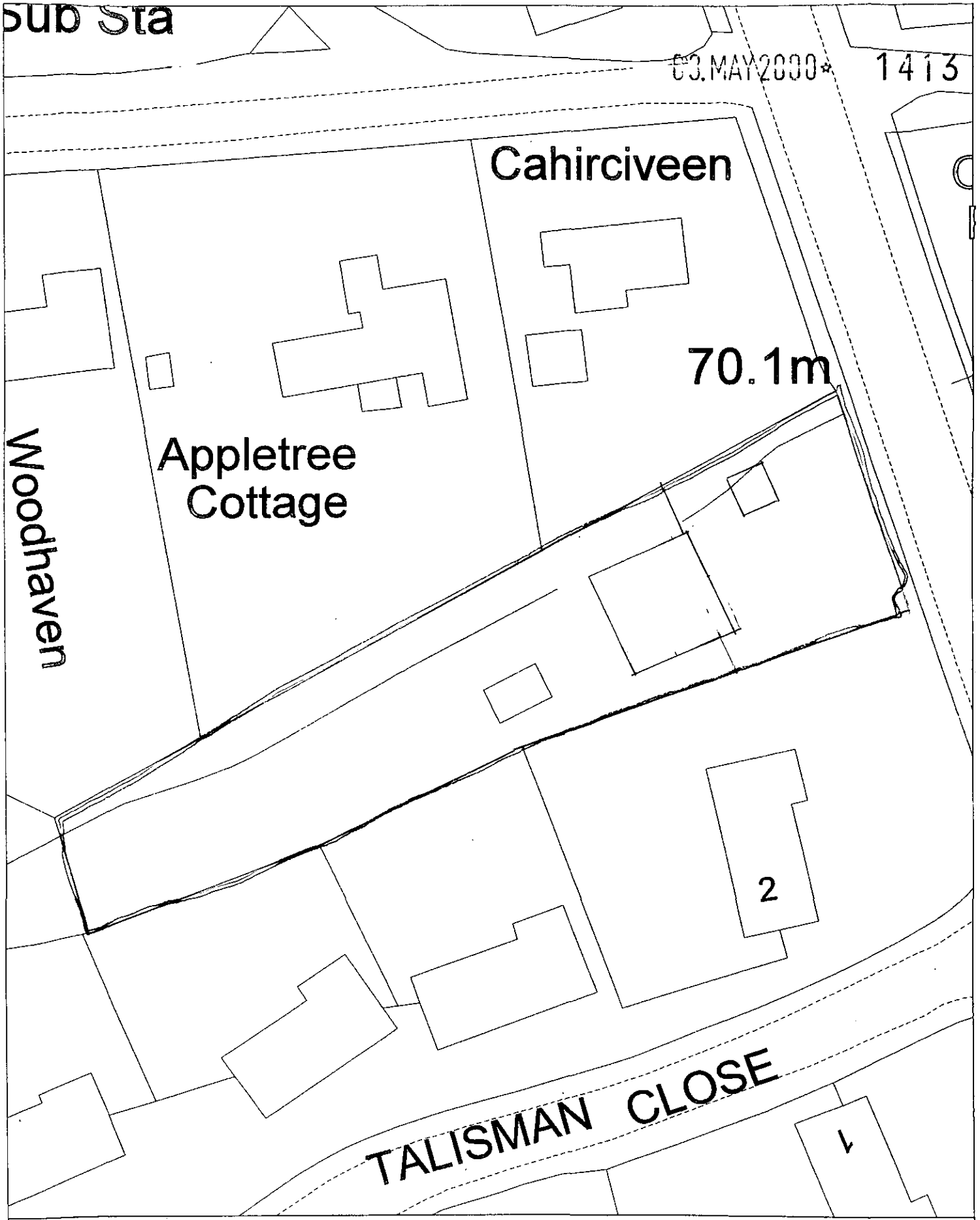


This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.Wokingham District Council Licence LA086134

Development Control Section, Environmental Services, Wokingham District Council.

11 May 2000

Scale: 1 : 1250



EXISTING Site Plan, Scale: 1 to 500

This copy has been produced specifically for the map return scheme purposes only. No further copies may be made.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO Office. © Crown Copyright. Wokingham District Council, Licence No. LA086134

Date: 16 December 1999

N
W E
S

X SYSTEMS LTD

APPLICATION NO.1413

Name of appellant:
D Baigent

Site address:
Kintaline Lower Wokingham Rd

Proposal:Proposed erection of detached double garage

Case Officer:EC

Ap
Sin
at
Cha
Dis
All
Dat
Vet
5 W
Ext
EOT
Dec
Dat
Date Commenced
Date Completed
J:ZLABELFP.DOC - VER2 - 03/04/95

Costs Decision

Hearing held on 06 February 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Sue Turner RIBA MRTPI IHBC

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

Date 22 MAR 2001

Costs application in relation to Appeal Ref: APP/X0360/A/00/1050364
Kintaline, Lower Wokingham Road, Wokingham.

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
- The application is made by Mr D Baigent for a full award of costs against Wokingham District Council.
- The hearing was in connection with an appeal against the failure to determine an application for planning permission for the erection of a detached double garage.

Summary of Decision: The application fails and no award of costs is made.

The Submissions for the appellant

1. The application is made under paragraph 26 of Annex 3 to Circular 8/93. The Council has acted unreasonably in failing to determine the application within the statutory period and in not seeking agreement to the extension of that period with the appellant. In August 2000 it was confirmed that the initial objections of the Environment Agency had been overcome. The Council had ample opportunity to determine the application between this date and 31 October 2000 when the appeal was lodged. During this period the appellant made numerous approaches to the Council requesting a decision but no explanation was given for the delay in determination.

2. As a result of the delay in determining the application the appellant has been unable to market the appeal property effectively and numerous prospective purchasers have withdrawn because there is no garage accommodation.

The Response by the Council

3. The appellant was aware that the Environment Agency had a holding objection to the proposed development and this was not dealt with until August. The appellant was informed by telephone, shortly before the appeal was lodged, that the officer's report had been completed and that the recommendation was for the refusal of planning permission. Although the time taken to deal with the application was longer than desirable it was not unreasonable given that the decision was imminent at the time the appeal was made.

Inspector's reasoning

4. I have dealt with the application for costs in accordance with the policy guidelines in Circular 8/93 and all the relevant circumstances. Irrespective of the appeal outcome, costs may only be awarded against a party who has behaved unreasonably and thereby caused another party to incur or waste expenditure unnecessarily.

5. Both parties accept that it would not have been possible to determine the planning application before August 2000 due to the outstanding objection by the Environment Agency. Once this objection had been satisfactorily dealt with by the completion of an ecological survey the appellant informed the Council accordingly in a letter dated 3 August 2000. The Environment Agency formally confirmed the removal of its objection in a letter dated 23 August 2000.

6. I do not consider that the Council has shown that it had specific or adequate reasons for not reaching a decision during the period between August 2000 and the end of October 2000. On this basis I consider that the Council has acted unreasonably. However the appellant was informed verbally that the planning application was to be recommended for refusal and was therefore aware, at the time the appeal was made, that in order to progress the proposal an appeal would have to be made in any case. It is my view that the appeal was an inevitability and that the costs relating to the proceedings before me would have been incurred even if the planning application had been determined earlier.

7. I note the appellant's argument that the delay caused by the Council's failure to determine the application has led to difficulties and delay in marketing the appeal property. However my powers do not extend to awards of compensation for indirect losses such as those which may result from delay in obtaining planning permission via the appeal process. I therefore conclude that whilst the Council has acted unreasonably, this has not caused the appellant unnecessary expense.

Formal Decision

8. In exercise of the powers transferred to me, I refuse the application for an award of costs.



INSPECTOR

Appeal Decision

Hearing held on 06 February 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Sue Turner RIBA MRTPI IHBC

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

Date 22 MAR 2001

Appeal Ref: APP/X0360/A/00/1053064
Kintaline, Lower Wokingham Road, Wokingham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr D Baigent against Wokingham District Council.
- The application (ref: 2000/F/1413), is dated 2 May 2000.
- The development proposed is the erection of a detached double garage.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Procedural Matters

1. At the Hearing an application for costs was made by Mr D Baigent against Wokingham District Council. This application is the subject of a separate Decision.

2. If the appeal had not been lodged the Council would have refused planning permission because it considers that the development would have a negative impact on the character of the area.

3. During the course of the application the garage roof was redesigned in order to reduce the bulk of the proposed building. The main parties have confirmed this change and I am satisfied that it would not prejudice any third parties. I will therefore have regard to amended plan 2271/06 revision C.

Main Issue

4. I consider that the main issue in this case is the effect of the proposed development on the character and appearance of the surrounding area.

Planning Policy

5. The development plan for the area includes the Berkshire Structure Plan 1995 and the South East Area Local Plan 1994. The overall strategy of the Structure Plan is set out in Policy OS1. One of its objectives is to protect and enhance the character and quality of Berkshire's landscape, environment and heritage. Also relevant to this case is Policy EN1, which seeks to ensure that development in towns, villages and other built up areas is appropriate in scale, form, impact, character and siting to its location. It includes criterion (i), which states that development should embody a high standard of design, layout and landscaping and help maintain and where possible enhance the character of its surroundings.

6. The Local Plan Policies which I consider relevant to this case are SBE1 and SBE2. Policy SBE1 seeks to ensure that new development shall be of a high standard of design appropriate to the character of the area in which it is to be situated. It includes the

requirements that it should make a positive contribution to its setting and the character of the area and that it should retain important natural, man made or landscape features of the site compatible with good design. Policy SBE2 states that proposals for development which would adversely affect the character of an area by virtue of its siting, scale, form, massing, colour or texture will not normally be permitted.

7. My attention has been drawn to the Deposit Draft Wokingham Local Plan. Policies WOS2 and WOS3 set out general development and development control principles, whilst Policy WBE1 reiterates the objectives of adopted policies SBE1 and SBE2. I will attach appropriate weight to these policies to reflect the fact that the Deposit Draft Local Plan has been the subject of a Local Plan Inquiry and is at an advanced stage in the development plan process.

Reasons

8. The appeal site is situated in an established residential area with traditional frontage development. The properties are predominantly large detached houses set back from the road in generous plots. Although the Lower Wokingham Road is a busy main route, the locality contains extensive areas of trees and landscaping which create a pleasant, wooded character. I observed during my visit to the site that whilst a number of houses have garages in the front gardens, these are generally effectively screened by well established planting.

9. Kintaline is a substantial detached house, recently created by rebuilding and extending an original bungalow on the site. It is situated on a long, narrow plot with a site layout and relationship to the road which are typical of the area. The front garden is bounded to the south by a well established conifer hedge, to the north by a high timber fence and to the front by a low close boarded fence and young trees and shrubs.

10. It was confirmed at the Hearing that the Council now has no objection to the design of the proposed garage as the amended roof design satisfactorily deals with earlier concerns regarding its bulk. However the Council objects to the siting of the building forward of the main building line and considers that it would be visible when approaching the site, particularly from the south.

11. The appellant explained at the Hearing that the siting of the proposed garage has been determined by a number of factors, including the restricted width of the site and the Environment Agency's required distance between the building and the watercourse running along the northern site boundary. These constraints, together with the need to balance avoiding overshadowing ground floor rooms of the house and siting the building as far back from the road as possible, have resulted in the proposed central location. However the appellant argues that existing trees, together with additional planting along the front boundary, would soon create an effective screen which would be characteristic of the area and which would make the development acceptable.

12. From my observations of other properties in the area I do not consider that the siting of the proposed garage would be inconsistent with the established pattern of development. I am also satisfied that the boundary treatment along the north and south boundaries would effectively screen the garage from the neighbouring properties and from oblique views along the road. Although the garage would be set well back into the site behind existing mature trees, the currently weak front boundary would make the proposal more visible from the road directly in front of the site than other garages in similar locations in the area.

However I consider that this would be a temporary situation which could be satisfactorily overcome in an acceptable period of time by the introduction of substantial landscaping to the front boundary. I am satisfied, therefore, that the preservation of the attractive wooded character of the area could be ensured by an appropriate condition requiring the planting of additional landscaping to the front boundary of the site.

Other Matters

13. It was confirmed at the Hearing that the appellant's ecological survey has established that the diversion of the small watercourse on the site could be carried out satisfactorily and that on this basis the Environment Agency has no objection to the proposal.

14. The Council confirmed at the Hearing that having received the appellant's proposed foundation detail it no longer had any objection to the proximity of the proposed garage to the existing oak tree.

15. The occupant of Cahirciveen, which has living room windows facing south towards the appeal property, has objected to the proposal. However I consider that the distance between the two buildings, the existing high boundary fence and the shallow roof pitch of the proposed garage would minimise its impact. I am satisfied that the proposed garage would not cause unacceptable harm to the living conditions of the occupants of Cahirciveen.

Conditions

16. It was agreed at the Hearing that a condition to increase the amount of planting along the front boundary of the site, as I have described above, would be appropriate. I will attach a single condition to deal with this matter and the protection of the existing trees on the site in order to maintain the existing landscape character of the area.

17. The Environment Agency, on being consulted by the Council, has also suggested a condition to require a detailed scheme for the diversion of the watercourse in order to protect, restore or replace the natural features of importance within or adjoining the watercourse. I agree that such a condition is necessary and will attach one accordingly.

18. The Council has suggested a condition requiring the finishes of the new work to resemble those of the existing building. Whilst I agree that a condition to ensure the satisfactory appearance of the building is necessary, it was noted at the Hearing that the reduced roof pitch of the proposed garage may prevent the use of roof tiles which match those of the house. I will therefore attach a condition, as agreed by both parties at the Hearing, to require the use of materials which have been approved by the Council.

19. The Council has suggested a condition to keep the garage available for parking of vehicles ancillary to the residential use of the house. I agree that such a condition is necessary in order to ensure adequate parking is kept available on the site and to reduce the likelihood of roadside parking. I will attach a condition accordingly.

Conclusions

20. I conclude that the proposed development would not harm the character of the area and that it would be consistent with Structure Plan Policies OS1 and EN1, with Local Plan Policies SBE1 and SBE2 and with emerging Policies WOS2, WOS3 and WBE1 of the Deposit Draft

Local Plan. I have considered all other matters raised but find none which outweigh my conclusion on the main issue.

Formal Decision

21. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the erection of a detached double garage at Kintaline, Lower Wokingham Road, Wokingham in accordance with the terms of the application No: 2000/F/1413 dated 2 May 2000, and the plans submitted therewith, subject to the following conditions:

    (i) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.

    (ii) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. This shall include indication of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and a detailed scheme for the reinforcement of the hedgerow to the eastern site boundary. Development shall be carried out in accordance with the approved scheme.

    (iii) Development shall not begin until the diversion of the water course has been carried out in accordance with a detailed scheme, to be submitted to and approved in writing by the local planning authority.

    (iv) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the garage hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

    (v) The garage hereby permitted shall be kept available for the parking of cars at all times.

Information

22. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.

23. This decision does not convey any approval or consent that may be required under any enactment, byelaw, order or regulation other than section 57 of the Town and Country Planning Act 1990.

24. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.

25. Attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970, as amended.



INSPECTOR

APPEARANCES

FOR THE APPELLANT:

S.M. Leedale. MSc. DipTP. MRTPI	Gregory Gray Associates, Redcliffe, 17, Dinorben Close, Fleet, GU13 9SL
R.W.Franklin	W.M.Graham Associates

FOR THE LOCAL PLANNING AUTHORITY:

Elaine Connor	Wokingham District Council

DOCUMENTS

Document	1	List of persons present at the Hearing.
Document	2	Letter of Notification of the Hearing.
Document	3	Response from the Environment Agency.
Document	4	Appellant's application for costs.

PLANS

Plan	A	Site Plan
Plan	B	2271/06 Revision C. Proposed garage

The Planning Inspectorate

RIGHT TO CHALLENGE THE DECISION

The attached appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for redetermination. It does not follow necessarily that the original decision on the appeal will be reversed when it is redetermined.

You may wish to consider taking legal advice before embarking on a challenge. The following notes are provided for guidance only.

Under the provision of section 288 of the Town and Country Planning Act 1990, or section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the grounds:

1. that the decision is not within the powers of the Act; or

2. that any of the `relevant requirements' have not been complied with; (`relevant requirements' means any requirements of the 1990 Acts or of the Planning Tribunals Act 1992, or of any order, regulation or rule made under those Acts).

The two grounds noted above mean in effect that a decision cannot be challenged merely because someone does not agree with the Inspector's judgement. Those challenging a decision have to be able to show that a serious mistake was made by the Inspector when reaching his or her decision; or, for instance, that the inquiry, hearing or site visit was not handled correctly, or that the appeal procedures were not carried out properly. If a mistake has been made the Court has discretion not to quash the decision if it considers the interests of the person making the challenge have not been prejudiced.

It is important to note that such an application to the High Court must be lodged with the Crown Office <u>within 6 weeks</u> from the date of the decision. This time limit cannot be extended.

An appellant whose appeal has been allowed by an Inspector should note that `a person aggrieved' may include third parties as well as the local planning authority.

If you require further advice about making a High Court challenge you should consult a solicitor, or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London WC2 2LL. Telephone: 020 794 76000.

INSPECTION OF DOCUMENTS

It is our policy to retain case files for a period of one year from the date of the Inspector's decision. Any person entitled to be notified of the decision in an inquiry case has a legal right to apply to inspect the listed documents, photographs and plans within 6 weeks of the date of the decision. Other requests to see the appeal documents will not normally be refused. All requests should be made to Room 14/04, Tollgate House, Houlton Street, Bristol BS2 9DJ, quoting our appeal reference and stating the day on which you wish to visit. Please give at least 3 working days notice and include a daytime telephone number, if possible.

COMPLAINTS TO THE INSPECTORATE

Any complaints about the Inspector's decision, or about the way in which the Inspector has conducted the case, or any procedural aspect of the appeal should be made in writing to the complaints officer in Room 14/04, Tollgate House, Houlton Street, Bristol BS2 9DJ. Telephone: 0117 987 8927, quoting our appeal reference. You should normally receive a reply within 15 days of our receipt of your letter. You should note however, we cannot reconsider an appeal on which a decision has been issued. This can be done following a successful High Court challenge as explained overleaf.

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION (THE OMBUDSMAN)

If you consider that you have been unfairly treated through maladministration by us you can ask the Ombudsman to investigate. The Ombudsman cannot be approached direct; reference can be made to him only by an MP. While this does not have to be your local MP (whose name and address will be in the local library) in most cases he or she will be the easiest person to approach. Although the Ombudsman can recommend various forms of redress he cannot alter the Inspector's decision in any way.

COUNCIL ON TRIBUNALS

If you feel there was something wrong with the basic procedure used for the appeal, a complaint can be made to the 'Council on Tribunals', 22 Kingsway, London WC2B 6LE. The Council will take the matter up if they think it comes within their scope. They are not concerned with the merits and cannot change the outcome of the appeal decision.

© Crown copyright
405 (September 00)
Printed in Great Britain by the Planning Inspectorate on recycled paper

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants GU13 9SL
Telephone: 01252 624004 Fax: 01252 684160
E-mail : info@ggassociates.co.uk

APPLICATION FOR AN AWARD OF COSTS AGAINST WOKINGHAM DISTRICT COUNCIL

KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE, BERKSHIRE.

APP/X0360/00/1053064

This application is made having regard to the provisions of Circular 8/93. The conditions set out at paragraph 6 of annex 1 are met in so far as:

(1) The appellant seeks an award of costs at an appropriate stage of the proceedings.
(2) The local planning authority have behaved unreasonably.
(3) This has caused the appellant to incur cost by recourse to the appeal process.

Specifically the appellants case is set out with regard to annex 3 paragraph 26. The Council have clearly failed to determine the application within the statutory period and, as a matter of fact, have not sought agreement to the extension of that period with the applicant or his agent – W.M. Graham Associates, or those acting for the appellant – Gregory Gray Associates.

~~In our judgement~~ This ~~was~~ is, by any reasonable judgement, a straightforward planning application and there should have been no reason for delay in determination. I set out at document 1 of my evidence my firms involvement from 30th June 2000. In this I offered to attend a site visit or meeting at the Council offices in order to discuss matters. I also pointed to various planning history to assist the Council in determination.

I became aware in mid-July of the requirement to overcome an objection from the Environment Agency. Suitable expertise was engaged immediately and on 3rd August I confirmed with the Councils' Planning Department that the Environment Agency had withdrawn their objection.

It is the delay between 3rd August and the appeal submitted on 31st October that forms the basis for the appellants application for an award of costs. In our judgement the Council had ample opportunity to determine the application during these three months and despite numerous telephone calls and facsimile transmissions urging them to come to a decision, no action was take and no explanation was given for the continued delay in determination.

The consequences of this is that the appellant has been unable to market the property effectively and numerous purchasers have withdrawn because there was no garage accommodation. Notwithstanding the merits of the case which are subject to this appeal, we are firmly of the view that the Council should have determined the application following receipt of a letter confirming that the Environment Agency had withdrawn its objection.

For these reasons we formally request an aware of costs be made against the Council.

Response to the appellants claim for costs

It is common ground between the appellants and the LPA that the Environment Agency had a holding objection to this development which was only withdrawn in early August. Therfore, the appellants claim is that the LPA acted unreasonably in not determining this application before the appeal was submitted on 31st October 2000.

The appellants agent had been notified, a few days before the appeal was submitted, that the case officer had written her report and it was before the Delegated Officer for determination. Furthermore, the agent had been advised that the recommendation was for refusal. Hence, the appeal is effectively a pre-emptive appeal against a refusal rather than an ordinary non-determination appeal.

The length of time taken to determine the application was longer than desirable, but it is submitted that it was not of a length that could be considered as "unreasonable" given that the decision was imminent.

Response to the appellants claim for costs

It is common ground between the appellants and the LPA that the Environment Agency had a holding objection to this development which was only withdrawn in early August. Therfore, the appellants claim is that the LPA acted unreasonably in not determining this application before the appeal was submitted on 31st October 2000.

The appellants agent had been notified, a few days before the appeal was submitted, that the case officer had written her report and it was before the Delegated Officer for determination. Furthermore, the agent had been advised that the recommendation was for refusal. Hence, the appeal is effectively a pre-emptive appeal against a refusal rather than an ordinary non-determination appeal.

The length of time taken to determine the application was longer than desirable, but it is submitted that it was not of a length that could be considered as "unreasonable" given that the decision was imminent.

Response to the appellants claim for costs

It is common ground between the appellants and the LPA that the Environment Agency had a holding objection to this development which was only withdrawn in early August. Therfore, the appellants claim is that the LPA acted unreasonably in not determining this application before the appeal was submitted on 31st October 2000.

The appellants agent had been notified, a few days before the appeal was submitted, that the case officer had written her report and it was before the Delegated Officer for determination. Furthermore, the agent had been advised that the recommendation was for refusal. Hence, the appeal is effectively a pre-emptive appeal against a refusal rather than an ordinary non-determination appeal.

The length of time taken to determine the application was longer than desirable, but it is submitted that it was not of a length that could be considered as "unreasonable" given that the decision was imminent.

Response to the appellants claim for costs

It is common ground between the appellants and the LPA that the Environment Agency had a holding objection to this development which was only withdrawn in early August. Therfore, the appellants claim is that the LPA acted unreasonably in not determining this application before the appeal was submitted on 31st October 2000.

The appellants agent had been notified, a few days before the appeal was submitted, that the case officer had written her report and it was before the Delegated Officer for determination. Furthermore, the agent had been advised that the recommendation was for refusal. Hence, the appeal is effectively a pre-emptive appeal against a refusal rather than an ordinary non-determination appeal.

The length of time taken to determine the application was longer than desirable, but it is submitted that it was not of a length that could be considered as "unreasonable" given that the decision was imminent.

AGENDA

APPEAL REF: APP/X0360/A/00/1053064

KINTALINE, LOWER WOKINGHAM ROAD

MAIN ISSUE

1. the effect of the proposed development on the character and appearance of the surrounding area

TOPICS FOR DISCUSSION

1. Local and National Policy Framework
   - Structure Plan
   - Local Plan
   - Draft Deposit Local Plan

2. Amended plans
   - Summary of changes

3. Effect of the proposed development on:
   - water course - EA withdrew comments.
   - trees - satisfied.

4. Appearance of the proposed development
   - design/bulk
     siting.

5. Visibility of the proposed garage
   - viewpoints
   - natural screening
   - proposals for reinforcing the front boundary

6. Suggested conditions

7. Any other matters

Appeal at Kintaline, Lower Wokingham Road
Tuesday 6th February 2001

Overview:

The appeal site is located in an established and maturely landscaped residential area along Lwr Wokingham Road. It is considered that the proposed garage development due to its scale and siting would form an obstrusive feature in the street scene, which would be visible when approaching the site from both the north and the south. It is therefore considered that the proposed garage would be unacceptable development which would have a negative impact upon the character of the area.

Examples of other garages:

The appellant in his statement, highlights several examples of dwellings which have garages in their front gardens, in the general vicinity of the appeal site, along Lwr Wokingham Road.

It is considered however, that these garages are all well screened by their maturely landscaped settings and are not easily visible from the main road when driving past, as would be the case if a garage was to be permitted at the appeal site.

Each proposal for new development has to be judged in the context of a aparticular set of site specific circumstances; in the Council's view a new garage in the proposed location would be visually intrusive in the street scene.

Conclusion:

It is considered that the under consideration in this appeal is not sufficiently planted so as to provide any substantial screening and that proposals to develop such screening to the front of the site does not give ~~nay~~ any substantive reason to allow the proposed development to be granted.

It is considered that the proposed garage to the front of 'Kintaline' by virtue of its scale and siting, would be an obtrusive and incongruous feature in the street scene.

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT:	Mr D Baigent
APPEAL SITE:	'Kintaline,' Lower Wokingham Road, Finchampstead
REASON FOR APPEAL:	Appeal against non-determination of Application F/2000/1413) for the erection Of a detached double garage.

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/1413

DEPARTMENT OF THE ENVIRONMENT
TRANSPORT & THE REGIONS REFERENCE : APP/X0360/A/00/1053064

1.00 SITE DESCRIPTION AND LOCATION

1.01 The site, which is the subject of this appeal 'Kintaline,' is located on the western side of the A321 Lower Wokingham Road, within the identified settlement in the parish of Finchampstead. The appeal site is an elongated site, which lies adjacent to the dwellings, 'Cahirciveen,' 'Appletree Cottage,' and 'Woodhaven' to the north and nos. 2,4 and 6 Talisman Close to the south. (See Appendix 1 for site plan)

1.02 The site at present consists of a detached dwelling (previously known as 'Ilkley'), set back from the main road, with a large elongated rear garden.

1.03 The area is characterised by a mixture of residential development along the main road frontage, and is maturely landscaped.

2.00 Planning History

2.01 Planning permission was given in April 2000 for two schemes (F/2000/0284 & F/2000/0360) both for part demolition of the existing bungalow and rebuilding to form a five bed detached dwelling.

2.02 On the 3rd May 2000 a planning application (F/2000/1413), the subject of this appeal, was received, for the erection of a detached double garage. An appeal against non-determination was received on 3rd November 2000.

2.03 Revised plans were received on 11th July 2000 showing a reduction in the height of the garage and relocation of the garage.

2.04 The deemed reason for refusal is as follows:

It is considered that the proposed detached double garage due to its scale and massing and its position forward of the main building line would create an obtrusive feature in the street scene. The proposed development would therefore, have a negative impact upon the character of the area.

As such the proposal is contrary to policies OS1 and EN1 of the Berkshire Structure Plan, STV1, SBE1 and SBE2 of the South East Area Local Plan and WOS2, WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

3.00 Policy Background

3.01 The Development Plan which applies to the area in which the appeal site is located comprises: Berkshire Structure Plan and the South East Area Local Plan. The Deposit Draft Wokingham District Local Plan will replace the adopted South East Area Local Plan.

