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

APPLICATION NO:
F/2000/2671

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

APPLICANT:
The Owner C/O W M Graham Associates

PROPOSAL:
Proposed erection of dwelling.

EARLIEST DATE FOR DECISION: **01/12/2000**

APPLICATION WILL HAVE EXPIRED ON:
20/12/2000

CASE OFFICER: **John Mitchell**

(JRM)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

The Owner
C/O W M Graham Associates
1 Rectory Road
Wokingham
Berkshire
RG40 1DJ

Application Number: F/2000/2671

Parish: **FINCHAMPSTEAD**

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

Proposal: **Proposed erection of dwelling.**

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

Reason
1. The proposed development, by virtue of its close proximity to existing residential properties would have an unacceptably overbearing effect to the detriment of the amenity of their occupiers and is contrary to the South-East Area Local Plan policy SBE2 and to the Draft Deposit Wokingham District Local Plan policy WBE1.

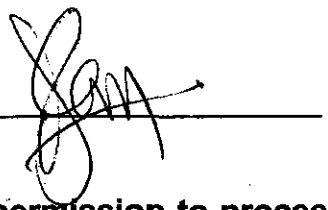
Informative
1. You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:

Berkshire Structure Plan Policy EN1.

South East Area Local Plan Policies SBE1 and SBE2.

Deposit Draft Wokingham District Local Plan Policies WBE1, WBE2 and WOS3.

John Mitchell
Development Control Manager
Date: 01/02/2001

Notice checked by: 

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.

2671 File

Ref: F/ 2000/2671
Mr J Mitchell
Planning Services
Wokingham District Council
P.O.Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

FINANCIAL SERVICES	HPT
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Mrs G Stevens
11, Wild Briar
Finchampstead
Berkshire
RG40 4UL
0118 9734385

17/11/2000

Dear Mr Mitchell,

It is with great disappointment and disbelief that I am writing to you again , to oppose the plans to build a property at the rear of 30/32 Nash Grove Lane.

As I am sure you are aware the residents of the Fernlea estate have made their views on this matter known to you by signing two separate petitions.

I personally have supported both of these petitions and have sent in my views as to why a building on the proposed site would be unacceptable.

For the benefit of yourself I will outline them again for you:

I feel that the driveway of this property would cause a major traffic hazard. There are 450 houses on the Fernlea estate, many of which have two or more cars , the volume of traffic coming in or out of the estate can only be impeded by an entrance and possibly kerbside parking. The decision to build in a similar situation in Elgarth Drive has caused this problem , making the other entrance onto the estate often conjested and difficult to manouvre. This is a hazard to all pedestrians and road users alike . I believe several accidents have been caused because of this.

My two older children have to walk past the proposed site every day on their way to meet the school bus. I feel the use of heavy site machinery will be a danger to them. The site is not in a good position, so any form of building work will effect the safety of their journey before and after it is completed , because of the problem with parking as I mentioned before.

The area has enough houses as it is do we need to take any more of the grassed areas away ?

If this application goes ahead this could set a precedent for the area directly opposite. This would be a complete disaster and a traffic hazard for everyone.

The proposed site has several trees on it, if they are felled there will be nowhere for our wildife to go and turn what was a green and pleasant land in to an urban jungle.

I urge you to listen to those of us that live here and will be affected not just a builder trying to make a fast buck and then move on to the next available patch of grass.

Thankyou for your attention,

Yours truly

G Stevens

Appeal Decision

Hearing held on 5 June 2001

by Shelagh C Bussey DipTP DipEM MA PhD MRTPI

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

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

DC 42926

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CS | Date 25 JUN 22 JUN 2001
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Appeal Ref: APP/X0360/A/01/1059239
Land adjoining 30-32 Nash Grove Lane, Finchamstead, Wokingham.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs D Dean against the decision of Wokingham District Council.
- The application (Ref.F/2000/2671), dated 20 October 2000, was refused by notice dated 1 February 2001.
- The development proposed is the erection of a two bedroom, single-storey dwelling with an integral garage.

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

Procedural Matter

1. At the Hearing, dimensions concerning the siting and the height of the development were confirmed by the Appellants and agreed by the Council. The distance between the eastern boundary of the site and the outer wall of the eastern elevation of the proposed dwelling would be 4.0 metres. The main front elevation of the bungalow would be positioned 7.75 metres from the highway boundary and, notwithstanding the connotation on drawing number 2295/04/B, concerning the proposed pitch of the roof, the ridge height would not exceed 5.6 metres above the slab level of the building. I have taken those dimensions into account in my consideration of the appeal proposal.

Main Issue

2. From what I have read, seen and heard, I consider that the main issue is the effect of the development on the living conditions of occupiers of neighbouring dwellings located in McCarthy Way, with particular reference to its mass and proximity.

Planning Policy

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006, adopted in 1995 and the South East Area Local Plan, adopted in 1994.

4. Policy EN1 of the Structure Plan advises that development within the built-up areas must be appropriate to its location, in terms of its scale, form, impact, character and siting. It should also be of a high standard of design, in order to help maintain and, where possible, to enhance the character of its surroundings.

5. Policy SH1 of the Local Plan is permissive towards infill development that complies with its criteria. Amongst other considerations, these require that the development has no adverse effect on the character of the area and that there is adequate space about buildings. Policy SBE1 advises that development should be of a high standard of design that is appropriate to the character of the locality and which contributes to the creation of a safe and attractive

environment, in which to live and work. Policy SBE2 requires that development is appropriate in terms of its relationship with adjoining sites and buildings.

6. The Local Plan is under review and the Wokingham District Local Plan Deposit Draft has formed the basis for development control decisions by the Council, since 1997. Policy WH1 of the emerging Local Plan reaffirms the Council's general presumption in favour of infill development, provided that it has no adverse effect on any residential property. Policy WBE1 requires that the design of development respects its local context, in terms of considerations that include its impact on the privacy and amenity of the existing environment. Policy WBE2 advises that infill development should be used as an opportunity to create added visual interest and to raise the architectural quality of the area. Policy WOS3 sets out development control principles against which development proposals are assessed. Amongst other matters, these require that development integrates into its local context without detriment to the amenities of adjoining land uses and occupiers and, that it is of high quality design.

7. Representations have been made concerning Policy WBE1. Therefore, that draft Policy may yet be amended or deleted. However, I consider that the Wokingham District Local Plan Deposit Draft has reached an advanced stage in its procedure towards its adoption by the Council and I afford its policies substantial weight, in accordance with advice contained in paragraph 48 of *Planning Policy Guidance: General Policy and Principles* (PPG1).

Reasons

The Site and Its Surroundings

8. The appeal site is a rectangular parcel of land that is included in the rear garden of 30 Nash Grove Lane, which is a corner plot. The site is about 15.7 metres wide at its frontage to McCarthy Way, from where access to the development would be gained. It is around 27.5 metres deep. Adjoining the appeal site to the west, there are two bungalows numbered 30 and 32 Nash Grove Lane and adjoining to the east, there are three, two-storey houses. The site and the surrounding area are relatively flat. Fences approximately 2.0 metres high bound the southern, eastern and part of the western sides of the site. The remaining part of its western boundary is open and a post and wire fence marks the northern boundary. There is row of mature deciduous trees growing adjacent to the eastern boundary. There is no frontage development to the west-east section of McCarthy Way that lies between its junction with Nash Grove Lane and the main part of McCarthy Way, which turns in front of number 80 McCarthy Way to run north-south.

9. In its wider context, the appeal site is situated within a settlement boundary, in an extensive estate of modern residential development, containing a variety of house types and residential densities. It also includes some later infill development. In my opinion, the proposed development would accord, in principle, with Policies SH1 and WH1. However, I turn now to consider the impact of the development on the living conditions of neighbouring occupiers.

The Effect on Neighbours' Living Conditions

10. The main part of the proposed bungalow would be 2.3 metres high to its eaves and 5.6 metres high to the ridge of its roof, which would be half hipped at the front and rear elevations. The garage would be a forward projection to the western half of the bungalow and it would have a lesser eaves and ridge height than the main building. The south-eastern corner of the bungalow would lie approximately 14.1 metres to the west of the northern part

of the rear elevation of 80 McCarthy Way, which is a corner plot. The development would also extend the full width of the rear elevation of the main part of number 78 McCarthy Way, which has an attached garage on its northern side. The distance between the appeal bungalow and number 78 would also be about 14.1 metres. Number 80 has west-facing windows on its ground floor and number 78 has west-facing windows on the ground and first floor.

11. Taking into account the orientation of the buildings adjacent to the appeal site, the proposed development would be clearly visible from the rear of several dwellings in Nash Grove Lane and in McCarthy Way. However, that would be so of any development constructed at the site, including that permitted by the provisions of *The Town and Country Planning (General Permitted Development) Order 1995*. But it is the Council's opinion that, as a consequence of its proximity and its mass, particularly of its roof, the proposed development would have an unacceptably overbearing impact on the occupiers of 78 and 80 McCarthy Way. I agree that those occupiers would be the most affected by the development, but for the following reasons, I do not consider that it would have a significantly overbearing effect on them.

12. The Council has no defined minimum separation distances between dwellings. But in my opinion, the intervening distance of approximately 14.1 metres between the eastern side elevation of the proposed bungalow and the western, rear elevations of numbers 78 and 80 McCarthy Way would compare favourably with the rear to flank separation distances that are typical of modern housing development. It would also exceed the distances between other infill and existing development, which has been granted planning permission, by the Council, in the locality. Taking into consideration also, the advice contained in paragraphs 56, 57 and 58 of *Planning Policy Guidance Note 3: Housing* (PPG3), concerning the avoidance of inflexible planning standards, in order to make the best and efficient use of land, I do not consider that the new development would be unacceptably close to the existing dwellings.

13. The main slope of the roof would fall away from the existing properties in McCarthy Way. Thus, there would be a greater separation distance between the existing dwellings and the roof of the development, which is the part of the proposed bungalow that I consider would have the greatest impact on neighbours. Furthermore, it is my opinion that the siting of the development in relation to numbers 78 and 80 and its half-hipped roof form would provide adequate space around the dwelling, which would preserve a sense of openness and outlook in views from the rear of those adjoining houses. I consider also, that those features of the development would significantly reduce the dominance of its roof, in views from the neighbouring properties. In addition, the trees growing along the eastern boundary of the site would partly screen the development, especially in the summer and autumn, when they are in leaf. From the plans submitted with the application and from my inspection of the site, it appears to me that the development would be clear of the spreads of their canopies. Their retention and protection during the construction works could, therefore, be conditioned.

14. From my views of the site, from within the dwellings and the gardens at numbers 78 and 80 McCarthy Way, I do not consider that either the proximity or the mass of the development would create a perception of enclosure within those adjoining dwellings, or from their gardens. It is my opinion that, although it would be clearly visible, the development would not have an unacceptably overbearing impact on neighbouring occupiers. Nor do I consider that it would result in significant overshadowing of their homes or gardens.

15. I have taken into account the views of the Inspector, concerning an outline planning application for residential development at the appeal site, reference

T/APP/X0360/A/99/1031876/P8. But in my opinion, the specific details of the development that is before me, clearly indicate that the proposed single-storey dwelling could be erected on the site without causing unacceptable harm to the living conditions of the nearby residents.

16. I conclude that the development would not be significantly detrimental to the living conditions of occupiers of neighbouring dwellings located in McCarthy Way. I also conclude that it would not conflict with Policies SBE1 or SBE2 of the adopted Local Plan, or with Policies WBE1, WBE2 or WOS3 of the emerging Local Plan.

Other Matters

17. Many local residents consider that the development would be detrimental to highway safety, because it would give rise to vehicles being parked on the highway, which would cause obstruction and congestion on this part of McCarthy Way, which is the main access into the estate. However, the Highways Authority does not object to the development, subject to the imposition of conditions concerning parking and turning within the site. From what I have read seen and heard, I have no reason to disagree with its professional opinion. Subject to the provision of adequate parking and turning within the site, I do not consider that the development or its associated vehicular access would be significantly detrimental to highway safety.

18. Residents and the Finchamstead Parish Council are additionally concerned that approval of this development could create a precedent for other proposals for infill development in the locality, including at the land opposite the site, on the southern side of McCarthy Way. However, the Council's planning policies are generally permissive towards infill development provided that it does not adversely effect the character of the area, the amenity of neighbouring occupiers or highway safety. It would, therefore, be for the Council to consider any other planning applications on their own particular merits, in the light of the Development Plan and all other material considerations. Therefore, I do not consider that precedent is a good reason to refuse planning permission, in this case.

19. Queries have been raised concerning the ownership of the site, but I am satisfied that the procedures concerning notification of people having an interest in the land have been correctly observed. In any case, the granting of planning permission for the development would not override normal property rights.

20. I have taken into consideration all of the other matters raised in the representations and at the Hearing, but none are sufficient to outweigh those that have led to my conclusions on the main issue.

Conditions

21. I have considered the conditions suggested by the Council, in the light of advice contained in Circular 11/95, *The Use of Conditions in Planning Permissions*. In my opinion, a condition regarding the external materials is necessary, to ensure that the development harmonises with the locality. In order to safeguard the living conditions of neighbours, I consider that it is necessary for the Council to retain control over any future extensions to the bungalow and to alterations to its roof. In order to safeguard visual and residential amenity, I consider that it is necessary to protect, during the period of construction, existing trees that are to be retained and to ensure that the front garden area is adequately landscaped. I agree that, in order to avoid the necessity of cars being parked or reversed onto the highway, conditions are required to ensure the provision of adequate on-site parking and turning. For the

avoidance of doubt, and in order to safeguard the living conditions of nearby neighbours, I consider that it is necessary that the slab level of the dwelling be agreed with the Council, prior to the commencement of the development. Also, that it be conditioned that the ridge of the roof of the bungalow shall not be more than 5.6 metres above the approved slab level, as agreed by the main parties at the Hearing. For clarity, I have amended the wording of some of the Council's suggested conditions.

22. However, taking into account the close proximity of the fence and trees growing along the eastern boundary of the site, that are to be retained, I consider that it is unnecessary to condition the obscure glazing of bathroom windows, in order to safeguard privacy. I have no information to indicate that the construction works would give rise to significant nuisance to nearby residents, thus I do not intend to impose the Council's suggested hours of work condition. The deposition of mud and similar debris on the highways could be controlled by highways legislation. I do not, therefore, intend to duplicate that control by a planning condition.

Conclusion

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

Formal Decision

24. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for a two bedroom, single-storey dwelling with an integral garage, at land adjoining 30-32 Nash Grove Lane, Finchamstead, Wokingham, in accordance with the terms of the application Ref. F/2000/2671 dated 20 October 2000, and the plans submitted therewith, subject to the following conditions.

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

2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development 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.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings, extensions or alterations permitted by Classes A, B, C and E of Part 1 of the Second Schedule of the Order 1995 shall be carried out without the prior written permission of the local planning authority.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or similar openings shall be inserted in the roof of the development hereby authorised without the prior written permission of the local planning authority.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the garage 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 use, or as a habitable space without the prior written permission of the local planning authority.

6) The development hereby authorised shall not be occupied until space has been laid out within the site in accordance with drawing No 2295/04/B for parking and for vehicles to turn, so that they may enter and leave the site in a forward gear. The vehicle parking and turning area shall be permanently retained for those purposes.

7) No development shall take place until full details of landscape works have been submitted to and approved in writing by the local planning authority. These details shall show all existing trees and hedgerows growing on the land and shall include the retention of trees growing adjacent to the eastern boundary of the site, together with measures for their protection for the duration of the construction works. The landscape works shall also include details of new planting to be provided within the front garden area of the development.

8) The approved scheme of tree protection shall be provided prior to the commencement of the development hereby authorised and the approved scheme for new planting shall be implemented, in full, during the first planting season following the first occupation of the building, or the completion of the development, whichever is the sooner.

9) If within a period of five years from the date of the planting of any tree or plants included in the approved landscape scheme, any tree or plant originally planted, or planted in replacement for any tree or plant planted, is removed, uprooted or is destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, it shall be replaced by another tree or plant of the same species and size as that originally planted, during the next planting season, unless the local planning authority gives its written approval to any variation.

10) Prior to the commencement of the development hereby authorised details of the slab level of the building shall be submitted to and approved in writing by the local planning authority. The constructed development shall not vary from the approved level and the ridge height of the bungalow shall not exceed 5.6 metres above the approved level.

Information

25. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.

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

27. 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.

S. C. Bussey

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Mark Leedale MSc DipTP BEd(Hons) MRTPI	Planning Consultant for the Appellants-of Gregory Gray Associates, 'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL

FOR THE LOCAL PLANNING AUTHORITY:

Mr John Mitchell DipTP MRTPI	Development Control Manager for Wokingham District Council

INTERESTED PERSONS:

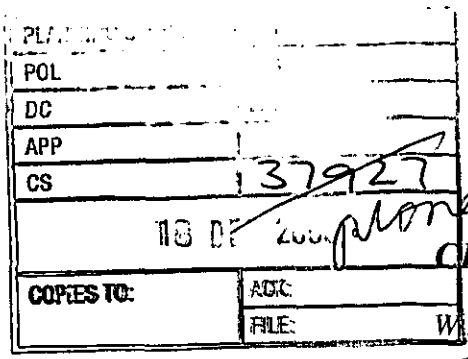
Councillor Roland Cundy	Ward Councillor, Bumbles, Longwater Lane, Finchamstead, Berks. RG40 4NX
Mr George Armitage	Fernlea Residents' Association 80 McCarthy Way, Finchamstead, Wokingham.
Mr Ken Ramsden	82 McCarthy Way, Finchamstead, Wokingham.

DOCUMENTS:

Document	1	List of persons present at the Hearing
Document	2	Letter of notification of the Hearing and responses received
Document	3	Appellants' statement and appendices
Document	4	Council's statement and appendices
Document	5	Representations to Policy WBE1 submitted at the Hearing by the Council
Document	6	Letter authorising entry onto third party land submitted at the Hearing by Mr G Armitage

PLANS:

Plans	A-C	Application plans
Plan	D	Drawing number NL/01/221/04/A substitution for drawing number NL/01/221/04 of Appellants' Appendix 10, submitted at the Hearing by the Appellants
Plan	E	Drawing number NL/01/221/05/A substitution for drawing number NL/01/221/05 of Appellants' Appendix 11, submitted at the Hearing by the Appellants





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

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

1 Rectory Road,
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Berkshire, RG40 1DJ
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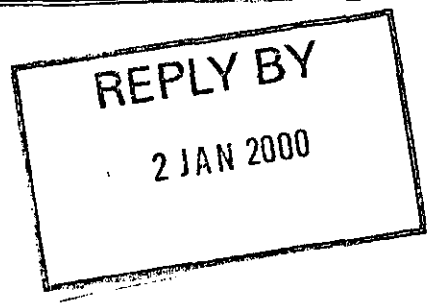

Ref: 2295/wmg/cm

14 December 2000

The Director of Planning
& Technical Services
Planning Department
Wokingham District Council
PO Box 157
Civic Offices
Shute End
Wokingham RG40 1WR

For the attention of Mr J Mitchell

Dear Sir

LAND BETWEEN 30-32 NASHGROVE LANE FINCHAMPSTEAD

With reference to town planning application No. F/2000/2671 for the above we note from your letter of 7 November 2000 that the determination date is 20 December 2000.

We would therefore ask if we are on course to meet this date and be pleased if you could let us know the current progress of the application.

Yours faithfully

W M Graham

FAX & Letter

Gregory Gray Associates
CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU52 7SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

29 JAN 2001
39238

REPLY BY
12 FEB 2001

J. Mitchell Esq.,
Head of Development Control,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire, RG40 1WR.

29th January 2001
Our Ref: NL/01/221

0118 974 6484 (1 page)

Dear Mr. Mitchell,

PROPOSED ERECTION OF A BUNGALOW
30 – 32 NASHGROVE LANE, WOKINGHAM.
F/2000/2671

I write further to our telephone conversation on Tuesday 16th. At this time you undertook to telephone me to confirm whether the application would be reported to committee on 7th January or would be delegated. May I assume that the application will now be reported to committee as per your assurance? Perhaps you would telephone me as I have had some difficulty in contacting you.

Yours sincerely,

Mark Leedale

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU52 7SL.
Telephone: 01252 624004 Fax: 01252 684160
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J. Mitchell Esq.,
Head of Development Control,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire, RG40 1WR.

17th January 2001
Our Ref: NL/01/221

0118 974 6484 (2 pages)

Dear Mr. Mitchell,

PROPOSED ERECTION OF A BUNGALOW
30 – 32 NASHGROVE LANE, WOKINGHAM.
F/2000/2671

We act for the applicant in respect of this matter. I write further to our telephone conversation on Tuesday afternoon.

Having studied the file and planning history I make the following comments:

(1) The application falls to be determined in accordance with development plan policy SH1. Emerging Local Plan Policy WH1 is also material and is identical in wording to Policy SH1. With regard to the sub categories the site is enclosed and does not have any material impact on the open character of the locality or surrounding countryside. There is adequate garden space and space about the proposed building as well as off street parking in accordance with your Councils adopted standards. In this context I note that there are no objections from your senior arboricultural officer or highways engineers. As such, and for the reasons set out below, there are no material considerations beyond the development plan policy to justify withholding planning permission.

(2) Turning to planning history, I have examined the refusal of detailed planning permission for a four-bedroom dwelling and the appeal decision pertaining to an outline application with all matters reserved. I think it reasonable to conclude from the appeal decision that two-storey development on the site would be difficult to accommodate without causing material harm to the occupiers of numbers 78 and 80 McCarthy Way. However, and critically, the proposal before the Inspector failed to produce any evidence that single storey development could be accommodated on the land in question. Where he had doubts was in respect of the larger footprint, its impact in terms of the areas of roof and proximity to trees along the eastern boundary which may result in their removal.

All of these matters are addressed by my Clients current proposal which is to be situated 4 metres from the common boundary with numbers 78 and 80 McCarthy Way. By reducing the roof pitch and limiting accommodation an acceptable form of development is proposed. As a result and given its juxtaposition to numbers 78 and 80 McCarthy Way, there will be no material loss of amenity.

(3) Significant weight must be afforded to revised PPG3 given increased emphasis on the use of urban sites to satisfy housing land requirements. Indeed your emerging Local Plan is predicated on the basis of windfall sites providing 760 dwellings within the remaining years of the plan period. Whilst I accept that the circumstances of the particular case are material, there is no demonstrable harm and in this instance re-use of urban lands is clearly acceptable in accordance with the guidance.

(4) I have studied the numerous letters from third parties. Their objections may be summarised as perceived traffic hazards; previous refusals setting a precedent; over development of the area; and removal of trees. As set out above there is no objection from your professional officers in terms of landscape or highway matters. Importantly, the previous Inspector has not ruled out the principle of development on this site. Rather he did not have the benefit of a scheme before him to judge its impact. It is on the basis of the Inspectors comments that the current scheme has been conceived.

Bearing in mind the foregoing we trust that the application will be reported to committee on the 7th February with a recommendation for the grant of permission. If you require any further details please do not hesitate to contact me.

Yours sincerely,



Mark Leedale

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS

'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU52 7SL.

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23 JAN 2001	
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J. Mitchell Esq.,
Head of Development Control,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire, RG40 1WR.

17th January 2001
Our Ref: NL/01/221

0118 974 6484 (2 pages)

Dear Mr. Mitchell,

PROPOSED ERECTION OF A BUNGALOW
30 – 32 NASHGROVE LANE, WOKINGHAM.
F/2000/2671

We act for the applicant in respect of this matter. I write further to our telephone conversation on Tuesday afternoon.

Having studied the file and planning history I make the following comments:

(1) The application falls to be determined in accordance with development plan policy SH1. Emerging Local Plan Policy WH1 is also material and is identical in wording to Policy SH1. With regard to the sub categories the site is enclosed and does not have any material impact on the open character of the locality or surrounding countryside. There is adequate garden space and space about the proposed building as well as off street parking in accordance with your Councils adopted standards. In this context I note that there are no objections from your senior arboricultural officer or highways engineers. As such, and for the reasons set out below, there are no material considerations beyond the development plan policy to justify withholding planning permission.

(2) Turning to planning history, I have examined the refusal of detailed planning permission for a four-bedroom dwelling and the appeal decision pertaining to an outline application with all matters reserved. I think it reasonable to conclude from the appeal decision that two-storey development on the site would be difficult to accommodate without causing material harm to the occupiers of numbers 78 and 80 McCarthy Way. However, and critically, the proposal before the Inspector failed to produce any evidence that single storey development could be accommodated on the land in question. Where he had doubts was in respect of the larger footprint, its impact in terms of the areas of roof and proximity to trees along the eastern boundary which may result in their removal.

All of these matters are addressed by my Clients current proposal which is to be situated 4 metres from the common boundary with numbers 78 and 80 McCarthy Way. By reducing the roof pitch and limiting accommodation an acceptable form of development is proposed. As a result and given its juxtaposition to numbers 78 and 80 McCarthy Way, there will be no material loss of amenity.

(3) Significant weight must be afforded to revised PPG3 given increased emphasis on the use of urban sites to satisfy housing land requirements. Indeed your emerging Local Plan is predicated on the basis of windfall sites providing 760 dwellings within the remaining years of the plan period. Whilst I accept that the circumstances of the particular case are material, there is no demonstrable harm and in this instance re-use of urban lands is clearly acceptable in accordance with the guidance.

(4) I have studied the numerous letters from third parties. Their objections may be summarised as perceived traffic hazards; previous refusals setting a precedent; over development of the area; and removal of trees. As set out above there is no objection from your professional officers in terms of landscape or highway matters. Importantly, the previous Inspector has not ruled out the principle of development on this site. Rather he did not have the benefit of a scheme before him to judge its impact. It is on the basis of the Inspectors comments that the current scheme has been conceived.

Bearing in mind the foregoing we trust that the application will be reported to committee on the 7th February with a recommendation for the grant of permission. If you require any further details please do not hesitate to contact me.

Yours sincerely,



Mark Leedale

Recd 8·45AM 10/11/00

CHARTERED WMG ARCHITECTS

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

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CS 36352
10 NOV 2000
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Ref: 2295/wmg/cm

9 November 2000

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

For the attention of Mr J Mitchell

Dear Mr Mitchell

LAND BETWEEN 30-32 NASHGROVE LANE FINCHAMPSTEAD

With reference to the above and application No F/2000/2671 please find enclosed six copies of Dwg. No. 2295 - 04B showing the details as requested.

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

Yours sincerely

W M Graham

Enc

44 1344 489 967

MILLGATE HOMES

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	12 JAN 2001
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	FILE:

MILLGATE COURT, TERRACE ROAD NORTH
BINFIELD, BERKSHIRE, RG42 5HZ

TEL: 01344 489966 FAX: 01344 489967

FACSIMILE TRANSMITTAL SHEET

REPLY BY
26 JAN 2001

TO: John Mitchell FROM: Greg Meier

COMPANY: Wokingham DC. DATE: 11/01/01.

FAX NO: 01189746404 NO OF PAGES: (2)

PHONE NO: RE: Winnersh Grove

URGENT ☐ PLEASE REPLY ☐ REF:

Please reply to the attached by return.

Many thanks.

44 1344 489 967

MILLGATE HOMES

MILLGATE COURT, TERRACE ROAD NORTH,
BINFIELD, BERKSHIRE RG42 5HZ
Telephone: (01344) 489966
Fax: (01344) 489967

John Mitchell
Head of Department of Planning
Wokingham District Council
Shute End
Wokingham
Berkshire

Ref:GM/SC/66
11th November 2000

Dear Mr Mitchell,

RE: FLATS AT WINNERSH GROVE, WINNERSH, BERKSHIRE

Again I have been finding it difficult contacting you over the phone, and hope that this letter will speed matters up in relation to the outstanding Planning Condition relating to the acoustic vents asked for by the Environmental Health Department.

Further to our telephone conversation last week, you confirmed that you would be in a position to conclude this matter by the early part of this week, so that we could make provision for any necessary work. It is Thursday afternoon, and to date we have not heard back from you, stressing the urgency in which this has to be agreed.

You had indicated when we last spoke, that acoustic vents would probably not be necessary, within the front fascade of the above flats along Reading Road, and that you would find it difficult to enforce this. We are pleased with these positive views, however we would appreciate your written confirmation to this as a matter of up-most urgency.

As explained to you, the building works are nearing completion, with a large number of flats now reserved by prospective purchasers, and any work that would be necessary to install these mechanical acoustic vents would of caused severe disruption, and time delay in the final completion of the block. We have found it unreasonable why we were asked to install these vents, bearing in mind the recent developments that have been completed further down Reading Road which do not have any provision for these type of vents.

As previously confirmed to yourself, and the Environmental Department, we are providing a 2 metre high close boarded fence along the road frontage which will provide good sound screening from the main road, and that the building is constructed to current Building Regulation standards, including double-glazed windows, 280mm cavity wall construction and solid concrete floor construction, which all help to provide good acoustic insulation.

Finally, as previously pointed out to you, we do require your written acceptance to our recent letters, confirming that this particular condition number 11 is discharged immediately. Due to the urgency to complete this matter, if we have not heard from you within the next five days, from the date of this letter we shall assume matters have been resolved, and that no acoustic vents will be required to this building.

We look forward to your reply by return.

Yours sincerely



GREG MEIER Dip.Arch.RIBA
Chief Architect

MILLGATE
HOMES

MILLGATE COURT, TERRACE ROAD NORTH,
BINFIELD, BERKSHIRE RG42 5HZ
Telephone: (01344) 489966
Fax: (01344) 489967

PLANNING SERVICES
HPT
TLS
EPF
38639
ACK:

John Mitchell
Head of Department of Planning
Wokingham District Council
Shute End
Wokingham
Berkshire

REPLY BY
26 JAN 2001

Ref:GM/SC/66
11th November 2000

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We look forward to your reply by return.

Yours sincerely



GREG MEIER Dip.Arch.RIBA
Chief Architect

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: F/2000/2671

Our Ref: APP/X0360/A/01/1059239

Date: 5 March 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D DEAN
SITE AT 30-32 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM

I am writing to tell you that we propose to hold a hearing into this appeal at 10:00 on Tuesday 5 June 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.

— confirmed by phone 07/03/01 DG.

You can reply to me by telephone or letter. If I do not hear from you by 14 March 2001, 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.

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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.*

Memo to: Trees & Enforcement **23.1.02**

From: Angela Odell

F/2002/2671 – REAR OF 30-32 NASHGROVE LANE, FINCHAMPSTEAD

Please see attached letter and monitor the situation. In particular the writer is concerned that trees may be removed before the applicants can be stopped.

SUGGESTED CONDITIONS
30-32 NASH GROVE LANE

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

Reason - to comply with section 91(1) of the Town and Country Planning Act 1990

2. Details of materials shall be submitted to and approved in writing by the local planning authority prior to the commencement of development

Reason - to ensure that the external appearance of the building is satisfactory

3. Immediately following the implementation of this permission, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no buildings, extensions or alterations permitted by classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out without the prior written permission of the local planning authority

Reason - to safeguard the character of the premises and the residential and visual amenities of the occupiers of adjoining properties

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no additional windows or similar openings shall be constructed in the roof of the building hereby permitted. wo perm in writing of LPA

Reason - to safeguard the residential amenities of the occupiers of neighbouring properties

5. The windows indicated as serving bathrooms or w.c.'s shall not be at any time glazed other than with obscured glass and be permanently so retained thereafter

Reason - to safeguard the residential amenities of the occupiers of nearby properties

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the garage accommodation 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

Reason - to ensure that adequate parking space is available on the site and reduce the likelihood of roadside parking

7. Works related to the construction of the development hereby approved, including preparation prior to building operations, shall not take place other than between the hours of 8am and 6pm Mondays - Fridays, 8.30am - 1pm on Saturdays and not at all on Sundays or bank and National Holidays ✓

Reason - to protect the occupiers of neighbouring properties from noise and disturbance outside the permitted hours during the construction period.

8. No part of any building hereby permitted shall be occupied or used until the vehicle parking and turning space herein approved has been provided. The vehicle parking and turning space shall be permanently maintained and used for no other purposes

Reason - to enure a satisfactory form of development and to avoid adverse effect on the public highway in the interests of highway safety

9. Precautions shall; be taken for the duration of the construction period to prevent the deposit of mud and similar debris including blown litter on the adjacent public highways in accordance with details to be submitted to and approved in writing by the local planning authority. The provision shall be maintained and used at all times. ✓

Reason - in the interests of highway safety and convenience.

10. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall include indications 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: the approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the building hereby approved and retained ✓

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or completion of the development (whichever is the sooner) and any trees or plants which die within a period of 5 years from the completion of the landscaping, or are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size or species ✓

Reason for 10 and 11 - in the interests of visual amenity

12 Prior to the commencement of development details of slab levels of the building hereby approved shall be submitted to and approved in writing by the local planning authority. The constructed development shall not vary from the approved levels ✓

- Height to be no more than 5.6m

Reason - In order to ensure a satisfactory form of development relative to surrounding buildings and landscape

WORK SHEET FOR : John Mitchell

Application Number : F/2000/2671

Applicant : The Owner C/O W M Graham Associates.

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

Proposal : Proposed erection of dwelling.

Site Notice Displayed ? :	YES	NO	DATE
	✓		

Date of Neighbour Notifications : .....

Date of Site Visit : 8/11/00 and 3/1/01 (Nbrs)

Date Registered : 25/10/2000

Earliest Date for Decision : 01/12/2000

Latest Consultation Date/Site Notice Expiry Date : 01/12/2000

This application will have expired on: 20/12/2000. You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses :

Env Health - Construction Hours condition
Highways - No objs subject to s278.
Landscape - Tree Officer - no objs subj replacing lost trees

letters of objection
Petition against

PC Object

Planning Issues :

Effect on street scene
Effect on amenity of neighbouring occupiers
Previous appeal decisions on planning history

REFUSED

Application Number: F/2000/2671

Appraisal :

1. Street Scene.
The street scene is characterised by a mixture of houses and bungalows. The proposed bungalow would be compatible with the house types in the vicinity but would appear "shoehorned" into the site.

2. Effect on amenity.
The development would be satisfactory in terms of its relationship with Nos 30/32 Nash Grove Lane. However, it would be unacceptable in relation to the houses at 78/80 Mc Carthy Way. While effort has been made to try and overcome the Inspectors decision on 7010¢ it is considered that the strong objections in relation to these two properties remain.

3 Previous appeal decision and history
The appeal decision concerned an outline application with no supporting information, & while the legislation allows us to refuse to entertain a similar application (with 2 years) I considered it was sufficiently different to validate it.
The app
~~I also gave~~ advice that the proposal might be acceptable was given before the Case Officer had seen the site from neighbouring properties

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

REFUSED

Application Number F/2000/2671
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			Due to the proposed development, by virtue of its close proximity to existing residential properties, would have an unacceptably overbearing effect and cause unacceptable to the detriment of the amenity of their occupiers, contrary to SEALP policy SBE2 and DWDLP policy WBE1

Informative for approvals	
N16	
LODDON AREA LOCAL PLAN POLICIES:	
SOUTH-EAST AREA LOCAL PLAN POLICIES:	SBE1, SBE2
WOKINGHAM DISTRICT LOCAL PLAN POLICIES:	WBE1 WBE2 WBE3
GREEN BELT LOCAL PLAN POLICIES:	
BERKSHIRE STRUCTURE PLAN POLICIES:	GN1
MINERALS LOCAL PLAN POLICIES:	

REFUSED

1/2/01

RECORD OF SITE VISIT

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

APPLICATION NUMBER: F/2000/2671

OFFICER: John Mitchell

DATE OF SITE VISIT: 8/11/00 3/11/01

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes

2. DESCRIPTION OF SURROUNDINGS Established residential - mixture of houses & bungalows / chalets. Houses in McCarthy Way have short back gardens.

3. DESCRIPTION OF SITE/BUILDING Rear gardens of 30 & 32 Nash Grove Lane. ~~There are~~ 32 has been fenced off.

4. RELATIONSHIP TO ADJOINING PROPERTIES 76, 78 & 80 McCarthy Way about the site, rear elevations face site, No 8 has no f.f. rear windows. Back gardens of 30 & 32 N.G. Lane truncated.

5. SITE CONSTRAINTS

TREES Some already felled - neighbours report considerable clearance prior to ~~present~~ one of the previous applications

ACCESS/PARKING None at present

LEVELS flat.

BOUNDARY TREATMENT Larch lap 1.8m fencing

OTHERS I viewed the site from 78 & 80 McCarthy Way & 32 Nash Grove Lane.

REFUSED

ADDITIONAL NEIGHBOUR CONSULTATION SHEET

APPLICATION NUMBER: F/2000/2671
CASE OFFICER: John Mitchell

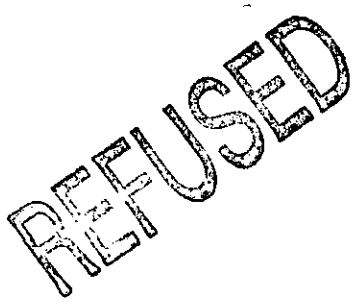
ADDRESS OF ADDITIONAL NEIGHBOUR CONSULTATION	NUMBER OF DAYS FOR RESPONSE	DATE LETTER ISSUED (for Admin use)

REFUSED

Applicationo	Name & Address
F/2000/2671	P Woods 47 Jerrymoor Hill Wokingham RG40 4UG
F/2000/2671	A & V Buckland 11 Jerrymoor Hill Wokingham RG40 4UG
F/2000/2671	Mr & Mrs E Parr 38 Mornington Ave Finchampstead RG40 4UE
F/2000/2671	Mr C Timbers 5 Jerrymoor Hill Finchampstead RG40 4UG
F/2000/2671	J Thwaite 98 McCarthy Way Finchampstead RG40 4UA
F/2000/2671	Mrs J Siney 48 Jerrymor Hill Wokingham RG40 4UG
F/2000/2671	Mrs C Roberts 10 Challenor Close Wokingham RG40 4UJ
F/2000/2671	Mr & Mrs P Jones & Misses S & T Jones 14 Burnt Oak Finchampstead Wokingham RG40 4UQ
F/2000/2671	Mrs E Holmes 38 Wild Briar Finchampstead RG40 4UL
F/2000/2671	M Hood 40 McCarthy Way Wokingham RG40 5UA
F/2000/2671	Mr I Kieleff 2 Willowdale Finchampstead RG40 4UF

OPPOSED

F/2000/2671	J M Jacobs 27 Radical Ride Wokingham RG40 4UH
F/2000/2671	D & E Shortell Senora 12 Burnt Oak Wokingham RG40 4UQ
F/2000/2671	Mrs C Wilkinson 14 Willowdale Wokingham RG40 4UF
F/2000/2671	M Edwards 15 Wild Briar Finchampstead RG40 4UL
F/2000/2671	Mrs L Sinclair 33 Tickenor Drive Wokingham RG40 4UD
F/2000/2671	Miss C le Maistre & Mr N Waters 66 McCarthy Way Finchampstead RG40 4UA
F/2000/2671	Mrs H Wardale 59 Jerrymoor Hill Finchampstead RG40 4UG
F/2000/2671	Mrs C Merritt 15 the Spinney Finchampstead RG40 4UN
F/2000/2671	The Owner/Occupier 2 Jerrymoor Hill Finchampstead RG40 4G
F/2000/2671	J & J Dunkley 5 Burnt Oak Finchampstead RG40 4UQ
F/2000/2671	S Chater 10 McCarthy way Finchampstead RG40 4UA
F/2000/2671	Mr Y Siddiqui 22 Radical ride Finchampstead RG40 4UH



F/2000/2671	T W Best 3 Jerrymoor Hill Finchampstead RG40 4UG
F/2000/2671	A Clark 10 Mornington Crescent Finchampstead RG40 4UE
F/2000/2671	Ms J Ralph 77 McCarthy Way Finchampstead RG40 4UA
F/2000/2671	A Slade 22 Jerrymoor Hill Finchampstead RG40 4UG
F/2000/2671	J Goss 35 The Spinney Finchampstead Rg40 4UN
F/2000/2671	M Finch 24 Wild Briar Wokingham RG40 4UL
F/2000/2671	C Evans 35 Nash Grove Lane Finchampstead RG40 4HE
F/2000/2671	Mr & Mrs G Armitage & Petition 80 McCarthy Way Finchampstead RG40 4UA
F/2000/2671	The Owner/Occupier 107 McCarthy Way Finchampstead Rg40 4UB
F/2000/2671	The Owner/Occupier 7 Radical Ride Wokingham RG40 4UH
F/2000/2671	Mrs S Perry 90 McCarthy Way Finchampstead RG40 4UB
F/2000/2671	J & T Ismail 9 Radical Ride Finchampstead RG40 4UH

FILLED

F/2000/2671	M Webster 128 McCarthy Way Wokingham RG40 4UB
F/2000/2671	R & S Burne 32 Nashgrove Lane Finchampstead RG40 4HD
F/2000/2671	Mr P Stoneman 5 Radical Ride Finchampstead RG40 4UH
F/2000/2671	A Fleett 19 Challenor Close Wokingham Berks
F/2000/2671	Miss S Perkins 20 Morington Ave Finchampstead RG40 4UE
F/2000/2671	S & R Raines 78 McCarthy Way Wokingham RG40 4UA
F/2000/2671	J Bailey 56 McCarthy Way Wokinghham RG40 4UA
F/2000/2671	Mr & Mrs Dyster 93 McCarthy Way Finchampstead RG40 4UB
F/2000/2671	Mrs G Stevens 11 Wild Briar Finchampstead RG40 4UL
F/2000/2671	K Parker 4 Elgarth Drive Wokingham RG40 4HH

App. refused letter
sent 08/02/01

REFUSED

HIGHWAYS CONSULTATION SHEET

From: John Mitchell **Date:** 07 November 2000

Application Number: F/2000/2671

Proposal: Proposed erection of dwelling.

Parish: FINCHAMPSTEAD PARISH

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

Applicant:
The Owner C/O W M Graham Associates.

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

✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☑ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☐ Recommend approval with **no** condition(s) or reason(s).

Comments as application no. 1725.

Signed: _____ **Print name:** Adam Coggins.

REFUSED 28/1/00.

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13 NOV 2000
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WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: John Mullaney Environmental Health

To: John Mitchell, Development Control

My Ref: JRM

Your Ref: F/ 2000/2671

Date: 10/11/00

PROPOSAL PROPOSED ERECTION OF DWELLING
ADDRESS: 30-32 NASH GROVE LANE, WOKINGHAM, RG40 4HD

These proposals have been evaluated and I have the following comments:

I recommend that the following conditions be imposed should the application be granted planning consent:

Condition C070

If any clarification on these comments is needed, please do not hesitate to contact me on extension 6395.

John Mullaney

JOHN MULLANEY
ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION AND HOUSING

REFUSED

TO: **DEVELOPMENT CONTROL**
John Mitchell

FROM: Environmental Design

DATE: 05/12/00

Location: 30 – 32 Nash Grove Lane, Finchampstead

Proposal: Proposed erection of detached dwelling

Application Number: F/2000/1725

In response to your consultation dated 7th November 2000 for the above application, the arboricultural comments are as follows:

I have no objections to the proposals.

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

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

Neil Etherington
Senior Arboriculturist

REFUSED

To:
Neil Etherington
Senior Arboricultural Officer

From: John Mitchell

Date: 07 November 2000

Application Number: F/2000/2671 07 NOV 2000

Proposal: Proposed erection of dwelling..

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

Applicant:
The Owner C/O W M Graham Associates.

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

REFUSED

J Mills

FROM: ~~John Mitchell~~ 10 NOV 2000

DATE: 07 November 2000

DELEGATED

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/2671

Proposal: Proposed erection of dwelling..

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

Applicant: The Owner C/O W M Graham Associates.

Your observations are required in respect of this application **by 01/12/2000** .

A application for building on this site was recently turned down and went to appeal. The inspector dismissed the appeal

Reference T/APP/X0360/A/99/1031876/P3.

The Parish totally support the Inspector on dismissing an appeal The same reasons would apply for this new application.

REFUSED

SIGNED: C Scade PP

Clerk To Finchampstead Parish/Town Council.

DATE: 25/11/00

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Ian Jordan

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20 DEC 2000	
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	FILE:

~~NO~~ John Mitchell.

From: WebComments@wokingham.gov.uk
Sent: 19 December 2000 15:24
To: ian.jordan@wokingham.gov.uk
Subject: Comments on Planning Applications

****

NatureofEmail: Object
ApplicationNumber: F/2000/2671
Correspondent_FullName: KEITH PARKER
Correspondent_StreetAddress: 4 ELGARTH DRIVE
Correspondent_Address2: WOKINGHAM
Correspondent_Town: WOKINGHAM
Correspondent_County: BERKSHIRE
Correspondent_PostCode: RG40 4HH
Correspondent_Telephone: 01189 734355
Correspondent_Email:

OBS
2000/2671

Comments:

I assume this has been rejected for the 3rd time. All the traffic in the Spinney/McCarthy estate comes down either this road or mine.Elgarth drive has become a race track for 100s of cars and luckily because no properties front onto McCarthy Way the majority go down this road.If a property were to be built access would be dangerous.The volume of properties is extremely high in the area and the bottle neck for traffic will be even worse.Please say no for good.

Yes, according to the system you are dealing with?

PLANNING SERVICES
WOKINGHAM DISTRICT COUNCIL
PO BOX 157
SHUTE END
WOKINGHAM
RG40 1WR

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS 835	JKM

21 NOV 2000

COPIES TO:

REF: F/2000/2671

E.A.O. MR JOHN MITCHELL

38 WILDBRIAR
FINCHAMPSTEAD
WOKINGHAM
RG40 4UL

20TH November 2000

Dear Sirs

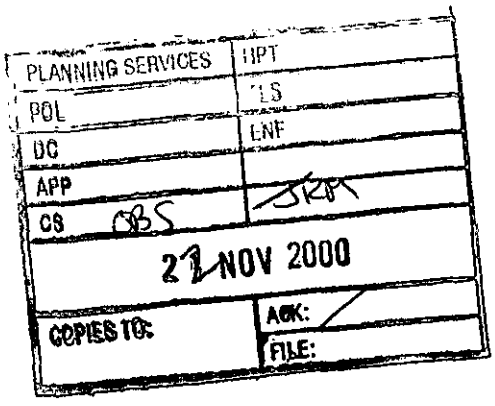
With refrence to the above, pleaase be advised that I would like to object to the planning application, to build a dwelling in the rear gardens of 30 & 32 North Grove Lane fronting onto Mccarthy Way.

I feel that this dwelling would pose a dangerous traffic hazard to this busy access road to the Fordlea Estate. This subsequently would increase the danger to children, pedestrians and motorists. I have already witnessed one accident on this busy road. The removal of trees and lack of space to replace them would also be a significant loss of amenity to this area.

Yours faithfully

E Holmes

MRS E HOLMES



Mrs. C. Rabbs
10, Challenor Close
Wokingham
Berks
RG40 4UJ
November 20. 2000

F.T.A.O. Mr J. Mitchell
Wokingham District Council
Planning Services
P.O Box 157
Shute End,
Wokingham, Berks. RG40 1WR.

Dear Sirs,
Application Nr. F/2000/2671
Site address 30-32, West Grove Lane, Wokingham

I am surprised that the owner of the site applies yet again to build a house on that site. He has been refused twice, and once on appeal. I am last for words that he is allowed to do so.
Here many petitions from the residents of this estate and letters

All objections have to be withdrawn to get the message through.

My view has not changed from the last 2 letters. In my opinion the exit on to the McCarthy way is highly dangerous and I am sure the road will be used for parking by the owners or visitors etc. + secondly this will be a serious road hazard to the traffic by the estate drivers, some 400 odd cars. Furthermore if we can build a house there, what can stop the owners of the house opposite from doing the same. They have been really approached by the applicant.

I respectfully suggest that the application be refused

C. Roberts

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS MS	3104
24 NOV 2000	
COPIES TO:	ACK
	FILE:

66 McCarthy Way
Finchampstead
Wokingham
Berkshire
RG40 4UA
22 November 2000

Mr John Mitchell
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Mr Mitchell,

Ref : F/2000/2671 – Planning application at rear of 30 & 32 Nashgrove Lane

We refer to the above and the recent application to build a property at the rear of 30 and 32 Nashgrove Lane.

The purpose of this letter is to voice our concerns on this matter.

As you may be aware, the Fernlea Estate was built at a time when most households only had the one motor vehicle and therefore there was adequate space for householders to park their vehicles outside their houses without there being a safety problem for other road users and children of the estate.

There is already a situation where an emergency vehicle would experience difficulty in negotiating the estate. There is one clear entrance to the estate, that on McCarthy Way, where the proposed new property would have its' entrance. If there were inadequate parking facilities for this new property or the owners had a number of vehicles (as is common these days) this could lead to vehicles blocking the road for other road users, emergency vehicles, and create an unnecessary hazard for pedestrians crossing the road.

The new property itself may not lead to a major problem for other road users, but it could set a precedent for other new developments in an already highly developed area.

We have recently moved to the area and the attractiveness of the house was that it was not overlooked and, although our neighbouring houses are in close proximity, there is a semblance of tranquillity and of being close to the countryside. There is a lot of wildlife in the surrounding area, and the trees (which would be destroyed if a new property were built) support an ever diminishing bird population. We have a responsibility to future generations to preserve this and if everyone thought that it was okay to remove a couple of trees from their land, we would have none left. It is imperative that we take action now before we are left with the remains of what used to be an attractive part of the country.

To build even more properties in an already saturated area would only add to the tensions which can already exist where householders live too closely to each other and argue over their personal space. People have the right to their own space and not feel like caged animals; to build another property in an area where people already live close enough to each other would only aggravate the situation and make more work for local councillors and local officials when they are called on to deal with a disturbance.

Refusing this application will keep this area in which we live, an attractive and safe place for our children to grow up in. We would also be preserving some part of the countryside for the wildlife with which we should live in harmony, for future generations to appreciate and enjoy.

We trust that you will give the enclosed your consideration when you review the application and hope that you will refuse the application.

Yours sincerely,

Miss C A Le Maistre & Mr N Waters

PLANNING SERVICES	HPT
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24 NOV 2000	
COPIES TO:	ACK:
	FILE:

15 The Spinney
Finchampstead
Wokingham
Berks
RG40 4UN

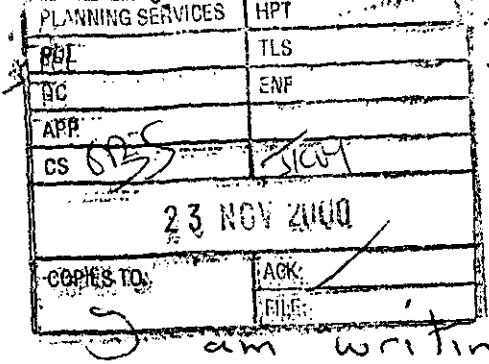
Dear Mr. Mitchell

RE: PLANNING APPLICATION
Mc CARTHY WAY
REF F/2000/2671

We would like to strongly object to the above proposed development being built off Mc Carthy Way

Yours sincerely

D.E. Merritt (Mrs)



3, Jerrymoor Hill
Finchampstead
Berks RG40 4UG

22 Nov. 2000

F/2000/2671

I am writing to object to the planning application to build a dwelling in the rear gardens of 30 & 32 Nash Grove Lane fronting onto McCarthy Way.

Significant over development of this fully developed area.

Removal or damage to trees and lack of space to replace them would be a significant loss of amenity.

Unacceptable overlooking of numerous nearby houses.

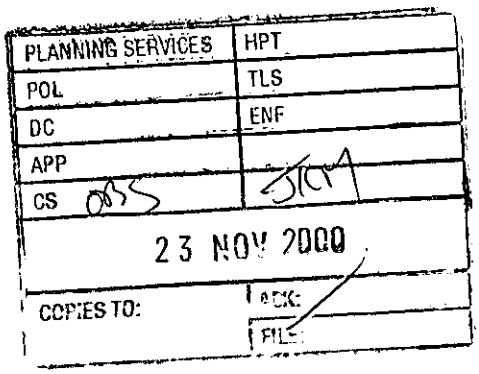
A serious traffic hazard on the main access road to our estate of 450 houses, thereby increasing the danger to children, pedestrians and other road users.

Could set a precedent for a similar development opposite.

Yours faithfully.

T.W. Best

T.W. BEST.



Adrian Slade
22 Jerrymoor hill
Finchampstead
Wokingham
Berkshire
RG40 4UG

17/11/2000

Ref: F/2000/2671

Dear Mr Mitchell,

I am writing to protest the planning application referred to above.

My main concern is that the entrance to the estate via McCarthy way is the main one to an estate of 500 houses. It causes chaos if ever there is a service vehicle (Gas/BT/SEB) parked on that section of road, to allow the constant possibility of having a car parked in that road would be incredibly naive planning and create a constant bottleneck.

I cannot see that you can permit planning for a property to front onto McCarthy way without a restriction in access to the estate. Not only will it cause serious congestion but it will also increase the traffic hazard on an already busy access road.

The estate is already fully developed and mature, residents will not gain from any further development and will only suffer should this permission be granted.

I do not hold anything against No 30 & 32 Nasgrove lane but they or the builder who may be applying on their behalf will not suffer if this planning permission is granted, but all the residents of the Fernlea estate will...

Sincerely,

A.Slade

Ref 7/2000/2671

JEAN & JOHN DUNCKLEY
5 BURNT OAK
FINCHAMPSTEAD
WOKINGHAM, BERKS
RG40 4UQ
01189 731680

Mr John Mitchell
Planning Services
Wokingham District Council

PLANNING SERVICES | HPT
DC | TLS
DC | ENF
AMD | GS
21 NOV 2000
COPIES TO: | ACT:
FILE:

Dear Sir,

I write to you as a member of the Dearlea Residents Association re: planning application on McCarthy Way. As one application has already been licensed down, it is important that the others again. The site in question is on the only entrance to the whole development, and as this is already hazardous at certain times of day, any further

development would only make matters worse. I object strongly any action being given to any building on this area.

Yours Sincerely,

John H. Duncklee

PLANNING SERVICES	HPT
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20 :	
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2 Willowdale
Finchampstead
Berkshire
RG40 4UF

17th November

Ref: F/2000/2671
Subject: Planning applications on McCarthy Way

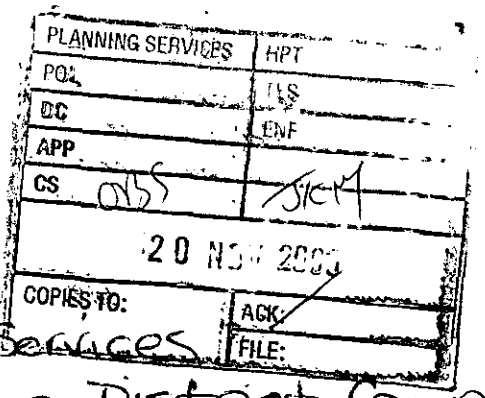
Dear Mr Mitchell

I understand there has been a planning application to build a dwelling in the rear gardens of 30 & 32 Nash Grove Lane, fronting onto McCarthy Way. As a resident / home owner in the area I am opposed to this application because of the traffic hazard it will create with cars parked on this main access road. I have occaisionally driven down Elgarth Rd (the other access road) and the cars parked on the road are come upon suddenly (due to shortness of road) and hence dangerous as reaction is required.

