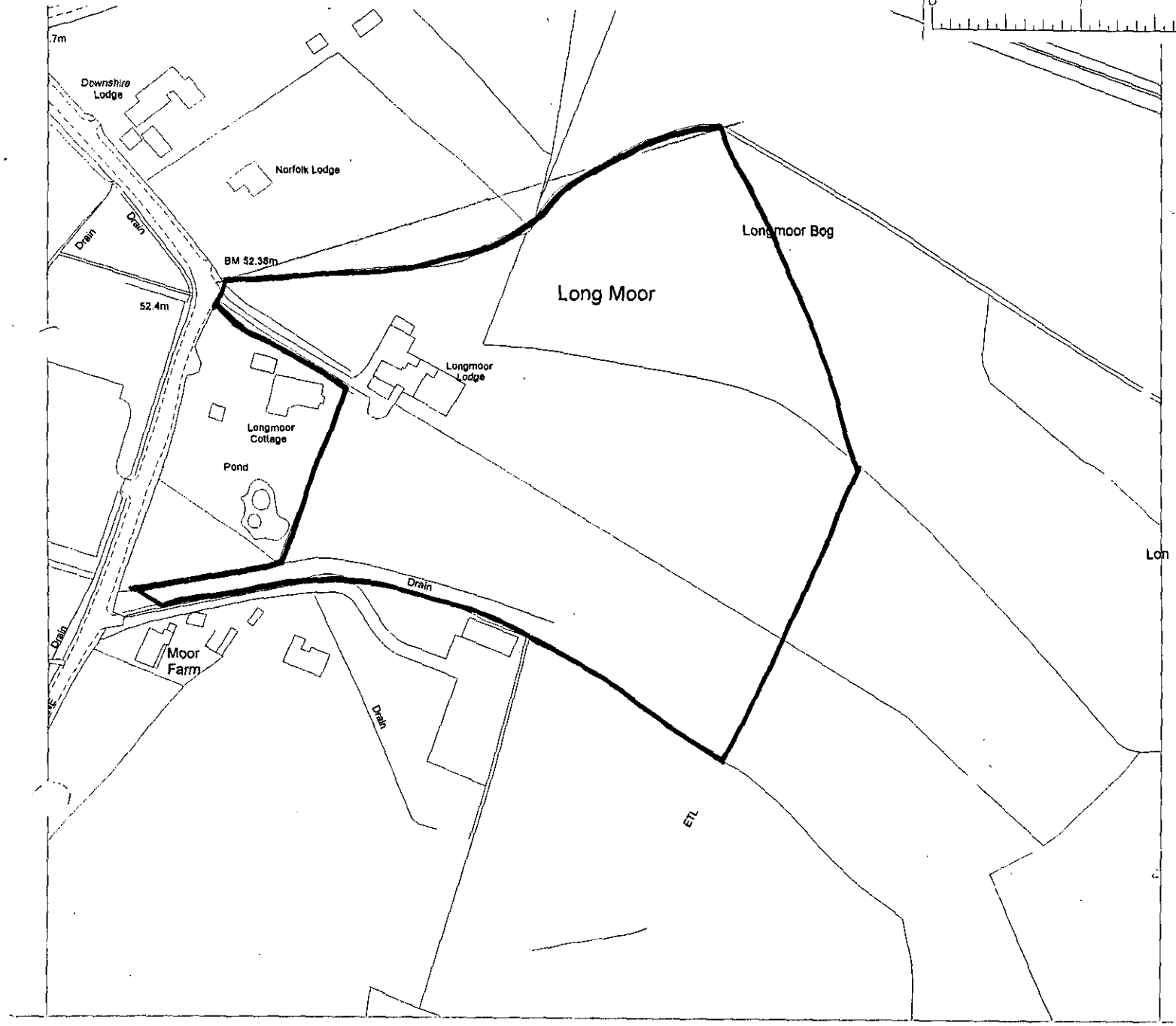
PART 2



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0 2 3

Appeal Site

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CHANCELLORS
Chartered Town Planning Consultants

45 High Street, Odiham, Hook,
Hampshire, RG29 1LF
Tel: 01256-703090
Fax: 01256-703142
E-mail:
chancellors.planning@dial.pipex.com

