APPLICATION NO:
**F/2000/0831**

LOCATION:
**113 Tippings Lane, Woodley Reading.**

APPLICANT:
**Dr A Gida**

PROPOSAL:
**Proposed erection of boundary fence on existing wall and brick pillars for gates**

EARLIEST DATE FOR DECISION: **08/04/2000**

APPLICATION EXPIRY DATE: **28/04/2000**

CASE OFFICER: **Emy Circuit**

# Appeal Decision

Site visit made on 09 January 2001

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

**by J Trevor Graham FRICS**

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

Date 30 JAN 2001

**Appeal Ref: APP/X0360/A/00/1051970**
**113 Tippings Lane, Woodley, Reading, Berkshire, RG5 4RY.**

- 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 Dr. A.S.Gida against the decision of Wokingham District Council.
- The application (ref: F/2000/0831), dated 24 February 2000, was refused by notice dated 17 April 2000.
- The development proposed is described as, the erection of boundary fence on existing wall and brick pillars for gates.

**Summary of Decision: The appeal is dismissed.**

## Procedural Matters

1. The fence and gates have already been erected. I am therefore considering the appeal as though it was for the retention of boundary fence on the existing wall and brick pillars for gates.

## Main Issues

2. The main issues in this appeal are the effect of the fence on the character and appearance of the street scene and on the natural surveillance of the public realm.

## Planning Policy

3. The Development Plan for the area comprises the Berkshire Structure Plan and the Lodden Area Local Plan adopted in May 1995. The Wokingham District Local Plan has reached the second phase of a public inquiry. This emerging Local Plan is therefore at an advanced stage towards adoption and should be afforded due weight in accordance with the guidance set out in paragraph 48 of PPG1.

4. Policies of the Lodden Area Local Plan of particular relevance to this appeal include Policies LBE1 - Design of New Development and LBE2 - Inappropriate Design. Policies of the emerging District Wide Local Plan of relevance to this appeal include Policies WBE1 - Development in its Local Context and WBE5 - Natural Surveillance of the Public Realm.

5. Policies LBE1 and LBE2 of the adopted Local Plan and Policy WBE1 of the emerging Local Plan aim to produce a high standard of design which respects the local context and makes a positive contribution to the setting and character of the area. In particular Policy WBE1 identifies considerations that the Council will have regard to when considering applications for development. These include a) its environmental impact, b) its visual impact, c) the local townscape and g) safety and security. Policy WBE5 states that new

development should promote safe and secure environments, including maximising opportunities for all areas of the public realm to be subject to natural surveillance.

**Reasons**

6. The appeal premises occupy a visually prominent position on the outside of a substantial bend in Tippings Lane. The front boundary treatment of the appeal premises comprises a brick wall about 1.2m high topped with close boarded fencing about 0.8m high abutting the back edge of the footway and both sides of the drive leading to tall metal gates set back about 5m from the footway.

7. Development in this part of Tippings Lane is predominantly residential, comprising a mixture of terraced, semi-detached and detached houses and blocks of 3 storey flats. Boundary treatments along Tippings Lane are also mixed, comprising mainly open plan frontages, and some with shrubbery and low walls or fencing.

8. The height and solid nature of the fencing on the wall is clearly out of keeping with the boundary treatments of neighbouring properties. In my view, it presents a discordant feature in a particularly visually prominent position, seriously out of character with and detrimental to the appearance of the street scene.

9. There is no verge or planting area between the back edge of the footpath and the boundary and I consider it unlikely that planting inside the boundary wall would soften the appearance of the fence to an extent sufficient, to make it acceptable.

10. The height and solid nature of the fence clearly obstructs views towards and from the house at ground level. It therefore restricts the overall level of surveillance in this part of Tippings Lane.

11. I appreciate the appellant's wish to reduce littering of the front garden area and to improve security and the safety of his children. However, in my opinion these considerations are not sufficient to outweigh the objections to the development.

12. In summary I consider that due to its height and solid construction the fence along the front boundary of the appeal premises is harmful to the character an appearance of this part of Tippings Lane and it reduces surveillance of the public realm. The development is therefore contrary to the policies of the adopted and emerging Local Plans referred to above and it is unacceptable.

**Conclusions**

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

**Formal Decision**

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

J Trevor Graham
Inspector



# WOKINGHAM DISTRICT COUNCIL

## TOWN AND COUNTRY PLANNING ACTS

### Notification of Refusal of Permission

**Dr A Gida**
**113, Tippings Lane**
**Woodley**
**Reading**
**RG5 4RY**

**Application Number: F/2000/0831**

**Parish:** **WOODLEY**

**Location:** **113, Tippings Lane, Woodley, Reading.**

**Proposal:** **Proposed erection of boundary fence on existing wall and brick pillars for gates**

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 subject to compliance with the following conditions, the reasons for which are specified hereunder.

**Reason**
1. The fence, due to its height and solid construction, is out of character with its surroundings and harmful to the steet scene. It is, therefore, contrary to Policy WBE1 of the Wokingham District Local Plan (Deposit Draft) and Policies LBE1 and LBE2 of the Loddon Area Local Plan.

**Reason**
2. The fence, due to its height, reduces natural surveillance of the public realm. It is therefore contrary to Policy WBE5 of the Wokingham District Local Plan (Deposit Draft).

CH

Head of Planning and Transportation
Date: 17 April 2000

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

**WORK SHEET FOR :** Emy Circuit

**Application Number :** F/2000/0831

**Applicant :** Dr A Gida .

**Location :** 113, Tippings Lane, Woodley, Reading.
**Proposal :** Proposed erection of boundary fence on existing wall and brick pillars for gates

| **Site Notice Displayed ? :** | YES | NO | DATE |
|---|---|---|---|
| | ✓ | | 21/3/00 |

**Date of Neighbour Notifications :** ✓

**Date of Site Visit :** 21/3/00

**Date Registered : 03/03/2000**

**Earliest Date for Decision : 08/04/2000**

**Latest Consultation Date/Site Notice Expiry Date : 08/04/2000**

**Application Expiry Date: 28/04/2000**

**Consultation Responses :**

Woodley TC - "no comment"
Property - no objection
Highways - no objection
Neighbours - out of keeping + an eye sore - request refusal

**Planning Issues :**

Identified Settlement
Neighbours | Street Scene

**Application Number:** F/2000/0831
113 Tippings Lane, Woodley

**Appraisal:** This is a retrospective application for erection of close board fencing above an existing 1.2 metre brick wall, increasing the total height to 2 metres. The fence has also been extended along the sides of the driveway for 5 metres and brick piers have been built, supporting 1.8 metre metal gates.

The surrounding area is characterised by enclosed or partly enclosed front gardens. There are a variety of treatments including walls, fences, hedges and shrubs but these are predominantly low and any height is provided by planting, which has a soft appearance. In this setting, the fence forms an uncharacteristically high and solid feature which is obtrusive and harmful to the character of the area.

In addition, the fence reduces natural surveillance of the public realm. The property has a 15 metre deep front garden, which is sufficient to protect the privacy of occupants.

**Recommendation:** refusal

## Application Number F/2000/0831
## Conditions/Reasons for Refusal

| No | Std Con | Std Reas | Non Std Conditions / Reasons for Refusal |
|---|---|---|---|

1. The fence, due to its height and solid construction, is out of character with its surroundings and harmful to the street scene. It is, therefore, contrary to policy WBE1 of the WDLPDD and Policies LBE1 and LBE2 of the LALP.

2. The fence, due to its height, reduces natural surveillance of the public realm. It is therefore contrary to policy WBE5 of the WDLPDD.

# RECORD OF SITE VISIT

SITE ADDRESS: 113 Tippings Lane Woodley Reading.

APPLICATION NUMBER: F/2000/0831

OFFICER: Emy Circuit

DATE OF SITE VISIT: 21/3/00

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes - on fence to right of gates

2. DESCRIPTION OF SURROUNDINGS residential - various styles and ages, characterised by low and/or sparse planting, with some higher hedges, low fences and walls to front boundaries - also to rear fronting open space.

3. DESCRIPTION OF SITE/BUILDING two-storey detached with detached double garage. fence mounted on front wall + forming enterance to drive with gates set back so can pull off road.

4. RELATIONSHIP TO ADJOINING PROPERTIES
located on bend in road permitting longer views. footpath to side of property. green and play area at rear.

5. SITE CONSTRAINTS

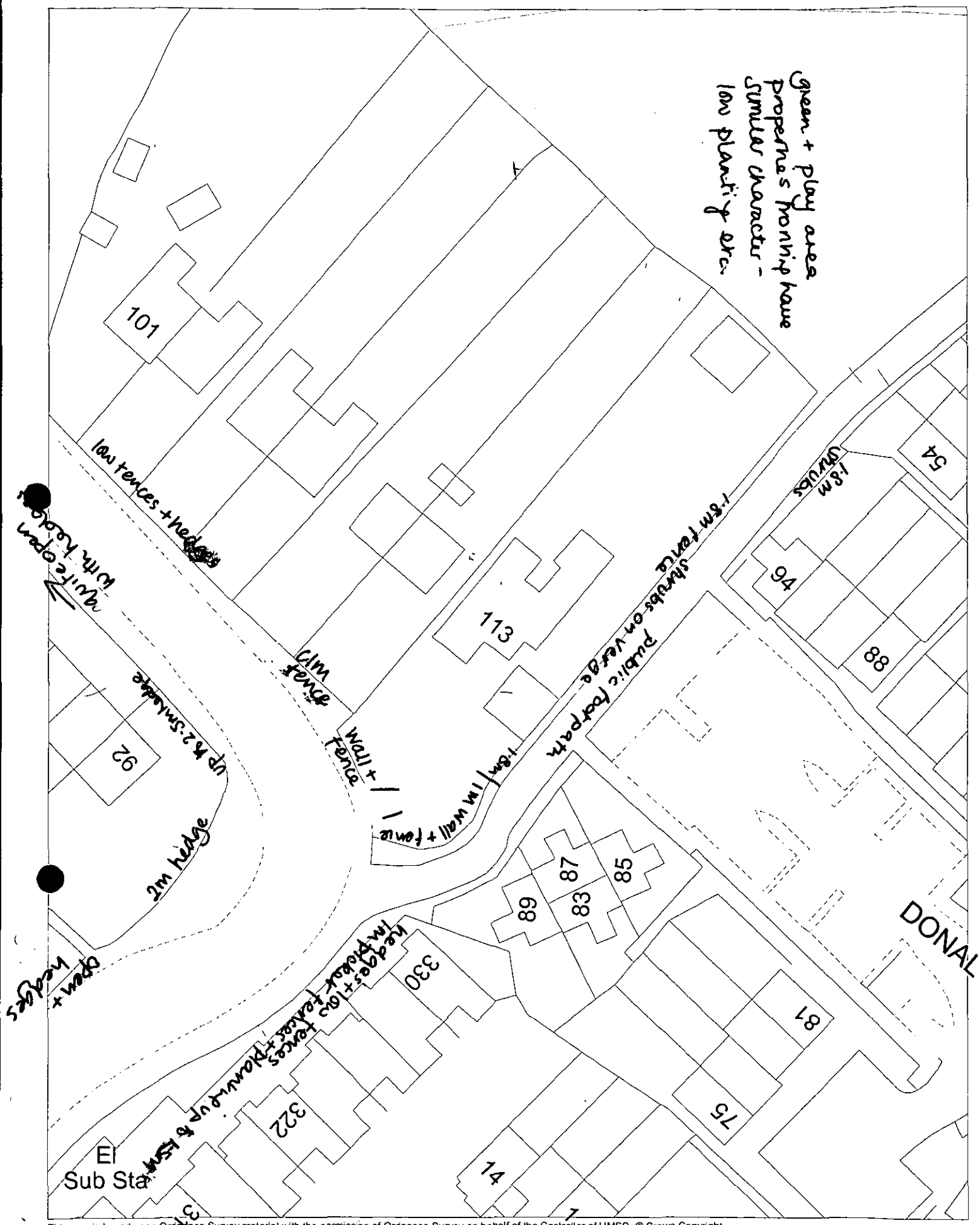
TREES /

ACCESS/PARKING double garage & driveway

LEVELS

BOUNDARY TREATMENT see plan.