Additional reasons why this application should be refused are:
- that it could set a precedent for similar development opposite
- over development of the area.
- removal of trees resulting in loss of amenity.

Yours faithfully

Ivan Kileff



14, Willowdale,
Wokingham.
Berkshire.
RG40 4UF.

Planning Services
Wokingham District Council,
P.O Box 157,
Shute end,
Wokingham.
RG40 1WR.

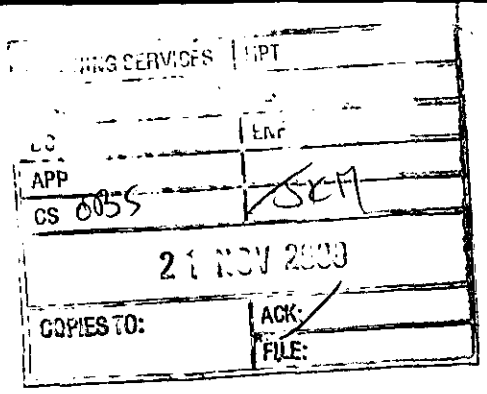
17.11.00.

Dear Mr. Mitchell,

I am writing with regard to planning application Ref: F/2000/2671. I object to the application because I believe that it would cause a serious traffic hazard on the main access road to our estate of which is already conjested with inconsiderate parking. The application could also set a precedent for a similar development opposite and I think that this would be a significant over development of this already fully developed area.

yours faithfully

Mrs. C.A. Wilkinson



Mr C P Timbers
5, Jerrymoor Hill
Finchampstead
Wokingham
Berks
RG40 4UG

16.11.2000

RE: Planning Application F/2000/2671

Mr Mitchell,

I would like to voice my objection to the above planning application for a residence fronting onto McCarthy Way at the entrance to the Fernlea Estate, Finchampstead for the following reasons:

- This location is on the very busy entrance to the Fernlea Estate and would cause and unacceptable safety hazard for traffic passing the entrance to the above property and also to children and other pedestrians.

- Acceptance of this application would, no doubt, set a precedence for further development on the opposite side of the road creating even more danger as per the point above.

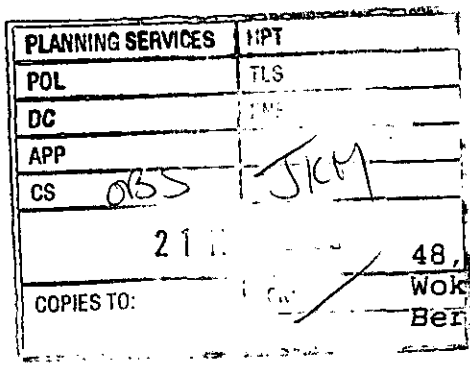
- This area is already well over-developed, further housing would just make this matter worse. We would lose more trees and create a cluttered atmosphere.

This application has already been refused 2 or 3 times now, with appx 90% of the Fernlea community expressing their objection to such a development. Why do we have to keep seeing the same application appearing every 3 months – it's ridiculous!

Yours Sincerely

C P Timbers.

Mr C P Timbers



Tel: 0118 9734566

48, Jerrymoor Hill,
Wokingham,
Berks RG40 4UG

17th. November 2000

Ref: F/2000/2671

Mr. J. Mitchell
Development Control Manager,
Planning Services,
Wokingham District Council,
PO Box 157,
Shute End,
Wokingham RG40 1WR

Dear Mr. Mitchell,

I wish to strongly object to yet another planning application relating to the proposed building of a dwelling at 30-32 Nash Grove Lane.

Presumably, the entrance to the property will be on the small section of McCarthy Way. As this is the main access to the estate of more than 400 homes in this fully developed area, disruption is inevitable.

During the building of this unit there may well be a serious traffic hazard caused by the contractors' vehicles. This could also endanger pedestrians, especially children.

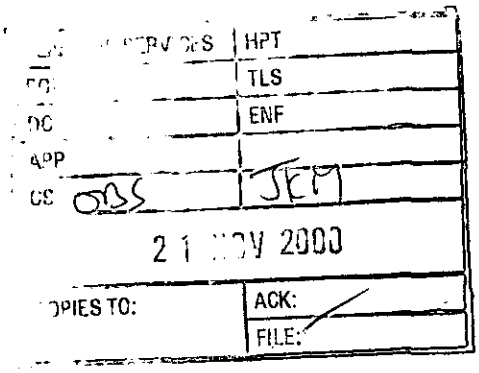
Should the house be built, the additional entry onto McCarthy Way would still cause some congestion. Additionally, I would imagine that this would compromise the privacy of the existing houses adjacent to the proposed plot.

Approval of this application could well set a precedent for similar development.

Yours sincerely,

J. Siney

J. Siney (Mrs)



10 McCarthy Way
Finchampstead
Wokingham
Berkshire
RG40 4UA

21 November 2000

Re: Planning Application on McCarthy Way

Dear Mr Mitchell

I would like to record my personal objection to the planning application submitted to build a dwelling in the rear gardens of 30 & 32 Nash Grove Lane, which will front onto McCarthy Way.

I have concerns that should this application be approved and a dwelling is built that it could set a precedent for similar developments in the surrounding area.

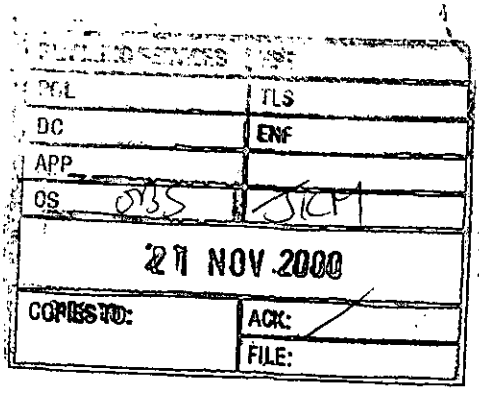
I have particular concerns that it could set a precedent for builders gaining approval to build at the rear of my property in McCarthy Way. I am aware that applications have been made in the past and that to date they have been rejected. I would be extremely concerned if a large development was approved, as it would create a significant over development of this developed area.

Please do not hesitate to contact me if you would like to discuss this matter

Yours sincerely

Stephen Chater

Ref: F/2000/2671
Mr John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
RG40 1WR



Mr Werni Huczok
40 Mornington Ave
Wokingham
Berkshire, RG40 4UE

19th November 2000

Mr John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
Berkshire, RG40 1WR

Ref: F/2000/2671

Dear Sir,

I have lived on the Fernlea Estate for twenty-six years and have seen this area evolve from one with one-car families to a current two to three car families. The way some people park their cars on the roads is unbelievable. This makes it very difficult for emergency vehicles to enter this estate. Because of this I feel that further housing development would increase this potential hazard. McCarthy Way is the main entrance/exit for the whole estate. The other entrance/exit is at Elgarth Road, which I understand people avoid due to the way the people park their cars.

The building of additional houses on McCarthy Way will (in the future) end up the same as Elgarth Road, where it will also be awkward for emergency vehicles to enter the estate. By introducing local parking restrictions to prevent this happening will only be a waste of funds because they will only be ignored as they are at present.

Why do builders want to cram another house or two in a very short road like McCarthy Way? Do they take into consideration the hazard this will cause in the future? Or are they wondering if it's possible to build further houses on the opposite side.

This letter states my objection to this Planning Application.

Yours faithfully,

W. Huczok

PLANNING SERVICES
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21 NOV 2000
HPT
TLS
ENF
SKH
ACK:
FILE:

2 Jaymoor Hill
Finchampstead
Berks RG40 4UG

16.11.00

Planning ref:
F/2000/2677:1

Dear Mr Mitchell

I strongly feel that any more property development along McArthy Way is totally unacceptable It would cause :- traffic hazards, unacceptable overlooking to local residents, the removal of mature trees and development on a fully developt area

Please take all of these matters Into consideration on the planning decision.

Yours sincerely

~~Guy Beck~~ G Beck.

Mr John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
RG40 1WR
Ref. : F/2000/2671

PLANNING SERVICES	HPT
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18/11/00

Dear Sir

I wish to object to the Planning Application that has been submitted to build a dwelling in the rear gardens of 30 and 32 Nash Grove Lane, fronting onto McCarthy Way on the following grounds.

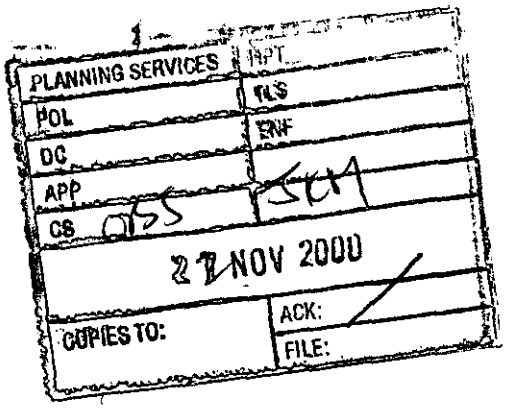
1) A serious traffic hazard would result from the turning of vehicles from the main access road into the entrance of the planned dwelling.
2) Currently I have observed that there is an increased occurrence of parked vehicles in the road and that does create a hazard for other road users. If a dwelling is approved I foresee the regular use of the road for the parking of vehicles. I base this on the greatly increased number of vehicles that I see now being parked in the roads to the right and to the left of this access road since I came to live here some 13 years ago.
3) This main access road is used by a great many parents transporting, or escorting, their children to the local schools. Any occurrence of parked or turning vehicles during the school 'rush hour' will without question give rise to a serious hazard for the children, both tiny and older that have to use or cross this road.
4) The same hazard would exist during the peak times when the great number of car users go to work in the morning or return in the evening.
5) The general area that McCarthy Way feeds is now "more than fully developed". This is especially true on the RHS from number 82+ . The whole area is now close to being turned into a large car park, and this has lead to many vehicles being parked in very hazardous positions, ie. on corners.
6) Any blockage of this access road to emergency vehicles will cause response times to be adversely affected and could lead to the loss of life of those to whom the emergency vehicles are attempting to responding to.
7) There is of course the loss of trees that may occur and this will have an adverse effect on the area, one thing that I am sure many residents had in mind when they chose to move to our area.
8) If this was behind me I would certainly be very dissatisfied.

I hope you take my objections into account when you make your decision, and reject the application.

Your Sincerely

J Thwaite
98 McCarthy Way.

15 Wild Briar
Finchampstead
Wokingham
Berks
RG40 4UL



November 19, 2000

Mr John Mitchell
Planning Service
Wokingham District Council

REF F/2000/12671

Dear Sir

With reference to the planning application that has been submitted for a dwelling in the rear gardens of 30 & 32 Nash Grove lane, fronting onto McCarthy Way.

I would like to bring to your attention that already overdeveloped land in this area. There is already a serious issue with this estate in the fact that most properties have more than one car , and that we already suffer from bad parking . We are in many areas on the estate only able to move around in a single lane because of this situation. This is unacceptable for means of emergency vehicles if there is a need to access this estate.

From my understanding there has been already one application that has been declined . This I believe is now for a single story dwelling, a bungalow. I understand that the reasons for this was the overlooking situation around the bordering properties.

This still leaves the fact that the property will need access to the road which servers already as a main artery for the estate of 450 houses. This small stretch of road is very busy and there are always queues at rush hours getting out onto Nask grove lane.

I would like you take this as an objection for the proposal . I believe that this estate has already been under designed for the amount of people that already life here.

I understand the need for development in the south area but I would not like to see houses placed in such an already heavily populated area.

Sincerely,

Matthew Edwards

PLANNING SERVICES | HPT
PDL | TLS
DC | ENF
APP |
CS 633 | JTCM
21 NOV 2000
COPIES TO: | ACK:
FILE:

35 Nashgrove Lane
Finchampstead
Wokingham
RG40 4HE

30/06/2000

Dear Sirs

Planning Application F/2000/2671.

With reference to the above planning application, I am at a loss to understand why planning applications for this land are still being submitted when in February of this year the Planning Inspectorate dismissed on appeal application F/2000/1725 and at that time ruled out a single story dwelling on the grounds that it would occupy a larger footprint and that a substantial roof area that would detract from the appearance of the locality.

We have had planning applications for a four bed roomed house, a three bedroomed house with changing room and now the current version. I am horrified that we seemed to have started the whole procedure again.

I object to this application on the following grounds:

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

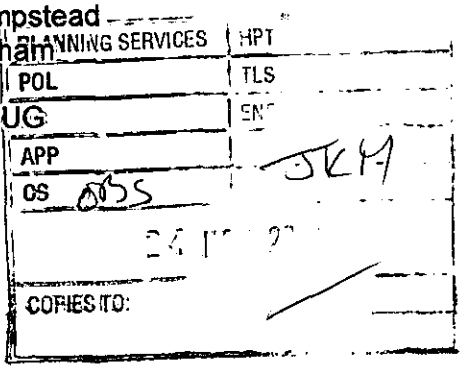
I would respectfully suggest that this application should be refused.

Yours faithfully

C. R. Evans

Thursday, 23 November 2000

59 Jerrymoor Hill
Finchampstead
Wokingham
Berks
RG40 4UG



To: Mr John Mitchell
Planning Services
Wokingham District Council
PO Box 157
Shute End
WOKINGHAM
RG40 1WR

Dear Mr Mitchell

Re: Planning application F/2000/2671 – Dwelling in gardens of 30 & 31 Nash Grove Lane

I am writing to you to object to this planning application. Similar applications have previously been refused and then dismissed on appeal (April & August 2000).

My objections to this new planning application are:

- It represents significant over-development of a fully developed area.
- Trees on the site will have to be removed to make space for building, or may be damaged; there is no space to replace them and this would be a significant loss to the area.
- Nearby houses will be significantly overlooked.
- It could set a precedent for a similar development opposite.
- McCarthy Way is the main access road to the Fernlea estate, which contains some 450 family houses. This road is extremely busy with vehicles and pedestrians. A vehicle entering or leaving the drive-way of a dwelling fronting onto McCarthy Way will increase the possibility of accidents, either with another vehicle or a pedestrian.
- It is very likely that one or more cars from the dwelling will be parked on the roadway, as the site is not large enough to accommodate a lengthy driveway. Vehicles entering or leaving the estate will have to pull out into the path of on-coming traffic to pass these parked cars, creating a serious traffic hazard.
- McCarthy Way is a busy pedestrian thoroughfare. Residents walk along this road to the local shop and bus-stop. Term-time, several home-to-school buses (provided by Wokingham District Council) pick-up and drop-off vast numbers of secondary school children at the junction of McCarthy Way/ Nash Grove Lane. Also, families with pre-school and primary-aged children walk to local schools from the Fernlea estate.

I hope my objections to this planning application will contribute to its rejection.

Yours sincerely

HWardale

Mrs Hilary Wardale

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
Way 0855	JFH
24 NOV 2000	
	ACK: X no address
	FILE:

Fernlea Residents Association

Re: Planning Applications on McCarthy Way

Yet another Planning Application has been submitted to build a dwelling in the rear gardens of 30&32 Nash Grove Lane, **FRONTING ONTO** McCarthy Way.

In April and August 1999, 425 of you signed petitions objecting to similar applications, these were then refused and dismissed on appeal.

The builder is again totally ignoring your opinions by submitting yet another application on the same site.

If you would like to make a personal objection to this latest application, please write to:

Ref: F/ 2000/2671
Mr John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham.
RG40 1WR

The deadline for receipt of letters is 28th November 2000.

The petitions mentioned:
* Significant over development of this fully developed area.

* Removal or damage to trees and lack of space to replace them would be a significant loss of amenity.

* Unacceptable overlooking of numerous nearby houses.

* A serious traffic hazard on the main access road to our estate of 450 houses, thereby increasing the danger to children, pedestrians and other road users.

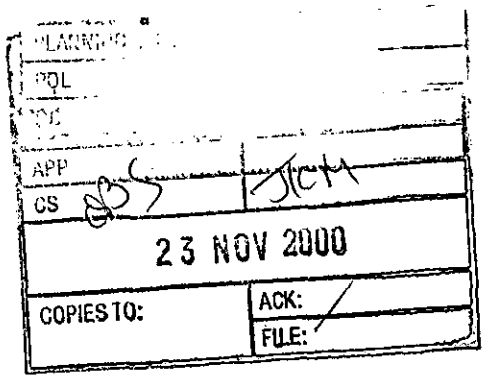
* Could set a precedent for a similar development opposite.

For further information call at 80, McCarthy Way.

Eileen Lewis - Wild Briar

FRA 13.11.2000

NO NUMBER



10 Mornington Avenue
Finchampstead
Wokingham
Berks.
RG40 4UE
20th November 2000

Mr John Mitchell
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
RG40 1WR

F/2000/2671

Dear Mr Mitchell

I am writing to object to the recent planning application for a dwelling in the rear gardens of 30 & 32 Nash Grove Lane, fronting onto McCarthy Way.

The main objection is that having a house on that part of the road would constitute a serious traffic hazard on the main access to the estate.

I also feel that the removal of trees and lack of space to replace them would be a significant loss to the environment.

Finally I feel it could set a precedent for a similar development opposite.

I therefore wish to lodge my objection.

Yours sincerely

Alison Clark

Julie & Tarek Ismail
9, Radical Ride
Finchampstead
Wokingham
Berks RG40 4UH
Tel: 0118 9730 682

SNS

PLANNING SERVICES	HPT
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DC	ENF
APP	
CS	JM
28 NOV 2000	
COPIES TO:	ACK: ✓
	FILE:

Your ref. F/2000/2671

Sunday, 26 November 2000

For the attention of Mr. John Mitchell

Planning Services
Wokingham District Council
PO BOX 157
Shute End
Wokingham
RG40 1WR

Dear Mr. Mitchell

Planning Applications on McCarthy Way – Finchampstead

We would like to register our objection to the latest planning application to build a dwelling in the rear gardens of 30 & 32 Nashgrove Lane Finchampstead, which would be fronting onto McCarthy Way. Our reasons for objection are as follows:

1. This represents an example of poor location by the proposed addition of a dwelling in an over developed area
2. Providing access to the proposed dwelling, on to the main access road to this large housing estate, which comprises of around 450 homes, could have a detrimental effect on road safety
3. Loss of privacy to homes adjacent to the proposed development.

Please consider the effects of the proposed development on the locality and its impact in setting a precedent that may encourage a similar development on the opposite side of the road.

Yours sincerely

J. D. Ismail

Julie Diane Ismail.

T. Y. Ismail

Tarek Y. Ismail.

807

PLANNING SERVICES	HPT
POL	LS
DC	ENF
APP	
CS	JM
28 NOV 2000	
COPIES TO:	ACK: ✓
	FILE:

7, Radical Ride
Wokingham.
RG41 4UH.

Your Ref.
F/2000 2671

Dear Sirs,

Site Address. 30.32 Nash Grove Lane
Finchampstead
Wokingham.

Application 99/69357/F Refused.
99 70104/0 "
F/2000/1725 withdrawn.

1 Traffic Hazards on McCarthy Way
Loading to Approx. 500 noods.
2 Privacy for 80.78 McCarthy Way
3 Spoiling view for everyone (Cramped)
4 If this goes through he will do the same
across the road. (even more cramped.)
dangerous
5 ? How will this be dealt with.
as there is a speed hump over this.
Renovating the premises he used to live in
6. If the application goes through would
the planning office accept full responsibity
for any accident or congestion that occurs.

Sincerely B.S. Blackham

Ref F/2000/2671

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	JM

28 NOV 2000

COPIES TO:	ACK: ✓
	FILE:

107 McCarthy Way
Fairchampstead
Wokingham
RG40 4UB

Dear Sir

I understand that you are considering a planning application to build a house fronting onto McCarthy Way in the gardens of 30 + 32 Nashgrove Lane.

I would like to register my objection to this application. There are already a lot of homes in the area + congestion especially in the morning + afternoon with the school run + people going to work make the road difficult to pass. A house opening onto the road would increase the danger.

I previously signed a petition objecting to this development + my objections remain

Yours

M Wood

805

Michael Webster
28 McCarthy Way
Wokingham
Berks
England
RG40 4UB

+44 (0)118 9734060

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	JM
28 NOV 2000	
COPIES TO:	FAX: ✓

Ref F/2000/2671
Mr John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
RG40 1WR

Dear Sir

With reference to the planning application noted above, I would like to register my objection to the development on the grounds of creating a serious traffic hazard.

Yours

M. Webster

Michael Webster.

Please send acknowledgement & receipt to:

MR. G. H. ARMITAGE.
80, McCARTHY WAY.
FINCHAMPSTEAD.
WOKINGHAM.
RG40 4UA.

Recd 11.00AM 27.11.00 SDS

PLANNING SERVICES	HPT
POL	TLS JM
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CS	
28 NOV 2000	
COPIES TO:	ACK:
	FILE:

To: Mr J. Mitchell. Development Control Manager.
Wokingham District Council.
Environmental Services Department,
Planning Services,
P.O.Box 157,
Shute End,
Wokingham. RG40 1WR.

20th November 2000.

Dear Sirs,

Re: **Application No: F/2000/2671.**
Site Address: 30-32 Nash Grove Lane, Finchampstead, Wokingham.
PROPOSAL: Proposed erection of dwelling.

We the undersigned wish to comment on the above Application.
There have been three previous Applications for a dwelling on this site, No's: 99/69357/F Refused. 99/70104/O Refused and Dismissed on appeal. F/2000/1725 withdrawn 18th August 2000.
In response to the first two previous Applications we organised petitions objecting to the proposed developments, 339 and 425 signatures respectively were obtained.
In the case of the 3rd Application we wrote and confirmed that we were absolutely confident that if we were to organise a petition objecting to this Application we would obtain at least 425 signatures.
With regard to this new Application, strength of feeling among the residents of Fernlea Estate is such that there is no doubt that well in excess of 425 signatures would be obtained if we were to organise a petition again
However, as this Application is yet again for a SINGLE STOREY dwelling and there is no difference to the Application that was dismissed on appeal, we do not see that it is necessary to organise another petition.
Therefore we ask you to take this into account when considering your decision.

Yours faithfully,

SIGNATURE	NAME	ADDRESS
P Blackshaw	BLACKSHAW.	7. RADICAL RIDE
	S.L. Morison	82 McCarthy Way
	M. Scott	97, Mc Carthy Way.
N.M Scott	N.M SCOTT	97 McCarthy Way
C. Rotsenis	C. ROTSENIS	10, Challenor Close
R Arnold	R. ARNOLD	76, McCARTHY WAY.
Stephen Raines	S. RAINES	78 McCARTHY WAY
R M Raines	RM RAINES	78 McCARTHY WAY
R B Armitage	R.B. ARMITAGE	80 McCARTHY WAY.
G H Armitage	G.H. ARMITAGE.	80 McCARTHY WAY.

SPS

24th November, 2000

PLANNING SERVICES	HPT
POL	[illegible]
DC	[illegible]
APP	
CS	JM
28 NOV 2000	
COPIES TO:	ACK: ✓

Your Ref: John Mitchell
F/2000/2671

90 McCarthy Way,
Finchampstead,
Berkshire,
RG40 4UB

Dear Mr. Mitchell,

Application Number: F/2000/2671

Site Address: 30-32 Nash Grove Lane, Finchampstead

Proposal: Proposed erection of dwelling

Thank you for your recent letter regarding the above planning application.

As stated in all previous letters regarding planning applications on this site, this area is totally unsuitable for a dwelling. The driveway will open out on to the main feeder road onto the estate which is always very busy. This would cause a serious traffic hazard and an increasing danger to children, pedestrians and other road users.

Also as previously stated Finchampstead is constantly seeing extra houses being slotted in here and there and the local schools, doctors surgeries etc, not to mention roads are already full to capacity,.

I hope that once again this application is turned down.

Yours hopefully,

S. Perry

Mrs. S. Perry

Rec'd 11.00AM 27.11.00

MR G.H. & MRS R.B. ARMITAGE

80, McCarthy Way,
Finchampstead,
Wokingham.
Berkshire.
RG40 4UA

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	JM
28 NOV 2000	
COPIES TO:	ACK: ✓
	FILE:

November 26, 2000

Mr J. Mitchell.
Wokingham District Council.
Planning Services.
P.O. Box 157,
Shute End, Wokingham.
Berkshire. RG40 1WR

Your Ref: John Mitchell. F/2000/2671

Dear Sirs,

Application Number: F/2000/2671

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

Our comments on this latest application are as follows.

(1) This is the fourth application by the same owner to build on this site.
99/69357/F 31/03/1999. Refused.
99/70104/O 20/07/1999. Refused and Dismissed on Appeal 1/01/00.
F/2000/1725 21/06/2000. Withdrawn 18/08/2000.

(2) Orange Notice.
Yet again this was placed in such a position as to be hardly visible to interested local residents. It was pinned on the fence at the southern border of the site, underneath an overhanging bush so that it was hardly visible at all and certainly not readable without pushing the bush away. We moved it further along the fence so that it is easy to see and read.

(3) We are at a complete loss to understand why the owners of this site are allowed to continue to submit planning applications, when their Outline Application No: 99/70104/O for a **single or two storey** dwelling was refused and more to the point, **dismissed on Appeal by The Planning Inspectorate on 1st February 2000 in an absolutely conclusive way.**

Just what is the point of a higher authority making a decision if those of lower authority can apparently chose to ignore it?

The following comments will, we feel, show once again that applications to build on this site are in direct contravention of The Planning Inspectorates decision.
A copy of The Planning Inspectorates reasons for dismissing the appeal is attached . Sections that apply to our following comments are highlighted in red.

(4) The drawing submitted with this Application has a number of errors:

(a) The minimum roof pitch of 32.5 degrees actually measures 29 degrees, this means that the ridge height shown is also wrong.
(b) Two trees shown "to be removed" at the entrance to the site do not exist.
(c) A new tree planted very recently near the West border of the site is not shown, nor is an established Apple tree in the centre of bedroom 1.
(d) The position and or size of the bungalows at 30 and 32 Nash Grove Lane are totally incorrect.

(5)

While the site is in exactly the same location as in the previous applications, the dimensions are very slightly different, but only the part in the garden of No 30, Nash Grove Lane. The proximity of No's 78 and 80 McCarthy Way to the site is precisely the same as before.

(6)

Once again this proposed development is inappropriate in terms of its relationship with adjoining sites and buildings. In particular it's effect on the living conditions of adjoining occupiers, especially No's: 80 and 78 McCarthy Way, also possibly No:32 Nash Grove Lane, **" with particular reference to privacy, visual impact and daylight."**

(7) Footprint of proposed single storey dwelling.

The Inspectorates reasons for dismissal of the appeal dealt with this point in detail on page No: 3 paragraph No: 12. **"A single storey dwelling would probably occupy a larger footprint".**
The footprint of the two-story dwelling of application no: F/2000/ 1725 of June this year was 129.85 sq.m; whereas the latest application has a footprint of 132.06 sq.m; Larger by 2.21 sq.m; Or 16.5 sq.ft; Leading to a more **"substantial area of roof which would detract from the appearance of the locality".**

(8) Roof Area and Ridge Height.

The drawing submitted with this application does not appear to be to scale particularly the **minimum roof pitch of 32.5 degrees**.
The roof pitch angle on the drawing measures 29 degrees, which obviously means that the ridge height shown is incorrect.

(8) Roof Area and Ridge Height-continued.

Why is no maximum roof pitch specified ? Is there a hidden agenda, such as allowing for subsequent conversion to a two storey dwelling ?

The following table shows the effect of varying roof pitch on ridge height and roof area on the East side of the bungalow.

Pitch Degrees	Ridge Height Metres	Roof Area + Garage Roof Area Square Meters	Total Square Metres
32.5	5.90	6.60m x 10.75m = 70.95sq.m + 11.56sq.m = 82.51sq.m	
35	6.30	6.90m x 10 75m = 74.18sq.m + 11.56sq.m = 85.74sq.m	
40	7.07	7.42m x 10.75m = 79.77sq.m + 11.56sq.m = 91.33sq.m	
45	8.00	7.84m x 10.75m = 84.28sq.m + 11.56sq.m = 95.84sq.m	

At 32.5 degrees pitch the ridge height of 5.90m is one metre higher than the eaves of No: 80 McCarthy Way , adjacent to the proposed dwelling. 1.40m at a pitch of 35 degrees or 20ft - 8ins.

The area of the bungalow's East facing brick wall that would be visible above our garden fence is (Height of bungalow's eaves from ground, 2.4m minus height of fence 1.83m = 0.57m x length of bungalow 10.40m.) 5.93sq.m. Adding this to the area of the roof, with say a pitch of 35 degrees, gives a total area of red brick wall and roof tiles of 91.70 square metres or 987sq.ft. At a height of 6.30m (20ft - 8ins) this would constitute the view less than 14 metres from our windows.

This would cause unacceptable harm to us, nearby residents and the character of the area. **Exactly the conclusion that The Planning Inspectorates Inspector reached in his dismissal of the Appeal against the refusal to grant Outline Planning permission 1st February 2000.**

(9) Trees On the Site.

The drawing does not show all the trees on the site, nor what species and that more than two would have to be felled. Nor does it make any provision for the replacement of felled trees.
If it is the owner's intention to show that the site will be screened on the eastern boundary by existing or replacement trees, I believe the following comments will show this to be completely ineffective. A point made in the attached **Inspectorate's reasons for dismissal.**
The trees on the eastern boundary of the site are 30 year old diseased Silver Birch, which are approaching the end of their lives. At least one of these we consider to be in a dangerous condition, in particular the one in the extreme S.E. corner of the site, which we have requested the owner to make safe, but without response.

The drawing does not show how access will be gained to the rear garden to the North of the site. It would seem that the only ground on which a path could be laid is between the East wall of the bungalow and the adjacent boundary. This would add weight to the **Inspectorate's** view that the existing trees on this boundary would be likely to suffer damage or destruction from construction work close to the boundary and leave little space for the planting of replacements. To plant these in such close proximity to a building could cause future foundation problems, which may necessitate their removal.
The drawing shows two trees are to be removed, which do not exist anymore, they were removed by the owner in July 2000 along with numerous boundary bushes, five Scots Pine were also felled by the owner in November 1998, just prior to the first Planning application. **A serious loss of amenity to nearby residents.**

Two other trees on the south boundary are not shown on the drawing as well as an established Apple tree in the middle of Bedroom No: 1
The owner has taken a most positive step to alleviate the damage done to this site. A single tree has been planted close to the north-western boundary of the site; it would be about 1.6m from the proposed bungalow's west wall. Too close?

Vehicular access to the garage would, we believe, be exceptionally difficult through the planned site entrance. The removal of the Silver Birch in the extreme S.E. corner of the site would most probably be necessary, perhaps the one next to it as well.
The dramatic reduction in the number of trees on the site must seriously affect the resident wildlife.

We believe that these comments show that there would be no effective screening on the eastern boundary of the site.

(10) Rear Gardens of No's 24 and 26 Nash Grove Lane.

We have received very reliable information that the applicant has made an approach to the owners of these two properties with a view to purchasing the eastern end of their rear gardens so as to enable a planning application for a new dwelling to be submitted. If this current application were to be granted it would set a precedent for a similar application directly opposite.

(11) Traffic Hazard on McCarthy Way.

While in the previous applications the local Highway Authority and The Planning Inspectorate did not consider that the creation of a new access would have any serious impact on road safety or the amenities of nearby residents. We are still of the very strong opinion that visitors vehicles would inevitably be parked on McCarthy Way by this proposed development, thereby causing an obstruction and creating a safety hazard.
There are 450 houses on Fernlea estate; many of the owners have at least two cars. At peak times during the week and at weekends the volume of traffic on this feeder road

is exceptionally high. The only other access to this estate is on Elgarth Drive, which is frequently obstructed by parked vehicles. Despite the low volume of traffic on Elgarth drive there have been at least two accidents which were caused by parked vehicles.

We suggest that the Highway Authority examine once again the effect of this proposed development by inspecting the site at say 0800 hrs and 1730 hrs on any weekday, also during the day at weekends. Not at say 1400 hrs on a weekday when traffic volume is at it's lowest.

Should planning permission be granted and a precedent set for a similar development opposite, McCarthy Way would become another Elgarth Drive with perhaps tragic results.

We recommend that you carefully read the attached copy of **The Planning Inspectorates** reasons for their dismissal of the appeal against Wokingham District Council's refusal, to grant Outline Planning permission for a **single or two storey** dwelling No: 99/70104/O. Particularly paragraphs 12 and 13 on pages 2 and 3. The highlighted sections confirm our main objections to **ANY** development on the site in question.

We respectfully suggest that the application be refused.

G. H. Armitage.

R. B. Armitage.

1004/1426

The Planning Inspectorate

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

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

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

Your Ref:
AJT/MT/630

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

Date:
11 FEB 2000

RE: LETTER. ARMITAGE. 25/11/00
APPLICATION F/2000/2671

Dear Sirs

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

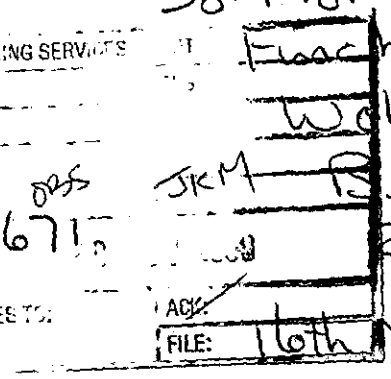
15. I have also taken into account all the other matters referred to in the representations but consider that none of these are of sufficient weight to alter my decision.

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

Yours faithfully

JOHN S DEAKIN FRICS
Inspector

38. Mornington Avenue
Fleet
Hampstead
Wokingham.
Berkshire
RG40 4UE.



Ref No.
F/2000/2671

6th November 2000

Dear Mr Mitchell.

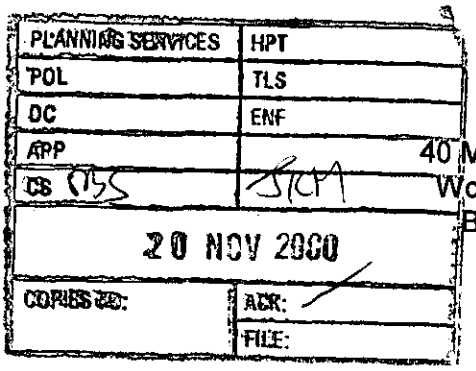
I am writing to object, again for this planning application on 30-32 Nash Grove Lane dwelling in the rear garden, fronting on into McCarthy Way.

There is already sufficient over development in this area. It would cause serious traffic congestion, which is already increasing on the main access to our estate now.

I also object to the removal of the trees, it would take away some of the residents privacy.

Yours faithfully

Mr & Mrs. E. Parr.



Mr J Mitchell
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

40 McCarthy Way
Wokingham
Berkshire
RG40 4UA

Ref: F/2000/2671

17 November 2000

Planning Application - house fronting onto McCarthy Way

Dear sir,

Yet again I find that I have to write to register my objection to a planning application as per the above reference. Last year I signed two petitions objecting to any development on the site in question, then wrote to the Planning Inspectorate at Bristol to make my objections plain. I later wrote to a Mrs Odell in Planning Services back in July 2000 restating my objections in response to a new planning application. I assumed the matter was closed but I see that yet another application has been submitted. I do not understand how the applicant can be allowed to continue submitting applications for development already rejected repeatedly. My earlier arguments against this development remain valid and I now reiterate them.

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

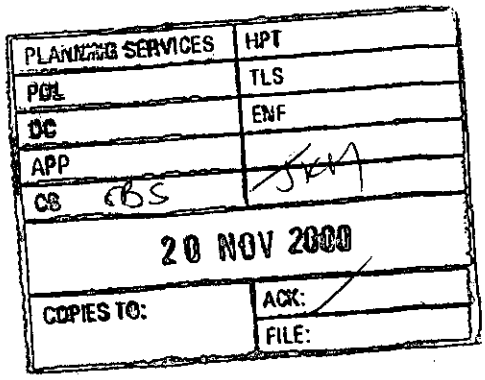
A major concern is the safety of the residents of the approximately 450 houses on this development. There are only two access roads in from Nashgrove Lane and one of these, Elgarth Drive, is already difficult to drive through due to residents' parking. Obscured sight lines make crossing the road on foot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

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

I urge you to reject this latest application.

Yours faithfully,

Malcolm Hood



14 Burnt Oak
Finchampstead
Wokingham
Berks RG40 4UQ

15th November, 2000
Ref: F/2000/2671

Mr John Mitchell
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Mr Mitchell

I am writing to register my objection to the Planning Application on McCarthy Way.

I have lived at the top of the Fernlea Estate for 12 years and have to use this little piece of road every day to get into and out of the estate. In my opinion it would be dangerous to have a dwelling in this place as it would encourage people to start parking along here causing obstructions. It is not the longest piece of road; therefore it is hazardous when turning into this piece of road if there is an obstruction. When my children were young this was an ideal place to teach them how to cross the road safely as you are able to pick a good spot away from the two junctions, as this is the mouth to a family estate I know that there are a lot of people with small children who live here. Also you only have to take a look at what has happened in Elgarth Road which is the other entrance to our estate. People park so close to the junction with McCarthy Way that you have to go on the wrong side of the road to make a right hand turn, which is positively dangerous.

I also object to the fact that the greed of one person who will stand to make a lovely fortune, seems to be more important than the people who live in the house very close to this site who have lived there for a considerable number of years, and instead of having trees to look out onto will be overlooked by building, I know which I would prefer.

Also can the greed of one person be more important than the 425 residents of this estate who signed the petition against this application on an estate of 450 houses this is nearly one objection to each household.

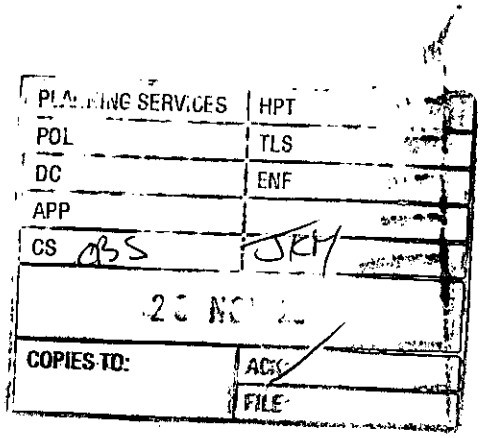
I trust that the person who has to make this decision will respect the wishes of the people who live here and not the person who is unlikely to ever have to drive up this road once his house is built and sold, the person who buys the house will never experience any of the difficulties that they may cause to the rest of us.

Yours faithfully

S. Jones (Mrs) M P Jones (Mr) S. Jones (Miss) T. Jones (Miss)

S Jones M P Jones S. Jones T. Jones

Mrs. Lillian Sinclair
33 Tickenor Drive,
Wokinghan.
Berks.
RG40 4UD.



17th November, 2000

Dear Mr. Mitchell,

Ref: F/2000/2671

I am writing to you to voice my personal objections to the planning application, 30-32 Nashgrove Lane, fronting onto McCarthy Way.

The area is already significantly over developed, the unacceptability of overlooking nearby houses, and the traffic hazard it would cause on this may road to and from the estate, increasing the danger to children/pedestrains and other road users.

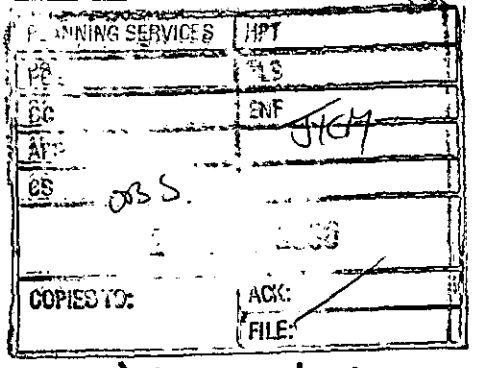
We already have to endure long traffic delays within this area, with no improvement to the present road systems in this area, to approve this planning application, only gives the green light to other builders/developers to build wherever there is land big enought to do so.

Please once again, listen to your residents and refuse this application.

Yours sincerely

Lillian Sinclair

27 RADICAL RIDE
WOKINGHAM
BERKSHIRE RG40 4UH
Telephone (01734) 734243



17 November 2000

Planning Services
Wokingham District Council
Shute End
WOKINGHAM

Dear Sir,

Ref: F/2000/2671

I am writing to you with reference to the above planning application. I understand that this application follows two previous ones, 99/70104/0 and F/2000/1725.

I wrote to you in some detail, objecting to the latter application; I presume that you still have my letter. My objections are unchanged.

In view of the previous history, I am astonished that the applicant has had the temerity to try yet again and I sincerely hope that he will be given the short shrift that he deserves.

Yours faithfully,

J.M. JACOBS

Mr. Yusuf Siddiqui,
22 Radical Ride.
Finchampstead,
Berks.
RG40 4UH.

24th November, 2000.

PLANNING SERVICES	HPT
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CS OBS	JKM
27 [illegible] 2000	
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Dear Mr Mitchell,

Ref: Planning Application: F/2000/2671

I write to object to the above mentioned planning application. I fully appreciate that this area is highly desirable and that the demand for and the profit from selling houses in this area is very high. However this particular area of Finchampstead is, in my opinion, is already fully developed. Traffic exiting the estate onto Nash Grove Lane from McCarthy Way is already hazardous, and traffic leaving the village itself is caught in congestion every morning.

One of the pleasures of this area is the way the Planning Office has maintained the trees and it's associated wildlife. It is necessary to change this attitude now.

Although I am not directly affected by the the destruction of the neighboring homes, I would not wish this application to be passed thus giving carte blanche for development in other areas of the estate which may affect me and my privacy.

This estate is very good as it is and I object to the above development being passed and will certainly support any and all petitions raised by the residents of this estate against this proposition and any appeals thereon..

I strongly believe that the applicant is using repetetive applications to 'wear' down the resistance of the planning office and I very much hope that the Planning Office do not give in to this contrived process.

Yours Sincerely,

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27 NOV 2000	
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35 The Spinney
Finchampstead
Wokingham
Berks.
RG40 4UN
23rd November 2000

Dear Sirs,

RE : -Planning Application ref F/2000/2671

We wish to raise an objection to the proposed planning application at the rear of 30 and 32 Nash Grove Lane.

We are concerned in particular with the disruption of traffic through what is the main access route onto the Fernlea estate. The partial blocking of this route is inevitable for considerable periods of time causing potential driving hazards in the area. We have two young children, the increased danger of letting them travel in this area by foot concerns me greatly.

Further we feel it highly inappropriate that further plans be considered in this area when previous applications have been complained about by so many people resulting in the previous rejection of planning permission. Will this builder be allowed to continue applying in the hope that we grow tired of writing?

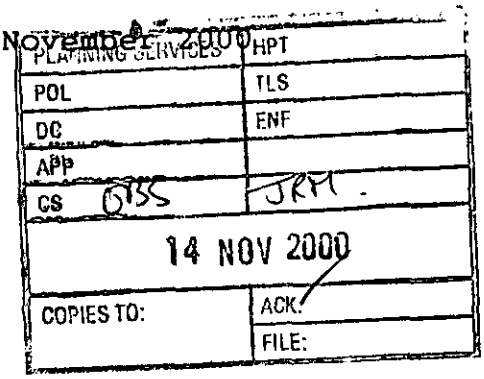
Yours faithfully

Jonathan Goss

Tel: 0118 9734241

47, Jerrymoor Hill,
Wokingham,
Berks RG40 4UG

13th. November 2000



Ref: F/2000/2671

Mr. J. Mitchell
Development Control Manager,
Planning Services,
Wokingham District Council,
PO Box 157,
Shute End,
Wokingham RG40 1WR

Dear Mr. Mitchell,

I thank you for your letter of the 7th. inst. and wish to strongly object to the proposed building of a dwelling at 30-32 Nash Grove Lane.

I presume that the entrance to the property will be on the small section of McCarthy Way. As this is the main access to the estate of more than 200 homes, some disruption is inevitable.

During the building of this unit there may well be a serious traffic hazard caused by the contractors' vehicles. This could also endanger pedestrians, especially children.

Should the house be built, the additional entry onto McCarthy Way would still cause some congestion. Additionally, I would imagine that this would compromise the privacy of the existing houses adjacent to the proposed plot.

Yours sincerely,

P.J. Woods

To go on PS file

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

Wokingham District Council
Environmental Services Dept.
Planning Services.
PO Box 157
Shute End
Wokingham
RG40 1WR

11th November 2000

PLANNING SERVICES	HPT
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16 NOV 2000	
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Dear Sir/Madam

Re: Planning Application – F/2000/2671

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

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

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

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

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

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

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

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

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

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

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

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

Your sincerely

PLANNING SERVICES	HPT
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MS J. RALPH
77 McCARTHY WAY
FINCHAMPSTEAD
WOKINGHAM
BERKSHIRE
RG40 4UA

24 NOV 00.

Dear Sir

I believe its disgraceful for yet another application has been made for this site It is a serious infringement of the civil liberties of the people living at 76 78 & 80 McCarthy Way to expect them to have the trees demolished, & probably not replaced, and be overlooked by a new house thereby adding another piece of concrete to an already over crowded area. Hasn't the recent heavy rain taught us we need more trees & less concrete

Also believe it would be very dangerous for the rest of the estate to have to pass extra cars parked on the road entrance to the estate. Vehicles are always parked on the kerb not after in drives or garages as they should This would be very dangerous for the large numbers of children going to & from the school buses each day.

therefore I ask you to think hard & not accept this application again. with the interest of people at heart rather than profit.

Yours faithfully

PR

Mr T Mitchell
PO Box 157
Shute End
Wokingham
RG40 1WR

PLANNING SERVICES	HPT
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27 NOV 2000	
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24 Wild Briar
Wokingham
Berks
RG40 4UL
22nd November 2000

Dear Mr Mitchell

Re Planning Application on McCarthy Way
Ref F/2000/2671

With reference to the above, this is the fourth time, that I know of, that the said gentleman has applied to build on the rear garden of 30+32 Nash Grove Lane. He has been refused twice and withdrew the application last August. Does he not understand the word NO!

It would cause traffic hazards to the people entering and leaving the Estate. The little privacy that people have in the area now, would be completely lost, and we have enough houses on the Estate anyway. Yours sincerely

M. Finch

Semara
12 Burnt Oak, Wokingham, Berkshire RG40 4UQ
Tel 0118 9734736

16-11-00

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SIR/MADAM

I Wish to strongly object to the above application for planning following two previous rejections.

My main grounds of objection are that the area is already developed to a level that produces traffic saturation at times.

Further development will produce even further danger to children & residents if the access road to the estate is further compromised

Yours sincerely

D L + E.A. SHORTALL

MR MITCHELL

I AM ACTING FOR THE APPLICANT ON THIS MATTER.

IS THIS LIKELY TO BE REFERRED TO THE NEXT D.C. COMMITTEE AS WE WISH TO AVOID S.78 NON-DETERMINATION APPEAL.

PLEASE CALL OR E-MAIL.

THANK YOU.

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	FILE:

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS

Mark Leedale

MSc. Dip.TP BEd.(Hons) MRTPI

Associate

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

Tel : 01252 624004
Fax : 01252 684160
Mobile : 07968 123698

E-Mail: info@ggassociates.co.uk

COPY

Tel: 0118 974 6315 (Direct Line)
Fax: 0118 974 6313
Email: karen.satterford@wokingham.gov.uk
Date: 29th November 2000
My ref: KS/pb/DesNov

Director of Environmental Services
Environmental Services Department
P.O. Box 153
Shute End, Wokingham
Berkshire RG40 1WL
Tel: (0118) 974 6000
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Cllr Tim Charlesworth
3 Rowan Drive
Crowthorne
Berks RG45 6RY

Dear Tim

PA F/2000/2671 – PROPOSED BUNGALOW REAR OF 30-32 NASH GROVE LANE

I refer to our recent telephone conversation regarding the above, when I promised to look personally at this case. I understand that you have two main concerns: 1) That Wokingham District Council has accepted another planning application for this site. 2) That Wokingham District Council has not asked for a fee from this application.

I will take these points in turn:

1) Acceptance of Planning Application

Under Section 70A of the Town & Country Planning Act 1990 a local planning authority can decline to determine an application if the Secretary of State has in the preceding 2 years refused permission on a similar application and there has been no material change since then in a development plan or in any other material considerations. The power is discretionary. The Secretary of State advises that it should only be used by a local planning authority "where they believe that the applicant is intending to exert pressure by submitting repeated similar applications. If an application has been revised in a genuine attempt to take account of objections to an earlier proposal it should not be regarded as similar for the purposes of this Section". The Secretary of State urges that in doubtful cases the benefit of the doubt should be given to the applicant.

I have looked at Mr Mitchell's handling of this case against this background. It is true that a planning application was dismissed on appeal in February this year. However, that application was made in outline form only with only a red line on a location plan and no details of any elevations. Looking at the appeal decision in paragraph 13 the Inspector concludes that there is no firm and clear cut evidence that a single or two storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and to the character of the area. In the absence of such evidence he considered that the proposal would be contrary to the Local Plan. To my mind this indicates that if the applicant is able to supply details of what the finished property would look like then this could constitute evidence that a new building could be constructed on the site without detriment to character or amenity. The application is therefore in my opinion a revision in a genuine attempt to take account of objections to an earlier proposal. As such it should not be regarded as similar for the purposes of Section 70A of the Act and it is reasonable of the Council to accept it.

Cont/.

Whilst I appreciate the distress that the application causes to your constituents I am afraid, therefore, the Council was reasonably obliged to accept it under the advice given by the Secretary of State.

2) Wokingham District Council not charging a fee for this application
John Mitchell has written separately to you on the matter of fees and I cannot add to his comments.

I do appreciate the level of public concern among your constituents about this application and there will of course be a full opportunity to explore the planning issues at the Development Control Committee, and for Members to take a decision on the application.

In the meantime, I hope you find this response of help.

Yours sincerely

Karen Satterford
Director of Environmental Services

Letter Rec'd 2.40pm 28.11.00

Mr. J Mitchell
Wokingham District Council
Planning Services
PO Box157
Shute End
Wokingham
Berkshire
RG40 1WR

Your ref.: F/2000/2671

Mr. R Burne
32 Nashgrove Lane
Finchampstead
Wokingham
Berkshire
RG40 4HD

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Dear Sir

Thank you for your letter after investigation I find out this is the fourth application to build on the land at the back of my bungalow. The early application were refused and one was refused and then dismissed on appeal. After your letter I went around to the proposed site and could not see the notice informing that a planning application had been applied for.

Our comments about the application are

(1) The minimum roof pitch of 32.5 degrees actually measures 29 degrees this means that the ridge height shown on drawing is wrong.
(2) Two trees shown " to be removed " at the entrance to the site do not exist.
(3) The position and size of the bungalows at 30 & 32 Nashgrove Lane are incorrect.
(4) If the roof pitch is increased could the builder be thinking of putting in a room in the loft on the same planning application.
(5) The position of the bungalow means that above our fence all we would see is the roof of the proposed bungalow.
(6) We also think that by having a new access on McCarthy Way would have a impact on the roads around this area.
(7) Just after we moved into our bungalow we were approached by a householder on the opposite side to the proposed bungalow position in McCarthy Way and asked if we know what was happening as they have been approached to a view purchasing part of they back gardens to build on.
(8) In the planning application form item 15 asks how will the site be enclosed it says by close board fencing. We were told that the back fence is ours and it is not close board fencing. So is the builder going to put up a new fence ?

So we respectfully suggest that the application be refused.

R.J. Burne

R. Burne

S.A. Burne

S. Burne

Mr. J. Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
Berkshire
RG401WR

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Mr P.D.W. Stoneman
5 Radical Ride
Finchampstead
Wokingham
Berkshire
RG40 4UH

25th November, 2000

Your Reference F/20000/2671

Dear Sir,

Planning Application Number F/2000/2671
Site Address: 30 & 32 Nash Grove Lane, Finchampstead

I note that a planning application has been made in respect of the above site, and register a strong objection on the following grounds:

1) **Highway Considerations**

The proposed development will inevitably require vehicular access directly onto McCarthy Way, which in my view will result in on-street parking along the short stretch of road (McCarthy Way) between Nashgrove Lane and the Fernlea estate. This is regarded as the main access to the estate, and any parking will result in hazards to the considerable number of motorists, and pedestrians, who use the road.

The Fernlea estate already suffers with excessive on street, and pavement, parking which has become the norm. Parking on the main access, which I anticipate will occur, will inevitably lead to pavement parking and will create unnecessary and unacceptable dangers to pedestrians, including wheelchair users, prams, children and elderly people, many of whom may be forced of the path on to the roadway.

There is an alternative means of access via Elgarth Drive, and as a similar development has been permitted in the past, on-street parking has resulted, and is regularly evident. This has created the type of hazard to which I refer and the majority of motorists and pedestrians prefer to avoid Elgarth Drive in favour of using the presently unhindered McCarthy Way access.

2) **Visual Impact**

I fully appreciate the Government Policy, as set out in PPG3 and PPG13 encouraging the full, and effective use, of land within existing urban areas in order to reduce demand for development in the countryside, but feel the criteria does not apply in this case.

The proposal will result in one dwelling being built which is not of sufficient value, in housing terms, to balance the very significant dis-benefits to immediate neighbours and the local community. It is apparent that the objective is not about assisting with housing demand, but about financial reward to the property owners disposing of back gardens, and the developer.

I have considerable sympathy with the residents who will be directly affected by the proposal, as inevitably the outlook, which they currently enjoy, will be spoilt. The impact in terms of a reduction in light, the potential loss of trees and the impact on the street scene will also be significant.

In conclusion, I request that, given the significant disadvantages associated with the proposal, that Wokingham District Council refuse the application in line with a similar application refused recently on the same site, and which the Planning Inspectorate dismissed on appeal.

Please do not hesitate to contact me on 0118 9730493 (Home) 01252 398760 (Work), or in writing, should you wish to discuss my concerns further.

Yours faithfully,



Mr. P.D.W. Stoneman

20 Mornington Avenue
Finchampstead
Berkshire
RG40 4UE

PLANNING SERVICES	HPT
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29 NOV 2000	
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28 November 2000

Ref: F/2000/2671

Mr. John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
RG40 1WR

Dear Sir

OBJECTION

Planning Application for McCarthy Way/Rear Gardens of 30/32 Nashgrove Lane Finchampstead.

I write to oppose the above planning application as I believe the erection of buildings on this site will create severe traffic implications, a danger to children, pedestrians, all road users and, more importantly, access for ambulances, fire engines and all emergency services.

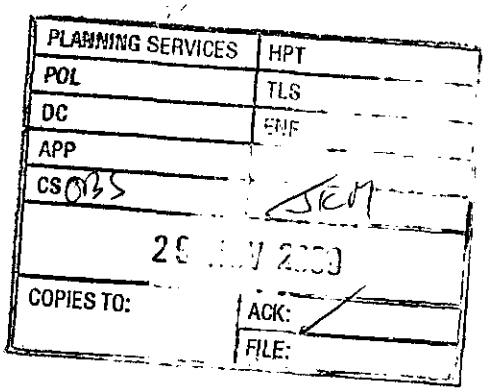
I believe this area is already extremely developed and to extend this would lead to disastrous problems.

Yours faithfully

S.V. Perkins (Miss)

MR & MRS DYSTER
93 MCCARTHY WAY
FINCHAMPSTEAD
RG40 4UB

26-11-00



FAO Mr John Mitchell

Ref. F/2000/2671
Rear of 30 & 32 Nash Grove Lane

Once again I find myself having to object to the above planning application - for the same reasons as before.