Client

Mr & Mrs M. Taylor

Job Title

Longmoor Lodge

Drawing Title

Site Location Plan

Scale

1 : 2500

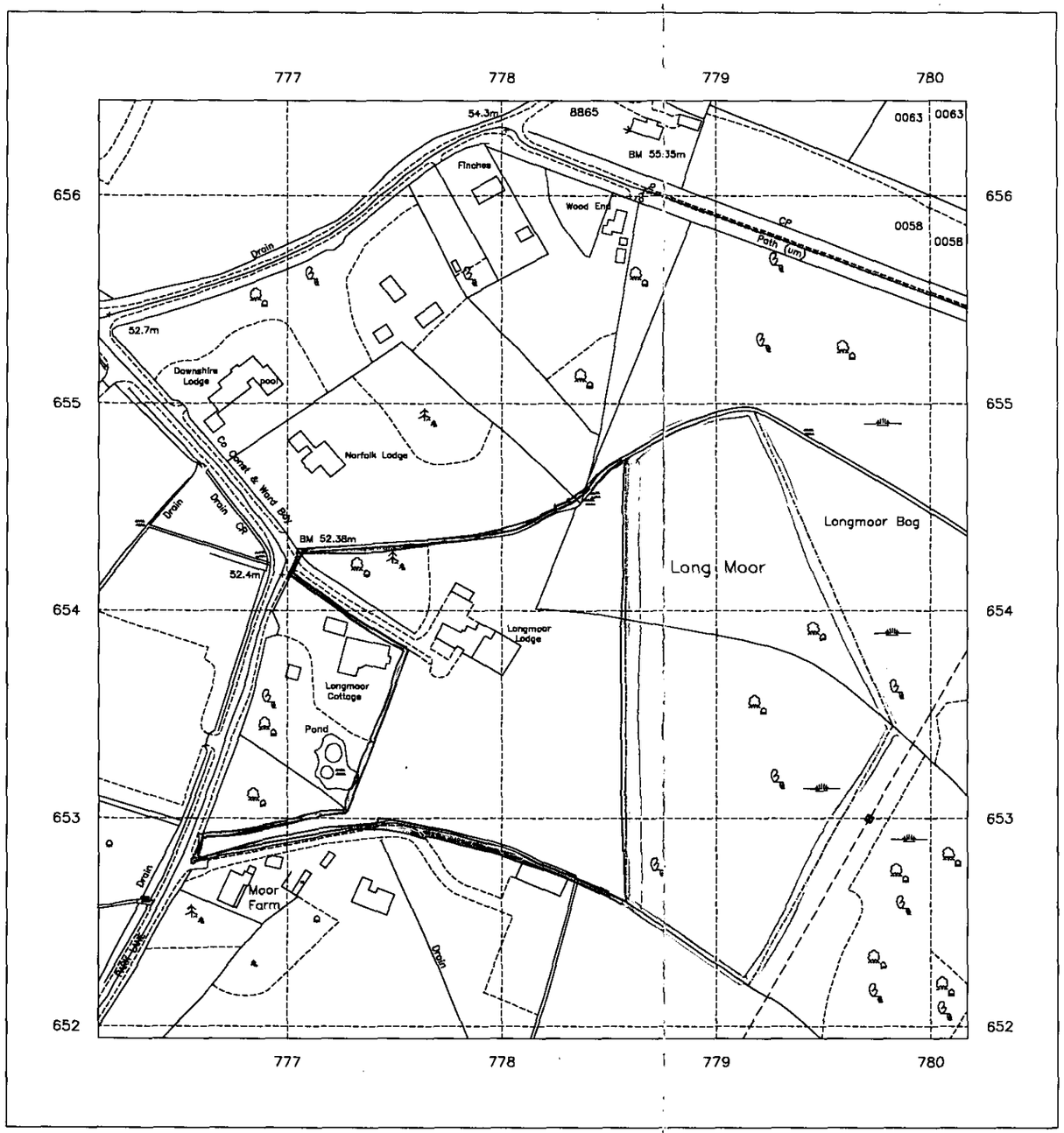
Date **Oct 2002**

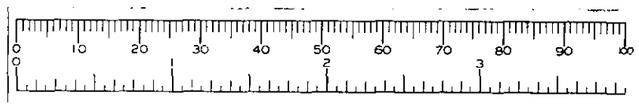
Drawn by **SCB**

Drg.No.

JW1

22.MAR2001 3604





Notes.

1 All dimensions are shown in MILLIMETRES and must be checked on site prior to the commencement of work and any discrepancy is to be reported.