OTHERS

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Development Control Section, Environmental Services, Wokingham District Council.
20 March 2000 Scale: 1 : 500

N W E S

**Received by Wokingham District Council**

# Application No: F/2000/0831

**Proposal:**
Proposed erection of boundary fence on existing wall and brick pillars for gates

**Location:**
113, Tippings Lane, Woodley, Reading.

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

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

**WOODLEY LIBRARY HEADLEY ROAD WOODLEY (9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday. 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 letter for delivery of plans.**

**Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Emy Circuit P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 08/04/2000. 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**

## WOKINGHAM D.C. DEVELOPMENT CONTROL

| Start date: 03 MAR 2000 | |
|---|---|
| Officer: EXC | Application No. F/2000/0831 |

Map No. 42 Site 0.07

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

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

Level: ☐ **Sub Committee** ☑ **Delegated** ☐ **Sec. State**

☐ **Incorrect Fee** ☐ **Invalid** ☐ **PD**

Description: (F) PROPOSED ERECTION OF FENCE ON BOUNDARY EXISTING WALL AND BRICK PILLARS FOR GATES

Location: 113 TIPPINGS LANE

Parish: WOODLEY Ward: Coronation 15-3-2000

Applicant: DR A GIDA

**Fee** Received 95-00 Required ..... Additional ..... Refund .....

Enforcement Section (5) to be notified ☐ tick if required

---

**Additional information required for validation**

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

APPLN NO. _____

## ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

---

Date Site Notice Sent : 15.3.2000 Parish Council Informed - YES / NO

### INTERNAL CONSULTATIONS

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

### EXTERNAL CONSULTATIONS

| | |
|---|---|
| Adjacent D P A | : ..... |
| Adjacent Parish | : ..... |
| Southern Electricity Board | BN: ..... |
| British Gas | BM: ..... |
| PSA Oil Pipeline | BD: ..... |
| Transco | : ..... |
| Environment Agency | BP: ..... |
| Rail Track | BI: ..... |
| Police Arch. Liaison Officer | PC: ..... |

### HERITAGE BODIES

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

**OTHERS:**

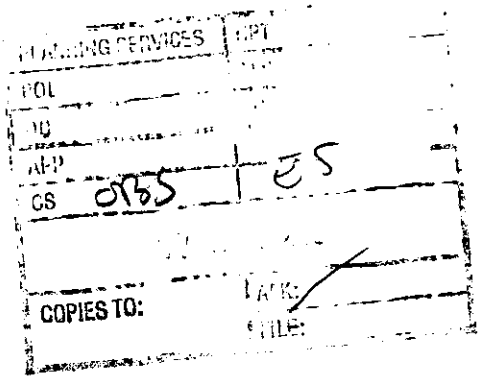
.....

.....

No pre-apps

### NEIGHBOURS:

S/N + 111 Tippings Lane ✓
328, 330 Headley Road East ✓
85, 87, 89 Donaldson Way
54 & 94 Donaldson Way




27, DUFFIELD ROAD,
WOODLEY,
READING,
RG5 4RL
6 - 4 - 00

Dear Sir or Madam,

PLANNING APPLICATION N° F/2000/0831

I am taking the opportunity to comment on the above application in 113, Tippings Lane, Woodley.

Having looked at the already erected 2M fence and seen the 2M high gates I am writing to ask you to not allow such an enclosure.

The enclosure is totally out of keeping with the surrounding properties and is thus an "eye sore".

I suggest that the criteria for giving permission should be; What would Tippings Lane and Headley Road East look like if all houses were enclosed by 2M high fences and gates. The obvious answer is "awful". So please do not permit the application

Yours sincerely

J.H. Smith

(J.H. SMITH)

FROM: Emy Circuit

DATE: 15 March 2000

PLANNING PEER
POL
DC
APP
CS
31 MAR 2000
COPIES TO:
ACK:
FILE:

## WOODLEY TOWN CONSULTATION SHEET

**Application Number:** F/2000/0831

**Proposal:** Proposed erection of boundary fence on existing wall ~~and brick pillars~~ for gates.

**Site Address:** 113, Tippings Lane, Woodley, Reading.

**Applicant:** Dr A Gida .

Your observations are required in respect of this application **by 08/04/2000** .

---

The committee made no comment on this application.

SIGNED: Alan Keen DATE: 29.3.00.

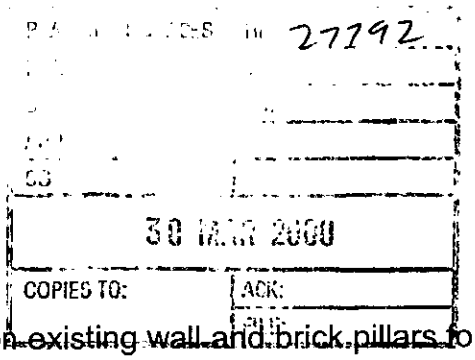
Clerk To Woodley Parish/Town Council.

~~To:~~
**Property Dept**

To ~~From~~: Emy Circuit

**Date:** 27 March 2000

**Application Number:** F/2000/0831




**Proposal:** Proposed erection of boundary fence on existing wall and brick pillars for gates.

**Site Address:**
113, Tippings Lane, Woodley, Reading.

**Applicant:**
Dr A Gida .

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

---

This Section has no objection to the proposed development.

S. Shepherd.
PROPERTY MANAGEMENT OFFICER

29/3/00.

**HIGHWAYS CONSULTATION SHEET**

**From:** Emy Circuit

**Date:** 15 March 2000

**Application Number:** F/2000/0831

**Proposal:** Proposed erection of boundary fence on existing wall and brick pillars for gates

**Site Address:**
113, Tippings Lane, Woodley, Reading.

**Applicant:**
Dr A Gida .

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).

---

**Signed:** N.S. Trotter **Print name:** N TROTTER

28-3-00

| Applicationo | Name & Address |
| --- | --- |
| F/2000/0831 | JH Smith<br>27 Duffield Road<br>Woodley<br>RG5 4RL |

App refused, letter sent
20/04/00

# Environmental Services

For office use only
Application number 03.MAR2000* 0631

## Householder planning application form

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

| | | |
|---|---|---|
| 1 | Your name<br>Address and postcode<br><br><br>Phone number | DR. A.S. GIDA<br>113 TIPPINGS LANE<br>WOODLEY<br>READING RG5 4RY<br>0118 9618417 |
| | Agent's Name<br>Address and postcode<br><br><br>Phone number | |
| 3 | Site<br>We need you to send in six copies of the 1:2500 scale location plan and six copies of the 1:500 scale block plan, with the site outlined in red. You can buy these maps from the Environmental Services reception or order them by phoning 0118 974 6485. | 113 TIPPINGS LANE<br>WOODLEY<br>READING |
| 4 | Give brief details of the proposal for example, two storey side extension.<br>About the application | ADD CLOSEBOARD FENCE ABOVE EXISTING BRICK WALL, BUILD 2 BRICK PILLARS FOR METAL GATES |
| 5 | Are there any trees on the site?<br>If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down. | Yes ☐ No ☑ |
| 6 | Please list the external materials you will use for example, red brick to match any existing bricks and dark stained timber. | PILLAR BRICKS TO MATCH EXISTING WALL, STAIN FENCE TIMBER |
| 7 | Will the proposal change the pedestrian or vehicle access to the site?<br>Please show details of the existing access and any proposed changes on the plans. | Yes ☐ No ☑ |
| 8 | Will the car parking provision at the site be changed?<br>If Yes, please show details of any changes on the plans. | Yes ☑ No ☐ |

Crystal Mark 3544
Clarity approved by Plain English Campaign

Please turn over

| | | | |
|---|---|---|---|
| 9 | How many bedrooms does the property have? | Existing: 6 | Proposed: 6 |
| 10 | Does a public right of way touch the site? If yes, please show the route and any proposed alternative on the plans. | Yes ☐ | No ☑ |
| 11 | Checklist. Please make sure that you enclose the following. | | |
| | a Six copies of this form signed and dated. | | |
| | b The fee (We have attached a current scale of fees). If you do not have to pay a fee, please say why below. | | |
| | | | |
| | c Six copies of each set of plans and drawings listed below. | | |
| | • 1:2500 scale location plan with the site outlined in red. | | |
| | • 1:500 scale site layout plan. | | |
| | • 1:100 or 1:200 scale floor plans and elevations. | | |

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

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

**Certificate A**

I certify that

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

**Certificate B**

I certify that

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

Owner's name | Address at which the notice was served | Date on which the notice was served

None of the land forms part of an agricultural holding.

Your signature: A Gilda. on behalf of

Date 24/2/2000

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

"GLENDALE,"

ADDRESS 113 TIPPINGS LANE PARISH WOODLEY

PLOT No. Old Property ORD. SHEET No. SU.7773(4

BUILDER

| Plan No. | Applicant | Description of Development | Date of Decision | Decision |
|---|---|---|---|---|
| R/293/62 | Mr. J. Wilkinson | Use of garage at rear for light engineering | 14.12.62 | N/A Refus |
| R/493/70 | Mr E. C White | Change of use & erection of car port | 29.10.70 | N/A-Refus |
| 923/73 | Mr R A Thorne | Extens & Additions | 5.7.73 | - C/A |
| 35610 | BRYAD | REPL. GARAGE / STORE OVER | 2.7.90 | REL. |
| 36836 | " | " / NEW ACCESS | 6.2.91 | C/A |
| | | | | |
| | | | | |
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| | | | | |

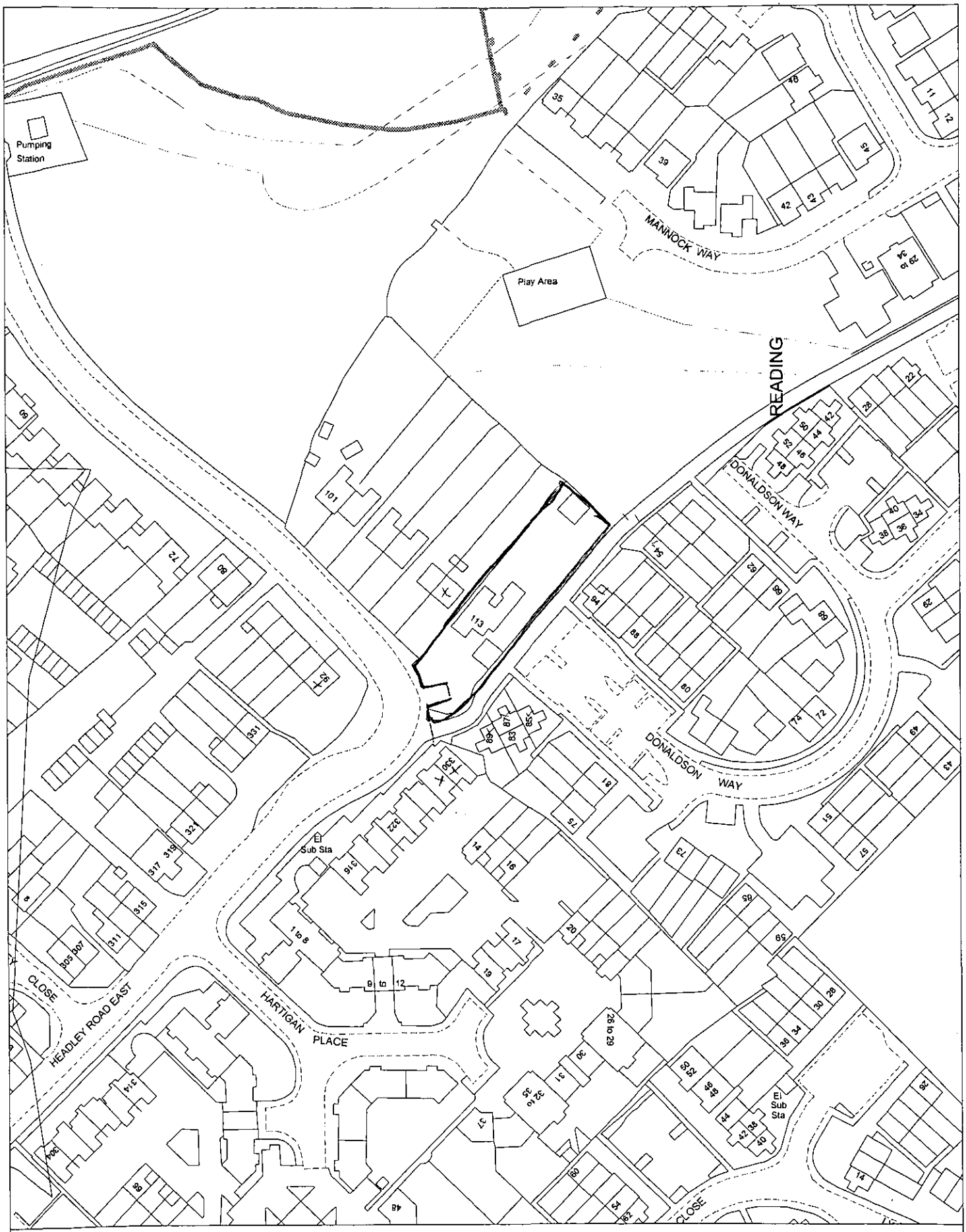
DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