3.02. The Berkshire Structure Plan (1991-2006) was adopted on 4th November 1995 and is the statutory Structure Plan for the area.
The following policies are relevant: (Appendix 2)

OS1 The Overall Strategy
EN1 Protection & Enhancement of the Environment of Built-Up Areas

3.03. The South East Area Local Plan was adopted on 15th April 1994 and is the statutory local plan for the area in which the site is situated. The Planning and Transportation Committee at their meeting on 21 November 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision".
The following policies are relevant: (appendix 3)

STV1 Identified Settlements
SBE1 Design of new development
SBE2 Inappropriate Design

3.04. The Draft Wokingham District Local Plan was placed on deposit from 21st October to 2nd December 1997 and has formed the basis for development control decisions since 21st October 1997. The County Council issued a statement of general conformity with the structure plan in May 1997. The public local inquiry into the plan commenced on 6th October 1998. The Inspector's report on the local plan inquiry is not expected until Summer 2001 (with the exception of policy WSM1).
The following policies are relevant: (appendix 4)

WOS2 General Development Principles
WOS3 Development Control Principles
WBE1 Development in its Local Context

4.00 The case for the Local Planning Authority

4.01 As stated above the appeal site is located within the settlement boundary. One of the key objectives of the policies, which cover development issues within the built environment, seeks to ensure that development contributes to amongst other things, the attractiveness of the environment.

4.02 Policy WBE1 of the Wokingham District Local Plan (Deposit Draft) requires that new development should respect its local context particularly in relation to its visual impact, and layout, form, scale, massing and materials.

4.03 In light of this it is considered that the proposed detached double garage is unacceptable since it would detract from the visual amenity of the dwelling on site and also surrounding neighbouring dwellings. It is also considered that the proposed development would create an obtrusive feature in the street scene, which would detract from the character of the area. Since the site is not well screened along the front boundary with Lower Wokingham Road it is considered that the proposed garage would be visible when approaching the site from both the north and the south.

4.04 It is considered that the size and scale of the proposed garage in the front garden of the dwelling, well forward of the existing building, would create a hard, visually intrusive feature that would be out of character with surrounding neighbouring properties.

5.00 Conclusion

5.01 It is considered that the proposed detached double garage is unacceptable development given its size, scale and location forward of the building line, and would create an obtrusive feature in the street scene which would detract from the visual amenity and character of the area.

5.02 In respect of the issues outlined in this statement it is considered that the proposal is as such, contrary to policies OS1 and EN1 of the Berkshire Structure Plan, STV1, SBE1 and SBE2 of the South East Area Local Plan and WOS2, WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

5.03 The Inspector is respectfully requested to dismiss this appeal.

APPENDICES

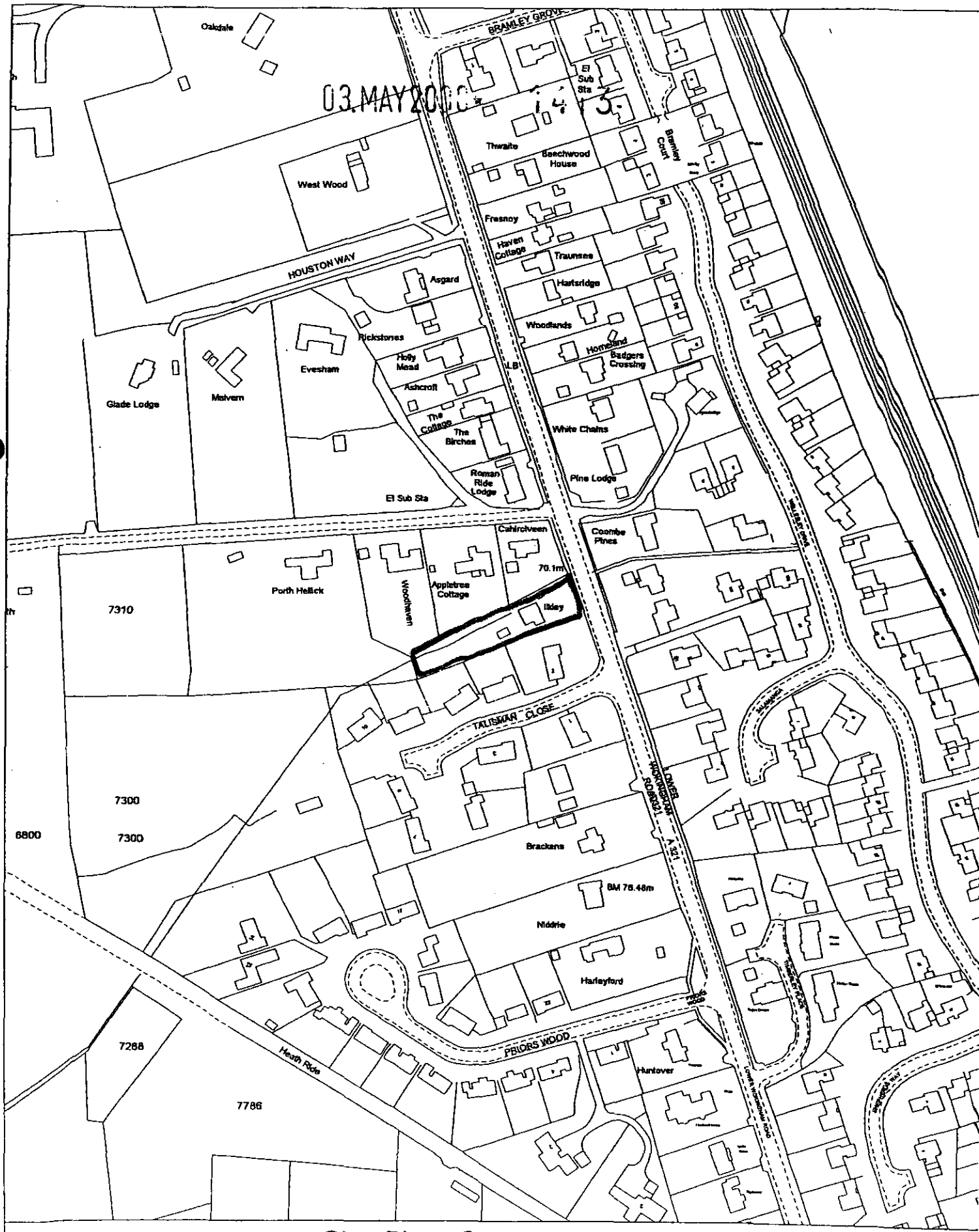
1. SITE PLAN

2. EXTRACT FROM THE BERKSHIRE STRUCTURE PLAN

3. EXTRACT FROM THE SOUTH ESAT AREA LOCAL PLAN

4. EXTRACT FROM THE WOKINGHAM DISTRICT LOCAL PLAN (DEPOSIT DRAFT)

APPENDIX 1



Site Plan, Scale: 1 to 2500

This copy has been produced specifically for the map return scheme purposes only. No further copies may be made.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO Office. © Crown Copyright. Wokingham District Council, Licence No. LA086134

Date: 16 December 1999

N
W E
S

APPENDIX 2



BERKSHIRE STRUCTURE PLAN 1991-2006





Babtie

3 STRATEGY FOR BERKSHIRE

OVERALL APPROACH

3.1 The overriding aim of the Structure Plan is to ensure that development is 'sustainable' in terms of the capacity of the County to accommodate further growth and change. This means protecting and, where possible, enhancing the overall quality of Berkshire's environment, and within this framework seeking to meet the County's social and economic needs and aspirations.

3.2 Protecting and improving Berkshire's environment for the benefit of existing and future generations is not only desirable in its own right, but is fundamental in ensuring a prosperous County with a high quality of life for those who live and work in or visit the area. At a time of growing concern about maintaining and enhancing the quality of both the global and local environment, there is increasing interest in the contribution which land-use planning can make to these objectives.

3.3 The Government's strategy for sustainable development[1] emphasises the key role that the land-use planning system can play in delivering a sustainable future. This role is also emphasised in recent Planning Policy Guidance Notes, which stress the need for sustainable development, the conservation of non-renewable natural resources, the protection of the countryside for its own sake and making the environment more attractive, cleaner and safer, for example by limiting CO_2 emissions.

3.4 Increasing environmental concerns are also reflected in the Regional Planning Guidance for the South East[2] which makes sustainable development and environmental improvement one of its key objectives. It states that, "All development should be planned in ways which work towards securing the objectives of sustainable development". To help achieve this objective Regional Guidance seeks a shift in the balance of development between the west and east of the region.

3.5 Whilst it is recognised that land-use planning policies can have only a limited impact, the Structure Plan can nevertheless provide a practical and effective means of helping to deal with wider environmental concerns such as pollution, the depletion of non-renewable resources, global warming and habitat and species destruction, as well as tackling local environmental issues.

3.6 At the same time, the County Council recognises that a positive response is needed to pressures for growth and change in Berkshire. Some development is required to help provide homes for local people, to contribute towards maintaining the prosperity of the local economy and to assist in meeting demands for movement, shopping, recreation, tourism and mineral extraction in the County.

---

1 *'Sustainable Development : The UK Strategy' - HMSO, 1994. CM2426*

2 *'Regional Planning Guidance for the South East : RPG9' - Department of the Environment, March 1994*

3.7 Sustainable levels, forms and locations for development are therefore sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within the environmental and other limits described in Chapter 2.

3.8 This approach is considered appropriate in view of :

- the limited capacity of the County to absorb further development;
- the need to husband land so that there is scope for development beyond 2006;
- the cumulative impact of development on existing communities, on the transport network and on pollution;
- the extent of existing commitments;
- uncertainties as to the timing and extent of recovery from the recent recession;
- changing economic factors which may affect people's aspirations and ability to form new households in separate accommodation;
- emphasis in the Regional Guidance on sustainable development, respecting environmental constraints and reducing rates of development in the west of the region.

3.9 Wthin this framework it is intended that scope and flexibility should be provided for helping to meet local housing needs, to secure and maintain a balanced local economy and to allow the provision of a wide range of job opportunities.

The Overall Strategy

Policy OS1 **The overall strategy of the Plan is to seek sustainable development and improvement to the quality of life in Berkshire by pursuing the following objectives :**

(i) to restrain development to levels that respect the limits set by environmental, infrastructure and other constraints upon the development of land;

(ii) to give priority within (i) to meeting Berkshire's economic and social needs, including the provision of low-cost housing and wider employment opportunities;

(iii) to protect and enhance the character and quality of Berkshire's landscape, environment and heritage;

(iv) to steer development to locations which minimise the need for travel and can be well served by public transport;

(v) **to conserve natural resources;**

(vi) **to minimise pollution;**

(vii) **to seek improvements to infrastructure, services and amenities;**

(viii) **to promote an appropriate balance between all forms of transport by continuing to develop an integrated transport strategy.**

MAIN THEMES OF THE STRATEGY

3.10 The main themes of the Structure Plan strategy are outlined below and developed in more detail in subsequent chapters. Environmental concerns are reflected in policies in all sections of the Plan. References to policies in the Plan of particular relevance are listed under each sub-heading.

Restraining Levels of Growth

3.11 The Plan seeks to keep growth down to levels which can be accommodated within the limits set by environmental, infrastructure and other considerations (Policies OS1; LD1, LD3, LD6, LD7; H1, H2; BU1; TC1; R1; M1, M3).

3.12 A restrained level of growth will generally take less open land for development, generate less traffic and waste and help towards reducing pollution, energy consumption, the depletion of water resources and the demand for minerals and aggregates. It will also allow more scope for catching up in the provision of social and physical infrastructure (subject to the environmental acceptability of proposals and availability of the necessary resources).

3.13 This approach is in line with key objectives in the regional planning guidance for the South East, in which it is suggested that levels of development should respect the region's valuable environmental features and avoid the wasteful use of land and other natural resources. The regional guidance also states that a reducing rate of growth is appropriate in the west of the region to enable infrastructure and services to catch up with rapid rates of development in the recent past.

3.14 The overall housing provision for the period 1991-2006 was increased by the County Council from 37,000 to 40,000 dwellings in response to a direction issued by the Secretary of State for the Environment on 29 June 1995. While the Council has welcomed the fact that the Secretary of State has not pressed it to accept the total of 48,000 dwellings recommended by the Panel which conducted the Examination in Public in 1993, it remains concerned that increasing the provision above 37,000 dwellings could have serious environmental consequences contrary to the overall objectives of the Structure Plan.

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

6.1 The quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. These depend partly on care for its environment as a whole, including the countryside (dealt with in Chapter 5) and towns, villages and built-up areas which are considered in this chapter. It also concerns : safeguarding and enhancing a number of specific environmental interests, which together contribute to the character of the County; curbing and controlling a number of specific threats to pleasant living conditions; and the conservation of natural resources.

The Environment of the Built-up Areas

6.2 The density, form and quality of buildings, landscape and other elements of the environment in towns, villages and built-up areas have an important bearing on the overall quality of life in the County, especially as the majority of the population live and work in such areas.

Protection and Enhancement of the Environment of Built-Up Areas

Policy EN1 **The character and quality of the environment in the towns, villages and other built-up areas will be protected and enhanced. Within these areas development must be appropriate in scale, form, impact, character and siting to its location. In particular :**

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

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

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

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

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

6.3 In order to secure improvements in the environment of built-up areas, local plans will need to include guidelines on a wide range of matters raised in the policy. Particular public concerns have been raised about the quality of design in new development and about increased densities in the built-up areas. While the latter may help reduce the need for travel and minimise the loss of open countryside, it may also lead to problems of congestion, loss of tree cover and open land, and deterioration in environmental quality in established neighbourhoods.

6.4 Policy EN1 is intended positively to encourage appropriate regeneration in line with Government guidance. It is not proposed that appropriate changes of use of buildings should be restricted whether they are currently vacant or not. Derelict land which has been the subject of contamination may be appropriate for redevelopment, but only if there is no danger created for the new use of the site or through the transport and re-deposit of contaminated matter on a site elsewhere.

Environmental Nuisance

6.5 Certain kinds of development can give rise to nuisance which can affect occupiers of buildings, passers-by or those using outdoor space. There is a need to prevent new problems from arising, and to limit or reduce the nuisance from existing sources. The impact of nuisance may in some circumstances be limited by curbing development in areas affected, and this is appropriate where (as is the case for aircraft noise) little can be done to reduce the nuisance in the short term.

Protection from Environmental Nuisance

Policy EN2 **Development should not give rise to unacceptable levels of noise, smell, dust, fumes, light or noxious emissions affecting areas beyond the site boundary, or to unacceptable levels of air or water pollution. In addition, uses sensitive to disturbance such as new houses, schools and hospitals, should not be located in areas already subject to unacceptable levels of these environmental nuisances.**

6.6 In areas affected by high levels of noise, development should be designed to minimise the nuisance caused to future occupants. Unacceptable levels of environmental nuisance will be defined through the local plan process and by building upon studies such as the County Council's State of the Environment Report. The County Council has also recently published environmental noise planning guidelines to assist with the implementation of Policy EN2 and to help co-ordinate a standardised approach across the County.

Flooding

6.7 Most of Berkshire's rivers have an associated floodplain which is essential for both flood flow and storage. Development within the floodplain would reduce the storage capacity and impede the flow of water, thereby increasing the risk of flooding elsewhere. Therefore in areas at risk from flooding new development or the intensification of existing development will be resisted. It is also necessary to ensure that the surface water run-off from any new development does not exacerbate flooding or drainage problems elsewhere.

APPENDIX 3

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG11 1WR
Telephone: (0734) 786833
Fax: (0734) 778735

form of narrow leisure plots of considerable depth which penetrated into the open countryside. As land prices have increased with demand for land, the level of development in these areas has intensified. In some instances this has led to tandem development which often detracts from the rural character of the area and results in a loss of privacy. Apart from development on individual plots the area south of Wokingham has also experienced larger scale housing development, reinforced in more recent times by the Secretary of State's requirement, in approving the Structure Plan in 1980, to build an additional 8000 houses in Central Berkshire. Some development that has occurred during the post war period has failed to recognise the importance of retaining tree cover and has not been incorporated into the landscape in a sensitive manner. The policies contained in this plan are aimed at tackling these problems and preventing such damage occurring in the future.

DEFINITION OF IDENTIFIED SETTLEMENTS

1.1.04 The definition of rural areas is dependent on the definition of settlements and vice versa. The South East area is dominated by Wokingham which is surrounded by a number of smaller settlements and areas of ribbon or frontage development. All vary greatly in terms of size, form and character. Some areas of sporadic development involve very few properties and/or are dominated by areas of undeveloped rural land either between or to the rear and in front of properties causing them to be characterised by a loose settlement pattern or to form a narrow strip of development in what is still a distinctly rural area. Such areas may possess a number of basic services, such as a school or church but these are rarely confined to serving the population residing in the immediate vicinity. The open nature of these areas presents many opportunities for further intensification. However, it is considered that if



such development were to occur, the existing special character of these areas or the surrounding countryside would be detrimentally affected. For the purposes of this plan, such areas of development are not synonymous with an identified settlement, the latter being used to define an area where particular planning policies are appropriate. There will therefore be cases where areas of development have not been included within the identified settlement. One example is small groups of development bounded by countryside on the far side of a road that marks the boundary of the main built up area . In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this Plan and as shown on the proposals map.

1.1.05 An 'identified' settlement or built-up area must possess all the following characteristics:-

(i) a sizeable amount of development in a compact form, (if development is dominated by, or interspersed with, areas of land which are characteristically rural or open, this will not come within this criterion);

(ii) possess a range of basic services, such as a school, shop and community facilities, providing a forum for social contact;

(iii) be physically and socially cohesive.

On this basis the following policy is put forward.

❖ STV1 'IDENTIFIED SETTLEMENTS'

WITHIN THE IDENTIFIED SETTLEMENTS AS LISTED BELOW AND AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL NORMALLY BE ALLOWED, SUBJECT TO THE PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN. THE 'IDENTIFIED' SETTLEMENTS ARE:-

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies SH1 and SE2 of this plan.

❖ STV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE REPLACEMENT STRUCTURE PLAN EXCEPTIONS MAY BE MADE FOR DEVELOPMENT IN THE FOLLOWING CATEGORIES WHICH ARE NOT SPECIFICALLY DEALT WITH BY OTHER POLICIES IN THIS LOCAL PLAN.

(A) DEVELOPMENT FOR HOUSING PURPOSES OF SITES NOT EXCEEDING 0.4 HECTARE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(B) DEVELOPMENT FOR EMPLOYMENT USES NOT EXCEEDING 300 SQUARE METRES OF FLOORSPACE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(C) DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY,

(D) MINERAL EXTRACTION,

(E) PLANT FOR RECEIVING IMPORTED AGGREGATES, OR FOR THE PROCESSING OR DISTRIBUTION OF AGGREGATES,

(F) THE DISPOSAL OF WASTE BY CONTROLLED TIPPING WITHIN EXISTING OR FORMER MINERAL WORKINGS OR ON OTHER DESPOILED LAND,

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

(H) ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA,

THE ACCEPTABILITY OF ALL PROPOSALS WILL ALSO BE JUDGED AGAINST THE PROVISIONS OF THE OTHER RELEVANT POLICIES CONTAINED IN THIS PLAN . FOR THE AVOIDANCE OF DOUBT THE AREAS OF SPORADIC DEVELOPMENT IDENTIFIED ON THE PROPOSALS MAPS ARE INCLUDED WITHIN THE RURAL AREAS.

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

1.4.01 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the design of new buildings or extensions to existing buildings and the creation of new spaces within that environment, are very important.

1.4.02 The District Council is particularly concerned to promote a high standard of design in new buildings, and to ensure that new buildings are responsive to their location. This means that new buildings need to be appropriate in terms of their function, siting, scale, form, massing, materials, colour and texture in their relationship with adjoining buildings and sites. Accordingly, new buildings will be expected to make an acceptable and positive contribution to the built environment. In addition, developments that incorporate public access should accommodate sculptures or other works of art to provide visual interest, where this is considered appropriate by the local planning authority. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers.

1.4.03 In the case of schemes involving more than one building, regard will be paid to the impact of the development over a wider area, involving an assessment of criteria additional to those referred to in paragraph 1.4.02 above. Accordingly, schemes should relate to the "grain" of the area, and take account of their effect on the skyline, pedestrian and vehicular movements in the area, vistas, safety and environmental constraints. Where large sites exist which would significantly affect the urban fabric urban design briefs/appraisals will be prepared/required to establish the wider context within which applications will be considered.

❖ SBE1 DESIGN OF NEW DEVELOPMENT

NEW DEVELOPMENT SHALL BE OF A HIGH STANDARD OF DESIGN APPROPRIATE TO THE CHARACTER OF THE AREA IN WHICH IT IS TO BE SITUATED. IT SHOULD:

(A) MAKE A POSITIVE CONTRIBUTION TO ITS SETTING AND THE CHARACTER OF THE AREA,

(B) CONTRIBUTE TO THE CREATION OF A SAFE AND ATTRACTIVE ENVIRONMENT IN WHICH TO LIVE AND WORK,

(C) RETAIN IMPORTANT NATURAL, MAN-MADE OR LANDSCAPE FEATURES OF THE SITE COMPATIBLE WITH GOOD DESIGN.

❖ SBE2 INAPPROPRIATE DESIGN

PROPOSALS FOR DEVELOPMENT THAT IS INAPPROPRIATE IN TERMS OF ITS RELATIONSHIP WITH ADJOINING SITES AND BUILDINGS, OR WHICH WOULD ADVERSELY AFFECT THE CHARACTER OF AN AREA, BY VIRTUE OF ITS SITING, SCALE, FORM, MASSING, MATERIALS, COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED

VIRTUE OF ITS SITING, SCALE, FORM, MASSING, MATERIALS, COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED.

ENVIRONMENTAL IMPROVEMENT

1.4.04 Within the built environment it is important not only to safeguard those buildings, undeveloped areas and special features which contribute to the character and attractive qualities of the area but to seek opportunities to enhance the quality of the built environment.

1.4.05 Often the more attractive and successful urban environments have evolved organically over a period of many years and incorporate a variety of architectural styles. In more recent years development in some parts of the District has taken place more comprehensively with little variety in design. In other areas particularly since the war and up to the early 1970's some development has been inserted into an existing area to the detriment of the older urban fabric.

1.4.06 In some areas, local shopping centres in particular, where comprehensive development has taken place, the opportunity may arise for comprehensive refurbishment since a large part of the urban fabric will tend to age and decay simultaneously. In other areas environmental enhancement of the urban fabric surrounding the buildings may be sufficient to rejuvenate the area as a whole.



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

ENCOURAGEMENT WILL BE GIVEN TO THE REFURBISHMENT OR PARTIAL REDEVELOPMENT OF AREAS OR INDIVIDUAL SCHEMES WHERE A SIGNIFICANT ENVIRONMENTAL ENHANCEMENT WILL RESULT TO THE BENEFIT OF THE COMMUNITY.

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

ENVIRONMENTAL ENHANCEMENT SCHEMES WILL BE ENCOURAGED WITHIN THE PLAN AREA AS OPPORTUNITIES ARISE AND WILL INCLUDE THE AREAS AS SHOWN ON THE PROPOSALS MAP AND AS SET OUT IN PART TWO OF THE PLAN.

SUNLIGHT, DAYLIGHT AND NOISE

1.4.07 Daylight penetration into new buildings, and existing buildings affected by new development, is an important amenity consideration as is sunlight penetration of spaces outside windows. In this respect it should always be the intention to maximise penetration of new development and minimise the impact of new development on old as far as is possible. The orientation of rooms, gardens and both public and private spaces is therefore critical since together the two aspects can provide warmth, comfort and pleasant living and working conditions. They can also have some impact on energy consumption by reducing the dependence on artificial lighting and heating. Further guidance on this matter can be found in the District Council's Development Control Guidelines.

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

APPENDIX 4



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

- Proposed Amendments April 1999
- Additional Proposed Amendments September 1999
- Proposed Transport Amendments February 2000

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

B) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

C) CONSERVING AND ENHANCING THE PATTERN OF TOWN AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

D) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

E) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

F) ~~TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION~~ **(PA 1/3)**

F1) TO CONSERVE NATURAL RESOURCES **(PA 1/3)**

F2) TO MINIMISE POLLUTION ***(PA 1/3)***

G) TO SEEK IMPROVEMENTS TO INFRASTRUCTURE, SERVICES AND AMENITIES.

H) TO ENCOURAGE AND SUSTAIN BALANCED RURAL COMMUNITIES **(PA 1/1)**

I) TO DEVELOP BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES **(PA 1/2)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside ~~or has special reason to locate there~~ *OR FOR WHICH A RURAL LOCATION IS ESSENTIAL.* **(PA 1/4)** Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

1.8 An 'identified' settlement or built-up area must possess all the following characteristics:

(i) a sizeable amount of development in a compact form (if development is dominated by, or interspersed with, areas of land that are characteristically rural or open, it will not come within this criterion)

(ii) possess a range of basic services, such as a primary school, shop and community facilities, providing a forum for social contact

(iii) be physically and socially cohesive.

1.9 For the purposes of this plan the identified settlements are:

ARBORFIELD CROSS
BARKHAM HILL
CHARVIL
EARLEY/SONNING/WOODLEY
FINCHAMPSTEAD
FINCHAMPSTEAD NORTH
HURST
PINEWOOD
RISELEY
SHINFIELD
SINDLESHAM
SPENCERS WOOD
SWALLOWFIELD
THREE MILE CROSS
TWYFORD
WARGRAVE
WINNERSH
WOKINGHAM.

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.

OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).

Implementation: Through the development control process.

Monitoring: Planning applications determined.

1.11 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the appropriateness of the use of existing buildings and the design of new buildings or extensions to existing buildings, are very important.

1.12 The Council is particularly concerned to promote a high standard of design in new buildings, to ensure that new buildings are responsive to their location and to their potential occupants' and/or users' needs. New development needs to be appropriate in terms of function, siting, scale, form, massing, materials, colour and texture in its relationship with adjoining buildings and sites. Accordingly, new development will be expected to make an acceptable and positive contribution to the built environment. In addition new development should be appropriately located so as to reduce the need to travel and to encourage alternative modes of transport to the car.

1.12A LANDSCAPING SCHEMES SHOULD BE COMPRISED PREDOMINANTLY, IF NOT WHOLLY, OF LOCALLY NATIVE SPECIES. **(PA 1/5)**

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

THE COUNCIL WILL REQUIRE ALL DEVELOPMENT PROPOSALS THAT ARE ACCEPTABLE IN PRINCIPLE WHEN ASSESSED AGAINST OTHER POLICIES OF THIS PLAN TO:

A) BE APPROPRIATE IN SCALE OF ACTIVITY AND CHARACTER TO THE AREA IN WHICH THEY ARE LOCATED AND BE INTEGRATED INTO THEIR LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

B) ~~RETAIN~~ *HAVE NO SIGNIFICANT DETRIMENTAL IMPACT UPON* (PA 1/6) IMPORTANT MAN-MADE, LANDSCAPE AND NATURE CONSERVATION FEATURES AND PROVIDE FOR FURTHER LANDSCAPE TREATMENT WHERE RELEVANT TO THE TYPE OF DEVELOPMENT AND/OR THE PROTECTION OF LOCAL VISUAL AMENITY

C) BE BOTH LOCATED AND DESIGNED SO AS TO REDUCE THE NEED TO TRAVEL AND ENCOURAGE THE USE OF WALKING, CYCLING AND PUBLIC TRANSPORT AS ALTERNATIVES TO THE CAR

D) HAVE NO SIGNIFICANT EFFECT ON ROAD SAFETY OR CAUSE HIGHWAY, TRAFFIC GENERATION OR TRAFFIC RELATED ENVIRONMENTAL PROBLEMS

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE CAPABLE OF USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT

F) BE OF HIGH QUALITY OF DESIGN THAT RESPECTS THE LOCAL CONTEXT BY VIRTUE OF SITING, LAYOUT, MASSING, MATERIALS, COLOUR AND TEXTURE.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations*). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

POLICY WOS4: SERVICE, AMENITIES AND INFRASTRUCTURE REQUIREMENTS FOR NEW DEVELOPMENT

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, UNDER THE POLICIES OF THIS PLAN, DEVELOPMENT PROPOSALS WILL BE EXPECTED TO HAVE

Cont.