2 All work is to comply with the current requirements of the Building Regulations and allied legislation.

3 All materials are to be used and installed in strict compliance with the relevant manufacturer's recommendations.

4 Whilst every effort has been made to correctly identify species of trees on the site, we advise that an arboriculturist be consulted before any final decisions are made.

5 Grid coordinates are based on an arbitrary system.

Rev	Date	Amendments

INDICATIVE

Levelling – OSBM Datum – Newlyn

Culvert on southern boundary of "Norfolk Lodge" Value Used: 52.38m

Drawing Status
PLANNING

Woods
Design · Construction · Management
Ian Richard Woods
111 Grange Road Guildford
Surrey GU2 6QD
Telephone 01483 503395

Project
LONGMOOR LODGE
FINCHAMPSTEAD
Mr and Mrs M TAYLOR

Drawing Title
EXISTING
LOCATION PLAN

Scale 1:2500

Drawn IW/CAD Date AUG 2000

Drawing No MTH-01 Rev -

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78

APPEAL BY MR AND MRS M TAYLOR AGAINST THE REFUSAL BY WOKINGHAM DISTRICT COUNCIL TO REFUSE PLANNING PERMISSION FOR THE ERECTION OF ONE REPLACEMENT DWELLING AT LONGMOOR LODGE, FINCHAMPSTEAD, WOKINGHAM.

DOCUMENTS REFERRED TO IN HEARING STATEMENT PREPARED BY:

JEREMY C. WOOLF,
MA, DipTP, MRTPI

CHANCELLORS, CHARTERED TOWN PLANNING CONSULTANTS

DETR REF: APP/X0360/A/02/1098994
L.P.A REF: F/2002/6919
CHANCELLORS REF: 2161

OCTOBER 2002

CHANCELLORS
CHARTERED TOWN PLANNING CONSULTANTS

DOCUMENTS

1. DECISION NOTICE, LAYOUT PLAN & LOCAL AUTHORITY REPORT RELATING TO PLANNING APPLICATION F/2001/3604.

2. RELEVANT EXTRACTS FROM WOKINGHAM SOUTH EAST AREA LOCAL PLAN (ADOPTED 1994).

3. RELEVANT EXTRACTS FROM WOKINGHAM DISTRICT LOCAL PLAN DEPOSIT DRAFT.

4. RELEVANT BERKSHIRE STRUCTURE PLAN POLICIES (ADOPTED NOV 1995).

5. RELEVANT BERKSHIRE STRUCTURE PLAN 2001-2016 (DEPOSIT DRAFT MARCH 2002) POLICIES.

6. REPLACEMENT DWELLING APPEAL DECISIONS:

   i. Amen Cottage, Jubilee Road, Finchampstead
   ii. Woodside, Church Road, Farley Hill
   iii. The Pightle, Dunt Lane, Hurst
   iv. Valeview, Haycrafts Lane, Harmans Cross, Dorset
   v. Homeland, Evesham Road, Upper Moor, Worcestershire
   vi. Noting Hill, Ecchinswell Road, Kingsclere, Hampshire

1.

(EC)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs M Taylor
C/O Mr Ian Woods
111 Grange Road
Guildford
Surrey
GU2 9QD

Application Number: F/2001/3604

Parish:	**FINCHAMPSTEAD**
Location:	**Longmoor Lodge, Park Lane, Finchampstead, Wokingham.**
Proposal:	**Proposed erection of dwelling and garage pool complex. Demolition of existing dwelling.**

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

Reason

1. The proposed replacement dwelling is excessive in size compared with the original and existing dwellings and would result in a large increase in built form on the site. The combination of increase in floor area, footprint and height compared with the existing dwelling would have an adverse impact upon the character of the surrounding area and the countryside. As such the proposal is contrary to policies STV2 and SC18 of the South East Area Local Plan, policies WOS2, WOS3 and the aims of WCC7 of the Wokingham District Local Plan (Deposit Draft) and to policies OS1 and C2 of the Berkshire Structure Plan.

John Mitchell

John Mitchell
Development Control Manager
Date: 02/07/2001

Notice checked by: _____

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

1.1

Application no. F/2001/3604

Appraisal:

The application being considered proposes the replacement of the existing two storey detached dwelling at Longmoor Lodge, Park Lane, Finchampstead. The site is approximately 4.4 hectares and is located outside the settlement boundary in an area designated as 'rural' in the local development plan, and is located adjacent to a wildlife heritage site and local nature reserve.