03.MAR2000* 0831




# Site Plan, Scale: 1 to 1250

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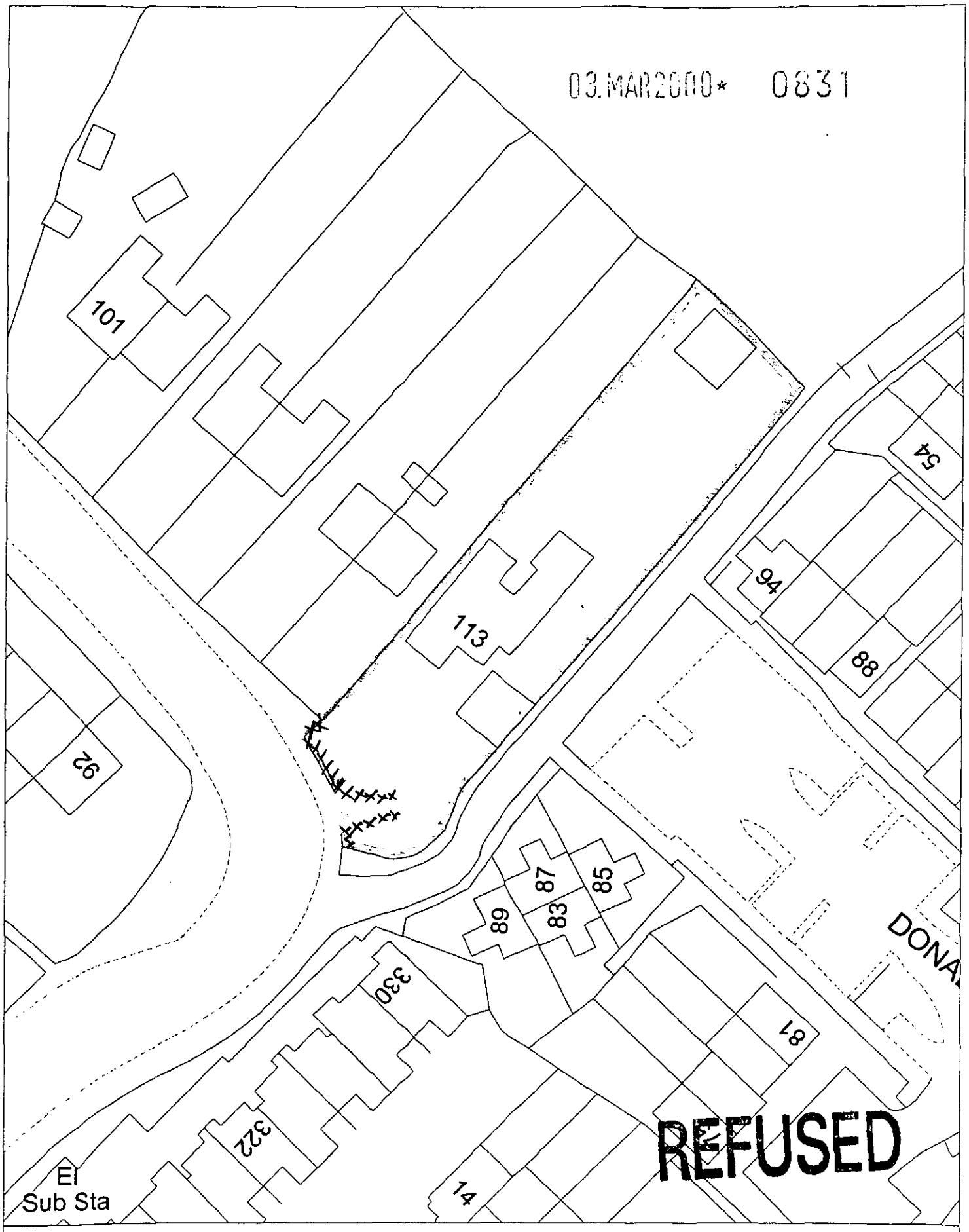
Date: 10 March 2000

N
W E
S

03.MAR2000* 0831




Site Plan, Scale: 1 to 500

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Date: 17 February 2000

N
W E
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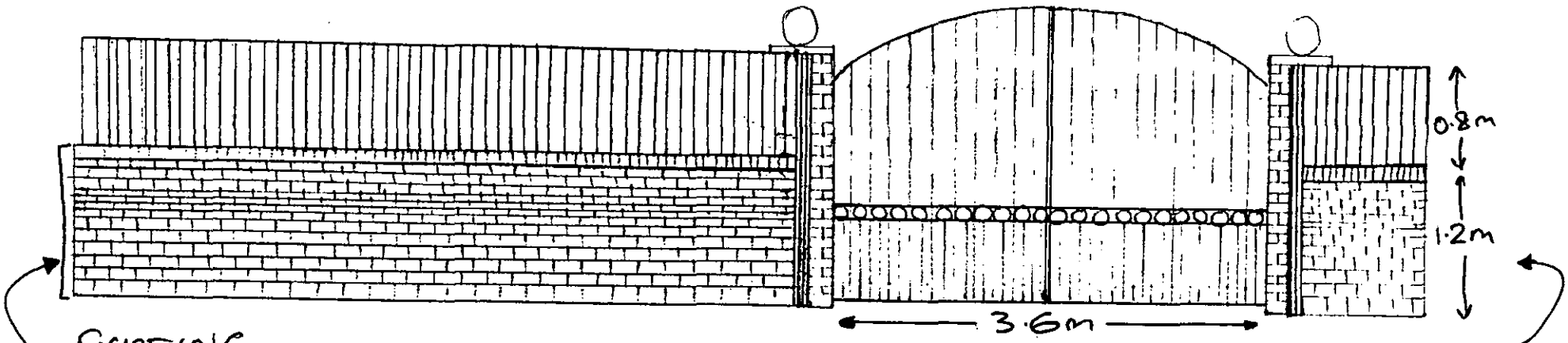
113 TIPPINGS LANE
WOODLEY
READING.

FRONT ELEVATION
(LOOKING STRAIGHT
AT PILLARS & GATES)



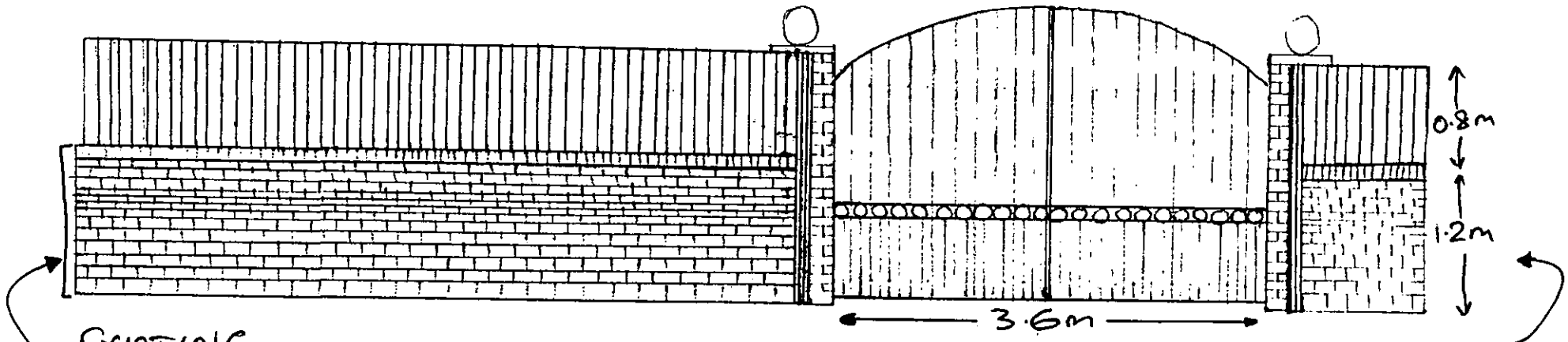

SCALE 1:50

REFUSED

03.MAR2000* 0631

113 TIPPINGS LANE
WOODLEY
READING.

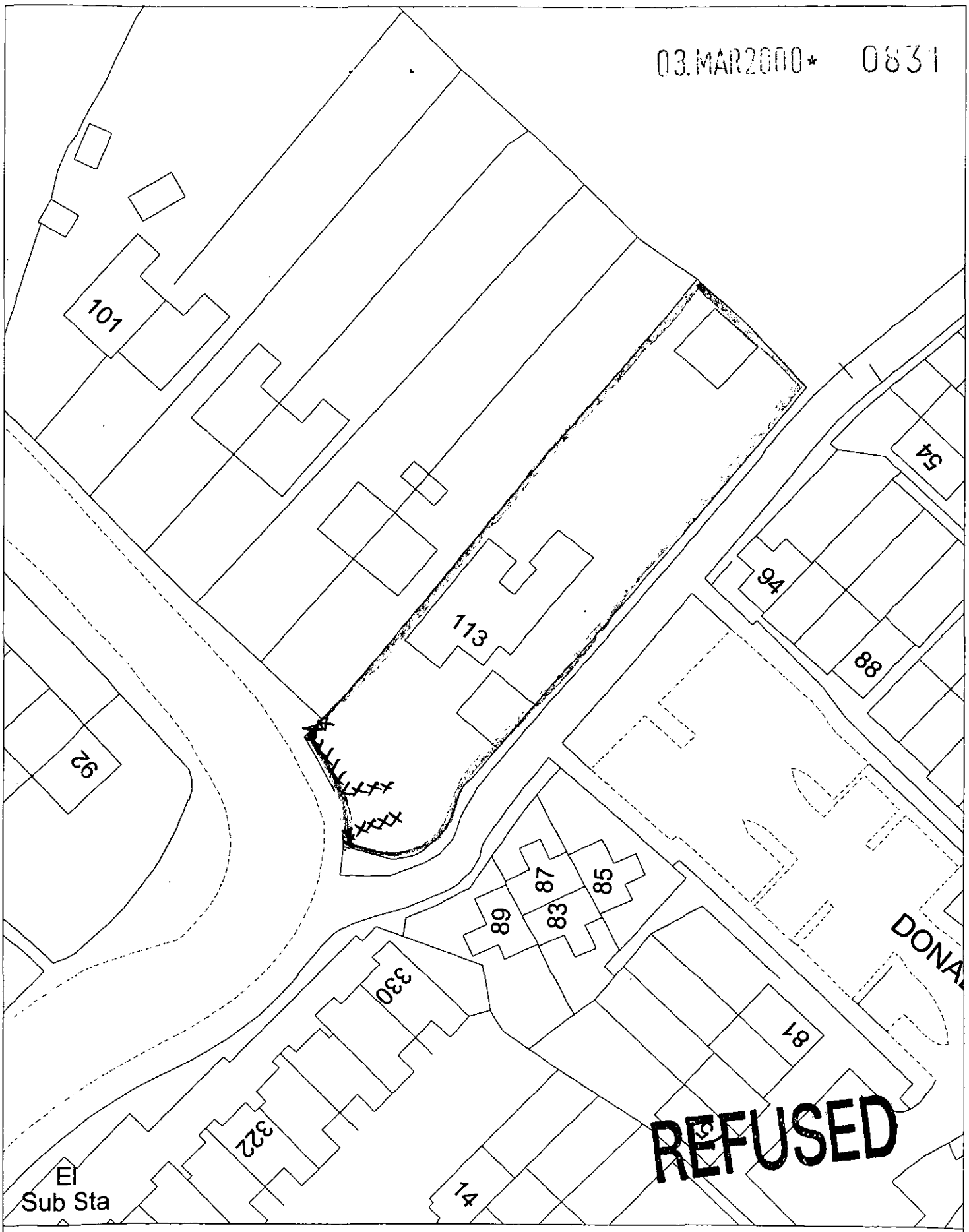
FRONT ELEVATION
(LOOKING STRAIGHT
AT PILLARS & GATES)