POLICY FRAMEWORK

National Policy

4.5 Advice on design at the national level is limited. There is no Planning Policy Guidance Note purely on design considerations. Paras 13 - 20 and Annex A (paras A1 - A7) of PPG1 refer specifically to the issue of design. Paras 4 - 7 of Planning Policy Guidance Note 3 (PPG 3) *Housing* look at good design in the context of housing development.

4.6 Comprehensive guidance on heritage issues is given in Planning Policy Guidance Note 15 (PPG 15) *Planning and the Historic Environment*. Planning Policy Guidance Note 16 (PPG 16) *Archaeology and Planning* gives advice on archaeology and planning.

Strategic Policy

4.7 The *Berkshire Structure Plan 1991 - 2006* acknowledges that the quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. The plan recognises that these depend partly on care for the built environment, but that also of importance are the maintenance and improvement of interests that have a bearing on the County's character, the limitation and control of specific threats to pleasant living conditions, and the conservation of natural resources.

Supplementary Planning Guidance

4.8 The environmental policies in this plan are augmented by additional guidance in the form of Planning Guidelines, Development Briefs, Design Guides, and Conservation Area Studies. This additional guidance includes detailed advice that is not appropriate for inclusion in the plan. The policies of the plan take precedence over the supplementary planning guidance, and provide the main thrust for environmental policy in the plan area.

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

4.9 Proposed development should be considered in the context of the surrounding area. This will allow vernacular style and any good features to be interpreted in the new development, helping to contribute to its sense of place.

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

THE COUNCIL WILL REQUIRE GOOD CONTEMPORARY DESIGN THROUGHOUT THE PLAN AREA, WHICH RESPECTS ITS LOCAL CONTEXT. WHEN CONSIDERING ANY APPLICATION FOR DEVELOPMENT THE COUNCIL WILL HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

d) LANDFORM AND ANY NATURAL FEATURES, INCLUDING LANDSCAPE TREATMENT AND ENVIRONMENTAL WORKS

e) THE LOCAL TOWNSCAPE

f) THE LAYOUT, FORM, SCALE, MASSING, AND MATERIALS OF DEVELOPMENT

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

Implementation: Use of design guidance in the development control process.

Monitoring: Consider quality of development on the ground, including through design awards.

4.10 Not all of the plan area is of the same visual quality. Some parts of it could benefit from environmental improvement, and in some circumstances, this may be achievable through redevelopment opportunities.

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

IN AREAS WHERE THE EXISTING ENVIRONMENT DOES NOT EXHIBIT ESPECIALLY PRONOUNCED OR HISTORIC ARCHITECTURAL STYLES, ANY PROPOSALS FOR INFILL DEVELOPMENT SHOULD BE USED AS AN OPPORTUNITY TO CREATE ADDED VISUAL INTEREST AND RAISE THE AREA'S ARCHITECTURAL QUALITY.

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

4.11 Because of their extent, large developments are likely to have a greater impact on the environment than smaller scale ones. It is therefore particularly important to ensure a high quality of development within such proposals. Large development areas are probably best considered in terms of a series or pattern of smaller areas, each with its own layout and form of development, and hence its own distinctive character. This should lead to the avoidance of extensive areas of characterless development that bear no relationship to features on the ground.

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

ANY PROPOSALS FOR LARGE SCALE DEVELOPMENT SHOULD PROVIDE A CLEAR AND COHERENT LAYOUT THAT CREATES AREAS OF IDENTIFIABLE CHARACTER WITHIN THE DEVELOPMENT. WHERE DEVELOPMENT IS TO BE CARRIED OUT IN PHASES, THE COUNCIL WILL REQUIRE THE SUBMISSION OF A INDICATIVE LAYOUT FOR THE ENTIRE SITE PRIOR TO THE APPROVAL OF ANY

Cont.

Policies relevant to the consideration of this case

1. The Development Plan which applies to the area in which the appeal site is located comprises: Berkshire Structure Plan and the South East Area Local Plan. The Deposit Draft Wokingham District Local Plan will replace the adopted South East Area Local Plan.

Berkshire Structure Plan

2. The Berkshire Structure Plan (1991-2006) was adopted on 4th November 1995 and is the statutory Structure Plan for the area.

The relevant policies in this plan are:
OS1: The Overall Strategy
EN1: Protection and Enhancement of the Environment of Built-Up Areas

South East Area Local Plan

3. The South East Area Local Plan was adopted on 15th April 1994 and is the statutory local plan for the area in which the site is situated. The Planning and Transportation Committee at their meeting on 21 November 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision".

The relevant policies in this plan are:
STV1: Identified Settlements
SBE1: Design of New Development
SBE2: Inappropriate Design

Draft Wokingham District Local Plan

4. The Draft Wokingham District Local Plan was placed on deposit from 21st October to 2nd December 1997 and has formed the basis for development control decisions since 21st October 1997. The County Council issued a statement of general conformity with the structure plan in May 1997. The public local inquiry into the plan commenced on 6th October 1998. The Inspector's report on the local plan inquiry is not expected until Summer 2001 (with the exception of policy WSM1).

The relevant policies in this plan are:
WOS2: General Development Principles
WOS3: Development Control Principles
WBE1: Development in its Local Context

The Planning Inspectorate

For official use only
Date received

QUESTIONNAIRE

To be used for all appeals made on or after August 2000

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/00/1053064 GRID REF: SU 8164

APPEAL BY: MR D BAIGENT

SITE: KINTALINE, LOWER WOKINGHAM RD. CROWTHORNE

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks of the 'starting date' given in our letter. Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

NB: PLEASE TELL US OF ANY CHANGES TO THE INFORMATION YOU HAVE GIVEN ON THIS FORM.

1.	Do you agree to the written representations procedure?	~~YES~~ / NO
OR	Do the you wish to be heard by an Inspector at: a. a local inquiry?	~~YES~~ / NO
	or b. a hearing?	YES / ~~NO~~
2. a.	If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land?	YES / NO
b.	From your knowledge of the issues, would our Inspector need to enter the site for any reason e.g. to view/measure any dimensions from within it?	YES / ~~NO~~
3.	Does the appeal relate to an application for approval of reserved matters?	~~YES~~ / NO
4.	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	~~YES / NO~~ / NA
5.	Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	~~YES~~ / NO

6. Is the appeal site within an approved Green Belt or AONB? Please specify which	YES / NO
7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	YES / NO
8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State? If YES, please attach details and, where necessary, give our reference numbers.	YES / NO
b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.	YES / NO
9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	YES / NO
10. Does the appeal relate to an application for conservation area consent?	YES / NO
11.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	YES / NO Grade I/II*/II
b. Would the proposed development affect the setting of a listed building? If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)	YES / NO
12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	YES / NO
13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	YES / NO
b. If YES, was English Heritage consulted ? Please attach a copy of any comments	YES / NO
14.a. Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of English Nature.	YES / NO
b. Are any protected species likely to be affected by the proposals? If YES, please give details.	YES / NO

15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:		
a Is the development in Schedule 1 or column one of Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales)	YES / NO	
Regulations 1999? If YES, please indicate which Schedule.	Sch 1	Sch 2 col 1
b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	YES / NO	
c. Has a screening opinion been placed on Part 1of the planning register? If YES, please send a copy to us.	YES / NO	
	Number of Documents Enclosed	N/A
d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	2	
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h. Details of any other applications or matters you are currently considering relating to the same site;		✓
i. For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.*	3	
j. Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k. A list of any conditions or limitations you would agree to if the appeal were to be allowed;	1	
l. Any other relevant information or correspondence you consider we should be aware of.		✓

16.a. What is the date you told those you notified about the appeal that we must receive any further comments by? 14·12·00

b. *Copies of the following documents must, if appropriate, be enclosed with* this questionnaire.

	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	3	
ii) the planning officer's report to committee		
iii) any relevant committee minute		

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

Do you intend to send another statement about this appeal? YES / NO
If NO, please send the following information:-

a. In non-determination cases:

i) what the decision notice would have said;

ii) how the relevant development plan policies relate to the issues of this appeal.

b. In all cases:

i) the relevant planning history;

ii) any supplementary reasons for the decision on the application;

iii) matters which you want our Inspector to note at the site visit.

18. THE MAYOR OF LONDON CASES ONLY

a. Was it necessary to notify the Mayor of London about the application? YES / NO
If YES please attach a copy of that notification.

a. Did the Mayor of London issue a direction to refuse planning permission YES / NO
If YES, please attach a copy of that direction.

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent.

Signature: [signature] on behalf of Wokingham District Council

Date sent to us and the appellant 15/11/00 OUR REF: F/2000/1413

This document is printed on a recycled (UK) paper containing 100% post-consumer waste.

© Crown Copyright 1998. Copyright in the printed material and designs is held by the Crown. You can use extracts of this publication in non-commercial in-house material, as long as you show that they came from this document. You should apply in writing if you need to make copies of this document (or any part of it) to:

The Copyright Unit
Her Majesty's Stationery Office
St Clements House
2-16 Colegate
Norwich NR3 1BQ

Conditions for 'Kintaline,' Lower Wokingham Road, should the appeal be allowed

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

R001 In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2. All new works and works of making good to the retained fabric shall be finished to resemble in size, colour, texture and profile those of the existing building.

R014 To ensure that the external appearance of the building is satisfactory.

3. Notwithstanding the provisions of the Town and Country Planning (GeneralPermitted Development Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the garage accommodation on the site shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times. It shall not be used for any business nor as habitable space

R049 To ensure that adequate parking space is available on the site, and reduce the likelihood of roadside parking.

Applicationo	Name & Address
F/2000/1413	Mr D Farr Cahirciveen Lower Wokingham Road Crowthorne Berks RG45 6BT

Our ref: SP\2000\001790\001
Your ref: F/2000/1413

Date: 5th July 2000

ENVIRONMENT AGENCY

POE	TES 31604
DC	F
APP	
CS	
10 JUL 2000	
COPIES TO:	ACK:
	FILE:

District Planning Officer
Wokingham District Council
Council Offices, Shute End,
PO Box 157
Wokingham
Berkshire
RG11 1BN

For the attention of: Elaine Connor

Dear Madam

ERECTION OF DOUBLE GARAGE - KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

Thank you for your letter dated 18 May 2000 which was received on 22 May 2000. You are asked to quote the following reference in any correspondence: **SU86SW/22/8.** The Environment Agency has the following comments:

The Environment Agency **OBJECTS** to the proposed development for the following reasons:

REASON: The proposals include development in close proximity to the re-aligned watercourse. This will adversely affect the character and conservation value of the watercourse; increase the risk of accidental pollution; increase the likelihood that undesirable forms of bank retention work may need to be adopted in future; and preclude the creation of an adequate buffer zone.

ADVICE TO PLANNING AUTHORITY

Conservation: Contact Liz Baldwin on 01276 45 4430

The location of the new garage should be moved so that a minimum of 2 metres is established between any new structure and the re-alligned ditch. At present due to the close proximity of the garage to the stream, the proposals are not acceptable.

Although the Agency encourages culverted sections of watercourses to be opened up, we require further information about the existing ditch that will be filled in prior to approval of the diversion. In particular we require an ecological survey of the ditch to identify any rare, declining, protected (such as water voles) or otherwise important flora, or habitats along the length of the watercourse to be filled in. The Agency would ask to be consulted on the results of the survey.

SPOKE TO ENV. A.

Cont/d..

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 5SQ
Telephone : 01276 454300 Fax : 01276 454301

Details of the new ditch, including cross sections and proposed landscaping should also be provided. Planting should comprise of native species only. Use of locally native species in landscaping plans is essential in order to benefit local wildlife and to help maintain the region's natural balance of flora. It will also help to prevent the spread of invasive, alien species within the region. In addition, native specimens from the existing ditch, proposed to be infilled, could be translocated into the new ditch.

Buffer zones to watercourses are required for the following purposes:
(i) to allow the watercourse to undergo natural processes of erosion and deposition, and associated changes in alignment and bank profile, without the need for artificial bank protection works and the associated destruction of natural bank habitat;
(ii) to provide for the terrestrial life stages of aquatic insects, for nesting of water-related bird species, and for bank dwelling small mammals;
(iii) to provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats;
(iv) to allow for the maintenance of a zone of natural character with vegetation that gives rise to a range of conditions of light and shade in the watercourse itself. This mix of conditions encourages proliferation of a wide range of aquatic species, including fish;
(v) to allow, where appropriate, for the regrading of banks to a lower and safer profile, in areas where there is public access;
(vi) to prevent overshadowing of watercourses by buildings; and
(vii) to reduce the risk of accidental pollution from run-off.

The buffer zones should be undisturbed and maintained for wildlife. They should not include any built development including hardstanding.

If you are minded to grant permission for the proposals despite the above, it is essential that you contact me before a determination is made.

DECISION NOTICE

Would you please forward a copy of the decision notice to this office quoting our reference.

A copy of this letter has been sent to the agent.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: W M Graham Associates, 1 Rectory Road, Wokingham RG40 1DJ

~~Cont'd~~.

HIGHWAYS CONSULTATION SHEET

From: Elaine Connor

Date: 18 May 2000

Application Number: F/2000/1413

Proposal: Proposed erection of detached double garage.

Parish: FINCHAMPSTEAD PARISH

Site Address:
Kintaline, Lower Wokingham Road, , Crowthorne.

Applicant:
Mr D Baigent C/O W M Graham And 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).

Comments

SC:23 (Insert: Garaging, Parking & Turning).

SR:06

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

30/05/00.

TO: **DEVELOPMENT CONTROL**
Elaine Connor

FROM: Environmental Design

DATE: 18/07/00

Location: Kintaline, Lower Wokingham Road, Crowthorne

Proposal: Double detached garage

Application Number: F/2000/1413

In response to your consultation dated 18 May 2000 for the above application, the arboricultural comments are as follows:

The position of the garage is unacceptable in relation to the nearest oak tree. It should be positioned a minimum of 4.5 metres from this tree.

Neil Etherington
Senior Arboriculturist

FROM: Elaine Connor

DATE: 18 May 2000

DELEGATED

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	
05 JUN 2000	
COPIES TO:	ACK:
	FILE:

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/1413

Proposal: Proposed erection of detached double garage..

Site Address: Kintaline, Lower Wokingham Road, , Crowthorne.

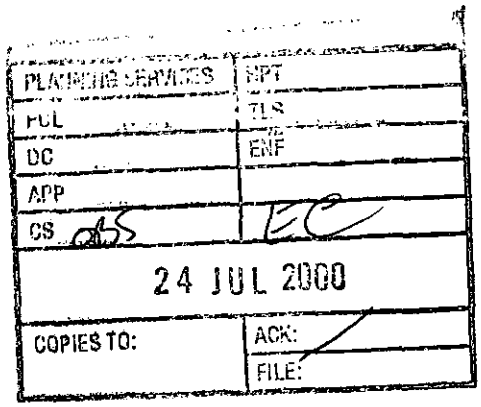
Applicant: Mr D Baigent C/O W M Graham And Associates.

Your observations are required in respect of this application **by 11/06/2000** .

The Parish Council has no objections to this application.

SIGNED: C.S. Cl DATE: 2-6-00

Clerk To Finchampstead Parish/Town Council.



David Farr
"Cahirciveen"
Lower Wokingham Road
Crowthorne
Berks
RG45 6BT

Tel: 01344 773662

Environment Services Department
Planning Services
P.O.Box 157
Shute End, Wokingham
Berks. RG40 1WR

21st[nd] July 2000

Re: Application Number- F/2000/1413
At site address- Kintaline, Lower Wokingham Road

Dear Sir or Madam,

Having viewed the amended proposed location of the detached double garage on the above planning application – **I am again writing to object to this construction.**

As I stated in my last objection (2nd June), my house, which neighbours this property, actually sits "sideways on" to the Lower Wokingham Road – accordingly the view from my lounge would look directly at the wall of this garage – this I feel is **highly inappropriate.**

Accordingly I again most strongly object to the garage being sited in the proposed location.

I would have thought that any such plan for a detached garage should have been envisaged by the occupier at the time that he put in his original proposal for the extension to the actual house.

I must say that had I realised further planning applications would be forthcoming, then I would have also objected to the house extension – which co-incidentally bears little relationship to that which was proposed.

You may feel it appropriate to enquire whether I should expect to receive yet further applications for extensions etc.?

Yours faithfully,

D.G.Farr

The Planning Inspectorate

Room 1202W
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9878460
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8460

PLANNING SERVICES | HPT
16 NOV 2000
COPIES TO: | ACK: | FILE:

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

Your Ref: F/2000/1413

Our Ref: APP/X0360/A/00/1053064

Date: 13 November 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY D BAIGENT ESQ
SITE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

I am writing to confirm that the hearing into this appeal will start at 10:00 on Tuesday 6/2/2001 at The Council Offices, Shute End, Wokingham. Please arrange a car-parking space for the Inspector, and send the details to the case officer quoting our appeal reference number.

done 16/11

We will confirm the Inspspector to you at a later date.

Please write to the owners and occupiers of property near the site telling them about the hearing details at least 2 weeks before the hearing date. You should also tell others you consider to be affected by or interested in the proposed development, including any persons or bodies who made representations at the application stage. Your letter should cover:

diaried

- An Inspector has been appointed by the Secretary of State for the Environment, Transport and the Regions under paragraph 1(i) of schedule 6 to the Town and Country Planning Act 1990 to determine this appeal;
- the location of the site and a description of the appeal proposals;
- the hearing details;
- where your, and the appellant's statements, and future comments can be inspected;
- that they may attend the hearing, and at the Inspector's discretion, give their views;
- that we will send a copy of the decision letter only to those who ask for one in writing;
- what facilities are available for people with disabilities e.g. parking spaces, access, seating arrangements etc.

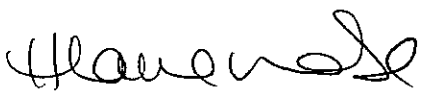
If you have not already done so, please send 2 copies of your written statement to the case officer and one copy to any statutory party. We must receive it within 6 weeks of the starting date.

You should publish a notice of the hearing details in one or more newspapers circulating in the appeal site area at least 2 weeks before the date of the hearing.

Please note that people with disabilities who may be concerned about facilities at the hearing venue have been advised to write to, or contact, your Council to confirm that proper provisions are in place.

We aim to issue decisions within 7 weeks of the close of the hearing. If there is likely to be significant delay, we will let you know.

Yours faithfully



Miss H Langridge

206J(BPR)

Tel: (0118) 974 6448 (Direct Line)
Fax: (0118) 974 6484
Date: November 16, 2000
My ref: F/2000/1413
Your ref: APP/X0360/A/00/1053064

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

Miss A Bibi
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Bibi

APPEAL BY: D BAIGENT

SITE: KINTALINE, LOWER WOKINGHAM RD CROWTHORNE

INQUIRY DATE: TUESDAY 6 FEBRUARY 2000

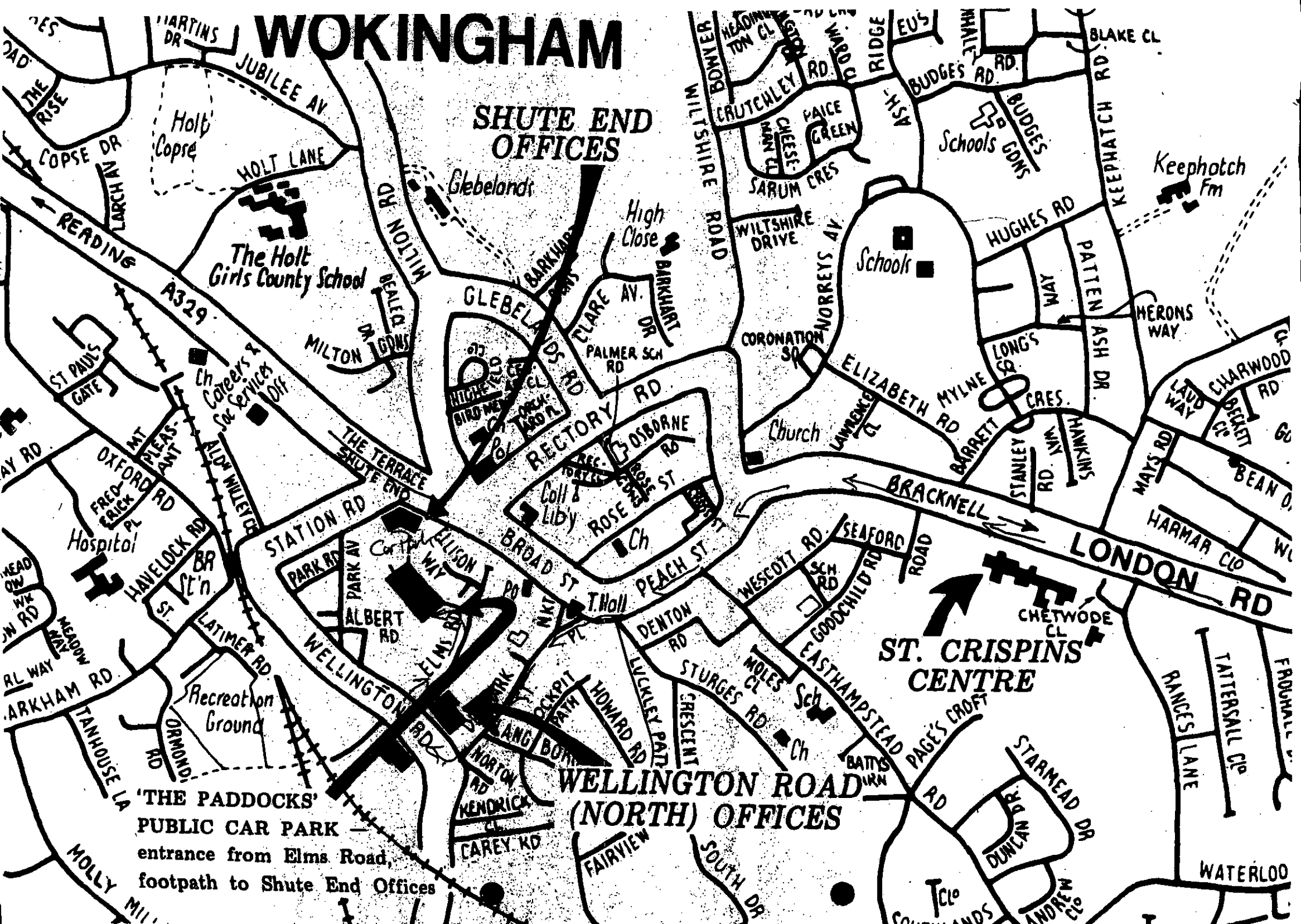
On the reverse of this letter is a map showing the Pay and Display car park, The Paddocks, recommended for the Inspector's use during the Inquiry.

Please forward this letter to the Inspector concerned.

I hope this is helpful, and that the Inspector finds a parking space without a problem.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant


WOKINGHAM
SHUTE END OFFICES
WELLINGTON ROAD (NORTH) OFFICES
ST. CRISPINS CENTRE
'THE PADDOCKS' PUBLIC CAR PARK — entrance from Elms Road, footpath to Shute End Offices
READING A329
BRACKNELL
LONDON RD
JUBILEE AV
HOLT LANE
Holt Copse
The Holt Girls County School
Glebelands
High Close
SHUTE END
THE TERRACE
STATION RD
RECTORY RD
OSBORNE RD
ROSE ST
BROAD ST
PEACH ST
T.Hall
Coll Liby
Ch
Careers & Soc Services Off
Hospital
Recreation Ground
WILTSHIRE ROAD
WILTSHIRE DRIVE
CRUTCHLEY RD
SARUM CRES
Schools
BUDGES RD
KEEPHATCH RD
Keephatch Fm
HUGHES RD
NORREYS AV
CORONATION SQ
ELIZABETH MYLNE CRES
LONG'S SQ
PATTEN ASH DR
HERONS WAY
CHARWOOD RD
Church
LAWRENCE CL
BARRETT
STANLEY RD
HAWKINS WAY
MAYS RD
BEAN
HARMAR CLO
SEAFORD ROAD
WESCOTT RD
GOODCHILD RD
CHETWODE CL
DENTON RD
STURGES RD
MOLES CL
EASTHAMPSTEAD RD
PAGE'S CROFT
STARMEAD DR
DUNCAN DR
RANCES LANE
TATTERSALL CLO
WATERLOO
ANDREW CLO
FAIRVIEW
SOUTH DR
CAREY RD
KENDRICK RD
NORTON RD
WELLINGTON RD
ELMS RD
ALBERT RD
PARK RD
PARK AV
ALDW WILLEY CR
ELLISON WAY
LATIMER RD
ORMOND RD
HAVELOCK RD
OXFORD RD
FREDERICK PL
MT PLEASANT
ST PAULS GATE
TANHOUSE LA
MOLLY MILL
ARKHAM RD
RL WAY
MEADOW WAY
ON RD
AY RD
THE RISE
COPSE DR
LARCHAM
MARTINS DR
MILTON RD
BEALES DR
MILTON GDNS
BARKHART DR
CLARE AV
DR
PALMER SCH RD
BOWER
HEADINGTON CL
RIDGE
EUS
WHALEY
BLAKE CL
FAICE GREEN
CRESS CL
ASH-
BUDGES GDNS
WAY
LAUD WAY
BECKET CLO
RD
GO
WESTERN
BARKHAM
BORO
PL
CROSS
ROSE ST
PARK
ALBERT
ELMS
WELLINGTON
HOWARD RD
LUCKLEY PATH
CRESCENT
BATTS HRN
PAGE'S CROFT
FROUHALL

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT:	Mr D Baigent
APPEAL SITE:	'Kintaline,' Lower Wokingham Road, Finchampstead
REASON FOR APPEAL:	Appeal against non-determination of Application F/2000/1413) for the erection Of a detached double garage.

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/1413

DEPARTMENT OF THE ENVIRONMENT
TRANSPORT & THE REGIONS REFERENCE : APP/X0360/A/00/1053064

1.00 SITE DESCRIPTION AND LOCATION

1.01 The site, which is the subject of this appeal 'Kintaline,' is located on the western side of the A321 Lower Wokingham Road, within the identified settlement in the parish of Finchampstead. The appeal site is an elongated site, which lies adjacent to the dwellings, 'Cahirciveen,' 'Appletree Cottage,' and 'Woodhaven' to the north and nos. 2,4 and 6 Talisman Close to the south. (See Appendix 1 for site plan)

1.02 The site at present consists of a detached dwelling (previously known as 'Ilkley'), set back from the main road, with a large elongated rear garden.

1.03 The area is characterised by a mixture of residential development along the main road frontage, and is maturely landscaped.

2.00 Planning History

2.01 Planning permission was given in April 2000 for two schemes (F/2000/0284 & F/2000/0360) both for part demolition of the existing bungalow and rebuilding to form a five bed detached dwelling.

2.02 On the 3rd May 2000 a planning application (F/2000/1413), the subject of this appeal, was received, for the erection of a detached double garage. An appeal against non-determination was received on 3rd November 2000.

2.03 Revised plans were received on 11th July 2000 showing a reduction in the height of the garage and relocation of the garage.

2.04 The deemed reason for refusal is as follows:

It is considered that the proposed detached double garage due to its scale and massing and its position forward of the main building line would create an obtrusive feature in the street scene. The proposed development would therefore, have a negative impact upon the character of the area.

As such the proposal is contrary to policies OS1 and EN1 of the Berkshire Structure Plan, STV1, SBE1 and SBE2 of the South East Area Local Plan and WOS2, WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

3.00 Policy Background

3.01 The Development Plan which applies to the area in which the appeal site is located comprises: Berkshire Structure Plan and the South East Area Local Plan. The Deposit Draft Wokingham District Local Plan will replace the adopted South East Area Local Plan.