Principle of Development

Policy SC18 of the South East Area Local Plan makes provision for the replacement of dwellings in rural areas, in principle. The preamble to policy SC18 advises that in considering such proposals the Local Planning Authority will have regard to visual impact, the need to maintain a range of house types and sizes in the rural area and the need to protect rural amenities. The policy states that the size of the new development will not significantly exceed that of the existing property both in height and floor area and where appropriate in numbers of separate units.

The existing dwelling on site is a two storey detached family home which has been previously extended. The original dwelling had a floor area of approximately 190m^2. The current dwelling has a floor area of approximately 318m^2, with a stable block and tennis courts located in the grounds (not included in calculations). The proposed replacement dwelling consists of a two storey detached house with a single storey side extension to create a covered link/walkway to a garage and leisure block. The replacement dwelling would have a total floor area of approximately 1,219m^2.

The proposed replacement dwelling alone is approximately 740m^2, representing an increase of approx 289% of the original dwelling and 132% of the existing. It is considered therefore that the increase in size of the proposed dwelling compared with the original dwelling is excessive and is therefore contrary to policy SC18 of the South East Area Local Plan.

Impact upon the character of the area

The application site which is accessed from Park Lane is set well back from the highway. The 4.4 ha site is maturely landscaped and lies adjacent to a local nature reserve and wildlife heritage site. The proposed dwelling will be located slightly west of the existing dwelling, further back from Park Lane. It is therefore unlikely that the dwelling will be within view from Park Lane. However, it is considered that the proposed increase in the scale of development on site both in terms of floor area and height (additional 4.4m) will have an urbanising impact upon the countryside, which would have an adverse effect upon the character of the surrounding area.

Impact upon neighbouring dwelling

The proposed siting of the replacement dwelling will move the development to be located directly behind Longmoor Cottage, the closest neighbouring dwelling. Longmoor Cottage is a detached 'L' shaped bungalow with the majority of its habitable windows along its south west elevation. Therefore, these windows plus the garden area of Longmoor Cottage will be overlooked by the first floor front 'guest bedroom' window on the right hand side of the front elevation and first floor gallery

2.

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

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

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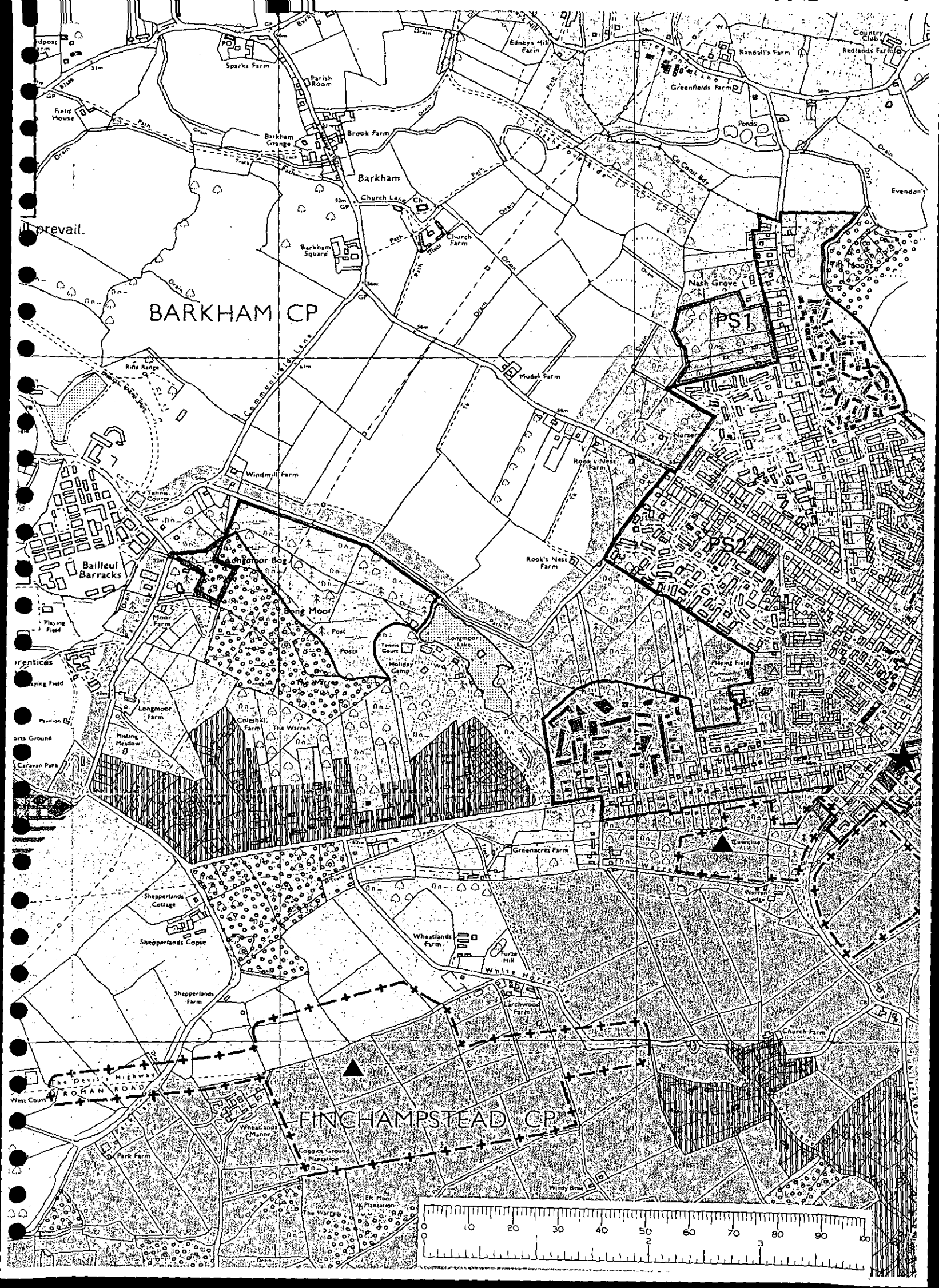