Any dwelling built along that part of McCarthy Way will seriously impact the safety of the road. This housing estate has a very high percentage of children - most ~~of~~ walking to school etc.

~~The actual building process would be~~ a serious traffic hazard.

This estate is already over developed - any additional houses would ~~be~~ cause great stress of the traffic through the main access road.

In addition to this it could set a precedent to other developments (particularly opposite).

Regards

AMDyster

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29 NOV 2000
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19 Challenor Close
Wokingham

Monday 27th November 2000

Dear Sir

Re: Planning applications in Mc Cartley Way
(30 & 32 Nash Grove Lane Finchampstead)

I am writing to make a few comments about the wisdom of granting the above planning applications and allowing building on the 30 and 32 Nash Grove Lane sites to take place.

I notice that the main entrance to the two aforementioned dwellings would be in Mc Cartley Way, Mc Cartley Way however is the accessway to the Fernlea Estate and its 450 households and, as such, it is imperative to keep it a clearway for an even flow of incoming and outgoing traffic.

In this respect I would like to point out that, repeatedly, we have been told that enough room should be kept on the streets of the estate to allow five engines access at all times. This is a requirement which would not be met once cars were parked in front of the buildings opening onto Mc Cartley Way.

My last point is that when we first moved onto the

Fernlea estate, prior to the roundabout at Nash Grove Lane and Borkham Ride junction and Borkham Ride & Finchampstead Road junction, at peak time it would take thirty minutes to cover the distance from the straight section of 4c Cartley Way [the entrance to the estate] to Nash Grove Lane and then onto the junction with Finchampstead Road.

The creation of a new estate bordering Nash Grove Lane has increased proportionately the flow of traffic leading towards Borkham Ride and Finchampstead Road, building on 4c Cartley Way – as proposed – would inevitably cause congestion resulting in virtual gridlock in the early morning.

In conclusion the above mentioned building plan would block the access to the estate, which can neither be sensible nor rational and I feel sure you will agree to that and hope you will take our objections into account.

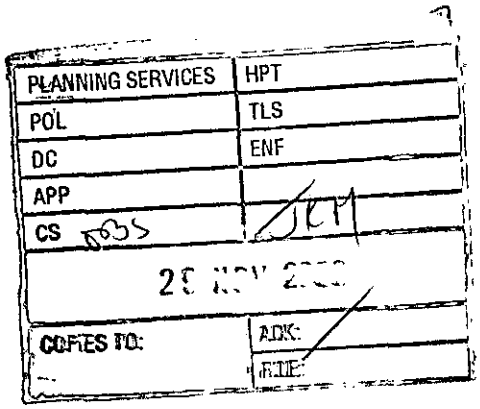
Yours sincerely

Anne Hewett

56 McCarthy Way
Wokingham
RG40 4UA

28th Nov 2000.

Ref: F/2000/2671
Mr John Mitchell
Planning Services
Wokingham District Council.



Dear Sir,

I write to you regarding the Planning Application to build in the rear gardens of 30 and 32 Nashgrove Lane. Before saying anything on the subject I wonder how many applications can be made?

As far as we are concerned no development on this site would be acceptable whatever modifications the builder might make to the structure of the proposed building.

Currently, the residents of Fernlea use McCarthy Way in preference to Elgarth Drive, because that exit/entrance to the estate is constantly occluded by the parked vehicles which block easy access, and make turning into that road both difficult and dangerous. If a similar development is allowed to happen on McCarthy Way the current danger would be exacerbated (in our opinion).

Yours sincerely,

J. Bailey.

By Hand 28/11/00

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29 NOV 2000	
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78 McCarthy Way,
Wokingham
RG40 4UA

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

25th November , 2000

Your ref. F/2000/2671
My ref. sr/05

Objection to Planning Application at 30-32 Nash Grove Lane

ref: F/2000/2671

Dear Mr. John Mitchell,

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

Although the most recent application is for a 2-bedroom bungalow, we do not believe that there is any substantial difference in the impact that we will experience between this application and previous applications, and our objections to this planning application remain the same. The proposed development for a 2 bedroom bungalow will occupy the same plot of land as previous proposals and the height of the building, although lower than previous applications, will have a detrimental effect on our property in terms of privacy, visual impact and loss of daylight. As with the previous applications we consider that this proposed development will have an unacceptably overbearing effect and cause unacceptable overlooking of our property resulting in unacceptable loss of amenity to us and our neighbours. We are enclosing a copy of our letters, ref sr/04 dated 11 July 2000 and ref sr/02 dated 4th August 1999, which details our objections to the previous planning applications on the grounds of: overshadowing, overlooking, destruction of trees, loss of amenity, access to the estate, overcrowding and precedent. Our objections to the previous planning applications have been upheld by Wokingham District Council Planning Services and by the Planning Inspectorate.

This most recent application for a bungalow raises additional concerns for us and these were supported by the Planning Inspectorate's Report that considered the impact of siting a bungalow on the proposed plot. Specifically these concerns are size of footprint and roof area. The footprint of the bungalow will occupy a larger footprint than the previous proposals and will thus be too large for the plot. The roof area on the eastern side of approximately 83m^2 will have a significant visual impact on us, will cause loss of daylight to our property and detract from the appearance of the locality.

In view of:

the impact that the proposed development will have on our property;

the similarity of the impact between the proposed development and the previous full and outline applications;

our consistent objection to the previous full and outline applications;

and those objections having been upheld by both Wokingham District Council and the Planning Inspectorate;

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

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

Yours sincerely,

Stephen Raines

Stephen Raines

25/11/00

Rosalind Raines

Rosalind Raines

25/11/00

78 McCarthy Way,
Wokingham
RG40 4UA

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

July 11, 2000

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

Objection to Planning Application at 30-32 Nash Grove Lane

ref: F/2000/1725

Dear Mrs A. Odell,

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

The sequence of events to date is as follows:

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

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

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

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

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

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

19th January 2000: Site visit by Planning Inspectorate.

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

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

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

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

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

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

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

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

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

overshadowing,

overlooking,

destruction of trees,

loss of amenity,

access to the estate,

overcrowding

and precedent.

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

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

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

This view was supported by the Planning Inspector:

> "... I see no reason to differ from the Council's opinion that the proposed two-storey dwelling would have had a serious and unacceptable visual impact on the residents of Nos. 78 and 80 McCarthy Way."
>
> "Furthermore, it would cause overshadowing with loss of afternoon sunlight, and some restriction of natural light."

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

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

In view of:

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

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

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

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

Yours sincerely,

Stephen Raines Rosalind Raines

78 McCarthy Way,
Wokingham
RG40 4UA

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

August 04, 1999

Your ref. 99/70104/O
My ref. sr/02

Objection to Outline Planning Application ref: 99/70104/0

at rear of 30/32 Nash Grove Lane

Dear Mrs A. Odell,

We are writing to you to object most strongly to another attempt to site an "in-fill" development at the rear of our property. The Outline Planning Application referred to above, follows rejection of a Full Planning Application (99/69357/F) on the 5th May. We wish to draw to you attention the following similarities:

- The proposed plot appears to be of the same size and in the same location and is of relatively small size.
- The outline application is for a 4 bed detached house with garage and the full application was for a 4 bed detached house with double garage.

We also note that the full previous planning application received a large number of objections including a petition signed by many of the local residents. We urge you to note the similarities in the application and consider the former level of objection. Our concern is that this is an attempt to gain planning permission by manipulation of the process.

Having referred to the previous plans and noted the implication and tone of the Agent's letter, we have many of the same fears with the Outline application as we had with the Full application. However, considering the Outline Planning Application in its own right, we feel the following objections will stand by themselves:

1. Overshadowing. A 4-bedroom house with garage on such a small plot size gives little flexibility as to the siting of the property. It seems inevitable that the proposed dwelling will cause significant light blockage to both our property and to neighbouring properties. Our garden is West facing with adjacent property to the North and South. At the moment, we enjoy sunlight in the garden and the back of the house in the afternoon (kitchen and dining room). However, a 4-bedroom house will block-out most of this sunlight and cast a shadow over our home. This will not only affect our enjoyment of our garden but may impact the ability of the garden to sustain the current lawn. As our property is more than 20 years old we have an established right to light, as detailed in the Ancient Lights Prescription Act of 1832.

2. Overlooking. The windows in our house are oriented in a East-West direction. A 4 bedroom house on the proposed plot will mean that a high "brick wall" will completely dominate our rear outlook.

It is likely that however the proposed dwelling is situated, windows will overlook into either our garden or the gardens of 74, 76 and 80 McCarthy Way thus affecting our right to privacy and enjoyment of our property.

The proposed property will have front and rear gardens which will be significantly overlooked from existing 2-storey properties in McCarthy Way. In these circumstances it would be only natural for the prospective owners to act to provide themselves with fast growing hedges such as llandi for privacy. Our concern is that this will further restrict the light to both our property and adjacent properties on McCarthy Way.

3. Destruction of trees and significant loss of amenity. Destruction of trees on the site of the proposed property has not been accurately reflected in question 8 of the Planning Application.

The Planning Application states that only fruit trees will be felled in pursuit of this application. This is not the case. There are trees that have already been felled at the rear of 32 Nashgrove Lane and many further trees will need to be felled on the proposed plot.

Five Scots Pine trees were already felled on 15th November 1998 prior to the original planning application being submitted. I brought it to the attention of the Fearnlea Residents Association and the Local Councillor at the time.

Additional trees including silver birch and fruit trees will also need to be felled to realise the proposed development.

4. Access to the estate. Vehicle access to the proposed property and the parking of vehicles on the kerb side, during both construction and upon completion, will cause a major traffic hazard on the main thoroughfare into the Fearnlea estate.

Vehicle access to the proposed property and the parking of vehicles on the kerb side, during both construction and upon completion, will cause a major traffic hazard on the main thoroughfare into the Fearnlea estate. There are 450 houses on the estate and I estimate an average of 2 cars per household. The majority of households will use the McCarthy Way feeder within the peak periods

5. Overcrowding. There are still a small number of trees located around the Fearnlea Estate which make the area a pleasant place to live and, for us, to bring-up children. In general we find the inappropriate siting of additional houses on a fully developed estate to be undesirable for the estate as a whole. In our opinion the plot is too small for a house of the proposed size.

6. Precedent. There is a danger of "construction-creep" between the backs of other Nashgrove Lane and McCarthy Way properties. If planning permission were to be granted for this application, we fear that it will open the floodgates for further planning applications between the 2 roads. We do not understand how this could be consistent with the development plan or with national and regional policy!

We do not think that there could be any sound reason to grant this proposal as submitted.

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

Yours sincerely,

Stephen Raines

Rosalind Raines

Received by Wokingham District Council

Application No: F/2000/2671

Proposal:
Proposed erection of dwelling.

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

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

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer John Mitchell P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 01/12/2000. 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

07 November 2000

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date: 25 OCT 2000

Officer: ~~AO~~ John Mitchell | Application No. F|2000|2671

Map No. 98 Site 0.04

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

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

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State

☐ Incorrect Fee ☐ Invalid ☐ PD

Description:

(F.) PROPOSED ERECTION OF DWELLING

Location: 30-32 NASHGROVE LANE

Parish: ~~AZ~~ FINCHAMPSTEAD Ward: Finch North

7.11.2000

Applicant: THE OWNER

RESUBMISSION 2000|1725 withdrawn

Fee Received 00-00 Required ..... Additional ..... Refund .....

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	• FRONT ELEVATION WITH BUSHES COVERING WINDOW NOT ACCEPTABLE NEED TO SEE SIZE.		
6	Floor plans	• SIDE ELEVATION EN-SUITE W.C. WINDOW NOT SHOWN.		
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 7.11.2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

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

EXTERNAL CONSULTATIONS

Adjacent D P A .....
Adjacent Parish .....
Southern Electricity Board .....
British Gas .....
PSA Oil Pipeline .....
Transco .....
Environment Agency .....

Rail Track .....
Police Arch. Liaison Officer .....

HERITAGE BODIES

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

OTHERS:

PRE-APP ATTACHED

NEIGHBOURS:

40, 56, 89, 93, 91

S/N + 74 → 96 (EVEN) McCARTHY WAY

35, 26 → 36 (EVEN) NASHGROVE LANE

10 Chalmers close, 24 TICKENOR DR

27 Radical Ride,

38, 30, 5 MORNINGTON AVE

11, 5 WILD BRIAR

11, 47 JERRYMOOR HILL.

25.OCT.2000* 2671

CHARTERED WMG ARCHITECTS

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

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

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

Ref: 2295/wmg/cm

24 October 2000

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

Dear Sir

LAND BETWEEN 30 - 32 NASHGROVE LANE WOKINGHAM

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

a) Planning Application Part 1
b) Fee note (none required as re-application)
c) OS extracts
d) Dwg. No. 2295 - 04B
e) Section 66 Certificate

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 Graham

Enc

1789/a

SECTION 66 CERTIFICATE

Application No.

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

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

OR

+ See Note (a) to Certificate A

OR

(b) Insert description of steps taken.

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

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

CERTIFICATE A

25.OCT.2006* 2671

I certify that:

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

~~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

CERTIFICATE C

I certify that

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

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

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

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

(b) . . . . . .

. . . . . .

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

on (d) . . . . . .

1789/b

CERTIFICATE D

I certify that

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

OR

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

(b) . . . . . .

. . . . . .

(b) Insert description of steps taken

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

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

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

on (d) . . . . . .

ALL APPLICANTS MUST COMPLETE THIS SECTION

Agricultural Holdings Certificate

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

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

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

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

OR

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

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

Signed . . . . . W M Graham Assoc.

On behalf of . . . . . THE OWNER

Date . . . . . 20 October 2000

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

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT - TOWN AND COUNTRY PLANNING ACTS

Please answer **ALL QUESTIONS** in **BLOCK LETTERS**. If a question is not applicable, answer **N/A** in space. Please submit **SIX** copies of this form and plans to:-

THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P O Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY
25.OCT.2000 2671

1.	**APPLICANT'S NAME**	THE OWNER
	ADDRESS	C/O THE ARCHITECT
		1 RECTORY ROAD WOKINGHAM
	POST CODE	RG40 1DJ **PHONE** 0118 977 0464
2. If the applicant has an agent, all correspondence will be sent to the agent	**AGENT'S NAME**	W M GRAHAM ASSOCIATES
	ADDRESS	1 RECTORY ROAD
		WOKINGHAM
	POST CODE	RG40 1DJ **PHONE** 0118 977 0464
3. On the plans show the SITE outlined in RED Show also OTHER land in the applicant's ownership or control in BLUE.	**SITE LOCATION**	LAND ADJOINING 30-32 NASHGROVE LANE
		WOKINGHAM
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.		ERECTION OF TWO BEDROOMED SINGLE STOREY DWELLING WITH INTEGRAL GARAGE
5. Give the area in hectares or part of a hectare	**AREA OF SITE**	0.4 ha
6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	**OWNERSHIP**	OWNER
7. List all the plans and drawings submitted with the application	**PLANS/DRAWINGS**	DWG. NO. 2295 - 04B

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?
Tick the boxes(x)

CHANGE OF USE	☐		**REDEVELOPMENT**	☐
ERECTION OF NEW BUILDING	☑		**ALTERATION or EXTENSION**	☐

9. WHAT TYPE OF APPLICATION IS THIS ?
Tick one box only

OUTLINE PERMISSION	☐	See question 10
FULL PERMISSION	☑	
APPROVAL OF DETAILS/RESERVED MATTERS	☐	State relevant outline permission number Also complete Question 10
TEMPORARY PERMISSION	☐	State period required
RELAXATION OF CONDITIONS	☐	State relevant application number Conditions to be relaxed

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

SITING	☐	**EXTERNAL APPEARANCE**	☐
DESIGN	☐	**MEANS OF ACCESS**	☐
LANDSCAPING	☐		

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDING(S) e.g. residential, industrial, etc. If the site is vacant say so, and also state its previous use and when that ceased.

GARDEN

12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS?

YES/NO

If yes, show existing route(s) and any proposed alternatives on the plans

13. ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED?

YES/NO

See Dwgs.

If yes, please show their positions, spread and species on the plans and which, if any, are to be felled.

14. STATE EXTERNAL MATERIALS TO BE USED.

RED BRICK AND RED-BROWN TILES

15. HOW WILL THE SITE BE ENCLOSED? Say whether walls, fences or hedges, and give height, colour and materials. If the site is divided into plots, say how each is to be enclosed.

CLOSE BOARD FENCING

16. HOW WILL SURFACE WATER BE DISPOSED OF?

DRAINED INTO EXISTING SYSTEM

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/NO

If no, please give details

18. WHAT ARE THE ACCESS ARRANGEMENTS?
AS EXISTING
AS PROPOSED
Give details of pedestrian and vehicular access

AS PROPOSED
SEE DRAWINGS

19. HAS PROVISION BEEN MADE FOR THE DISABLED? See notes for applicants

YES

20. IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS, COMPLETE THE FOLLOWING TABLE

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	/ *	/ *	/ *
BUNGALOW	1 / 6 *	/ *	/ *
FLAT/MAISONETTE	/ *	/ *	/
OTHER	/ *	/ *	/ *

* STATE No. OF HABITABLE ROOMS

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE?

YES/NO

If YES, complete Part 2 of the form

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS: THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS?

YES/NO

If YES, please ask for and complete Part 3 of the form

23. STATE THE FEE ENCLOSED WITH THIS APPLICATION The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.

None required as re-application for similar scheme Ref: F/2000/1725

I hereby apply for permission in respect of the particulars described above and in the attached plans and drawings. If planning permission is granted, the development must be carried out strictly in accordance with the approved plans. Failure to do so could result in enforcement action being taken. Permission under the Town & Country Planning Acts does not obviate the possible need to apply for Building Regulations approval.

SIGNED W M Graham Associates ON BEHALF OF THE OWNER DATE 20 October 2000

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

1769c

PLANNING APPLICATION

PART 2

This part of the form need only be completed if the application involves non-residential development. Please answer all questions in print or block letters. If the answer is not applicable, write N/A in the space. You may wish to amplify your answers in a covering letter.

24. STATE THE GROSS FLOOR SPACE (by external measurement) OF ALL BUILDINGS TO WHICH THIS APPLICATION REFERS. Please give all floor areas in SQUARE METRES.

	USE CLASS	Existing floor space		Proposed additional floorspace created by	
		Retained in existing use	Lost by change of use or demolition	New building	Change of use
A1	SHOPS				
A2	FINANCIAL AND PROFESSIONAL SERVICES				
A3	FOOD AND DRINK				
B1(a)	OFFICE (other than A2)				
B1 (b)	RESEARCH AND DEVELOPMENT				
B1 (c)	LIGHT INDUSTRIAL				
B2	GENERAL INDUSTRIAL				
B3-7	SPECIAL INDUSTRIAL				
B8	STORAGE OR DISTRIBUTION				
C1	HOTELS AND HOSTELS				
C2	RESIDENTIAL INSTITUTIONS				
D1	NON-RESIDENTIAL INSTITUTIONS				
D2	ASSEMBLY AND LEISURE				
OTHER	Please Specify				
OTHER	Please Specify				
	TOTAL				

25. IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES

26. WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing		
Proposed		

27. DESCRIBE THE ACTIVITY OR PROCESSES TO BE CARRIED ON
Please provide details of any equipment, plant or machinery to be installed and any end products. You may wish to amplify your answers in a covering letter.

28. WHO WILL OCCUPY THE PREMISES?
a) Give the name and current operating address of the proposed occupier
b) Will these premises be vacated?

29. IF KNOWN, HOW MANY PEOPLE ARE LIKELY TO BE EMPLOYED ON SITE AFTER COMPLETION OF THE DEVELOPMENT?

Existing Staff	Transferred Staff	New Staff	Total

30. DOES THE PROPOSAL INVOLVE THE USE OR STORAGE OF ANY OF THE HAZARDOUS SUBSTANCES LISTED IN THE NOTES?
If so, state this material, the quantity and method of storage.

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

1769d

YOUR PLANNING APPLICATION

WHY DO YOU NEED TO MAKE A PLANNING APPLICATION ?

New buildings, major alterations and enlargement of existing buildings, and many changes in the use of buildings and land need planning permission.
The Town and Country Planning Acts impose a duty on Local Authorities to control these changes, and this means that a balance has to be found between the need and pressure for change, and the desire to protect the character of settlements and the countryside.
The merits of each application are, therefore, carefully examined.

WHAT ELSE MAY YOU HAVE TO DO ?

Listed Building Consent: for works to a Listed Building; or for demolition works on land within the curtilage of a Listed Building or within a Conservation Area.

Advertisement Consent: for the display of advertisements or signs

Building Regulation Approval: for most new building or construction work.

Special forms are available for these types of applications.

You should also check whether there are any other regulations with which you may need to comply.

WHAT HAPPENS TO THE APPLICATION ?

It will first be checked to see if it is complete and if it is, it will be registered.

Consultations will be carried out with public and other bodies, such as the Highway Authority, or Local Parish Councils.

Publicity may be given to allow local people the opportunity to comment on your proposals.

The application will be considered in relation to the Council's planning policies and guidelines, the past history of decisions on that site or in the locality, other standards (such as parking, or visibility at road junctions), and any other material considerations.

The site will be visited by a Planning Officer You may be asked to submit more information, or to amend your application.

The application will then be considered either by a Planning Committee or Sub Committee (made up of Councillors) or by the Chief Officer responsible for planning matters. Objections to an application will be taken into consideration by the Committee or the Chief Officer.

Shortly after the application has been determined, you will receive a Decision Notice.

HOW LONG WILL IT TAKE ?

An application will generally be determined within eight weeks although a longer period may sometimes be required for a complicated application.

WHAT SORT OF DECISION CAN BE MADE ?

Your application may be approved.

Your application may be approved subject to certain conditions. These could impose restictions on the use of land or buildings, or require further details to be approved at a later stage, (e.g. materials or landscaping).
You may appeal against the conditions, but this opens the entire permission to review by the Secretary of State.

Your application may be refused. The reason will be listed on the Decision Notice.

WHAT HAPPENS IF THE APPLICATION IS REFUSED ?

You have the right to appeal against the refusal to the Secretary of State, but you have to do that within six months. Appeals can be dealt with by written representations by both sides, or by a Public Inquiry.
You may ask the Planning Officer whether an amended application would be more likely to receive planning permission.

DATA PROTECTION ACT 1984

'Information contained in this form is likely to be personal data within the terms of the Data Protection Act 1984, and as such will be held by the Council on computer (such as the PLANAPS applications processing system) and may be used by the Council only for purposes registered under the terms of the Data Protection Act.'

1933

REAR OF 30/32 NASHGROVE LANE.

ADDRESS **PARISH** FINCHAMPSTEAD.

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

PLOT No. **ORD. SHEET No.**

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decisio
99/70104/O	Tony Thorpe Assoc.	O/L Prop. Erection of Det Dwelling + Garage	14.9.99	R
FP99/8595	Mr. L. Dean	Det 4-Bed dwelling	12.4.99	APP
F/2000/1425				

MINISTRY DECISION 70104 - APPEAL DISMISSED - 1.2.00

SPECIAL ORDERS

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 DEAN ESQ ESQ.
IN RESPECTOF THE REFUSAL OF *DETAILED* PLANNING PERMISSION BY WOKINGHAM DISTRICT COUNCIL FOR THE ERECTION OF 1no. BUNGALOW

AT LAND R/O 30-32 NASHGROVE LANE, WOKINGHAM, BERKSHIRE.

GREGORY GRAY ASSOCIATES CHARTERED TOWN PLANNING CONSULTANTS

LPA REF:	**F/2000/2671**
APPEAL REF:	**APP/X0360/A/01/1059239**
GGA REF:	**NL/01/221**

APRIL 2001

DOCUMENTS

1. Pre-application correspondence
2. Post-application correspondence
3. 1:500 site plan
4. Plan relating to May 1999 application
5. Appeal decision relating to September 1999 application
6. Current application relating to the appeal site
7. Current application relating to no. 34 Nashgrove Lane
8. Photographs of infill development at Elgarth Drive
9. Planning policies
10. Photographs of properties adjoining the appeal site and diagram demonstrating impact of the proposed development
11. Impact of a Part 1 Class E building

2295

Tel. (0118) 974 6487 (Direct Line)
Fax. (0118) 974 6484
Email. John.Mitchell@wokingham.gov.uk
Date 18 October 2000
My ref. JRM/SB/Wokingham PreApp
Your ref. 2295/wmg/cm

Mr W M Graham
W M Graham Associates
1 Rectory Road
WOKINGHAM
Berkshire
RG40 1DJ

BY FAX : 977 0482

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Switchboard Tel: (0118) 974 6000
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham
http://www.wokingham.gov.uk

Dear Mr Graham

LAND ADJOINING 30-32 NASHGROVE LANE, WOKINGHAM

Thank you for your letter of 20 September 2000 enclosing drawing no. 2295/04 for a bungalow in the garden of Nos. 30 and 32 Nash Grove Lane.

I have looked at this application carefully and at the planning history of the site. In my opinion - and I stress my opinion - I think a bungalow could be acceptable on this site. However, I think effort should be made to reduce the pitch of the roof so that its bulk can be minimised in the streetscene.

I hope you find this information helpful. I am sorry about the delay and you will of course appreciate that the views given in this letter are those of an officer and cannot be held binding on any decision of the Council or it's committees.

Yours sincerely

JOHN MITCHELL
Development Control Manager

1/1

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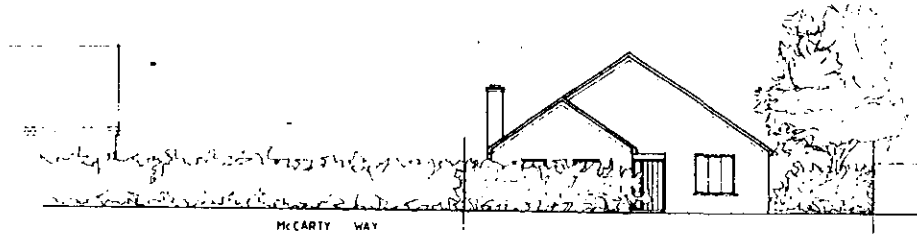

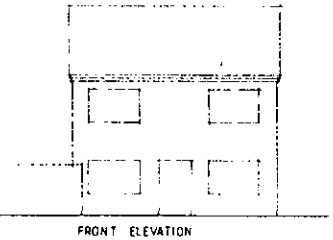

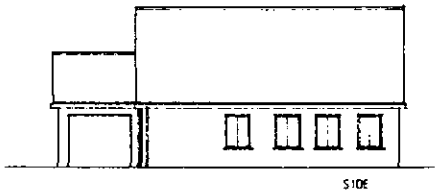

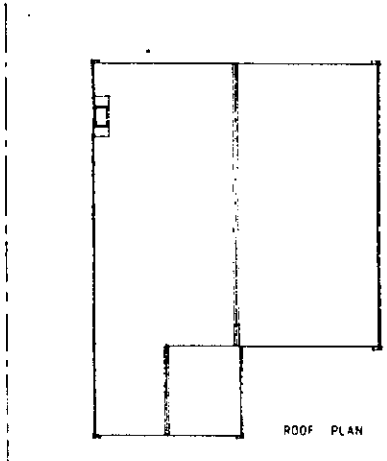

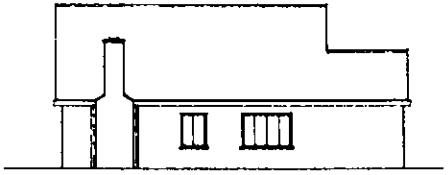



W. M. GRAHAM ASSOCIATES
CHARTERED ARCHITECTS

Job
PLOT ADJOINING
30-32 NASHGROVE LANE
WOKINGHAM

Title
PROPOSED PLAN, SITE LAYOUT AND ELEVATION

Scale 1:100	Date AUG 2000	Drawn By RWF
Job No 2295	Drawing No 04	Revision

2/1

2

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU52 7SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

J. Mitchell Esq.,
Head of Development Control,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire, RG40 1WR.

17th January 2001
Our Ref: NL/01/221

0118 974 6484 (2 pages)

Dear Mr. Mitchell,

PROPOSED ERECTION OF A BUNGALOW
30 – 32 NASHGROVE LANE, WOKINGHAM.
F/2000/2671

We act for the applicant in respect of this matter. I write further to our telephone conversation on Tuesday afternoon.

Having studied the file and planning history I make the following comments:

(1) The application falls to be determined in accordance with development plan policy SH1. Emerging Local Plan Policy WH1 is also material and is identical in wording to Policy SH1. With regard to the sub categories the site is enclosed and does not have any material impact on the open character of the locality or surrounding countryside. There is adequate garden space and space about the proposed building as well as off street parking in accordance with your Councils adopted standards. In this context I note that there are no objections from your senior arboricultural officer or highways engineers. As such, and for the reasons set out below, there are no material considerations beyond the development plan policy to justify withholding planning permission.

(2) Turning to planning history, I have examined the refusal of detailed planning permission for a four-bedroom dwelling and the appeal decision pertaining to an outline application with all matters reserved. I think it reasonable to conclude from the appeal decision that two-storey development on the site would be difficult to accommodate without causing material harm to the occupiers of numbers 78 and 80 McCarthy Way. However, and critically, the proposal before the Inspector failed to produce any evidence that single storey development could be accommodated on the land in question. Where he had doubts was in respect of the larger footprint, its impact in terms of the areas of roof and proximity to trees along the eastern boundary which may result in their removal.

All of these matters are addressed by my Clients current proposal which is to be situated 4 metres from the common boundary with numbers 78 and 80 McCarthy Way. By reducing the roof pitch and limiting accommodation an acceptable form of development is proposed. As a result and given its juxtaposition to numbers 78 and 80 McCarthy Way, there will be no material loss of amenity.

(3) Significant weight must be afforded to revised PPG3 given increased emphasis on the use of urban sites to satisfy housing land requirements. Indeed your emerging Local Plan is predicated on the basis of windfall sites providing 760 dwellings within the remaining years of the plan period. Whilst I accept that the circumstances of the particular case are material, there is no demonstrable harm and in this instance re-use of urban lands is clearly acceptable in accordance with the guidance.

(4) I have studied the numerous letters from third parties. Their objections may be summarised as perceived traffic hazards; previous refusals setting a precedent; over development of the area; and removal of trees. As set out above there is no objection from your professional officers in terms of landscape or highway matters. Importantly, the previous Inspector has not ruled out the principle of development on this site. Rather he did not have the benefit of a scheme before him to judge its impact. It is on the basis of the Inspectors comments that the current scheme has been conceived.

Bearing in mind the foregoing we trust that the application will be reported to committee on the 7th February with a recommendation for the grant of permission. If you require any further details please do not hesitate to contact me.

Yours sincerely,

Mark Leedale

COPY

Tel: 0118 974 6315 (Direct Line)
Fax: 0118 974 6313
Email: karen.satterford@wokingham.gov.uk
Date: 29th November 2000
My ref: KS/pb/DesNov

Director of Environmental Services
Environmental Services Department
P.O. Box 153
Shute End, Wokingham
Berkshire RG40 1WL
Tel: (0118) 974 6000
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Cllr Tim Charlesworth
3 Rowan Drive
Crowthorne
Berks RG45 6RY

Dear Tim

PA F/2000/2671 – PROPOSED BUNGALOW REAR OF 30-32 NASH GROVE LANE

I refer to our recent telephone conversation regarding the above, when I promised to look personally at this case. I understand that you have two main concerns: 1) That Wokingham District Council has accepted another planning application for this site. 2) That Wokingham District Council has not asked for a fee from this application.

I will take these points in turn:

1) Acceptance of Planning Application

Under Section 70A of the Town & Country Planning Act 1990 a local planning authority can decline to determine an application if the Secretary of State has in the preceding 2 years refused permission on a similar application and there has been no material change since then in a development plan or in any other material considerations. The power is discretionary. The Secretary of State advises that it should only be used by a local planning authority "where they believe that the applicant is intending to exert pressure by submitting repeated similar applications. If an application has been revised in a genuine attempt to take account of objections to an earlier proposal it should not be regarded as similar for the purposes of this Section". The Secretary of State urges that in doubtful cases the benefit of the doubt should be given to the applicant.

I have looked at Mr Mitchell's handling of this case against this background. It is true that a planning application was dismissed on appeal in February this year. However, that application was made in outline form only with only a red line on a location plan and no details of any elevations. Looking at the appeal decision in paragraph 13 the Inspector concludes that there is no firm and clear cut evidence that a single or two storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and to the character of the area. In the absence of such evidence he considered that the proposal would be contrary to the Local Plan. To my mind this indicates that if the applicant is able to supply details of what the finished property would look like then this could constitute evidence that a new building could be constructed on the site without detriment to character or amenity. The application is therefore in my opinion a revision in a genuine attempt to take account of objections to an earlier proposal. As such it should not be regarded as similar for the purposes of Section 70A of the Act and it is reasonable of the Council to accept it.

Cont/.

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Whilst I appreciate the distress that the application causes to your constituents I am afraid, therefore, the Council was reasonably obliged to accept it under the advice given by the Secretary of State.

2) Wokingham District Council not charging a fee for this application
John Mitchell has written separately to you on the matter of fees and I cannot add to his comments.

I do appreciate the level of public concern among your constituents about this application and there will of course be a full opportunity to explore the planning issues at the Development Control Committee, and for Members to take a decision on the application.

In the meantime, I hope you find this response of help.

Yours sincerely

Karen Satterford
Director of Environmental Services

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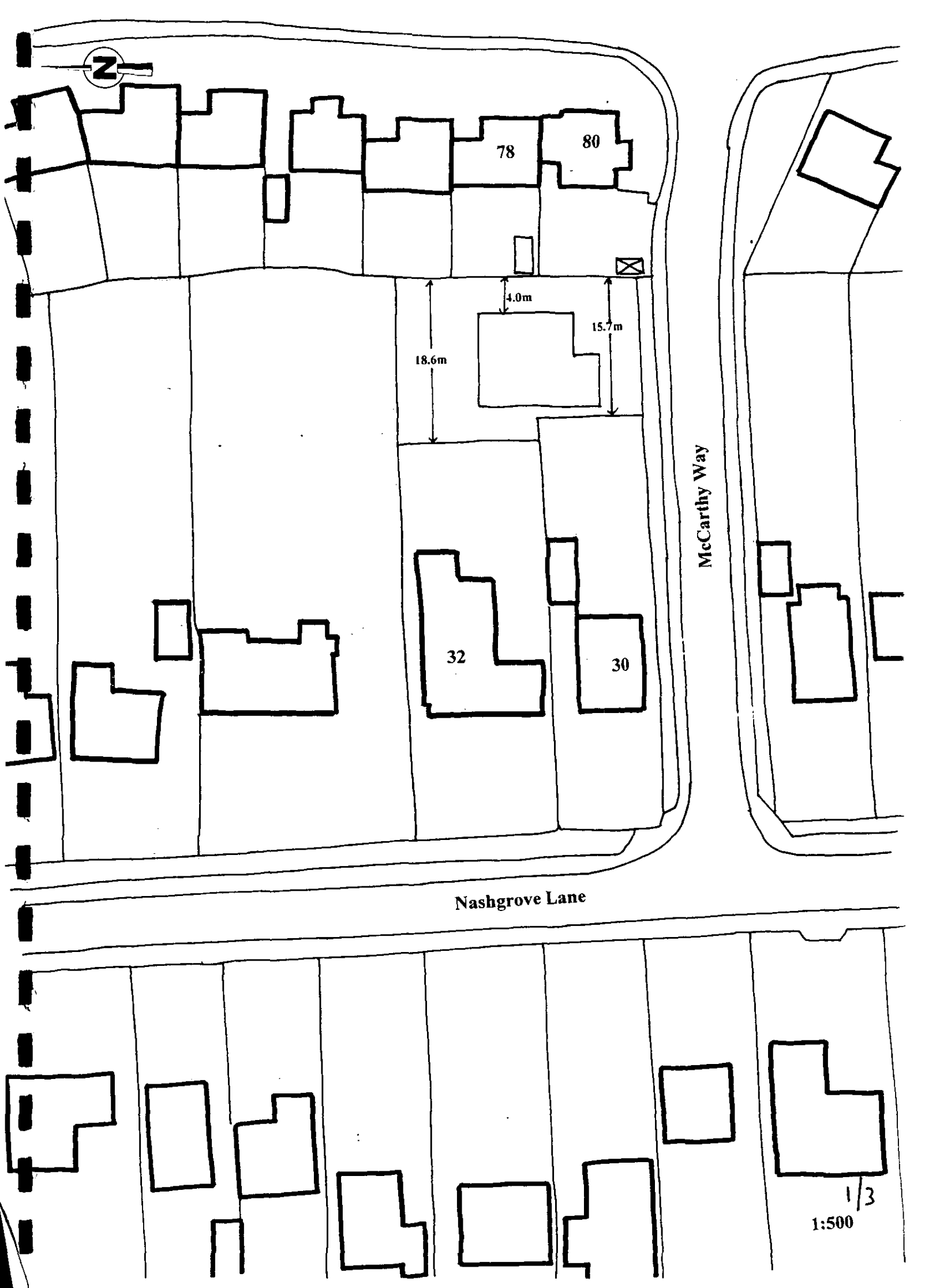
78
80
4.0m
15.7m
18.6m
McCarthy Way
32
30
Nashgrove Lane
1/3
1:500

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Appeal Decision Notice File

The Planning Inspectorate

1426

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117 - 987 8927
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Tony Thorpe Associates
The Studio
1 Durrant Way
Tilehurst
Reading
Berks
RG31 6TR

Your Ref:
AJT/MT/630

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

Date:
1- FEB 2000

Dear Sirs

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Yours faithfully

JOHN S DEAKIN FRICS
Inspector

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Elgarth Road looking north. Note position of infill dwellings in relation to existing house



2

Elgarth Road looking south at infill development

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9

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

on smaller sites, are brought forward in response to a variety of local circumstances reflecting individual opportunities and needs, and they arise in most of the built-up areas at one time or another. It is clear that the demand for this form of development will continue and recognition of such a demand is essential in any provision which is to be made for future development. Such development allows for an increase in the diversity of housing in a particular settlement area.

1.2.07 Only a proportion of the housing provision is met by the allocation of specific areas of land for development. The remainder is provided for through the inclusion of policies which allow some development to occur in the identified settlements on unidentified sites in response to needs and opportunities identified by landowners and developers. It is estimated that a further 781 dwellings will be provided in the District on such sites between 1992 and 1998. Details of the basis for this estimation are given in the Planning Fact Sheet: Housing, which is available separately from this Plan.

❖ SH1 HOUSING DEVELOPMENT ON UNIDENTIFIED SITES

WITHIN THE IDENTIFIED SETTLEMENTS RESIDENTIAL DEVELOPMENT IN THE FORM OF INFILLING, ROUNDING OFF AND REDEVELOPMENT, GENERALLY WILL BE CONSIDERED FAVOURABLY SUBJECT TO LOCAL ENVIRONMENTAL CONSTRAINTS AND OTHER PROVISIONS OF THIS PLAN. IN VIEW OF THE SENSITIVITY OF SUCH PROPOSALS AND THEIR POTENTIAL IMPACT THE PREPARATION OF A DEVELOPMENT BRIEF WILL NORMALLY BE NECESSARY IN BRINGING FORWARD SCHEMES ON SITES OVER 0.4 HECTARE. ON SITES OF OVER 0.4 HECTARE, AN ELEMENT OF AFFORDABLE HOUSING WILL BE SOUGHT IN ACCORDANCE WITH POLICY SH8.

IN INTERPRETING THIS POLICY, THE DISTRICT COUNCIL WILL PARTICULARLY WISH TO ENSURE THAT THE FOLLOWING CRITERIA (WHICH ARE AMPLIFIED IN OTHER POLICIES WHERE INDICATED) ARE COMPLIED WITH:

(A) THE PROTECTION OF OPEN AND WOODED AREAS, GAPS AND GARDEN AREAS WHICH ARE IMPORTANT TO THE CHARACTER OF THE SETTLEMENT CONCERNED (POLICY STV6 AND VARIOUS SPECIFIC POLICIES),

(B) NO SIGNIFICANT ADVERSE EFFECT ON THE CHARACTER OF THE AREA (POLICIES STV6, SBE1 & SBE2),

(C) NO SIGNIFICANT ADVERSE EFFECT ON SETTLEMENT BOUNDARIES AND THE SURROUNDING COUNTRYSIDE (POLICY STV5),

(D) NO LOSS OF PUBLIC OPEN SPACE OR RECREATIONAL FACILITIES (POLICY SR4),

(E) THE PROVISION OF ADEQUATE GARDEN AREAS, SPACE ABOUT BUILDINGS AND OFF-STREET PARKING FOR ALL NEW DWELLINGS,

(F) THE PRESENCE OF ADEQUATE LOCAL HIGHWAY CAPACITY TO CATER FOR TRAFFIC GENERATED BY THE DEVELOPMENT.

1.2.08 The housing requirement for the five year period to 1998 is based on the provision required by the Approved Structure Plan until 1996, and thereafter on that required by the provision to be made in the Draft Deposit Structure Plan. This gives a total requirement 1992-98 of 3590 units for Wokingham District. Of the total provision (1984-1998) some 9630 had been built by March 1992. Permission had also been granted for a further 1785 dwellings on that date and commitments had been entered into subject to legal agreements, for a further 257 dwellings. Together with the 781 houses to be provided on unidentified sites a total of 12229 dwellings have been provided for (taking into account non-implementation of unidentified sites and Lower Earley). Therefore in the entire District, sites remain to be identified for 991 dwellings.

1.2.09 Sites for 726 units have been identified within the District but outside this Plan area, and sites for an additional 336 dwellings

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.

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



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie
Public Services Division

5/9

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

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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.



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

8/9

h) AN ELEMENT OF AFFORDABLE HOUSING IS PROVIDED IN RESIDENTIAL SCHEMES OF 15 OR MORE DWELLINGS OR OF 0.5 HECTARE OR MORE IN SETTLEMENTS OF 3,000 OR FEWER, AND OF 25 OR MORE DWELLINGS OR OF 1 HECTARE OR MORE ELSEWHERE. THE SETTLEMENTS WHERE THE 25 DWELLINGS REQUIREMENT APPLIES COMPRISE CROWTHORNE (PINEWOOD), EARLEY, NORTH FINCHAMPSTEAD, TWYFORD, WARGRAVE, WINNERSH, WOKINGHAM AND WOODLEY. NEW DEVELOPMENT WILL BE EXPECTED TO COMPLY WITH THE COUNCIL'S SERVICE, AMENITY, AND INFRASTRUCTURE REQUIREMENT (S.A.I.R.).

PROPOSALS FOR RESIDENTIAL DEVELOPMENT WILL BE JUDGED AGAINST THE COUNCIL'S PLANNING GUIDELINES FOR THEIR ACCEPTABILITY UNDER DESIGN AND PARKING CRITERIA.

Implementation: Planning permissions to private and public sector housebuilders, having regard to Planning Guidelines.

Monitoring: Planning applications.

5.13 Assuming that 1,850 dwellings are provided on the major site south of the M4 at Grazeley by 2006, it is necessary to ensure that sufficient land is identified for the development of small sites. The sites that have been identified in Policy WH2 have been selected on the basis of their performance against a number of environmental criteria.

POLICY WH2: HOUSING DEVELOPMENT - IDENTIFIED SITES

IN ADDITION TO THE 1,850 DWELLINGS TO BE BUILT AT GRAZELEY (SEE PROPOSAL WSM1), THE COUNCIL WILL MAKE PROVISION FOR THE DEVELOPMENT OF APPROXIMATELY 867 DWELLINGS IN THE PERIOD 1 APRIL 1996 TO 31 MARCH 2006 ON THE FOLLOWING SITES, SUBJECT TO THE PROVISION OF INFRASTRUCTURE AND PUBLIC AND COMMUNITY SERVICES NECESSARY TO SUPPORT THE DEVELOPMENT. THESE SITES WILL BE SAFEGUARDED FROM OTHER TYPES OF DEVELOPMENT. IN BRINGING FORWARD THE SITES FOR DEVELOPMENT, A DEVELOPMENT BRIEF WILL BE REQUIRED. DEVELOPMENTS AT OR NEAR WINNERSH WILL BE REQUIRED TO CONTRIBUTE TOWARDS SCHEMES PUT FORWARD IN THE WINNERSH TRANSPORT STUDY.

a) WI12 LAND WEST OF MOLE ROAD, SINDLESHAM
b) WI17 FORMER GMU DEPOT, WATMORE LANE, WINNERSH
c) AB05 ARBORFIELD GARRISON, ARBORFIELD
d) SH03 LAND AT GRAZELEY ROAD, THREE MILE CROSS
e) SH13 CHURCH FARM AND CATTLE BREEDING CENTRE, CHURCH LANE
f) SH15 LAND AT HOLLOW LANE, SHINFIELD
g) SH27 LAND AT WILSFORD CLOSE, SHINFIELD
h) SH37 LAND AT LANE END FARM, CUTBUSH LANE, SHINFIELD
i) WI13 LAND AT CHATSWORTH AVENUE, WINNERSH

Implementation: Planning permissions to private and public sector housebuilders.

Monitoring: Monitor release of sites for development, including planning permissions.

10/3

POLICIES

Only part of the District's housing requirement is met through the allocation of specific areas of land for development. Housing will continue to be built on unidentified sites. In accordance with Berkshire Structure Plan Policies (C1 and H5), these sites will be within the boundaries of identified settlements.

POLICY WH1: HOUSING DEVELOPMENT - UNIDENTIFIED SITES

WITHIN THE IDENTIFIED SETTLEMENTS, ON SITES THAT ARE NOT IDENTIFIED IN THE PLAN FOR RESIDENTIAL USE, DEVELOPMENT IN THE FORM OF INFILLING, REDEVELOPMENT AND CHANGE OF USE TO RESIDENTIAL USE WILL BE CONSIDERED FAVOURABLY, SUBJECT TO LOCAL ENVIRONMENTAL AND AMENITY CONSIDERATIONS AND ALL OTHER RELEVANT POLICIES AND PROVISIONS OF THIS PLAN, IN ORDER TO MAKE THE BEST USE OF LAND IN BUILT-UP AREAS.

IN PARTICULAR, THE COUNCIL WILL SEEK TO ENSURE THAT THE FOLLOWING CRITERIA ARE COMPLIED WITH:

a) OPEN AND WOODED AREAS, AND GAPS AND GARDEN AREAS, THAT ARE IMPORTANT TO THE CHARACTER OF THE SETTLEMENT, ARE PROTECTED FROM INAPPROPRIATE DEVELOPMENT

b) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE CHARACTER OF THE AREA, INCLUDING ON ANY CONSERVATION AREA

c) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY RESIDENTIAL PROPERTY OR LISTED BUILDING

d) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE SETTLEMENT BOUNDARY OR ON THE ADJOINING COUNTRYSIDE

e) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON ANY INTEREST OF NATURE CONSERVATION IMPORTANCE

f) THERE IS NO LOSS OF RECREATIONAL FACILITIES OR PUBLIC OPEN SPACE

g) THERE IS ADEQUATE LOCAL HIGHWAY AND INFRASTRUCTURE CAPACITY TO CATER FOR TRAFFIC AND OTHER DEMANDS GENERATED BY THE DEVELOPMENT, WITH, WHERE SEEN AS NECESSARY, THE PROVISION OF ROAD SAFETY MEASURES. IT WILL BE NECESSARY TO CONSIDER THE CUMULATIVE EFFECT ON ROADS AND INFRASTRUCTURE OF PROPOSED DEVELOPMENTS IN THE SAME AREA, TO DETERMINE THEIR ACCEPTABILITY UNDER THIS CRITERION

Cont.

11/9

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.