3.02. The Berkshire Structure Plan (1991-2006) was adopted on 4th November 1995 and is the statutory Structure Plan for the area.
The following policies are relevant: (Appendix 2)

OS1 The Overall Strategy
EN1 Protection & Enhancement of the Environment of Built-Up Areas

3.03. The South East Area Local Plan was adopted on 15th April 1994 and is the statutory local plan for the area in which the site is situated. The Planning and Transportation Committee at their meeting on 21 November 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision".
The following policies are relevant: (appendix 3)

STV1 Identified Settlements
SBE1 Design of new development
SBE2 Inappropriate Design

3.04. The Draft Wokingham District Local Plan was placed on deposit from 21st October to 2nd December 1997 and has formed the basis for development control decisions since 21st October 1997. The County Council issued a statement of general conformity with the structure plan in May 1997. The public local inquiry into the plan commenced on 6th October 1998. The Inspector's report on the local plan inquiry is not expected until Summer 2001 (with the exception of policy WSM1).
The following policies are relevant: (appendix 4)

WOS2 General Development Principles
WOS3 Development Control Principles
WBE1 Development in its Local Context

4.00 The case for the Local Planning Authority

4.01 As stated above the appeal site is located within the settlement boundary. One of the key objectives of the policies, which cover development issues within the built environment, seeks to ensure that development contributes to amongst other things, the attractiveness of the environment.

4.02 Policy WBE1 of the Wokingham District Local Plan (Deposit Draft) requires that new development should respect its local context particularly in relation to its visual impact, and layout, form, scale, massing and materials.

4.03 In light of this it is considered that the proposed detached double garage is unacceptable since it would detract from the visual amenity of the dwelling on site and also surrounding neighbouring dwellings. It is also considered that the proposed development would create an obtrusive feature in the street scene, which would detract from the character of the area. Since the site is not well screened along the front boundary with Lower Wokingham Road it is considered that the proposed garage would be visible when approaching the site from both the north and the south.

4.04 It is considered that the size and scale of the proposed garage in the front garden of the dwelling, well forward of the existing building, would create a hard, visually intrusive feature that would be out of character with surrounding neighbouring properties.

5.00 Conclusion

5.01 It is considered that the proposed detached double garage is unacceptable development given its size, scale and location forward of the building line, and would create an obtrusive feature in the street scene which would detract from the visual amenity and character of the area.

5.02 In respect of the issues outlined in this statement it is considered that the proposal is as such, contrary to policies OS1 and EN1 of the Berkshire Structure Plan, STV1, SBE1 and SBE2 of the South East Area Local Plan and WOS2, WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

5.03 The Inspector is respectfully requested to dismiss this appeal.

APPENDICES

1. SITE PLAN

2. ORIGINAL PLANS

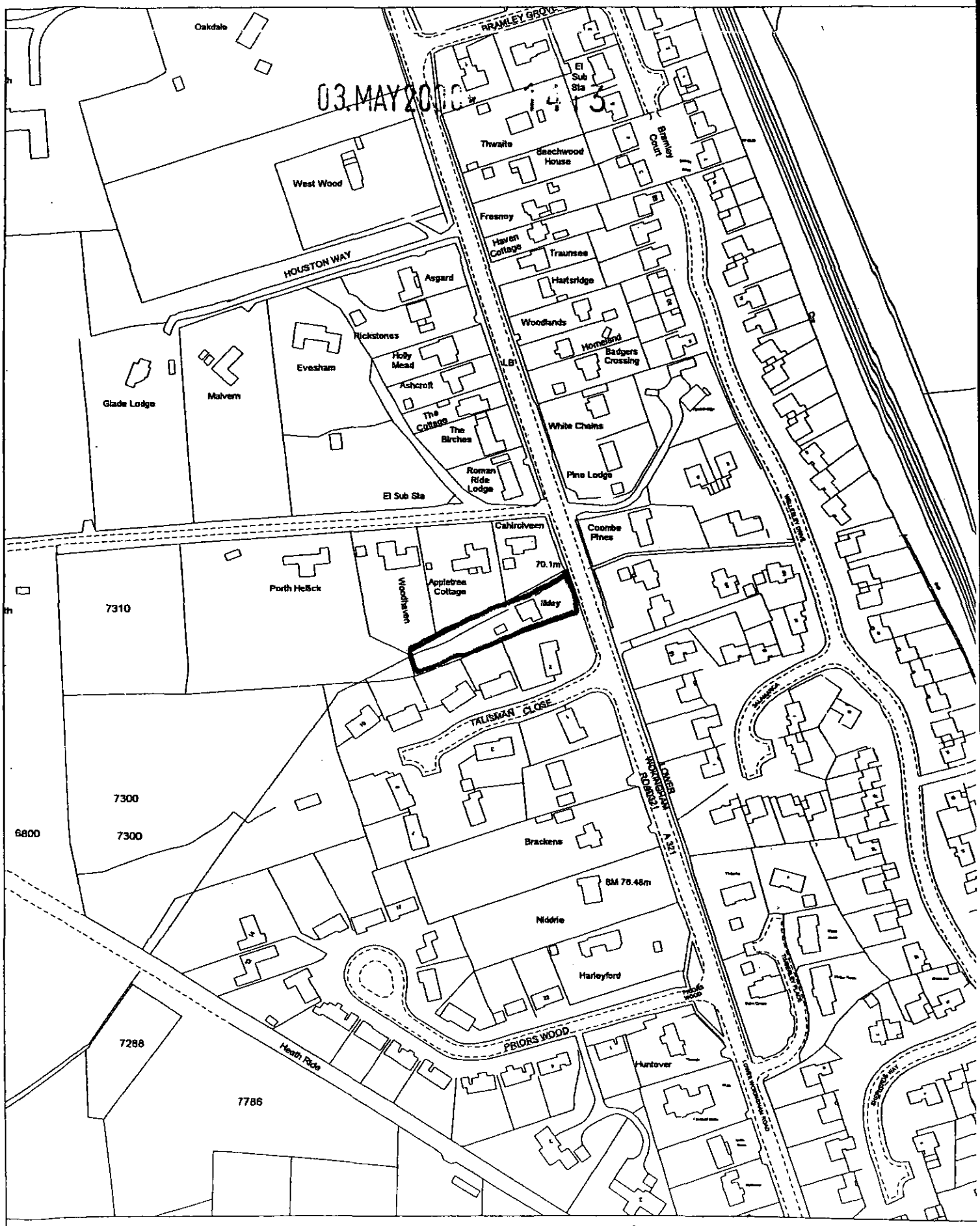
3. REVISED PLANS

4. EXTRACT FROM THE BERKSHIRE STRUCTURE PLAN

5. EXTRACT FROM THE SOUTH ESAT AREA LOCAL PLAN

6. EXTRACT FROM THE WOKINGHAM DISTRICT LOCAL PLAN (DEPOSIT DRAFT)

APPENDIX 1



Site Plan, Scale: 1 to 2500

This copy has been produced specifically for the map return scheme purposes only. No further copies may be made.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO Office. © Crown Copyright. Wokingham District Council, Licence No. LA086134

Date: 16 December 1999

N
W E
S

APPENDIX 2

APPENDIX 3

APPENDIX 4



BERKSHIRE STRUCTURE PLAN 1991-2006





Babtie

3 STRATEGY FOR BERKSHIRE

OVERALL APPROACH

3.1 The overriding aim of the Structure Plan is to ensure that development is 'sustainable' in terms of the capacity of the County to accommodate further growth and change. This means protecting and, where possible, enhancing the overall quality of Berkshire's environment, and within this framework seeking to meet the County's social and economic needs and aspirations.

3.2 Protecting and improving Berkshire's environment for the benefit of existing and future generations is not only desirable in its own right, but is fundamental in ensuring a prosperous County with a high quality of life for those who live and work in or visit the area. At a time of growing concern about maintaining and enhancing the quality of both the global and local environment, there is increasing interest in the contribution which land-use planning can make to these objectives.

3.3 The Government's strategy for sustainable development[1] emphasises the key role that the land-use planning system can play in delivering a sustainable future. This role is also emphasised in recent Planning Policy Guidance Notes, which stress the need for sustainable development, the conservation of non-renewable natural resources, the protection of the countryside for its own sake and making the environment more attractive, cleaner and safer, for example by limiting CO_2 emissions.

3.4 Increasing environmental concerns are also reflected in the Regional Planning Guidance for the South East[2] which makes sustainable development and environmental improvement one of its key objectives. It states that, "All development should be planned in ways which work towards securing the objectives of sustainable development". To help achieve this objective Regional Guidance seeks a shift in the balance of development between the west and east of the region.

3.5 Whilst it is recognised that land-use planning policies can have only a limited impact, the Structure Plan can nevertheless provide a practical and effective means of helping to deal with wider environmental concerns such as pollution, the depletion of non-renewable resources, global warming and habitat and species destruction, as well as tackling local environmental issues.

3.6 At the same time, the County Council recognises that a positive response is needed to pressures for growth and change in Berkshire. Some development is required to help provide homes for local people, to contribute towards maintaining the prosperity of the local economy and to assist in meeting demands for movement, shopping, recreation, tourism and mineral extraction in the County.

---

1 *'Sustainable Development : The UK Strategy' - HMSO, 1994. CM2426*

2 *'Regional Planning Guidance for the South East : RPG9' - Department of the Environment, March 1994*

3.7 Sustainable levels, forms and locations for development are therefore sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within the environmental and other limits described in Chapter 2.

3.8 This approach is considered appropriate in view of :

- the limited capacity of the County to absorb further development;
- the need to husband land so that there is scope for development beyond 2006;
- the cumulative impact of development on existing communities, on the transport network and on pollution;
- the extent of existing commitments;
- uncertainties as to the timing and extent of recovery from the recent recession;
- changing economic factors which may affect people's aspirations and ability to form new households in separate accommodation;
- emphasis in the Regional Guidance on sustainable development, respecting environmental constraints and reducing rates of development in the west of the region.

3.9 Wthin this framework it is intended that scope and flexibility should be provided for helping to meet local housing needs, to secure and maintain a balanced local economy and to allow the provision of a wide range of job opportunities.

The Overall Strategy

Policy OS1 **The overall strategy of the Plan is to seek sustainable development and improvement to the quality of life in Berkshire by pursuing the following objectives :**

(i) to restrain development to levels that respect the limits set by environmental, infrastructure and other constraints upon the development of land;

(ii) to give priority within (i) to meeting Berkshire's economic and social needs, including the provision of low-cost housing and wider employment opportunities;

(iii) to protect and enhance the character and quality of Berkshire's landscape, environment and heritage;

(iv) to steer development to locations which minimise the need for travel and can be well served by public transport;

(v) **to conserve natural resources;**

(vi) **to minimise pollution;**

(vii) **to seek improvements to infrastructure, services and amenities;**

(viii) **to promote an appropriate balance between all forms of transport by continuing to develop an integrated transport strategy.**

MAIN THEMES OF THE STRATEGY

3.10 The main themes of the Structure Plan strategy are outlined below and developed in more detail in subsequent chapters. Environmental concerns are reflected in policies in all sections of the Plan. References to policies in the Plan of particular relevance are listed under each sub-heading.

Restraining Levels of Growth

3.11 The Plan seeks to keep growth down to levels which can be accommodated within the limits set by environmental, infrastructure and other considerations (Policies OS1; LD1, LD3, LD6, LD7; H1, H2; BU1; TC1; R1; M1, M3).

3.12 A restrained level of growth will generally take less open land for development, generate less traffic and waste and help towards reducing pollution, energy consumption, the depletion of water resources and the demand for minerals and aggregates. It will also allow more scope for catching up in the provision of social and physical infrastructure (subject to the environmental acceptability of proposals and availability of the necessary resources).

3.13 This approach is in line with key objectives in the regional planning guidance for the South East, in which it is suggested that levels of development should respect the region's valuable environmental features and avoid the wasteful use of land and other natural resources. The regional guidance also states that a reducing rate of growth is appropriate in the west of the region to enable infrastructure and services to catch up with rapid rates of development in the recent past.

3.14 The overall housing provision for the period 1991-2006 was increased by the County Council from 37,000 to 40,000 dwellings in response to a direction issued by the Secretary of State for the Environment on 29 June 1995. While the Council has welcomed the fact that the Secretary of State has not pressed it to accept the total of 48,000 dwellings recommended by the Panel which conducted the Examination in Public in 1993, it remains concerned that increasing the provision above 37,000 dwellings could have serious environmental consequences contrary to the overall objectives of the Structure Plan.

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

6.1 The quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. These depend partly on care for its environment as a whole, including the countryside (dealt with in Chapter 5) and towns, villages and built-up areas which are considered in this chapter. It also concerns : safeguarding and enhancing a number of specific environmental interests, which together contribute to the character of the County; curbing and controlling a number of specific threats to pleasant living conditions; and the conservation of natural resources.

The Environment of the Built-up Areas

6.2 The density, form and quality of buildings, landscape and other elements of the environment in towns, villages and built-up areas have an important bearing on the overall quality of life in the County, especially as the majority of the population live and work in such areas.

Protection and Enhancement of the Environment of Built-Up Areas

Policy EN1 **The character and quality of the environment in the towns, villages and other built-up areas will be protected and enhanced. Within these areas development must be appropriate in scale, form, impact, character and siting to its location. In particular :**

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

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

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

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

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

6.3 In order to secure improvements in the environment of built-up areas, local plans will need to include guidelines on a wide range of matters raised in the policy. Particular public concerns have been raised about the quality of design in new development and about increased densities in the built-up areas. While the latter may help reduce the need for travel and minimise the loss of open countryside, it may also lead to problems of congestion, loss of tree cover and open land, and deterioration in environmental quality in established neighbourhoods.

6.4 Policy EN1 is intended positively to encourage appropriate regeneration in line with Government guidance. It is not proposed that appropriate changes of use of buildings should be restricted whether they are currently vacant or not. Derelict land which has been the subject of contamination may be appropriate for redevelopment, but only if there is no danger created for the new use of the site or through the transport and re-deposit of contaminated matter on a site elsewhere.

Environmental Nuisance

6.5 Certain kinds of development can give rise to nuisance which can affect occupiers of buildings, passers-by or those using outdoor space. There is a need to prevent new problems from arising, and to limit or reduce the nuisance from existing sources. The impact of nuisance may in some circumstances be limited by curbing development in areas affected, and this is appropriate where (as is the case for aircraft noise) little can be done to reduce the nuisance in the short term.

Protection from Environmental Nuisance

Policy EN2 **Development should not give rise to unacceptable levels of noise, smell, dust, fumes, light or noxious emissions affecting areas beyond the site boundary, or to unacceptable levels of air or water pollution. In addition, uses sensitive to disturbance such as new houses, schools and hospitals, should not be located in areas already subject to unacceptable levels of these environmental nuisances.**

6.6 In areas affected by high levels of noise, development should be designed to minimise the nuisance caused to future occupants. Unacceptable levels of environmental nuisance will be defined through the local plan process and by building upon studies such as the County Council's State of the Environment Report. The County Council has also recently published environmental noise planning guidelines to assist with the implementation of Policy EN2 and to help co-ordinate a standardised approach across the County.

Flooding

6.7 Most of Berkshire's rivers have an associated floodplain which is essential for both flood flow and storage. Development within the floodplain would reduce the storage capacity and impede the flow of water, thereby increasing the risk of flooding elsewhere. Therefore in areas at risk from flooding new development or the intensification of existing development will be resisted. It is also necessary to ensure that the surface water run-off from any new development does not exacerbate flooding or drainage problems elsewhere.

APPENDIX 5

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG11 1WR
Telephone: (0734) 786833
Fax: (0734) 778735

form of narrow leisure plots of considerable depth which penetrated into the open countryside. As land prices have increased with demand for land, the level of development in these areas has intensified. In some instances this has led to tandem development which often detracts from the rural character of the area and results in a loss of privacy. Apart from development on individual plots the area south of Wokingham has also experienced larger scale housing development, reinforced in more recent times by the Secretary of State's requirement, in approving the Structure Plan in 1980, to build an additional 8000 houses in Central Berkshire. Some development that has occurred during the post war period has failed to recognise the importance of retaining tree cover and has not been incorporated into the landscape in a sensitive manner. The policies contained in this plan are aimed at tackling these problems and preventing such damage occurring in the future.

DEFINITION OF IDENTIFIED SETTLEMENTS

1.1.04 The definition of rural areas is dependent on the definition of settlements and vice versa. The South East area is dominated by Wokingham which is surrounded by a number of smaller settlements and areas of ribbon or frontage development. All vary greatly in terms of size, form and character. Some areas of sporadic development involve very few properties and/or are dominated by areas of undeveloped rural land either between or to the rear and in front of properties causing them to be characterised by a loose settlement pattern or to form a narrow strip of development in what is still a distinctly rural area. Such areas may possess a number of basic services, such as a school or church but these are rarely confined to serving the population residing in the immediate vicinity. The open nature of these areas presents many opportunities for further intensification. However, it is considered that if



such development were to occur, the existing special character of these areas or the surrounding countryside would be detrimentally affected. For the purposes of this plan, such areas of development are not synonymous with an identified settlement, the latter being used to define an area where particular planning policies are appropriate. There will therefore be cases where areas of development have not been included within the identified settlement. One example is small groups of development bounded by countryside on the far side of a road that marks the boundary of the main built up area . In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this Plan and as shown on the proposals map.

1.1.05 An 'identified' settlement or built-up area must possess all the following characteristics:-

(i) a sizeable amount of development in a compact form, (if development is dominated by, or interspersed with, areas of land which are characteristically rural or open, this will not come within this criterion);

(ii) possess a range of basic services, such as a school, shop and community facilities, providing a forum for social contact;

(iii) be physically and socially cohesive.

On this basis the following policy is put forward.

❖ STV1 'IDENTIFIED SETTLEMENTS'

WITHIN THE IDENTIFIED SETTLEMENTS AS LISTED BELOW AND AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL NORMALLY BE ALLOWED, SUBJECT TO THE PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN. THE 'IDENTIFIED' SETTLEMENTS ARE:-

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies SH1 and SE2 of this plan.

❖ STV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE REPLACEMENT STRUCTURE PLAN EXCEPTIONS MAY BE MADE FOR DEVELOPMENT IN THE FOLLOWING CATEGORIES WHICH ARE NOT SPECIFICALLY DEALT WITH BY OTHER POLICIES IN THIS LOCAL PLAN.

(A) DEVELOPMENT FOR HOUSING PURPOSES OF SITES NOT EXCEEDING 0.4 HECTARE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(B) DEVELOPMENT FOR EMPLOYMENT USES NOT EXCEEDING 300 SQUARE METRES OF FLOORSPACE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(C) DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY,

(D) MINERAL EXTRACTION,

(E) PLANT FOR RECEIVING IMPORTED AGGREGATES, OR FOR THE PROCESSING OR DISTRIBUTION OF AGGREGATES,

(F) THE DISPOSAL OF WASTE BY CONTROLLED TIPPING WITHIN EXISTING OR FORMER MINERAL WORKINGS OR ON OTHER DESPOILED LAND,

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

(H) ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA,

THE ACCEPTABILITY OF ALL PROPOSALS WILL ALSO BE JUDGED AGAINST THE PROVISIONS OF THE OTHER RELEVANT POLICIES CONTAINED IN THIS PLAN . FOR THE AVOIDANCE OF DOUBT THE AREAS OF SPORADIC DEVELOPMENT IDENTIFIED ON THE PROPOSALS MAPS ARE INCLUDED WITHIN THE RURAL AREAS.

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

1.4.01 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the design of new buildings or extensions to existing buildings and the creation of new spaces within that environment, *are very important.*

1.4.02 The District Council is particularly concerned to promote a high standard of design in new buildings, and to ensure that new buildings are responsive to their location. This means that new buildings need to be appropriate in terms of their function, siting, scale, form, massing, materials, colour and texture in their relationship with adjoining buildings and sites. Accordingly, new buildings will be expected to make an acceptable and positive contribution to the built environment. In addition, developments that incorporate public access should accommodate sculptures or other works of art to provide visual interest, where this is considered appropriate by the local planning authority. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers.

1.4.03 In the case of schemes involving more than one building, regard will be paid to the impact of the development over a wider area, involving an assessment of criteria additional to those referred to in paragraph 1.4.02 above. Accordingly, schemes should relate to the "grain" of the area, and take account of their effect on the skyline, pedestrian and vehicular movements in the area, vistas, safety and environmental constraints. Where large sites exist which would significantly affect the urban fabric urban design briefs/appraisals will be prepared/required to establish the wider context within which applications will be considered.

❖ *SBE1 DESIGN OF NEW DEVELOPMENT*

NEW DEVELOPMENT SHALL BE OF A HIGH STANDARD OF DESIGN APPROPRIATE TO THE CHARACTER OF THE AREA IN WHICH IT IS TO BE SITUATED. IT SHOULD:

(A) MAKE A POSITIVE CONTRIBUTION TO ITS SETTING AND THE CHARACTER OF THE AREA,

(B) CONTRIBUTE TO THE CREATION OF A SAFE AND ATTRACTIVE ENVIRONMENT IN WHICH TO LIVE AND WORK,

(C) RETAIN IMPORTANT NATURAL, MAN-MADE OR LANDSCAPE FEATURES OF THE SITE COMPATIBLE WITH GOOD DESIGN.

❖ *SBE2 INAPPROPRIATE DESIGN*

PROPOSALS FOR DEVELOPMENT THAT IS INAPPROPRIATE IN TERMS OF ITS RELATIONSHIP WITH ADJOINING SITES AND BUILDINGS, OR WHICH WOULD ADVERSELY AFFECT THE CHARACTER OF AN AREA, BY VIRTUE OF ITS SITING, SCALE, FORM, MASSING, MATERIALS, COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED

VIRTUE OF ITS SITING, SCALE, FORM, MASSING, MATERIALS, COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED.

ENVIRONMENTAL IMPROVEMENT

1.4.04 Within the built environment it is important not only to safeguard those buildings, undeveloped areas and special features which contribute to the character and attractive qualities of the area but to seek opportunities to enhance the quality of the built environment.

1.4.05 Often the more attractive and successful urban environments have evolved organically over a period of many years and incorporate a variety of architectural styles. In more recent years development in some parts of the District has taken place more comprehensively with little variety in design. In other areas particularly since the war and up to the early 1970's some development has been inserted into an existing area to the detriment of the older urban fabric.

1.4.06 In some areas, local shopping centres in particular, where comprehensive development has taken place, the opportunity may arise for comprehensive refurbishment since a large part of the urban fabric will tend to age and decay simultaneously. In other areas environmental enhancement of the urban fabric surrounding the buildings may be sufficient to rejuvenate the area as a whole.



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

ENCOURAGEMENT WILL BE GIVEN TO THE REFURBISHMENT OR PARTIAL REDEVELOPMENT OF AREAS OR INDIVIDUAL SCHEMES WHERE A SIGNIFICANT ENVIRONMENTAL ENHANCEMENT WILL RESULT TO THE BENEFIT OF THE COMMUNITY.

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

ENVIRONMENTAL ENHANCEMENT SCHEMES WILL BE ENCOURAGED WITHIN THE PLAN AREA AS OPPORTUNITIES ARISE AND WILL INCLUDE THE AREAS AS SHOWN ON THE PROPOSALS MAP AND AS SET OUT IN PART TWO OF THE PLAN.

SUNLIGHT, DAYLIGHT AND NOISE

1.4.07 Daylight penetration into new buildings, and existing buildings affected by new development, is an important amenity consideration as is sunlight penetration of spaces outside windows. In this respect it should always be the intention to maximise penetration of new development and minimise the impact of new development on old as far as is possible. The orientation of rooms, gardens and both public and private spaces is therefore critical since together the two aspects can provide warmth, comfort and pleasant living and working conditions. They can also have some impact on energy consumption by reducing the dependence on artificial lighting and heating. Further guidance on this matter can be found in the District Council's Development Control Guidelines.

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

APPENDIX 6



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

- Proposed Amendments April 1999
- Additional Proposed Amendments September 1999
- Proposed Transport Amendments February 2000

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

B) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

C) CONSERVING AND ENHANCING THE PATTERN OF TOWN AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

D) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

E) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

F) ~~TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION~~ **(PA 1/3)**

F1) TO CONSERVE NATURAL RESOURCES **(PA 1/3)**

F2) TO MINIMISE POLLUTION ***(PA 1/3)***

G) TO SEEK IMPROVEMENTS TO INFRASTRUCTURE, SERVICES AND AMENITIES.

H) TO ENCOURAGE AND SUSTAIN BALANCED RURAL COMMUNITIES **(PA 1/1)**

I) TO DEVELOP BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES **(PA 1/2)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside ~~or has special reason to locate there~~ *OR FOR WHICH A RURAL LOCATION IS ESSENTIAL.* **(PA 1/4)** Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

1.8 An 'identified' settlement or built-up area must possess all the following characteristics:

(i) a sizeable amount of development in a compact form (if development is dominated by, or interspersed with, areas of land that are characteristically rural or open, it will not come within this criterion)

(ii) possess a range of basic services, such as a primary school, shop and community facilities, providing a forum for social contact

(iii) be physically and socially cohesive.

1.9 For the purposes of this plan the identified settlements are:

ARBORFIELD CROSS
BARKHAM HILL
CHARVIL
EARLEY/SONNING/WOODLEY
FINCHAMPSTEAD
FINCHAMPSTEAD NORTH
HURST
PINEWOOD
RISELEY
SHINFIELD
SINDLESHAM
SPENCERS WOOD
SWALLOWFIELD
THREE MILE CROSS
TWYFORD
WARGRAVE
WINNERSH
WOKINGHAM.

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.

OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).

Implementation: Through the development control process.

Monitoring: Planning applications determined.

1.11 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the appropriateness of the use of existing buildings and the design of new buildings or extensions to existing buildings, are very important.

1.12 The Council is particularly concerned to promote a high standard of design in new buildings, to ensure that new buildings are responsive to their location and to their potential occupants' and/or users' needs. New development needs to be appropriate in terms of function, siting, scale, form, massing, materials, colour and texture in its relationship with adjoining buildings and sites. Accordingly, new development will be expected to make an acceptable and positive contribution to the built environment. In addition new development should be appropriately located so as to reduce the need to travel and to encourage alternative modes of transport to the car.

1.12A LANDSCAPING SCHEMES SHOULD BE COMPRISED PREDOMINANTLY, IF NOT WHOLLY, OF LOCALLY NATIVE SPECIES. **(PA 1/5)**

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

THE COUNCIL WILL REQUIRE ALL DEVELOPMENT PROPOSALS THAT ARE ACCEPTABLE IN PRINCIPLE WHEN ASSESSED AGAINST OTHER POLICIES OF THIS PLAN TO:

A) BE APPROPRIATE IN SCALE OF ACTIVITY AND CHARACTER TO THE AREA IN WHICH THEY ARE LOCATED AND BE INTEGRATED INTO THEIR LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

B) ~~RETAIN~~ *HAVE NO SIGNIFICANT DETRIMENTAL IMPACT UPON (***PA 1/6) IMPORTANT MAN-MADE, LANDSCAPE AND NATURE CONSERVATION FEATURES AND PROVIDE FOR FURTHER LANDSCAPE TREATMENT WHERE RELEVANT TO THE TYPE OF DEVELOPMENT AND/OR THE PROTECTION OF LOCAL VISUAL AMENITY

C) BE BOTH LOCATED AND DESIGNED SO AS TO REDUCE THE NEED TO TRAVEL AND ENCOURAGE THE USE OF WALKING, CYCLING AND PUBLIC TRANSPORT AS ALTERNATIVES TO THE CAR

D) HAVE NO SIGNIFICANT EFFECT ON ROAD SAFETY OR CAUSE HIGHWAY, TRAFFIC GENERATION OR TRAFFIC RELATED ENVIRONMENTAL PROBLEMS

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE CAPABLE OF USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT

F) BE OF HIGH QUALITY OF DESIGN THAT RESPECTS THE LOCAL CONTEXT BY VIRTUE OF SITING, LAYOUT, MASSING, MATERIALS, COLOUR AND TEXTURE.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations*). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

POLICY WOS4: SERVICE, AMENITIES AND INFRASTRUCTURE REQUIREMENTS FOR NEW DEVELOPMENT

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, UNDER THE POLICIES OF THIS PLAN, DEVELOPMENT PROPOSALS WILL BE EXPECTED TO HAVE

Cont.