BARKHAM CP
FINCHAMPSTEAD CP
PS1
PS2
Barkham
Barkham Grange
Brook Farm
Sparks Farm
Parish Room
Field House
Church Lane
Church Farm
Barkham Square
Edneys Hill Farm
Randall's Farm
Redlands Farm
Country Club
Greenfields Farm
Ponds
Nash Grove
Model Farm
Rook's Nest Farm
Windmill Farm
Tennis Courts
Bailleul Barracks
Longmoor Bog
Bong Moor
Moor Farm
Post
Posts
Longmoor Lake
Holiday Camp
Playing Field
Longmoor Farm
Coleshill Farm
The Warren
Misting Meadow
Caravan Park
Greenacres Farm
Tumulus
Warren Lodge
Shepperlands Cottage
Shepperlands Copse
Wheatlands Farm
Furze Hill
White Horse Lane
Larchwood Farm
Church Farm
Shepperlands Farm
The Devil's Highway
ROMAN ROAD
West Court
Wheatlands Manor
Park Farm
Coppice Ground Plantation
Windy Brae
Elk Moor Plantation
The Warren
Rifle Range
Commonfield Lane
Nash Grove Ride
Co Const Bdy
Evendon's
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0 2 3

❖ STV1 'IDENTIFIED SETTLEMENTS'

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

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

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

❖ STV2 DEVELOPMENT IN RURAL AREAS

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

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

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

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

(D) MINERAL EXTRACTION,

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

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

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

❖ SC1 SEPARATION OF SETTLEMENTS

IN SEEKING TO MAINTAIN A CLEAR SEPARATION OF SETTLEMENTS WITHIN THE PLAN AREA, DEVELOPMENT WILL NOT BE PERMITTED IN THE AREAS DEFINED ON THE PROPOSALS MAPS WHICH WOULD EITHER DETRACT FROM THE UNDEVELOPED APPEARANCE OR INTENSIFY EXISTING SPORADIC DEVELOPMENT. THESE AREAS ARE OF SPECIAL SIGNIFICANCE BECAUSE THEY ARE ESSENTIAL TO THE MAINTENANCE OF A PHYSICAL AND VISUAL SEPARATION BETWEEN DISTINCT SETTLEMENTS. WHERE THE VISUAL OR PHYSICAL SEPARATION BETWEEN SETTLEMENTS IS NOT FULLY EFFECTIVE AT THE PRESENT TIME THE DISTRICT COUNCIL WILL SEEK TO ENHANCE VISUAL SEPARATION BY THE ENCOURAGEMENT OF TREE PLANTING OR OTHER APPROPRIATE MEANS.