14/9

10



1

Main outlook to no. 80
McCarthy Way to south



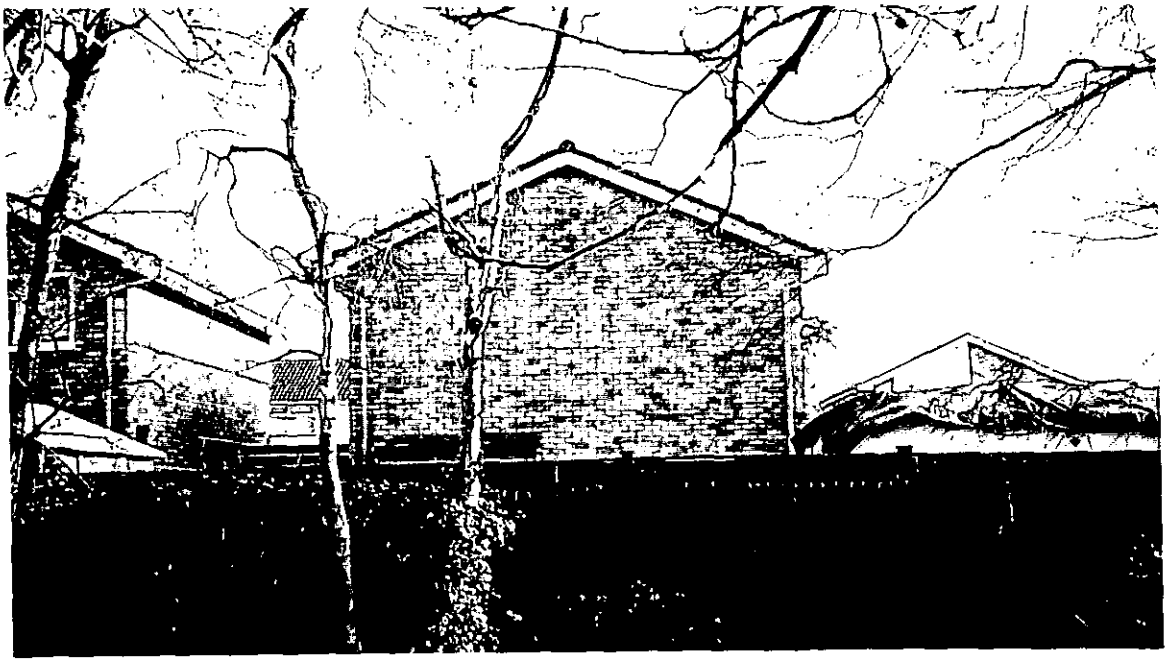
2

Note no first floor windows to
no. 80 face onto the appeal site



3

West facing elevation to no. 78. Facing windows to bathroom (LHS) and bedroom (RHS)



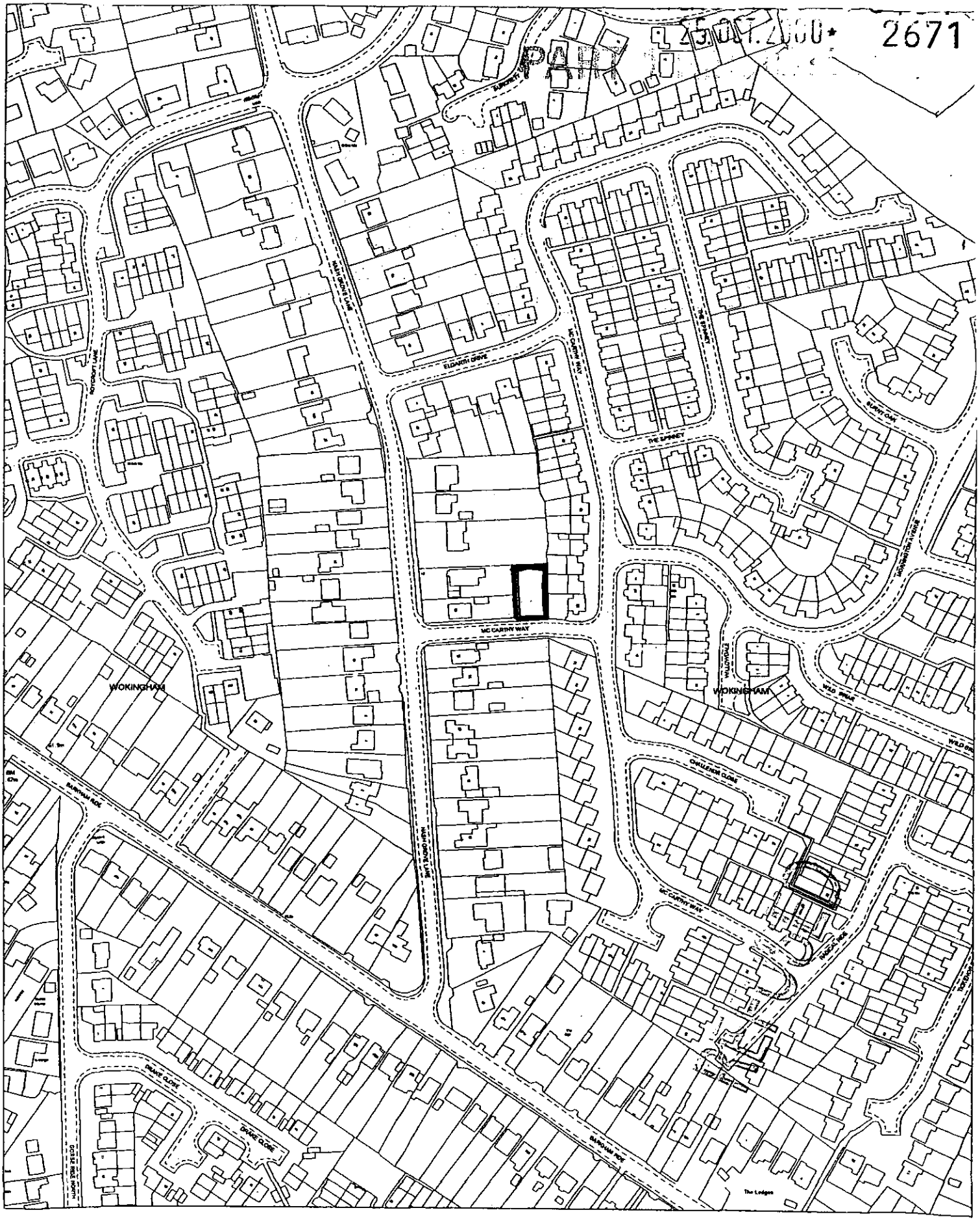
4

Facing elevation to no. 80. No windows at first floor level face the appeal site

11

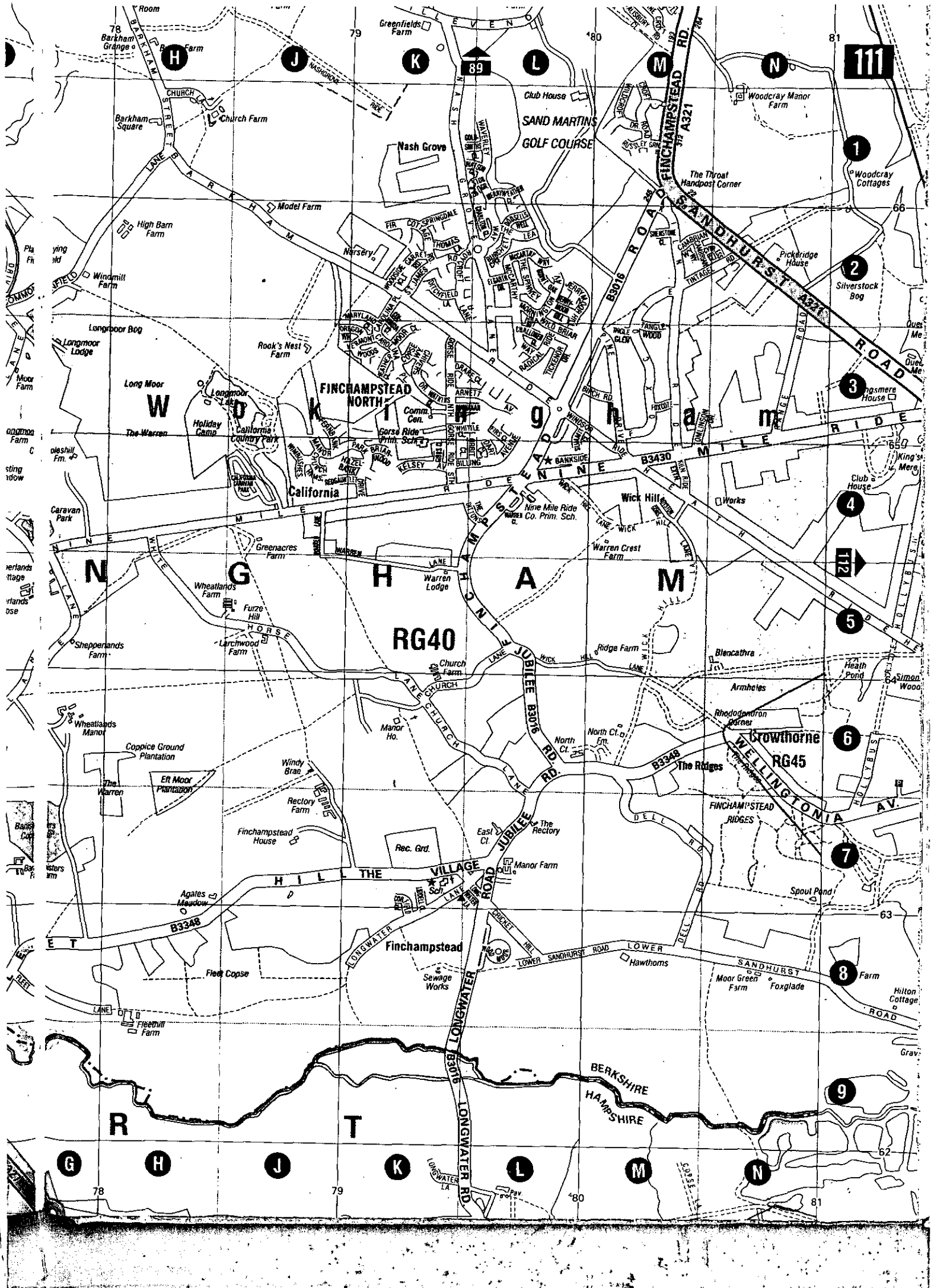
2195

13 OCT 2006 2671



Site Plan, Scale: 1 to 2500

SITE AT 30-32 NASH GROVE LANE
PROPOSED DWELLING


111
A321
FINCHAMPSTEAD ROAD
SANDHURST
A321
B3016
ROAD
FINCHAMPSTEAD
NORTH
Finchampstead
Wokingham
NINE MILE RIDE
B3430
B3348
RG40
RG45
Crowthorne
Wick Hill
California
Nash Grove
SAND MARTINS
GOLF COURSE
Club House
Woodcray Manor Farm
Woodcray Cottages
The Throat
Handpost Corner
Pickeridge House
Silverstock Bog
Kingsmere House
Model Farm
High Barn Farm
Windmill Farm
Longmoor Bog
Longmoor Lodge
Rook's Nest Farm
Long Moor Wood
Longmoor Lake
Holiday Camp
California Country Park
The Warren
Caravan Park
Greenacres Farm
Wheatlands Farm
Furze Hill
Larchwood Farm
Sheppenlands Farm
Wheatlands Manor
Coppice Ground Plantation
Eft Moor Plantation
Windy Brae
Rectory Farm
Finchampstead House
Rec. Grd.
Manor Farm
Agates Meadow
Fleet Copse
Fleethill Farm
Sewage Works
Manor Ho.
Church Farm
Warren Lodge
Warren Crest Farm
Ridge Farm
Nine Mile Ride Co. Prim. Sch.
Gorse Ride Prim. Sch.
Comm. Cen.
Works
Club House
Blencathra
Armholes
Heath Pond
Rhododendron Corner
North Ct. Fm.
The Ridges
FINCHAMPSTEAD RIDGES
Spout Pond
Hawthorns
Moor Green Farm
Foxglade
Hilton Cottage
Farm
BERKSHIRE
HAMPSHIRE
BANKSIDE
Barkham Square
Barkham Grange
Church Farm
Greenfields Farm
Barkham Street
Barkham Lane
Church Lane
Nashdom Lane
Nashdom Ride
Nashgrove Road
Waverley Road
Arnett Ave.
Gorse Ride North
Gorse Ride South
Dukes Ride
Heathfield Lane
Fortfield Lane
Woodcock Hill
Finchampstead Road
Wellingtonia Av.
Jubilee Road
Church Lane
Longwater Lane
Longwater Rd.
Lower Sandhurst Road
Cricket Hill Lane
Dell Rd.
Hollybush Ride
Nine Mile Ride
Wick Hill Lane
Warren Lane
Horse Hill
Fleet Lane
Barkham Ride
Nashgrove Road
Nashdom Lane
Nashdom Ride
Dukes Ride
Heathfield Lane
Fortfield Lane
Finchampstead Road
Wellingtonia Av.
Jubilee Road
Church Lane
Longwater Lane
Longwater Rd.
Lower Sandhurst Road
Cricket Hill Lane
Dell Rd.
Hollybush Ride
Nine Mile Ride
Wick Hill Lane
Warren Lane
Horse Hill
Fleet Lane
Barkham Ride
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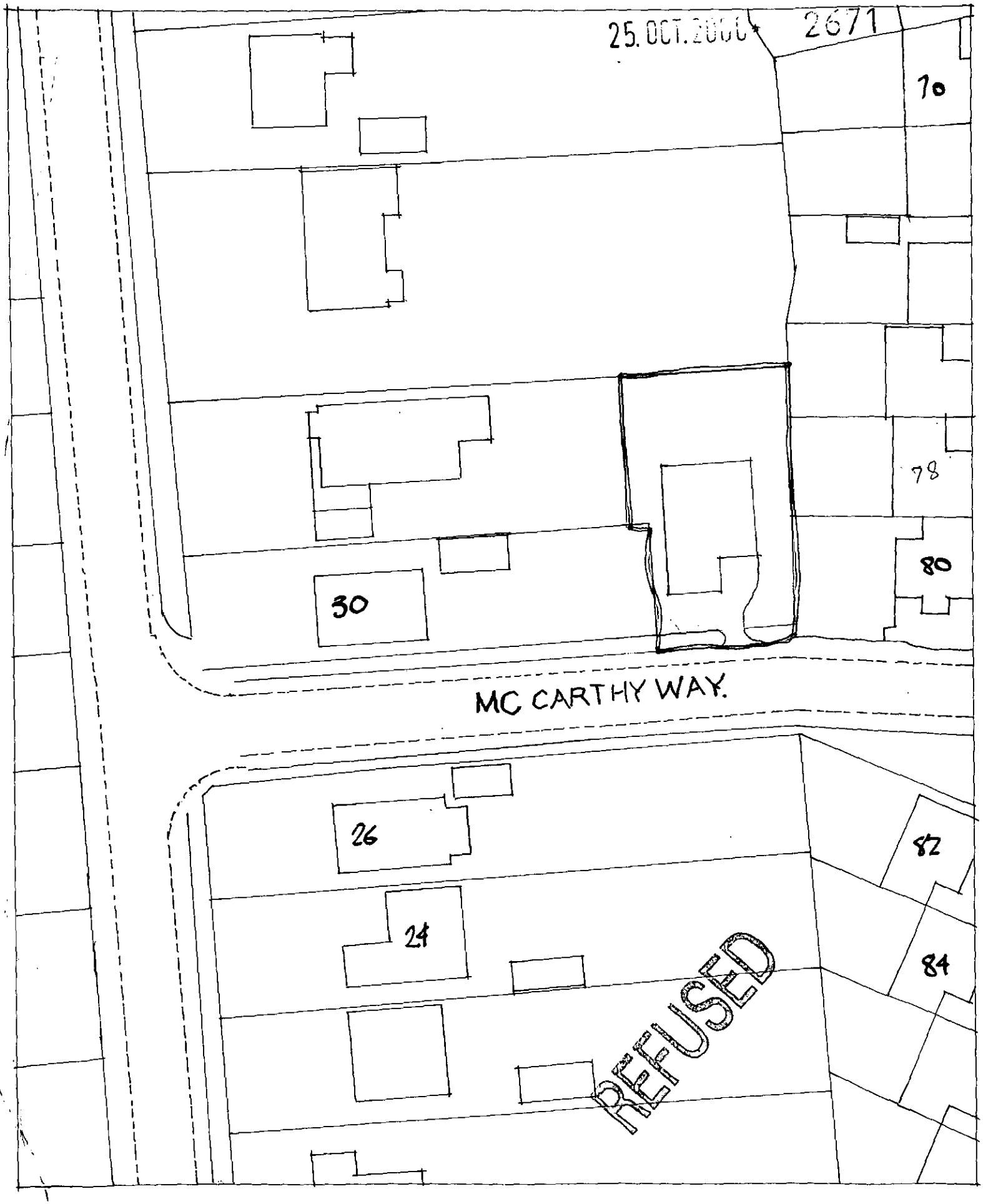
Development Control Section, Environmental Services, Wokingham District Council.

31 October 2000

Scale: 1 : 1250

N
W E
S



PROPOSED SITE SCALE 1:500

APPLICATION NO.2671

Name of appellant:
Mr & Mrs D Dean

Site address:
Land adjoining 30-32 Nashgrove Lane

Proposal:Erection of dwelling

Case Officer:JRM

Refused

Appeal Decision

Hearing held on 5 June 2001

by Shelagh C Bussey DipTP DipEM MA PhD MRTPI

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

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

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PLANNING SERVICES
REC'D 25 JUN 2001
Date 22 JUN 2001
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FILE:
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Appeal Ref: APP/X0360/A/01/1059239
Land adjoining 30-32 Nash Grove Lane, Finchamstead, Wokingham.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs D Dean against the decision of Wokingham District Council.
- The application (Ref.F/2000/2671), dated 20 October 2000, was refused by notice dated 1 February 2001.
- The development proposed is the erection of a two bedroom, single-storey dwelling with an integral garage.

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

Procedural Matter

1. At the Hearing, dimensions concerning the siting and the height of the development were confirmed by the Appellants and agreed by the Council. The distance between the eastern boundary of the site and the outer wall of the eastern elevation of the proposed dwelling would be 4.0 metres. The main front elevation of the bungalow would be positioned 7.75 metres from the highway boundary and, notwithstanding the connotation on drawing number 2295/04/B, concerning the proposed pitch of the roof, the ridge height would not exceed 5.6 metres above the slab level of the building. I have taken those dimensions into account in my consideration of the appeal proposal.

Main Issue

2. From what I have read, seen and heard, I consider that the main issue is the effect of the development on the living conditions of occupiers of neighbouring dwellings located in McCarthy Way, with particular reference to its mass and proximity.

Planning Policy

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006, adopted in 1995 and the South East Area Local Plan, adopted in 1994.

4. Policy EN1 of the Structure Plan advises that development within the built-up areas must be *appropriate to its location, in terms of its scale, form, impact, character and siting. It should* also be of a high standard of design, in order to help maintain and, where possible, to enhance the character of its surroundings.

5. Policy SH1 of the Local Plan is permissive towards infill development that complies with its criteria. Amongst other considerations, these require that the development has no adverse effect on the character of the area and that there is adequate space about buildings. Policy SBE1 advises that development should be of a high standard of design that is appropriate to the character of the locality and which contributes to the creation of a safe and attractive

environment, in which to live and work. Policy SBE2 requires that development is appropriate in terms of its relationship with adjoining sites and buildings.

6. The Local Plan is under review and the Wokingham District Local Plan Deposit Draft has formed the basis for development control decisions by the Council, since 1997. Policy WH1 of the emerging Local Plan reaffirms the Council's general presumption in favour of infill development, provided that it has no adverse effect on any residential property. Policy WBE1 requires that the design of development respects its local context, in terms of considerations that include its impact on the privacy and amenity of the existing environment. Policy WBE2 advises that infill development should be used as an opportunity to create added visual interest and to raise the architectural quality of the area. Policy WOS3 sets out development control principles against which development proposals are assessed. Amongst other matters, these require that development integrates into its local context without detriment to the amenities of adjoining land uses and occupiers and, that it is of high quality design.

7. Representations have been made concerning Policy WBE1. Therefore, that draft Policy may yet be amended or deleted. However, I consider that the Wokingham District Local Plan Deposit Draft has reached an advanced stage in its procedure towards its adoption by the Council and I afford its policies substantial weight, in accordance with advice contained in paragraph 48 of *Planning Policy Guidance: General Policy and Principles* (PPG1).

Reasons

The Site and Its Surroundings

8. The appeal site is a rectangular parcel of land that is included in the rear garden of 30 Nash Grove Lane, which is a corner plot. The site is about 15.7 metres wide at its frontage to McCarthy Way, from where access to the development would be gained. It is around 27.5 metres deep. Adjoining the appeal site to the west, there are two bungalows numbered 30 and 32 Nash Grove Lane and adjoining to the east, there are three, two-storey houses. The site and the surrounding area are relatively flat. Fences approximately 2.0 metres high bound the southern, eastern and part of the western sides of the site. The remaining part of its western boundary is open and a post and wire fence marks the northern boundary. There is row of mature deciduous trees growing adjacent to the eastern boundary. There is no frontage development to the west-east section of McCarthy Way that lies between its junction with Nash Grove Lane and the main part of McCarthy Way, which turns in front of number 80 McCarthy Way to run north-south.

9. In its wider context, the appeal site is situated within a settlement boundary, in an extensive estate of modern residential development, containing a variety of house types and residential densities. It also includes some later infill development. In my opinion, the proposed development would accord, in principle, with Policies SH1 and WH1. However, I turn now to consider the impact of the development on the living conditions of neighbouring occupiers.

The Effect on Neighbours' Living Conditions

10. The main part of the proposed bungalow would be 2.3 metres high to its eaves and 5.6 metres high to the ridge of its roof, which would be half hipped at the front and rear elevations. The garage would be a forward projection to the western half of the bungalow and it would have a lesser eaves and ridge height than the main building. The south-eastern corner of the bungalow would lie approximately 14.1 metres to the west of the northern part

of the rear elevation of 80 McCarthy Way, which is a corner plot. The development would also extend the full width of the rear elevation of the main part of number 78 McCarthy Way, which has an attached garage on its northern side. The distance between the appeal bungalow and number 78 would also be about 14.1 metres. Number 80 has west-facing windows on its ground floor and number 78 has west-facing windows on the ground and first floor.

11. Taking into account the orientation of the buildings adjacent to the appeal site, the proposed development would be clearly visible from the rear of several dwellings in Nash Grove Lane and in McCarthy Way. However, that would be so of any development constructed at the site, including that permitted by the provisions of *The Town and Country Planning (General Permitted Development) Order 1995*. But it is the Council's opinion that, as a consequence of its proximity and its mass, particularly of its roof, the proposed development would have an unacceptably overbearing impact on the occupiers of 78 and 80 McCarthy Way. I agree that those occupiers would be the most affected by the development, but for the following reasons, I do not consider that it would have a significantly overbearing effect on them.

12. The Council has no defined minimum separation distances between dwellings. But in my opinion, the intervening distance of approximately 14.1 metres between the eastern side elevation of the proposed bungalow and the western, rear elevations of numbers 78 and 80 McCarthy Way would compare favourably with the rear to flank separation distances that are typical of modern housing development. It would also exceed the distances between other infill and existing development, which has been granted planning permission, by the Council, in the locality. Taking into consideration also, the advice contained in paragraphs 56, 57 and 58 of *Planning Policy Guidance Note 3: Housing* (PPG3), concerning the avoidance of inflexible planning standards, in order to make the best and efficient use of land, I do not consider that the new development would be unacceptably close to the existing dwellings.

13. The main slope of the roof would fall away from the existing properties in McCarthy Way. Thus, there would be a greater separation distance between the existing dwellings and the roof of the development, which is the part of the proposed bungalow that I consider would have the greatest impact on neighbours. Furthermore, it is my opinion that the siting of the development in relation to numbers 78 and 80 and its half-hipped roof form would provide adequate space around the dwelling, which would preserve a sense of openness and outlook in views from the rear of those adjoining houses. I consider also, that those features of the development would significantly reduce the dominance of its roof, in views from the neighbouring properties. In addition, the trees growing along the eastern boundary of the site would partly screen the development, especially in the summer and autumn, when they are in leaf. From the plans submitted with the application and from my inspection of the site, it appears to me that the development would be clear of the spreads of their canopies. Their retention and protection during the construction works could, therefore, be conditioned.

14. From my views of the site, from within the dwellings and the gardens at numbers 78 and 80 McCarthy Way, I do not consider that either the proximity or the mass of the development would create a perception of enclosure within those adjoining dwellings, or from their gardens. It is my opinion that, although it would be clearly visible, the development would not have an unacceptably overbearing impact on neighbouring occupiers. Nor do I consider that it would result in significant overshadowing of their homes or gardens.

15. I have taken into account the views of the Inspector, concerning an outline planning application for residential development at the appeal site, reference

T/APP/X0360/A/99/1031876/P8. But in my opinion, the specific details of the development that is before me, clearly indicate that the proposed single-storey dwelling could be erected on the site without causing unacceptable harm to the living conditions of the nearby residents.

16. I conclude that the development would not be significantly detrimental to the living conditions of occupiers of neighbouring dwellings located in McCarthy Way. I also conclude that it would not conflict with Policies SBE1 or SBE2 of the adopted Local Plan, or with Policies WBE1, WBE2 or WOS3 of the emerging Local Plan.

Other Matters

17. Many local residents consider that the development would be detrimental to highway safety, because it would give rise to vehicles being parked on the highway, which would cause obstruction and congestion on this part of McCarthy Way, which is the main access into the estate. However, the Highways Authority does not object to the development, subject to the imposition of conditions concerning parking and turning within the site. From what I have read seen and heard, I have no reason to disagree with its professional opinion. Subject to the provision of adequate parking and turning within the site, I do not consider that the development or its associated vehicular access would be significantly detrimental to highway safety.

18. Residents and the Finchamstead Parish Council are additionally concerned that approval of this development could create a precedent for other proposals for infill development in the locality, including at the land opposite the site, on the southern side of McCarthy Way. However, the Council's planning policies are generally permissive towards infill development provided that it does not adversely effect the character of the area, the amenity of neighbouring occupiers or highway safety. It would, therefore, be for the Council to consider any other planning applications on their own particular merits, in the light of the Development Plan and all other material considerations. Therefore, I do not consider that precedent is a good reason to refuse planning permission, in this case.

19. Queries have been raised concerning the ownership of the site, but I am satisfied that the procedures concerning notification of people having an interest in the land have been correctly observed. In any case, the granting of planning permission for the development would not override normal property rights.

20. I have taken into consideration all of the other matters raised in the representations and at the Hearing, but none are sufficient to outweigh those that have led to my conclusions on the main issue.

Conditions

21. I have considered the conditions suggested by the Council, in the light of advice contained in Circular 11/95, *The Use of Conditions in Planning Permissions*. In my opinion, a condition regarding the external materials is necessary, to ensure that the development harmonises with the locality. In order to safeguard the living conditions of neighbours, I consider that it is necessary for the Council to retain control over any future extensions to the bungalow and to alterations to its roof. In order to safeguard visual and residential amenity, I consider that it is necessary to protect, during the period of construction, existing trees that are to be retained and to ensure that the front garden area is adequately landscaped. I agree that, in order to avoid the necessity of cars being parked or reversed onto the highway, conditions are required to ensure the provision of adequate on-site parking and turning. For the

avoidance of doubt, and in order to safeguard the living conditions of nearby neighbours, I consider that it is necessary that the slab level of the dwelling be agreed with the Council, prior to the commencement of the development. Also, that it be conditioned that the ridge of the roof of the bungalow shall not be more than 5.6 metres above the approved slab level, as agreed by the main parties at the Hearing. For clarity, I have amended the wording of some of the Council's suggested conditions.

22. However, taking into account the close proximity of the fence and trees growing along the eastern boundary of the site, that are to be retained, I consider that it is unnecessary to condition the obscure glazing of bathroom windows, in order to safeguard privacy. I have no information to indicate that the construction works would give rise to significant nuisance to nearby residents, thus I do not intend to impose the Council's suggested hours of work condition. The deposition of mud and similar debris on the highways could be controlled by highways legislation. I do not, therefore, intend to duplicate that control by a planning condition.

Conclusion

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

Formal Decision

24. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for a two bedroom, single-storey dwelling with an integral garage, at land adjoining 30-32 Nash Grove Lane, Finchamstead, Wokingham, in accordance with the terms of the application Ref. F/2000/2671 dated 20 October 2000, and the plans submitted therewith, subject to the following conditions.

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

    2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development 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.

    3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings, extensions or alterations permitted by Classes A, B, C and E of Part 1 of the Second Schedule of the Order 1995 shall be carried out without the prior written permission of the local planning authority.

    4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or similar openings shall be inserted in the roof of the development hereby authorised without the prior written permission of the local planning authority.

    5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the garage 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 use, or as a habitable space without the prior written permission of the local planning authority.

6) The development hereby authorised shall not be occupied until space has been laid out within the site in accordance with drawing No 2295/04/B for parking and for vehicles to turn, so that they may enter and leave the site in a forward gear. The vehicle parking and turning area shall be permanently retained for those purposes.

7) No development shall take place until full details of landscape works have been submitted to and approved in writing by the local planning authority. These details shall show all existing trees and hedgerows growing on the land and shall include the retention of trees growing adjacent to the eastern boundary of the site, together with measures for their protection for the duration of the construction works. The landscape works shall also include details of new planting to be provided within the front garden area of the development.

8) The approved scheme of tree protection shall be provided prior to the commencement of the development hereby authorised and the approved scheme for new planting shall be implemented, in full, during the first planting season following the first occupation of the building, or the completion of the development, whichever is the sooner.

9) If within a period of five years from the date of the planting of any tree or plants included in the approved landscape scheme, any tree or plant originally planted, or planted in replacement for any tree or plant planted, is removed, uprooted or is destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, it shall be replaced by another tree or plant of the same species and size as that originally planted, during the next planting season, unless the local planning authority gives its written approval to any variation.

10) Prior to the commencement of the development hereby authorised details of the slab level of the building shall be submitted to and approved in writing by the local planning authority. The constructed development shall not vary from the approved level and the ridge height of the bungalow shall not exceed 5.6 metres above the approved level.

Information

25. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.

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

27. 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.

S. C. Bussey

INSPECTOR

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 3 August, 2001
My ref. AO/F/2000/2671

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

Mr and Mrs D Dean
C/o Gregory Gray Associates
Redcliffe, 17 Dinorben Close
Fleet, Hants
GU52 7SL

Dear Mr Dean

PLANNING APPLICATION F/2000/2671
ERECTION OF BUNGALOW ON LAND TO REAR OF 30-32 NÅSHGROVE LANE, FINCHAMPSTEAD

I refer to the conditions listed in the inspector's decision letter allowing the appeal. I note that conditions 2, 7 and 10 require approval before development commences. Please could you submit details for compliance with these conditions to me, following john Mitchell's departure.

I trust the above is clear, but if you wish to discuss the matter further please contact me.

Yours sincerely

AO

MRS A ODELL
Senior Planner

(JRM)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

The Owner
C/O W M Graham Associates
1 Rectory Road
Wokingham
Berkshire
RG40 1DJ

Application Number: F/2000/2671

Parish: **FINCHAMPSTEAD**

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

Proposal: **Proposed erection of dwelling.**

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

Reason
1. The proposed development, by virtue of its close proximity to existing residential properties would have an unacceptably overbearing effect to the detriment of the amenity of their occupiers and is contrary to the South-East Area Local Plan policy SBE2 and to the Draft Deposit Wokingham District Local Plan policy WBE1.

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

Berkshire Structure Plan Policy EN1.

South East Area Local Plan Policies SBE1 and SBE2.

Deposit Draft Wokingham District Local Plan Policies WBE1, WBE2 and WOS3.

John Mitchell

John Mitchell
Development Control Manager
Date: 01/02/2001

Notice checked by: _____

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.

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 6 August, 2001
My ref. AO/F/2000/2671

Mr and Mrs D Dean
C/o Gregory Gray Associates
Redcliffe, 17 Dinorben Close
Fleet, Hants
GU52 7SL

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 Dean

PLANNING APPLICATION F/2000/2671
ERECTION OF BUNGALOW ON LAND TO REAR OF 30-32 NASHGROVE LANE, FINCHAMPSTEAD - CONDITIONS

Further to my letter to you regarding the above, the proposed materials should reflect those predominant in the area.

I trust the above is clear, but if you wish to discuss the matter further please contact me.

Yours sincerely

AO.

MRS A ODELL
Senior Planner

HIGHWAYS CONSULTATION SHEET

From: John Mitchell **Date:** 07 November 2000

Application Number: F/2000/2671

Proposal: *Proposed erection of dwelling.*

Parish: FINCHAMPSTEAD PARISH

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

Applicant:
The Owner C/O W M Graham Associates.

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

✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☑ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☐ Recommend approval with **no** condition(s) or reason(s).

Comments as application no. 1725.

Signed: _____ **Print name:** Adam Coggins.

REFUSED

HIGHWAYS CONSULTATION SHEET

DELEGATED

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

Application Number: F/2000/1725

Proposal: Proposed erection of detached dwelling.

Parish: FINCHAMPSTEAD PARISH

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

Applicant:
C/O W M Graham Associates.

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

✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below;**
2) ☑ Recommend approval but with condition(s) & reason(s) **stated below;**
3) ☐ Recommend approval with **no** condition(s) or reason(s).

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

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

03/07/00.

Appeal Ref: APP/X0360/A01/1059239 30/32 Nash Grove Lane.

Questions.

No: 1 Which dept is responsible for ensuring the Inspectors conditions are adhered to.

Manager?
Officers?

No: 2 Choice of materials: What criteria are used? eg: colour and texture.

No: 3 Before development can start Dean has to:

(a) Agree the external materials.

(b) Agree the slab level.

(c) Submit FULL details of landscape works showing ALL existing trees and hedgerows, plus measures for protecting, during construction trees adjacent to eastern boundary of site. Plus details of new planting within front garden area.

No: 4 Space laid out within site for vehicles to turn so that they can enter and leave the site in forward gear.

All the above conditions have to be agreed with WDC and confirmed by WDC in writing before any development can commence.

Appeal Ref: APP/X0360/A/01/1059239 30/32 Nash Grove Lane. Appl'n No; F/2000/2671

Required copies of drawings/specifications/documents

Plans; A-C Application plans

Plan: D Drawing number NL/01/221/04/A substitution for drawing number Nl/01/221/04 of Appellants' Appendix 10, submitted at hearing.

Plan: E Drawing number NL/01/221/05/A substitution for drawing number NL/01/221/05 of Appellants Appendix 11, submitted at hearing.

Can I have copies of all the above drawings?

Conditions: No:2 Samples of the materials to be used in the construction of the external surfaces of the development. Who approves these? Can I have samples or at least a sight of them?

The inspector amended, for clarity, the wording of some of the WDC suggested conditions. Can I have a copy of this amended wording?

No: 3 What do these classes and the Order 1995 mean?

No: 6 Space for parking in accordance with drawing No:2295/04/B. Can I have a copy?

No: 7 and 8 Details of Landscape Works after approval of WDC, showing all existing trees and hedgerows on the land including the retention of trees growing adjacent to the eastern boundary, together with measures for there protection for the duration of the construction works. The landscape works shall also include details of new planting to be provided within the front garden area of the development. Scheme of tree protection shall be provided prior to the commencement of the development and the approved scheme for new planting shall be implemented, in full, during the first planting season following occupation of the building, of the completion of development, whichever is sooner. Can I have a copy of the approved Landscape Works drawings when they have been completed?

No: 9 Replacement trees. To be the same species and size as the ones they are replacing.
Can 6/7 metre high silver birch trees be obtained and planted? What variation would WDC approve?

No: 10 Can I have a copy of WDC's written approval of the slab level?

Appeal Ref: APP/X0360/A/01/1059239 30/32 Nash Grove Lane. Appl'n No; F/2000/2671

Questions

1 Dates when approval of materials,landscape details and slab level can be expected.

2 Names of WDC officer's I should contact for the information on page one and to whom should I report any breach of these laid down conditions?

Mr. J. Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
Berkshire
RG401WR

Mr P.D.W. Stoneman
5 Radical Ride
Finchampstead
Wokingham
Berkshire
RG40 4UH

PLANNING SERVICES | RPT
BOL | TLS
Dc | ENF
APP
cc
COPIES TO: | ACK:
FILE:

25th November, 2000

Your Reference F/20000/2671

Dear Sir,

Planning Application Number F/2000/2671
Site Address: 30 & 32 Nash Grove Lane, Finchampstead

I note that a planning application has been made in respect of the above site, and register a strong objection on the following grounds:

1) **Highway Considerations**

The proposed development will inevitably require vehicular access directly onto McCarthy Way, which in my view will result in on-street parking along the short stretch of road (McCarthy Way) between Nashgrove Lane and the Fernlea estate. This is regarded as the main access to the estate, and any parking will result in hazards to the considerable number of motorists, and pedestrians, who use the road.

The Fernlea estate already suffers with excessive on street, and pavement, parking which has become the norm. Parking on the main access, which I anticipate will occur, will inevitably lead to pavement parking and will create unnecessary and unacceptable dangers to pedestrians, including wheelchair users, prams, children and elderly people, many of whom may be forced of the path on to the roadway.

There is an alternative means of access via Elgarth Drive, and as a similar development has been permitted in the past, on-street parking has resulted, and is regularly evident. This has created the type of hazard to which I refer and the majority of motorists and pedestrians prefer to avoid Elgarth Drive in favour of using the presently unhindered McCarthy Way access.

2) **Visual Impact**

I fully appreciate the Government Policy, as set out in PPG3 and PPG13 encouraging the full, and effective use, of land within existing urban areas in order to reduce demand for development in the countryside, but feel the criteria does not apply in this case.

The proposal will result in one dwelling being built which is not of sufficient value, in housing terms, to balance the very significant dis-benefits to immediate neighbours and the local community. It is apparent that the objective is not about assisting with housing demand, but about financial reward to the property owners disposing of back gardens, and the developer.

I have considerable sympathy with the residents who will be directly affected by the proposal, as inevitably the outlook, which they currently enjoy, will be spoilt. The impact in terms of a reduction in light, the potential loss of trees and the impact on the street scene will also be significant.

In conclusion, I request that, given the significant disadvantages associated with the proposal, that Wokingham District Council refuse the application in line with a similar application refused recently on the same site, and which the Planning Inspectorate dismissed on appeal.

Please do not hesitate to contact me on 0118 9730493 (Home) 01252 398760 (Work), or in writing, should you wish to discuss my concerns further.

Yours faithfully,



Mr. P.D.W. Stoneman

Appeal Decision

Hearing held on 5 June 2001

by Shelagh C Bussey DipTP DipEM MA PhD MRTPI

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

DC

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
CS	
COPIES TO:	ACK:
	FILE:

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

Date 22 JUN 2001

44926

Appeal Ref: APP/X0360/A/01/1059239
Land adjoining 30-32 Nash Grove Lane, Finchamstead, Wokingham.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs D Dean against the decision of Wokingham District Council.
- The application (Ref.F/2000/2671), dated 20 October 2000, was refused by notice dated 1 February 2001.
- The development proposed is the erection of a two bedroom, single-storey dwelling with an integral garage.

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

Procedural Matter

1. At the Hearing, dimensions concerning the siting and the height of the development were confirmed by the Appellants and agreed by the Council. The distance between the eastern boundary of the site and the outer wall of the eastern elevation of the proposed dwelling would be 4.0 metres. The main front elevation of the bungalow would be positioned 7.75 metres from the highway boundary and, notwithstanding the connotation on drawing number 2295/04/B, concerning the proposed pitch of the roof, the ridge height would not exceed 5.6 metres above the slab level of the building. I have taken those dimensions into account in my consideration of the appeal proposal.

Main Issue

2. From what I have read, seen and heard, I consider that the main issue is the effect of the development on the living conditions of occupiers of neighbouring dwellings located in McCarthy Way, with particular reference to its mass and proximity.

Planning Policy

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006, adopted in 1995 and the South East Area Local Plan, adopted in 1994.

4. Policy EN1 of the Structure Plan advises that development within the built-up areas must be appropriate to its location, in terms of its scale, form, impact, character and siting. It should also be of a high standard of design, in order to help maintain and, where possible, to enhance the character of its surroundings.

5. Policy SH1 of the Local Plan is permissive towards infill development that complies with its criteria. Amongst other considerations, these require that the development has no adverse effect on the character of the area and that there is adequate space about buildings. Policy SBE1 advises that development should be of a high standard of design that is appropriate to the character of the locality and which contributes to the creation of a safe and attractive

environment, in which to live and work. Policy SBE2 requires that development is appropriate in terms of its relationship with adjoining sites and buildings.

6. The Local Plan is under review and the Wokingham District Local Plan Deposit Draft has formed the basis for development control decisions by the Council, since 1997. Policy WH1 of the emerging Local Plan reaffirms the Council's general presumption in favour of infill development, provided that it has no adverse effect on any residential property. Policy WBE1 requires that the design of development respects its local context, in terms of considerations that include its impact on the privacy and amenity of the existing environment. Policy WBE2 advises that infill development should be used as an opportunity to create added visual interest and to raise the architectural quality of the area. Policy WOS3 sets out development control principles against which development proposals are assessed. Amongst other matters, these require that development integrates into its local context without detriment to the amenities of adjoining land uses and occupiers and, that it is of high quality design.

7. Representations have been made concerning Policy WBE1. Therefore, that draft Policy may yet be amended or deleted. However, I consider that the Wokingham District Local Plan Deposit Draft has reached an advanced stage in its procedure towards its adoption by the Council and I afford its policies substantial weight, in accordance with advice contained in paragraph 48 of *Planning Policy Guidance: General Policy and Principles* (PPG1).

Reasons

The Site and Its Surroundings

8. The appeal site is a rectangular parcel of land that is included in the rear garden of 30 Nash Grove Lane, which is a corner plot. The site is about 15.7 metres wide at its frontage to McCarthy Way, from where access to the development would be gained. It is around 27.5 metres deep. Adjoining the appeal site to the west, there are two bungalows numbered 30 and 32 Nash Grove Lane and adjoining to the east, there are three, two-storey houses. The site and the surrounding area are relatively flat. Fences approximately 2.0 metres high bound the southern, eastern and part of the western sides of the site. The remaining part of its western boundary is open and a post and wire fence marks the northern boundary. There is row of mature deciduous trees growing adjacent to the eastern boundary. There is no frontage development to the west-east section of McCarthy Way that lies between its junction with Nash Grove Lane and the main part of McCarthy Way, which turns in front of number 80 McCarthy Way to run north-south.

9. In its wider context, the appeal site is situated within a settlement boundary, in an extensive estate of modern residential development, containing a variety of house types and residential densities. It also includes some later infill development. In my opinion, the proposed development would accord, in principle, with Policies SH1 and WH1. However, I turn now to consider the impact of the development on the living conditions of neighbouring occupiers.

The Effect on Neighbours' Living Conditions

10. The main part of the proposed bungalow would be 2.3 metres high to its eaves and 5.6 metres high to the ridge of its roof, which would be half hipped at the front and rear elevations. The garage would be a forward projection to the western half of the bungalow and it would have a lesser eaves and ridge height than the main building. The south-eastern corner of the bungalow would lie approximately 14.1 metres to the west of the northern part

of the rear elevation of 80 McCarthy Way, which is a corner plot. The development would also extend the full width of the rear elevation of the main part of number 78 McCarthy Way, which has an attached garage on its northern side. The distance between the appeal bungalow and number 78 would also be about 14.1 metres. Number 80 has west-facing windows on its ground floor and number 78 has west-facing windows on the ground and first floor.

11. Taking into account the orientation of the buildings adjacent to the appeal site, the proposed development would be clearly visible from the rear of several dwellings in Nash Grove Lane and in McCarthy Way. However, that would be so of any development constructed at the site, including that permitted by the provisions of *The Town and Country Planning (General Permitted Development) Order 1995*. But it is the Council's opinion that, as a consequence of its proximity and its mass, particularly of its roof, the proposed development would have an unacceptably overbearing impact on the occupiers of 78 and 80 McCarthy Way. I agree that those occupiers would be the most affected by the development, but for the following reasons, I do not consider that it would have a significantly overbearing effect on them.

12. The Council has no defined minimum separation distances between dwellings. But in my opinion, the intervening distance of approximately 14.1 metres between the eastern side elevation of the proposed bungalow and the western, rear elevations of numbers 78 and 80 McCarthy Way would compare favourably with the rear to flank separation distances that are typical of modern housing development. It would also exceed the distances between other infill and existing development, which has been granted planning permission, by the Council, in the locality. Taking into consideration also, the advice contained in paragraphs 56, 57 and 58 of *Planning Policy Guidance Note 3: Housing* (PPG3), concerning the avoidance of inflexible planning standards, in order to make the best and efficient use of land, I do not consider that the new development would be unacceptably close to the existing dwellings.

13. The main slope of the roof would fall away from the existing properties in McCarthy Way. Thus, there would be a greater separation distance between the existing dwellings and the roof of the development, which is the part of the proposed bungalow that I consider would have the greatest impact on neighbours. Furthermore, it is my opinion that the siting of the development in relation to numbers 78 and 80 and its half-hipped roof form would provide adequate space around the dwelling, which would preserve a sense of openness and outlook in views from the rear of those adjoining houses. I consider also, that those features of the development would significantly reduce the dominance of its roof, in views from the neighbouring properties. In addition, the trees growing along the eastern boundary of the site would partly screen the development, especially in the summer and autumn, when they are in leaf. From the plans submitted with the application and from my inspection of the site, it appears to me that the development would be clear of the spreads of their canopies. Their retention and protection during the construction works could, therefore, be conditioned.

14. From my views of the site, from within the dwellings and the gardens at numbers 78 and 80 McCarthy Way, I do not consider that either the proximity or the mass of the development would create a perception of enclosure within those adjoining dwellings, or from their gardens. It is my opinion that, although it would be clearly visible, the development would not have an unacceptably overbearing impact on neighbouring occupiers. Nor do I consider that it would result in significant overshadowing of their homes or gardens.

15. I have taken into account the views of the Inspector, concerning an outline planning application for residential development at the appeal site, reference

T/APP/X0360/A/99/1031876/P8. But in my opinion, the specific details of the development that is before me, clearly indicate that the proposed single-storey dwelling could be erected on the site without causing unacceptable harm to the living conditions of the nearby residents.

16. I conclude that the development would not be significantly detrimental to the living conditions of occupiers of neighbouring dwellings located in McCarthy Way. I also conclude that it would not conflict with Policies SBE1 or SBE2 of the adopted Local Plan, or with Policies WBE1, WBE2 or WOS3 of the emerging Local Plan.

Other Matters

17. Many local residents consider that the development would be detrimental to highway safety, because it would give rise to vehicles being parked on the highway, which would cause obstruction and congestion on this part of McCarthy Way, which is the main access into the estate. However, the Highways Authority does not object to the development, subject to the imposition of conditions concerning parking and turning within the site. From what I have read seen and heard, I have no reason to disagree with its professional opinion. Subject to the provision of adequate parking and turning within the site, I do not consider that the development or its associated vehicular access would be significantly detrimental to highway safety.

18. Residents and the Finchamstead Parish Council are additionally concerned that approval of this development could create a precedent for other proposals for infill development in the locality, including at the land opposite the site, on the southern side of McCarthy Way. However, the Council's planning policies are generally permissive towards infill development provided that it does not adversely effect the character of the area, the amenity of neighbouring occupiers or highway safety. It would, therefore, be for the Council to consider any other planning applications on their own particular merits, in the light of the Development Plan and all other material considerations. Therefore, I do not consider that precedent is a good reason to refuse planning permission, in this case.

19. Queries have been raised concerning the ownership of the site, but I am satisfied that the procedures concerning notification of people having an interest in the land have been correctly observed. In any case, the granting of planning permission for the development would not override normal property rights.

20. I have taken into consideration all of the other matters raised in the representations and at the Hearing, but none are sufficient to outweigh those that have led to my conclusions on the main issue.

Conditions

21. I have considered the conditions suggested by the Council, in the light of advice contained in Circular 11/95, *The Use of Conditions in Planning Permissions*. In my opinion, a condition regarding the external materials is necessary, to ensure that the development harmonises with the locality. In order to safeguard the living conditions of neighbours, I consider that it is necessary for the Council to retain control over any future extensions to the bungalow and to alterations to its roof. In order to safeguard visual and residential amenity, I consider that it is necessary to protect, during the period of construction, existing trees that are to be retained and to ensure that the front garden area is adequately landscaped. I agree that, in order to avoid the necessity of cars being parked or reversed onto the highway, conditions are required to ensure the provision of adequate on-site parking and turning. For the

avoidance of doubt, and in order to safeguard the living conditions of nearby neighbours, I consider that it is necessary that the slab level of the dwelling be agreed with the Council, prior to the commencement of the development. Also, that it be conditioned that the ridge of the roof of the bungalow shall not be more than 5.6 metres above the approved slab level, as agreed by the main parties at the Hearing. For clarity, I have amended the wording of some of the Council's suggested conditions.

22. However, taking into account the close proximity of the fence and trees growing along the eastern boundary of the site, that are to be retained, I consider that it is unnecessary to condition the obscure glazing of bathroom windows, in order to safeguard privacy. I have no information to indicate that the construction works would give rise to significant nuisance to nearby residents, thus I do not intend to impose the Council's suggested hours of work condition. The deposition of mud and similar debris on the highways could be controlled by highways legislation. I do not, therefore, intend to duplicate that control by a planning condition.

Conclusion

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

Formal Decision

24. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for a two bedroom, single-storey dwelling with an integral garage, at land adjoining 30-32 Nash Grove Lane, Finchamstead, Wokingham, in accordance with the terms of the application Ref. F/2000/2671 dated 20 October 2000, and the plans submitted therewith, subject to the following conditions.

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

2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development 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.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no buildings, extensions or alterations permitted by Classes A, B, C and E of Part 1 of the Second Schedule of the Order 1995 shall be carried out without the prior written permission of the local planning authority.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or similar openings shall be inserted in the roof of the development hereby authorised without the prior written permission of the local planning authority.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the garage 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 use, or as a habitable space without the prior written permission of the local planning authority.

6) The development hereby authorised shall not be occupied until space has been laid out within the site in accordance with drawing No 2295/04/B for parking and for vehicles to turn, so that they may enter and leave the site in a forward gear. The vehicle parking and turning area shall be permanently retained for those purposes.

7) No development shall take place until full details of landscape works have been submitted to and approved in writing by the local planning authority. These details shall show all existing trees and hedgerows growing on the land and shall include the retention of trees growing adjacent to the eastern boundary of the site, together with measures for their protection for the duration of the construction works. The landscape works shall also include details of new planting to be provided within the front garden area of the development.

8) The approved scheme of tree protection shall be provided prior to the commencement of the development hereby authorised and the approved scheme for new planting shall be implemented, in full, during the first planting season following the first occupation of the building, or the completion of the development, whichever is the sooner.

9) If within a period of five years from the date of the planting of any tree or plants included in the approved landscape scheme, any tree or plant originally planted, or planted in replacement for any tree or plant planted, is removed, uprooted or is destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, it shall be replaced by another tree or plant of the same species and size as that originally planted, during the next planting season, unless the local planning authority gives its written approval to any variation.

10) Prior to the commencement of the development hereby authorised details of the slab level of the building shall be submitted to and approved in writing by the local planning authority. The constructed development shall not vary from the approved level and the ridge height of the bungalow shall not exceed 5.6 metres above the approved level.

Information

25. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.

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

27. 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.

S. C. Bussey

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Mark Leedale MSc DipTP BEd(Hons) MRTPI	Planning Consultant for the Appellants-of Gregory Gray Associates, 'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU13 9SL

FOR THE LOCAL PLANNING AUTHORITY:

Mr John Mitchell DipTP MRTPI	Development Control Manager for Wokingham District Council

INTERESTED PERSONS:

Councillor Roland Cundy	Ward Councillor, Bumbles, Longwater Lane, Finchamstead, Berks. RG40 4NX
Mr George Armitage	Fernlea Residents' Association 80 McCarthy Way, Finchamstead, Wokingham.
Mr Ken Ramsden	82 McCarthy Way, Finchamstead, Wokingham.

DOCUMENTS:

Document	1	List of persons present at the Hearing
Document	2	Letter of notification of the Hearing and responses received
Document	3	Appellants' statement and appendices
Document	4	Council's statement and appendices
Document	5	Representations to Policy WBE1 submitted at the Hearing by the Council
Document	6	Letter authorising entry onto third party land submitted at the Hearing by Mr G Armitage

PLANS:

Plans	A-C	Application plans
Plan	D	Drawing number NL/01/221/04/A substitution for drawing number NL/01/221/04 of Appellants' Appendix 10, submitted at the Hearing by the Appellants
Plan	E	Drawing number NL/01/221/05/A substitution for drawing number NL/01/221/05 of Appellants' Appendix 11, submitted at the Hearing by the Appellants

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728443

GTN 1371-6079

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

Your Ref: NL/01/221

Our Ref: APP/X0360/A/01/1059239

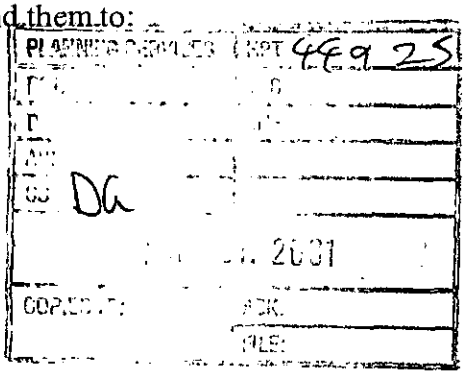
Date: 22 June 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D DEAN
SITE AT 30-32 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM

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:



The Complaints Officer
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Phone No. 0117 372 8252 Fax No. 0117 372 6219

E-mail: Complaints@planning-inspectorate.gsi.gov.uk

Yours faithfully

Miss A Groves

COVERDL1

Tel. (0118) 974 6448 (Direct Line)
Date: April 10, 2001
My ref: F/2000/2671
Your ref: APP/X0360/A/01/1059239

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

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 Miss Groves

APPEAL BY: Mr & Mrs Dean

SITE: Land Adjoining 30-32 Nash Grove Lane, Wokingham.

With reference to this appeal, I enclose a copy of Council's statement of case.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: March 15, 2001
My ref: F/2000/2671
Your ref: APP/X0360/A/01/1059239

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: Mr & Mrs D Dean
SITE: Land adjoining 30-32 Nashgrove Lane, Finchampstead

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. March 15, 2001
My ref: F/2000/2671
Your ref: APP/X0360/A/01/1059239

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
GU52 7SL

Dear Sirs

APPEAL BY: **Mr & Mrs D Dean**
SITE: **Land adjoining 30-32 Nashgrove Lane, Finchampstead**

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)
Fax: (0118) 974 6484
Date: March 13, 2001
My ref: F/2000/2671
Your ref: APP/X0360/A/01/1059239

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: Mr & Mrs D Dean

SITE: 30-32 Nashgrove Lane, Finchampstead

HEARING DATE: TUESDAY 5TH JUNE 2001

Enclosed with this letter is a leaflet showing the venue for the Hearing & the car park recommended for the Inspector's use. Both are circled in red.

Please forward this letter & the leaflet 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
Enc.

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: F/2000/2671
Our Ref: APP/X0360/A/01/1059239
Date: 8 March 2001

SERV 40990
INF
AP
CS DG
12 MAR 2001
COPIES TO:

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D DEAN
SITE AT 30-32 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM

June 13/3 DG.

I am writing to confirm that the hearing into this appeal will start at 10:00 on Tuesday 5/6/2001 at Council Offices, Shute End, Wokingham. Please arrange a car-parking space for the Inspector. Could you send the details, together with a location plan of the venue, to the case officer quoting our appeal reference number.

We will confirm the Inspector 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 17/5 D.G

- An Inspector has been appointed by the Secretary of State for the Environment, Transport and the Regions 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.

If you consider it appropriate, please notify the press of the hearing. Please also 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)

The Planning Inspectorate

We are moving over the Easter weekend (13-16 April)

From that date, please send all correspondence to me at my new address:

Amanda Groves

The Planning Inspectorate

Room 3 / 03 Kite Wing

Temple Quay House

2 The Square

Temple Quay

Bristol

BS1 6PN

and note my phone and fax numbers have changed to:

☎ 0117 372 6079

Fax 0117 372 8443

Tel. (0118) 974 6448 (Direct Line)
Date. March 5, 2001
My ref: F/2000/2671
Your ref:

A Slade
22 Jerrymoor Hill
Finchampstead
RG40 4UG

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/Madam

NOTICE OF INFORMAL HEARING
APPEAL BY: Mr & Mrs D Dean
SITE: Land adjoining 30-32 Nashgrove Lane, Finchampstead
PROPOSAL: Proposed erection of dwelling

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 at the Civic Offices, Shute End, Wokingham on a date to be advised.

Comments already made, following the original application for planning permission, will be forwarded to The Planning Inspectorate .

If you wish to make further representations, you should, if possible, send three copies to Miss A Groves, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ, quoting reference APP/X0360/A/01/1059239. Comments received after 12th April 2001 will not normally be seen by the Inspector & will be returned.

The application, decision notice, and the appellant's grounds of appeal can be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 Mondays to Thursdays, & 08.30 to 16.00 Fridays).

A free booklet, "Guide to taking part in planning appeals" is available from this office.

If you would like a copy of the decision on this Appeal, you should write to Miss Groves & ask for one.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant



Site Plan, Scale: 1 to 1250

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

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Date: 5 March 2001

N
W E
S

The Planning Inspectorate

H

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: 40586
Our Ref: APP/X0360/A/01/1059239
Date: 1 March 2001

SERVICES NS TLS EN DC 02 MAR
COPIES TO: ACT FILE

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D DEAN
SITE AT 30-32 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM

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, 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.

You must **submit** the following documents within this timetable:

Within 2 weeks from the starting date -

You must notify any statutory parties and interested persons who were consulted at application stage 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, wherever possible, they must submit 3 copies within **6 weeks of the starting date.** If representations are submitted 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 submit a copy of a completed appeal questionnaire and supporting documents to the appellant and me (including relevant development plan policies when appeals are against non-determination).

Within 6 weeks from the starting date -

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 9 weeks from the starting date -

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 your representations are submitted within the deadlines. If 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

Miss A Groves

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.

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 Mr and Mrs D Dean

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 NL/01/221

Daytime phone no 01252 624004

Fax no 01252 684160

Postcode GU52 7SL

E-mail address ggassociates@.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA Wokingham District

LPA's application reference no F/2000/2671

Date of the planning application 20th October 2000

Date of LPA's decision notice (if issued) 1st February 2001

D. APPEAL SITE ADDRESS

Address Land adjoining 30-32 Nashgrove Lane, Wokingham

Postcode RG40 4HD

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 two bedroomed single storey dwelling with integral garage

Size of the whole appeal site (*in hectares*)

Area of floor space of proposed development *(in square metres)*

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 sheet

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

G. GROUNDS OF APPEAL

The appellants case will set out the following matters:

(1) The appeal site lies within a defined settlement boundary. Accordingly infill residential development conforms with policy SH1 of the development plan and WH1 of the emerging Local Plan. These are not set out on the decision notice.

(2) This principle is confirmed in pre application correspondence with the case officer and there are no other material considerations justifying departure from development plan policies.

(3) Notwithstanding these principles, the local planning authority suggests that the proposed bungalow would have an "overbearing effect" and in consequence would be detrimental to residential amenity. With respect it is quite perverse that such a judgement could properly be applied to the development proposal having regard to the material circumstances on the ground.

(4) It is noted that other policies of the development plan and emerging Local Plan are set out on the decision notice. Notwithstanding the omission of key policies, it is not clear which parts of these policies apply to the appeal proposal. Moreover, the local planning authority seek to apply tests which are, in part, beyond statutory requirement. For example, the site does not fall within a conservation area and there is no requirement for development to enhance the character of the locality.

(5) In accordance with these matters the appellants evidence will substantiate a case for the appeal to be allowed.

12th February 2001

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) Mr and Mrs D Dean

Name (in capitals) Gregory Gray Associates Date 12th February 2001

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. 18th October 2000, 17th January 2001 ☑
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) Mr & Mrs D Dean

Name (in capitals) Gregory Gray Associates Date 12th February 2001

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.

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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**

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.

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.

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

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.

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



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie

Public Services Division

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.

~~36 59~~ Withdrawn.

File

2671

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
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Telephone: 01252 624004 Fax: 01252 684160
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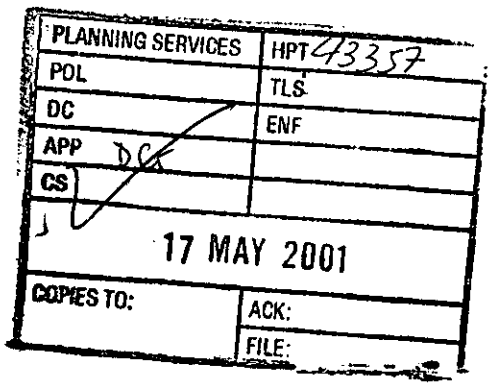

16th May 2001

Our Ref: NL/01/221

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D. DEAN
SITE AT 30 – 32 NASHGROVE LANE, FINCHAMPSTEAD, WOKINGHAM, BERKSHIRE.
APP/X0360/A/01/1059239

I write in respect of the above matter and your letter dated 14th May.

Our practice did not submit the original application. The appeal was lodged on the basis of relevant certificates submitted with that application.

It was brought to may attention on 11th April 2001 that the appellant did not have freehold ownership over all of the site edged red. In consequence the certificates in relation to the s78 appeal were corrected. These were forwarded to the Inspectorate and local planning authority by letter of 11th April.

The purpose of serving relevant notice in accordance with Articles 6 and 7 is that all persons who have interest in land are made aware of a development proposal. Having spoken with my Client, Mr. Dean, I confirm that there has been a binding contract prior to submission of the original application. This is with Mr. & Mrs. Sollitt and is to the effect that Mr. & Mrs. Dean may purchase the land upon receipt of a favourable planning decision.

Mr. & Mrs. Sollitt have at all times been aware of the planning application and appeal. They have had opportunity to comment and have not been prejudiced. I will produce a letter from them to this effect at the informal hearing.

Yours faithfully,

Mark Leedale

c.c. Wokingham District Council

2671

The Planning Inspectorate

3/23 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3728768
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Fax No 0117-3728804

GTN 1371-8768

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

Your Ref: F/2000/2671

Our Ref: APP/X0360/A/01/1059239

Date: 25 April 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D DEAN
SITE AT 30-32 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM

NOTIFICATION OF INSPECTOR

I am writing to inform you that the Inspector appointed to hold the hearing into the above appeal will now be:

Dr S C Bussey DipTP DipEM MA PhD MRTPI.