POLICY FRAMEWORK

National Policy

4.5 Advice on design at the national level is limited. There is no Planning Policy Guidance Note purely on design considerations. Paras 13 - 20 and Annex A (paras A1 - A7) of PPG1 refer specifically to the issue of design. Paras 4 - 7 of Planning Policy Guidance Note 3 (PPG 3) *Housing* look at good design in the context of housing development.

4.6 Comprehensive guidance on heritage issues is given in Planning Policy Guidance Note 15 (PPG 15) *Planning and the Historic Environment*. Planning Policy Guidance Note 16 (PPG 16) *Archaeology and Planning* gives advice on archaeology and planning.

Strategic Policy

4.7 The *Berkshire Structure Plan 1991 - 2006* acknowledges that the quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. The plan recognises that these depend partly on care for the built environment, but that also of importance are the maintenance and improvement of interests that have a bearing on the County's character, the limitation and control of specific threats to pleasant living conditions, and the conservation of natural resources.

Supplementary Planning Guidance

4.8 The environmental policies in this plan are augmented by additional guidance in the form of Planning Guidelines, Development Briefs, Design Guides, and Conservation Area Studies. This additional guidance includes detailed advice that is not appropriate for inclusion in the plan. The policies of the plan take precedence over the supplementary planning guidance, and provide the main thrust for environmental policy in the plan area.

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

4.9 Proposed development should be considered in the context of the surrounding area. This will allow vernacular style and any good features to be interpreted in the new development, helping to contribute to its sense of place.

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

THE COUNCIL WILL REQUIRE GOOD CONTEMPORARY DESIGN THROUGHOUT THE PLAN AREA, WHICH RESPECTS ITS LOCAL CONTEXT. WHEN CONSIDERING ANY APPLICATION FOR DEVELOPMENT THE COUNCIL WILL HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

d) LANDFORM AND ANY NATURAL FEATURES, INCLUDING LANDSCAPE TREATMENT AND ENVIRONMENTAL WORKS

e) THE LOCAL TOWNSCAPE

f) THE LAYOUT, FORM, SCALE, MASSING, AND MATERIALS OF DEVELOPMENT

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

Implementation: Use of design guidance in the development control process.

Monitoring: Consider quality of development on the ground, including through design awards.

4.10 Not all of the plan area is of the same visual quality. Some parts of it could benefit from environmental improvement, and in some circumstances, this may be achievable through redevelopment opportunities.

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

IN AREAS WHERE THE EXISTING ENVIRONMENT DOES NOT EXHIBIT ESPECIALLY PRONOUNCED OR HISTORIC ARCHITECTURAL STYLES, ANY PROPOSALS FOR INFILL DEVELOPMENT SHOULD BE USED AS AN OPPORTUNITY TO CREATE ADDED VISUAL INTEREST AND RAISE THE AREA'S ARCHITECTURAL QUALITY.

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

4.11 Because of their extent, large developments are likely to have a greater impact on the environment than smaller scale ones. It is therefore particularly important to ensure a high quality of development within such proposals. Large development areas are probably best considered in terms of a series or pattern of smaller areas, each with its own layout and form of development, and hence its own distinctive character. This should lead to the avoidance of extensive areas of characterless development that bear no relationship to features on the ground.

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

ANY PROPOSALS FOR LARGE SCALE DEVELOPMENT SHOULD PROVIDE A CLEAR AND COHERENT LAYOUT THAT CREATES AREAS OF IDENTIFIABLE CHARACTER WITHIN THE DEVELOPMENT. WHERE DEVELOPMENT IS TO BE CARRIED OUT IN PHASES, THE COUNCIL WILL REQUIRE THE SUBMISSION OF A INDICATIVE LAYOUT FOR THE ENTIRE SITE PRIOR TO THE APPROVAL OF ANY

Cont.

Our ref: SU86SW/22/8
Your ref: APP/X0360/A/00/1053064

Date: 16 November 2000

ENVIRONMENT AGENCY

HPT
TLS
ENF
2 NOV 2000
ACK:
FILE:

Miss A Bibi
The Planning Inspectorate
Room 1004 Tollgate House
Houlton Street
Bristol
BS2 9DJ

Dear Madam

KINTALINE, LOWEVER WOKINGHAM RD, CROWTHORNE
WOKINGHAM DISTRICT COUNCIL REF NO. F/2000/1413

We have been advised by the local planning authority that an appeal has been lodged against the refusal of planning permission for the above proposal. The Environment Agency's original objection to the planning application from which the appeal arises was subsequently withdrawn, following the receipt of amended plans from the applicant (please see the Environment Agency's letter dated 23 August 2000 attached). We ask that, should the inspector determining the appeal (or advising the Secretary of State on its determination) be minded to grant planning permission for the proposed development, the condition requested in our letter should be imposed on any planning permission granted.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: Elaine Connor
Wokingham District Council
Environmental Services Dept
Planning Services
PO Box 157
Shute End, Wokingham
Berks RG40 1WR

Environment Agency
Frimley Office, Swift House, Frimley Business Park, Camberley, Surrey, GU16 7SQ
Tel: 01276 454300 Fax: 01276 454301

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

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

Your Ref: 2000/F/1413

Our Ref: APP/X0360/A/00/1053064

Date: 22 March 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY D BAIGENT ESQ
SITE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

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

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

41532

DG

The Complaints Officer
The Planning Inspectorate
Room 14/04
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Phone No. 0117 987 8927 Fax No. 0117 987 6219

Yours faithfully

G. Nall

PP Miss A Groves

COVERDL1

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: D Baigent
SITE: Kintaline Lower Wokingham Rd, Wokingham Without
APPLICATION NO.: 1413
PROPOSAL: Proposed erection of detached double garage

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for WOKINGHAM WITHOUT

Mrs P E Helliar- Symons

Mr P A Lewis

Mr A J Ross

Clerk(s) of Parish / Town Council of Wokingham Without

Mrs G M Barrett, The Lodge, Pinewood Leisure Centre, Old Wokingham Rd, Wokingham RG41 6QE

Environmental Services Department, Engineering Services, Wokingham District Council,
PO Box 157, Council Offices, Shute End, WOKINGHAM, Berkshire, RG40 1WR

Environment Agency, Swift House, Frimley Business Park, Camberley, Surrey GU16 7SQ

The Planning Inspectorate

Room 1202W
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9878460
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8460

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

Your Ref: BWR/00/151

Our Ref: APP/X0360/A/00/1053982

Date: 13 December 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY F BOND ESQ
SITE AT LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE

I am writing to tell you that we propose to hold a hearing into this appeal at 10:00 on Thursday 8 February 2001 at a venue to be arranged.

It is now our policy to allow only one refusal of a hearing date, before we fix a date, time and place for a hearing. If you refuse the date offered you should give a good reason for doing so.

If you cannot accept the date offered you may agree a reasonable alternative with the other party. The availability of the Inspector is a crucial factor in this process. We will let you know whether we can supply an Inspector for any date you agree between yourselves, but it must meet with our general aim of deciding appeals quickly.

You can reply to me by telephone or letter. If I do not hear from you by 22 December 2000, I will assume that the proposed hearing date is acceptable, and that you are not intending to negotiate an alternative hearing date with the other party.

You should not assume that the hearing date offered here is the one that will eventually go ahead. We will write to you again to confirm final arrangements.

Yours faithfully

Miss H Langridge

NB: You should only send letters about the hearing date to the above room. You should send all other correspondence to the case officer mentioned in the initial letter.

* 21/2/01 has been offered to Agent — this letter sent before my phone call to Heather Langridge. Dan. 18/12/00

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

CS
COPIES TO:
ACK:
FILE:

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

Your Ref: F/2000/1413

Our Ref: APP/X0360/A/00/1053064

Date: 14 December 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY D BAIGENT ESQ
SITE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

I enclose third party correspondence relating to the above appeal.

If you have any comments on the points raised, please send them to me no later than 9 weeks from the starting date. Comments received after that deadline may not be seen by the Inspector.

Yours faithfully

Miss A Groves

211AL(BPR)

1053024.

Our ref: SU86SW/22/8
Your ref: APP/X0360/A/00/1053064

Date: 16 November 2000

ENVIRONMENT AGENCY

Miss A Bibi
The Planning Inspectorate
Room 1004 Tollgate House
Houlton Street
Bristol
BS2 9DJ

RECEIVED IN PINS
20 NOV 2000

Dear Madam

KINTALINE, LOWEVER WOKINGHAM RD, CROWTHORNE
WOKINGHAM DISTRICT COUNCIL REF NO. F/2000/1413

We have been advised by the local planning authority that an appeal has been lodged against the refusal of planning permission for the above proposal. The Environment Agency's original objection to the planning application from which the appeal arises was subsequently withdrawn, following the receipt of amended plans from the applicant (please see the Environment Agency's letter dated 23 August 2000 attached). We ask that, should the inspector determining the appeal (or advising the Secretary of State on its determination) be minded to grant planning permission for the proposed development, the condition requested in our letter should be imposed on any planning permission granted.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: Elaine Connor
Wokingham District Council
Environmental Services Dept
Planning Services
PO Box 157
Shute End, Wokingham
Berks RG40 1WR

Environment Agency
Frimley Office, Swift House, Frimley Business Park, Camberley, Surrey, GU16 7SQ
Tel: 01276 454300 Fax: 01276 454301

Our ref: SP\2000\002095\001
Your ref: F/2000/1413

Date: 23rd August 2000

ENVIRONMENT AGENCY

District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG11 1BN

For the attention of: Elaine Connor

Dear Sir/Madam

ERECTION OF DOUBLE GARAGE - REVISED LOCATION PLAN
KINTALINE, LOWER WOKINGHAM ROAD, WOKINGHAM

I refer to a copy of a letter and plans sent to the Environment Agency dated 10 July 2000 from WM Graham Associates, architects for the above proposed development.

The plans (Drg No. 2271/06/C) show a revised location for the proposed garage.

The Agency is encouraged by the amended plans which indicate that the garage has subsequently been moved further from the new channel as requested. **The objection of our letter of 5 July 2000 on the grounds of close proximity to the watercourse is therefore removed.**

The Environment Agency therefore has no objection, in principle, to the proposed development provided the following condition is imposed on any planning permission granted:

PLANNING CONDITIONS

CONDITION: No development approved by this permission shall be commenced until a detailed scheme for the diversion of the watercourse including a scheme of planting, has been approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
REASON: To protect, restore or replace the natural features of importance within or adjoining the watercourse.

(Note: the Environment Agency asks to be consulted on any details submitted in compliance with this condition).

Cont/d..

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 7SQ
Telephone : 01276 454300 Fax : 01276 454301

Conservation: Contact Liz Baldwin on 01276 45 4430

The Environment Agency is also in receipt of the ecological survey report of the ditch to be diverted, as requested in our letter of 5 July 2000.

The report was necessary in order to identify whether any protected species or plants worthy of translocation such as *Lysimachia vulgaris*, are present. The report should subsequently be used to aid the design and planting of the new ditch.

Although no protected species were noted, several species of wildlife value were identified and could be translocated to the new ditch including *Lysimachia vulgaris, Juncus effusus* and *Carex pendula*. In addition the gravel in the existing ditch can be translocated to 'seed' the new channel.

Although the Agency welcomes the proposal to open up the culverted ditch by means of diversion, we are concerned that the scheme includes the marginal planting of garden species (section 6.4) which would include non-native species. As previously commented the use of locally native species in landscaping plans is essential in order to benefit local wildlife and to help maintain the region's natural balance of flora. It will also help to prevent the spread of invasive, alien species within the region. The Agency would ask to be consulted on a detailed planting scheme for the ditch, including marginal vegetation.

DECISION NOTICE

Would you please forward a copy of the decision notice to this office quoting our reference.

A copy of this letter has been sent to the agent.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc1: WM Graham Associates, Chartered Architects, 1 Rectory Road, Wokingham Berks RG40 1DJ
cc2: Gregory Gray Associates, 'Redcliffe', 17 Dinorben Close, Fleet, Hants GU13 9SL

The Planning Inspectorate

Room 1202W
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9878768
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8768

PLANNING SERVICES HPT
POL PLS
DC ENF
APP
CS
19 JAN 2001
COPIES TO: ACK:
FILE:

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

Your Ref: F/2000/1413

Our Ref: APP/X0360/A/00/1053064

Date: 8 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY D BAIGENT ESQ
SITE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

NOTIFICATION OF INSPECTOR

I am writing to inform you that the Inspector appointed to hold the hearing into the above appeal will now be:

Mrs S J Turner RIBA MRTPI IHBC BArch MSc.

You have already been given notice of the arrangements for this hearing.

Yours faithfully

Mr P Dinham

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

206C

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

DC
APP
CS
11 JAN 2001
COPIES TO:
ACK:
FILE:

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

Your Ref: F/2000/1413

Our Ref: APP/X0360/A/00/1053064

Date: 10 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY D BAIGENT ESQ
SITE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours faithfully

Miss A Groves

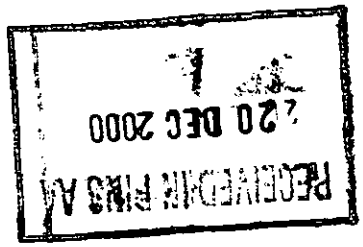
217L(BPR)

Heather

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

The Planning Inspectorate,
Room 1202W
Tollgate House,
Houlton Street, Bristol, BS2 9DJ.



18th December 2000

Our Ref: LWR/00/147

Dear Sirs,

TOWN AND COUNTRY PLANNING ACT 1990 S78
APPEAL BY D BAIGENT ESQ
ERECTION OF DETACHED DOUBLE GARAGE
KINTALINE LOWER WOKINGHAM ROAD, CROWTHORNE, BERKSHIRE RG45 6BT.
APP/X0360/A/00/1053064

I write in respect of the above appeal.

Without prejudice to any further representations on behalf of the appellant, I make the following comments in relation to the Councils statement:

(1) Having regard to the comments at section 4.00 there is a fundamental difference of opinion between the parties as regards the impact of and views to the proposed development. This is critical and in our respectful opinion the Councils' approach is woefully inadequate.

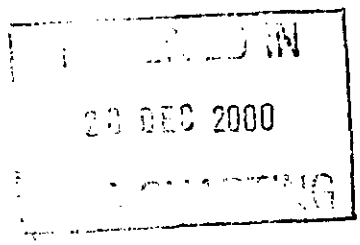
(2) The Council fail to appreciate the context in which the development is situated and proposed landscaping at the frontage.

(3) The matter of care and attention to "good design" is one which the appellant has been at pains to express to the local planning authority.

(4) In respect of planning policies, I cannot agree that all of those policies quoted by the local planning authority are relevant to determination of this appeal.

Yours faithfully,





Mark Leedale

The Planning Inspectorate

Room 1202W
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

PLANNING SERVICES | HPT
POL | TLS
DC | ENF
APP
Direct Line 0117-9878768
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374 8768
RECEIVED
FILE

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

Your Ref: BWR/00/151

Our Ref: APP/X0360/A/00/1053982

Date: 8 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY F BOND ESQ
SITE AT LAND REAR OF 41 BEARWOOD ROAD, WOKINGHAM, BERKSHIRE

NOTIFICATION OF INSPECTOR

I am writing to inform you that the Inspector appointed to hold the hearing into the above appeal will now be:

Mr R J Michael MBA MRTPI ARICS MIM.

You have already been given notice of the arrangements for this hearing.

Yours faithfully

Mr P Dinham

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

206C

Tel. 0118 974 6469 (Direct Line)
Fax. 0118 974 6484
Email. Neil.etherington@wokingham.gov.uk
Date. January 18, 2001
My ref. NE/442/FD/L
Your ref.

Mr M Leedale
Gregory Gray Associates
'Redcliffe'
17 Dinorben Close
Fleet
Hampshire, GU13 9SL

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 Mr Leedale

PROPOSED GARAGE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE F/2000/1413

Thank you for your letter of the 27th November. I apologise for my delay in replying.

I confirm that the foundation detail overcomes my provisional objection in relation to the Oak tree. I would recommend that the construction of the foundations and floor slab are carefully supervised so that damage is not inadvertently caused.

Thank you for carefully considering this issue and designing a solution.

Yours sincerely

Neil Etherington

Senior Arboriculturist

Cc: Elaine Connor

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Lines 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

PLANNING SERVICES HPT
POL
DC
APP
ES
24 JAN 2001
COPIES TO:
ACK:
FILE:

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

Your Ref: F/2000/1413

Our Ref: APP/X0360/A/00/1053064

Date: 23 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY D BAIGENT ESQ
SITE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

Please find enclosed a copy of correspondence that we have received, it has also been passed on to the inspector.

Yours faithfully

Miss A Groves

211B(BPR)

COPY

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

The Planning Inspectorate,
Room 1202W
Tollgate House,
Houlton Street, Bristol, BS2 9DJ.

22nd January 2001

Our Ref: LWR/00/147

Dear Sirs,

TOWN AND COUNTRY PLANNING ACT 1990 S78
APPEAL BY D BAIGENT ESQ
ERECTION OF DETACHED DOUBLE GARAGE
KINTALINE LOWER WOKINGHAM ROAD, CROWTHORNE, BERKSHIRE RG45 6BT.
APP/X0360/A/00/1053064

I write in respect of the above appeal.

I attach copies of correspondence relating to an arboricultural matter. This does not form part of the deemed refusal although the questionnaire contains an objection from the Councils' Senior Arboriculturist.

Whilst the timetable for further representations is over I thought it helpful for the Inspector to have these in advance, so that this matter could be struck from the hearing agenda as the issue is now satisfactorily resolved.

I enclose a second copy for the local planning authority.

Yours faithfully,

Mark Leedale

TO: **DEVELOPMENT CONTROL**
Elaine Connor

FROM: Environmental Design

DATE: 18/07/00

Location: Kintaline, Lower Wokingham Road, Crowthorne

Proposal: Double detached garage

Application Number: F/2000/1413

In response to your consultation dated 18 May 2000 for the above application, the arboricultural comments are as follows:

The position of the garage is unacceptable in relation to the nearest oak tree. It should be positioned a minimum of 4.5 metres from this tree.

Neil Etherington
Senior Arboriculturist

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

N. Etherington Esq., Senior Arboriculturist,
Wokingham District Council,
Shute End,
Wokingham,
Berks, RG40 1WR.

27th November 2000

Dear Mr. Etherington,

PROPOSED GARAGE
KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE.
F/2000/1413

I write further to our telephone conversation on Wednesday last.

In response I enclose extracts from a plan produced by my Clients architect. As you will see this shows the foundation detail involving a pile and beam construction with a void below the garage to allow surface water passage. You should also note that it is proposed not to increase the existing area of hard standing.

I trust this method of construction overcomes your provisional objection. If however you require further amendment to this scheme please let me know and we will try and accommodate your requirements.

Yours sincerely,

Mark Leedale

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN: 1374-6079

COPIED TO:
TASK:
FILE:

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

Your Ref: F/2000/1413

Our Ref: APP/X0360/A/00/1053064

Date: 15 December 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY D BAIGENT ESQ
SITE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

I enclose a copy of the appellants statement relating to the above appeal.

If you have any comments on the points raised, please send them to me no later than 9 weeks from the starting date. Comments received after that deadline may not be seen by the Inspector.

Yours faithfully

P Sat

Miss A Groves

PP

211AL(BPR)

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

The Environment Agency
Elaine Connor
Box 157
Shute End
Wokingham
Berks

Your Ref: LWR/00/143

Our Ref: APP/X0360/A/00/1053064

Date: 22 March 2001

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY D BAIGENT ESQ
SITE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

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

The attached leaflet explains the right of appeal to the High Court against the decision and how the documents can be inspected.

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

The Complaints Officer
The Planning Inspectorate
Room 14/04
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Phone No. 0117 987 8927 Fax No. 0117 987 6219

Yours faithfully
G. Nall

PP Miss A Groves

COVERDL1

DG

Tel. (0118) 974 6448 (Direct Line)
Date: December 12, 2000
My ref: F/2000/1413
Your ref: APP/X0360/A/00/1053064

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

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Groves

APPEAL BY: D Baigent
SITE: Kintaline, Lower Wokingham Rd

With reference to this appeal, I enclose 2 copies of the Council's statement.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: November 15, 2000
My ref: F/2000/1413
Your ref: APP/X0360/A/00/1053064

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

Miss A Bibi
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Bibi

APPEAL BY: Mr D Baigent
SITE: Kintaline, Lower Wokingham Rd, Crowthorne

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.
I have also sent a copy to the appellant's agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. November 15, 2000
My ref: F/2000/1413
Your ref: LWR/00/143

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

Gregory Gray Associates
17 Dinorben Close
Fleet
Hants
GU13 9SL

Dear Sirs

APPEAL BY: **Mr D Baigent**
SITE: **Kintaline, Lower Wokingham Rd, Crowthorne**

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. November 15, 2000
My ref: F/2000/1413
Your ref:

Mr D Farr
Cahirciveen
Lower Wokingham Rd
Crowthorne
Berks
RG45 6BT

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Sir

NOTICE OF INFORMAL HEARING

APPEAL BY: Mr D Baigent
SITE: Kintaline, Lower Wokingham Rd, Crowthorne
PROPOSAL: Proposed erection of detached double garage

This is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into this Appeal, against non-determination, at the Civic Offices, Shute End, Wokingham on a date to be advised.

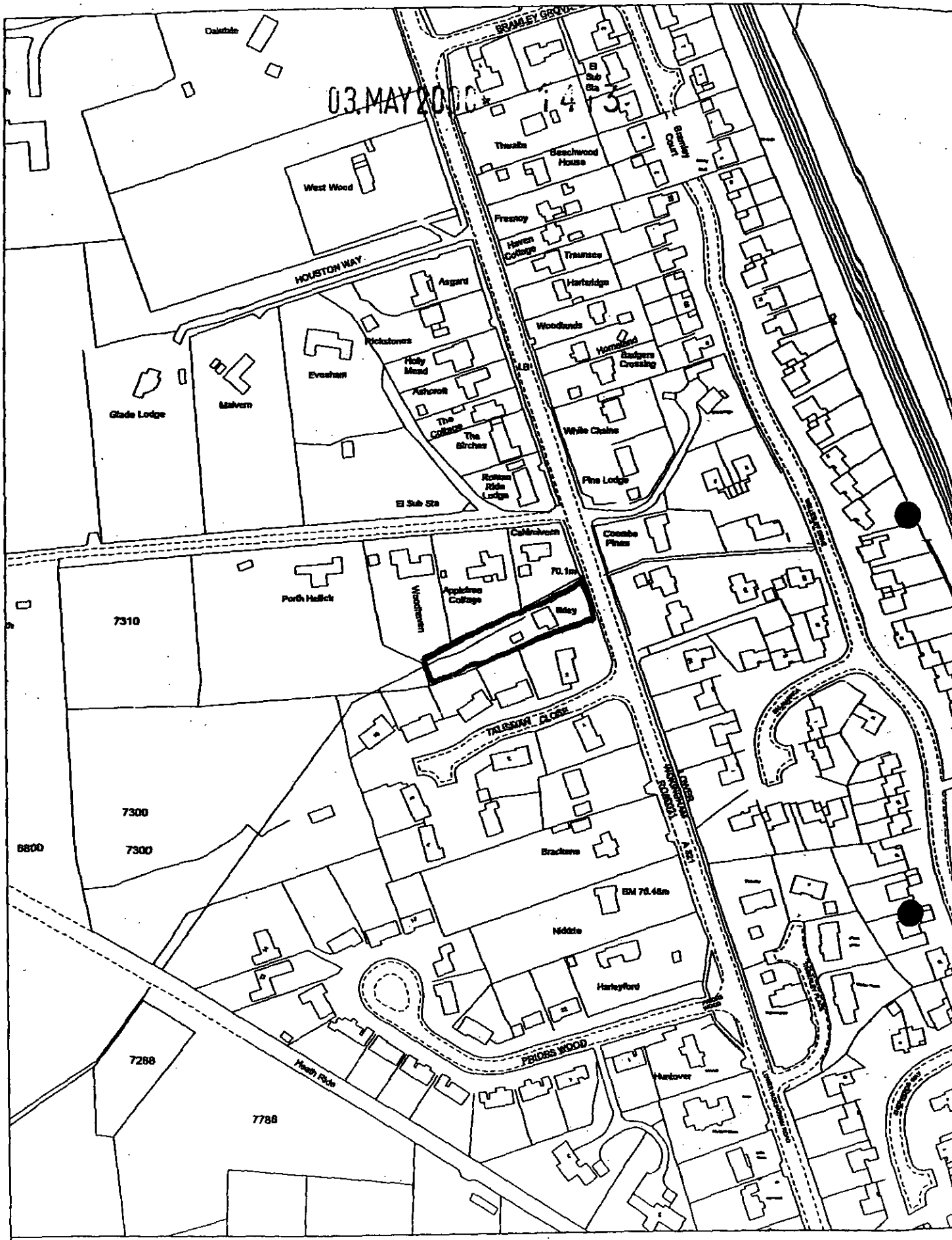
Any comments made at the application stage will be copied to the Inspectorate and appellant. Should you wish to make further representations, you should send three copies to Miss A Bibi, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ, quoting reference APP/X0360/A/00/1053064, by 14th December 2000. Any comments received after this deadline will not normally be seen by the Inspector & will be returned.

A free booklet, "Guide to taking part in planning appeals", is available from this office.

If you wish to receive a copy of the appeal decision, you should write to the Inspectorate requesting one.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant



Site Plan, Scale: 1 to 2500

This copy has been produced specifically for the map return scheme purposes only. No further copies may be made.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO Office. © Crown Copyright. Wokingham District Council, Licence No. LA086134

Date: 16 December 1999

The Planning Inspectorate

36127

Room 1202W
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9878460
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8460

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

COPIES TO:
ACK:
FILE:

Your Ref: F/2000/1413

Our Ref: APP/X0360/A/00/1053064

Date: 3 November 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY D BAIGENT ESQ
SITE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

I am writing to tell you that we propose to hold a hearing into this appeal at 10:00 on Tuesday 6 February 2001 at a venue to be arranged.

It is now our policy to allow only one refusal of a hearing date, before we fix a date, time and place for a hearing. If you refuse the date offered you should give a good reason for doing so.

If you cannot accept the date offered you may agree a reasonable alternative with the other party. The availability of the Inspector is a crucial factor in this process. We will let you know whether we can supply an Inspector for any date you agree between yourselves, but it must meet with our general aim of deciding appeals quickly.

You can reply to me by telephone or letter. If I do not hear from you by 14 November 2000, I will assume that the proposed hearing date is acceptable, and that you are not intending to negotiate an alternative hearing date with the other party.

You should not assume that the hearing date offered here is the one that will eventually go ahead. We will write to you again to confirm final arrangements.

Yours faithfully

Miss H Langridge

NB: You should only send letters about the hearing date to the above room. You should send all other correspondence to the case officer mentioned in the initial letter.

date agreed 6/11/00.

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

COPIES TO: ACK: FILE:

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

Your Ref: F/2000/1413

Our Ref: APP/X0360/A/00/1053064

Date: 2 November 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY D BAIGENT ESQ
SITE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

We have decided that a hearing will be held into this appeal and we will now arrange a date.

I am the case officer and, if you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence to me, giving the full appeal reference number which is shown at the top of this letter.

I have checked the papers and confirm that the appeal is valid. If it appears at a later stage, following further information, that this may not be the case, I will write to you again.