SCALE 1:50

REFUSED

03.MAR2000* 0831




Site Plan, Scale: 1 to 500

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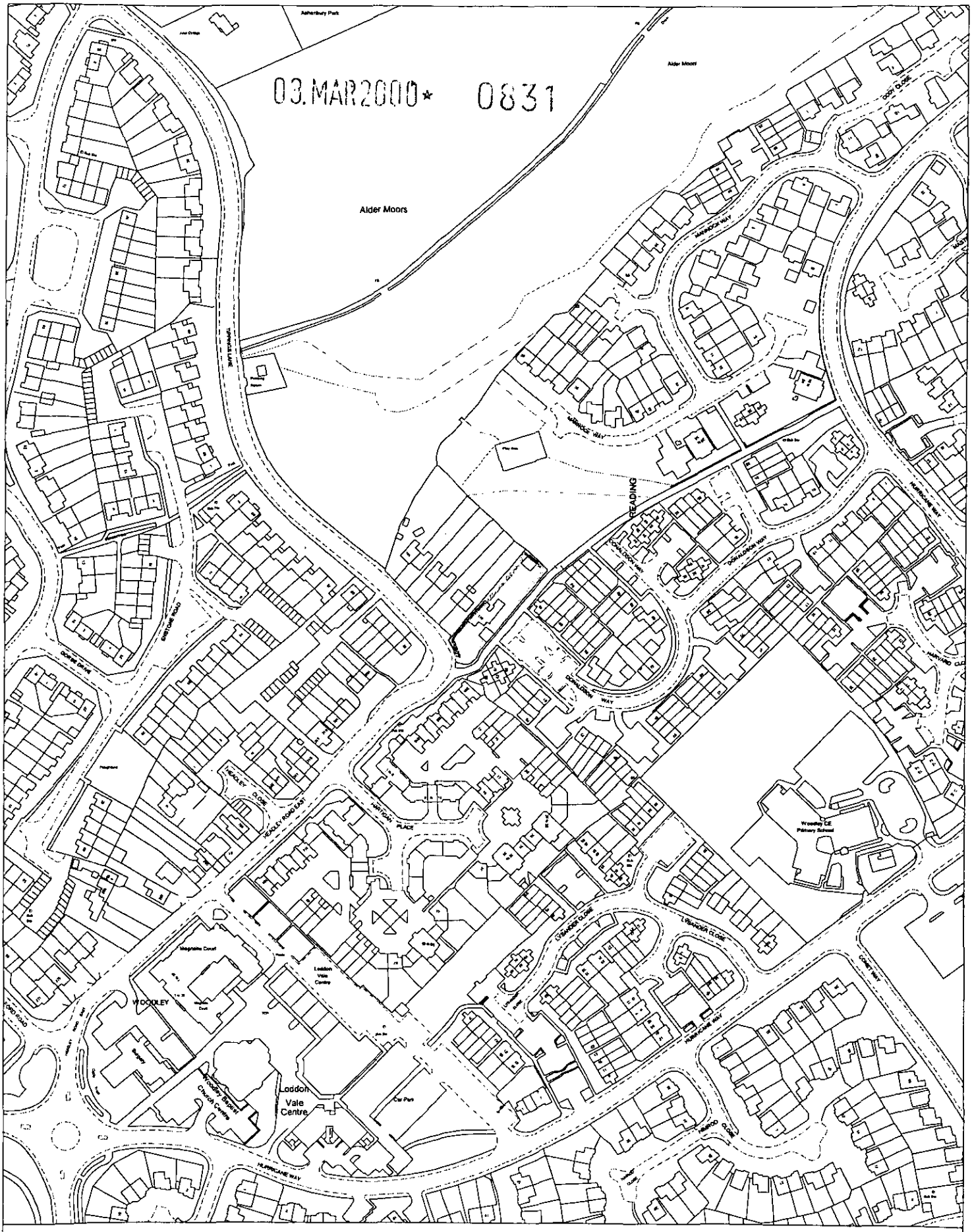
Date: 17 February 2000




## Site Plan, Scale: 1 to 2500

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Date: 17 February 2000

N
W E
S

SOUTHPORT U.K.
LONDON OFFICE
SYSTEMS LTD

# APPLICATION NO.0831

Name of appellant:
A S Gida

Site address:
113 Tippings Lane

Proposal:Proposed erection of boundary fence on existing wall & brick pillars for gates.

Case Officer:EXC

Dismissed
30/01/01

Date Commenced

Date Completed

# WRITTEN REPRESENTATIONS APPEAL

CASE OFFICER: EXC

APPLICATION NUMBER: 0831

APPELLANT: A S Gida

SITE: 113 Tippings Lane, Woodley

APPEAL REF: APP/X0360/A/00/1051970

START DATE: 19/10/00

DATE OF SITE VISIT 09/01/01

Dismissed 30/01/01

| Progress Record | Date Actioned | Initials | Time Hours : Mins. |
|---|---|---|---|
| Appeal Logged: | 23/10/00 | | |
| Entered on Access: | 23/10/00 | DG | |
| **Notification Letters Due:** | **02/11/00** | | |
| Notification Letters Sent: | 30/10/00 | DG | |
| **Questionnaire Due:** | **02/11/00** | | |
| Questionnaire Sent: | 30/10/00 | DG | |
| **File received by Officer:** | 24/10/00 | | |
| **Statement Due:** | **30/11/00** | | |
| Checked by Team Leader: | — | | |
| **Statement Sent: X2** | 14/11/00 | DG | |
| **Comments on Statement Due** | 21/12/00 | | |
| **Comments on Statement Sent X2** | — | | |
| Decision letter circulated: | 02/02/01 | | |
| Decision entered on Access. | 07/02/01 | DG | |

# Appeal Decision

Site visit made on 09 January 2001

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

**by J Trevor Graham FRICS**

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

Date 30 JAN 2001

**Appeal Ref: APP/X0360/A/00/1051970**
**113 Tippings Lane, Woodley, Reading, Berkshire, RG5 4RY.**

- 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 Dr. A.S.Gida against the decision of Wokingham District Council.
- The application (ref: F/2000/0831), dated 24 February 2000, was refused by notice dated 17 April 2000.
- The development proposed is described as, the erection of boundary fence on existing wall and brick pillars for gates.

**Summary of Decision: The appeal is dismissed.**

## Procedural Matters

1. The fence and gates have already been erected. I am therefore considering the appeal as though it was for the retention of boundary fence on the existing wall and brick pillars for gates.

## Main Issues

2. The main issues in this appeal are the effect of the fence on the character and appearance of the street scene and on the natural surveillance of the public realm.

## Planning Policy

3. The Development Plan for the area comprises the Berkshire Structure Plan and the Lodden Area Local Plan adopted in May 1995. The Wokingham District Local Plan has reached the second phase of a public inquiry. This emerging Local Plan is therefore at an advanced stage towards adoption and should be afforded due weight in accordance with the guidance set out in paragraph 48 of PPG1.

4. Policies of the Lodden Area Local Plan of particular relevance to this appeal include Policies LBE1 - Design of New Development and LBE2 - Inappropriate Design. Policies of the emerging District Wide Local Plan of relevance to this appeal include Policies WBE1 - Development in its Local Context and WBE5 - Natural Surveillance of the Public Realm.

5. Policies LBE1 and LBE2 of the adopted Local Plan and Policy WBE1 of the emerging Local Plan aim to produce a high standard of design which respects the local context and makes a positive contribution to the setting and character of the area. In particular Policy WBE1 identifies considerations that the Council will have regard to when considering applications for development. These include a) its environmental impact, b) its visual impact, c) the local townscape and g) safety and security. Policy WBE5 states that new

development should promote safe and secure environments, including maximising opportunities for all areas of the public realm to be subject to natural surveillance.

**Reasons**

6. The appeal premises occupy a visually prominent position on the outside of a substantial bend in Tippings Lane. The front boundary treatment of the appeal premises comprises a brick wall about 1.2m high topped with close boarded fencing about 0.8m high abutting the back edge of the footway and both sides of the drive leading to tall metal gates set back about 5m from the footway.

7. Development in this part of Tippings Lane is predominantly residential, comprising a mixture of terraced, semi-detached and detached houses and blocks of 3 storey flats. Boundary treatments along Tippings Lane are also mixed, comprising mainly open plan frontages, and some with shrubbery and low walls or fencing.

8. The height and solid nature of the fencing on the wall is clearly out of keeping with the boundary treatments of neighbouring properties. In my view, it presents a discordant feature in a particularly visually prominent position, seriously out of character with and detrimental to the appearance of the street scene.

9. There is no verge or planting area between the back edge of the footpath and the boundary and I consider it unlikely that planting inside the boundary wall would soften the appearance of the fence to an extent sufficient, to make it acceptable.

10. The height and solid nature of the fence clearly obstructs views towards and from the house at ground level. It therefore restricts the overall level of surveillance in this part of Tippings Lane.

11. I appreciate the appellant's wish to reduce littering of the front garden area and to improve security and the safety of his children. However, in my opinion these considerations are not sufficient to outweigh the objections to the development.

12. In summary I consider that due to its height and solid construction the fence along the front boundary of the appeal premises is harmful to the character an appearance of this part of Tippings Lane and it reduces surveillance of the public realm. The development is therefore contrary to the policies of the adopted and emerging Local Plans referred to above and it is unacceptable.

**Conclusions**

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

**Formal Decision**

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

J Trevor Graham
Inspector



**TOWN AND COUNTRY PLANNING ACT 1990**

**SECTION 78 APPEAL**

| | |
|---|---|
| **APPELLANT:** | **A S Gilda** |
| **APPEAL SITE:** | **113 Tippings Lane, Woodley** |
| **REASON FOR APPEAL:** | **Refusal of Retrospective Planning Permission for the erection of a boundary fence on the existing wall and brick pillars for gates** |

**LOCAL PLANNING AUTHORITY REFERENCE : F/2000/0831**

**DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/00/1051970**

## 1.00 SITE DESCRIPTION

1.01 113 Tippings Lane is a detached, two-storey dwelling, located on a 0.07 hectare site, within the Identified Settlement of Woodley. The area is predominantly residential, containing properties of a variety of ages and designs. The appeal site is located on a bend in the road. Adjacent to the south-eastern boundary is a public footpath, which provides access to an area of public open space immediately to the rear of the site and other residential areas. Seventy metres to the north-west is a wedge of countryside.

A site location plan at scale 1:1250 is contained in Appendix 1 .

## 2.00 RELEVANT PLANNING HISTORY

2.01 Construction of 113 Tippings Lane predates planning records. Extensions to the property were approved in 1973 and in 1991 permission was granted for a replacement garage and new access. In March 2000 a retrospective application for the erection of a boundary fence on top of the existing wall and brick gate pillars was refused for the following reasons:

1. *"The fence, due to its height and solid construction, is out of character with its surroundings and harmful to the street scene. It is, therefore, contrary to policy WBE1 of the WDLPDD and Policies LBE1 and LBE2 of the LALP."*

2. *"The fence, due to its height, reduces natural surveillance of the public realm. It is therefore contrary to policy WBE5 of the WDLPDD."*

## 3.00 POLICY BACKGROUND

3.01 The development plan for the area comprises of the Berkshire Structure Plan and the Loddon Area Local Plan. There is also an emerging district wide local plan.

3.02 The Loddon Area Local Plan (LALP) was adopted on 5 May 1995 and, on 26 November 1996, the Planing and Transportation Committee resolved that it should continue to carry weight as the most up to date adopted plan, except in relation to housing provision. The following LALP policies are relevant to this appeal.

LBE1 Design of New Development
LBE2 Inappropriate Design

Copies of these policies are contained in Appendix 2 .

3.03 The emerging local plan is the Wokingham District Local Plan Deposit Draft (WDLPDD). Berkshire County Council issued a statement of general conformity with the structure plan in May 1997 and the plan was placed on deposit in 21 October 1997. The first phase of the Public Local Inquiry into the emerging plan took place between October 1998 and October 1999 and the second phase commenced in February 2000. The following policy is relevant to this appeal:

WBE1 Development in its Local Context
WBE5 Natural Surveillance of the Public Realm

At Deposit two objections and one support for Policy WBE1 and two objections to policy WBE5 were received. No amendments to either policy were proposed.

Copies of these policies are contained in Appendix 3 .

## 4.00 THE COUNCIL'S CASE

4.01 Policies LBE1 and LBE2 of the adopted local plan and policy WBE1 of the emerging local plan aim to promote a high standard of design, which respects its local context and makes a positive contribution to the setting and character of the area in which it is situated. In assessing proposals the Local Planning Authority will take into consideration to a range of factors including siting, scale, form, massing, materials, colour and texture, visual impact, the local townscape and the privacy and amenity of the existing environment. Policy WBE5 of the emerging local plan seeks to promote a safe environment and maximise opportunities for surveillance of the public realm.

4.02 Development along Tippings Lane has a linear form with dwellings fronting the highway. The area is characterised by enclosed or partly enclosed front gardens. There are a variety of boundary treatments including walls, fences, hedges and shrubs but these are predominantly low and any height is provided by planting, which has a softer appearance.