You have already been given notice of the arrangements for this hearing.

42750

CS Da

01 MAY 2001

COPIES TO: ACK: FILE:

Yours faithfully

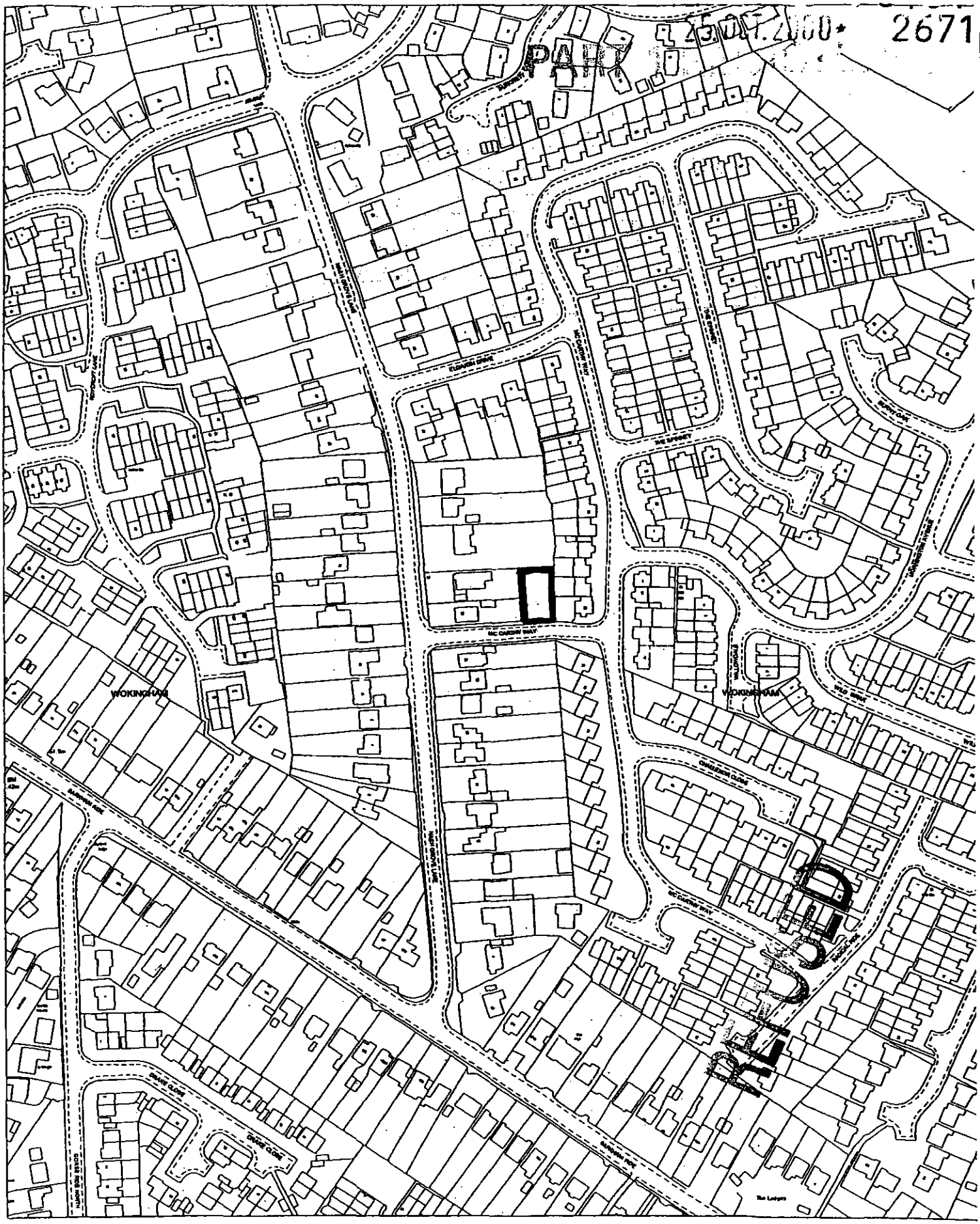
Mark Edwards

Mr M Edwards

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

206C

2671



Site Plan, Scale: 1 to 2500

SITE AT 30-32 NASH GROVE LANE
PROPOSED DWELLING

HEARING INTO PLANNING APPEAL.

AGENDA FOR DISCUSSION

REFUSAL OF PLANNING PERMISSION FOR THE ERECTION OF A TWO BEDROOMED, SINGLE-STOREY DWELLING WITH AN INTEGRAL GARAGE AT LAND ADJOINING 30-32 NASHGROVE LANE, WOKINGHAM.

The Main Issue:

- **The effect of the development on the living conditions of occupiers of neighbouring dwellings with particular reference to its mass and proximity.**

Topics for Discussion:

1. The current policy framework
2.
   (a) What constitutes the Development Plan?
   (b) What are the most relevant policies?
   (c) Consideration of advice contained in PPGs and other policy documents
3. Clarification of the details/dimensions of the proposed dwelling
4. Compliance with space about buildings/separation distance standards
5. Impact on neighbours' amenities
6. Possible effect of development constructed under PD rights
7. Consideration of other infill development in the locality
8. Highway safety considerations
9. Effect on the street scene
10. Any other matters concerning the appeal – Previous appeal refusal
11. Conditions - without prejudice to the outcome of the appeal. Precedent

area of red brick etc

450 dwellings

3½ mins daily

speed of vehs.

Trees - can they stay?

- likely to die soon

PLANNING APPEAL

TOWN AND COUNTRY PLANNING ACT, 1990

SECTION 78

APPEAL BY MR AND MRS D. DEAN

PROPOSED ERECTION OF TWO-BEDROOMED SINGLE STOREY DWELLING UNIT

AT LAND ADJOINING 30-32 NASH GROVE LANE, WOKINGHAM

DETR REF. APP/X0360/A/01/1059239

LPA REF. 2671

STATEMENT OF WOKINGHAM DISTRICT COUNCIL

I, John Richard MITCHELL will say: I am Development Control Manager with Wokingham District Council, a post I have held for one year. Previously I was Planning Control Manager with the London Borough of Havering for 6 years, specialising in appeals, enforcement and major projects. I have over 22 years experience of Town and Country Planning gained in a variety of local planning authorities in southern England. I hold a Diploma in Town and Country Planning and am a Member of the Royal Town Planning Institute. I am familiar with the site and its surroundings.

1. Introduction

1.1 This appeal arises from the decision of Wokingham District Council, on 1st February 2001, to refuse planning permission for the development described above. The decision was taken by the Development Control Manager under the Scheme of Delegation to Officers. A copy of the Officer's case notes and the relevant policies of the Development Plan were forwarded with the Questionnaire.

2. The site and its surroundings

2.1 The site lies in Finchampstead North, an established settlement south of Wokingham. It has an area of 0.4 ha and comprises parts of the rear gardens of 30 and 32 Nash Grove Lane. A fence has been erected along the site's western boundary to the rear of 32 Nash Grove Lane, but the rear of no. 30 remains open. The site is flat and has some trees along its eastern boundary.

2.2 To the east of the site are the back gardens and rear elevations of houses at 76,78 and 80 McCarthy Way. The gardens are approximately 10 metres deep. Nos. 76 and 78 have rear facing windows on both floors, while no. 80 on the corner plot has no rear first floor windows.

2.3 The surroundings are wholly residential and comprise a mixture of houses, bungalows and chalets. A site plan is appended.

3. Relevant Planning History

3.1 99/69357/F - Detached dwelling. Refused 5.5.99

99/70104/O - Outline application for detached dwelling. Refused 14.9.99. Appeal dismissed 1.2.00

2000/1725 - Detached 4 bedroom dwelling. Withdrawn

3.2 A copy of the appeal decision over 99/70104/O is attached

4. The Development Plan

4.1 The Development Plan is the Berkshire Structure Plan which was adopted in 1995, and the South East Area Local Plan (SEALP) adopted in 1994. In addition the draft Wokingham District Local Plan (DWDLP) has been used for Development Control Purposes since 21 October 1997. It has been through its Inquiry and the Inspector is due to report in December 2001.

4.2 The structure plan broadly seeks to protect and enhance the quality of the environment of built up areas through policy EN1. Policy SBE2 of SEALP seeks to prevent development which is inappropriate in relation to adjoining sites or buildings or which would adversely affect the character of an area. The aims of Policy WBE1 are broadly similar.

4.3 The provisions of PPG's 1 and 3 are also relevant.

5. The Application the Subject of this Appeal

5.1 It is proposed to erect a single storey L-shaped detached dwelling. The main element of the dwelling would be approximately 10.5m x 10.5m, with a forward projection of 3.5m depth x 5.5m width which would comprise a garage. The height, scaled from the plans, would be 5.6m approx. to the ridge.

5.2 Access would be taken from McCarthy Way.

5.3 The location on the plot is not clear. The 1:100 plan shows the west-facing elevation of the proposed bungalow some 12.8m from the rear of the garage at no 30 Nash Grove Lane, while the 1:500 block plan shows this dimension as 16.5m. Both the plans show a 4m dimension between the east facing elevation and the site's boundary with houses in McCarthy Way, but the proposed bungalow has a width of 9.5m on the 1:500 plan and 10.5m on the 1:100 plan. The plot width at the McCarthy Way frontage is shown as 15.7m approx on the 1:100 plan and 14.5m approx on the 1:500 plan. Finally, if the 32.5° angled pitch of the roof of the proposed bungalow is struck on the plan the ridge height would be 6m, not 5.5m. Marked extracts from the plans are attached.

6. Planning Considerations

6.1 The issues in this case concern the effect of the proposal on the amenity of the occupiers of adjoining and nearby residential properties, and the effect on the character of the area. There is also considerable local concern from nearby residents about the effect on highway safety and the free-flow of traffic at peak hours, but the Council's Highways development Control Officer offers no objection. The Inspector's decision letter dated 1st February 2000 concerning a detached dwelling and garage is a material consideration.

6.2 In giving pre-application advice I visited the site itself and viewed it from the street. I offered the then informal opinion that a bungalow could be acceptable on the site. I had not then viewed the site from adjoining properties and this is crucial to the determination of this appeal.

6.3 **Amenity**

The Council is aware of Government and local policies that there should be the most effective use of land within settlements for housing. However this does not mean that developments which have an unacceptable effect on adjacent residential properties should be permitted.

6.4 In this case it is clear that the proposed development would be very visible from the rear elevations of the houses at 78 and 80 McCarthy Way. In particular the roof line of the main element of the bungalow would be clearly visible from the rear gardens of both properties and the first floor rear windows of no 78. The roof would present a solid and expansive plane of built development where currently there is none. Owing to the close, and uncertain, siting and height of the proposed building it would have an unacceptably overbearing effect, materially reducing the outlook and sense of openness currently experienced from the rear of these properties. This sense of enclosure and overbearingness would be emphasised because of the small depth of their gardens.

6.5 **Character**

The application was not refused on the grounds of its effect on the street scene but it is axiomatic that the proposed development would have an adverse effect on the character of the area when perceived from the properties in McCarthy Way. This matter is very finely balanced and depends largely on the bulk and massing of the property and the extent to which it would be visible from the public domain. On the basis that the plans submitted with the application are accurate I do not consider that the street scene itself would be adversely affected, subject to suitable landscaping and boundary treatment. However, if the roof height is materially increased I consider that the resulting increased area of roof could detract from the appearance of the area as a whole by creating a more built-up appearance. Extracts from the plans showing the discrepancies are attached.

6.6 The proposal would be contrary to SEALP Policy SBE2 because it would be inappropriate in terms of its relationship with adjoining sites and buildings, i.e. the adjoining houses in McCarthy Way. It would similarly be contrary to the DWDLP Policy WBE1 in that it does not have regard to the amenity of the occupiers of nearby properties.

6.7 Attention is drawn to the Inspectors decision letter dated 1st February 2000 for a detached dwelling on the site. It is emphasised that, in dismissing the appeal, he considered whether any form of development could be accommodated on the site without causing harm to the amenities of nearby residents or to the character of the area, and concluded that it could not. He states that "I conclude that there is no firm and clear-cut evidence that a single or two-storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and the character of the area". While the Appellant has sought to demonstrate that a small bungalow could be accommodated on the site, there have been no other material changes in circumstances since that decision was made.

7. Comments on the Grounds of Appeal

7.1 (1 and 2) The principle of development is accepted. What is at issue here is primarily the effect on amenity.

(3) This is not accepted and is the key issue of this appeal.

(4) The Council is required to set out those policies which it considers relevant to the determination of the application. Not all are applicable to the reason for refusal. All the policies of the development plan are to an extent interrelated and it is considered reasonable to concentrate on those that are directly relevant. Neither of the policies quoted in the reason for refusal make reference to the location of the site in a Conservation Area.

(5) No comment

8. Conclusion

8.1 The site lies within an existing settlement and the principle of development is acceptable. However, the proposed development would have an overbearing effect on the properties to the east in McCarthy way, to the detriment of the amenities of their occupiers. Moreover there have been no material changes in circumstances since a proposal for a similar form of development was dismissed on appeal in February 2000. The Inspector is respectfully requested to dismiss this appeal.

9. Conditions

9.1 Draft conditions were forwarded with the Questionnaire.

10. Documents

10.1 Appeal decision ref. T/APP/X0360/A/99/1031876/P8

10.2 Extracts from submitted plans showing discrepancies in dimensions.

PLANNING APPEAL

TOWN AND COUNTRY PLANNING ACT, 1990

SECTION 78

APPEAL BY MR AND MRS D. DEAN

PROPOSED ERECTION OF TWO-BEDROOMED SINGLE STOREY DWELLING UNIT

AT LAND ADJOINING 30-32 NASH GROVE LANE, WOKINGHAM

DETR REF. APP/X0360/A/01/1059239

LPA REF. 2671

STATEMENT OF WOKINGHAM DISTRICT COUNCIL

I, John Richard MITCHELL will say: I am Development Control Manager with Wokingham District Council, a post I have held for one year. Previously I was Planning Control Manager with the London Borough of Havering for 6 years, specialising in appeals, enforcement and major projects. I have over 22 years experience of Town and Country Planning gained in a variety of local planning authorities in southern England. I hold a Diploma in Town and Country Planning and am a Member of the Royal Town Planning Institute. I am familiar with the site and its surroundings.

1. Introduction

1.1 This appeal arises from the decision of Wokingham District Council, on 1st February 2001, to refuse planning permission for the development described above. The decision was taken by the Development Control Manager under the Scheme of Delegation to Officers. A copy of the Officer's case notes and the relevant policies of the Development Plan were forwarded with the Questionnaire.

2. The site and its surroundings

2.1 The site lies in Finchampstead North, an established settlement south of Wokingham. It has an area of 0.4 ha and comprises parts of the rear gardens of 30 and 32 Nash Grove Lane. A fence has been erected along the site's western boundary to the rear of 32 Nash Grove Lane, but the rear of no. 30 remains open. The site is flat and has some trees along its eastern boundary.

2.2 To the east of the site are the back gardens and rear elevations of houses at 76,78 and 80 McCarthy Way. The gardens are approximately 10 metres deep. Nos. 76 and 78 have rear facing windows on both floors, while no. 80 on the corner plot has no rear first floor windows.

2.3 The surroundings are wholly residential and comprise a mixture of houses, bungalows and chalets. A site plan is appended.

3. Relevant Planning History

3.1 99/69357/F - Detached dwelling. Refused 5.5.99

99/70104/O - Outline application for detached dwelling. Refused 14.9.99. Appeal dismissed 1.2.00

2000/1725 - Detached 4 bedroom dwelling. Withdrawn

3.2 A copy of the appeal decision over 99/70104/O is attached

4. The Development Plan

4.1 The Development Plan is the Berkshire Structure Plan which was adopted in 1995, and the South East Area Local Plan (SEALP) adopted in 1994. In addition the draft Wokingham District Local Plan (DWDLP) has been used for Development Control Purposes since 21 October 1997. It has been through its Inquiry and the Inspector is due to report in December 2001.

4.2 The structure plan broadly seeks to protect and enhance the quality of the environment of built up areas through policy EN1. Policy SBE2 of SEALP seeks to prevent development which is inappropriate in relation to adjoining sites or buildings or which would adversely affect the character of an area. The aims of Policy WBE1 are broadly similar.

4.3 The provisions of PPG's 1 and 3 are also relevant.

5. The Application the Subject of this Appeal

5.1 It is proposed to erect a single storey L-shaped detached dwelling. The main element of the dwelling would be approximately 10.5m x 10.5m, with a forward projection of 3.5m depth x 5.5m width which would comprise a garage. The height, scaled from the plans, would be 5.6m approx. to the ridge.

5.2 Access would be taken from McCarthy Way.

5.3 The location on the plot is not clear. The 1:100 plan shows the west-facing elevation of the proposed bungalow some 12.8m from the rear of the garage at no 30 Nash Grove Lane, while the 1:500 block plan shows this dimension as 16.5m. Both the plans show a 4m dimension between the east facing elevation and the site's boundary with houses in McCarthy Way, but the proposed bungalow has a width of 9.5m on the 1:500 plan and 10.5m on the 1:100 plan. The plot width at the McCarthy Way frontage is shown as 15.7m approx on the 1:100 plan and 14.5m approx on the 1:500 plan. Finally, if the 32.5° angled pitch of the roof of the proposed bungalow is struck on the plan the ridge height would be 6m, not 5.5m. Marked extracts from the plans are attached.

6. Planning Considerations

6.1 The issues in this case concern the effect of the proposal on the amenity of the occupiers of adjoining and nearby residential properties, and the effect on the character of the area. There is also considerable local concern from nearby residents about the effect on highway safety and the free-flow of traffic at peak hours, but the Council's Highways development Control Officer offers no objection. The Inspector's decision letter dated 1st February 2000 concerning a detached dwelling and garage is a material consideration.

6.2 In giving pre-application advice I visited the site itself and viewed it from the street. I offered the then informal opinion that a bungalow could be acceptable on the site. I had not then viewed the site from adjoining properties and this is crucial to the determination of this appeal.

6.3 **Amenity**

The Council is aware of Government and local policies that there should be the most effective use of land within settlements for housing. However this does not mean that developments which have an unacceptable effect on adjacent residential properties should be permitted.

6.4 In this case it is clear that the proposed development would be very visible from the rear elevations of the houses at 78 and 80 McCarthy Way. In particular the roof line of the main element of the bungalow would be clearly visible from the rear gardens of both properties and the first floor rear windows of no 78. The roof would present a solid and expansive plane of built development where currently there is none. Owing to the close, and uncertain, siting and height of the proposed building it would have an unacceptably overbearing effect, materially reducing the outlook and sense of openness currently experienced from the rear of these properties. This sense of enclosure and overbearingness would be emphasised because of the small depth of their gardens.

6.5 **Character**

The application was not refused on the grounds of its effect on the street scene but it is axiomatic that the proposed development would have an adverse effect on the character of the area when perceived from the properties in McCarthy Way. This matter is very finely balanced and depends largely on the bulk and massing of the property and the extent to which it would be visible from the public domain. On the basis that the plans submitted with the application are accurate I do not consider that the street scene itself would be adversely affected, subject to suitable landscaping and boundary treatment. However, if the roof height is materially increased I consider that the resulting increased area of roof could detract from the appearance of the area as a whole by creating a more built-up appearance. Extracts from the plans showing the discrepancies are attached.

6.6 The proposal would be contrary to SEALP Policy SBE2 because it would be inappropriate in terms of its relationship with adjoining sites and buildings, i.e. the adjoining houses in McCarthy Way. It would similarly be contrary to the DWDLP Policy WBE1 in that it does not have regard to the amenity of the occupiers of nearby properties.

6.7 Attention is drawn to the Inspectors decision letter dated 1st February 2000 for a detached dwelling on the site. It is emphasised that, in dismissing the appeal, he considered whether any form of development could be accommodated on the site without causing harm to the amenities of nearby residents or to the character of the area, and concluded that it could not. He states that "I conclude that there is no firm and clear-cut evidence that a single or two-storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and the character of the area". While the Appellant has sought to demonstrate that a small bungalow could be accommodated on the site there have been no other material changes in circumstances since that decision was made.

7. Comments on the Grounds of Appeal

7.1 (1 and 2) The principle of development is accepted. What is at issue here is primarily the effect on amenity.

(3) This is not accepted and is the key issue of this appeal.

(4) The Council is required to set out those policies which it considers relevant to the determination of the application. Not all are applicable to the reason for refusal. All the policies of the development plan are to an extent interrelated and it is considered reasonable to concentrate on those that are directly relevant. Neither of the policies quoted in the reason for refusal make reference to the location of the site in a Conservation Area.

(5) No comment

8. Conclusion

8.1 The site lies within an existing settlement and the principle of development is acceptable. However, the proposed development would have an overbearing effect on the properties to the east in McCarthy way, to the detriment of the amenities of their occupiers. Moreover there have been no material changes in circumstances since a proposal for a similar form of development was dismissed on appeal in February 2000. The Inspector is respectfully requested to dismiss this appeal.

9. Conditions

9.1 Draft conditions were forwarded with the Questionnaire.

10. Documents

10.1 Appeal decision ref. T/APP/X0360/A/99/1031876/P8

10.2 Extracts from submitted plans showing discrepancies in dimensions.

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Wokingham District Council
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Berkshire
RG41 1BN

Your Ref: F/2000/2671

Our Ref: APP/X0360/A/01/1059239

Date: 4 May 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D DEAN
SITE AT 30-32 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM

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

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08 MAY 2001
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Gregory Gray Associates

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The Planning Inspectorate,
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2 The Square,
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20th April 2001

Our Ref: NL/01/221

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D. DEAN
SITE AT 30 – 32 NASHGROVE LANE, FINCHAMPSTEAD, WOKINGHAM, BERKSHIRE.
APP/X0360/A/01/1059239

We make the following comments by way of rebuttal to the Council's written statement.

4.3. The provisions of PPG3 are fundamental to determination of this appeal. The Council place too little weight on Government policy relating to use of brownfield sites and maximising their using for housing development.

5.3. I had also noted the discrepancy in respect of submitted plans. Although we were not involved at the application stage I have produced at document 3 an accurate 1:500 scale plan showing the position of the proposed development. This plan is consistent and correct.

In respect of the angled notation on the plan I agree that this unhelpful. Whilst the material difference from that drawn to the angle shown on the note is diminimis, I would be prepared to submit, at the hearing, an amended plan omitting this notation. In the alternative, a planning condition to the effect of limiting the angle of roof pitch could be imposed for the avoidance of doubt.

6.2. The Council confirm that the single "crucial" issue in determination of this appeal is views to the proposed development from adjoining properties.

6.4. In relation to this matter I in no way accept that the proposed development would be "very visible" from the rear elevations of numbers 78 and 80 McCarthy Way. My document 11 demonstrates the point and I reiterate that it is perfectly reasonable for residents of urban areas to have views of other buildings in proximity to their amenity space. Critically, the Council fail to point to any material harm by reason of the relationship between proposed and existing building/amenity space and by any reasonable judgement it could certainly not be considered to have an overbearing impact/effect.

6.5. Having regard to the comments set out in relation to roof height we reasonably expect the current application as identified at document 6 of my evidence to be reported to the planning committee with a recommendation for the grant of permission.

6.7. The Council's analysis of the previous appeal decision is woefully inadequate. It is absolutely critical that in consideration of the previous appeal all matters were reserved apart from access. As such the Inspector had no "firm and clear cut evidence" and my Client has now demonstrated that a small bungalow can be accommodated on the site without material harm. For these reasons the Council's contention that there have been no material change in circumstances since the previous appeal (paragraph 8.1) is manifestly wrong.

I attach a further copy of this letter for dispatch to the local planning authority.

Yours faithfully,

Mark Leedale

Enc.

Gregory Gray Associates

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30th April 2001

Our Ref: NL/01/221

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D. DEAN
SITE AT 30 – 32 NASHGROVE LANE, FINCHAMPSTEAD, WOKINGHAM, BERKSHIRE.
APP/X0360/A/01/1059239

I write in respect of third party representations forwarded to us by your letter of 25th April. I make the following rebuttal comments:

- The letter from occupiers of 78 McCarthy Way seems to link the previous Inspector's judgement with the appellants grounds of appeal as set out on the relevant proforma. We reiterate that the previous Inspector did not have persuasive evidence before him in respect of a single or two storey dwelling. We concur with his views that there was no clear cut evidence on which to make sound judgement and those circumstances do not apply to these proceedings.

- In respect of the letter from occupiers of 84 McCarthy Way, the matter of land ownership has been clarified. The previous Inspector did not, as a matter of fact, state that neither a single or two storey dwelling could be erected on the site without causing unacceptable harm to residential amenity. There is additional evidence in this appeal on which reasoned judgement can be made.

  The relevance of the head of development control's letter is that it represented reasoned judgement based on a set of drawings. The author of that letter also acted as the case office and was inconsistent in his approach. There is no objection from the Council's highway engineers and there is on site parking in accordance with the Council's adopted standards. The fact that Mr. Dean may or may not have an interest in other land in this locality is wholly irrelevant.

- With regard to the letter from occupiers of 24 Wild Briar, we do not agree that the addition of a single dwelling would result in "havoc to the traffic entering and leaving the estate". Further, we contend that a bungalow of this scale could not possible result in overlooking or loss of privacy.

I attach a copy of this letter for dispatch to the local planning authority.

Yours faithfully,

Mark Leedale

Enc.

Gregory Gray Associates

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TOWN & COUNTRY PLANNING ACT 1990 (SECTION 78)
APPEAL BY D DEAN ESQ ESQ.
IN RESPECTOF THE REFUSAL OF DETAILED PLANNING PERMISSION BY WOKINGHAM DISTRICT COUNCIL FOR THE ERECTION OF 1no. BUNGALOW

AT LAND R/O 30-32 NASHGROVE LANE, WOKINGHAM, BERKSHIRE.

GREGORY GRAY ASSOCIATES CHARTERED TOWN PLANNING CONSULTANTS

LPA REF:	**F/2000/2671**
APPEAL REF:	**APP/X0360/A/01/1059239**
GGA REF:	**NL/01/221**

APRIL 2001

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4. Plan relating to May 1999 application
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7. Current application relating to no. 34 Nashgrove Lane
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1.0 INTRODUCTION

1.1. We were instructed in January 2001 to make representations relating to an application submitted by W.M. Graham Associates, Chartered Architects, in October 2000. These instructions included addressing the planning committee.

1.2. From inspection of files made available to us we noted Officer support for the proposal by letter of 18th October 2000. This is attached as Document 1 and it should be noted that the author is the Development Control Manager who was also the case officer.

1.3. At document 2 is various correspondence with the case officer. This sets out records of liaison and an outline of the case supporting the application by reference to policy and other material considerations. In addition there is a letter from the Head of Environmental Services to the Ward Councillor for Crowthorne.

1.4. The decision notice was received by W.M. Graham Associates on 5th February setting out the single reason for refusal – alleged "overbearing effect".

1.5. During the course of determination a number of consultation responses were received and these are attached to the questionnaire. We draw attention to the fact that the Council's highway engineer and arboricultural Officer raised no objections to the development proposal. There are a large number of representations from third parties and reference to these is set out below.

1.6. The following sections set out the appellants case by reference to:

- Description of the appeal site and surrounds
- Planning history
- Planning policy
- Assessment of the main issues

2.0 DESCRIPTION OF THE APPEAL SITE AND SURROUNDS

2.1. The appeal site comprises a broadly rectangular parcel of land measuring between 15.7 metres and 18.6 metres in width and 27.5 metres in depth. It is of relatively flat topography. There are four semi-mature trees along the eastern boundary of the site. Beyond this boundary are two storey detached houses which form part of a larger planned, estate development. Attached as document 3 is an accurate site plan which also shows the position buildings in the adjoining garden.

2.2. To the west of the appeal site are two bungalows numbered 30 and 32 Nashgrove.

2.3. In its wider context the appeal site lies within an area of residential development. This is of mixed character with traditional frontage development along Nashgrove Lane and Barkham Ride. This contrasts with housing estate development which is at higher density. There is also some infill development. This is referred to in the following section.

3.0 PLANNING HISTORY

3.1. There have been three previous applications relating to the appeal site. These are:

Reference	Proposal	Decision
99/69357/F	Detached dwelling and integral garage	Refused 5th May 1999
99/70104/0	Outline dwelling	Refused 14th September 1999
2000/1725/F	Dwelling	Withdrawn

3.2. Plans relating to the first application are attached as Document 4. This was refused for reasons relating to its scale, massing and unacceptable impact on adjoining residents.

3.3. The September 1999 refusal related to an outline application with all matters reserved. The appeal decision is attached as Document 5. This is an important chapter in the planning history and we draw attention to the following:

- Paragraph 6 – government policy encourages full and effective use of urban land. It should be noted that the decision precedes publication of revised PPG3 where these principles have been strongly emphasised.
- Paragraph 7 – there is no reasoned objection to the formation of access onto McCarthy Way.
- Paragraph's 8 & 9 – the significant impact of any new dwelling would be on the occupants of number 78 and 80 McCarthy Way.
- Paragraph's 11 & 12 – Two storey development on the appeal site would unacceptably harm the amenities of occupiers of number 78 and 80 McCarthy Way.
- Paragraph 13 – No "firm and clear cut evidence" is submitted to establish that a single or two storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents.

3.4. The appellant's current proposal was conceived having regard to the appeal decision. Correspondence at Document 1 demonstrates that the Development Control Manager was satisfied this had been achieved and we concur with this view for reasons set out in the following section.

3.5. Notwithstanding the current appeal a further application has been submitted to the District Council. Details of this are attached as Document 6. The outcome of this, if known, will be reported at the hearing.

3.6. We also draw attention to a current application at number 34 Nashgrove Lane. Details of this are attached as Document 7 and the outcome of this decision will also be reported at the appeal hearing.

3.7. Finally in respect of planning history we draw attention to development in entirely similar circumstances at Elgarth Drive, Wokingham. This is situated a short distance north of the appeal site and was granted permission in 1987. Photographs of this development are attached as Document 8. It is requested that the Inspector views the site during the appeal proceedings.

4.0 PLANNING POLICY

4.1. Key aspects of planning policy insofar as this appeal is concerned may be found within PPG3 (March 2000); PPG1 (February 1997); the adopted Local Plan, emerging Local Plan and approved Berkshire Structure Plan.

4.2. Revised PPG3 post-dates the previous appeal decision relating to this site. It re-emphasises governments' commitment to maximising use of previously developed land. The Council is currently undertaking an urban capacity study and its Local Plan is predicated on the basis of 760 windfall sites coming forward within the plan period.

4.3. With regard to PPG1 we draw attention to paragraphs 39-45 – primacy of the Development Plan in decision making and – paragraph 55 – the need to state clearly and precisely the full reasons why development is not acceptable.

4.4. The proposal is in accordance with policies of the Development Plan and that there are no other material considerations justifying departure and consequent withholding of planning permission. Moreover, we note the single reason for refusal and consider this to be perverse insofar as the proposed development could not possible have "an unacceptably overbearing effect" which is detrimental to amenity of adjoining residents. These matters are considered in more detail in the following section.

4.5. It follows that the starting point in determination is adopted south-east area Local Plan policy SH1. This sets out the in principle acceptance of infill development with identified settlements. This is mirrored in emerging Local Plan policy WH1. The local planning authority do not refer to these policies in the decision notice and they are not attached to the appeal questionnaire.

4.6. Policies SH1 and WH1 are contained at document 9 along with adopted policies SBE1 and 2 and emerging policies WBE1, WBE2 and WOS3. For reasons set out below the development proposal is not at odds with these policies

4.7. The local planning authority also refer to Structure Plan policy EN1 which requires that development proposals should be appropriate in scale, form and impact in relation to their surrounds. For reasons set out in section 5.0 the appellants contend for reasons set out below that the development proposal does not conflict with this policy. This is also contained at document 9.

5.0 THE MAIN ISSUES

5.1. The main parties agree on the following matters:

- The appeal site lies within the settlement boundary.
- There is acceptance of infill development in accordance with local planning policy and government policy relating to housing development.
- The proposal is acceptable in all respects except in relation to alleged "overbearing effect". This is reflected in the decision notice.
- That there is no loss of valued landscape – see Tree Officer's comment.
- The proposed development is acceptable in respect of traffic and parking matters.

5.2. Bearing in mind the in principle acceptance of residential development in this location the issues, as identified in the decision notice, are:

(1) Whether the proposed development has an "overbearing effect".

(2) Following on from this, whether by reason of its "close proximity to existing residential properties" is would be detrimental to residential amenity.

5.3 The term "overbearing effect" is not embodied in planning policies on which the Council rely. Nevertheless, adopted policy SBE2 refers to the relationship with adjoining site and siting, massing, scale, form and materials. Emerging policy WBE1(f) refers to the same criteria and also "the privacy and amenity of the existing environment" - subcategory (h).

5.4 Document 3 identifies the correct 1:500 scale plan and submitted drawing 2295/04B shows the site plan at 1:100 scale in relation to a number 80 McCarthy Way. The separation between the existing and proposed building would be 14.5 metres with an intervening 2.0 metre high larch lap fence and various semi-mature trees. By any reasonable judgement the relationship between the buildings cannot be described as "close". In fact this distance exceeds that at Elgarth Drive as set out in section 3.0 (planning history).

5.5 Whilst each application must be determined on its individual merits, it is clear that the Council has found these circumstances to be acceptable in planned housing estate development and subsequent infill. This is reflected in normally applied development control criteria. Critically, insofar as an assessment of "overbearing effect" is concerned, these circumstances involve two storey development set obliquely to existing houses. In the case of this appeal, the proposed development is of single storey height and as such its effect is considerable reduced.

5.6 Looking at the development in more detail its ridge height is proposed to be 5.6 metres with the eaves being 2.3 metres. The proposed garage in a forward projection is of lesser ridge and eaves height. Because there are intervening 2.0 metre high larch lap fences and trees between the appeal site and adjoining properties, the impact of this development is considerably reduced to a point where it is immaterial.

5.7 It is also a reasonable assumption in considering "overbearing effect" that from points further from a building its effect reduces. In this case at the closest point from the flank elevation of the proposed dwelling to the common boundary is 4 metres. At this point the proposed development could not be seen from the adjoining garden. From a mid way point in the rear gardens of number 78 and 80 McCarthy Way the roof from eaves to ridge could be seen and these circumstances do not alter from the facing elevations of these properties. Because the roof falls away and is half hipped at each end, there would be no "overbearing effect" at all.

5.8 Leaving these matters aside, the building is proposed to be sited such that it sits equidistant between the boundary of numbers 78 and 80 McCarthy Way. As such there is space about the dwelling at either end and its roof would not dominate or create a perception of enclosure when viewed from the gardens of these properties. Again there is no "overbearing effect".

5.9 In considering the impact of proposed development within these properties, it is important to note that the outlook from number 80 is to the south and east. There are no first floor windows on the west elevation over looking the appeal site. Number 78 McCarthy Way has first floor windows to a bedroom and bathroom which face onto the appeal site. Views from the single habitable room over looking the appeal site would be onto the roof of the proposed dwelling and into its rear garden. These certainly cannot be described as having an "overbearing effect and it is perfectly reasonable in an urban situation for occupiers to experience views onto adjoining development. Document 10 contains photographs and a diagram demonstrating these matters.

5.10 Notwithstanding the foregoing, attention is drawn to the intervening shed and storage of a touring caravan within the adjoining gardens. These are shown on the plan at document 3. Whilst they are located at the behest of the current owners, they nevertheless further reduce the impact of the proposed development.

5.11 Leaving aside the impact of the proposal from dwellings adjoining to the east, the separation distances are greater to the adjoining bungalows to the west and fronting Nashgrove Lane. As such the same arguments apply and the previous Inspector rightly came to the conclusion that single or 2 storey development on the appeal site would not be unduly harmful to the amenity of these residents.

5.12 It is also important to note that the appeal site forms part of the garden to no. 30 Nashgrove Lane. As such Part 1 Class E permitted development rights exist and document 11 shows the impact of a garage or similar curtilage building. This is arguably more significant than the proposed development. Given the somewhat tortuous access on the corner of Nashgrove Lane and McCarthy Way this fall back position is a real possibility to which due regard must be given.

5.13 In summary and having regard to the stated grounds for withholding planning permission and related planning policies, the proposed development would not have an "overbearing effect". As such it would not result in a material loss of amenity and this was the view of the case officer/ Development Control Manager in pre-application correspondence.

5.14 The foregoing has demonstrated that the Council's refusal is unsustainable. As such the principles set out in adopted Local Plan Policy SH1 prevail and planning permission should be granted unless material considerations justify a contrary position. Setting aside the foregoing other material considerations relate to third party representations, copies of which are attached to the appeal questionnaire.

5.15 Comments set out in the letters of representation may be summarised as:

(1) Previous decisions.
(2) Traffic generation.
(3) Lack of on-site parking and congestion.
(4) Loss of tress.
(5) Retention of wildlife and the countryside.
(6) Precedent .
(7) Overlooking.
(8) Impact on the townscape.

5.16 In response, the applicant has a statutory right to submit additional applications following a dismissed appeal. Where these are for precisely the same development within 2 years of a dismissed appeal, the local authority may refuse to entertain applications. Attached as Document 2 is a letter from the Head of Environmental Services confirming that the application seeks to address matters set out in the previous appeal decision and there is no justification to apply section 70A of the 1990 Act (as amended). As set out above, the appeal proposal has been conceived wholly in consideration of the previous Inspector's appeal decision.

5.17 In respect of traffic generation, the proposal must be judged in the light of its impact from one dwelling. Moreover, it contains on site parking in accordance with the Council's adopted standards and there is no objection from the Council's officers. The previous Inspector concluded to this effect.

5.18 With regard to loss of trees, it is noted that the Council's senior arboricultural Officer raises no objections. Nevertheless, it is intended to retain trees along the common boundary with 78 and 80 McCarthy Way. Any suggestion that the site contains valued wildlife or is part of the countryside has no merit. On the contrary it forms part of an urban area where infill development is positively contemplated in both local and national policy.

5.19 The matter of precedent is overstated. Each application must be judged on its merits and again these objections hold no weight in the determination of this appeal.

5.20 Some objectors have claimed that the proposed bungalow would result in overlooking. This cannot be the case bearing in mind existing boundary treatment in the form of 2.0 metre high fences.

5.21 Finally in respect of third party representations, it is suggested that the proposal would detract from the appearance of the locality. Whilst there is no dispute between the main parties that the proposed dwelling would be visible from McCarthy Way, it forms part of the built environment which may reasonably be expected in this locality. There is no suggestion that it would appear cramped or out of character with its surrounds.

5.22 In summary, there is nothing contained within third party representations which would justify the withholding of planning permission and policies of the Development Plan (SH1) must prevail in allowing this appeal.

6.0 SUMMARY AND CONCLUSIONS

6.1. By way of summary and conclusion the following points are submitted:

(1) In previous appeal proceedings the Inspector found that no "firm and clear cut evidence" was submitted to establish the impact of a building on the site. The current appellant has satisfied this requirement and judgement of the proposal is possible.

(2) The proposed development satisfies the normally accepted separation distances in a 'side to rear' housing development. This is evident in existing surrounding development. Additionally, the proposal is for single storey development which further reduces its' impact to a point where it is immaterial.

(3) The appeal falls to be determined in accordance with policies of the development plan, emerging local plan and national guidance – principally PPG3. These policies envisage and encourage infill residential development within urban areas. The main parties agree on this matter.

(4) The application was refused on the basis of its' alleged "overbearing effect" and "close proximity". The appellant has established that neither exist and the Councils' judgement is manifestly wrong.

(5) Third party representations, whilst material, do not raise matters which justify withholding planning permission. The appellant has demonstrated that there is no material harm to interests of acknowledged importance. As such policies of the development plan should prevail.

6.2 For the foregoing reasons it is respectfully requested that this appeal should be allowed.

PLANNING APPEAL

TOWN AND COUNTRY PLANNING ACT, 1990

SECTION 78

APPEAL BY MR AND MRS D. DEAN

PROPOSED ERECTION OF TWO-BEDROOMED SINGLE STOREY DWELLING UNIT

AT LAND ADJOINING 30-32 NASH GROVE LANE, WOKINGHAM

DETR REF. APP/X0360/A/01/1059239

LPA REF. 2671

STATEMENT OF WOKINGHAM DISTRICT COUNCIL

I, John Richard MITCHELL will say: I am Development Control Manager with Wokingham District Council, a post I have held for one year. Previously I was Planning Control Manager with the London Borough of Havering for 6 years, specialising in appeals, enforcement and major projects. I have over 22 years experience of Town and Country Planning gained in a variety of local planning authorities in southern England. I hold a Diploma in Town and Country Planning and am a Member of the Royal Town Planning Institute. I am familiar with the site and its surroundings.

1. Introduction

1.1 This appeal arises from the decision of Wokingham District Council, on 1st February 2001, to refuse planning permission for the development described above. The decision was taken by the Development Control Manager under the Scheme of Delegation to Officers. A copy of the Officer's case notes and the relevant policies of the Development Plan were forwarded with the Questionnaire.

2. The site and its surroundings

2.1 The site lies in Finchampstead North, an established settlement south of Wokingham. It has an area of 0.4 ha and comprises parts of the rear gardens of 30 and 32 Nash Grove Lane. A fence has been erected along the site's western boundary to the rear of 32 Nash Grove Lane, but the rear of no. 30 remains open. The site is flat and has some trees along its eastern boundary.

2.2 To the east of the site are the back gardens and rear elevations of houses at 76,78 and 80 McCarthy Way. The gardens are approximately 10 metres deep. Nos. 76 and 78 have rear facing windows on both floors, while no. 80 on the corner plot has no rear first floor windows.

2.3 The surroundings are wholly residential and comprise a mixture of houses, bungalows and chalets. A site plan is appended.

3. Relevant Planning History

3.1 99/69357/F - Detached dwelling. Refused 5.5.99

99/70104/O - Outline application for detached dwelling. Refused 14.9.99. Appeal dismissed 1.2.00

2000/1725 - Detached 4 bedroom dwelling. Withdrawn

3.2 A copy of the appeal decision over 99/70104/O is attached

4. The Development Plan

4.1 The Development Plan is the Berkshire Structure Plan which was adopted in 1995, and the South East Area Local Plan (SEALP) adopted in 1994. In addition the draft Wokingham District Local Plan (DWDLP) has been used for Development Control Purposes since 21 October 1997. It has been through its Inquiry and the Inspector is due to report in December 2001.

4.2 The structure plan broadly seeks to protect and enhance the quality of the environment of built up areas through policy EN1. Policy SBE2 of SEALP seeks to prevent development which is inappropriate in relation to adjoining sites or buildings or which would adversely affect the character of an area. The aims of Policy WBE1 are broadly similar.

4.3 The provisions of PPG's 1 and 3 are also relevant.

5. The Application the Subject of this Appeal

5.1 It is proposed to erect a single storey L-shaped detached dwelling. The main element of the dwelling would be approximately 10.5m x 10.5m, with a forward projection of 3.5m depth x 5.5m width which would comprise a garage. The height, scaled from the plans, would be 5.6m approx. to the ridge.

5.2 Access would be taken from McCarthy Way.

5.3 The location on the plot is not clear. The 1:100 plan shows the west-facing elevation of the proposed bungalow some 12.8m from the rear of the garage at no 30 Nash Grove Lane, while the 1:500 block plan shows this dimension as 16.5m. Both the plans show a 4m dimension between the east facing elevation and the site's boundary with houses in McCarthy Way, but the proposed bungalow has a width of 9.5m on the 1:500 plan and 10.5m on the 1:100 plan. The plot width at the McCarthy Way frontage is shown as 15.7m approx on the 1:100 plan and 14.5m approx on the 1:500 plan. Finally, if the 32.5° angled pitch of the roof of the proposed bungalow is struck on the plan the ridge height would be 6m, not 5.5m. Marked extracts from the plans are attached.

6. Planning Considerations

6.1 The issues in this case concern the effect of the proposal on the amenity of the occupiers of adjoining and nearby residential properties, and the effect on the character of the area. There is also considerable local concern from nearby residents about the effect on highway safety and the free-flow of traffic at peak hours, but the Council's Highways development Control Officer offers no objection. The Inspector's decision letter dated 1st February 2000 concerning a detached dwelling and garage is a material consideration.

6.2 In giving pre-application advice I visited the site itself and viewed it from the street. I offered the then informal opinion that a bungalow could be acceptable on the site. I had not then viewed the site from adjoining properties and this is crucial to the determination of this appeal.

6.3 **Amenity**

The Council is aware of Government and local policies that there should be the most effective use of land within settlements for housing. However this does not mean that developments which have an unacceptable effect on adjacent residential properties should be permitted.

6.4 In this case it is clear that the proposed development would be very visible from the rear elevations of the houses at 78 and 80 McCarthy Way. In particular the roof line of the main element of the bungalow would be clearly visible from the rear gardens of both properties and the first floor rear windows of no 78. The roof would present a solid and expansive plane of built development where currently there is none. Owing to the close, and uncertain, siting and height of the proposed building it would have an unacceptably overbearing effect, materially reducing the outlook and sense of openness currently experienced from the rear of these properties. This sense of enclosure and overbearingness would be emphasised because of the small depth of their gardens.

6.5 **Character**

The application was not refused on the grounds of its effect on the street scene but it is axiomatic that the proposed development would have an adverse effect on the character of the area when perceived from the properties in McCarthy Way. This matter is very finely balanced and depends largely on the bulk and massing of the property and the extent to which it would be visible from the public domain. On the basis that the plans submitted with the application are accurate I do not consider that the street scene itself would be adversely affected, subject to suitable landscaping and boundary treatment. However, if the roof height is materially increased I consider that the resulting increased area of roof could detract from the appearance of the area as a whole by creating a more built-up appearance. Extracts from the plans showing the discrepancies are attached.

6.6 The proposal would be contrary to SEALP Policy SBE2 because it would be inappropriate in terms of its relationship with adjoining sites and buildings, i.e. the adjoining houses in McCarthy Way. It would similarly be contrary to the DWDLP Policy WBE1 in that it does not have regard to the amenity of the occupiers of nearby properties.

6.7 Attention is drawn to the Inspectors decision letter dated 1st February 2000 for a detached dwelling on the site. It is emphasised that, in dismissing the appeal, he considered whether any form of development could be accommodated on the site without causing harm to the amenities of nearby residents or to the character of the area, and concluded that it could not. He states that "I conclude that there is no firm and clear-cut evidence that a single or two-storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and the character of the area". While the Appellant has sought to demonstrate that a small bungalow could be accommodated on the site there have been no other material changes in circumstances since that decision was made.

7. Comments on the Grounds of Appeal

7.1 (1 and 2) The principle of development is accepted. What is at issue here is primarily the effect on amenity.

(3) This is not accepted and is the key issue of this appeal.

(4) The Council is required to set out those policies which it considers relevant to the determination of the application. Not all are applicable to the reason for refusal. All the policies of the development plan are to an extent interrelated and it is considered reasonable to concentrate on those that are directly relevant. Neither of the policies quoted in the reason for refusal make reference to the location of the site in a Conservation Area.

(5) No comment

8. Conclusion

8.1 The site lies within an existing settlement and the principle of development is acceptable. However, the proposed development would have an overbearing effect on the properties to the east in McCarthy way, to the detriment of the amenities of their occupiers. Moreover there have been no material changes in circumstances since a proposal for a similar form of development was dismissed on appeal in February 2000. The Inspector is respectfully requested to dismiss this appeal.

9. Conditions

9.1 Draft conditions were forwarded with the Questionnaire.

10. Documents

10.1 Appeal decision ref. T/APP/X0360/A/99/1031876/P8

10.2 Extracts from submitted plans showing discrepancies in dimensions.

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728443

GTN 1371-6079

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

Your Ref: F/2000/2671

Our Ref: APP/X0360/A/01/1059239

Date: 27 April 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D DEAN
SITE AT 30-32 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM

I enclose third party correspondence relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. Comments submitted after that deadline may not be seen by the Inspector. 3/5/01

PLANNING SERVICES	HPT 42712
POL	TLS
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APP	
CS DA	
30 APR 2001	
COPIES TO:	ACK:
	FILE:

Yours faithfully

Miss A Groves

211AL(BPR)

78 McCarthy Way,
Wokingham
RG40 4UA

Miss A. Groves,
The Planning Inspectorate
Room 1004
Tollgate House,
Houlton Street,
Bristol,
BS2 9DJ

10th April , 2001

Your ref. APP/X0360/A/01/1059239
My ref. sr/06

Comments on appeal at 30-32 Nash Grove Lane

Dear Sir or Madam,

We are writing to you to register our comments on Planning Appeal APP/X0360/A/01/1059239.

1. Our objections to the planning application F/2000/2671 remain the same on the grounds of: overshadowing, overlooking, destruction of trees, loss of amenity, access to the estate, overcrowding and precedent.

   I understand that our objections to this and objections to previous applications 99/69357/F, 99/70104/O, F/2000/1725 together with the Planning Inspectorate's determination T/APP/X0360/A/99/1031876/P8 have been forwarded to you as relevant documents.

Specific comments on Planning Appeal document:

2. The Planning Inspectorate's Report T/APP/X0360/A/99/1031876/P8 was clear in its consideration of the impact of siting a bungalow on the proposed plot.

   The Planning Inspector treated the application as: "...being for a dwelling with no specific suggestion as to whether it would be for a single or two-storey construction".

   "I conclude that there is no firm or clear cut evidence that a single or two-storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and to the character of the area."

3. G (3) Gregory Gray Associates state: *"With respect it is quite perverse that such a judgement could properly be applied to the development proposal having regard to the material circumstances on the ground."*

I believe that the planning professionals that have been involved in this case have taken adequate trouble to understand the material circumstances on the ground. Mrs A. O'dell and Mr.. Mitchell of Wokingham District Council have both visited the site independently and have seen the impact that the proposed development would have on our outlook from the rear of my property. The Planning inspector also visited the site and my property in reaching his judgement.

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

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

Yours sincerely,

Stephen Raines

Rosalind Raines

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ

24 Wild Briar
Wokingham
Berks
RG40 4UL
9th April 2001

Dear Miss Groves

APP/X0360/A/01/1059239

Re the above reference & the proposed erection of a dwelling on land adjoining 30-32 Nashgrove Lane, Finchampstead, by Mr & Mrs D Dean, this application has already been turned down by your department, and three times, at least by the Wokingham Planning Services.

If permission was granted, it would cause havoc to the traffic entering and leaving the estate, especially the emergency services. For is the only road with no access to houses, on the estate.

People would also loose the little privacy that they have now, by the close proximity of this proposed dwelling.

We do not need any more dwellings on the Fernden Estate.

Yours sincerely
M. Friend
Mrs

Ms J Hanif
84, McCarthy Way, Finchampstead
Wokingham, Berkshire, RG40 4UB
Tel: 01189 736367

11th April 2001

RECEIVED
PINS AA

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Dear Miss Groves

Re: APP/X0360/A/01/1059239 Rear of 30&32 Nash Grove Lane

Further to receipt of notice of an informal hearing in respect of :

Appeal By: Mr and Mrs D Dean - Proposed erection of dwelling

I have now had an opportunity to study the grounds of appeal submitted by Gregory Gray Associates and request that our following comments on these are taken into consideration by the Inspectorate.

1. I cannot understand why a further appeal has been granted as no additional or new evidence has been supplied that removes the objections of the previous inspectorate, John S Deakin, on 1 Feb 2000, and John Mitchell, Development Control Manager, on 8 February 2001.

2. I cannot understand why at this stage in the proceedings Gregory Gray Associates in their letter of 12th February 2001 to the Inspectorate consider it necessary to draw attention to the incorrect statement made regarding ownership of the land in question. To avoid any further misunderstanding or misrepresentation, could ownership of all land associated with the building application be confirmed along with confirmation that approval has been granted to build on and/or gain access across any land not owned by the applicant.

3. Whilst Mr Dean's application has changed from a two storey to a single storey dwelling, the Inspectorate, Mr John S Deakin, made it very clear in his findings that neither a single or two storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and to the character of the area. There is no additional evidence in the appeal submission that would cause a change to this conclusion.

4. The Inspectorate, John S Deakin, in his findings stated that a single storey bungalow, whilst being lower and less dominating, would probably occupy a larger footprint.. This is borne out in the revised application for a single storey building, resulting in the overbearing effect of 987 sq ft of red tiles and brick, with a ridge height of 20ft 8 inches less than 14 metres from the windows of 80 and 78 McCarthy Way. Such a building would be intrusive primarily to the owners of these properties but also to myself and my children.

5. The appeal form (J8) references a letter dated 18th October 2000 from John Mitchell, Development Control Manager, in which he expressed a personal opinion regarding the acceptability of a bungalow being built. I do not understand the relevance of referencing this letter as it clearly states that it is a personal opinion and cannot be held binding on any decision of the council or committees. If such personal opinions are to be taken into account, it should be noted that Mr Mitchell's current opinion, having now viewed the proposed site, is that it would be inappropriate to build a bungalow on this site.

6. In the letter from Mark Leedale dated 17th January 2001 he states that there is no objection from the council's professional officers regarding traffic hazards. It is our understanding that the professional officer for Highways only considers the number of movements to and from the property and not the potential hazard of cars being parked outside the property and entering or leaving it. I am still of the very strong opinion that vehicles would inevitably be parked on McCarthy Way adjacent to this proposed development thereby causing an obstruction and creating a safety hazard. There are 450 houses on Fernlea estate; many of the owners have at least 2 cars. At peak times during the week and at weekends the volume of traffic on this feeder road is exceptionally high. The only other access to this estate is on Elgarth Drive, which is frequently obstructed by parked vehicles.

   Despite the low volume of traffic on Elgarth Drive, there have been at least 2 accidents, which were caused by parked vehicles. Should planning permission be granted and a precedent set for further development, this feeder road would become another Elgarth Drive, but the higher traffic volume would increase the risk to residents with possible tragic results. We suggest that prior to the appeal hearing a professional officer from the Highway authority measures the traffic volume and speed of vehicles using this feeder road.

7. I have in the last few days been assured that Mr Dean is buying No 24 Nash Grove Lane and has offered to buy the eastern end of No 26 Nash Grove Lane in order to obtain planning permission to build a further dwelling on this site. He declared to the owners of 26 Nash Grove Lane that he had already received planning permission for building a dwelling to the rear of 30 and 32 Nash Grove Lane and that this appeal was purely to increase the pitch of the roof, a fact which is totally unfounded. However, it does confirm that should this current application be granted, it would set a precedent for similar dwellings to be erected, causing unacceptable harm to the amenities of nearby residents, notably myself and No 82 McCarthy Way, whilst also increasing the traffic hazard risk.

I do hope that the Inspectorate will bear my comments in mind at the forthcoming hearing on 5th June and trust that he will see fit to dismiss this appeal.

In the interest of avoiding further continued cost and stress for residents in the locality of this application it is requested that the Inspectorate not only rejects this further appeal but also instructs that no further appeals or new applications for residential buildings on this land be allowed.

I would be pleased to answer any points of clarification or provide additional information relating to the above, should this be required prior to the hearing.