The date of this letter is the **starting date** for the appeal.

I must **receive** the following documents within this timetable:

Within the next 2 weeks

You must notify any statutory parties and interested persons who were consulted at application stage and those who made comments that the appeal has been made. You should tell them that:-

i) any comments they made at application stage will be sent to me and if they want to make any additional comments I must receive 3 copies within **6 weeks of the starting date.** If we receive representations after the deadline, they will not normally be seen by the Inspector and they will be returned.
ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must make sure that the appellant and I receive a copy of a completed appeal questionnaire and supporting documents (including relevant development plan policies when appeals are against non-determination).

Within the next 6 weeks

You and the appellant must make sure that I receive 2 copies of your hearing statement. I will send a copy of your hearing statement to the appellant and send you a copy of their hearing statement. You and the appellant must send a copy of your hearing statements to any statutory parties. I will send you and the appellant a copy of any comments we receive from interested parties.

Within the next 9 weeks

You and the appellant must make sure that I receive 2 copies of any comments on each other's hearing statement and on any representations received from interested parties. I will forward the appellant's to you at the appropriate time.

You **must keep to the timetable** set out above and ensure that I receive your representations within the deadlines. If I do not, your representations will not normally be seen by the Inspector and they will be returned to you. As I have given details of the timetable, I will not send you reminders.

Withdrawing the appeal

If you hear that the appeal is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant, I will write to you.

Further information about the terms we use in this letter and appeal procedures is on the attached sheet.

Yours faithfully

G. Nall

Miss A Bibi

H4B(BPR)

Hearing Statement

In your hearing statement you will need to give full details of the case which you will put forward at the hearing, including maps and plans, to which you intend to refer.

Statutory parties

'Statutory parties' are owners or tenants of the appeal site who made comments within the time limit on the application or appeal. You must give details of any statutory parties at application stage in reply to question 15e of the questionnaire. I will tell you about any statutory parties at appeal stage, before your statement of case is due.

Costs

Costs can be awarded in hearing cases. DOE circular 8/93 gives more advice.

Planning obligations - Section 106 agreements

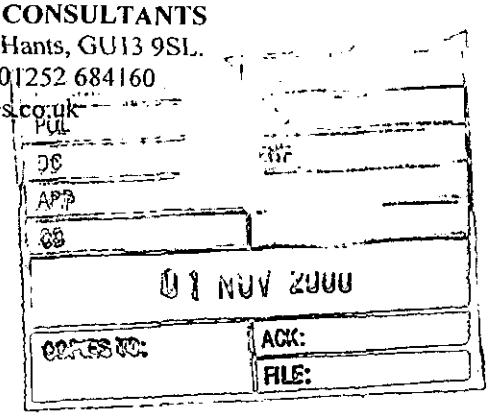
A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, a final draft must be received 5 working days before the date of a hearing. Obligations should be completed by the close of a hearing. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS

'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk



The Planning Inspectorate,
Appeals Registry,
Room 12/02,
Tollgate House,
Houlton Street, Bristol, BS2 9DJ.

31st October 2000

Our Ref: LWR/00/147

Dear Sirs,

TOWN AND COUNTRY PLANNING ACT 1990 S78
APPEAL BY D BAIGENT ESQ
ERECTION OF DETACHED DOUBLE GARAGE
KINTALINE LOWER WOKINGHAM ROAD, CROWTHORNE, BERKSHIRE RG45 6BT.

I enclose the completed appeal proforma in respect of the above appeal.

We have requested that the appeal be determined by means of an informal hearing. I confirm that by copy of this letter the local planning authority have been informed of these proceedings.

Yours faithfully,

Mark Leedale

Enc.

The Planning Inspectorate

For official use only
Date received

PLANNING APPEAL FORM

Please send each appeal on a separate form

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

The name of the person(s) making the appeal must be the same as on the planning application form.

Name D Baigent Esq

Address c/o the agent

Your reference

Daytime phone no

Fax no

Postcode

E-mail address

B. AGENT DETAILS (if any)

Name Gregory Gray Associates Chartered Town Planning Consultants

Address 'Redcliffe' 17 Dinorben Close
Fleet, Hampshire

Your reference LWR/00/143

Daytime phone no 01252 624004

Fax no 01252 684160

Postcode GU13 9SL

E-mail address info@ggassociates.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA Wokingham District

LPA's application reference no F/2000/1413

Date of the planning application 2nd May, 2000

Date of LPA's decision notice (if issued)

D. APPEAL SITE ADDRESS

Address Kintaline, Lower Wokingham Road, Crowthorne

Postcode RG45 6BT

National grid reference

(Please see the key on an Ordnance Survey map for instructions; this should be 2 letters and 6 numbers, eg TQ 298407)

E. DESCRIPTION OF THE DEVELOPMENT

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed)

Erection of detached double garage

Size of the whole appeal site (*in hectares*)

0.14

Area of floor space of proposed development *(in square metres)*

30.25

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

1. Refuse planning permission for the development described in Section E. ☐
2. Grant planning permission for the development subject to conditions which you do not like. ☐
3. Refuse approval of details listed under a previous outline planning permission. ☐
4. Grant approval of details listed under a previous outline planning permission subject to conditions which you do not like. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

   or The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval. ☑

G. GROUNDS OF APPEAL

If you want your appeal dealt with by the written procedure, your **FULL STATEMENT MUST** be made, otherwise we will return the appeal form. You should give a clear explanation of why you disagree with each of the LPA's reasons for not granting permission, if appropriate. Please continue on a separate sheet(s) if you need to and attach them to this form. If you have requested a hearing or an inquiry, please provide a brief outline of your case.

Please refer to attached

GROUNDS OF APPEAL

KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE, BERKSHIRE RG45 6BT

LPA REF: F/2000/1413

The appellants case is based on the following matters:

(i) The proposed development when considered on its' individual merits is acceptable and no demonstrable harm exists which would justify the withholding of planning permission. In particular the development is set back from the highway and is seen in the context of a large dwelling. There is also intervening verdant cover and the appellant proposes a laurel hedge along the frontage which will further soften the impact of development.

(ii) The local planning authority have been made aware of a significant number of similar development in the vicinity of the appeal site. Whilst these are not determinative of this case, they nevertheless form part of the built character of the locality and have been determined to be acceptable.

(iii) Following the satisfactory resolution of an ecological matter the Council have consistently failed to offer an explanation as to why a determination has not been made. In consequence this appeal has been made.

Having regard to the foregoing it is submitted that the appeal should be allowed.

Gregory Gray Associates
31st October 2000

G. GROUNDS OF APPEAL (continued)

H. CHOICE OF PROCEDURE

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☐

Can the whole site be seen from a road or other public land and there is no need for the Inspector to enter the site (eg to take measurements or to enter a building)? If yes, please tick the box. If so, we will arrange an unaccompanied site visit. ☐

2. HEARING ☑

Although you may prefer a hearing, we will decide whether a hearing is suitable for your appeal after consulting the LPA.

3. INQUIRY ☐

Please give reasons why you think an inquiry is necessary.

I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES. Please read the enclosed *Guidance Notes* if in doubt.

If you are the sole owner of the whole appeal site, Certificate A will apply: *Please tick **one** box* ☑

CERTIFICATE A ☑

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates;

OR

CERTIFICATE B ☐

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which notice served	Date the notice was served

CERTIFICATES C and D ☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b) **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'.**

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding; ☑

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person other than the appellant who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below: ☐

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

PLEASE SIGN BELOW

I confirm that this section has been fully completed and the details of the ownership of the appeal site are correct, to the best of my knowledge.

Signed Gregory Gray Associates (on behalf of) D Baigent Esq

Name (in capitals) Gregory Gray Associates Date 31st October, 2000

Please turn over

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1–6 below, must be sent with your appeal form; 7–10 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

✔

1. A copy of the original **planning application** sent to the LPA. ☑
2. A copy of the **site ownership certificate and ownership details** submitted to the LPA at application stage (this is usually part of the LPA's planning application form). ☑
3. A copy of the **LPA's decision notice** (if issued). ☐
4. A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map). ☐
5. Copies of **plans, drawings and documents** sent to the LPA as part of the application. ☑
6. Any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes). ☐

Copies of the following must also be sent, if appropriate:

7. **Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ☐

   _____

   _____

8. Any relevant **correspondence** with the LPA. 20th October 2000 ☑
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
   (a) the relevant outline application; ☐
   (b) all plans sent at outline application stage; ☐
   (c) the original outline planning permission; ☐
10. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
11. If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers. ☐

    _____

    _____

K. PLEASE SIGN BELOW

(Unsigned forms will be returned. Signed forms must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and documents to the LPA – ***N.B.*** *if you do not, your appeal will not normally be accepted.*
2. I confirm that section J has been fully completed.
3. I will send 2 copies of any further documents relating to this appeal to the Inspectorate.

Signed Gregory Gray Associates. (on behalf of) D Baigent Esq

Name (in capitals) Gregory Gray Associates Date 31st October 2000

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

FAX

To: Miss Elaine Conner **Fax No:** 0118 974 6484	**From:** Mark Leedale
Date: 20th October 2000	**Re:**. Kintaline, Lower Wokingham Road
No. of Pages (inc. This): 1	

Message:

Re: Proposed garage
Kintaline, Lower Wokingham Road
2000/F/1413

Despite my facsimile of yesterday and many telephone calls you have not come back to me. As you know the application, which by any reasonable judgement is a straightforward matter, has been with your Council since 3rd May.

We have come towards you on design and my Client has commissioned an ecological survey at the behest of the Environment Agency. This was found to be needless and the report was with you at the beginning of August. Since that time you and I spoken on several occasions and no progress has been forthcoming.

I am away from the office next week. If the decision is not with W M Graham Associates by Monday 30th October my Client will appeal against non-determination and seek an award of costs in accordance with the provisions of Circular 8/93.

Cc W M Graham **0118 9770482**

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

NOW SEND.

- **1 COPY to us at:**
  The Planning Inspectorate
  Appeals Registry
  Tollgate House
  Houlton Street
  BRISTOL
  BS2 9DJ
  Fax no: 0117 987 8769

- **1 COPY to the LPA**
  Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again as they will have everything which you sent them at application stage, *but send them any supporting documents not* previously sent to them as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid.

2) Write to you and the LPA and tell you the procedure for your appeal.

3) *Tell you the timetable for us receiving further information or representations.*
If your representations are received after the deadline, they will not normally be seen by our Inspector and will be returned to you.

4) Tell you about the arrangements for the site visit, hearing or inquiry.

5) Tell you our Inspector's decision.

© Crown Copyright 1998. Copyright in the printed material and designs is held by the Crown. You can use extracts of this publication in non-commercial in-house material, as long as you show that they came from this document. You should apply in writing if you need to make copies of this document (or any part of it) to:

The Copyright Unit
Her Majesty's Stationery Office
St Clements House
2-16 Colegate
Norwich NR3 1BQ

Tel. 0118 974 6469 (Direct Line)
Fax. 0118 974 6484
Email. Neil.etherington@wokingham.gov.uk
Date. January 18, 2001
My ref. NE/442/FD/L
Your ref.

Mr M Leedale
Gregory Gray Associates
'Redcliffe'
17 Dinorben Close
Fleet
Hampshire, GU13 9SL

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 Mr Leedale

PROPOSED GARAGE AT KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE F/2000/1413

Thank you for your letter of the 27th November. I apologise for my delay in replying.

I confirm that the foundation detail overcomes my provisional objection in relation to the Oak tree. I would recommend that the construction of the foundations and floor slab are carefully supervised so that damage is not inadvertently caused.

Thank you for carefully considering this issue and designing a solution.

Yours sincerely

Neil Etherington

Neil Etherington
Senior Arboriculturist

Cc: Elaine Connor

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

TOWN & COUNTRY PLANNING ACT 1990 (SECTION 78) APPEAL BY D BAIGENT ESQ IN RESPECTOF THE FAILURE OF WOKINGHAM DISTRICT COUNCIL TO DETERMINE AN APPLICATION FOR THE ERECTION OF A DOUBLE GARAGE

KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE, BERKSHIRE.

GREGORY GRAY ASSOCIATES CHARTERED TOWN PLANNING CONSULTANTS

LPA REF:	**F/2000/1413**
APPEAL REF:	**APP/X0360/00/1053064**
GGA REF:	**RC/00/145**

NOVEMBER 2000

CONTENTS

1.0. Introduction.

2.0. Description of the appeal site and surrounds.

3.0. Planning History.

4.0. Planning Policy.

5.0. Further detailed representations.

6.0. Summary and conclusions

DOCUMENTS

1. Post submission correspondence

2. Decision notice relating to the dwelling

3. Garage development in the vicinity of the appeal site

4. Planning policies

5. Elevations as originally submitted

6. Proposed garage set against the dwelling

7. Views to the appeal site

8. Details of proposed foundations

1.0. INTRODUCTION

1.1. This appeal is made under s78 of the Town and Country Planning Act 1990 (as amended). It is in respect of the failure by Wokingham District Council to determine an application for a detached double garage at Kintaline, Lower Wokingham Road, Wokingham, Berkshire.

1.2. The application was submitted to the District Council on 2nd May 2000 by Messrs. W.M. Graham Associates, Chartered Architects. Given apparent difficulties in determination we were instructed on 29th June to assist the applicant. On 30th June I wrote to the Case Officer setting out our applicants intention to submit amended plans and also drawing attention to various similar development in the immediate locality.

1.3. On 5th July a letter was received from the Environment Agency setting out their objection on grounds relating to development in proximity to a watercourse. This was unexpected since the architects had previously corresponded with the Agency who indicated that there would be no difficulty with the application. Notwithstanding this, the applicant commissioned Messrs. J. G. K. Environmental Consultancy to carry out an ecological survey. In the interim period I wrote to the Case Officer on 17th July setting out various other matters including assessment of visual impact.

1.4. On 3rd August the ecologists' report was forwarded to the Environment Agency and copied to Wokingham District Council. This was to the effect that there were no ecological implications and the Council were urged to come to a decision.

1.5. On 23rd August the Environment Agency confirmed that their objection had been withdrawn. There then followed a period of delay and on 19th and 20th October facsimile transmissions were forwarded to the District Council setting out the applications intention to appeal against non determination unless a decision was forthcoming. Regrettably the decision was not issued and on 31st October the applicant determined to appeal against non-determination. Copies of correspondence referred to above are attached as Document 1.

1.6. During the course of the application various consultation and notification responses were received and these are attached to the appeal questionnaire. Reference to them is made in the following sections of this statement which sets out the appellants case with regard to:

- The appeal site and surrounds.
- Relevant planning history
- Planning policy
- Further detailed representations and comments on third party letters.

2.0. DESCRIPTION OF THE APPEAL SITE AND SURROUNDS

2.1. The appeal site comprises a substantial dwelling set in approximately 0.16ha. The dwelling fronts Lower Wokingham Road and is set back by approximately 21 metres from the highway. There is verdant cover at various points along the boundaries which includes a semi mature hedge of conifers along the southern boundary and indigenous trees within the frontage. There is also a 1.0 metre high close boarded fence along the frontage behind which is a relatively recently planted hedge.

2.2. This pattern of housing is characteristic of Lower Wokingham Road although there have been more recent development in depth such as Talisman Close which boarders the appeal site to the south. Both in traditional and more recent development verdant cover in the form of mature trees with under storey planting is characteristic of the locality and this screens/softens development when viewed from Lower Wokingham Road. Importantly this landscape is present on either side of the appeal site and this obscures medium and short-range views to the dwelling.

2.3. The following sections also draw on similar development to that which is proposed vis a vis. double garages in front of dwellings. To this extent this form of development is characteristic of the area.

3.0. PLANNING HISTORY

3.1. There has been one previous application relating to the appeal site. On 13th April, 2000 permission was granted for partial demolition of the existing bungalow and re-building to form a five bedroom dwelling. Council reference F/2000/0284 refers and the decision notice along with extracts from the relevant plans are attached to Document 2. This scheme has been implemented and was completed in June of this year.

3.2. We also draw attention to the following decisions in so far as they relate to double garages in front of dwellings and in close proximity to the appeal site.

Property	Date of Decision
Badgers Crossing	10.1.1986
Hartsbridge	28.6.1988
Beechwood House	21.101982
Emerald House	13.4.1995
Tudor Gables	13.4.1995
Birch Grove	2.12.1986

3.3. Whilst each application/appeal must be determined on its merits, it is clear that the Council has accepted the principle of garage development in front of dwellings in the immediate locality of the appeal site. In consequence they form part of the streetscene character. Document 3 contains photographs and a location plan showing the position of these developments. It demonstrates that they can, on occasion, be assimilated in a satisfactory manner without undue harm to the streetscene.

4.0. PLANNING POLICY

4.1. The pertinent aspects of Government planning guidance, insofar as this appeal is concerned, are set out within Planning Policy Guidance Note 1 (February, 1997) which sets out the general policy and principles governing operation of the Town and Country Planning System.

4.2. The key aspects of PPG1 are:

- The need for a framework which promote consistent, predictable and prompt decision making (paragraph 1)
- Acknowledgement that buildings and their curtilages have a significant effect on the character and quality of an area. These are matters of proper public interest which require an understanding of the context in which development takes place (paragraph 13).
- The need to encourage a good design and the need for applicants to demonstrate how they have taken account of urban design matters (paragraphs 15 and 16).
- The rejection of poor designs which are inappropriate to their context and out of scale or character with their surrounds (paragraph 17).
- Those deciding planning applications or appeals should always take into account where a proposed development would cause demonstrable harm to interests of acknowledged importance (paragraph 40).

4.3 In considering this guidance we are firmly of the view that the Council has failed to determine the application promptly or efficiently. Moreover, they have failed to assess the proposal in context or to identify demonstrable harm to interests of acknowledged importance. The planning history set out above and at document 3 also demonstrates a degree of inconsistency in decision making.

4.4 The Council set out a number of planning policies in the appeal questionnaire. They are:

- Policies 0S1 and EN1 of the Berkshire Structure Plan 1991 – 2006 which was approved on 4th November 1995.
- Policies STV1, SBE1 and SBE2 of the adopted South East Area Local Plan (April 1994).
- Policies WOS2, WOS3 and WBE1 of the District wide Local Plan incorporating pre-inquiry changes (November 1997).

4.5 Notwithstanding the status and weight which may be afforded to these policies in accordance with paragraph 48 of PPG1, the appellant submits the following points:

- Structure Plan Policy OS1 is ill applied to the proposed development and has a strategic function.
- Adopted Local Plan Policy STV1 and emerging Policy WOS2 are of limited relevance except they establish that development is acceptable in principle on the appeal site since it lies within an identified settlement.
- Adopted Policy SBE1 (B); emerging Policy WOS3 (c),(d) and (e); and WBE1 (c), (g), (h) are not relevant to the consideration of this appeal.

4.6 The remaining aspects of local/structure plan policy require that development should be appropriate in scale, massing and siting to its context and in character with the locality. Further, it should not adversely effect natural features including trees and wildlife habitats.

4.7 For reasons set out in the following section (5.0.) we are of the view that there is no overriding conflict with these policies. In short:

- The massing and scale of the garage is appropriate in itself and relation to the dwelling.
- The garage is sited such that it has limited visual impact within the street scene. This is consequent upon the intervening distance from Lower Wokingham Road and the extent of verdant cover.
- There will be no adverse impact on trees.
- An ecological survey has established, to the satisfaction of the Environment Agency, that the proposal will not have an adverse impact on wildlife within the water course.

4.8 Copies of planning policies are contained in Document 4.

5.0 FURTHER DETAILED REPRESENTATIONS

5.1 The key matters in assessing the impact of proposed development may be summarised as:

(1) Scale and massing.

(2) Siting and visual impact.

(3) Impact on trees and ecology.

(4) Residential amenity.

(1) Scale and massing.

5.2 The proposal was originally submitted with a gable end design and roof of 35 degree pitch to match the dwelling. The ridge was proposed to be 4.5 metres in height and these details are shown at document 5.

5.3 At the behest of the Case Officer the roof was re-designed to a pyramid shape of lower pitch. In consequence of this amendment the garage is proposed to be 3.5 metres in height and its' massing is very much reduced from the original submission. NOT THE CASE.

5.4 Document 6 contains a diagram showing the proposed garage superimposed against the dwelling, which was completed in June of this year. Notwithstanding the extent of verdant cover and views to the proposed development (as set out below), it can be seen that it is proportionate with the dwelling in terms of its scale and massing. Further, the revised design incorporating fully hipped roofs, reduces the massing of the garage when set against the gabled ends of the main building. in Summer months only.

(2) Siting and visual impact

5.5 More significantly, in terms of impact, document 7 contains a plan and photographs showing the extent of verdant cover within and adjoining the application site. Landscape is part and parcel of urban design and in this instance there are no medium or long range views to the appeal site due to the extent of understorey planting and indigenous trees.

C

5.6 Where there are short range views - as shown on the diagram – they are limited to points virtually in front of the appeal site and are softened by the existing landscape. It should also be noted that the frontage hedge to the appeal site is fairly immature IN ITS and the submitted plans show provision of laurel. This can be dealt with by condition INFANCY. and in a short space of time will totally obscure the garage. DOES NOT PRECLUDE.

5.7 Having regard to these matters the proposed building would not be visually obtrusive or harmful in the streetscene. Furthermore, and as set out above, this form of development is characteristic on this part of Lower Wokingham Road and is, on occasion, assimilated into the townscape in a satisfactory manner.

(3) Impact on trees and ecology

5.8 Local and Structure Plan policies set out a further material test in relation to trees and ecology. During the application process the case officer had not suggested that there would be any harm to existing trees at the frontage of the dwelling. However, comments set out within the questionnaire show an objection from the Councils' Arboroucultural Officer dated 18th July.

5.9 As shown on the site plan there are a number of Oak trees the greater majority of which are situated some distance from the proposed garage. The tree, which is of concern, is situated close to the proposed garage. Accordingly document 8 contains details of foundations which would be used to safeguard the tree. These involve minimal excavation and could be covered by imposition of a suitable planning condition. It should also be noted that there will be no requirement to extend hard surfacing around these trees.

5.10 Notwithstanding the foregoing, at the time of writing we have had positive discussions with the Councils' Arboroucultural Officer and will continue to try and resolve this matter prior to the Hearing.

5.11 The matter of ecology was discussed between W.M. Graham Associates and the Environment Agency prior to submission of the application. At the time we understand that the Environment Agency did not express concern as to the proposed relocation of the small water course running along the northern boundary of the site. In July of this year was the matter raised and as set out above the appellant satisfactorily resolved it with the assistance of specialist ecological consultants. As a result it is acknowledged that the proposed development will not harm any ecological interest.

(4) Residential amenity

5.12 There has been one letter of representation during the course of the application. This is from the owners of the dwelling adjoining the appeal site to the north and is attached to the Questionnaire. The residents concern is that the proposed garage will disturb the view from their lounge.

5.13 In response it should be noted that there is a 2 metre high larch lap fence along the common boundary between this property and the appeal site. The garage is sited approximately 4 metres from this common boundary and in consequence only part of the roof would be seen above the fence. Bearing this in mind and the fact that the front of the objectors dwelling is situated some 20 meters from the northern boundary of the appeal site, it is respectfully submitted that there can be no material harm justifying the withholding of planning permission.

5.14 In summary it is clear that the proposed garage is subservient to the existing dwelling in terms of its bulk and massing. It is sited a reasonable distance from the public highway and is obscured or partly obscured by existing trees and understorey planting. It does not result in any material harm to trees or ecological interests – subject to agreement in respect of foundation details. The proposal does not materially effect the amenities of adjoining residents. On this basis there is no proven demonstrable harm or conflict with relevant aspects of planning policy.

6.0 SUMMARY AND CONCLUSIONS

6.1 By way of summary and conclusion the following points are submitted.

(1) The Council has failed to determine this application in an efficient and consistent manner. This is both on the basis of the proposal itself which, by any reasonable judgement, is straightforward; and having regard to existing surrounding development which benefits from relatively recent planning permissions.

(2) The Council cite a number of policies relating to design considerations in respect of bulk/massing, siting and impact on trees/ecology. The appellant has established that there is no overriding conflict with those policies.

(3) The proposed development has been amended at the behest of the local planning authority and the Environment Agency. It is of appropriate massing/bulk and is sited in a way which does not harm interests of acknowledged importance. In particular the building is subservient to the main dwelling and is sited a considerable distance from Lower Wokingham Road. Further, the extent of verdant cover both within the appeal site and beyond it is such that view to the proposed garage are limited and, where they are more open, are considerably softened. In consequence the proposed garage would not be visually obtrusive and, moreover, is entirely characteristic of the immediate locality where similar developments have been implemented.

6.2 For the foregoing reasons it is respectfully requested that this appeal be allowed.

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

FAX

To: Miss Elaine Conner **Fax No:** 0118 974 6484	**From:** Mark Leedale
Date: 20th October 2000	**Re:**. Kintaline, Lower Wokingham Road
No. of Pages (inc. This): 1	

Message:

Re: Proposed garage
Kintaline, Lower Wokingham Road
2000/F/1413

Despite my facsimile of yesterday and many telephone calls you have not come back to me. As you know the application, which by any reasonable judgement is a straightforward matter, has been with your Council since 3rd May.

We have come towards you on design and my Client has commissioned an ecological survey at the behest of the Environment Agency. This was found to be needless and the report was with you at the beginning of August. Since that time you and I spoken on several occasions and no progress has been forthcoming.

I am away from the office next week. If the decision is not with W M Graham Associates by Monday 30th October my Client will appeal against non-determination and seek an award of costs in accordance with the provisions of Circular 8/93.

Cc W M Graham **0118 9770482**

2/1

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

FAX

To: ELAINE CONNER **Fax No:** 0118 974 6484	**From:** Mark Leedale
Date: 19/10/2000	**Re:** KINFALINE LOWER WOKINGHAM ROAD
No. of Pages (inc. This): 1	

Message:

RE: GARAGE
KINFALINE, LOWER WOKINGHAM ROAD.
2000/F/1413

UNLESS A DECISION IS FORTHCOMING ON THIS APPLICATION MY CLIENT IS MINDED TO APPEAL AGAINST NON-DETERMINATION.

CAN YOU ASSIST ?

Our ref: SP\2000\002095\001
Your ref: F/2000/1413

ENVIRONMENT AGENCY

Date: 23rd August 2000

District Planning Officer
Wokingham District Council
Council Offices,
Shute End,
Po Box 157
Wokingham
Berkshire
RG11 1BN

For the attention of: Elaine Connor

Dear Sir/Madam

ERECTION OF DOUBLE GARAGE - REVISED LOCATION PLAN
KINTALINE, LOWER WOKINGHAM ROAD, WOKINGHAM

I refer to a copy of a letter and plans sent to the Environment Agency dated 10 July 2000 from WM Graham Associates, architects for the above proposed development.

The plans (Drg No. 2271/06/C) show a revised location for the proposed garage.

The Agency is encouraged by the amended plans which indicate that the garage has subsequently been moved further from the new channel as requested. **The objection of our letter of 5 July 2000 on the grounds of close proximity to the watercourse is therefore removed.**

The Environment Agency therefore has no objection, in principle, to the proposed development provided the following condition is imposed on any planning permission granted:

PLANNING CONDITIONS

CONDITION: No development approved by this permission shall be commenced until a detailed scheme for the diversion of the watercourse including a scheme of planting, has been approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
REASON: To protect, restore or replace the natural features of importance within or adjoining the watercourse.

(Note: the Environment Agency asks to be consulted on any details submitted in compliance with this condition).

Cont/d..

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 7SQ
Telephone : 01276 454300 Fax : 01276 454301

4/1

Conservation: Contact Liz Baldwin on 01276 45 4430

The Environment Agency is also in receipt of the ecological survey report of the ditch to be diverted, as requested in our letter of 5 July 2000.

The report was necessary in order to identify whether any protected species or plants worthy of translocation such as *Lysimachia vulgaris*, are present. The report should subsequently be used to aid the design and planting of the new ditch.