4.03 There is an existing 1.2 metre wall along the front boundary of 113 Tippings Lane. The appeal proposal is for the erection of a 0.8 metre close board fence above this, increasing the height to two metres. The entrance gates to the property are set back from the footpath by five metres, and the fencing is continued along the sides of the drive to two 1.8 metre gate pillars, supporting gates of a similar height.

4.04 The frontage of the appeal site is particularly prominent in the streetscene, due to its position on a bend in the road and is especially noticeable when viewed from the south-west. The fence forms an uncharacteristically high and solid feature in the streetscene, which is obtrusive and harmful to the character of the area. There is no scope to soften its appearance with shrub planting, as with the fences at the side of the site, which are set back from the path by a verge. The set back entrance gates are also out of character with the surrounding area and this is exacerbated by height of the fence and gates, which draw attention to the uncharacteristic form of development as well as being out of keeping themselves.

4.05 In addition, the fence reduces natural surveillance of the public realm. Since it is enclosing the front garden of the property, which has a semi-public character and where such a high degree of privacy would not normally be expected as in private garden areas it is considered that the 15 metre deep front garden is sufficient to protect the privacy of occupants.

## 5.00 COMMENTS ON THE APPELLANT'S GROUNDS OF APPEAL

5.01 In response to the appellants grounds for appeal, the local planning authority would suggest that the erection of a high fence, restricting views of the front of the property may exacerbate rather than reduce problems of security and litter mentioned in parts 1) and 2).

5.02 With regard to paragraph 3), the prevailing character of the surrounding area and the impact of the appeal proposals have been described in paragraphs 4.02 - 4.04 above.

5.03 In paragraph 5) the appellant suggests that the proposals do not restrict surveillance from neighbouring properties. However, the fence

does prevent 113 Tippings Lane contributing to the overall level of surveillance.

5.04 The local authority doubts whether the fence could ever appear as a dense hedge, as suggested in paragraph 6), and it is not considered this would overcome the reasons for refusal.

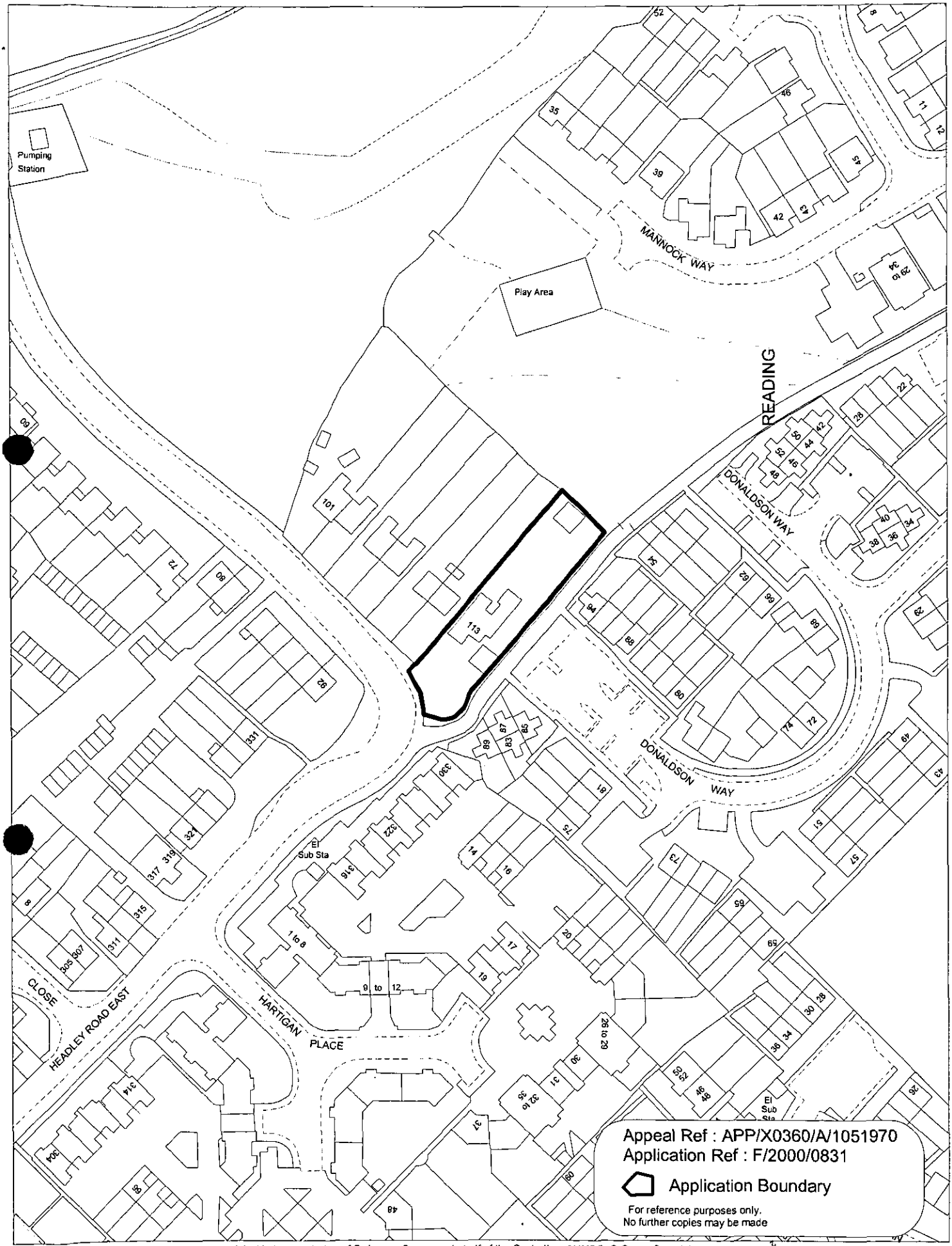
## 6.00 CONCLUSION

6.01 Due to its height, solid construction and location, at the front of the property, the boundary treatment is out of character with the surrounding area and detrimental to the streetscene. Furthermore it would reduces surveillance of the public realm and hence the security of the environment. For these reasons the proposals are contrary to the policies cited and the Inspector is respectfully requested to dismiss this appeal.

## LIST OF APPENDICES

1. Location plan at 1:1250
2. Extracts from the Loddon Area Local Plan
3. Extracts from the Wokingham District Local Plan Deposit Draft

**Appendix 1**
**Location plan at 1:1250**

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Development Control Section, Environmental Services, Wokingham District Council.

Scale: 1 : 1250

N W E S

# Appendix 2
# Extracts from the Loddon Area Local Plan

# LODDON AREA LOCAL PLAN

## Adopted 5 May 1995

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG40 1WR
Telephone: (01734) 778798
Fax: (01734) 778735

# 1.4 QUALITY AND 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 development, 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. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers. 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 the 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 proposing 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 or required to establish the wider context within which applications will be considered.

### ❖ *LBE1 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;*

# FARM SHOPS AND OTHER SIMILAR RETAIL ACTIVITIES IN RURAL AREAS

**1.3.53** Increased car ownership has improved accessibility to the countryside. Combined with changes in shopping preferences and clear cost advantages, this has encouraged many producers to sell direct to the public. The local plan area accordingly contains a number of farm shops, "country markets", garden centres, and "pick your own" schemes. Where the size of the operation remains small or seasonal it is unlikely to cause any local nuisance, and many provide positive shopping advantages for local residents in rural areas. As the scale of the activity is likely to be limited by the volume and range of produce grown on the site, it should not seriously affect retail patterns in the area.



**1.3.54** As the scale of such operations increases, problems can arise due to the attraction of large volumes of traffic, parking and access difficulties, the erection of permanent shop premises and the proliferation of advertisements. In addition there may be a tendency to expand the range of goods offered by bringing in merchandise which is not produced on the site. It is not considered that the countryside is a suitable location for the sale of goods other than those produced locally. Similarly it will not normally be acceptable to site a new building divorced from other groups of farm buildings and there will always be a preference for the re-use of existing suitable buildings rather than the erection of new ones.

### ❖ *LC22 FARM SHOPS*

*PLANNING APPLICATIONS FOR THE ESTABLISHMENT OF RETAIL SALES OUTLETS ON EXISTING AGRICULTURAL, HORTICULTURAL OR NURSERY HOLDINGS MAY BE ACCEPTABLE PROVIDED THAT:*

*A) THE SALES ARE TO BE OF FOOD, OR OTHER PRODUCTS WHICH MOSTLY ORIGINATE ON THE SAME SITE OR ANCILLARY HOLDINGS;*

*B) WHERE OTHER MERCHANDISE IS TO BE SOLD WHICH IS NOT PRODUCED ON THE SITE IT SHALL NOT FORM A SIGNIFICANT PROPORTION OF TOTAL SALES EITHER IN VOLUME OR VALUE;*

*C) THERE ARE NO OVER-RIDING HIGHWAY, ENVIRONMENTAL OR PLANNING OBJECTIONS.*

# Appendix 3
# Extracts from the Wokingham District Local Plan Deposit Draft




# 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 WBE5: NATURAL SURVEILLANCE OF THE PUBLIC REALM**

NEW DEVELOPMENTS SHOULD PROMOTE SAFE AND SECURE ENVIRONMENTS, INCLUDING MAXIMISING OPPORTUNITIES FOR ALL AREAS OF THE PUBLIC REALM TO BE SUBJECT TO NATURAL SURVEILLANCE.

Implementation: Through the development control process, including use of Planning Guideline A6.

Monitoring: Use police crime figures, check quality of development on the ground and liaise with the Community Safety Officer.

4.15 In order to ensure that the public realm is attractive, it needs to be well maintained. This policy is intended to encourage good 'urban housekeeping'. This policy applies to all open space areas that are not within enclosed private curtilages. Public and private areas should be clearly defined.

**POLICY WBE6: MAINTENANCE OF THE PUBLIC REALM**

TO ENSURE AN ATTRACTIVE PUBLIC REALM THE COUNCIL WILL SEEK TO ENSURE THAT THE MAINTENANCE OF ANY OPEN SPACE IS PROVIDED FOR BY THE DEVELOPMENT ASSOCIATED WITH IT. THE COUNCIL WILL RESIST APPLICATIONS THAT RESULT IN POORLY ACCESSIBLE, OR UNMANAGEABLE AREAS OF OPEN SPACE (DUE TO THEIR SIZE OR FRAGMENTATION), EXCEPT WHERE THE OPEN SPACE IS PRIMARILY FOR NATURE CONSERVATION INTEREST. WHERE APPROPRIATE, THE COUNCIL WILL SEEK A CONTRACTUAL ARRANGEMENT OR COMMUTED PAYMENT AND LEGAL AGREEMENT, PRIOR TO THE GRANT OF AN ASSOCIATED PLANNING PERMISSION.

Implementation: Through the development control process, including use of design guidance.

Monitoring: Maintenance expenditure.

4.16 'Public Art' is artwork, including sculpture, water features, mosaics, murals and brick sculpture, in the public realm for general enjoyment. The encouragement of public art will help to make the public realm more attractive and distinctive.

**POLICY WBE7: PUBLIC ART**

IN ORDER TO IMPROVE THE PHYSICAL ENVIRONMENT OF THE PUBLIC REALM THE COUNCIL WILL ENCOURAGE THE PROMOTION OF PUBLIC ART, SUBJECT TO APPROPRIATE CONSULTATIVE AND PLANNING CONSIDERATIONS. WHERE NEW DEVELOPMENT CHANGES OR CREATES NEW PUBLIC PLACES, THE COUNCIL WILL EXPECT THE PROVISION OF PUBLIC ART, WHERE IT IS REASONABLY RELATED IN SCALE TO THE PROPOSED DEVELOPMENT, TO BE INCLUDED.

Implementation: Through contributions from the development process.

Monitoring: Projects achieved on the ground.