Yours sincerely

J HANIF



Site Plan, Scale: 1 to 1250

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Date: 5 March 2001

N
W E
S

2671

Tel. (0118) 974 6487 (Direct Line)
Fax. (0118) 974 6484
Email. John.Mitchell@wokingham.gov.uk
Date April 18, 2001
My ref. JRM/TAB/F/2000/2671
Your ref.

Mr & Mrs G H Armitage
80 McCarthy Way
Finchampstead
WOKINGHAM
Berkshire
RG40 4UA

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Switchboard Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham
http://www.wokingham.gov.uk

Dear Mr and Mrs Armitage

PLANNING APPLICATION F/2000/2671

Thank you for your letter and enclosure of the 9th April 2001.

This information is most interesting and I shall be pursuing it with the appellant and the Inspectorate as soon as I return from my holiday at the end of the month.

Thank you for looking into this matter.

Yours sincerely

JOHN MITCHELL
Development Control Manager

Rec'd 9.30AM 10.4.01

REPLY BY
27 APR 2001

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

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April 9, 2001

Mr J. Mitchell, Development Control Manager.
Wokingham District Council,
Shute End,
Wokingham
Berkshire.
RG40 1WR

Dear Mr Mitchell,

Re: Application No: F/2000/2671 and Appeal No: APP/X0360/A/01/1059239.

Further to our discussion last week I contacted the Land Registry regarding ownership of the site in question, a copy of their reply is attached.
This states quite clearly that the northern part of the site, coloured yellow on the plan of the area, was registered under title Number; BK348989 on the 21st April 1998 to David Dean. Therefore the proprietor of this land is not Mr&Mrs D.Dean as claimed in the Gregory Gray Associates letter to the Planning Inspectorate dated 12th February 2001.
The land coloured green on the plan was sold by D.Dean to Mr R.Burne on the 17th November 2001 and is now registered under title No; BK 366092.
As you can see from the Land Registry letter to me dated 5th April 2001 there is no record that part of the land coloured pink has been sold to anyone, let alone Mr&Mrs D.Dean.
Therefore it would appear that Mr&Mrs D. Dean do not own this site, contrary to the statement on Section 66 Certificate A submitted with the original application. The statement made in the above-mentioned Gregory Gray Associates letter appears to be incorrect also.
Does this mean that this application is invalid and therefore should be cancelled?

Yours Sincerely

G. H. Armitage

KEY TO AREA PLAN. TITLE No's:

BK 348989

BK 366092

BK 52750

The Gloucester District Land Registry
Twyver House, Bruton Way,
Gloucester, GL1 1DQ
DX No: 7599 Gloucester (3)
TEL: 01452 511111
FAX: 01452 510050
GTN: 1364

G H ARMITAGE
80 McCARTHY WAY
FINCHAMPSTEAD
WOKINGHAM
BERKSHIRE
RG40 4UA

Your ref: nil

Our ref: BK348989/PLANS CORRES

Date: 5 April 2001

Dear Mr Armitage,

Proprietor/
Applicant: GEORGE HERBERT ARMITAGE AND RUTH BRENDA ARMITAGE

Title No: BK116524

Property: 80, MCCARTHY WAY, WOKINGHAM RG40 4UA

Thank you for your letter dated 4 April 2001 with your enquiries.

I return your plan and also enclose an explanatory plan of the area showing the current registered titles.

The land coloured yellow at the back of No. 32 Nash Grove Lane is registered separately and I enclose for your use a copy of the title register.

The land coloured pink is still registered under the one title number and as yet we have no record of any sales off.

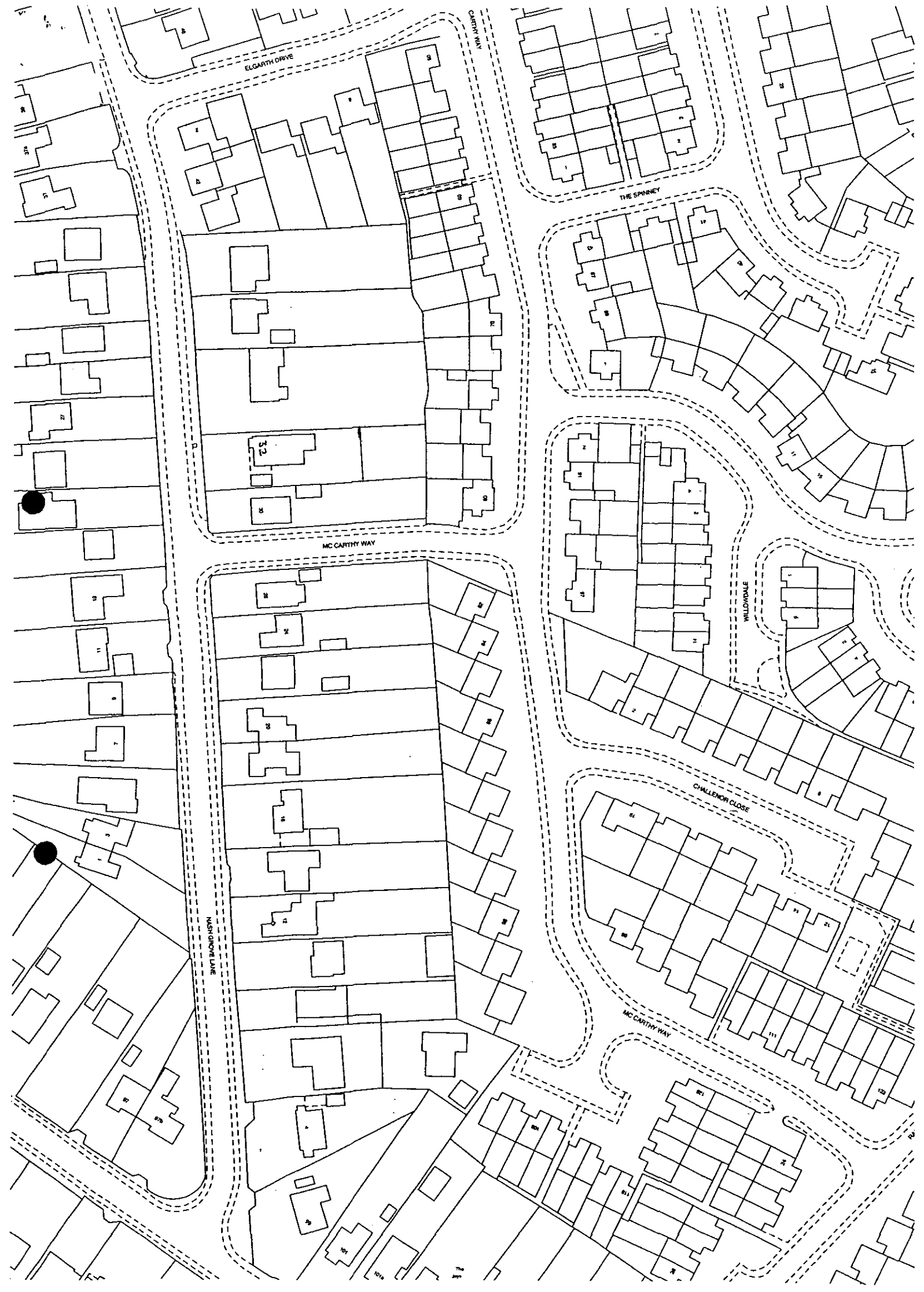
At this stage I can only supply you with the one copy register if you should require copies of the other registered titles then there will be a further fee of £4-00 per title.

If I can assist you further you can write to me again or contact me directly by phone on 01452-511831.

Yours sincerely,

LBailey

LES BAILEY
Ext. 1831


ELGARTH DRIVE
CARTHY WAY
THE SPINNEY
MC CARTHY WAY
WILLOWDALE
CHALLENOR CLOSE
NASH GROVE LANE
MC CARTHY WAY

OFFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting on the register on **4 April 2001.**
This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original.
Issued on 5 April 2001 by HM Land Registry.
This title is administered by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK348989

Edition Date : 17 November 2000

A: Property Register

containing the description of the registered land and the estate comprised in the Title.

WOKINGHAM

1. (21 April 1998) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Land lying to the east of Nash Grove Lane, Barkham Ride, Wokingham.

2. (21 April 1998) The land has the benefit of the following rights granted by the Conveyance dated 11 October 1960 referred to in the Charges Register:-

"TOGETHER with the right for the Purchaser and his successors in title owner or owners for the time being of the property hereby conveyed until such time as the main sewer has been laid and the drains from the said property connected thereto to connect to and use the septic tank situate on the south west corner of the adjoining property on the north known as "Hafnia" Nash Grove Lane aforesaid for the purpose of drainage of the property hereby conveyed AND the right to enter upon the said adjoining property for the purpose of repair and maintenance of the said septic tank doing as little damage as possible to the property entered upon the making good the surface without unnecessary delay."

3. (17 November 2000) The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan. The property description has been amended to reflect the land remaining in the title.

Continued overleaf

B: Proprietorship Register

stating nature of the title, name and address of the proprietor of the land and any entries affecting the right of disposal

Title Absolute

1. (21 April 1998) **PROPRIETOR:** DAVID DEAN of 32 Nash Grove Lane, Barkham Ride, Wokingham, Berks.

C: Charges Register

containing charges, incumbrances etc. adversely affecting the land

1. (21 April 1998) A Conveyance of the land in this title and other land dated 13 April 1922 made between (1) John Walter (Vendor) and (2) Henry William Brake (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

2. (21 April 1998) A Conveyance of the land in this title dated 5 June 1944 made between (1) Henry William Brake (Vendor) and (2) Walter Cornhill (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

3. (21 April 1998) By a Conveyance of the land in this title dated 11 October 1960 made between (1) Walter Cornhill (Vendor) and (2) Walter Ellicott (Purchaser) the land was conveyed subject as follows:-

   "SUBJECT to the covenants and conditions contained in a Conveyance dated the Fifteenth day of May One thousand nine hundred and fifty nine made between the Vendor of the one part and Robert Henry Cheney of the other part so far as the same are respectively still subsisting and capable of taking effect and affect or relate to the property hereby conveyed."

   NOTE:-No further particulars of the Conveyance dated 15 May 1959 referred to were supplied on first registration.

****

Schedule of Restrictive Covenants

1.

The following are details of the covenants contained in the Conveyance dated 13 April 1922 referred to in the Charges Register:-

AND the Purchaser for himself his heirs executors administrators and assigns thereby covenanted with the Vendor his heirs executors administrators and assigns to the intent and so as to bind not only himself personally but also (so far as practicable) all future owners and tenants of the lands and premises thereby assured or any part thereof and to bind such lands and premises into whosoever hands the same might come but not so as to render the Purchaser personally liable in damages for breach thereof after he should have parted with all interest in the premises thereby assured or any part thereof that he the Purchaser and the persons deriving title under him would thenceforth and at all times thereafter observe and perform the stipulations and conditions contained in the 2nd Schedule thereto.

 Continued on next page

Schedule of Restrictive Covenants continued

in repair half the road and footpath adjoining the said piece of land until the Parochial or other Public Authorities shall take upon themselves the repairs of the same And also will not allow any traction engines to be used upon any roads abutting upon or in any way forming an approach to the said piece of land."

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

Schedule of Restrictive Covenants continued

THE SECOND SCHEDULE above referred to

1. No building should be erected on the said land hatched green and brown on the said plans marked A and B to cost less than £700 but this should not be construed to preclude the Purchaser from enlarging any existing buildings irrespective of value nor to preclude the erection of private boat houses or summer houses in connection with any private dwellinghouses no such building erected on the said land hatched green and brown on the said plan should be used otherwise than as a private residence together with the usual offices and outbuildings.

2. No building manure pit or cesspool except a lodge not exceeding 15 feet in height from ground level to ridge of roof should be erected on the said land within 50 feet of the highway.

3. No part of the said land comprised in the said plans marked A B and C nor any buildings to be erected thereon should be used for any purpose which might be or grow into a nuisance or annoyance to the neighbourhood.

4. No temporary dwelling building or erection of any kind except sheds to be used during the working hours by workmen employed in building or completing houses upon any of the said land should be erected on the said land and no booths caravan shows swings or roundabouts should be placed or used thereon.

5. No part of the land should be used as an advertising station (except for the purpose of advertising any part or parts of property thereby agreed to be sold) or for entertaining beanfeasters or pleasure parties.

6. No manufacturing should be carried on on any of the said lands or buildings erected thereon and no permanent operative machinery should be fixed or placed thereon except the existing saw mills and laundry and no bricks or tiles should be made nor any clay or lime be burned on any of the said lands but this clause should not be so construed as to preclude the Purchaser his heirs executors administrators or assigns from erecting and using machinery for private uses such as the generating of electric light gas pumping of water and anything in connection with farming work such as chaff cutting root crushing cake breaking and private works of a similar character.

2. The following are details of the covenants contained in the Conveyance dated 5 June 1944 referred to in the Charges Register:-

"The Purchaser hereby further covenants with the Vendor that he will not excavate or dig any sand gravel or brick earth from the said piece of land except in the course of laying the foundations of the houses or outbuildings to be erected thereon or for use in erecting such buildings And also will not erect any building nearer the road adjoining the said piece of land than Fifty feet or of less value than Three hundred pounds reckoning net cost of labour and material And also will not carry on or permit to be carried on upon the said piece of land any noxious noisome or offensive trade business occupation or manufacture And also will keep

Continued overleaf

Tel. (0118) 974 6487 (Direct Line)
Fax. (0118) 974 6484
Email: John.Mitchell@wokingham.gov.uk
Date 11 April 2001
My ref. JRM/SB/F/2000/2671
Your ref.

42/82

Mr G H Armitage
80 McCarthy Way
Finchampstead
WOKINGHAM
Berkshire
RG40 4UA

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Switchboard Tel: (0118) 974 6000
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham
http://www.wokingham.gov.uk

Dear Mr Armitage

PLANNING APPLICATION NO. F/2000/2671

Thank you for your letter of 9 April.

I am looking into this matter and will come back to you with a full reply as soon as possible.

Yours sincerely

SB

pp JOHN MITCHELL
Development Control Manager

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr & Mrs D Dean
SITE: Land adjoining 30-32 Nashgrove Lane, Finchampstead
APPLICATION NO.: 2671
PROPOSAL: Erection of dwelling

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Finchampstead North

Mr R Cundy

Mr T Charlesworth

Clerk(s) of Parish / Town Council of Finchampstead

Mrs C S Cole, Memorial Hall, The Village, Finchampstead, Wokingham, Berks. RG40 4JU

Environmental Services Department, Engineering Services, Wokingham District Council, PO Box 157, Council Offices, Shute End, WOKINGHAM, Berkshire, RG40 1WR

Environmental Design, WDC
- Trees & Landscape

Environmental Health, WDC

Applicationo	Name & Address
F/2000/2671	P Woods 47 Jerrymoor Hill Wokingham RG40 4UG
F/2000/2671	A & V Buckland 11 Jerrymoor Hill Wokingham RG40 4UG
F/2000/2671	Mr & Mrs E Parr 38 Mornington Ave Finchampstead RG40 4UE
F/2000/2671	Mr C Timbers 5 Jerrymoor Hill Finchampstead RG40 4UG
F/2000/2671	J Thwaite 98 McCarthy Way Finchampstead RG40 4UA
F/2000/2671	Mrs J Siney 48 Jerrymor Hill Wokingham RG40 4UG
F/2000/2671	Mrs C Roberts 10 Challenor Close Wokingham RG40 4UJ
F/2000/2671	The Jones Family 14 Burnt Oak Finchampstead Wokingham RG40 4UQ
F/2000/2671	Mrs E Holmes 38 Wild Briar Finchampstead RG40 4UL
F/2000/2671	Mr M Hood 40 McCarthy Way Wokingham RG40 5UA
F/2 00/2671	Mr I Kileff 2 Willowdale Finchampstead RG40 4UF

/F/2000/2671	J M Jacobs 27 Radical Ride Wokingham RG40 4UH
F/2000/2671	D & E Shortell Semara 12 Burnt Oak Wokingham RG40 4UQ
F/2000/2671	Mrs C Wilkinson 14 Willowdale Wokingham RG40 4UF
F/2000/2671	Mr M Edwards 15 Wild Briar Finchampstead RG40 4UL
F/2000/2671	Mrs L Sinclair 33 Tickenor Drive Wokingham RG40 4UD
F/2000/2671	Miss C le Maistre & Mr N Waters 66 McCarthy Way Finchampstead RG40 4UA
F/2000/2671	Mrs H Wardale 59 Jerrymoor Hill Finchampstead RG40 4UG
F/2000/2671	Mr & Mrs D Merritt 15 the Spinney Finchampstead RG40 4UN
F/2000/2671	The Owner/Occupier 2 Jerrymoor Hill Finchampstead RG40 4G
F/2000/2671	Mr J Dunkley 5 Burnt Oak Finchampstead RG40 4UQ
F/2000/2671	Mr S Chater 10 McCarthy way Finchampstead RG40 4UA
F/2000/2671	Mr Y Siddiqui 22 Radical ride Finchampstead RG40 4UH

F/2000/2671	T W Best 3 Jerrymoor Hill Finchampstead RG40 4UG
F/2000/2671	Ms A Clark 10 Mornington Crescent Finchampstead RG40 4UE
F/2000/2671	Ms J Ralph 77 McCarthy Way Finchampstead RG40 4UA
F/2000/2671	A Slade 22 Jerrymoor Hill Finchampstead RG40 4UG
F/2000/2671	Mr J Goss 35 The Spinney Finchampstead RG40 4UN
F/2000/2671	M Finch 24 Wild Briar Wokingham RG40 4UL
F/2000/2671	C Evans 35 Nash Grove Lane Finchampstead RG40 4HE
F/2000/2671	Mr & Mrs G Armitage & Petition 80 McCarthy Way Finchampstead RG40 4UA
F/2000/2671	The Owner/Occupier 107 McCarthy Way Finchampstead Rg40 4UB
F/2000/2671	Mr & Mrs Blacckshaw 7 Radical Ride Wokingham RG40 4UH
F/2000/2671	Mrs S Perry 90 McCarthy Way Finchampstead RG40 4UB
F/2000/2671	J & T Ismail 9 Radical Ride Finchampstead RG40 4UH

F/2000/2671	Mr M Webster 128 McCarthy Way Wokingham RG40 4UB
F/2000/2671	R & S Burne 32 Nashgrove Lane Finchampstead RG40 4HD
F/2000/2671	Mr P Stoneman 5 Radical Ride Finchampstead RG40 4UH
F/2000/2671	A Fleett 19 Challenor Close Wokingham Berks
F/2000/2671	Miss S Jenkins 20 Morington Ave Finchampstead RG40 4UE
F/2000/2671	S & R Raines 78 McCarthy Way Wokingham RG40 4UA
F/2000/2671	J Bailey 56 McCarthy Way Wokinghham RG40 4UA
F/2000/2671	Mr & Mrs Dyster 93 McCarthy Way Finchampstead RG40 4UB
F/2000/2671	Mrs G Stevens 11 Wild Briar Finchampstead RG40 4UL
F/2000/2671	K Parker 4 Elgarth Drive Wokingham RG40 4HH
App. refused letter sent 08/02/01	Mr W Huczok 40 Mornington Avenue Wokingham Berks RG40 4UE

Tel. (0118) 974 6448 (Direct Line)
Date. June 7, 2001
My ref: F/2000/2671
Your ref:

Stephen & Rosalind Raines
78 McCarthy Way
Wokingham
Berks
RG40 4UA

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 / Madam

APPEAL BY: **Mr & Mrs Dean**
SITE: **30-32 Nash Grove Lane, Finchampstead**

I am replying to your letter of May 25, 2001.

Firstly, minutes are not taken at Informal Hearings.

Secondly, in my letter of March 5, 2001, I advised you that any further comments on this appeal should be sent to Miss Groves at the Planning Inspectorate & that they should reach her by April 12, 2001.

However, I passed on a copy of your letter to the Inspectorate & I enclose a copy of their reply.

Finally, I have confirmed with them that they will be sending you a copy of the decision.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728443
GTN 1371-6079

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

Your Ref: F/2000/2671

Our Ref: APP/X0360/A/01/1059239

Date: 4 June 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D DEAN
SITE AT 30-32 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM

I refer to the enclosed correspondence from a third party received on Monday 4th June 2001and would like to thank you for submitting their letter about the above appeal.

Unfortunately, we received it after the deadline for the receipt. I have carefully considered whether it should be taken into account, but I can find no exceptional reasons. I am therefore returning their letter to you.

Yours faithfully

pp S.P. Campbell

Miss A Groves

218(BPR)

44024

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP DC	
CS	
07 JUN 2001	
COPIES TO:	ACK:
	FILE:

Tel. (0118) 974 6448 (Direct Line)
Date: May 31, 2001
My ref: F/2000/2671
Your ref: APP/X0360/A/01/1059239

Environmental Services Department
Planning Services
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Berkshire RG40 1WR
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RECEIVED
- 4 JUN 2001

Miss A Groves
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Miss Groves

APPEAL BY: Mr & Mrs D Dean
SITE: 30-32 Nash Grove Lane,

With reference to this appeal, I enclose 2 copies of third party correspondence. Please note that the writer requests a copy of the decision.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

43789

DG

78 McCarthy Way,
Wokingham
RG40 4UA

Denise Gumbrell
CC: Mr. John Mitchell

Wokingham District Council
Planning Services,
P.O. Box 157,
Shute End, Wokingham,
RG40 1WR

25th May , 2001

Your ref. F/2000/2671
My ref. sr/06a

Comments on appeal at 30-32 Nash Grove Lane

Dear Mrs Gumbrell,

Thank-you for your letter confirming the date and time of the Informal Hearing into the appeal by Mr and Mrs Dean. We would have liked to attend the Hearing but are returning from holiday on that day and will be unable to attend. We would like this to be recorded in the minutes of the meeting.

We would like to take the opportunity to invite those attending the Hearing to view the site from our property and, in particular, from our upstairs back bedroom. Our neighbour, Mr George Armitage, has the key to our property and would be happy to escort the inspector.

We would like to be notified of the decision on this Appeal.

Yours sincerely,

Stephen Raines

Stephen Raines

Rosalind M Raines

Rosalind Raines

Tel. (0118) 974 6448 (Direct Line)
Date. May 17, 2001
My ref: F/2000/2671
Your ref:

P Woods
47 Jerrymoor Hill
Wokingham
RG40 4UG

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/Madam

NOTICE OF INFORMAL HEARING

APPEAL BY: Mr & Mrs Dean
SITE: Land adjoining 30-32 Nasgrove Lane, Wokingham
PROPOSAL: Proposed erection of dwelling

Further to my letter of 05/03/01, 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 at the Civic Offices, Shute End, Wokingham commencing at 10.00 on Tuesday 5th June 2001.

As your interests may be affected, this is to give you notice of the Hearing in order that you may, if you so desire, attend and at the Inspector's discretion take part in the discussion.

Documents relating to the appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (8:30 –17:00 Mondays to Thursdays & 8:30 – 16:00 on Fridays).

Anyone with a disability who wishes to attend the Hearing is advised to contact the Council to check that suitable provisions are available.

The Planning Inspectorate will send the decision on this Appeal only to those persons who ask to be notified.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Tel. (0118) 974 6448 (Direct Line)
Date. March 5,2001
My ref: F/2000/2671
Your ref:

P Woods
47 Jerrymoor Hill
Wokingham
RG40 4UG

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/Madam

NOTICE OF INFORMAL HEARING

APPEAL BY: **Mr & MrsDean**
SITE: **Land adjoining 30-32 Nashgrove Lane**
PROPOSAL: **Proposed erection of dwelling**

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 at the Civic Offices, Shute End, Wokingham on a date to be advised.

Comments already made, following the original application for planning permission, will be forwarded to The Planning Inspectorate .

If you wish to make further representations, you should, if possible, send three copies to Miss A Groves, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, quoting reference APP/X0360/A/01/1059239. Comments received after 12/04/01 will not normally be seen by the Inspector & will be returned.

The application, decision notice, and the appellant's grounds of appeal can be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 Mondays to Thursdays, & 08.30 to 16.00 Fridays).

A free booklet, "Guide to taking part in planning appeals" is available from this office.

If you would like a copy of the decision on this Appeal, you should write to Miss Groves & ask for one.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant



Site Plan, Scale: 1 to 1250

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

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Date: 5 March 2001

N
W E
S

Tel. (0118) 974 6448 (Direct Line)
Date: May 17, 2001
My ref: F/2000/2671
Your ref: APP/X0360/A/01/1059239

Environmental Services Department
Planning Services
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Miss A Groves
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Miss Groves

APPEAL BY: Mr & Mrs Dean

SITE: Land adjoining 30-32 Nashgrove Lane, Wokingham

With reference to this appeal, I enclose 2 copies of each of the notification letters.

Yours sincerely

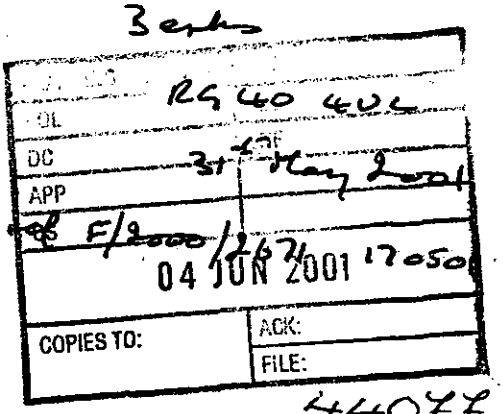
Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Appeals Assistant
Planning Services
PO Box 157
Sluice End
Wokingham
RG40 1WR

24 Wild Briar
Wokingham
Berks
RG40 4UL

BRIAR



Yours DG

44077.

Dear Mrs Gumbrell

Notice of Informal Hearing
Appeal by Mr + Mrs Dean

Thank you for your letter re the above. I regret I will not be able to attend the hearing.

I would like to point out that if permission was granted, it would cause havoc to the traffic entering and leaving the estate, especially the emergency services. It is the only road with no access to houses on the estate.

Yours sincerely
M. Fircet
M FIRCET
Miss

FIRICET

PLANNING APPEAL

TOWN AND COUNTRY PLANNING ACT, 1990

SECTION 78

APPEAL BY MR AND MRS D. DEAN

PROPOSED ERECTION OF TWO-BEDROOMED SINGLE STOREY DWELLING UNIT

AT LAND ADJOINING 30-32 NASH GROVE LANE, WOKINGHAM

DETR REF. APP/X0360/A/01/1059239

LPA REF. 2671

STATEMENT OF WOKINGHAM DISTRICT COUNCIL

I, John Richard MITCHELL will say: I am Development Control Manager with Wokingham District Council, a post I have held for one year. Previously I was Planning Control Manager with the London Borough of Havering for 6 years, specialising in appeals, enforcement and major projects. I have over 22 years experience of Town and Country Planning gained in a variety of local planning authorities in southern England. I hold a Diploma in Town and Country Planning and am a Member of the Royal Town Planning Institute. I am familiar with the site and its surroundings.

1. Introduction

1.1 This appeal arises from the decision of Wokingham District Council, on 1st February 2001, to refuse planning permission for the development described above. The decision was taken by the Development Control Manager under the Scheme of Delegation to Officers. A copy of the Officer's case notes and the relevant policies of the Development Plan were forwarded with the Questionnaire.

2. The site and its surroundings

2.1 The site lies in Finchampstead North, an established settlement south of Wokingham. It has an area of 0.4 ha and comprises parts of the rear gardens of 30 and 32 Nash Grove Lane. A fence has been erected along the site's western boundary to the rear of 32 Nash Grove Lane, but the rear of no. 30 remains open. The site is flat and has some trees along its eastern boundary.

2.2 To the east of the site are the back gardens and rear elevations of houses at 76,78 and 80 McCarthy Way. The gardens are approximately 10 metres deep. Nos. 76 and 78 have rear facing windows on both floors, while no. 80 on the corner plot has no rear first floor windows.

2.3 The surroundings are wholly residential and comprise a mixture of houses, bungalows and chalets. A site plan is appended.

3. Relevant Planning History

3.1 99/69357/F - Detached dwelling. Refused 5.5.99

99/70104/O - Outline application for detached dwelling. Refused 14.9.99. Appeal dismissed 1.2.00

2000/1725 - Detached 4 bedroom dwelling. Withdrawn

3.2 A copy of the appeal decision over 99/70104/O is attached

4. The Development Plan

4.1 The Development Plan is the Berkshire Structure Plan which was adopted in 1995, and the South East Area Local Plan (SEALP) adopted in 1994. In addition the draft Wokingham District Local Plan (DWDLP) has been used for Development Control Purposes since 21 October 1997. It has been through its Inquiry and the Inspector is due to report in December 2001.

4.2 The structure plan broadly seeks to protect and enhance the quality of the environment of built up areas through policy EN1. Policy SBE2 of SEALP seeks to prevent development which is inappropriate in relation to adjoining sites or buildings or which would adversely affect the character of an area. The aims of Policy WBE1 are broadly similar.

4.3 The provisions of PPG's 1 and 3 are also relevant.

5. The Application the Subject of this Appeal

5.1 It is proposed to erect a single storey L-shaped detached dwelling. The main element of the dwelling would be approximately 10.5m x 10.5m, with a forward projection of 3.5m depth x 5.5m width which would comprise a garage. The height, scaled from the plans, would be 5.6m approx. to the ridge.

5.2 Access would be taken from McCarthy Way.

5.3 The location on the plot is not clear. The 1:100 plan shows the west-facing elevation of the proposed bungalow some 12.8m from the rear of the garage at no 30 Nash Grove Lane, while the 1:500 block plan shows this dimension as 16.5m. Both the plans show a 4m dimension between the east facing elevation and the site's boundary with houses in McCarthy Way, but the proposed bungalow has a width of 9.5m on the 1:500 plan and 10.5m on the 1:100 plan. The plot width at the McCarthy Way frontage is shown as 15.7m approx on the 1:100 plan and 14.5m approx on the 1:500 plan. Finally, if the 32.5° angled pitch of the roof of the proposed bungalow is struck on the plan the ridge height would be 6m, not 5.5m. Marked extracts from the plans are attached.

6. Planning Considerations

6.1 The issues in this case concern the effect of the proposal on the amenity of the occupiers of adjoining and nearby residential properties, and the effect on the character of the area. There is also considerable local concern from nearby residents about the effect on highway safety and the free-flow of traffic at peak hours, but the Council's Highways development Control Officer offers no objection. The Inspector's decision letter dated 1st February 2000 concerning a detached dwelling and garage is a material consideration.

6.2 In giving pre-application advice I visited the site itself and viewed it from the street. I offered the then informal opinion that a bungalow could be acceptable on the site. I had not then viewed the site from adjoining properties and this is crucial to the determination of this appeal.

6.3 **Amenity**

The Council is aware of Government and local policies that there should be the most effective use of land within settlements for housing. However this does not mean that developments which have an unacceptable effect on adjacent residential properties should be permitted.

6.4 In this case it is clear that the proposed development would be very visible from the rear elevations of the houses at 78 and 80 McCarthy Way. In particular the roof line of the main element of the bungalow would be clearly visible from the rear gardens of both properties and the first floor rear windows of no 78. The roof would present a solid and expansive plane of built development where currently there is none. Owing to the close, and uncertain, siting and height of the proposed building it would have an unacceptably overbearing effect, materially reducing the outlook and sense of openness currently experienced from the rear of these properties. This sense of enclosure and overbearingness would be emphasised because of the small depth of their gardens.

6.5 **Character**

The application was not refused on the grounds of its effect on the street scene but it is axiomatic that the proposed development would have an adverse effect on the character of the area when perceived from the properties in McCarthy Way. This matter is very finely balanced and depends largely on the bulk and massing of the property and the extent to which it would be visible from the public domain. On the basis that the plans submitted with the application are accurate I do not consider that the street scene itself would be adversely affected, subject to suitable landscaping and boundary treatment. However, if the roof height is materially increased I consider that the resulting increased area of roof could detract from the appearance of the area as a whole by creating a more built-up appearance. Extracts from the plans showing the discrepancies are attached.

6.6 The proposal would be contrary to SEALP Policy SBE2 because it would be inappropriate in terms of its relationship with adjoining sites and buildings, i.e. the adjoining houses in McCarthy Way. It would similarly be contrary to the DWDLP Policy WBE1 in that it does not have regard to the amenity of the occupiers of nearby properties.

6.7 Attention is drawn to the Inspectors decision letter dated 1st February 2000 for a detached dwelling on the site. It is emphasised that, in dismissing the appeal, he considered whether any form of development could be accommodated on the site without causing harm to the amenities of nearby residents or to the character of the area, and concluded that it could not. He states that "I conclude that there is no firm and clear-cut evidence that a single or two-storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and the character of the area". While the Appellant has sought to demonstrate that a small bungalow could be accommodated on the site there have been no other material changes in circumstances since that decision was made.

7. Comments on the Grounds of Appeal

7.1 (1 and 2) The principle of development is accepted. What is at issue here is primarily the effect on amenity.

(3) This is not accepted and is the key issue of this appeal.

(4) The Council is required to set out those policies which it considers relevant to the determination of the application. Not all are applicable to the reason for refusal. All the policies of the development plan are to an extent interrelated and it is considered reasonable to concentrate on those that are directly relevant. Neither of the policies quoted in the reason for refusal make reference to the location of the site in a Conservation Area.

(5) No comment

8. Conclusion

8.1 The site lies within an existing settlement and the principle of development is acceptable. However, the proposed development would have an overbearing effect on the properties to the east in McCarthy way, to the detriment of the amenities of their occupiers. Moreover there have been no material changes in circumstances since a proposal for a similar form of development was dismissed on appeal in February 2000. The Inspector is respectfully requested to dismiss this appeal.

9. Conditions

9.1 Draft conditions were forwarded with the Questionnaire.

10. Documents

10.1 Appeal decision ref. T/APP/X0360/A/99/1031876/P8

10.2 Extracts from submitted plans showing discrepancies in dimensions.

The Planning Inspectorate

1426

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Bristol BS2 9DJ

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

Your Ref:
AJT/MT/630

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

Date:
1- FEB 2000

Dear Sirs

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

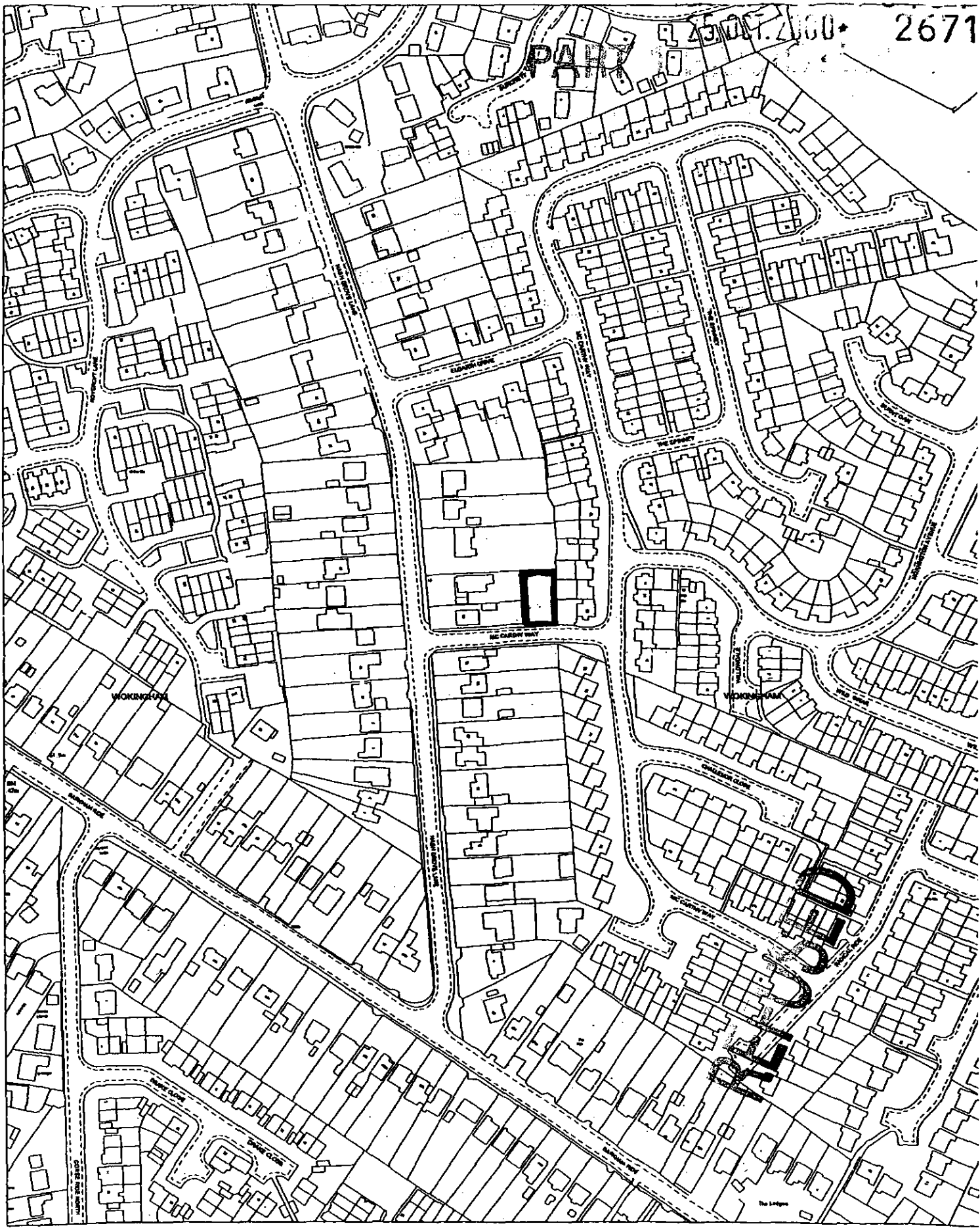
14. Reference is made to the development at Nos.1 and 3 Elgarth Drive. There are some similarities to the appeal scheme but No.3 only affects the corner plot – 48A McCarthy Way. This house has an outlook over the side road and is also at a slightly higher level. Whilst the dwelling at No.3 Elgarth Drive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

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

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

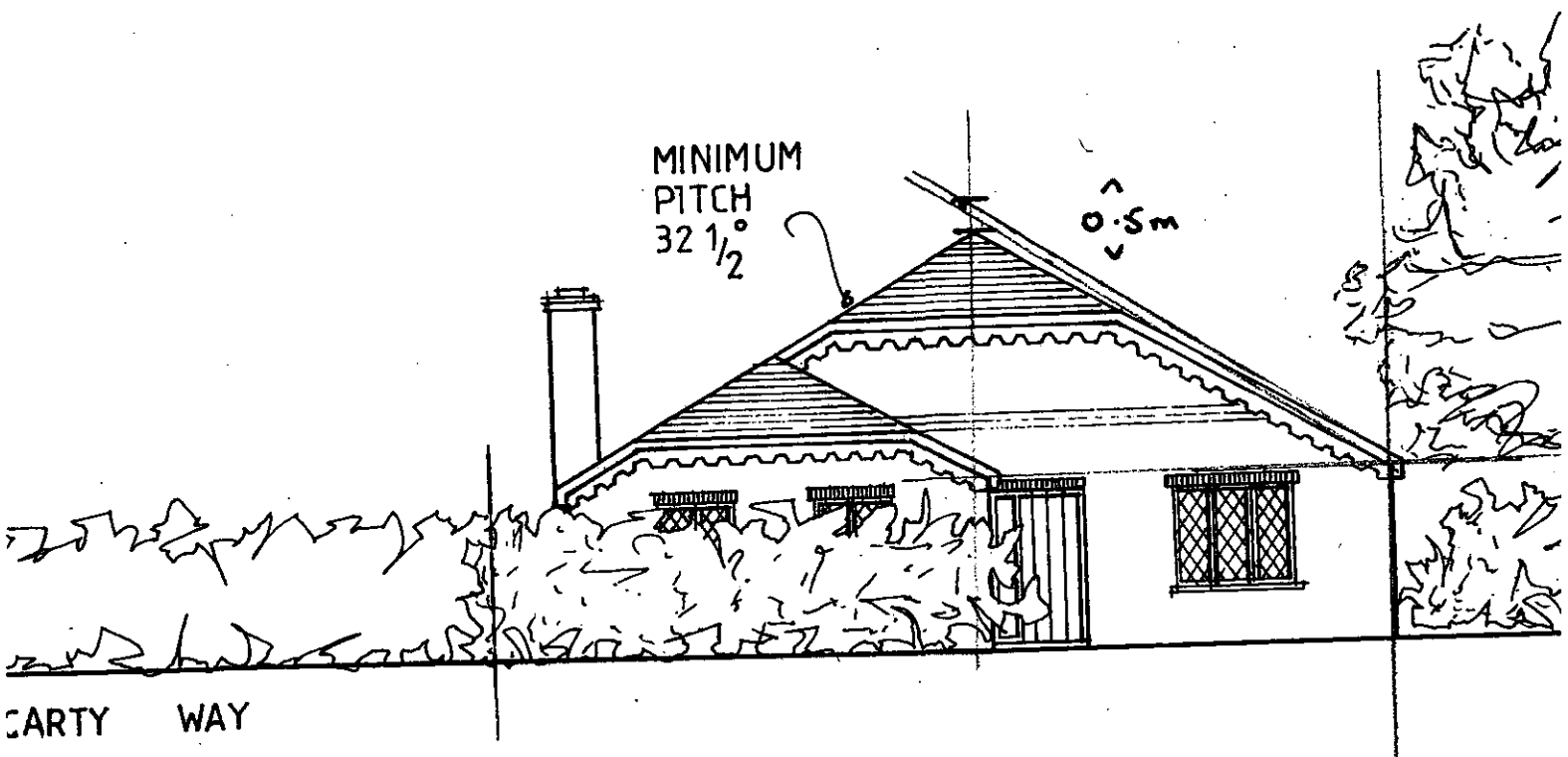
Yours faithfully

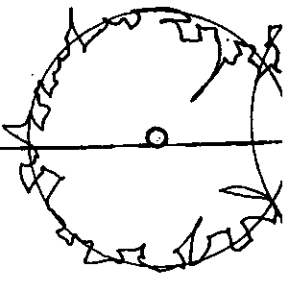
JOHN S DEAKIN FRICS
Inspector

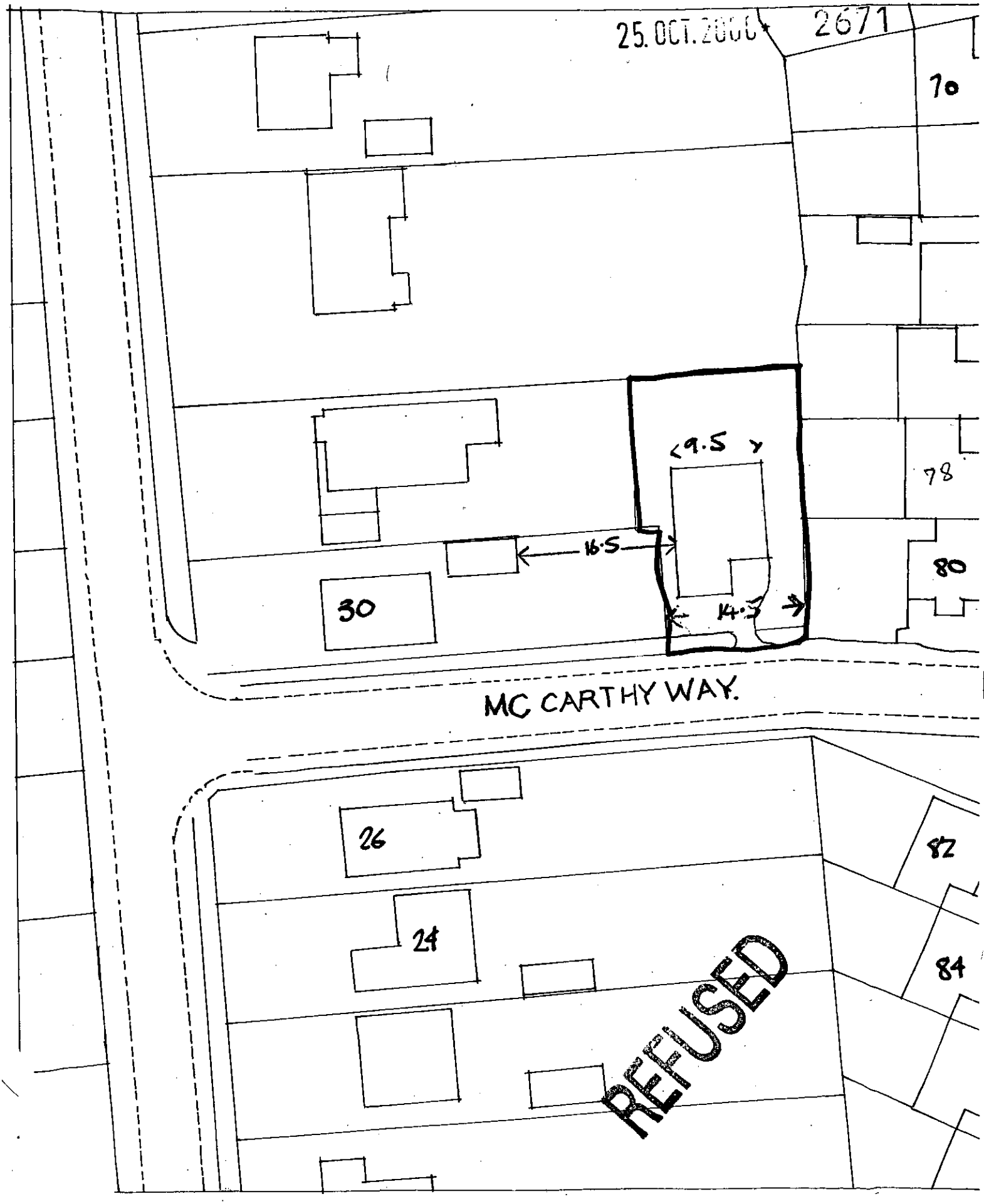


Site Plan, Scale: 1 to 2500

SITE AT 30-32 NASH GROVE LANE
PROPOSED DWELLING


MINIMUM
PITCH
32 1/2°
0·5m
CARTY WAY





PROPOSED SITE SCALE 1:500.

The Planning Inspectorate

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http://www.planning-inspectorate.gov.uk

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Fax No 0117-3728443

GTN 1371-6079

Mr G H & Mrs R B Armitage
80 Mccarthy Way
Finchampstead
Wokingham
Berks
RG40 4UA

Your Ref:

Our Ref: APP/X0360/A/01/1059239

Date: 18 April 2001

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D DEAN
SITE AT 30-32 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM

Thank you for your letter dated 21/03/2001 concerning the above appeal.

As you are aware the hearing for the appeal will start at 10:00 am, on 5/6/2001 and you are welcome to attend.

Your request for the Inspector to view the site from your property is noted and will be brought to the inspector's attention. I would suggest you attend the start of the hearing and inform the inspector then of your request.

I confirm a copy of your letter and this reply have been forwarded to the appellant and the local planning authority.

Yours faithfully

Miss A Groves

205

MR G.H. & MRS R.B.ARMITAGE

80, McCarthy Way,
Finchampstead,
Wokingham,
Berkshire.
RG40 4UA

6th April 2001

Miss A. Groves.
The Planning Inspectorate,
Room 1004.
Tollgate House,
Houlton Street,
Bristol.
BS2 9DJ

Dear Sirs,

Ref: APP/X0360/A/01/1059239 Rear of 30&32 Nash Grove Lane.

Further to our letter of the 21st March 2001 we have now had an opportunity to study the "Grounds for Appeal" submitted by Gregory Gray Associates and request that our following comments on these are taken into consideration by the Inspector.

(A) We can not understand why, at this stage in the proceedings, Gregory Gray Associates in their letter of the 12th February 2001 to the Inspectorate, consider it necessary to draw attention to the incorrect statement made on Section 66 Certificate A, that was submitted on the 21st June 2000 with the application.
Were Mr and Mrs D. Dean the owners of the site in question on the 1st June 2000 and is there any supporting documentary evidence to prove this? Indeed, does there have to be?

(B) We note that section E on the Planning Appeal Form has not been completed.

(C) Appellants "Grounds for Appeal" at section G

(2) We challenge their statement "that there are no other material considerations justifying departure from development plan policies".
Adopted Local Plan Policy SBE2 says "development, which is inappropriate in terms of its relationship with adjoining sites, and buildings will not normally be permitted".
The Inspectorate in their dismissal of appeal 1/2/00 quote this and state that "among the factors to be considered will be the visual impact and the privacy and amenity of the existing environment".

(D)

(3) To state that the local planning authority's reasons for refusing the application are "perverse, having regard to the material circumstances on the ground" is, with respect, quite ludicrous.
Surely the overbearing effect of 987 square feet of red tiles and brick, with a ridge height of 20feet- 8inches less than 14 metres from our windows is quite apparent to any reasonable person. Especially to any qualified independent adjudicator, such as the Inspector who dismissed the last appeal and the LPA officer.

(E)

(4) We can not see where the local authority is seeking to apply tests, which are, in part, beyond statutory requirement. They have not said or implied that there is a requirement for the developer to enhance the character of the area.

At J8 on the Planning Appeal Form two items of relevant correspondence with the LPA are mentioned: 18th October 2000 and 17th January 2001.We wish to comment on these also.

Letter 18th October 2000

We do not see the relevance of this letter from Mr J.Mitchell to this appeal. It expresses a personal opinion and very clearly says so.

Letter 17th January 2001
From Mark Leedale of Gregory Gray Associates to J.Mitchell Esq.

(F)

(1) It is incorrect to say that there are no objections from the senior arboricultural officer. There are and they are in the file of application F/2000/1725. This currant refused application; F/2000/2671 was submitted on the 24th October 2000 without fee and claimed to be ongoing following the withdrawal of F/2000/1725 on the 18th August 2000.
As previously stated there are quite clearly defined material considerations beyond the development plan policy to justify withholding planning permission- OVERBEARING EFFECT ON NEARBY RESIDENTS.

(2) Mr Leedale refers to the appeal decision pertaining to an outline application with all matters reserved.
We can not understand how Mr Leedale can say "however, and critically, the proposal before the Inspector failed to produce any evidence that single storey development could be accommodated on the land in question". While in the preceding sentence he agrees with the Inspectors view regarding two-storey development.
If the proposal before the Inspector produced evidence for him to reach a conclusion on a two-storey dwelling, then surely this same evidence applied equally to a single-storey dwelling. The Inspector in his preamble made this point absolutely clear.
The Inspector did not express any doubts in respect of the larger footprint. He quite clearly and unambiguously stated that this would lead to a more built-up appearance,

(F) (2) Continued

with substantial areas of roof and we maintain that is exactly the case with this application.

To claim that the proposed roof pitch and the distance from the common boundary overcomes these unacceptable problems is perverse in the extreme.

(G)

(3) At paragraph No: 3 Mr Leedale now accepts that the circumstances of the particular case are material, which is exactly the opposite of his view in paragraph No:1.

(H)

(4) Mr Leedale claims to have studied the numerous letters from third parties, again saying incorrectly that there was no objection from professional officers in terms of landscape. He fails to mention of course; the views of the occupiers of Nos: 78 and 80 McCarthy Way, who are the ones most likely to be adversely affected if the appeal were allowed.
To suggest that the previous Inspector has not ruled out the principle of development on this site is ridiculous. What is of PARAMOUNT importance is that the Inspector ruled out the building of a SINGLE or TWO-STOREY DWELLING.

That it is on the basis of the Inspectors comments that the current scheme has been conceived is utterly inconceivable to us.

We have in the last few days been assured by concerned neighbours that Mr D.Dean is buying No: 24 Nash Grove Lane and has offered to buy the eastern end of No: 26 Nash Grove Lane (shown on the attached plan). He declared his intention to apply for planning permission to build a dwelling at the eastern end of both gardens. Implying that planning permission will be granted on grounds of precedent as he has already been granted planning permission at the site which is the subject of this appeal.

We hope that the Inspector will bear our comments in mind at the forthcoming hearing and trust that he will see fit to dismiss the appeal.

Yours faithfully

G. H.Armitage. R.B.Armitage


ELGARTH DRIVE
MC CARTHY WAY
THE SPINNEY
WILLOWDALE
CHALLENOR CLOSE
MC CARTHY WAY
HIGH GROVE WAY

MR G.H. & MRS R.B.ARMITAGE

80, McCarthy Way,
Finchampstead,
Wokingham.
Berkshire.
RG40 4UA

23 MAR 2001

March 21, 2001

Miss A. Groves,
The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
Bristol,
BS2 9DJ

Dear Miss Groves,

Ref: APP/X0360/A/01/1059239

Wokingham District Council have given us notice of an informal hearing on a date to be advised in connection with an appeal against their refusal to grant planning permission. They tell us that copies of comments already made, following the original application for planning permission will be forwarded to you.
As our comments made several references to your Inspectors dismissal of a previous appeal (Ref: T/APP/X0360/A99/1031876/P8), the relevant sections of which we highlighted in red. We feel that this highlighting would not show clearly on photocopies and therefore enclose an exact duplicate of our comments and your highlighted Inspectors reasons for dismissal. As this is not a further representation we feel it is not necessary to send another two copies.

As our house is adjacent to the appeal site we would ask that the Inspector see it from our property.

Could you please acknowledge receipt of this letter and enclosures and please arrange for us to receive a copy of the Inspectors decision after the hearing.

Yours sincerely

R.B. Armitage.

G. H. & R.B.Armitage

MR G.H. & MRS R.B. ARMITAGE

80, McCarthy Way,
Finchampstead,
Wokingham.
Berkshire.
RG40 4UA

November 26, 2000.

Mr J. Mitchell.
Wokingham District Council.
Planning Services.
P.O. Box 157,
Shute End, Wokingham.
Berkshire. RG40 1WR

Your Ref: John Mitchell. F/2000/2671

Dear Sirs,

Application Number: F/2000/2671

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

Our comments on this latest application are as follows.

(1) This is the fourth application by the same owner to build on this site.
99/69357/F 31/03/1999. Refused.
99/70104/O 20/07/1999. Refused and Dismissed on Appeal 1/01/00.
F/2000/1725 21/06/2000. Withdrawn 18/08/2000.

(2) Orange Notice.
Yet again this was placed in such a position as to be hardly visible to interested local residents. It was pinned on the fence at the southern border of the site, underneath an overhanging bush so that it was hardly visible at all and certainly not readable without pushing the bush away. We moved it further along the fence so that it is easy to see and read.

(3) We are at a complete loss to understand why the owners of this site are allowed to continue to submit planning applications, when their Outline Application No: 99/70104/O for a **single or two storey** dwelling was refused and more to the point, **dismissed on Appeal by The Planning Inspectorate on 1st February 2000 in an absolutely conclusive way.**

Just what is the point of a higher authority making a decision if those of lower authority can apparently chose to ignore it?

The following comments will, we feel, show once again that applications to build on this site are in direct contravention of The Planning Inspectorates decision.
A copy of The Planning Inspectorates reasons for dismissing the appeal is attached . Sections that apply to our following comments are highlighted in red.

(4) The drawing submitted with this Application has a number of errors:

(a) The minimum roof pitch of 32.5 degrees actually measures 29 degrees, this means that the ridge height shown is also wrong.
(b) Two trees shown "to be removed" at the entrance to the site do not exist.
(c) A new tree planted very recently near the West border of the site is not shown, nor is an established Apple tree in the centre of bedroom 1.
(d) The position and or size of the bungalows at 30 and 32 Nash Grove Lane are totally incorrect.