Although no protected species were noted, several species of wildlife value were identified and could be translocated to the new ditch including *Lysimachia vulgaris, Juncus effusus* and *Carex pendula*. In addition the gravel in the existing ditch can be translocated to 'seed' the new channel.

Although the Agency welcomes the proposal to open up the culverted ditch by means of diversion, we are concerned that the scheme includes the marginal planting of garden species (section 6.4) which would include non-native species. As previously commented the use of locally native species in landscaping plans is essential in order to benefit local wildlife and to help maintain the region's natural balance of flora. It will also help to prevent the spread of invasive, alien species within the region. The Agency would ask to be consulted on a detailed planting scheme for the ditch, including marginal vegetation.

DECISION NOTICE

Would you please forward a copy of the decision notice to this office quoting our reference.

A copy of this letter has been sent to the agent.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc1: WM Graham Associates, Chartered Architects, 1 Rectory Road, Wokingham Berks RG40 1DJ
cc2: Gregory Gray Associates, 'Redcliffe', 17 Dinorben Close, Fleet, Hants GU13 9SL

5/1

CONSULTANTS IN:
BIOLOGICAL PLANNING,
ECOLOGICAL ENGINEERING,
ECOLOGICAL RISK ASSESSMENT,
MANAGEMENT OF LAND AND WATER RESOURCES,
MANAGEMENT OF MAMMALS.

JGK

JGK/nmh/9371

2nd August 2000

Mr M Leedale
Gregory Gray Associates
'Redcliffe'
17 Dinorben Close
Fleet
Hants
GU13 9SL

Dear Mark

Re: Kintaline, Lower Wokingham Road, Crowthorne

Enclosed as promised are three copies of my report. I should say that given the location of the ditch, the very short length that will be diverted and the general state of it, I fail to understand why our client has been put to such unnecessary delay and expense. It seems to me that the requirement of the 'Environmental Agency for Assessment' is totally unreasonable.

Yours sincerely

JOHN G KELCEY

JGK Environmental Consultancy
38, Church Street, Wolverton, Milton Keynes MK12 5JN, Buckinghamshire, England.
Tel: 01908 322 452 Fax: 01908 316 359 Mobile: 07860 569 869
John G. Kelcey B.Sc(Hons)., A.L.I., F.C.S., MIHT., C.Biol., M.I.Biol., M.ILAM, M.IEA Richard Parsons B.Sc(Hons)., PGCE
VAT No 409 69 3915

6/1

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

Ms L. Baldwin
Environment Agency
Swift House
Frimley Business Park
Frimley GU16 5SQ

3rd August 2000

Dear Ms Baldwin

KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE.
SP/2000/01790/001

Pursuant to your letter of 5th July to the District Planning Officer, I attach a copy of a report commissioned by our client. As you will see there are no environmental implications involved in the relocation of this drainage ditch.

I also attach a copy of my client's Consultant's letter of 2nd August and would welcome your comments. Whilst I am not an ecologist, it seems to me that the standard approach adopted by the Agency to such matters needs careful reassessment to save us all time and money, so that we may concentrate on the more significant ecological issues as and when they arise.

Yours sincerely,

Mark Leedale

Cc Wokingham DC

7/1

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS

'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.

Telephone: 01252 624004 Fax: 01252 684160

E-Mail: info@ggassoociates.co.uk

Miss. E. Connor,
Planning Department,
Wokingham District Council,
Shute End,
Wokingham,
Berks, RG40 1WR.

3rd August 2000

Dear Miss. Connor,

PROPOSED ERECTION OF DETACHED DOUBLE GARAGE KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE. F/2000/1413

I attach copy correspondence with the Environment Agency.

As there are no ecological implications I trust that you will now be in a position to determine the application without any further delay.

Yours sincerely,

Mark Leedale

8/1

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS

'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

Miss. E. Connor,
Planning Department,
Wokingham District Council,
Shute End,
Wokingham,
Berks, RG40 1WR.

17th July 2000

Dear Miss. Connor,

PROPOSED ERECTION OF DETACHED DOUBLE GARAGE
KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE.

I write further to our telephone conversation on Friday.

I am in the process of instructing an ecologist in relation of the Environment Agency letter of 5th July.

As for the matter of visual impact, you will be able to gain a clear impression of the screening effect of understorey planting by reference to those properties which I have referred you to in earlier correspondence. As you will see the planting largely obscures the garage buildings and, importantly, Laurel is relatively fast growing so its impact will be fairly quick.

I trust on this basis your initial objection on visual grounds will be overcome and we are confident that the ecological matters will be satisfactory addressed.

Yours sincerely,

Mark Leedale

9/1

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

The Head of Development Control
Planning Department,
Wokingham District Council,
Shute End,
Wokingham,
Berks, RG40 1WR.

30 June 2000

0118 974 64804 (3 Pages)

Dear Sir,

PROPOSED ERECTION OF DETACHED DOUBLE GARAGE KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE.

I have been trying, without success, to contact Ms Conner for 5 days in respect of the above matter.

Consequent upon my letter dated 30 June (copy attached) amended plans have been submitted showing the extent of verdant cover and proposed additional landscaping. Having regard to these plans and the extensive planning history/development to which I have drawn your attention, I respectfully suggest there are no reasoned grounds for withholding planning permission. This said we have received a holding objection from the Environment Agency which will be addressed by further amended plans which will be in your office by Monday morning.

I appreciate that your officers are overburdened at present and if we are to avoid additional work through a section 78 appeal would you please urge Ms Conner to telephone me.

Yours faithfully,

Mark Leedale

Enc.
Cc W M Graham
D Baigent

10/1

Our ref: SP\2000\001790\001
Your ref: F/2000/1413

Date: 5th July 2000

ENVIRONMENT AGENCY

POL	TEL 31604
DC	
APP	
CS	
10 JUL 2000	
COPIES TO:	ACK:
	FILE:

District Planning Officer
Wokingham District Council
Council Offices, Shute End,
PO Box 157
Wokingham
Berkshire
RG11 1BN

For the attention of: Elaine Connor

Dear Madam

ERECTION OF DOUBLE GARAGE - KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE

Thank you for your letter dated 18 May 2000 which was received on 22 May 2000. You are asked to quote the following reference in any correspondence: **SU86SW/22/8.** The Environment Agency has the following comments:

The Environment Agency **OBJECTS** to the proposed development for the following reasons:

REASON: The proposals include development in close proximity to the re-aligned watercourse. This will adversely affect the character and conservation value of the watercourse; increase the risk of accidental pollution; increase the likelihood that undesirable forms of bank retention work may need to be adopted in future; and preclude the creation of an adequate buffer zone.

ADVICE TO PLANNING AUTHORITY

Conservation: Contact Liz Baldwin on 01276 45 4430

The location of the new garage should be moved so that a minimum of 2 metres is established between any new structure and the re-alligned ditch. At present due to the close proximity of the garage to the stream, the proposals are not acceptable.

Although the Agency encourages culverted sections of watercourses to be opened up, we require further information about the existing ditch that will be filled in prior to approval of the diversion. In particular we require an ecological survey of the ditch to identify any rare, declining, protected (such as water voles) or otherwise important flora, or habitats along the length of the watercourse to be filled in. The Agency would ask to be consulted on the results of the survey.

SPOKE TO ENV. A.

Cont/d..

Environment Agency
Swift House, Frimley Business Park, Frimley, Camberley, Surrey GU16 5SQ
Telephone : 01276 454300 Fax : 01276 454301

Details of the new ditch, including cross sections and proposed landscaping should also be provided. Planting should comprise of native species only. Use of locally native species in landscaping plans is essential in order to benefit local wildlife and to help maintain the region's natural balance of flora. It will also help to prevent the spread of invasive, alien species within the region. In addition, native specimens from the existing ditch, proposed to be infilled, could be translocated into the new ditch.

Buffer zones to watercourses are required for the following purposes:
(i) to allow the watercourse to undergo natural processes of erosion and deposition, and associated changes in alignment and bank profile, without the need for artificial bank protection works and the associated destruction of natural bank habitat;
(ii) to provide for the terrestrial life stages of aquatic insects, for nesting of water-related bird species, and for bank dwelling small mammals;
(iii) to provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats;
(iv) to allow for the maintenance of a zone of natural character with vegetation that gives rise to a range of conditions of light and shade in the watercourse itself. This mix of conditions encourages proliferation of a wide range of aquatic species, including fish;
(v) to allow, where appropriate, for the regrading of banks to a lower and safer profile, in areas where there is public access;
(vi) to prevent overshadowing of watercourses by buildings; and
(vii) to reduce the risk of accidental pollution from run-off.

The buffer zones should be undisturbed and maintained for wildlife. They should not include any built development including hardstanding.

If you are minded to grant permission for the proposals despite the above, it is essential that you contact me before a determination is made.

DECISION NOTICE

Would you please forward a copy of the decision notice to this office quoting our reference.

A copy of this letter has been sent to the agent.

If you have any further queries please do not hesitate to contact myself on 01276 454 323 quoting the reference cited at the beginning of this letter.

Yours faithfully

Sarah Paxman
Development Planning Officer

cc: W M Graham Associates, 1 Rectory Road, Wokingham RG40 1DJ

~~Cont/d~~.

12/1

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS

'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL.

Telephone: 01252 624004 Fax: 01252 684160

E-Mail: info@ggassociates.co.uk

Ms E Conner
Planning Department,
Wokingham District Council,
Shute End,
Wokingham,
Berks, RG40 1WR.

30 June 2000

0118 974 64804 (2 Pages)

Dear Ms Conner,

PROPOSED ERECTION OF DETACHED DOUBLE GARAGE KINTALINE, LOWER WOKINGHAM ROAD, CROWTHORNE.

I act for David Baigent, The applicant, in respect of the above matter.

I understand that the proposal as submitted is not to your liking and accordingly it is intended to submit amended plans early next week in order to try and resolve the matter between us. This will involve the submission of more detailed plans; the inclusion of additional understorey planting at the frontage; lowering of the ridge by about 700mm; and the full hips of all roof slopes. This will considerably reduce the bulk of the building and the planting will supplement that which exists.

I would also add that there are double garages at the following properties along this part of Lower Wokingham all of which are in front of the dwelling. All result from relatively recent permissions.

- Badgers Crossing
- Harts Lodge
- Beechwood House
- Emerald House
- Tudor Gables
- Birch Grove
- Middle Earth

Additionally, the road is characterised by mature trees and understorey planting to the frontage of properties and my Clients site replicated this character. May I respectfully suggest that your Council could only reasonably withhold permission if the garage building was obtrusive or uncharacteristic of the townscape. Neither circumstance exists.

If it would help then I would be more than happy to attend a site visit or meeting at your offices. In the meantime please do telephone me if you would like to discuss this application .

Yours sincerely,

Mark Leedale

Enc.
Cc W M Graham
D Baigent

2271

1|2

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Approval of Permission

Mr D Baigent
C/O W M Graham Associates
1 Rectory Road
Wokingham
Berkshire
RG40 1DJ

Application Number: F/2000/0284

Parish: FINCHAMPSTEAD

Location: **Kintaline, Lower Wokingham Road, Crowthorne.**

Proposal: **Proposed partial demolition of existing dwelling and rebuilding of dwelling.**

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

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

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

Condition
3. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

Condition
4. The bathroom window in the1st floor south side elevation and the 2 ensuite bathroom windows in the 1st floor north elevation of the proposed development shall not at any time be glazed other than with obscure glass.

Condition
5. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of all tree protection on the site. This should include all trees within the front garden of the application site as well as the Norway Spruce in the neighbouring garden (No.2 Talisman Close)

Condition
6. No work of any sort shall take place between the hours of 1800 and 0800 Monday to Fridays and 1330 to 0830 Saturdays and no work shall take place on Sundays or Bank Holidays.

Condition
7. Provision shall be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

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

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

Reason
3. To ensure a satisfactory external appearance.

Reason
4. In the interests of residential amenity.

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

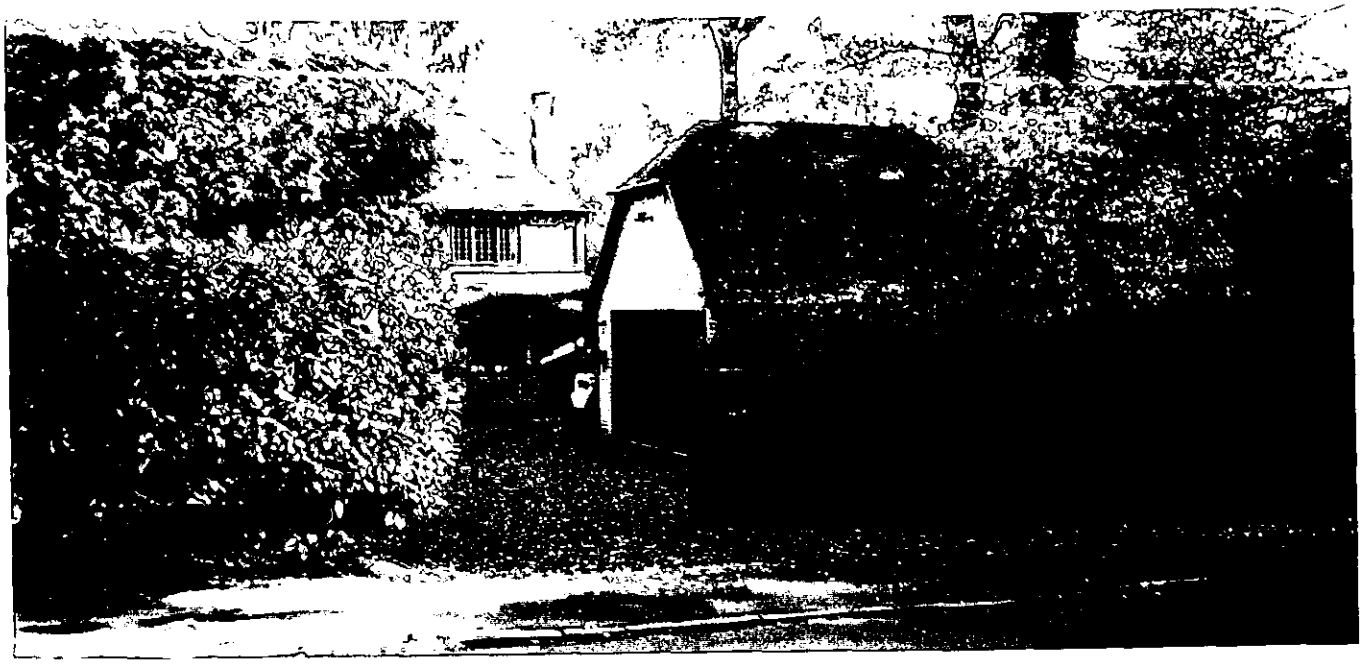
Reason
6. To safeguard the amenities of neighbouring residents and the locality.

Reason
7. In the interests of highway safety and convenience.

Head of Planning and Transportation
Date: 13 April 2000

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


El Sub Sta
6
5
4
3
2
1
Beechwood House
Bramley Court
West Wood
Fresnoy
Haven Cottage
Traunsee
HOUSTON WAY
Asgard
Hartsridge
Woodlands
Homeland
Badgers Crossing
Rickstones
Holly Mead
Ashcroft
The Cottage
The Birches
Roman Ride Lodge
Evesham
Malvern
Glade Lodge
LB
White Chains
Pine Lodge
El Sub Sta
Cahirciveen
Coombe Pines
70.1m
Porth Helick
Woodhaven
Appletree Cottage
Iddey
APPEAL SITE
7310
TALISMAN CLOSE
LOWER ROEDEAN ROAD
A 321
7300
7300
800
Brackens
BM 76.48m
Nidaris



1



2



3



4



5





BERKSHIRE STRUCTURE PLAN 1991-2006





Babtie

3 STRATEGY FOR BERKSHIRE

OVERALL APPROACH

3.1 The overriding aim of the Structure Plan is to ensure that development is 'sustainable' in terms of the capacity of the County to accommodate further growth and change. This means protecting and, where possible, enhancing the overall quality of Berkshire's environment, and within this framework seeking to meet the County's social and economic needs and aspirations.

3.2 Protecting and improving Berkshire's environment for the benefit of existing and future generations is not only desirable in its own right, but is fundamental in ensuring a prosperous County with a high quality of life for those who live and work in or visit the area. At a time of growing concern about maintaining and enhancing the quality of both the global and local environment, there is increasing interest in the contribution which land-use planning can make to these objectives.

3.3 The Government's strategy for sustainable development[1] emphasises the key role that the land-use planning system can play in delivering a sustainable future. This role is also emphasised in recent Planning Policy Guidance Notes, which stress the need for sustainable development, the conservation of non-renewable natural resources, the protection of the countryside for its own sake and making the environment more attractive, cleaner and safer, for example by limiting CO_2 emissions.

3.4 Increasing environmental concerns are also reflected in the Regional Planning Guidance for the South East[2] which makes sustainable development and environmental improvement one of its key objectives. It states that, "All development should be planned in ways which work towards securing the objectives of sustainable development". To help achieve this objective Regional Guidance seeks a shift in the balance of development between the west and east of the region.

3.5 Whilst it is recognised that land-use planning policies can have only a limited impact, the Structure Plan can nevertheless provide a practical and effective means of helping to deal with wider environmental concerns such as pollution, the depletion of non-renewable resources, global warming and habitat and species destruction, as well as tackling local environmental issues.

3.6 At the same time, the County Council recognises that a positive response is needed to pressures for growth and change in Berkshire. Some development is required to help provide homes for local people, to contribute towards maintaining the prosperity of the local economy and to assist in meeting demands for movement, shopping, recreation, tourism and mineral extraction in the County.

---

1 *'Sustainable Development : The UK Strategy' - HMSO, 1994. CM2426*

2 *'Regional Planning Guidance for the South East : RPG9' - Department of the Environment, March 1994*

3.7 Sustainable levels, forms and locations for development are therefore sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within the environmental and other limits described in Chapter 2.

3.8 This approach is considered appropriate in view of :

- the limited capacity of the County to absorb further development;
- the need to husband land so that there is scope for development beyond 2006;
- the cumulative impact of development on existing communities, on the transport network and on pollution;
- the extent of existing commitments;
- uncertainties as to the timing and extent of recovery from the recent recession;
- changing economic factors which may affect people's aspirations and ability to form new households in separate accommodation;
- emphasis in the Regional Guidance on sustainable development, respecting environmental constraints and reducing rates of development in the west of the region.

3.9 Within this framework it is intended that scope and flexibility should be provided for helping to meet local housing needs, to secure and maintain a balanced local economy and to allow the provision of a wide range of job opportunities.

The Overall Strategy

Policy OS1 **The overall strategy of the Plan is to seek sustainable development and improvement to the quality of life in Berkshire by pursuing the following objectives :**

(i) to restrain development to levels that respect the limits set by environmental, infrastructure and other constraints upon the development of land;

(ii) to give priority within (i) to meeting Berkshire's economic and social needs, including the provision of low-cost housing and wider employment opportunities;

(iii) to protect and enhance the character and quality of Berkshire's landscape, environment and heritage;

(iv) to steer development to locations which minimise the need for travel and can be well served by public transport;

(v) **to conserve natural resources;**

(vi) **to minimise pollution;**

(vii) **to seek improvements to infrastructure, services and amenities;**

(viii) ***to promote an appropriate balance between all forms of transport* by continuing to develop an integrated transport strategy.**

MAIN THEMES OF THE STRATEGY

3.10 The main themes of the Structure Plan strategy are outlined below and developed in more detail in subsequent chapters. Environmental concerns are reflected in policies in all sections of the Plan. References to policies in the Plan of particular relevance are listed under each sub-heading.

Restraining Levels of Growth

3.11 The Plan seeks to keep growth down to levels which can be accommodated within the limits set by environmental, infrastructure and other considerations (Policies OS1; LD1, LD3, LD6, LD7; H1, H2; BU1; TC1; R1; M1, M3).

3.12 A restrained level of growth will generally take less open land for development, generate less traffic and waste and help towards reducing pollution, energy consumption, the depletion of water resources and the demand for minerals and aggregates. It will also allow more scope for catching up in the provision of social and physical infrastructure (subject to the environmental acceptability of proposals and availability of the necessary resources).

3.13 This approach is in line with key objectives in the regional planning guidance for the South East, in which it is suggested that levels of development should respect the region's valuable environmental features and avoid the wasteful use of land and other natural resources. The regional guidance also states that a reducing rate of growth is appropriate in the west of the region to enable infrastructure and services to catch up with rapid rates of development in the recent past.

3.14 The overall housing provision for the period 1991-2006 was increased by the County Council from 37,000 to 40,000 dwellings in response to a direction issued by the Secretary of State for the Environment on 29 June 1995. While the Council has welcomed the fact that the Secretary of State has not pressed it to accept the total of 48,000 dwellings recommended by the Panel which conducted the Examination in Public in 1993, it remains concerned that increasing the provision above 37,000 dwellings could have serious environmental consequences contrary to the overall objectives of the Structure Plan.

5/4

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

6.1 The quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. These depend partly on care for its environment as a whole, including the countryside (dealt with in Chapter 5) and towns, villages and built-up areas which are considered in this chapter. It also concerns : safeguarding and enhancing a number of specific environmental interests, which together contribute to the character of the County; curbing and controlling a number of specific threats to pleasant living conditions; and the conservation of natural resources.

The Environment of the Built-up Areas

6.2 The density, form and quality of buildings, landscape and other elements of the environment in towns, villages and built-up areas have an important bearing on the overall quality of life in the County, especially as the majority of the population live and work in such areas.

Protection and Enhancement of the Environment of Built-Up Areas

Policy EN1 **The character and quality of the environment in the towns, villages and other built-up areas will be protected and enhanced. Within these areas development must be appropriate in scale, form, impact, character and siting to its location. In particular :**

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

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

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

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

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

Environment

6.3 In order to secure improvements in the environment of built-up areas, local plans will need to include guidelines on a wide range of matters raised in the policy. Particular public concerns have been raised about the quality of design in new development and about increased densities in the built-up areas. While the latter may help reduce the need for travel and minimise the loss of open countryside, it may also lead to problems of congestion, loss of tree cover and open land, and deterioration in environmental quality in established neighbourhoods.

6.4 Policy EN1 is intended positively to encourage appropriate regeneration in line with Government guidance. It is not proposed that appropriate changes of use of buildings should be restricted whether they are currently vacant or not. Derelict land which has been the subject of contamination may be appropriate for redevelopment, but only if there is no danger created for the new use of the site or through the transport and re-deposit of contaminated matter on a site elsewhere.

Environmental Nuisance

6.5 Certain kinds of development can give rise to nuisance which can affect occupiers of buildings, passers-by or those using outdoor space. There is a need to prevent new problems from arising, and to limit or reduce the nuisance from existing sources. The impact of nuisance may in some circumstances be limited by curbing development in areas affected, and this is appropriate where (as is the case for aircraft noise) little can be done to reduce the nuisance in the short term.

Protection from Environmental Nuisance

Policy EN2 **Development should not give rise to unacceptable levels of noise, smell, dust, fumes, light or noxious emissions affecting areas beyond the site boundary, or to unacceptable levels of air or water pollution. In addition, uses sensitive to disturbance such as new houses, schools and hospitals, should not be located in areas already subject to unacceptable levels of these environmental nuisances.**

6.6 In areas affected by high levels of noise, development should be designed to minimise the nuisance caused to future occupants. Unacceptable levels of environmental nuisance will be defined through the local plan process and by building upon studies such as the County Council's State of the Environment Report. The County Council has also recently published environmental noise planning guidelines to assist with the implementation of Policy EN2 and to help co-ordinate a standardised approach across the County.

Flooding

6.7 Most of Berkshire's rivers have an associated floodplain which is essential for both flood flow and storage. Development within the floodplain would reduce the storage capacity and impede the flow of water, thereby increasing the risk of flooding elsewhere. Therefore in areas at risk from flooding new development or the intensification of existing development will be resisted. It is also necessary to ensure that the surface water run-off from any new development does not exacerbate flooding or drainage problems elsewhere.

7/4

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG11 1WR
Telephone: (0734) 786833
Fax: (0734) 778735

form of narrow leisure plots of considerable depth which penetrated into the open countryside. As land prices have increased with demand for land, the level of development in these areas has intensified. In some instances this has led to tandem development which often detracts from the rural character of the area and results in a loss of privacy. Apart from development on individual plots the area south of Wokingham has also experienced larger scale housing development, reinforced in more recent times by the Secretary of State's requirement, in approving the Structure Plan in 1980, to build an additional 8000 houses in Central Berkshire. Some development that has occurred during the post war period has failed to recognise the importance of retaining tree cover and has not been incorporated into the landscape in a sensitive manner. The policies contained in this plan are aimed at tackling these problems and preventing such damage occurring in the future.

DEFINITION OF IDENTIFIED SETTLEMENTS

1.1.04 The definition of rural areas is dependent on the definition of settlements and vice versa. The South East area is dominated by Wokingham which is surrounded by a number of smaller settlements and areas of ribbon or frontage development. All vary greatly in terms of size, form and character. Some areas of sporadic development involve very few properties and/or are dominated by areas of undeveloped rural land either between or to the rear and in front of properties causing them to be characterised by a loose settlement pattern or to form a narrow strip of development in what is still a distinctly rural area. Such areas may possess a number of basic services, such as a school or church but these are rarely confined to serving the population residing in the immediate vicinity. The open nature of these areas presents many opportunities for further intensification. However, it is considered that if



such development were to occur, the existing special character of these areas or the surrounding countryside would be detrimentally affected. For the purposes of this plan, such areas of development are not synonymous with an identified settlement, the latter being used to define an area where particular planning policies are appropriate. There will therefore be cases where areas of development have not been included within the identified settlement. One example is small groups of development bounded by countryside on the far side of a road that marks the boundary of the main built up area . In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this Plan and as shown on the proposals map.

1.1.05 An 'identified' settlement or built-up area must possess all the following characteristics:-

(i) a sizeable amount of development in a compact form, (if development is dominated by, or interspersed with, areas of land which are characteristically rural or open, this will not come within this criterion);

(ii) possess a range of basic services, such as a school, shop and community facilities, providing a forum for social contact;

(iii) be physically and socially cohesive.

On this basis the following policy is put forward.

❖ STV1 'IDENTIFIED SETTLEMENTS'

WITHIN THE IDENTIFIED SETTLEMENTS AS LISTED BELOW AND AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL NORMALLY BE ALLOWED, SUBJECT TO THE PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN. THE 'IDENTIFIED' SETTLEMENTS ARE:-

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies SH1 and SE2 of this plan.

❖ STV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE REPLACEMENT STRUCTURE PLAN EXCEPTIONS MAY BE MADE FOR DEVELOPMENT IN THE FOLLOWING CATEGORIES WHICH ARE NOT SPECIFICALLY DEALT WITH BY OTHER POLICIES IN THIS LOCAL PLAN.

(A) DEVELOPMENT FOR HOUSING PURPOSES OF SITES NOT EXCEEDING 0.4 HECTARE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(B) DEVELOPMENT FOR EMPLOYMENT USES NOT EXCEEDING 300 SQUARE METRES OF FLOORSPACE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(C) DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY,

(D) MINERAL EXTRACTION,

(E) PLANT FOR RECEIVING IMPORTED AGGREGATES, OR FOR THE PROCESSING OR DISTRIBUTION OF AGGREGATES,

(F) THE DISPOSAL OF WASTE BY CONTROLLED TIPPING WITHIN EXISTING OR FORMER MINERAL WORKINGS OR ON OTHER DESPOILED LAND,

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

(H) ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA,

THE ACCEPTABILITY OF ALL PROPOSALS WILL ALSO BE JUDGED AGAINST THE PROVISIONS OF THE OTHER RELEVANT POLICIES CONTAINED IN THIS PLAN . FOR THE AVOIDANCE OF DOUBT THE AREAS OF SPORADIC DEVELOPMENT IDENTIFIED ON THE PROPOSALS MAPS ARE INCLUDED WITHIN THE RURAL AREAS.