PLANNING PERMISSION

CLR

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: BRYAD
C/O BRYANT HOMES SOUTHERN LTD
POPES MANOR
MURRELL HILL LANE
BINFIELD BRACKNELL RG12 5DA

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BN

Application No. 36836 (F )

Proposal:
ERECTION OF REPLACEMENT DOUBLE GARAGE WITH NEW ACCESS
GLENDALE 113 TITPINGS LANE WOODLEY

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.(5)

01 REASON This condition is deemed to be attached by virtue of Section 91(1) of the Town and Country Planning Act, 1990.(3R)

02 All the materials to be used in the elevations of the proposed development shall match those of the existing dwelling to the satisfaction of the District Planning Authority, and this condition shall apply notwithstanding any indications as to these matters which have been given in the current application.(1E)

02 REASON To ensure that the materials are in keeping with those existing.(1R)

03 The garage hereby permitted shall be used as a domestic garage only and it shall not be used for business purposes nor for any other purpose without the prior written permission of the District Planning Authority.(64)

03 REASON In the interests of amenity and to ensure that the garage is retained for use in accordance with the District Planning Authority's parking standards.(6aR)

04 No construction work of any sort within the area covered by the application shall take place between the hours of 7.00 pm and 7.00 am on

continued.-

25 - 1

Mondays to Saturdays and no construction work at all shall take place on Sundays or Bank Holidays except with the prior written consent of the District Planning Authority.(125)

04 REASON In the interests of amenity and to prevent undue disturbance to existing residential properties.(122R)

05 No development of the site other than the construction of the approved access shall be undertaken until such time as an access into the site from Tippings Lane has been provided to the satisfaction of the District Planning Authority. The developer shall thereafter ensure that all traffic having business within the site during the construction period is able to park off Tippings Lane and that Tippings Lane and its verges and sight lines are not used for unloading or storage of materials, or for parking.(128)

05 REASON In the interests of traffic flow and road safety.(124R)

06 The ground floor level of the building hereby approved shall not exceed the existing ground levels immediately surrounding it by more than 300 mm without the prior written permission of the District Planning Authority.(129)

06 REASON Changes in levels may materially affect the proposed development or adjoining property.(139R)

07 This permission is in respect of the application as amended by the revised drawings received on 22.01.91 and amending both the siting and design of the proposed development.

07 REASON For the sake of clarity and to ensure a more satisfactory development of the site.(138R)

08 The existing garage structure in the rear garden shall be demolished immediately upon completion and occupation of the new building hereby approved.

08 REASON In the interests of visual amenity.

09 2.00 metre high close boarded fencing to BS 1722 Part 3, 1972 shall be erected on the new boundary line between the rear corner of the approved development and the rear boundary prior to the completion of the development and to the satisfaction of the District Planning Authority. Details of any other fencing and screen planting associated with the development shall be submitted to and approved by the District Planning Authority and implemented prior to the completion of the development. Such details shall include the intended treatment between the front corner of the development and the front boundary of the site.

09 REASON In the interests of visual amenity.

10 The new access and turning area shall be surfaced with a tarmacadam finish to the satisfaction of the District Planning Authority.

10 REASON In the interests of amenity.

continued/-

Application 36836 continued

11 No development shall take place until a Stopping Up Order has been issued under Section 209 of the Town and Country Planning Act 1971 (Section 247 of the Town and Country Planning Act 1990) or the Highways Act 1980 extinguishing highway rights over the section of public highway affected by the development.

11 REASON In the interests of road safety.

12 The existing access crossover shall be permanently closed off at the same time as highway rights are extinguished and the boundary fenced in accordance with the requirements of Condition 9 above to the satisfaction of the District Planning Authority.

12 REASON In the interests of road safety and amenity.

INFORMATIVE:-

The Engineer at Council Offices, Shute End, Wokingham Tel (0734) 786833 should be contacted for the approval of the access construction details before any work is carried out within the highway.(HI3)

Date..... 24 APR 1991 .....

.....
District Planning Officer

N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planning Act 1990 only. Approval may also be required under the Building Regulations.

Note: Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the countryside and townscapes tidy.

INFORMATIVE: If this planning permission relates to the erection or extension of a building, then the following section applies:-

BERKSHIRE ACT 1986- SECTION 32: ACCESS FOR FIRE BRIGADE

(1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-

(a)that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b)that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

continued/-

25 10 32x

**The Planning Inspectorate**

| For official use only |
| --- |
| Date received |

# QUESTIONNAIRE

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

## PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

**APPEAL REF: APP/X0360/A/00/1051970** **GRID REF: SU 77734**

**APPEAL BY:** A S GIDA

**SITE:** 113 TIPPINGS LANE WOOLEY

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.* | 2 | |
| 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; | | |
| l. | Any other relevant information or correspondence you consider we should be aware of. | | ✓ |

16.a. What is the date you told those you notified about the appeal that we must receive any further comments by? — 30.11.00

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

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

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

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

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 30/10/00 OUR REF: F/2000/[redacted]0831

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Norwich NR3 1BQ

**WOKINGHAM DISTRICT COUNCIL**

TOWN AND COUNTRY PLANNING ACT 1990

**APPEAL BY: A S Gida**
**SITE: 113 Tippings Lane, Woodley**
**APPLICATION NO.: 0831**
**PROPOSAL: Proposed erection of boundary fence on existing wall & brick pillars for gates.**

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Coronation

Mr T P Dredge

Mr T D McCann

Clerk(s) of Parish / Town Council of Woodley

Ms D Mander, The Pavilion, Woodford Park, Haddon Drive, Woodley RG5 4LY

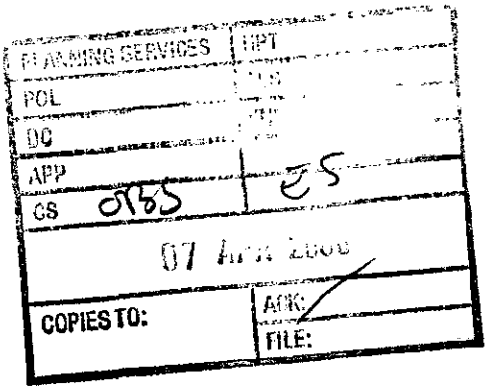
Environmental Services Department, Engineering Services, Wokingham District Council,
PO Box 157, Council Offices, Shute End, WOKINGHAM, Berkshire, RG40 1WR

| | |
|---|---|
| Appeal Reference: | APP/X0360/A/00/1051970 |
| LPA Reference: | F/2000/0831 |
| Appeal Site: | 113 Tippings Lane |
| Appellant: | Dr A S Gida |
| Reason for appeal: | Refusal of planning permission for the erection of boundary fence on existing wall and brick pillars for gates |

**Proposed conditions for appeal if allowed:** This is a retrospective proposal and, therefore, the Council would not wish any conditions to be imposed if the appeal were allowed.

| Applicationo | Name & Address |
| --- | --- |
| F/2000/0831 | JH Smith<br>27 Duffield Road<br>Woodley<br>RG5 4RL |

App refused, letter sent
20/04/00




27, DUFFIELD ROAD,
WOODLEY,
READING,
RG5 4RL
6 - 4 - 00

Dear Sir or Madam,

PLANNING APPLICATION N° F/2000/0831

I am taking the opportunity to comment on the above application in 113, Tippings Lane, Woodley. Having looked at the already erected 2M fence and seen the 2M high gates I am writing to ask you to not allow such an enclosure.

The enclosure is totally out of keeping with the surrounding properties and is thus an "eye sore".

I suggest that the criteria for giving permission should be; What would Tippings Lane and Headley Road East look like if all houses were enclosed by 2M high fences and gates. The obvious answer is "awful". So please do not permit the application

Yours sincerely

J.H. Smith

(J.H. SMITH)

FROM: Emy Circuit

DATE: 15 March 2000

DELEGATED

| PLANNING SERVICES | |
|---|---|
| POL | |
| DC | |
| APP | |
| CS | |
| 31 MAR 2000 | |
| COPIES TO: | ACK: |
| | FILE: |

## WOODLEY TOWN CONSULTATION SHEET

**Application Number:** F/2000/0831

**Proposal:** Proposed erection of boundary fence on existing wa~~l and brick pillars~~ for gates.

**Site Address:** 113, Tippings Lane, Woodley, Reading.

**Applicant:** Dr A Gida .

Your observations are required in respect of this application **by 08/04/2000** .

---

The committee made no comment on this application.

SIGNED: Clive Keeran DATE: 29.3.00.

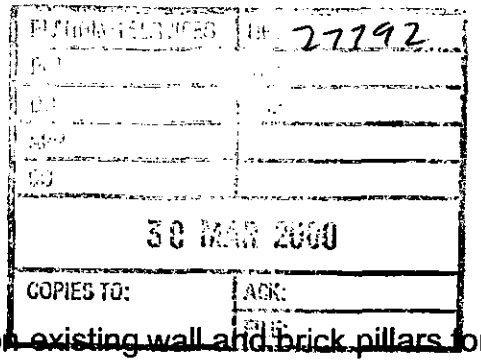
Clerk To Woodley Parish/Town Council.

For
**Property Dept**

[redacted] Army Circuit

**Date:** 27 March 2000

**Application Number:** F/2000/0831




**Proposal:** Proposed erection of boundary fence on existing wall and brick pillars for gates.

**Site Address:**
113, Tippings Lane, Woodley, Reading.

**Applicant:**
Dr A Gida .

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

---

This Section has no objection to the proposed development.

S. Hyams.
PROPERTY MANAGEMENT OFFICER

29/3/00.

**HIGHWAYS CONSULTATION SHEET**

**From:** Emy Circuit

**Date:** 15 March 2000

**Application Number:** F/2000/0831

**Proposal:** Proposed erection of boundary fence on existing wall and brick pillars for gates

**Site Address:**
113, Tippings Lane, Woodley, Reading.

**Applicant:**
Dr A Gida .

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).

---

**Signed:** N.S. Trotter **Print name:** N TROTTER

28-3-00

# WOKINGHAM DISTRICT COUNCIL

## TOWN AND COUNTRY PLANNING ACTS

### Notification of Refusal of Permission

**Dr A Gida**
**113, Tippings Lane**
**Woodley**
**Reading**
**RG5 4RY**

**Application Number: F/2000/0831**

**Parish:** **WOODLEY**

**Location:** **113, Tippings Lane, Woodley, Reading.**

**Proposal:** **Proposed erection of boundary fence on existing wall and brick pillars for gates**

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 subject to compliance with the following conditions, the reasons for which are specified hereunder.

**Reason**
1. The fence, due to its height and solid construction, is out of character with its surroundings and harmful to the steet scene. It is, therefore, contrary to Policy WBE1 of the Wokingham District Local Plan (Deposit Draft) and Policies LBE1 and LBE2 of the Loddon Area Local Plan.

**Reason**
2. The fence, due to its height, reduces natural surveillance of the public realm. It is therefore contrary to Policy WBE5 of the Wokingham District Local Plan (Deposit Draft).

CH

Head of Planning and Transportation
Date: 17 April 2000

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

# The Planning Inspectorate

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

Direct Line 0117-9876253
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-6253

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

Your Ref: F/2000/0831

Our Ref: APP/X0360/A/00/1051970

Date: 8 December 2000

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**
**APPEAL BY A S GIDA**
**SITE AT 113 TIPPINGS LA, WOODLEY, READING, BERKSHIRE, RG5 4RY**

I am writing to inform you that the inspector appointed by the Secretary of State to determine the above appeal in accordance with the provisions of Schedule 6 of the act is

Mr J T Graham FRICS

With reference to the above appeal the Secretary of State has arranged for the inspector to visit the appeal site at 15:00 on Tuesday 9 January 2001 and you are requested to arrange for the inspector to be met at the site at 15:00 to enable the inspection to be made.

The inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the inspector will determine the most suitable course of action, which could mean that he will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

At the commencement of the site inspection the Inspector will make it clear that the purpose of the visit is not to discuss the merits of the appeal or to listen to arguments from any of the parties.

The Inspector will ask the parties to draw attention to any physical features on the site and in its vicinity. In turn the inspector may wish to confirm particular features referred to by interested parties in their written representations.

In general, decision letters are issued within 5 weeks of the inspector's site visit, although we cannot be precise about individual cases. If despatch of the letter is likely to be significantly delayed, due for example to the receipt of late representations, we will let you know.

Yours faithfully



Miss C Vicary

**NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.**

209D

# The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

PLANNING SERVICES | HPT
POL | TLS
DC | ENF
APP |
CS |
04 JAN 2001
COPIES TO: | ACK:
FILE:

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

Your Ref: F/2000/0831

Our Ref: APP/X0360/A/00/1051970

Date: 3 January 2001

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**
**APPEAL BY A S GIDA**
**SITE AT 113 TIPPINGS LA, WOODLEY, READING, BERKSHIRE, RG5 4RY**

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

A Groves

Miss A Groves

217L(BPR)

113 Tippings Lane,
Woodley,
Reading RG5 4RY

15th December 2000

**Your Ref: APP/X0360/A/00/1051970**
**LPA Ref: F/2000/0831**

Dear Sir/Madam,

The following are my comments on the LPA's statement:

In paragraph 4.02, the council state that "The area is characterised by enclosed or partly enclosed front gardens. There is a variety of boundary treatments including walls, fences, hedges and shrubs but these are predominantly low and any height is provided by planting, which has a softer appearance."