(5)

While the site is in exactly the same location as in the previous applications, the dimensions are very slightly different, but only the part in the garden of No 30, Nash Grove Lane. The proximity of No's 78 and 80 McCarthy Way to the site is precisely the same as before.

(6)

Once again this proposed development is inappropriate in terms of its relationship with adjoining sites and buildings. In particular it's effect on the living conditions of adjoining occupiers, especially No's: 80 and 78 McCarthy Way, also possibly No:32 Nash Grove Lane, **" with particular reference to privacy, visual impact and daylight."**

(7) Footprint of proposed single storey dwelling.

The Inspectorates reasons for dismissal of the appeal dealt with this point in detail on page No: 3 paragraph No: 12. **"A single storey dwelling would probably occupy a larger footprint".**
The footprint of the two-story dwelling of application no: F/2000/ 1725 of June this year was 129.85 sq.m; whereas the latest application has a footprint of 132.06 sq.m; Larger by 2.21 sq.m; Or 16.5 sq.ft; Leading to a more **"substantial area of roof which would detract from the appearance of the locality".**

(8) Roof Area and Ridge Height.

The drawing submitted with this application does not appear to be to scale particularly the **minimum roof pitch of 32.5 degrees**.
The roof pitch angle on the drawing measures 29 degrees, which obviously means that the ridge height shown is incorrect.

(8) Roof Area and Ridge Height-continued.

Why is no maximum roof pitch specified ? Is there a hidden agenda, such as allowing for subsequent conversion to a two storey dwelling ?

The following table shows the effect of varying roof pitch on ridge height and roof area on the East side of the bungalow.

Pitch Degrees	Ridge Height Metres	Roof Area + Garage Roof Area Square Meters	Total Square Metres
32.5	5.90	6.60m x 10.75m = 70.95sq.m + 11.56sq.m =	82.51sq.m
35	6.30	6.90m x 10 75m = 74.18sq.m + 11.56sq.m =	85.74sq.m
40	7.07	7.42m x 10.75m = 79.77sq.m + 11.56sq.m =	91.33sq.m
45	8.00	7.84m x 10.75m = 84.28sq.m + 11.56sq.m =	95.84sq.m

At 32.5 degrees pitch the ridge height of 5.90m is one metre higher than the eaves of No: 80 McCarthy Way , adjacent to the proposed dwelling. 1.40m at a pitch of 35 degrees or 20ft - 8ins.

The area of the bungalow's East facing brick wall that would be visible above our garden fence is (Height of bungalow's eaves from ground, 2.4m minus height of fence 1.83m = 0.57m x length of bungalow 10.40m.) 5.93sq.m. Adding this to the area of the roof, with say a pitch of 35 degrees, gives a total area of red brick wall and roof tiles of 91.70 square metres or 987sq.ft. At a height of 6.30m (20ft - 8ins) this would constitute the view less than 14 metres from our windows.

This would cause unacceptable harm to us, nearby residents and the character of the area. **Exactly the conclusion that The Planning Inspectorates Inspector reached in his dismissal of the Appeal against the refusal to grant Outline Planning permission 1st February 2000.**

(9) Trees On the Site.

The drawing does not show all the trees on the site, nor what species and that more than two would have to be felled. Nor does it make any provision for the replacement of felled trees.
If it is the owner's intention to show that the site will be screened on the eastern boundary by existing or replacement trees, I believe the following comments will show this to be completely ineffective. A point made in the attached **Inspectorate's reasons for dismissal.**
The trees on the eastern boundary of the site are 30 year old diseased Silver Birch, which are approaching the end of their lives. At least one of these we consider to be in a dangerous condition, in particular the one in the extreme S.E. corner of the site, which we have requested the owner to make safe, but without response.

The drawing does not show how access will be gained to the rear garden to the North of the site. It would seem that the only ground on which a path could be laid is between the East wall of the bungalow and the adjacent boundary. This would add weight to the **Inspectorate's** view that the existing trees on this boundary would be likely to suffer damage or destruction from construction work close to the boundary and leave little space for the planting of replacements. To plant these in such close proximity to a building could cause future foundation problems, which may necessitate their removal.
The drawing shows two trees are to be removed, which do not exist anymore, they were removed by the owner in July 2000 along with numerous boundary bushes, five Scots Pine were also felled by the owner in November 1998, just prior to the first Planning application. **A serious loss of amenity to nearby residents.**

Two other trees on the south boundary are not shown on the drawing as well as an established Apple tree in the middle of Bedroom No: 1
The owner has taken a most positive step to alleviate the damage done to this site. A single tree has been planted close to the north-western boundary of the site; it would be about 1.6m from the proposed bungalow's west wall. Too close?

Vehicular access to the garage would, we believe, be exceptionally difficult through the planned site entrance. The removal of the Silver Birch in the extreme S.E. corner of the site would most probably be necessary, perhaps the one next to it as well.
The dramatic reduction in the number of trees on the site must seriously affect the resident wildlife.

We believe that these comments show that there would be no effective screening on the eastern boundary of the site.

(10) Rear Gardens of No's 24 and 26 Nash Grove Lane.

We have received very reliable information that the applicant has made an approach to the owners of these two properties with a view to purchasing the eastern end of their rear gardens so as to enable a planning application for a new dwelling to be submitted. If this current application were to be granted it would set a precedent for a similar application directly opposite.

(11) Traffic Hazard on McCarthy Way.

While in the previous applications the local Highway Authority and The Planning Inspectorate did not consider that the creation of a new access would have any serious impact on road safety or the amenities of nearby residents. We are still of the very strong opinion that visitors vehicles would inevitably be parked on McCarthy Way by this proposed development, thereby causing an obstruction and creating a safety hazard.
There are 450 houses on Fernlea estate; many of the owners have at least two cars. At peak times during the week and at weekends the volume of traffic on this feeder road

is exceptionally high. The only other access to this estate is on Elgarth Drive, which is frequently obstructed by parked vehicles. Despite the low volume of traffic on Elgarth drive there have been at least two accidents which were caused by parked vehicles.

We suggest that the Highway Authority examine once again the effect of this proposed development by inspecting the site at say 0800 hrs and 1730 hrs on any weekday, also during the day at weekends. Not at say 1400 hrs on a weekday when traffic volume is at it's lowest.

Should planning permission be granted and a precedent set for a similar development opposite, McCarthy Way would become another Elgarth Drive with perhaps tragic results.

We recommend that you carefully read the attached copy of **The Planning Inspectorates** reasons for their dismissal of the appeal against Wokingham District Council's refusal, to grant Outline Planning permission for a **single or two storey** dwelling No: 99/70104/O. Particularly paragraphs 12 and 13 on pages 2 and 3. The highlighted sections confirm our main objections to **ANY** development on the site in question.

We respectfully suggest that the application be refused.

G. H. Armitage.

R. B. Armitage.

1004 1426

The Planning Inspectorate

Room 1404
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Tony Thorpe Associates
The Studio
1 Durrant Way
Tilehurst
Reading
Berks
RG31 6TR

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

Dear Sirs

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Yours faithfully

JOHN S DEAKIN FRICS
Inspector

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU52 7SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

Head of Development Control,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire, RG40 1WR.

PLANNING SERVICES	RPT 42258
POL	TLS
DC	ENF
APP DC	
CS	
12 APR 2001	
COPIES TO:	ACK:
	FILE:

JEM

11th April 2001
Our Ref: NL/01/221

Dear Sir,

PROPOSED ERECTION OF A BUNGALOW
30 – 32 NASHGROVE LANE, WOKINGHAM.
F/2000/2671

I attach copy correspondence with the Inspectorate and the revised Certificate.

Yours faithfully,

Mark Leedale

John. This letter received relates to the appeal case, 2000/2671.

So I send out your letter re the application 3659 anyway

AC

Vol II

Sy. P 70 A.01.

2 – 3290/3.

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU52 7SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk

The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
Bristol, BS2 9DJ.

11th April 2001

Our Ref: NL/01/221

Dear Sir,

APPEAL BY MR & MRS D DEAN 'THE OWNER'
30 – 32 NASHGROVE LANE, FINCHAMPSTEAD, WOKINGHAM, BERKSHIRE.
APP/X0360/A/01/1059239

It has been drawn to my attention that whilst the appellant has a binding contract in relation to the appeal site, he dose not actually control the freehold ownership of all of the land. I therefore attach a revised certificate of ownership and confirm that appropriate notice has been served.

This does not materially effect the ongoing appeal proceedings and all parties have ample opportunity in which to make representations should they so wish.

I confirm that a copy of this letter and the Certificate has been sent to the local authority.

Yours faithfully,

Mark Leedale

Enc.

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
Mr and Mrs K Sollitt	30 Nashgrove Lane	11th April 2001
	Finchampstead	
	Berkshire	

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 Dean Esq

Name (in capitals) Gregory Gray Associates Date 11th April 2001

Please turn over

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728443

GTN 1371-6079

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

Your Ref: F/2000/2671

Our Ref: APP/X0360/A/01/1059239

Date: 18 April 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS D DEAN
SITE AT 30-32 NASH GROVE LANE, FINCHAMPSTEAD, WOKINGHAM

I enclose a copy of the appellants statement and third party correspondence relating to the above appeal.

-5|5|01

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. Comments submitted after that deadline may not be seen by the Inspector.

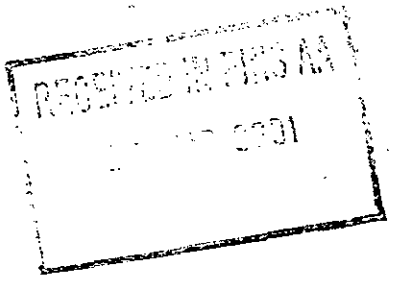
PLANNING SERVICES HPT 42359
POL LS
DC ENF
APP
CS DC
19 APR 2001
COPIES TO: ACK:
FILE:

Yours faithfully

Miss A Groves

211AL(BPR)

40 Mornington Ave
Wokingham
Berkshire RG40 4UE



19 March 2001

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Dear Madam

Reference APP/X0360/A/01/1059239

I write with reference to the above planning appeal, to express the concern of both my wife and myself as to the probable implications of further development at the location referenced above.

The Nashgrove Lane/McCarthy Way estate (formerly known as the Fernlea estate) was designed and developed in the early 1970's. This is a development comprising a mix of terraced, semi-detached and detached three and four bedroom houses, each with their own garage. The original (and one must assume, the anticipated) population of the development was primarily that of young couples and young families, the natural sequence of events resulting in a move away from the estate once children became older and more living space was sought. However, and as in numerous instances, especially within the south-east of England, the cost of living and in particular the rising cost of property, has reduced migration from the estate and has further resulted in young adults remaining at home with their parents for economic reasons. Hence an estate that was designed for a one- or maximum a two-car family is now host to three- and even four-car families.

The knock-on effect of the above is that (a) cars, of necessity, are parked on the road, since the number of houses with drives capable of accommodating three or four cars is minimal, and (b) an increase in traffic through the estate access roads by a factor of up to 400%. The location under question is in one of only two access/exit roads serving the estate. The other access road, Elgarth Drive, was further developed from the original concept some years ago and is now permanently clogged up with parked cars, resulting in the potential for head-on collision if cars enter simultaneously from either end.

The particular location in question is also host to the main BT incoming junction box serving the whole estate, and as such, there are frequently a number of BT vans of

varying sizes parked in that road for extended periods of time, with the consequent congestion, tailing back on to Nashgrove Lane or McCarthy Way.

The above scenarios are representative of daily life on the estate: no allowance has been made in this scenario for traffic associated with visitors, social gatherings etc., which are of course a natural part of daily life.

It could be argued that the problems associated with the growing number of cars on the estate are of one's own making: however, an examination of the local bus timetable will quickly refute this argument – cars are a prerequisite within this area and further development on this critical access road will at the very least cause added congestion and at worst, prevent access by emergency vehicles onto the estate.

Last, **but by no means least,** the junction of Nashgrove Lane and McCarthy Way is a main school bus pickup point for children from all over the estate. With the current level of traffic, plus cars parked on the road, the children are already at risk when stepping out to cross a road. Increased development will only expose them to further danger at an already busy junction to the estate.

I trust that the above concerns will be taken into consideration when considering this planning application.

Yours sincerely

W.L. Huczok

W.L. Huczok

FINCHAMPSTEAD PARISH COUNCIL

PARISH OFFICE, MEMORIAL HALL, THE VILLAGE,
FINCHAMPSTEAD, BERKS RG40 4JU
THE CLERK: MRS CHERRY COLE
TELEPHONE: 0118 - 9328256
FAX NO. 0118 - 9730515
E MAIL ADDRESS – finchpc@breathe.com

23 March 2001

Your Ref: APP/x0360/A/01/1059239

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol
BS2 9DJ

26 MAR 2001

Dear Miss Groves,

APPEAL BY MR AND MRS DEAN – LAND ADJOINING 30-32 NASHGROVE LANE, FINCHAMPSTEAD, BERKS. PROPOSED ERECTION OF DWELLING

The Parish Council wishes to add to their objections to the application the subject of the above appeal, as follows:

The Parish Council has strong objection to this proposal on the grounds that it would be over-development of the site and a dangerous access would be created onto a heavily used estate road which would lead to obstruction of the highway. It would also create a precedent for other proposals to infill in this area and the Parish Council supports local residents in their objections to the application which would have a detrimental effect to all neighbouring properties. Since this application is not significantly different to previous applications on appeal, it should therefore be considered as contrary to adopted Local Plan Policy SBE2 and to Policy WBE1 of the District LocalPlan, as cited in previous decisions.

I would be grateful if you could please inform me of the decision on this Appeal.

Yours sincerely

C.S. Cole

Mrs. C Rabats
10, Challenor Close
Wokingham
Berks
RG40 4UJ
28/3/01

Ref. APP/X0360/A/01/1059239

Dear Mrs Graves,

The several failed applications and also an appeal I am surprised that Mr. + Mrs. Dean should given the opportunity to apply again. My views are still the same, as an exit is to the Carthy Way, which is a dead end and therefore not a viable road, would cause a hazard to other road users, especially the rush hours, and from parked cars left way up the pavement, not only when the cause will be loaded, but afterwards as well, which is the norm these days. It will make links very difficult for parents with small children + pushchairs, people in wheelchairs and with walking difficulties, as they all have to cross their way creating the loss of light to the houses of No. 78/80 to. Carthy will be quite substantial. Parking has already been felled.

Yours sincerely

C Rabats (Mrs)

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ

26 MAR 2001

16.03.01

Ref APP/X0360/A/01/1059239 **Mr& Mrs Dean 30-32 Nashgrove Lane ,Finchampstead,Berkshire**

The proposal should be REJECTED as has been the case on at least 3 occasions locally for the following reasons :-

The entire estate adjacent to McCARTHY Way has to drive down this short road in order to access Nashgrove Lane and then all other roads.

The proposal is too build a property that will **front** onto McCarthy Way. This will have little frontage and in effect be a blind access onto one of the worst bottlenecks in Wokingham.

The estate was built when families had maybe 1 car each , but now the average for the hundreds of properties must be 2 or more. The only other access to the estate is Elgarth Drive which also acts as a Drag strip for the hundreds of drivers forced to use it. However because the few homes have up to 45 feet of frontage and cars can be seen .The danger of the speeding cars can be mitigated. Also cars are parked along its length that deter drivers who use McCarthy Way instead.

If the property is built the owners will park on the road as will their visitors and this will effectively close of the estate.

The estate is almost off limits to large vehicles due to access problems and Fire Engines would struggle to access a number of roads due to vehicles blocking the small roads.
Therefore proposing to build on what is in effect a major feed road seems misguided.

We would all like to sell the end of our gardens to make money from builders but this is clearly not always appropriate.

A proposal to demolish a single property a few doors down fronting onto Nashgrove Lane and replacement with 2 properties – makes sense since the road is wide and access is not an issue.
(I illustrate the above to show I am not against new properties for the sake of it.)

Regards
Keith Parker

1059239

The Planning Inspectorate
Appeals Registry
Tollgate House
Houlton Street
Bristol
BS2 9DJ

RECEIVED
05 APR 2001
RTS

Mr. R Burne
32 Nashgrove Lane
Finchampstead
Wokingham
Berkshire
RG40 4HD

1/04

Your ref.: F/2000/2671

Dear Sir

Thank you for your letter about the appeal on this planning application as I have said in my original letter this is the fourth application to build on the land at the back of my bungalow. The early application were refused and one was refused and then dismissed on appeal and one application was withdrawn.

Our comments about the application are

(1) The minimum roof pitch of 32.5 degrees actually measures 29 degrees this means that the ridge height shown on drawing is wrong. But even if the roof is built to the first set of figures then the height of the roof would be about 20feet high.
(2) Two trees shown " to be removed " at the entrance to the site do not exist.
(3) The position and size of the bungalows at 30 & 32 Nashgrove Lane are incorrect.
(4) If the roof pitch is increased could the builder be thinking of putting in a room in the loft on the same planning application which would give them room to turn the loft into a room which would over look our back garden.
(5) The position of the bungalow means that above our fence all we would see is the roof of the proposed bungalow which could block out light.
(6) We also think that by having a new access on McCarthy Way would have a impact on the roads around this area.
(7) Just after we moved into our bungalow we were approached by a householder on the opposite side to the proposed bungalow position in McCarthy Way and asked if we know what was happening as they have been approached to a view purchasing part of they back gardens to build on Mr. Dean has reproached the owners of 26 & 24 Nashgrove lane telling them that he has planning permission to build opposite.
(8) In the planning application form item 15 asks how will the site be enclosed it says by close board fencing. We were told that the back fence is ours and it is not close board fencing. So is the builder going to put up a new fence ?
(9) As there are no water or sewage felicity how will he get them if he get permission ?

So we respectfully suggest that the appeal be refused.

R.J. Burne

R.Burne

S.A. Burne

S.Burne

82 McCarthy Way
Wokingham
Berkshire
RG40 4UB

Tel: 0118 973 4080 (Home)
0831 163896 (Mobile)

11 APR 2001

8 April, 2001

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Dear Miss Groves

Re: APP/X0360/A/01/1059239 Rear of 30&32 Nash Grove Lane

Further to receipt of notice of an informal hearing in respect of :

Appeal By: Mr and Mrs D Dean - Proposed erection of dwelling

We have now had an opportunity to study the grounds of appeal submitted by Gregory Gray Associates and request that our following comments on these are taken into consideration by the Inspectorate.

1 We can not understand why a further appeal has been granted as no additional or new evidence has been supplied that removes the objections of the previous inspectorate, John S Deakin, on 1 Feb 2000, and John Mitchell, Development Control Manager, on 8 February 2001.

2 We cannot understand why at this stage in the proceedings Gregory Gray Associates in their letter of 12th February 2001 to the Inspectorate consider it necessary to draw attention to the incorrect statement made regarding ownership of the land in question. To avoid any further misunderstanding or misrepresentation, could ownership of all land associated with the building application be confirmed along with confirmation that approval has been granted to build on and/or gain access across any land not owned by the applicant.

3 Whilst Mr Dean's application has changed from a two storey to a single storey dwelling, the Inspectorate, Mr John S Deakin, made it very dear in his findings that neither a single or two storey dwelling could be erected on the site without causing unacceptable harm to the amenities of nearby residents and to the character of the area. There is no additional evidence in the appeal submission that would cause a change to this conclusion.

4 The Inspectorate, John S Deakin, in his findings stated that a single storey bungalow, whilst being lower and less dominating, would probably occupy a larger footprint.. This is born out in the revised application for a single storey building, resulting in the overbearing effect of 987 sq ft of red tiles and brick, with a ridge height of 20ft 8 inches less than 14 metres from the windows of 80 and 78 McCarthy Way. Such a building would be intrusive primarily to the owners of these properties but also to ourselves.

5 The appeal form (J8) references a letter dated 18th October 2000 from John Mitchell, Development Control Manager, in which he expressed a personal opinion regarding the acceptability of a bungalow being built. We do not understand the relevance of referencing this letter as it clearly states that it is a personal opinion and cannot be held binding on any decision of the council or committees. If such personal opinions are to be taken into account, it should be noted that Mr Mitchell's current opinion, having now viewed the proposed site, is that it would be inappropriate to build a bungalow on this site.

6 In the letter from Mark Leedale dated 17th January 2001 he states that there is no objection from the council's professional officers regarding traffic hazards. It is our understanding that the professional officer for Highways only considers the number of movements to and from the property and not the potential hazard of cars being parked outside the property and entering or leaving it. We are still of the very strong opinion that vehicles would inevitably be parked on McCarthy Way adjacent to this proposed development thereby causing an obstruction and creating a safety hazard. There are 450 houses on Fernlea estate; many of the owners have at least 2 cars. At peak times during the week and at weekends the volume of traffic on this feeder road is exceptionally high. The only other access to this estate is on Elgarth Drive, which is frequently obstructed by parked vehicles. Despite the low volume of traffic on Elgarth Drive, there have been at least 2 accidents, which were caused by parked vehicles. Should planning permission be granted and a precedent set for further development, this feeder road would become another Elgarth Drive, but the higher traffic volume would increase the risk to residents with possible tragic results. We suggest that prior to the appeal hearing a professional officer from the Highway authority measures the traffic volume and speed of vehicles using this feeder road.

7 We have in the last few days been assured that Mr Dean is buying No 24 Nash Grove Lane and has offered to buy the eastern end of No 26 Nash Grove Lane in order to obtain planning permission to build a further dwelling on this site. He declared to the owners of 26 Nash Grove Lane that he had already received planning permission for building a dwelling to the rear of 30 and 32 Nash Grove Lane and that this appeal was purely to increase the pitch of the roof, a fact which is totally unfounded. However, it does confirm that should this current application be granted, it would set a precedent for similar dwellings to be erected, causing unacceptable harm to the amenities of nearby residents, notably ourselves and No 84 McCarthy Way, whilst also increasing the traffic hazard risk.

We hope that the Inspectorate will bear our comments in mind at the forthcoming hearing on 5th June and trust that he will see fit to dismiss this appeal.

In the interest of avoiding further continued cost and stress for residents in the locality of this application it is requested that the Inspectorate not only rejects this further

appeal but also instructs that no further appeals or new applications for residential buildings on this land be allowed.

We would be pleased to answer any points of clarification or provide additional information relating to the above, should this be required prior to the hearing.

Yours sincerely

S L MORISON

K J RAMSDEN

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/01/1059239 **GRID REF:** _____

APPEAL BY: MR + MRS D DEAN

SITE: Land adjoining 30-32 Nashgrove Lane. Finchampstead.

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	~~YES~~ / NO
a Grade I / II* / II listed building?	Grade I/II*/II
b. Would the proposed development affect the setting of a listed building?	~~YES~~ / NO
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.)	
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;	1	
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.	1	

16.a. What is the date you told those you notified about the appeal that we must receive any further comments by?	12/04/01	
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	45	
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? If NO, please send the following information:-	YES / NO	
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? If YES please attach a copy of that notification.	YES / NO	
a. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction.	YES / NO	

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

Signature: Dlynell on behalf of WOKINGHAM DISTRICT Council

Date sent to us and the appellant 15/03/01

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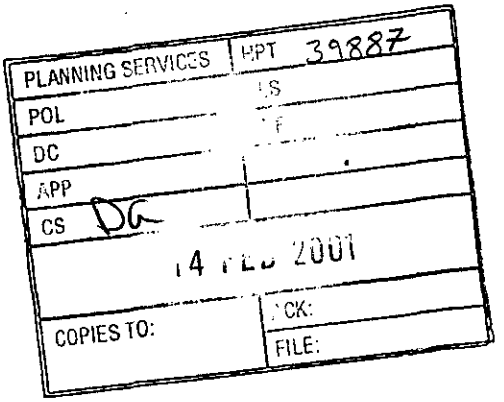
Her Majesty's Stationery Office
St Clements House
2-16 Colegate
Norwich NR3 1BQ

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU52 7SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassoociates.co.uk



The Planning Inspectorate,
Appeals Registry,
Tollgate House,
Houlton Street,
Bristol, BS2 9DJ.

12th February 2001

Our Ref: NL/01/221

Dear Sir,

APPEAL BY MR & MRS D DEAN 'THE OWNER'
30 – 32 NASHGROVE LANE, FINCHAMPSTEAD, WOKINGHAM, BERKSHIRE.

We enclose the appeal proforma duly completed along with the relevant plans and particulars.

For the avoidance of doubt the owners are Mr and Mrs D Dean although the application was, for some reason, submitted in the name of "the Owner".

We confirm that a copy of these papers have been forwarded to the local planning authority.

Yours faithfully,

Mark Leedale

Enc.

Gregory Gray Associates

CHARTERED TOWN PLANNING CONSULTANTS
'Redcliffe', 17 Dinorben Close, Fleet, Hants, GU52 7SL.
Telephone: 01252 624004 Fax: 01252 684160
E-Mail: info@ggassociates.co.uk

J. Mitchell Esq.,
Head of Development Control,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire, RG40 1WR.

17th January 2001
Our Ref: NL/01/221

0118 974 6484 (2 pages)

Dear Mr. Mitchell,

PROPOSED ERECTION OF A BUNGALOW
30 – 32 NASHGROVE LANE, WOKINGHAM.
F/2000/2671

We act for the applicant in respect of this matter. I write further to our telephone conversation on Tuesday afternoon.

Having studied the file and planning history I make the following comments:

(1) The application falls to be determined in accordance with development plan policy SH1. Emerging Local Plan Policy WH1 is also material and is identical in wording to Policy SH1. With regard to the sub categories the site is enclosed and does not have any material impact on the open character of the locality or surrounding countryside. There is adequate garden space and space about the proposed building as well as off street parking in accordance with your Councils adopted standards. In this context I note that there are no objections from your senior arboricultural officer or highways engineers. As such, and for the reasons set out below, there are no material considerations beyond the development plan policy to justify withholding planning permission.

(2) Turning to planning history, I have examined the refusal of detailed planning permission for a four-bedroom dwelling and the appeal decision pertaining to an outline application with all matters reserved. I think it reasonable to conclude from the appeal decision that two-storey development on the site would be difficult to accommodate without causing material harm to the occupiers of numbers 78 and 80 McCarthy Way. However, and critically, the proposal before the Inspector failed to produce any evidence that single storey development could be accommodated on the land in question. Where he had doubts was in respect of the larger footprint, its impact in terms of the areas of roof and proximity to trees along the eastern boundary which may result in their removal.

All of these matters are addressed by my Clients current proposal which is to be situated 4 metres from the common boundary with numbers 78 and 80 McCarthy Way. By reducing the roof pitch and limiting accommodation an acceptable form of development is proposed. As a result and given its juxtaposition to numbers 78 and 80 McCarthy Way, there will be no material loss of amenity.

(3) Significant weight must be afforded to revised PPG3 given increased emphasis on the use of urban sites to satisfy housing land requirements. Indeed your emerging Local Plan is predicated on the basis of windfall sites providing 760 dwellings within the remaining years of the plan period. Whilst I accept that the circumstances of the particular case are material, there is no demonstrable harm and in this instance re-use of urban lands is clearly acceptable in accordance with the guidance.

(4) I have studied the numerous letters from third parties. Their objections may be summarised as perceived traffic hazards; previous refusals setting a precedent; over development of the area; and removal of trees. As set out above there is no objection from your professional officers in terms of landscape or highway matters. Importantly, the previous Inspector has not ruled out the principle of development on this site. Rather he did not have the benefit of a scheme before him to judge its impact. It is on the basis of the Inspectors comments that the current scheme has been conceived.

Bearing in mind the foregoing we trust that the application will be reported to committee on the 7th February with a recommendation for the grant of permission. If you require any further details please do not hesitate to contact me.

Yours sincerely,

Mark Leedale

2295 ~~2307~~

Tel. (0118) 974 6487 (Direct Line)
Fax. (0118) 974 6484
Email. John.Mitchell@wokingham.gov.uk
Date 18 October 2000
My ref. JRM/SB/Wokingham PreApp
Your ref. 2295/wmg/cm

Mr W M Graham
W M Graham Associates
1 Rectory Road
WOKINGHAM
Berkshire
RG40 1DJ

BY FAX : 977 0482

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Switchboard Tel: (0118) 974 6000
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham
http://www.wokingham.gov.uk

Dear Mr Graham

LAND ADJOINING 30-32 NASHGROVE LANE, WOKINGHAM

Thank you for your letter of 20 September 2000 enclosing drawing no. 2295/04 for a bungalow in the garden of Nos. 30 and 32 Nash Grove Lane.

I have looked at this application carefully and at the planning history of the site. In my opinion - and I stress my opinion - I think a bungalow could be acceptable on this site. However, I think effort should be made to reduce the pitch of the roof so that its bulk can be minimised in the streetscene.

I hope you find this information helpful. I am sorry about the delay and you will of course appreciate that the views given in this letter are those of an officer and cannot be held binding on any decision of the Council or it's committees.

Yours sincerely

John Mitchell

JOHN MITCHELL
Development Control Manager

POL | TLS
DC | ENF
APP |
CS | 36479
13 NOV 2000
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FILE:

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: John Mullaney Environmental Health

To: John Mitchell, Development Control

My Ref: JRM

Your Ref: F/ 2000/2671

Date: 10/11/00

PROPOSAL PROPOSED ERECTION OF DWELLING
ADDRESS: 30-32 NASH GROVE LANE, WOKINGHAM, RG40 4HD

These proposals have been evaluated and I have the following comments:

I recommend that the following conditions be imposed should the application be granted planning consent:

Condition C070

If any clarification on these comments is needed, please do not hesitate to contact me on extension 6395.

John Mullaney

JOHN MULLANEY
ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL PROTECTION AND HOUSING

REFUSED

TO: **DEVELOPMENT CONTROL** FROM: Environmental Design
John Mitchell

DATE: 05/12/00

Location: 30 – 32 Nash Grove Lane, Finchampstead
Proposal: Proposed erection of detached dwelling
Application Number: F/2000/1725

In response to your consultation dated 7th November 2000 for the above application, the arboricultural comments are as follows:

I have no objections to the proposals.

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

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

Neil Etherington
Senior Arboriculturist

REFUSED

3 Mules

FROM: ~~John Mitchell~~ 10 NOV 2000

DATE: 07 November 2000

DELEGATED

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/2671

Proposal: Proposed erection of dwelling..

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

Applicant: The Owner C/O W M Graham Associates.

Your observations are required in respect of this application **by 01/12/2000** .

A application for building on this site was recently turned down and went to appeal. The inspector dismissed the appeal .

Reference T/APP/X0360/A/99/1031876/P3.

The Parish totally support the Inspector on dismissing an appea
The same reasons would apply for this new application.

REFUSED

SIGNED: C Scott

Clerk To Finchampstead Parish/Town Council.

DATE: 25/11/00

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FUL	TLS
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APP	
CS 005	
20 DEC 2000	
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	FILE:

Ian Jordan

From: WebComments@wokingham.gov.uk
Sent: 19 December 2000 15:24
To: ian.jordan@wokingham.gov.uk
Subject: Comments on Planning Applications

John
mitchell.

****

NatureofEmail: Object
ApplicationNumber: F/2000/2671
Correspondent_FullName: KEITH PARKER
Correspondent_StreetAddress: 4 ELGARTH DRIVE
Correspondent_Address2: WOKINGHAM
Correspondent_Town: WOKINGHAM
Correspondent_County: BERKSHIRE
Correspondent_PostCode: RG40 4HH
Correspondent_Telephone: 01189 734355
Correspondent_Email:

obj
2000/2671

Comments:

I assume this has been rejected for the 3rd time. All the traffic in the Spinney/McCarthy estate comes down either this road or mine.Elgarth drive has become a race track for 100s of cars and luckily because no properties front onto McCarthy Way the majority go down this road.If a property were to be built access would be dangerous.The volume of properties is extremely high in the area and the bottle neck for traffic will be even worse.Please say no for good.

yes, according to the system you are dealing with it.

PLANNING SERVICES
WOKINGHAM DISTRICT COUNCIL
PO BOX 157
SHUTE END
WOKINGHAM
RG40 1WR

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS 855	JKM

21 NOV 2000

COPIES TO:

REF: F/2000/2671

F.A.O. MR JOHN MITCHELL

38 WILDBRIAR
FINCHAMPSTEAD
WOKINGHAM
RG40 4UL

20TH November 2000

Dear Sirs

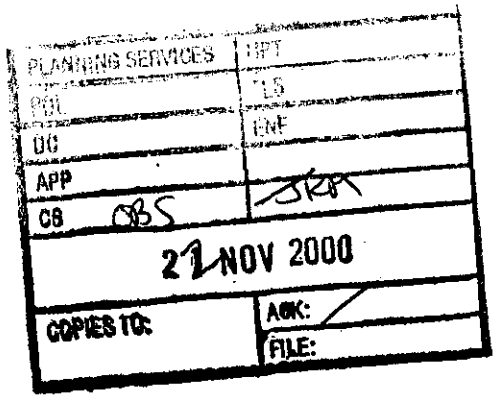
With refrence to the above, please be advised that I would like to object to the planning application, to build a dwelling in the rear gardens of 30 & 32 North Grove Lane fronting onto Mccarthy Way.

I feel that this dwelling would pose a dangerous traffic hazard to this busy access road to the Forndon Estate. This subsequently would increase the danger to children, pedestrians and motorists. I have already witnessed one accident on this busy road. The removal of trees and lack of space to replace them would also be a significant loss of amenity to this area.

Yours faithfully

E Holmes

MRS E HOLMES



Mrs. C. Raleigh
10, Challenor Close
Wokingham
Berks
RG40 4UJ
November 20. 2000

F.T.A.O. Mr J. Mitchell
Wokingham District Council
Planning Services
P.O Box 157
Shute End,
Wokingham, Berks. RG40 1WR.

Dear Sirs,
Application Nr. F/2000/2671
Site address 30-32, West Grove Lane, Wokingham

I am surprised that the owner of the site applies yet again to build a house on that site. He has been refused twice, and once on appeal. I am last for words that he is allowed to do so. Have many petitions from the residents of this estate and letters

of objections have to be written
to get the message through.
My view has not changed from the
last 2 letters. In my opinion the
exit on to Mc Carthy way is firstly
too narrow and secondly the
road will be used for parking
by the owners or visitors etc + secondly
this will be a serious road hazard
to the traffic by the estate drivers,
some 400 odd cars. Furthermore it
is can limit a house there, which can
stop the owners of the house opposite
from leaving the same. They have been
already approached by the applicant.

I respectfully suggest that the
application be refused

C. Roberts

PLANNING SERVICES	HPT
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CS MS	5109
24 NOV 2000	
COPIES TO:	ACK:
	FILE:

66 McCarthy Way
Finchampstead
Wokingham
Berkshire
RG40 4UA
22 November 2000

Mr John Mitchell
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Mr Mitchell,

Ref : F/2000/2671 – Planning application at rear of 30 & 32 Nashgrove Lane

We refer to the above and the recent application to build a property at the rear of 30 and 32 Nashgrove Lane.

The purpose of this letter is to voice our concerns on this matter.

As you may be aware, the Fernlea Estate was built at a time when most households only had the one motor vehicle and therefore there was adequate space for householders to park their vehicles outside their houses without there being a safety problem for other road users and children of the estate.

There is already a situation where an emergency vehicle would experience difficulty in negotiating the estate. There is one clear entrance to the estate, that on McCarthy Way, where the proposed new property would have its' entrance. If there were inadequate parking facilities for this new property or the owners had a number of vehicles (as is common these days) this could lead to vehicles blocking the road for other road users, emergency vehicles, and create an unnecessary hazard for pedestrians crossing the road.

The new property itself may not lead to a major problem for other road users, but it could set a precedent for other new developments in an already highly developed area.

We have recently moved to the area and the attractiveness of the house was that it was not overlooked and, although our neighbouring houses are in close proximity, there is a semblance of tranquillity and of being close to the countryside. There is a lot of wildlife in the surrounding area, and the trees (which would be destroyed if a new property were built) support an ever diminishing bird population. We have a responsibility to future generations to preserve this and if everyone thought that it was okay to remove a couple of trees from their land, we would have none left. It is imperative that we take action now before we are left with the remains of what used to be an attractive part of the country.

To build even more properties in an already saturated area would only add to the tensions which can already exist where householders live too closely to each other and argue over their personal space. People have the right to their own space and not feel like caged animals; to build another property in an area where people already live close enough to each other would only aggravate the situation and make more work for local councillors and local officials when they are called on to deal with a disturbance.

Refusing this application will keep this area in which we live, an attractive and safe place for our children to grow up in. We would also be preserving some part of the countryside for the wildlife with which we should live in harmony, for future generations to appreciate and enjoy.

We trust that you will give the enclosed your consideration when you review the application and hope that you will refuse the application.

Yours sincerely,

Chemaishe

Miss C A Le Maistre & Mr N Waters

PLANNING SERVICES	HPT
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DC	ENF
APP	
OS	
24 NOV 2000	
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	FILE:

15 The Spinney
Fuchampstead
Wokingham
Berks
RG40 4UN

Head Mr. Mitchell

RE: PLANNING APPLICATION
Mc CARTHY WAY
REF F/2000/2671

We would like to strongly object to the above proposed development being built off Mc Carthy Way

Yours sincerely

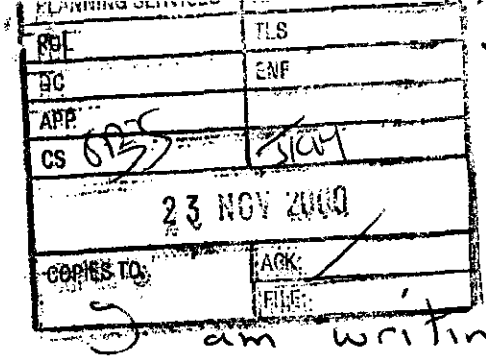
D.E. Merritt (Mrs)

Could set a precedent for a similar development opposite.

Yours faithfully

T.W. Best

T.W. BEST.



3, Jerrymoor Hill
Finchampstead
Berks RG40 4U

22 Nov. 2000

F/2000/2671

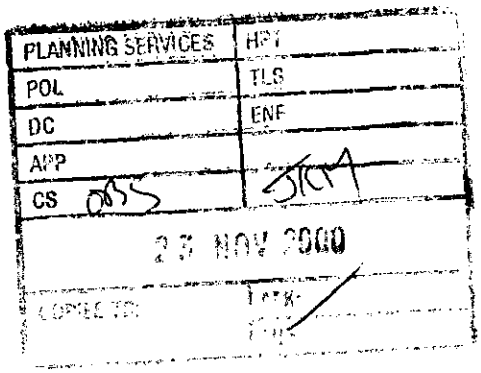
I am writing to object to the planning application to build a dwelling in the rear gardens of 30 & 32 Nash Grove Lane fronting onto McCarthy Way.

Significant over development of this fully developed area.

Removal or damage to trees and lack of space to replace them would be a significant loss of amenity.

Unacceptable overlooking of numerous nearby houses.

A serious traffic hazard on the main access road to our estate of 450 houses, thereby increasing the danger to children, pedestrians and other road users.



Adrian Slade
22 Jerrymoor hill
Finchampstead
Wokingham
Berkshire
RG40 4UG

17/11/2000

Ref: F/2000/2671

Dear Mr Mitchell,

I am writing to protest the planning application referred to above.

My main concern is that the entrance to the estate via McCarthy way is the main one to an estate of 500 houses. It causes chaos if ever there is a service vehicle (Gas/BT/SEB) parked on that section of road, to allow the constant possibility of having a car parked in that road would be incredibly naive planning and create a constant bottleneck.

I cannot see that you can permit planning for a property to front onto McCarthy way without a restriction in access to the estate. Not only will it cause serious congestion but it will also increase the traffic hazard on an already busy access road.

The estate is already fully developed and mature, residents will not gain from any further development and will only suffer should this permission be granted.

I do not hold anything against No 30 & 32 Nasgrove lane but they or the builder who may be applying on their behalf will not suffer if this planning permission is granted, but all the residents of the Fernlea estate will...

Sincerely,

A.Slade

JEAN & JOHN DUNCKLEY
5 BURNT OAK
FINCHAMPSTEAD
WOKINGHAM, BERKS
RG40 4UQ
01189 731680

Ref 7/2000/2671

Mr John Mitchell
Planning Services
Wokingham District Council

21 NOV 2000
COPIES TO:
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FILE:

Dear Sir,

I write to you as a member of the Fearless Residents Association re: planning application on McCarthy Way. As one application has already been turned down, it is unfortunate that the offices again. The site in question is on the only entrance to the whole development, and as there is already congestion at certain times of day, any further

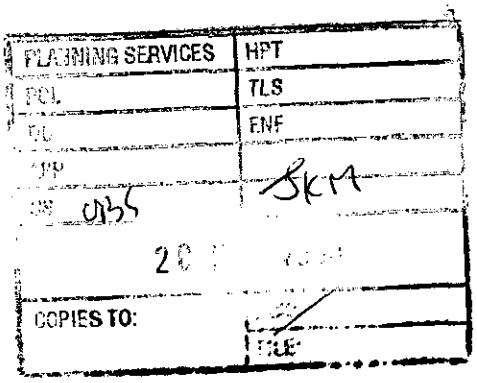
development would only make matters worse. I object strongly any sanction being given to any dwelling on this area.

Yours Sincerely

John H. Dunckley

2 Willowdale
Finchampstead
Berkshire
RG40 4UF

17th November



Ref: F/2000/2671
Subject: Planning applications on McCarthy Way

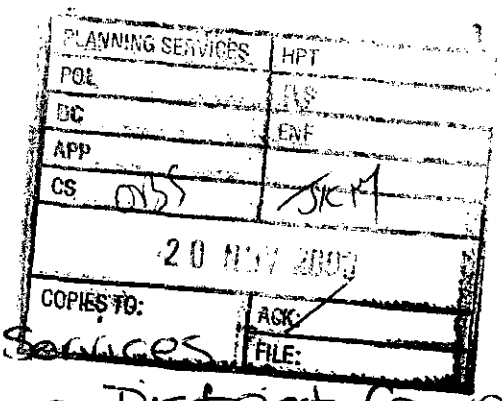
Dear Mr Mitchell

I understand there has been a planning application to build a dwelling in the rear gardens of 30 & 32 Nash Grove Lane, fronting onto McCarthy Way. As a resident / home owner in the area I am opposed to this application because of the traffic hazard it will create with cars parked on this main access road. I have occasionally driven down Elgarth Rd (the other access road) and the cars parked on the road are come upon suddenly (due to shortness of road) and hence dangerous as reaction is required.

Additional reasons why this application should be refused are:
- that it could set a precedent for similar development opposite
- overdevelopment of the area.
- removal of trees resulting in loss of amenity.

Yours faithfully

Ivan Kliff



14, Willowdale,
Wokingham.
Berkshire.
RG40 4UF.

Planning Services,
Wokingham District Council,
P.O Box 157,
Shute end,
Wokingham.
RG40 1WR.

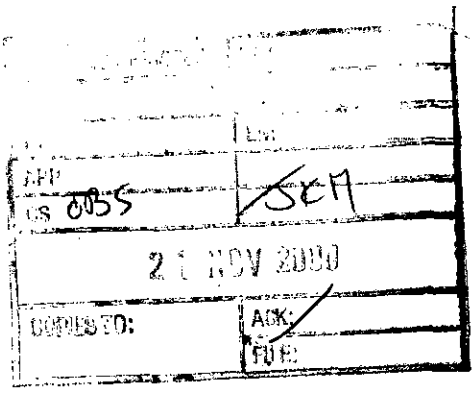
17.11.00.

Dear Mr. Mitchell,

I am writing with regard to planning application Ref: F/2000/267 I object to the application because I believe that it would cause a serious traffic hazard on the main access road to our estate of which is already conjested with inconsiderate parking The application would also set a precedent for a similar development opposite and I think that this would be a significant over development of this already fully developed area.

yours faithfully

Mrs. C.A. Wilkinson



Mr C P Timbers
5, Jerrymoor Hill
Finchampstead
Wokingham
Berks
RG40 4UG

16.11.2000

RE: Planning Application F/2000/2671

Mr Mitchell,

I would like to voice my objection to the above planning application for a residence fronting onto McCarthy Way at the entrance to the Fernlea Estate, Finchampstead for the following reasons:

- This location is on the very busy entrance to the Fernlea Estate and would cause and unacceptable safety hazard for traffic passing the entrance to the above property and also to children and other pedestrians.

- Acceptance of this application would, no doubt, set a precedence for further development on the opposite side of the road creating even more danger as per the point above.

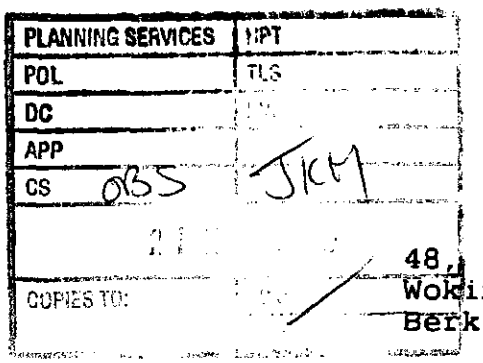
- This area is already well over-developed, further housing would just make this matter worse. We would lose more trees and create a cluttered atmosphere.

This application has already been refused 2 or 3 times now, with appx 90% of the Fernlea community expressing their objection to such a development. Why do we have to keep seeing the same application appearing every 3 months – it's ridiculous!

Yours Sincerely

C P Timbers.

Mr C P Timbers



Tel: 0118 9734566

48, Jerrymoor Hill,
Wokingham,
Berks RG40 4UG

17th. November 2000

Ref: F/2000/2671

Mr. J. Mitchell
Development Control Manager,
Planning Services,
Wokingham District Council,
PO Box 157,
Shute End,
Wokingham RG40 1WR

Dear Mr. Mitchell,

I wish to strongly object to yet another planning application relating to the proposed building of a dwelling at 30-32 Nash Grove Lane.

Presumably, the entrance to the property will be on the small section of McCarthy Way. As this is the main access to the estate of more than 400 homes in this fully developed area, disruption is inevitable.

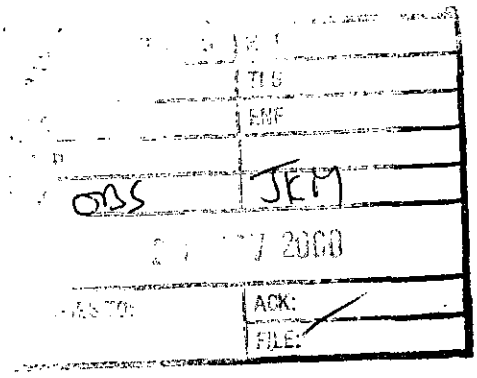
During the building of this unit there may well be a serious traffic hazard caused by the contractors' vehicles. This could also endanger pedestrians, especially children.

Should the house be built, the additional entry onto McCarthy Way would still cause some congestion. Additionally, I would imagine that this would compromise the privacy of the existing houses adjacent to the proposed plot.

Approval of this application could well set a precedent for similar development.

Yours sincerely,

J. Siney (Mrs)



10 McCarthy Way
Finchampstead
Wokingham
Berkshire
RG40 4UA

21 November 2000

Re: Planning Application on McCarthy Way

Dear Mr Mitchell

I would like to record my personal objection to the planning application submitted to build a dwelling in the rear gardens of 30 & 32 Nash Grove Lane, which will front onto McCarthy Way.

I have concerns that should this application be approved and a dwelling is built that it could set a precedent for similar developments in the surrounding area.

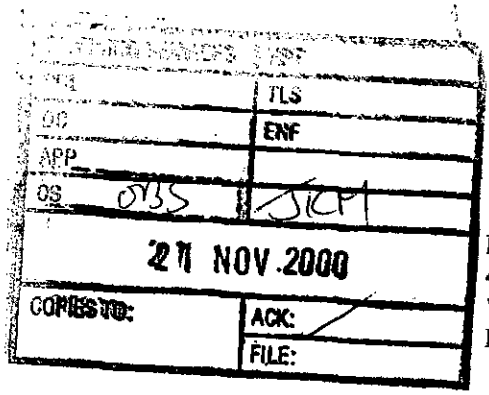
I have particular concerns that it could set a precedent for builders gaining approval to build at the rear of my property in McCarthy Way. I am aware that applications have been made in the past and that to date they have been rejected. I would be extremely concerned if a large development was approved, as it would create a significant over development of this developed area.

Please do not hesitate to contact me if you would like to discuss this matter

Yours sincerely

Stephen Chater

Ref: F/2000/2671
Mr John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
RG40 1WR



Mr Werni Huczok
40 Mornington Ave
Wokingham
Berkshire, RG40 4UE

19th November 2000

Mr John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
Berkshire, RG40 1WR

Ref: F/2000/2671

Dear Sir,

I have lived on the Fernlea Estate for twenty-six years and have seen this area evolve from one with one-car families to a current two to three car families. The way some people park their cars on the roads is unbelievable. This makes it very difficult for emergency vehicles to enter this estate. Because of this I feel that further housing development would increase this potential hazard. McCarthy Way is the main entrance/exit for the whole estate. The other entrance/exit is at Elgarth Road, which I understand people avoid due to the way the people park their cars.

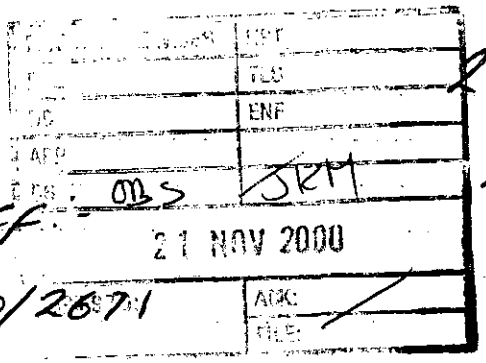
The building of additional houses on McCarthy Way will (in the future) end up the same as Elgarth Road, where it will also be awkward for emergency vehicles to enter the estate. By introducing local parking restrictions to prevent this happening will only be a waste of funds because they will only be ignored as they are at present.

Why do builders want to cram another house or two in a very short road like McCarthy Way? Do they take into consideration the hazard this will cause in the future? Or are they wondering if it's possible to build further houses on the opposite side.

This letter states my objection to this Planning Application.

Yours faithfully,

W. Huczok



2 Jerrymoor Hill
Finchampstead
Berks RG40 4UG

16.11.00

Planning ref:
F/2000/2671

Dear Mr Mitchell

I strongly feel that any more property development along McCarthy Way is totally unacceptable. It would cause :- traffic hazards, unacceptable overlooking to local residents, the removal of mature trees and development on a fully developt area.

Please take all of these matters into consideration on the planning decision.

Yours sincerely

~~Guy Robb~~ E Robb

PLANNING SERVICES	HPT
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21 NOV 2000	
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Mr John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
RG40 1WR
Ref. : F/2000/2671

18/11/00

Dear Sir

I wish to object to the Planning Application that has been submitted to build a dwelling in the rear gardens of 30 and 32 Nash Grove Lane, fronting onto McCarthy Way on the following grounds.

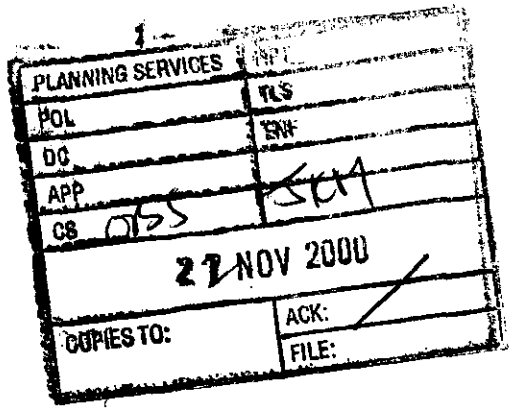
1) A serious traffic hazard would result from the turning of vehicles from the main access road into the entrance of the planned dwelling.
2) Currently I have observed that there is an increased occurrence of parked vehicles in the road and that does create a hazard for other road users. If a dwelling is approved I foresee the regular use of the road for the parking of vehicles. I base this on the greatly increased number of vehicles that I see now being parked in the roads to the right and to the left of this access road since I came to live here some 13 years ago.
3) This main access road is used by a great many parents transporting, or escorting, their children to the local schools. Any occurrence of parked or turning vehicles during the school 'rush hour' will without question give rise to a serious hazard for the children, both tiny and older that have to use or cross this road.
4) The same hazard would exist during the peak times when the great number of car users go to work in the morning or return in the evening.
5) The general area that McCarthy Way feeds is now "more than fully developed". This is especially true on the RHS from number 82+ . The whole area is now close to being turned into a large car park, and this has lead to many vehicles being parked in very hazardous positions, ie. on corners.
6) Any blockage of this access road to emergency vehicles will cause response times to be adversely affected and could lead to the loss of life of those to whom the emergency vehicles are attempting to responding to.
7) There is of course the loss of trees that may occur and this will have an adverse effect on the area, one thing that I am sure many residents had in mind when they chose to move to our area.
8) If this was behind me I would certainly be very dissatisfied.

I hope you take my objections into account when you make your decision, and reject the application.

Your Sincerely

J Thwaite
98 McCarthy Way.

15 Wild Briar
Finchampstead
Wokingham
Berks
RG40 4UL



November 19, 2000

Mr John Mitchell
Planning Service
Wokingham District Council

REF F/2000/2671

Dear Sir

With reference to the planning application that has been submitted for a dwelling in the rear gardens of 30 & 32 Nash Grove lane, fronting onto McCarthy Way.

I would like to bring to your attention that already overdeveloped land in this area. There is already a serious issue with this estate in the fact that most properties have more than one car , and that we already suffer from bad parking . We are in many areas on the estate only able to move around in a single lane because of this situation. This is unacceptable for means of emergency vehicles if there is a need to access this estate.

From my understanding there has been already one application that has been declined . This I believe is now for a single story dwelling, a bungalow. I understand that the reasons for this was the overlooking situation around the bordering properties.

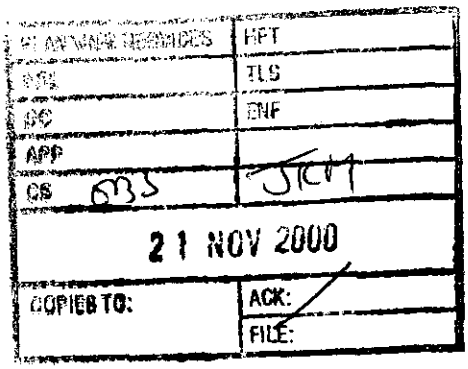
This still leaves the fact that the property will need access to the road which servers already as a main artery for the estate of 450 houses. This small stretch of road is very busy and there are always queues at rush hours getting out onto Nask grove lane.

I would like you take this as an objection for the proposal . I believe that this estate has already been under designed for the amount of people that already life here.

I understand the need for development in the south area but I would not like to see houses placed in such an already heavily populated area.

Sincerely,

Matthew Edwards



35 Nashgrove Lane
Finchampstead
Wokingham
RG40 4HE

30/06/2000

Dear Sirs

Planning Application F/2000/2671.

With reference to the above planning application, I am at a loss to understand why planning applications for this land are still being submitted when in February of this year the Planning Inspectorate dismissed on appeal application F/2000/1725 and at that time ruled out a single story dwelling on the grounds that it would occupy a larger footprint and that a substantial roof area that would detract from the appearance of the locality.