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

1.4.01 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the design of new buildings or extensions to existing buildings and the creation of new spaces within that environment, are very important.

1.4.02 The District Council is particularly concerned to promote a high standard of design in new buildings, and to ensure that new buildings are responsive to their location. This means that new buildings need to be appropriate in terms of their function, siting, scale, form, massing, materials, colour and texture in their relationship with adjoining buildings and sites. Accordingly, new buildings will be expected to make an acceptable and positive contribution to the built environment. In addition, developments that incorporate public access should accommodate sculptures or other works of art to provide visual interest, where this is considered appropriate by the local planning authority. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers.

1.4.03 In the case of schemes involving more than one building, regard will be paid to the impact of the development over a wider area, involving an assessment of criteria additional to those referred to in paragraph 1.4.02 above. Accordingly, schemes should relate to the "grain" of the area, and take account of their effect on the skyline, pedestrian and vehicular movements in the area, vistas, safety and environmental constraints. Where large sites exist which would significantly affect the urban fabric urban design briefs/appraisals will be prepared/required to establish the wider context within which applications will be considered.

❖ *SBE1 DESIGN OF NEW DEVELOPMENT*

NEW DEVELOPMENT SHALL BE OF A HIGH STANDARD OF DESIGN APPROPRIATE TO THE CHARACTER OF THE AREA IN WHICH IT IS TO BE SITUATED. IT SHOULD:

(A) MAKE A POSITIVE CONTRIBUTION TO ITS SETTING AND THE CHARACTER OF THE AREA,

(B) CONTRIBUTE TO THE CREATION OF A SAFE AND ATTRACTIVE ENVIRONMENT IN WHICH TO LIVE AND WORK,

(C) RETAIN IMPORTANT NATURAL, MAN-MADE OR LANDSCAPE FEATURES OF THE SITE COMPATIBLE WITH GOOD DESIGN.

❖ *SBE2 INAPPROPRIATE DESIGN*

PROPOSALS FOR DEVELOPMENT THAT IS INAPPROPRIATE IN TERMS OF ITS RELATIONSHIP WITH ADJOINING SITES AND BUILDINGS, OR WHICH WOULD ADVERSELY AFFECT THE CHARACTER OF AN AREA, BY VIRTUE OF ITS SITING, SCALE, FORM, MASSING, MATERIALS, COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED.

VIRTUE OF ITS SITING, SCALE, FORM, MASSING, MATERIALS, COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED.

ENVIRONMENTAL IMPROVEMENT

1.4.04 Within the built environment it is important not only to safeguard those buildings, undeveloped areas and special features which contribute to the character and attractive qualities of the area but to seek opportunities to enhance the quality of the built environment.

1.4.05 Often the more attractive and successful urban environments have evolved organically over a period of many years and incorporate a variety of architectural styles. In more recent years development in some parts of the District has taken place more comprehensively with little variety in design. In other areas particularly since the war and up to the early 1970's some development has been inserted into an existing area to the detriment of the older urban fabric.

1.4.06 In some areas, local shopping centres in particular, where comprehensive development has taken place, the opportunity may arise for comprehensive refurbishment since a large part of the urban fabric will tend to age and decay simultaneously. In other areas environmental enhancement of the urban fabric surrounding the buildings may be sufficient to rejuvenate the area as a whole.



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

ENCOURAGEMENT WILL BE GIVEN TO THE REFURBISHMENT OR PARTIAL REDEVELOPMENT OF AREAS OR INDIVIDUAL SCHEMES WHERE A SIGNIFICANT ENVIRONMENTAL ENHANCEMENT WILL RESULT TO THE BENEFIT OF THE COMMUNITY.

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

ENVIRONMENTAL ENHANCEMENT SCHEMES WILL BE ENCOURAGED WITHIN THE PLAN AREA AS OPPORTUNITIES ARISE AND WILL INCLUDE THE AREAS AS SHOWN ON THE PROPOSALS MAP AND AS SET OUT IN PART TWO OF THE PLAN.

SUNLIGHT, DAYLIGHT AND NOISE

1.4.07 Daylight penetration into new buildings, and existing buildings affected by new development, is an important amenity consideration as is sunlight penetration of spaces outside windows. In this respect it should always be the intention to maximise penetration of new development and minimise the impact of new development on old as far as is possible. The orientation of rooms, gardens and both public and private spaces is therefore critical since together the two aspects can provide warmth, comfort and pleasant living and working conditions. They can also have some impact on energy consumption by reducing the dependence on artificial lighting and heating. Further guidance on this matter can be found in the District Council's Development Control Guidelines.

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

12/4



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

- **Proposed Amendments April 1999**
- **Additional Proposed Amendments September 1999**
- **Proposed Transport Amendments February 2000**

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

B) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

C) CONSERVING AND ENHANCING THE PATTERN OF TOWN AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

D) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

E) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

F) ~~TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION~~ **(PA 1/3)**

F1) TO CONSERVE NATURAL RESOURCES **(PA 1/3)**

F2) TO MINIMISE POLLUTION (PA 1/3)

G) TO SEEK IMPROVEMENTS TO INFRASTRUCTURE, SERVICES AND AMENITIES.

H) TO ENCOURAGE AND SUSTAIN BALANCED RURAL COMMUNITIES **(PA 1/1)**

I) TO DEVELOP BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES **(PA 1/2)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside ~~or has special reason to locate there~~ *OR FOR WHICH A RURAL LOCATION IS ESSENTIAL.* **(PA 1/4)** Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

1.8 An 'identified' settlement or built-up area must possess all the following characteristics:

(i) a sizeable amount of development in a compact form (if development is dominated by, or interspersed with, areas of land that are characteristically rural or open, it will not come within this criterion)

(ii) possess a range of basic services, such as a primary school, shop and community facilities, providing a forum for social contact

(iii) be physically and socially cohesive.

1.9 For the purposes of this plan the identified settlements are:

ARBORFIELD CROSS	SHINFIELD
BARKHAM HILL	SINDLESHAM
CHARVIL	SPENCERS WOOD
EARLEY/SONNING/WOODLEY	SWALLOWFIELD
FINCHAMPSTEAD	THREE MILE CROSS
FINCHAMPSTEAD NORTH	TWYFORD
HURST	WARGRAVE
PINEWOOD	WINNERSH
RISELEY	WOKINGHAM.

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.

OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).

Implementation: Through the development control process.

Monitoring: Planning applications determined.

1.11 The most attractive and successful urban environments are those where all the component parts (e.g. buildings, trees, roads, spaces, people, traffic) have been satisfactorily accommodated to create interesting, lively and pleasant places. In order to maintain and enhance the character of the built environment, the appropriateness of the use of existing buildings and the design of new buildings or extensions to existing buildings, are very important.

1.12 The Council is particularly concerned to promote a high standard of design in new buildings, to ensure that new buildings are responsive to their location and to their potential occupants' and/or users' needs. New development needs to be appropriate in terms of function, siting, scale, form, massing, materials, colour and texture in its relationship with adjoining buildings and sites. Accordingly, new development will be expected to make an acceptable and positive contribution to the built environment. In addition new development should be appropriately located so as to reduce the need to travel and to encourage alternative modes of transport to the car.

1.12A LANDSCAPING SCHEMES SHOULD BE COMPRISED PREDOMINANTLY, IF NOT WHOLLY, OF LOCALLY NATIVE SPECIES. **(PA 1/5)**

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

THE COUNCIL WILL REQUIRE ALL DEVELOPMENT PROPOSALS THAT ARE ACCEPTABLE IN PRINCIPLE WHEN ASSESSED AGAINST OTHER POLICIES OF THIS PLAN TO:

A) BE APPROPRIATE IN SCALE OF ACTIVITY AND CHARACTER TO THE AREA IN WHICH THEY ARE LOCATED AND BE INTEGRATED INTO THEIR LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

B) ~~RETAIN~~ *HAVE NO SIGNIFICANT DETRIMENTAL IMPACT UPON (***PA 1/6)** IMPORTANT MAN-MADE, LANDSCAPE AND NATURE CONSERVATION FEATURES AND PROVIDE FOR FURTHER LANDSCAPE TREATMENT WHERE RELEVANT TO THE TYPE OF DEVELOPMENT AND/OR THE PROTECTION OF LOCAL VISUAL AMENITY

C) BE BOTH LOCATED AND DESIGNED SO AS TO REDUCE THE NEED TO TRAVEL AND ENCOURAGE THE USE OF WALKING, CYCLING AND PUBLIC TRANSPORT AS ALTERNATIVES TO THE CAR

D) HAVE NO SIGNIFICANT EFFECT ON ROAD SAFETY OR CAUSE HIGHWAY, TRAFFIC GENERATION OR TRAFFIC RELATED ENVIRONMENTAL PROBLEMS

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE CAPABLE OF USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT

F) BE OF HIGH QUALITY OF DESIGN THAT RESPECTS THE LOCAL CONTEXT BY VIRTUE OF SITING, LAYOUT, MASSING, MATERIALS, COLOUR AND TEXTURE.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations*). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

POLICY WOS4: SERVICE, AMENITIES AND INFRASTRUCTURE REQUIREMENTS FOR NEW DEVELOPMENT

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, UNDER THE POLICIES OF THIS PLAN, DEVELOPMENT PROPOSALS WILL BE EXPECTED TO HAVE

Cont.

POLICY FRAMEWORK

National Policy

4.5 Advice on design at the national level is limited. There is no Planning Policy Guidance Note purely on design considerations. Paras 13 - 20 and Annex A (paras A1 - A7) of PPG1 refer specifically to the issue of design. Paras 4 - 7 of Planning Policy Guidance Note 3 (PPG 3) *Housing* look at good design in the context of housing development.

4.6 Comprehensive guidance on heritage issues is given in Planning Policy Guidance Note 15 (PPG 15) *Planning and the Historic Environment*. Planning Policy Guidance Note 16 (PPG 16) *Archaeology and Planning* gives advice on archaeology and planning.

Strategic Policy

4.7 The *Berkshire Structure Plan 1991 - 2006* acknowledges that the quality of the County's environment relates to its character, identifiable 'sense of place', and people's living conditions. The plan recognises that these depend partly on care for the built environment, but that also of importance are the maintenance and improvement of interests that have a bearing on the County's character, the limitation and control of specific threats to pleasant living conditions, and the conservation of natural resources.

Supplementary Planning Guidance

4.8 The environmental policies in this plan are augmented by additional guidance in the form of Planning Guidelines, Development Briefs, Design Guides, and Conservation Area Studies. This additional guidance includes detailed advice that is not appropriate for inclusion in the plan. The policies of the plan take precedence over the supplementary planning guidance, and provide the main thrust for environmental policy in the plan area.

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

4.9 Proposed development should be considered in the context of the surrounding area. This will allow vernacular style and any good features to be interpreted in the new development, helping to contribute to its sense of place.

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

THE COUNCIL WILL REQUIRE GOOD CONTEMPORARY DESIGN THROUGHOUT THE PLAN AREA, WHICH RESPECTS ITS LOCAL CONTEXT. WHEN CONSIDERING ANY APPLICATION FOR DEVELOPMENT THE COUNCIL WILL HAVE REGARD TO THE FOLLOWING CONSIDERATIONS:

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

d) LANDFORM AND ANY NATURAL FEATURES, INCLUDING LANDSCAPE TREATMENT AND ENVIRONMENTAL WORKS

e) THE LOCAL TOWNSCAPE

f) THE LAYOUT, FORM, SCALE, MASSING, AND MATERIALS OF DEVELOPMENT

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

Implementation: Use of design guidance in the development control process.

Monitoring: Consider quality of development on the ground, including through design awards.

4.10 Not all of the plan area is of the same visual quality. Some parts of it could benefit from environmental improvement, and in some circumstances, this may be achievable through redevelopment opportunities.

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

IN AREAS WHERE THE EXISTING ENVIRONMENT DOES NOT EXHIBIT ESPECIALLY PRONOUNCED OR HISTORIC ARCHITECTURAL STYLES, ANY PROPOSALS FOR INFILL DEVELOPMENT SHOULD BE USED AS AN OPPORTUNITY TO CREATE ADDED VISUAL INTEREST AND RAISE THE AREA'S ARCHITECTURAL QUALITY.

Implementation: Through the development control process.

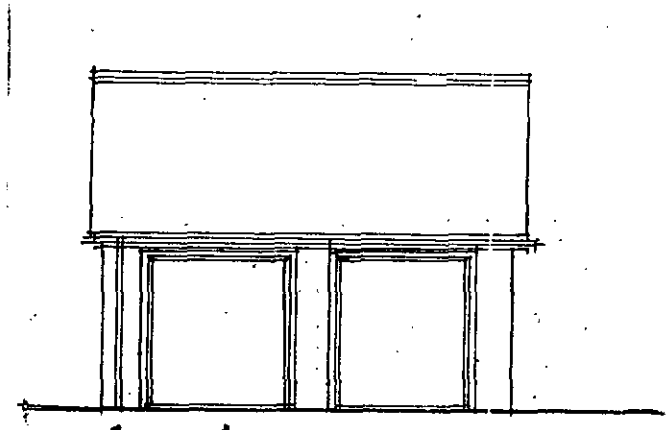
Monitoring: Check quality of development on the ground.

4.11 Because of their extent, large developments are likely to have a greater impact on the environment than smaller scale ones. It is therefore particularly important to ensure a high quality of development within such proposals. Large development areas are probably best considered in terms of a series or pattern of smaller areas, each with its own layout and form of development, and hence its own distinctive character. This should lead to the avoidance of extensive areas of characterless development that bear no relationship to features on the ground.

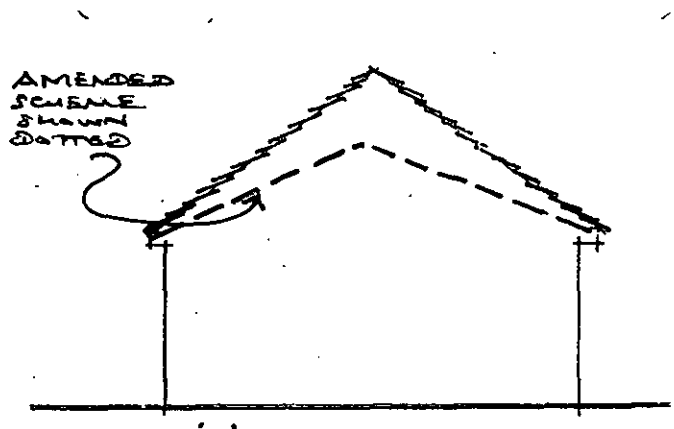
POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

ANY PROPOSALS FOR LARGE SCALE DEVELOPMENT SHOULD PROVIDE A CLEAR AND COHERENT LAYOUT THAT CREATES AREAS OF IDENTIFIABLE CHARACTER WITHIN THE DEVELOPMENT. WHERE DEVELOPMENT IS TO BE CARRIED OUT IN PHASES, THE COUNCIL WILL REQUIRE THE SUBMISSION OF A INDICATIVE LAYOUT FOR THE ENTIRE SITE PRIOR TO THE APPROVAL OF ANY

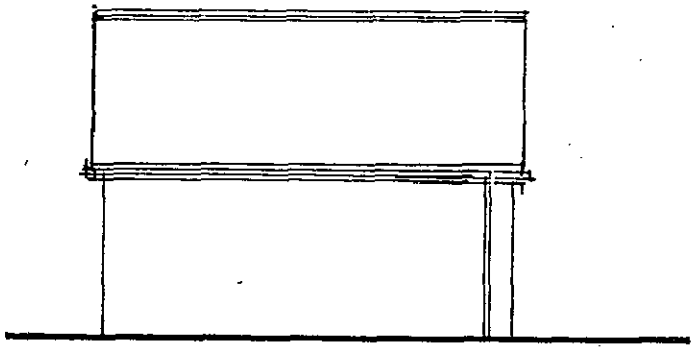
Cont.



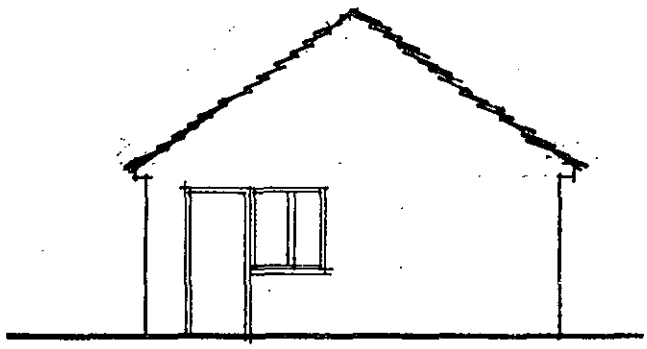
front



side

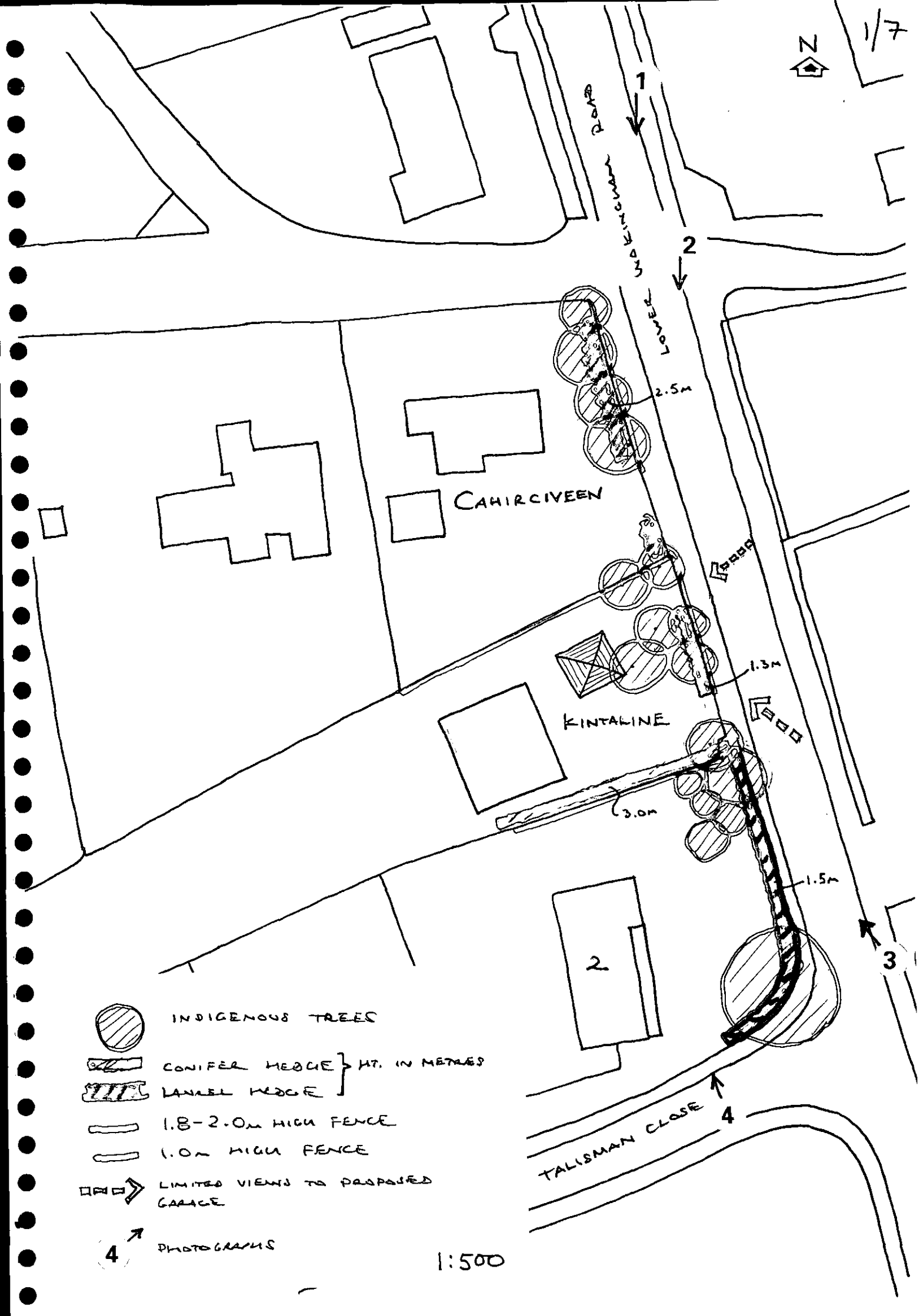


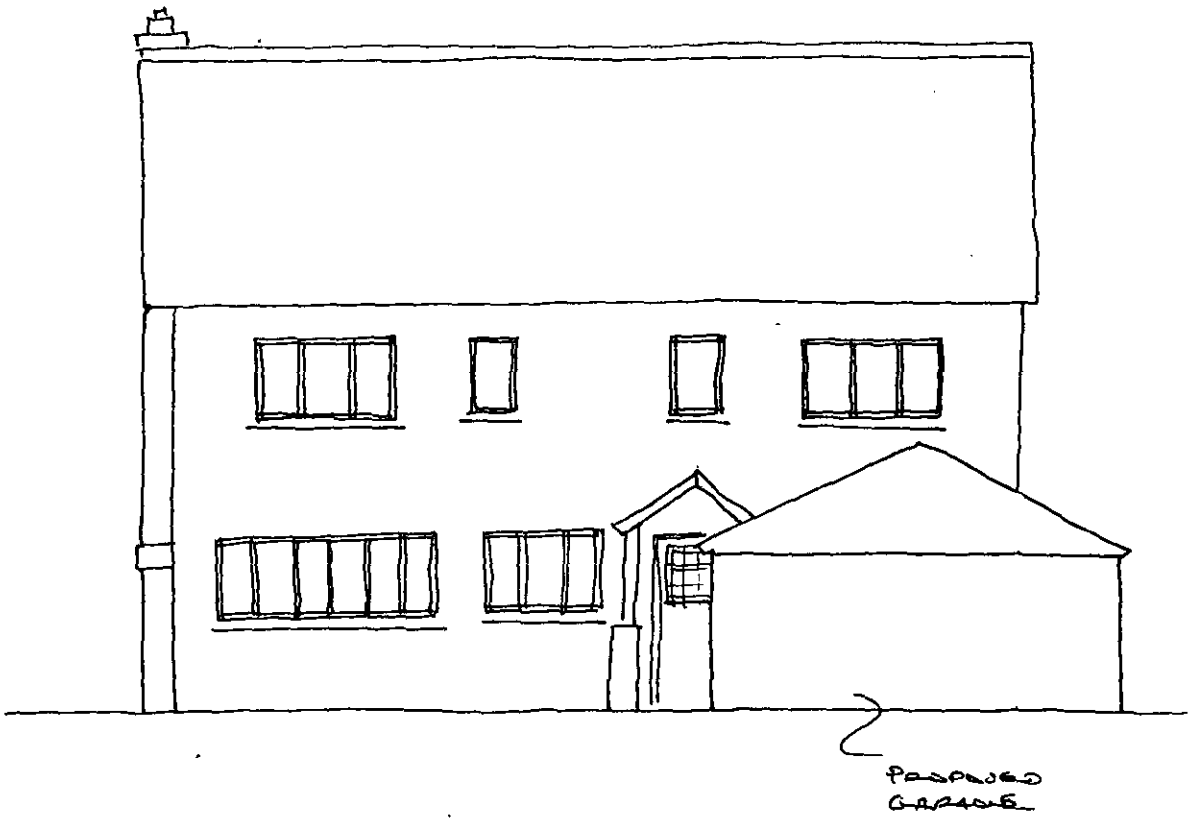
rear



side

PROPOSAL AS
ORIGINALLY SUBMITTED.


N
LOWER DOWNINGHAM ROAD
1
2
3
4
2.5m
1.3m
3.0m
1.5m
CAHIRCIVEEN
KINTALINE
2
TALISMAN CLOSE
INDIGENOUS TREES
CONIFER HEDGE
LAUREL HEDGE
HT. IN METRES
1.8-2.0m HIGH FENCE
1.0m HIGH FENCE
LIMITED VIEWS TO PROPOSED GARAGE
PHOTOGRAPHS
1:500



EXISTING LANDSCAPE AND PROPOSED LAUREL HEDGE NOT SHOWN

1:100



1

VIEW FROM NORTH ALONG OLD WOKINGHAM ROAD SHOWING FENCING AND PLANTING OBSCURING VIEWS TO THE APPEAL SITE.



2

CLOSER VIEW FROM NORTH SHOWING FENCING + UNDER STOREY PLANTING OBSCURING VIEWS TO THE APPEAL SITE.



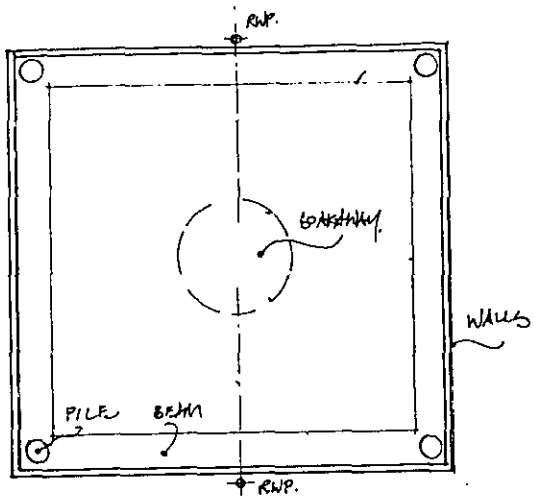
3

VIEW FROM SOUTH SHOWING SCREENING EFFECT OF HEDGE AROUND NO. 2 TALISMAN CLOSE

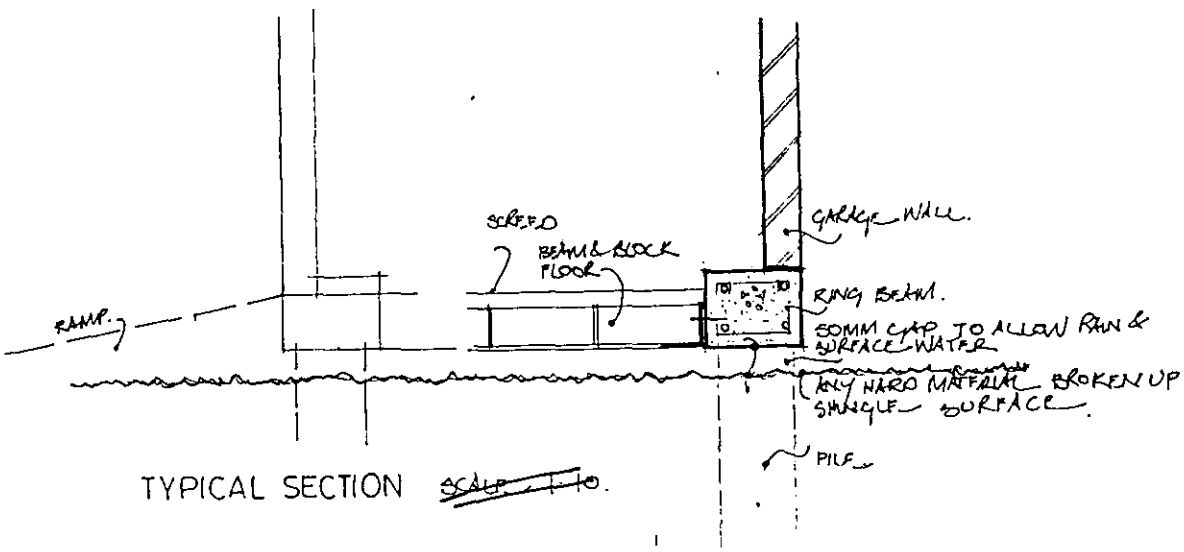


4

VIEW OVER FRONT GARDEN OF NO. 2 TALISMAN CLOSE. NOTE EVERGREEN SCREEN OBSCURING VIEWS TO APPEAL SITE.



PLAN ~~SCALE 1:50~~.



TYPICAL SECTION ~~SCALE 1:10~~.