So there already exists in the surrounding area (and in fact on the opposite side of the road) reasonably high hedges and shrubs.

In paragraph 4.04, the council state that "there is no scope to soften its (fence) appearance with shrub planting.." and in paragraph 5.04, "The local authority doubts whether the fence could ever appear as a dense hedge..".

I strongly disagree with this statement and view. The following page illustrates two separate properties having wooden fences, which are overgrown with planting. The fences are covered all the year round. The pictures were taken only a week ago and even in the middle of winter the fences can not be seen through the foliage.

I have also enclosed a picture of what 113 Tippings Lane would look like with the wooden fence covered by dense hedging. The hedge softens the appearance of the fence and would fit in with the surrounding hedges and shrubs in the area.

In paragraph 5.01, the council state that ".. erection of the high fence .... may exacerbate rather than reduce problems of security and litter ...".

Since the erection of the gates and fence, we have not had a single incident of litter, dog fouling or any security problems.

In paragraph 5.03, the council states that "the fence does prevent 113 Tippings Lane contributing to the overall level of surveillance".

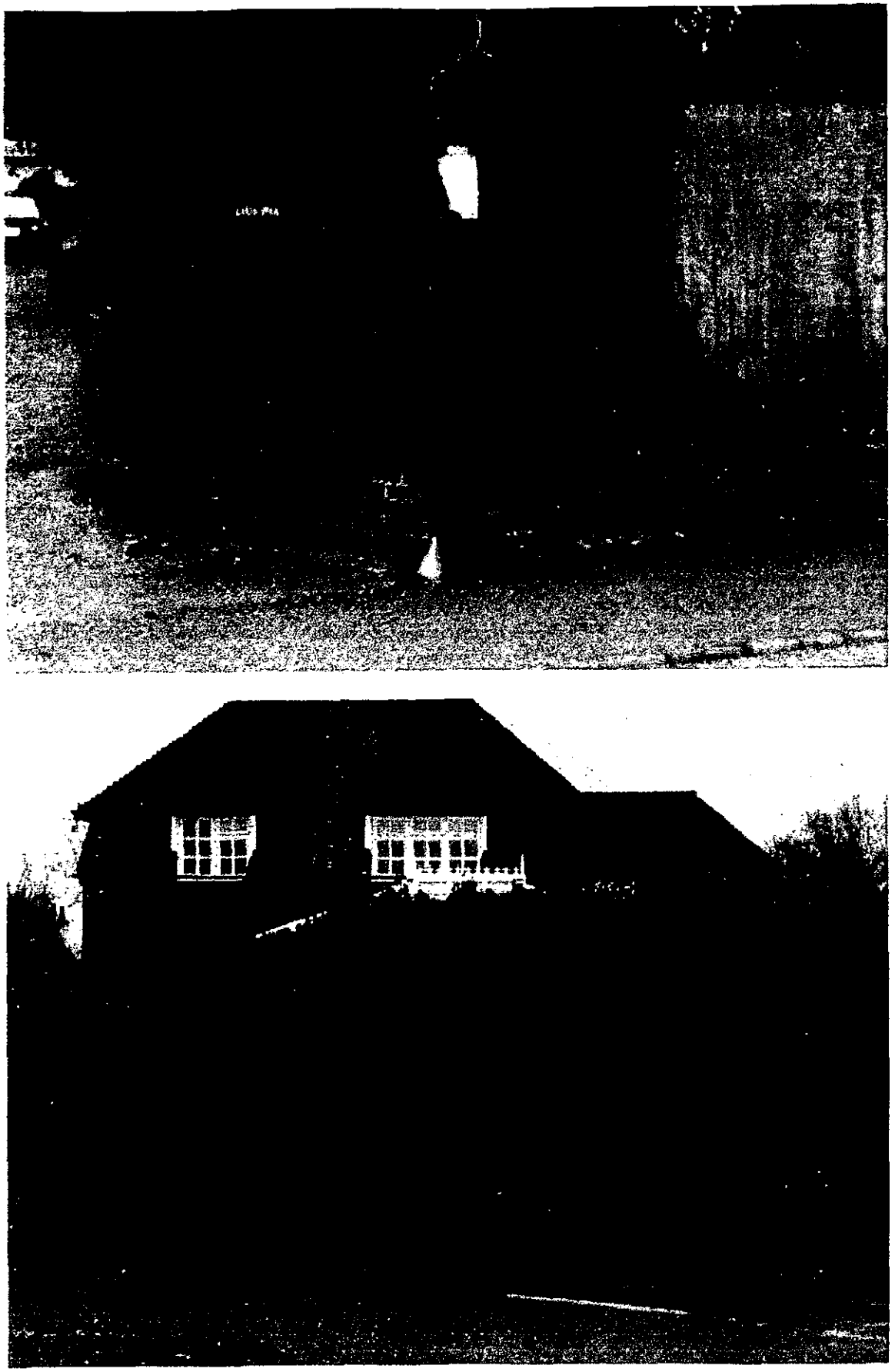
Originally the front of the property had numerous tall shrubs and hedging adjoining the highway (similar to a lot of properties in the area). The fence has not in fact changed our contribution to the overall level of surveillance.

Yours sincerely,

Dr. A.S. Gida



Impression of 113 Ippings Lane with hedging covering wooden fence



Two examples of wooden fences with dense hedging

RECEIVED IN PINS AA
- 1 DEC 2000

113 Tippings Lane,
Woodley,
Reading RG5 4RY

28 November, 2000

**Your Ref: APP/X0360/A/00/1051970**
**LPA Ref: F/2000/0831**

Dear Sir/Madam,

The following, in conjunction with my original statement of case, forms my total appeal statement.

**SECOND STATEMENT**

One reason for planning refusal was that due to its height it reduces natural surveillance of the public realm. Policy WBE5 states "Natural surveillance of the public realm" is to "promote safe and secure environments..".

Our house is situated on the corner and the position of the fence does not restrict any of the neighbours' natural surveillance of the public realm. Nor does it restrict their view of the public highway when they are entering or leaving in their cars.

The immediate vicinity is very well lit at night. As I mentioned in my previous statement, this house has been burgled 3 times and a vehicle stolen from the drive. I have also been informed that all but one of the adjoining properties, on this side of Tippings lane, has been burgled. The majority of these properties have a wide opening onto the public highway.

The aim of the fence (and gates) is to stop people throwing their litter into our garden and to stop people just walking onto our drive. Previous to the gates being put up, we have experienced recurring problems with people allowing their dog to foul our front garden. Bearing in mind that we have three young children, and taking into account the danger from skidding cars and other types of litter found in our garden, the risks to their health was a factor in consideration. It also will stop the opportunistic thief from just walking in and trying to break into the house - which is what had happened before.

The other reason for refusing planning permission was that due to its height and solid construction, it is out of character.

I have tried to blend the fence with the surroundings by staining the wood and using a closeboard fence design. I have also planted ivy and evergreen hedging behind the wall. In one or two seasons it will totally cover the fence and one will not be able to see the wooden fence. The fence will be overgrown with ivy and hedgerow and from the public highway it will appear just like a dense hedge. The inspector will be able to see the planted hedgerow and ivy on his/her inspection, if he/she wishes to do so.

I have tried to balance the needs for a safe and secure environment with the requirements for a design appropriate to the character of the area. When the ivy and hedgerow cover the fence, it will look like most of the hedges along the road.

Yours sincerely,

Dr. A.S. Gida

RECEIVED
-1 DEC 2000

113 Tippings Lane,
Woodley,
Reading RG5 4RY

28 November, 2000

**Your Ref: APP/X0360/A/00/1051970**
**LPA Ref: F/2000/0831**

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I have tried to balance the needs for a safe and secure environment with the requirements for a design appropriate to the character of the area. When the ivy and hedgerow cover the fence, it will look like most of the hedges along the road.

Yours sincerely,

Dr. A.S. Gida

Tel. (0118) 974 6448 (Direct Line)
Date: November 14, 2000
My ref: F/2000/0831
Your ref: APP/X0360/A/00/1051970


Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham


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

Dear Miss Bibi

**APPEAL BY: A S Gilda**
**SITE: 113 Tippings Lane, Woodley**

With reference to this appeal, I enclose 2 copies of the Council's statement of the case.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. October 30, 2000
My ref. F/2000/0831
Your ref.

J H Smith
27 Duffield Rd
Woodley
Reading
RG5 4 RL

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,

**TOWN AND COUNTRY PLANNING ACT 1990**
**APPEAL BY: Dr A S Gida**
**SITE: 113 Tippings Lane, Woodley**

I am writing to inform you, that this appeal has been lodged with The Planning Inspectorate, and will be dealt with by means of an exchange of written statements between the appellant and the Council.

Comments already made, following the original application for planning permission, will be forwarded to The Planning Inspectorate and copied to the appellant.

As your interests may be affected, you can give your views on the appeal in writing to Miss A Bibi, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ. You should send three copies quoting reference APP/X0360/A/00/1051970. Comments received after 30th November 2000 will not normally be seen by the Inspector & will be returned.

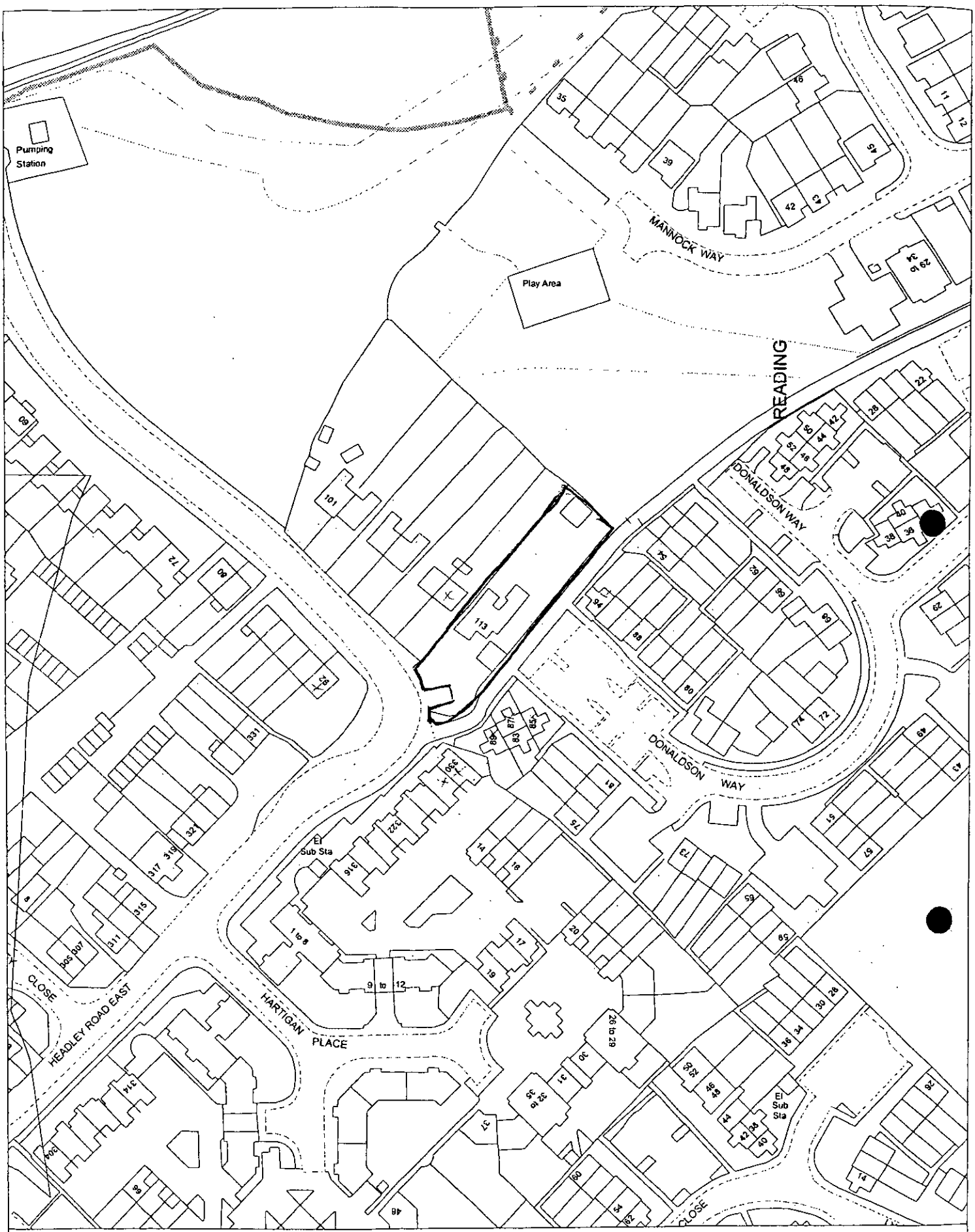
The application, decision notice, and the appellant's grounds of appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 16.00 on Fridays).