We have had planning applications for a four bed roomed house, a three bedroomed house with changing room and now the current version. I am horrified that we seemed to have started the whole procedure again.

I object to this application on the following grounds:

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

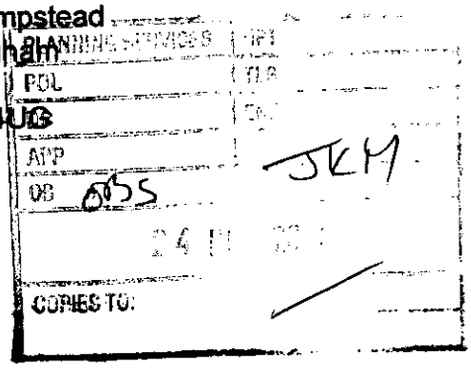
I would respectfully suggest that this application should be refused.

Yours faithfully

C. R. Evans

Thursday, 23 November 2000

59 Jerrymoor Hill
Finchampstead
Wokingham
Berks
RG40 4UG



To: Mr John Mitchell
Planning Services
Wokingham District Council
PO Box 157
Shute End
WOKINGHAM
RG40 1WR

Dear Mr Mitchell

Re: Planning application F/2000/2671 – Dwelling in gardens of 30 & 31 Nash Grove Lane

I am writing to you to object to this planning application. Similar applications have previously been refused and then dismissed on appeal (April & August 2000).

My objections to this new planning application are:

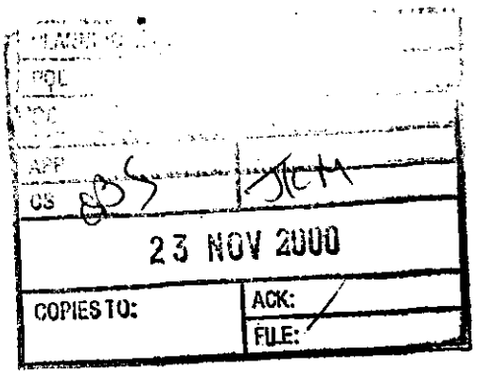
- It represents significant over-development of a fully developed area.
- Trees on the site will have to be removed to make space for building, or may be damaged; there is no space to replace them and this would be a significant loss to the area.
- Nearby houses will be significantly overlooked.
- It could set a precedent for a similar development opposite.
- McCarthy Way is the main access road to the Fernlea estate, which contains some 450 family houses. This road is extremely busy with vehicles and pedestrians. A vehicle entering or leaving the drive-way of a dwelling fronting onto McCarthy Way will increase the possibility of accidents, either with another vehicle or a pedestrian.
- It is very likely that one or more cars from the dwelling will be parked on the roadway, as the site is not large enough to accommodate a lengthy driveway. Vehicles entering or leaving the estate will have to pull out into the path of on-coming traffic to pass these parked cars, creating a serious traffic hazard.
- McCarthy Way is a busy pedestrian thoroughfare. Residents walk along this road to the local shop and bus-stop. Term-time, several home-to-school buses (provided by Wokingham District Council) pick-up and drop-off vast numbers of secondary school children at the junction of McCarthy Way/ Nash Grove Lane. Also, families with pre-school and primary-aged children walk to local schools from the Fernlea estate.

I hope my objections to this planning application will contribute to its rejection.

Yours sincerely

HWardale

Mrs Hilary Wardale



10 Mornington Avenue
Finchampstead
Wokingham
Berks.
RG40 4UE
20th November 2000

Mr John Mitchell
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
RG40 1WR

F/2000/2671

Dear Mr Mitchell

I am writing to object to the recent planning application for a dwelling in the rear gardens of 30 & 32 Nash Grove Lane, fronting onto McCarthy Way.

The main objection is that having a house on that part of the road would constitute a serious traffic hazard on the main access to the estate.

I also feel that the removal of trees and lack of space to replace them would be a significant loss to the environment.

Finally I feel it could set a precedent for a similar development opposite.

I therefore wish to lodge my objection.

Yours sincerely

Alison Clark

Julie & Tarek Ismail
9, Radical Ride
Finchampstead
Wokingham
Berks RG40 4UH
Tel: 0118 9730 682

JHS

PLANNING SERVICES	HPT
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DC	ENF
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CS	JM
28 NOV 2000	
COPIES TO:	ACK: ✓
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Your ref. F/2000/2671

Sunday, 26 November 2000

For the attention of Mr. John Mitchell

Planning Services
Wokingham District Council
PO BOX 157
Shute End
Wokingham
RG40 1WR

Dear Mr. Mitchell

Planning Applications on McCarthy Way – Finchampstead

We would like to register our objection to the latest planning application to build a dwelling in the rear gardens of 30 & 32 Nashgrove Lane Finchampstead, which would be fronting onto McCarthy Way. Our reasons for objection are as follows:

1. This represents an example of poor location by the proposed addition of a dwelling in an over developed area
2. Providing access to the proposed dwelling, on to the main access road to this large housing estate, which comprises of around 450 homes, could have a detrimental effect on road safety
3. Loss of privacy to homes adjacent to the proposed development.

Please consider the effects of the proposed development on the locality and its impact in setting a precedent that may encourage a similar development on the opposite side of the road.

Yours sincerely

J D Ismail

Julie Diane Ismail.

T. Y. Ismail

Tarek Y. Ismail.

807

PLANNING SERVICES	DPT
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APP	
CS	JM

28 NOV 2000

COPIES TO:	ACK: ✓
	FILE:

7, Radical Ride
Workington,
Cumbria
CA14 4UH.

Your Ref.
F/2000 2671

Dear Sirs,

Site Address. 30-32 Nash Grove Lane
Finchampstead
Wokingham

Application 99/69357/F Refused.
99 70104/0 "
F/2000/1725 withdrawn.

1. Traffic Hazards on McCarthy Way leading to Approx. 500 houses.
2. Privacy for No. 78 McCarthy Way
3. Spoiling view for everyone (Cramped)
4. If this goes through he will do the same across the road. (even more cramped)
5. ? How will this be dealt with. (dangerous)
   on there is a question mark over this.
   renovating the premises he used to live in
6. If the application goes through would the planning office accept full responsibility for any accident or congestion that occurs

Rob & Sue Blackhead

Ref F/2000/2671

107 McCarthy Way
Tring
Hertfordshire
HP23 4UB

PLANNING SERVICES	HPT
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CS	JM RC
28 NOV 2000	
COPIES TO:	ACK: ✓
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Dear Sir

I understand that you are considering a planning application to build a house fronting onto McCarthy Way in the garden of 30 & 32 Nashgrove Lane.

I would like to register my objection to this application. There are already a lot of homes in the area & congestion especially in the morning & afternoon with the school runs & people going to work make the road difficult to pass. A house opening onto the road would increase the danger.

I previously signed a petition objecting to this development & my objections remain

Yours

M Wood

805

Michael Webster
28 McCarthy Way
Wokingham
Berks
England
RG40 4UB

+44 (0)118 9734060

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
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CS	JM
28 NOV 2000	
COPIES TO:	SCK: ✓

Ref F/2000/2671
Mr John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
RG40 1WR

Dear Sir

With reference to the planning application noted above, I would like to register my objection to the development on the grounds of creating a serious traffic hazard.

Yours

M. Webster

Michael Webster.

Recd 11.00AM 27.11.00 SPS

PLANNING SERVICES	HPT
POL	TLS JM
DC	ENF
APP	
CS	
28 NOV 2000	
COPIES TO:	ACK:
	FILE:

To: Mr J. Mitchell. Development Control Manager.
Wokingham District Council.
Environmental Services Department,
Planning Services,
P.O.Box 157,
Shute End,
Wokingham. RG40 1WR.

20th November 2000.

Dear Sirs,

Re: **Application No: F/2000/2671.**
Site Address: 30-32 Nash Grove Lane, Finchampstead, Wokingham.
PROPOSAL: Proposed erection of dwelling.

We the undersigned wish to comment on the above Application.
There have been three previous Applications for a dwelling on this site, No's: 99/69357/F Refused. 99/70104/O Refused and Dismissed on appeal. F/2000/1725 withdrawn 18th August 2000.
In response to the first two previous Applications we organised petitions objecting to the proposed developments, 339 and 425 signatures respectively were obtained.
In the case of the 3rd Application we wrote and confirmed that we were absolutely confident that if we were to organise a petition objecting to this Application we would obtain at least 425 signatures.
With regard to this new Application, strength of feeling among the residents of Fernlea Estate is such that there is no doubt that well in excess of 425 signatures would be obtained if we were to organise a petition again
However, as this Application is yet again for a SINGLE STOREY dwelling and there is no difference to the Application that was dismissed on appeal, we do not see that it is necessary to organise another petition.
Therefore we ask you to take this into account when considering your decision.

Yours faithfully,

SIGNATURE	NAME	ADDRESS
P.M. Blackshaw	B. BLACKSHAW	1 RADNAL RIDE
	S.L. Morison	82 McCarthy Way
	M. Scott	97, Mc Carthy Way.
	N.M. SCOTT	97 McCarthy Way
C. Rotsenis	C. ROTSENIS	10, Challenor Close
R Arnold	R. ARNOLD	76, McCARTHY WAY.
Stephen Raines	S. RAINES	78 McCARTHY WAY
R M Raines	R M RAINES	78 McCARTHY WAY
R B Armitage	R.B. ARMITAGE	80 McCARTHY WAY.
G.H. Armitage	G.H. ARMITAGE.	80 McCARTHY WAY.

SPS

24th November, 2000

PLANNING SERVICES	HPT
PCL	PLS
DC	ENF
AFP	
CS	JM
28 NOV 2000	
COPIES TO:	ACK: ✓

Your Ref: John Mitchell
F/2000/2671

90 McCarthy Way,
Finchampstead,
Berkshire,
RG40 4UB

Dear Mr. Mitchell,

Application Number: F/2000/2671

Site Address: 30-32 Nash Grove Lane, Finchampstead

Proposal: Proposed erection of dwelling

Thank you for your recent letter regarding the above planning application.

As stated in all previous letters regarding planning applications on this site, this area is totally unsuitable for a dwelling. The driveway will open out on to the main feeder road onto the estate which is always very busy. This would cause a serious traffic hazard and an increasing danger to children, pedestrians and other road users.

Also as previously stated Finchampstead is constantly seeing extra houses being slotted in here and there and the local schools, doctors surgeries etc, not to mention roads are already full to capacity,.

I hope that once again this application is turned down.

Yours hopefully,

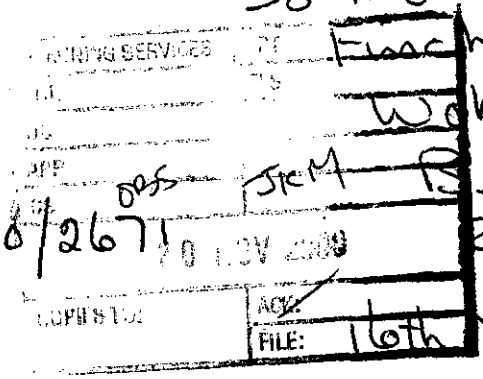
S. Perry

Mrs. S. Perry

38 Mornington Avenue
Finchampstead
Wokingham.
Berkshire
RG40 4UE.

Ref No.
F/2000/2677

16th November 2000



Dear Mr Mitchell.

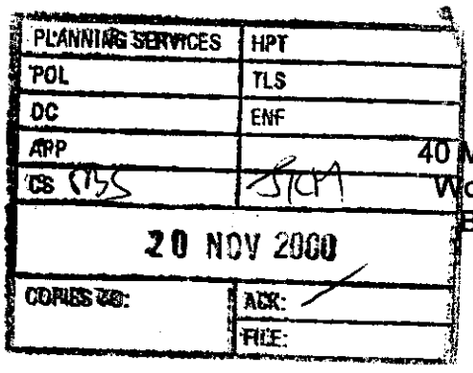
I am writing to object, again for this planning application on 30-32 Nash Grove Lane dwelling in the rear garden, fronting on into Mc Carthy Way.

There is already sufficient over development in this area. It would cause serious traffic congestion, which is already increasing on the main access to our estate now.

I also object to the removal of the trees, it would take away some of the residents privacy.

Yours faithfully

Mr & Mrs. E. Parr.



Mr J Mitchell
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

40 McCarthy Way
Wokingham
Berkshire
RG40 4UA

Ref: F/2000/2671

17 November 2000

Planning Application - house fronting onto McCarthy Way

Dear sir,

Yet again I find that I have to write to register my objection to a planning application as per the above reference. Last year I signed two petitions objecting to any development on the site in question, then wrote to the Planning Inspectorate at Bristol to make my objections plain. I later wrote to a Mrs Odell in Planning Services back in July 2000 restating my objections in response to a new planning application. I assumed the matter was closed but I see that yet another application has been submitted. I do not understand how the applicant can be allowed to continue submitting applications for development already rejected repeatedly. My earlier arguments against this development remain valid and I now reiterate them.

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

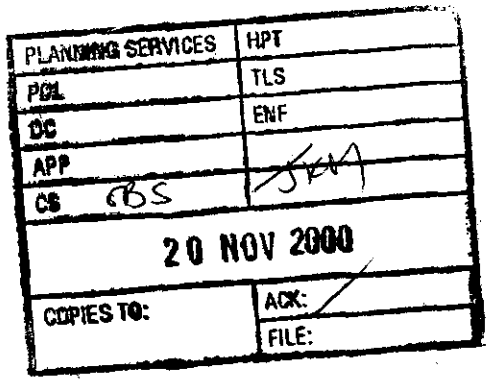
A major concern is the safety of the residents of the approximately 450 houses on this development. There are only two access roads in from Nashgrove Lane and one of these, Elgarth Drive, is already difficult to drive through due to residents' parking. Obscured sight lines make crossing the road on foot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

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

I urge you to reject this latest application.

Yours faithfully,

Malcolm Hood



14 Burnt Oak
Finchampstead
Wokingham
Berks RG40 4UQ

15th November, 2000
Ref: F/2000/2671

Mr John Mitchell
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Mr Mitchell

I am writing to register my objection to the Planning Application on McCarthy Way.

I have lived at the top of the Fernlea Estate for 12 years and have to use this little piece of road every day to get into and out of the estate. In my opinion it would be dangerous to have a dwelling in this place as it would encourage people to start parking along here causing obstructions. It is not the longest piece of road; therefore it is hazardous when turning into this piece of road if there is an obstruction. When my children were young this was an ideal place to teach them how to cross the road safely as you are able to pick a good spot away from the two junctions, as this is the mouth to a family estate I know that there are a lot of people with small children who live here. Also you only have to take a look at what has happened in Elgarth Road which is the other entrance to our estate. People park so close to the junction with McCarthy Way that you have to go on the wrong side of the road to make a right hand turn, which is positively dangerous.

I also object to the fact that the greed of one person who will stand to make a lovely fortune, seems to be more important than the people who live in the house very close to this site who have lived there for a considerable number of years, and instead of having trees to look out onto will be overlooked by building, I know which I would prefer.

Also can the greed of one person be more important than the 425 residents of this estate who signed the petition against this application on an estate of 450 houses this is nearly one objection to each household.

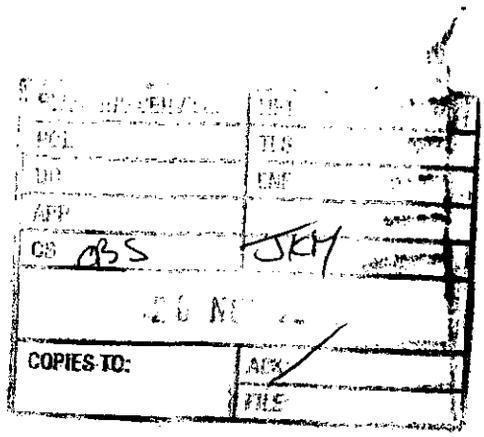
I trust that the person who has to make this decision will respect the wishes of the people who live here and not the person who is unlikely to ever have to drive up this road once his house is built and sold, the person who buys the house will never experience any of the difficulties that they may cause to the rest of us.

Yours faithfully

S. Jones (Mrs) M P Jones (Mr) S. Jones (Miss) T. Jones (Miss)

S Jones M P Jones S JONES T. Jones

Mrs. Lillian Sinclair
33 Tickenor Drive,
Wokinghan.
Berks.
RG40 4UD.



17th November, 2000

Dear Mr. Mitchell,

Ref: F/2000/2671

I am writing to you to voice my personal objections to the planning application, 30-32 Nashgrove Lane, fronting onto McCarthy Way.

The area is already significantly over developed, the unacceptability of overlooking nearby houses, and the traffic hazard it would cause on this may road to and from the estate, increasing the danger to children/pedestrains and other road users.

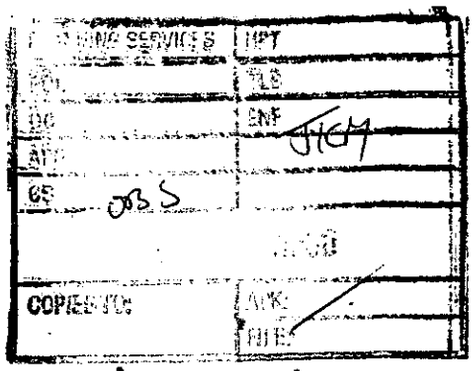
We already have to endure long traffic delays within this area, with no improvement to the present road systems in this area, to approve this planning application, only gives the green light to other builders/developers to build wherever there is land big enought to do so.

Please once again, listen to your residents and refuse this application.

Yours sincerely

Lillian Sinclair

27 RADICAL RIDE
WOKINGHAM
BERKSHIRE RG40 4UH
Telephone (01734) 734243



17 November 2000

Planning Services
Wokingham District Council
Shute End
WOKINGHAM

Dear Sir,

Ref: F/2000/2671

I am writing to you with reference to the above planning application. I understand that this application follows two previous ones, 99/70104/0 and F/2000/1725.

I wrote to you in some detail, objecting to the latter application; I presume that you still have my letter. My objections are unchanged.

In view of the previous history, I am astonished that the applicant has had the temerity to try yet again and I sincerely hope that he will be given the short shrift that he deserves.

Yours faithfully,

J.M. Jacobs

J. M. JACOBS

Mr. Yusuf Siddiqui,
22 Radical Ride.
Finchampstead,
Berks.
RG40 4UH.

24th November, 2000.

PLANNING SERVICES	RPT
PDL	TLS
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CS OBS	JKM
27 NOV 2000	
COPIES TO:	ACK:
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Dear Mr Mitchell,

Ref: Planning Application: F/2000/2671

I write to object to the above mentioned planning application. I fully appreciate that this area is highly desirable and that the demand for and the profit from selling houses in this area is very high. However this particular area of Finchampstead is, in my opinion, is already fully developed. Traffic exiting the estate onto Nash Grove Lane from McCarthy Way is already hazardous, and traffic leaving the village itself is caught in congestion every morning.

One of the pleasures of this area is the way the Planning Office has maintained the trees and its associated wildlife. It is nonsensical to change this attitude now.

Although I am not directly affected by the the overlooking of the neighboring houses, I would not wish this application to be passed as it is giving carte blanche for development in other areas of the estate which may affect me and my privacy.

This estate is very good as it is and I object to the above development being passed and will certainly support any and all petitions raised by the residents of this estate against this proposition and any appeals thereon.

I strongly believe that the applicant is using repetative applications to 'wear' down the resistance of the planning office and I very much hope that the Planning Office do not give in to this capricious process.

Yours sincerely,

PLANNING SERVICES | HPT
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27 NOV 2000
COPIES TO: | ACK:
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35 The Spinney
Finchampstead
Wokingham
Berks.
RG40 4UN
23rd November 2000

Dear Sirs,

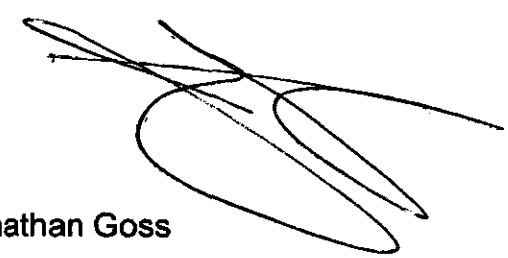
RE : -Planning Application ref F/2000/2671

We wish to raise an objection to the proposed planning application at the rear of 30 and 32 Nash Grove Lane.

We are concerned in particular with the disruption of traffic through what is the main access route onto the Fernlea estate. The partial blocking of this route is inevitable for considerable periods of time causing potential driving hazards in the area. We have two young children, the increased danger of letting them travel in this area by foot concerns me greatly.

Further we feel it highly inappropriate that further plans be considered in this area when previous applications have been complained about by so many people resulting in the previous rejection of planning permission. Will this builder be allowed to continue applying in the hope that we grow tired of writing?

Yours faithfully



Jonathan Goss

To go on P/S
file

Tel: 01

47, Jerrymoor Hill,
Wokingham,
Berks RG40 4UG

13th. November 2000

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Ref: F/2000/2671

Mr. J. Mitchell
Development Control Manager,
Planning Services,
Wokingham District Council,
PO Box 157,
Shute End,
Wokingham RG40 1WR

Dear Mr. Mitchell,

I thank you for your letter of the 7th. inst. and wish to strongly object to the proposed building of a dwelling at 30-32 Nash Grove Lane.

I presume that the entrance to the property will be on the small section of McCarthy Way. As this is the main access to the estate of more than 200 homes, some disruption is inevitable.

During the building of this unit there may well be a serious traffic hazard caused by the contractors' vehicles. This could also endanger pedestrians, especially children.

Should the house be built, the additional entry onto McCarthy Way would still cause some congestion. Additionally, I would imagine that this would compromise the privacy of the existing houses adjacent to the proposed plot.

Yours sincerely,

P.J. Woods

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

Wokingham District Council
Environmental Services Dept.
Planning Services.
PO Box 157
Shute End
Wokingham
RG40 1WR

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16 NOV 2000
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11th November 2000

Dear Sir/Madam

Re: Planning Application – F/2000/2671

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

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

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

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

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

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

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

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

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

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

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

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

Your sincerely

A & V Buckland

Rec'd 11.00AM 27.11.00

MR G.H. & MRS R.B. ARMITAGE

80, McCarthy Way,
Finchampstead,
Wokingham.
Berkshire.
RG40 4UA

PLANNING SERVICES	HPT
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November 26, 2000

Mr J. Mitchell.
Wokingham District Council.
Planning Services.
P.O. Box 157,
Shute End, Wokingham.
Berkshire. RG40 1WR

Your Ref: John Mitchell. F/2000/2671

Dear Sirs,

Application Number: F/2000/2671

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

Our comments on this latest application are as follows.

(1) This is the fourth application by the same owner to build on this site.
99/69357/F 31/03/1999. Refused.
99/70104/O 20/07/1999. Refused and Dismissed on Appeal 1/01/00.
F/2000/1725 21/06/2000. Withdrawn 18/08/2000.

(2) Orange Notice.
Yet again this was placed in such a position as to be hardly visible to interested local residents. It was pinned on the fence at the southern border of the site, underneath an overhanging bush so that it was hardly visible at all and certainly not readable without pushing the bush away. We moved it further along the fence so that it is easy to see and read.

(3) We are at a complete loss to understand why the owners of this site are allowed to continue to submit planning applications, when their Outline Application No: 99/70104/O for a **single or two storey** dwelling was refused and more to the point, **dismissed on Appeal by The Planning Inspectorate on 1st February 2000 in an absolutely conclusive way.**

Just what is the point of a higher authority making a decision if those of lower authority can apparently chose to ignore it?

The following comments will, we feel, show once again that applications to build on this site are in direct contravention of The Planning Inspectorates decision.
A copy of The Planning Inspectorates reasons for dismissing the appeal is attached . Sections that apply to our following comments are highlighted in red.

(4) The drawing submitted with this Application has a number of errors:

(a) The minimum roof pitch of 32.5 degrees actually measures 29 degrees, this means that the ridge height shown is also wrong.
(b) Two trees shown "to be removed" at the entrance to the site do not exist.
(c) A new tree planted very recently near the West border of the site is not shown, nor is an established Apple tree in the centre of bedroom 1.
(d) The position and or size of the bungalows at 30 and 32 Nash Grove Lane are totally incorrect.

(5)

While the site is in exactly the same location as in the previous applications, the dimensions are very slightly different, but only the part in the garden of No 30, Nash Grove Lane. The proximity of No's 78 and 80 McCarthy Way to the site is precisely the same as before.

(6)

Once again this proposed development is inappropriate in terms of its relationship with adjoining sites and buildings. In particular it's effect on the living conditions of adjoining occupiers, especially No's: 80 and 78 McCarthy Way, also possibly No:32 Nash Grove Lane, **" with particular reference to privacy, visual impact and daylight."**

(7) Footprint of proposed single storey dwelling.

The Inspectorates reasons for dismissal of the appeal dealt with this point in detail on page No: 3 paragraph No: 12. **"A single storey dwelling would probably occupy a larger footprint".**
The footprint of the two-story dwelling of application no: F/2000/ 1725 of June this year was 129.85 sq.m; whereas the latest application has a footprint of 132.06 sq.m; Larger by 2.21 sq.m; Or 16.5 sq.ft; Leading to a more **"substantial area of roof which would detract from the appearance of the locality".**

(8) Roof Area and Ridge Height.

The drawing submitted with this application does not appear to be to scale particularly the **minimum roof pitch of 32.5 degrees**.
The roof pitch angle on the drawing measures 29 degrees, which obviously means that the ridge height shown is incorrect.

(8) Roof Area and Ridge Height-continued.

Why is no maximum roof pitch specified ? Is there a hidden agenda, such as allowing for subsequent conversion to a two storey dwelling ?

The following table shows the effect of varying roof pitch on ridge height and roof area on the East side of the bungalow.

Pitch Degrees	Ridge Height Metres	Roof Area + Garage Roof Area Square Meters	Total Square Metres
32.5	5.90	6.60m x 10.75m = 70.95sq.m + 11.56sq.m = 82.51sq.m	
35	6.30	6.90m x 10 75m = 74.18sq.m + 11.56sq.m = 85.74sq.m	
40	7.07	7.42m x 10.75m = 79.77sq.m + 11.56sq.m = 91.33sq.m	
45	8.00	7.84m x 10.75m = 84.28sq.m + 11.56sq.m = 95.84sq.m	

At 32.5 degrees pitch the ridge height of 5.90m is one metre higher than the eaves of No: 80 McCarthy Way , adjacent to the proposed dwelling. 1.40m at a pitch of 35 degrees or 20ft - 8ins.

The area of the bungalow's East facing brick wall that would be visible above our garden fence is (Height of bungalow's eaves from ground, 2.4m minus height of fence 1.83m = 0.57m x length of bungalow 10.40m.) 5.93sq.m. Adding this to the area of the roof, with say a pitch of 35 degrees, gives a total area of red brick wall and roof tiles of 91.70 square metres or 987sq.ft. At a height of 6.30m (20ft - 8ins) this would constitute the view less than 14 metres from our windows.

This would cause unacceptable harm to us, nearby residents and the character of the area. **Exactly the conclusion that The Planning Inspectorates Inspector reached in his dismissal of the Appeal against the refusal to grant Outline Planning permission 1st February 2000.**

(9) Trees On the Site.

The drawing does not show all the trees on the site, nor what species and that more than two would have to be felled. Nor does it make any provision for the replacement of felled trees.
If it is the owner's intention to show that the site will be screened on the eastern boundary by existing or replacement trees, I believe the following comments will show this to be completely ineffective. A point made in the attached **Inspectorate's reasons for dismissal.**
The trees on the eastern boundary of the site are 30 year old diseased Silver Birch, which are approaching the end of their lives. At least one of these we consider to be in a dangerous condition, in particular the one in the extreme S.E. corner of the site, which we have requested the owner to make safe, but without response.

The drawing does not show how access will be gained to the rear garden to the North of the site. It would seem that the only ground on which a path could be laid is between the East wall of the bungalow and the adjacent boundary. This would add weight to the **Inspectorate's** view that the existing trees on this boundary would be likely to suffer damage or destruction from construction work close to the boundary and leave little space for the planting of replacements. To plant these in such close proximity to a building could cause future foundation problems, which may necessitate their removal.
The drawing shows two trees are to be removed, which do not exist anymore, they were removed by the owner in July 2000 along with numerous boundary bushes, five Scots Pine were also felled by the owner in November 1998, just prior to the first Planning application. **A serious loss of amenity to nearby residents.**

Two other trees on the south boundary are not shown on the drawing as well as an established Apple tree in the middle of Bedroom No: 1
The owner has taken a most positive step to alleviate the damage done to this site. A single tree has been planted close to the north-western boundary of the site; it would be about 1.6m from the proposed bungalow's west wall. Too close?

Vehicular access to the garage would, we believe, be exceptionally difficult through the planned site entrance. The removal of the Silver Birch in the extreme S.E. corner of the site would most probably be necessary, perhaps the one next to it as well.
The dramatic reduction in the number of trees on the site must seriously affect the resident wildlife.

We believe that these comments show that there would be no effective screening on the eastern boundary of the site.

(10) Rear Gardens of No's 24 and 26 Nash Grove Lane.

We have received very reliable information that the applicant has made an approach to the owners of these two properties with a view to purchasing the eastern end of their rear gardens so as to enable a planning application for a new dwelling to be submitted. If this current application were to be granted it would set a precedent for a similar application directly opposite.

(11) Traffic Hazard on McCarthy Way.

While in the previous applications the local Highway Authority and The Planning Inspectorate did not consider that the creation of a new access would have any serious impact on road safety or the amenities of nearby residents. We are still of the very strong opinion that visitors vehicles would inevitably be parked on McCarthy Way by this proposed development, thereby causing an obstruction and creating a safety hazard.
There are 450 houses on Fernlea estate; many of the owners have at least two cars. At peak times during the week and at weekends the volume of traffic on this feeder road

1004/1426

The Planning Inspectorate

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

Your Ref:
AJT/MT/630

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

Date:
17 FEB 2000

RE: LETTER. ARMITAGE. 25/11/00
APPLICATION F/2000/2671

Dear Sirs

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Yours faithfully

JOHN S DEAKIN FRICS
Inspector

Mr T Mitchell
PO Box 157
Shute End
Wokingham
RG40 1WR

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24 Wild Briar
Wokingham
Berks
RG40 4UL
22nd November 2000

Dear Mr Mitchell

Re Planning Application on McCarthy Way
Ref F/2000/2671

With reference to the above, this is the fourth time, that's I know of, that the said gentleman has applied to build on the rear garden of 30+32 Nash Grove Lane. He has been refused twice and withdrew the application last August. Does he not understand the word NO!

It would cause traffic hazards to the people entering and leaving the Estate. The little privacy that people have in the area now, would be completely lost, and we have enough houses on the Estate anyway. Yours sincerely

M. Finch

Semara
12 Burnt Oak, Wokingham, Berkshire RG40 4UG
Tel 0118 9734736

16-11-00

PD
DC
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F/2000/2671
20 NOV 2000
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Sir/madam

I wish to strongly objected to the above applicata for planning following two previous rejections.

My main grounds of objection are that the area is already developed to a level that produces traffic saturation at times.

Further development will produce even further danger to children & residents if the access road to the estate is further compromised

Yours truly

D L + E.A. SHORTALL

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MS J. RALPH
77 McCARTHY WAY
FINCHAMPSTEAD
WOKINGHAM
BERKSHIRE
RG40 4UA

24 Nov 00.

Dear Sir

I believe its disgraceful for yet another application has been made for this site It is a serious infringement of the civil liberties of the people living at 76 78 & 80 McCarthy Way to expect them to have the trees demolished, & probably not replaced, and be overlooked by a new house thereby adding another piece of concrete to an already over crowded area. Hasn't the recent heavy rain taught us we need more trees & less concrete

also believe it would be very dangerous for the rest of the estate to have to pass extra cars parked on the road entrances to the estate. Vehicles are always parked on the kerb not after in drives or garages as they should This would be very dangerous for the large numbers of children going to & from the school twice each day.

therefore I ask you to think hard & not accept this application again. with the interest of people at heart rather than profit.

Yours faithfully

FR

By Hand. 28/11/00

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78 McCarthy Way,
Wokingham
RG40 4UA

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

25th November , 2000

Your ref. F/2000/2671
My ref. sr/05

Objection to Planning Application at 30-32 Nash Grove Lane

ref: F/2000/2671

Dear Mr. John Mitchell,

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

Although the most recent application is for a 2-bedroom bungalow, we do not believe that there is any substantial difference in the impact that we will experience between this application and previous applications, and our objections to this planning application remain the same. The proposed development for a 2 bedroom bungalow will occupy the same plot of land as previous proposals and the height of the building, although lower than previous applications, will have a detrimental effect on our property in terms of privacy, visual impact and loss of daylight. As with the previous applications we consider that this proposed development will have an unacceptably overbearing effect and cause unacceptable overlooking of our property resulting in unacceptable loss of amenity to us and our neighbours. We are enclosing a copy of our letters, ref sr/04 dated 11 July 2000 and ref sr/02 dated 4th August 1999, which details our objections to the previous planning applications on the grounds of: overshadowing, overlooking, destruction of trees, loss of amenity, access to the estate, overcrowding and precedent. Our objections to the previous planning applications have been upheld by Wokingham District Council Planning Services and by the Planning Inspectorate.

This most recent application for a bungalow raises additional concerns for us and these were supported by the Planning Inspectorate's Report that considered the impact of siting a bungalow on the proposed plot. Specifically these concerns are size of footprint and roof area. The footprint of the bungalow will occupy a larger footprint than the previous proposals and will thus be too large for the plot. The roof area on the eastern side of approximately 83m² will have a significant visual impact on us, will cause loss of daylight to our property and detract from the appearance of the locality.

In view of:

the impact that the proposed development will have on our property;

the similarity of the impact between the proposed development and the previous full and outline applications;

our consistent objection to the previous full and outline applications;

and those objections having been upheld by both Wokingham District Council and the Planning Inspectorate;

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

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

Yours sincerely,

Stephen Raines

Stephen Raines

25/11/00

Rosalind Raines

Rosalind Raines

25/11/00

78 McCarthy Way,
Wokingham
RG40 4UA

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

July 11, 2000

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

Objection to Planning Application at 30-32 Nash Grove Lane

ref: F/2000/1725

Dear Mrs A. Odell,

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

The sequence of events to date is as follows:

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

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

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

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

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

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

19th January 2000: Site visit by Planning Inspectorate.

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

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

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

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

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

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

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

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

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

overshadowing,

overlooking,

destruction of trees,

loss of amenity,

access to the estate,

overcrowding

and precedent.

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

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

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

This view was supported by the Planning Inspector:

> "... I see no reason to differ from the Council's opinion that the proposed two-storey dwelling would have had a serious and unacceptable visual impact on the residents of Nos. 78 and 80 McCarthy Way."
>
> "Furthermore, it would cause overshadowing with loss of afternoon sunlight, and some restriction of natural light."

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

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

In view of:

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

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

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

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

Yours sincerely,

Stephen Raines Rosalind Raines

78 McCarthy Way,
Wokingham
RG40 4UA

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

August 04, 1999

Your ref. 99/70104/O
My ref. sr/02

Objection to Outline Planning Application ref: 99/70104/0

at rear of 30/32 Nash Grove Lane

Dear Mrs A. Odell,

We are writing to you to object most strongly to another attempt to site an "in-fill" development at the rear of our property. The Outline Planning Application referred to above, follows rejection of a Full Planning Application (99/69357/F) on the 5th May. We wish to draw to you attention the following similarities:

- The proposed plot appears to be of the same size and in the same location and is of relatively small size.
- The outline application is for a 4 bed detached house with garage and the full application was for a 4 bed detached house with double garage.

We also note that the full previous planning application received a large number of objections including a petition signed by many of the local residents. We urge you to note the similarities in the application and consider the former level of objection. Our concern is that this is an attempt to gain planning permission by manipulation of the process.

Having referred to the previous plans and noted the implication and tone of the Agent's letter, we have many of the same fears with the Outline application as we had with the Full application. However, considering the Outline Planning Application in its own right, we feel the following objections will stand by themselves:

1. Overshadowing. A 4-bedroom house with garage on such a small plot size gives little flexibility as to the siting of the property. It seems inevitable that the proposed dwelling will cause significant light blockage to both our property and to neighbouring properties. Our garden is West facing with adjacent property to the North and South. At the moment, we enjoy sunlight in the garden and the back of the house in the afternoon (kitchen and dining room). However, a 4-bedroom house will block-out most of this sunlight and cast a shadow over our home. This will not only affect our enjoyment of our garden but may impact the ability of the garden to sustain the current lawn. As our property is more than 20 years old we have an established right to light, as detailed in the Ancient Lights Prescription Act of 1832.

2. Overlooking. The windows in our house are oriented in a East-West direction. A 4 bedroom house on the proposed plot will mean that a high "brick wall" will completely dominate our rear outlook.

It is likely that however the proposed dwelling is situated, windows will overlook into either our garden or the gardens of 74, 76 and 80 McCarthy Way thus affecting our right to privacy and enjoyment of our property.

The proposed property will have front and rear gardens which will be significantly overlooked from existing 2-storey properties in McCarthy Way. In these circumstances it would be only natural for the prospective owners to act to provide themselves with fast growing hedges such as llandi for privacy. Our concern is that this will further restrict the light to both our property and adjacent properties on McCarthy Way.

3. Destruction of trees and significant loss of amenity. Destruction of trees on the site of the proposed property has not been accurately reflected in question 8 of the Planning Application.

The Planning Application states that only fruit trees will be felled in pursuit of this application. This is not the case. There are trees that have already been felled at the rear of 32 Nashgrove Lane and many further trees will need to be felled on the proposed plot.

Five Scots Pine trees were already felled on 15th November 1998 prior to the original planning application being submitted. I brought it to the attention of the Fearnlea Residents Association and the Local Councillor at the time.

Additional trees including silver birch and fruit trees will also need to be felled to realise the proposed development.

4. Access to the estate. Vehicle access to the proposed property and the parking of vehicles on the kerb side, during both construction and upon completion, will cause a major traffic hazard on the main thoroughfare into the Fearnlea estate.

Vehicle access to the proposed property and the parking of vehicles on the kerb side, during both construction and upon completion, will cause a major traffic hazard on the main thoroughfare into the Fearnlea estate. There are 450 houses on the estate and I estimate an average of 2 cars per household. The majority of households will use the McCarthy Way feeder within the peak periods

5. Overcrowding. There are still a small number of trees located around the Fearnlea Estate which make the area a pleasant place to live and, for us, to bring-up children. In general we find the inappropriate siting of additional houses on a fully developed estate to be undesirable for the estate as a whole. In our opinion the plot is too small for a house of the proposed size.

6. Precedent. There is a danger of "construction-creep" between the backs of other Nashgrove Lane and McCarthy Way properties. If planning permission were to be granted for this application, we fear that it will open the floodgates for further planning applications between the 2 roads. We do not understand how this could be consistent with the development plan or with national and regional policy!

We do not think that there could be any sound reason to grant this proposal as submitted.

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

Yours sincerely,

Stephen Raines

Rosalind Raines

Letter Rec'd 2.40pm 28.11.00

Mr. J Mitchell
Wokingham District Council
Planning Services
PO Box157
Shute End
Wokingham
Berkshire
RG40 1WR

Mr. R Burne
32 Nashgrove Lane
Finchampstead
Wokingham
Berkshire
RG40 4HD

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Your ref.: F/2000/2671

Dear Sir

Thank you for your letter after investigation I find out this is the fourth application to build on the land at the back of my bungalow. The early application were refused and one was refused and then dismissed on appeal. After your letter I went around to the proposed site and could not see the notice informing that a planning application had been applied for.

Our comments about the application are

(1) The minimum roof pitch of 32.5 degrees actually measures 29 degrees this means that the ridge height shown on drawing is wrong.
(2) Two trees shown " to be removed " at the entrance to the site do not exist.
(3) The position and size of the bungalows at 30 & 32 Nashgrove Lane are incorrect.
(4) If the roof pitch is increased could the builder be thinking of putting in a room in the loft on the same planning application.
(5) The position of the bungalow means that above our fence all we would see is the roof of the proposed bungalow.
(6) We also think that by having a new access on McCarthy Way would have a impact on the roads around this area.
(7) Just after we moved into our bungalow we were approached by a householder on the opposite side to the proposed bungalow position in McCarthy Way and asked if we know what was happening as they have been approached to a view purchasing part of they back gardens to build on.
(8) In the planning application form item 15 asks how will the site be enclosed it says by close board fencing. We were told that the back fence is ours and it is not close board fencing. So is the builder going to put up a new fence ?

So we respectfully suggest that the application be refused.

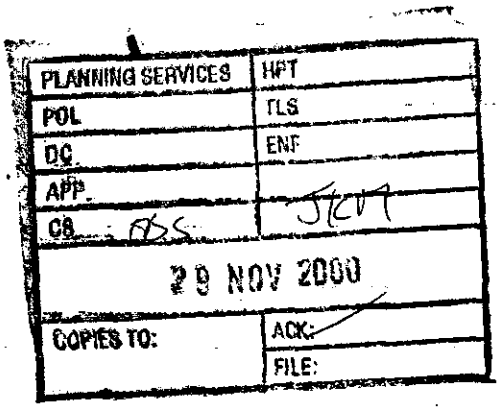
R.J. Burne

R. Burne

S.A. Burne

S. Burne

20 Mornington Avenue
Finchampstead
Berkshire
RG40 4VE



28 November 2000

Ref: F/2000/2671

Mr. John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham
RG40 1WR

Dear Sir

OBJECTION

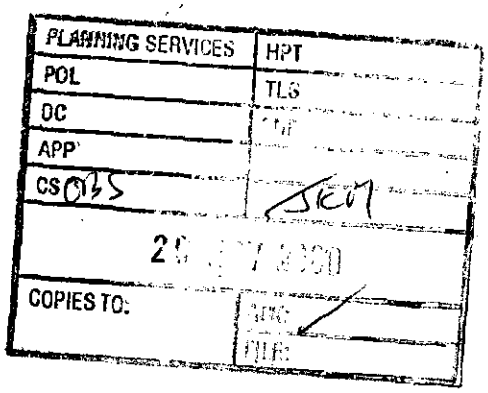
Planning Application for McCarthy Way/Rear Gardens of 30/32 Nashgrove Lane Finchampstead.

I write to oppose the above planning application as I believe the erection of buildings on this site will create severe traffic implications, a danger to children, pedestrians, all road users and, more importantly, access for ambulances, fire engines and all emergency services.

I believe this areas is already extremely developed and to extend this would lead to disastrous problems.

Yours faithfully

S.V. Perkins (Miss)



MR & MRS DYSTER
93 MCCARTHY WAY
FINCHAMPSTEAD
RG40 4UB

26-11-00

FAO Mr John Mitchell

Ref. F/2000/2671
Rear of 30 & 32 Nash Grove Lane

Once again I find myself having to object to the above planning application - for the same reasons as before.

Any dwelling built along that part of McCarthy Way will seriously impact the safety of the road. This housing estate has a very high percentage of children - most walking to school etc.

The actual building process would be a serious traffic hazard.

This estate is already over developed - any additional houses would cause great stress of the traffic through the main access road.

In addition to this it could set a precedent to other developments (particularly opposite).

Regards

A Dyster

PLANNING DEPT
POE
DC
APP
CS 0155 SCP1
29 NOV 2000
COPIES TO:
ACK:
FILE:

19 Challenor Close
Wokingham

Monday 27th November 20

Dear Sir

Re: Planning applications in Mc Cartley Way
(30 & 32 Nash Grove Lane Finchampstead)

I am writing to make a few comments about the wisdom of granting the above planning applications and allowing building on the 30 and 32 Nash Grove Lane sites to take place.

I notice that the main entrance to the two aforementioned dwellings would be in Mc Cartley Way, Mc Cartley Way however is the accessway to the Fernlea Estate and its 450 households and, as such, it is imperative to keep it a clear way for an even flow of incoming and outgoing traffic.

In this respect I would like to point out that, repeatedly, we have been told that enough room should be kept on the streets of the estate to allow five engines access at all times. This is a requirement which would not be met once cars were parked in front of the buildings opening onto Mc Cartley Way.

My last point is that when we first moved on the

Fernlea Estate, prior to the roundabouts at Nash Grove Lane and Borkham Ride junction and Borkham Ride & Finchampstead Road junction, at peak time it would take thirty minutes to cover the distance from the straight section of 4c Cordley Way [the entrance to the estate] to Nash Grove Lane and then onto the junction with Finchampstead Road.

The creation of a new estate bordering Nash Grove has increased proportionately the flow of traffic leading towards Borkham Ride and Finchampstead Road building on 4c Cordley Way – as proposed – would inevitably cause congestion resulting in virtual gridlock in the early morning.

In conclusion the above mentioned building plan would block the access to the estate, which can neither be sensible nor rational and I feel sure you will agree to that and hope you will take our objections into account.

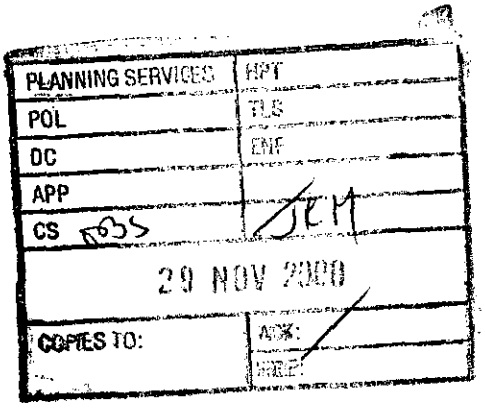
Yours sincerely

Anne Hutt

56 McCarthy Way
Wokingham
RG40 4UA

28th Nov 2000.

Ref: F/2000/2671
Mr John Mitchell
Planning Services
Wokingham District Council.



Dear Sir,

I write to you regarding the Planning Application to build in the rear gardens of 30 and 32 Nashgrove Lane. Before saying anything on the subject I wonder how many applications can be made?

As far as we are concerned no development on this site would be acceptable whatever modifications the builder might make to the structure (of the proposed building).

Currently, the residents of Fernlea use McCarthy Way in preference to Elgarth Drive because that exit/entrance to the estate is constantly occluded by the parked vehicles which block easy access, and make turning into that road both difficult and dangerous. If a similar development is allowed to happen on McCarthy Way the current danger would be exacerbated (in our opinion).

Yours sincerely,

J. Bailey.

PLANNING SERVICES	IPT
POL	TLS
DC	ENF
APP	
Way 055	JFH
24 NOV 2000	
	ACK: X no address
	FILE:

Fernlea Residents Association

Re: Planning Applications on McCarthy Way

Yet another Planning Application has been submitted to build a dwelling in the rear gardens of 30&32 Nash Grove Lane, **FRONTING ONTO** McCarthy Way.

In April and August 1999, 425 of you signed petitions objecting to similar applications, these were then refused and dismissed on appeal.

The builder is again totally ignoring your opinions by submitting yet another application on the same site.

If you would like to make a personal objection to this latest application, please write to:

Ref: F/ 2000/2671
Mr John Mitchell
Planning Services
Wokingham District Council
P.O. Box 157
Shute End
Wokingham.
RG40 1WR

The deadline for receipt of letters is 28th November 2000.

The petitions mentioned:
* Significant over development of this fully developed area.

* Removal or damage to trees and lack of space to replace them would be a significant loss of amenity.

* Unacceptable overlooking of numerous nearby houses.

* A serious traffic hazard on the main access road to our estate of 450 houses, thereby increasing the danger to children, pedestrians and other road users.

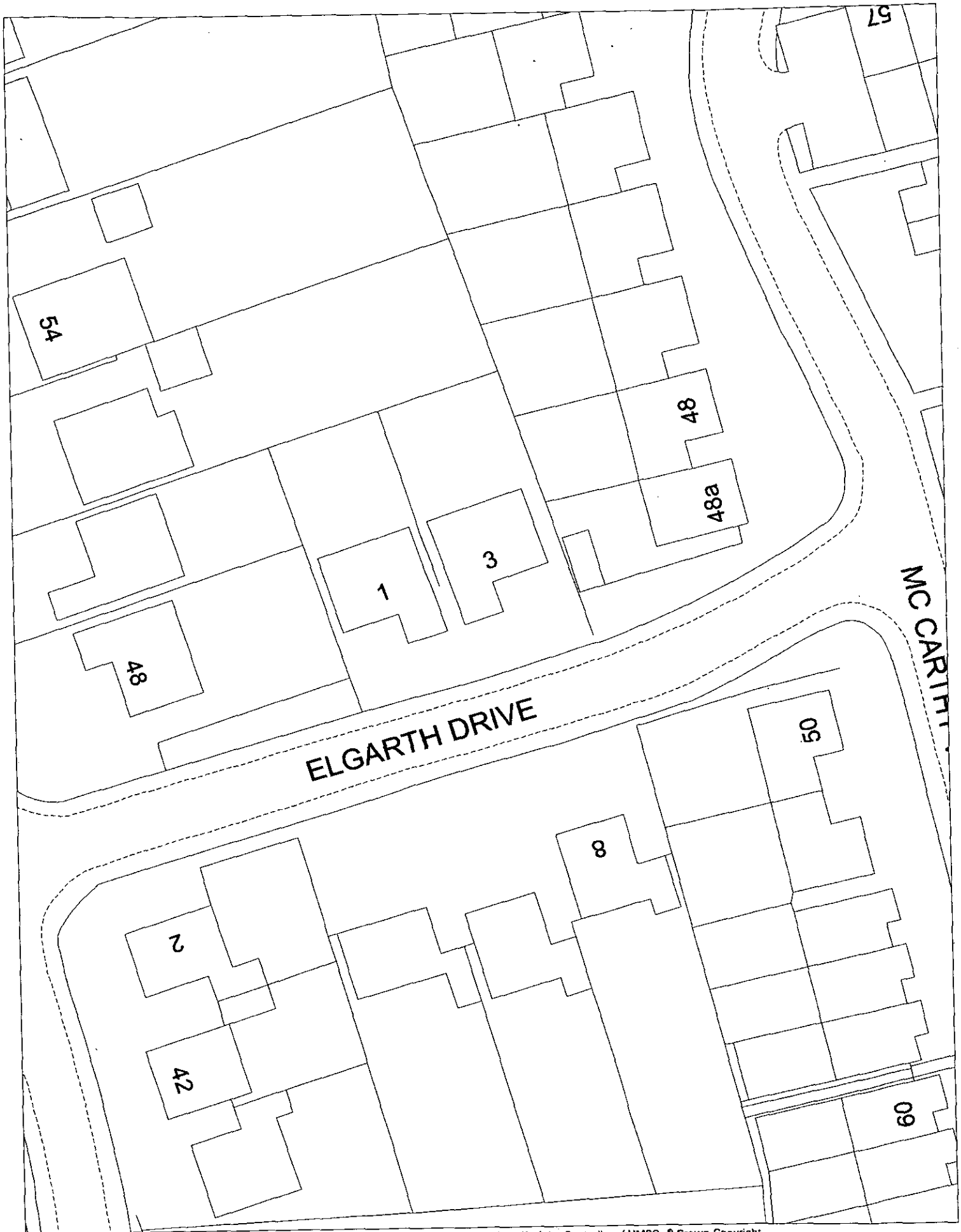
* Could set a precedent for a similar development opposite.

For further information call at 80, McCarthy Way.

Eileen Lewis - Wild Briar

FRA 13.11.2000

NO NUMBER



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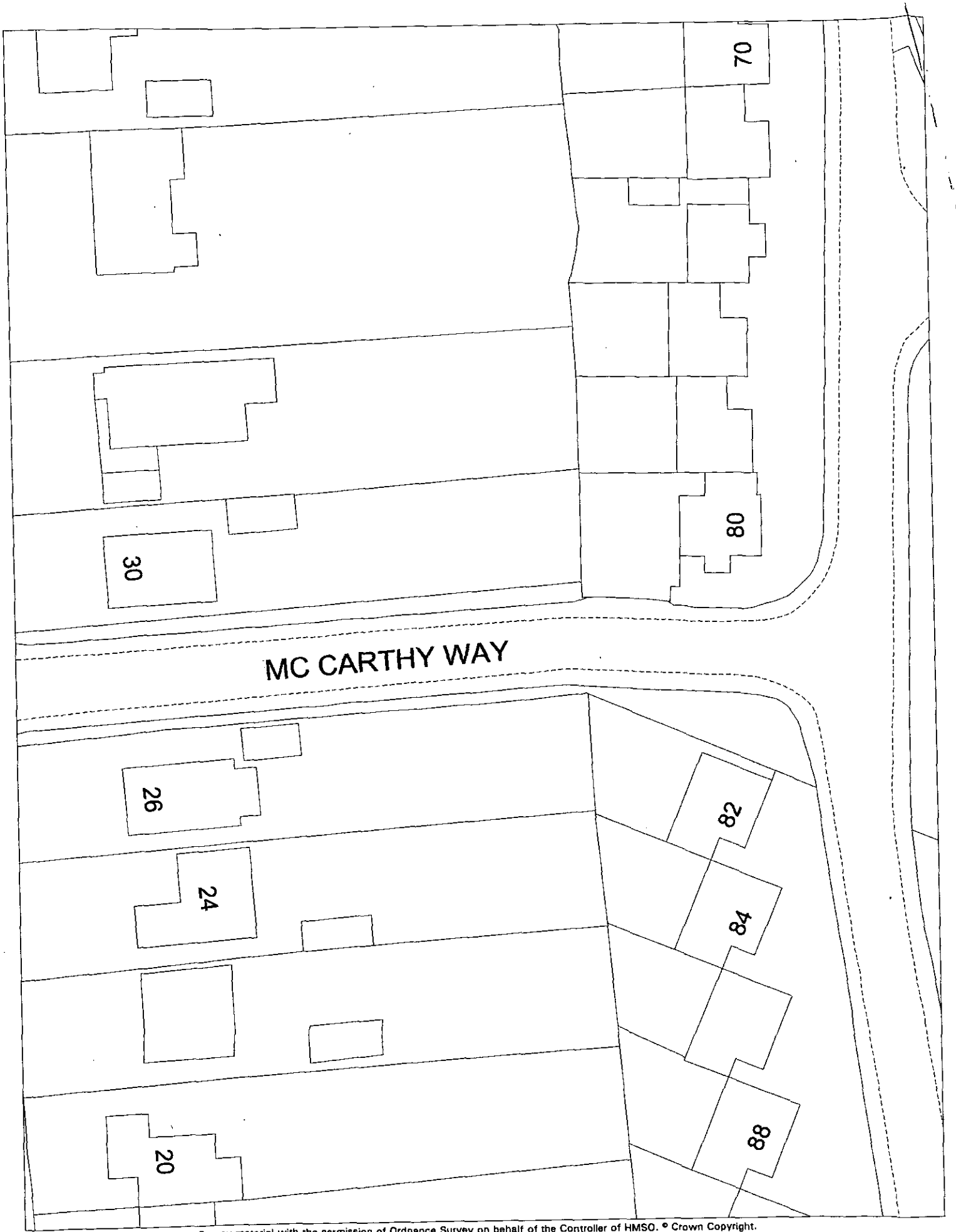
Development Control Section, Environmental Services, Wokingham District Council.

4 June 2001

Scale: 1 : 500



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4 June 2001
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