A free booklet, Guide to taking part in Planning Appeals, is available from this office.

**If you wish to be notified of the result of the appeal, you should write to the Planning Inspectorate requesting a copy of the decision.**

Yours faithfully

Denise Gumbrell
Appeals Assistant




# Site Plan, Scale: 1 to 1250

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Date: 10 March 2000

N
W E
S

03.MAR2000 0631

Tel. (0118) 974 6448 (Direct Line)
Date. October 30, 2000
My ref: F/2000/0831
Your ref:

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

Dr A S Gida
113 Tippings Lane
Woodley
Reading
RG5 4RY

Dear Sir

**APPEAL BY:** **Yourself**
**SITE:** **113 Tippings Lane**

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: October 30, 2000
My ref: F/2000/0831
Your ref: APP/X0360/A/00/1051970

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

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

Dear Miss Bibi

**APPEAL BY: A S Gida**
**SITE: 113 Tippings Lane, Woodley**

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.
I have also sent a copy to the appellant.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

# The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
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GTN 1374-6079

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

Your Ref: E/2000/0831

Our Ref: APP/X0360/A/00/1051970

Date: 19 October 2000

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**
**APPEAL BY A S GIDA**
**SITE AT 113 TIPPINGS LA, WOODLEY, READING, BERKSHIRE, RG5 4RY**

I have received an appeal form and accompanying documents for this site. I am the case officer. If you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence to me, giving the full appeal reference number which is shown at the top of this letter.

I have checked the papers and confirm that the appeal is valid. If it appears at a later stage, following further information, that this may not be the case, I will write to you again.

The appellant has requested the written procedure. Unless you tell me otherwise, I will assume that you do not want an inquiry. The date of this letter is the **starting date** for the appeal.

I must **receive** the following documents within this timetable:

**Within the next 2 weeks**

You must notify interested persons who were consulted at application stage and those who made comments that the appeal has been made. You should tell them that: -

i) any comments they made at application stage will be sent to me and if they want to make any additional comments I must receive 3 copies within **6 weeks of the starting date.** If we receive representations after the deadline, they will not normally be seen by the Inspector and they will be returned.
ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

**You** must make sure that the appellant and I receive a copy of a completed appeal questionnaire and supporting documents (including relevant development plan policies when appeals are against non-determination).

**Within the next 6 weeks**

**You** and the appellant must make sure that I receive 2 copies of any statement. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, *as recommended in Annex 1(i) of DETR Circular 05/2000.*

**Within the next 9 weeks**

**You** and the appellant must make sure that I receive 2 copies of any comments on each other's statement and any comments on any representations received from interested parties. I will forward the appellant's to you at the appropriate time.

Site visit arrangements

We will arrange for our Inspector to visit the appeal site and we will send you the details. In most cases the visit will be arranged within 12 weeks of the **starting date**.

You **must keep to the timetable** set out above and ensure that I receive your representations within the deadlines. If I do not, your representations will not normally be seen by the Inspector and they will be returned to you. Inspectors will not accept representations at the site visit, nor will they delay the issue of their decision to wait for them. As I have given details of the timetable, I will not send you reminders.

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, we must receive a completed, signed and dated copy before the date of the site visit. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Yours faithfully

G. Allen

Miss A Bibi

102(BPR)

# The Planning Inspectorate

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# PLANNING APPEAL

The appeal must reach the Inspectorate within 6 months of the date of the notice of the Local Planning Authority's decision, or within 6 months of the date by which they should have decided the application.

## A. INFORMATION ABOUT THE APPELLANT(S)

Full Name: AVTAR S. GIDA

Address: 113 TIPPINGS LANE, WOODLEY, READING, BERKS.

Postcode: RG5 4RY Reference: F/2000/0831

*Failure to provide the postcode may cause delay in processing your appeal.*

Daytime Telephone No: 0118 9618417 Fax No:

Agent's Name (if appropriate):

Agent's Address:

Postcode: Reference:

*Failure to provide the postcode may cause delay in processing your appeal.*

Daytime Telephone No: Fax No:

## B. DETAILS OF THE APPEAL

Name of the Local Planning Authority (LPA): WOKINGHAM DISTRICT COUNCIL

Description of the Development: ERECTION OF BOUNDARY FENCE ON EXISTING WALL AND BRICK PILLARS FOR GATES

Address of the Site:
113 TIPPINGS LANE, WOODLEY, READING

Postcode: RG5 4RY

*Failure to provide the postcode may cause delay in processing your appeal.*

National Grid Reference (see key on OS map for Instructions).
Grid Letters: Grid Numbers
eg TQ:298407

Date and LPA reference number of the application you made and which is now the subject of this appeal:
24/02/2000 F/2000/0831

Date of LPA notice of decision (if any):
17th APRIL 2000

Are there any outstanding appeals for this site eg Enforcement, Lawful Development Certificate etc? If so please give details and any Planning Inspectorate reference number here:

NO

## C. REASON FOR THE APPEAL

**THIS APPEAL IS AGAINST the decision of the LPA:-** **(*Delete as appropriate)** **(✓)**

1. to *refuse/~~grant subject to conditions~~, planning permission for the development described in Section B. ☑

2. to *refuse/grant subject to conditions, approval of the matters reserved under an outline planning permission. ☐

3. to refuse to approve any matter (other than those mentioned in 2 above) required by a condition on a planning permission. ☐

**Or the failure of the LPA:-**

4. to give notice of its decision within the appropriate period on an application for permission or approval. ☐

## D. CHOICE OF PROCEDURE

**CHOOSE ONE OF THE FOLLOWING TYPES OF PROCEDURES - Appeals decided by written representations are normally decided much quicker than by the hearing/inquiry method. For further information see the booklet "Making your planning appeal" which accompanied this form.**

1. WRITTEN REPRESENTATIONS ☑

If you have chosen the written representations procedure, please tick if the whole site can clearly be seen from a road or other public land. (An unaccompanied site visit will be arranged if the Inspector can adequately view the site from public land.) ☐

2. LOCAL INQUIRY Please give reasons why an inquiry is necessary ..... ☐

.....

3. HEARING Although you may prefer a hearing, the Inspectorate must consider your appeal suitable. ☐

## E. ESSENTIAL SUPPORTING DOCUMENTS

**A copy of each of the following should be enclosed with this form.**

1. The application submitted to the LPA; ☐

2. The site ownership details (Article 7 certificate) submitted to the LPA at application stage; ☐

3. Plans, drawings and documents forming part of the application submitted to the LPA; ☐

4. The LPA's decision notice (if any); ☐

5. Other relevant correspondence with the LPA; please identify the correspondence by date or otherwise: ..... ☐

6. A plan showing the site in red, in relation to two named roads (preferably on an extract from the relevant 1:10,000 OS map). **(Failure to submit this can delay your appeal).** ☐

**Copies of the following should also be enclosed, if appropriate:**

7. If the appeal concerns reserved matters, the relevant outline application, plans submitted and the permission; ☐

8. Any plans, drawings and documents sent to LPA but which do not form part of the submitted application (eg drawings for illustrative purposes); ☐

9. Additional plans or drawings relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ..... ☐

## G. GROUNDS FOR APPEAL – FULL STATEMENT OF CASE

1) After purchasing the property last year, we found that the house had been burgled 3 times with. A car parked on the drive being stolen on one occasion.

A 1m high brick wall surrounded the front of the property adjoining the main road and the side of the property. Along the side of the property runs a public footpath. Entrance to the front garden was via a 14 feet wide opening in the brick wall. The low height of the wall, surrounding bushes and the opening made it very easy for a thief to enter the front garden.

2) Each school day many hundreds of children pass by to/from Waingel Copse (a local school) at the front of the property. Rubbish including crisp packets, milk bottles, old clothes, footwear and tin cans are regularly thrown into the front garden. Hypodermic syringes were found on several occasions.

3) The property is situated on the outside corner of the main road at the front – where Tippings Lane meets Headley Road East. The road is used by motorists as a short cut between Woodley and Twyford. In the winter, when it has been cold, the road in front of the property remains icy and frozen (the shadow of a tall block of flats stops the sun from thawing the road). On numerous occasions we have witnessed cars unable to turn the corner and mount on to the pavement. Fortunately no one has been hurt so far, but it is only a matter of time before someone does. Our children are very young and play in the front garden – a solid fence and the brick pillars will greatly reduce the chances of them getting hurt should one of these skidding cars mount the pavement and head towards our garden. Our paramount concern is for our children to be protected from the many people who walk past our house. We need to ensure that they are not exposed to strangers who walk past and whilst this may seem extreme, it is something that does concern us.

4) One reason for refusing planning permission was that due to its height and solid construction, it is out of character. In many adjoining roads (e.g. Duffield Rd) there are many properties with high and solid walls and fences.

5) The second reason for planning refusal was that due to its height it reduces natural surveillance of the public realm. Our house is situated on the corner and the position of the fence does not restrict any of the neighbours' natural surveillance of the public realm. Nor does it restrict their view of the public highway when they are entering/leaving in their cars. Yet there is no restrictions if we wanted to plant 30 feet high fir trees!

6) We have started to grow ivy and evergreen hedging behind the fence. In one or two seasons it will totally cover the fence and one will not be able to see the wooden fence. We thought this was a good compromise - providing us with the security of a solid fence yet still fitting in with the rest of the neighbourhood. The fence will be overgrown with ivy and hedgerow and it would look just like a dense hedge.

## F. APPEAL SITE OWNERSHIP DETAILS

IMPORTANT: THE ACCOMPANYING NOTES SHOULD BE READ BEFORE THE APPROPRIATE CERTIFICATE IS COMPLETED. CERTIFICATES A AND B ARE GIVEN BELOW. IF NEEDED, CERTIFICATES C AND D ARE ATTACHED TO THE GUIDANCE NOTES

**SITE OWNERSHIP CERTIFICATES**

PLEASE DELETE INAPPROPRIATE WORDING WHERE INDICATED (*) AND STRIKE OUT INAPPLICABLE CERTIFICATE

**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) of any part of the land to which the appeal relates.

**OR**

**CERTIFICATE B**

I certify that:

I have/the appellant 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) of any part of the land to which the appeal relates, as listed below.

| Owner's Name | Address at which notice was served | Date on which notice was served |
|---|---|---|

I further certify that:

**AGRICULTURAL HOLDINGS CERTIFICATE (TO BE COMPLETED IN ALL CASES WHERE A, B, C OR D OWNERSHIP CERTIFICATE HAS BEEN COMPLETED)**

*• None of the land to which the appeal relates is, or is part of, an agricultural holding.

**OR**

*• I have/the appellant has *given the requisite notice to every person other than my/him/her*self 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 follows:

| Tenant's Name | Address at which notice was served | Date on which notice was served |
|---|---|---|

*** Delete as appropriate. If the appellant is the sole agricultural tenant the first alternative should be deleted and "not applicable" should be inserted below the second alternative.**

Signed ..... (on behalf of) .....

Name (in capitals) A. S. SIDA Date .....

**G. GROUNDS OF APPEAL** If the written procedure is requested, the appellant's FULL STATEMENT OF CASE **MUST** be made - otherwise the appeal may be invalid. If the written procedure has not been requested, a brief outline of the appellant's case should be made here.

ENCLOSED

PLEASE SIGN BELOW

I confirm that a copy of this appeal form and any supporting documents relating to the application not previously sent to the LPA has been sent to them. I undertake that any future documents submitted in connection with this appeal will also be copied to the local planning authority at the same time.

Signed ..... (on behalf of) .....

Name (in capitals) A. S. GIDA Date 10/10/2000

The Planning Inspectorate is registered under the Data Protection Act 1984, so that we may hold information supplied by you on our computer system for the purpose of processing this appeal.

**CHECKLIST - Please check this list thoroughly to avoid delay in the processing of your appeal.**

- This form signed and fully completed.
- Any relevant documents listed at Section E enclosed.
- Full grounds of appeal/outline of case set out at Section G.
- Relevant ownership certificate A, B, C or D completed and signed.
- Agricultural Holdings Certificate completed and signed.

♦ **1ST COPY: Send one copy of the appeal form** with all the supporting documents to

The Planning Inspectorate
Appeals Registry
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

♦ **2ND COPY: Send one copy to the LPA,** at the address from which the decision on the application (or any acknowledgments, etc) was received, enclosing any supporting documents not previously submitted to them as part of the application.