1.3.11 In addition to protecting land because of its significance in separating settlements from each other it is proposed that areas of importance because of their character and appearance in relationship to adjoining built-up areas should also be protected. These areas of land are either an important part of the landscape setting of the settlement concerned, such as an open area or sloping land around it, or are areas of land which have an intimate relationship with the settlement and which are thus important to the retention of its character and setting. Examples are woodlands or enclosed fields and paddocks which are an inherent part of the character of some of the settlements in the plan area.

❖ SC2 SETTING OF SETTLEMENTS

DEVELOPMENT WILL NOT BE PERMITTED WHICH WOULD DETRACT FROM THE OPEN OR RURAL APPEARANCE OF THE AREAS OF LAND DEFINED ON THE PROPOSALS MAPS WHICH ARE OF SPECIAL SIGNIFICANCE IN MAINTAINING THE LANDSCAPE SETTING OR THE INDIVIDUAL CHARACTER OF THE SETTLEMENTS.

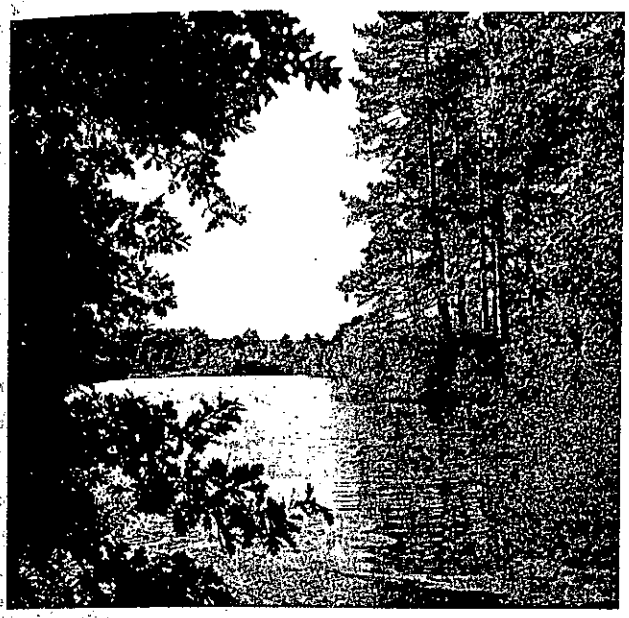
AREAS OF SPECIAL LANDSCAPE IMPORTANCE

1.3.12 The Blackwater Valley in the southern part of the Plan area is an extensive open area which is bounded on the north by ridges of higher land which allow extensive views over much of North Hampshire. Further northward the landscape becomes increasingly wooded with a characteristic criss cross of lanes and rides.



1.3.13 A landscape study of the whole of the Blackwater Valley was published in 1976 and this provided a detailed assessment of the landscape and character of the area. The whole of the area of that study which lies within Wokingham District is therefore included within the Area of Special Landscape Importance shown on the Proposals Map. The area on the Proposals Map also includes additional land to the north of the B3348 since it is important that the crest of the ridge above Finchampstead Village and land a little way to the north of the crest along the whole of its length should be protected from disfiguring development which could be visible from a long distance across the Blackwater Valley.

1.3.14 The wooded areas between Woosehill and the Bearwood Road are part of



powers do not extend to such areas Policy SC8 below is not so limited and an adverse effect on a SSSI by development on other land will fall within the scope of the policy. The District Council will also negotiate Section 39 Management Agreements (Wildlife and Countryside Act, 1981) with landowners, in order to secure the future of these areas since SSSI status does not always confer absolute protection.

1.3.29 County and District Councils have the power to establish Local Nature Reserves under the 1949 National Parks and Access to the Countryside Act. Local Authorities are required to exercise their functions in respect of LNRs in consultation with EN. One such reserve has been established by Wokingham District Council at Longmoor Bog to protect the important boggy woodland and wet heath flora. Other local nature reserves may be established by the District Council in due course. The District Council is also committed to promoting nature conservation within the urban environment (see paragraph 1.4.44 and Policy SBE23).

❖ SC8 SITES OF SPECIAL SCIENTIFIC INTEREST AND LOCAL NATURE RESERVES

DEVELOPMENT WILL NOT BE ALLOWED WHICH WOULD HAVE A DETRIMENTAL EFFECT ON A DESIGNATED SITE OF SPECIAL SCIENTIFIC INTEREST OR LOCAL NATURE RESERVE.

1.3.30 The SSSI and LNR designations only cover a small part of the plan area and do not include all sites of nature conservation importance. Other sites which have been identified by EN and the Berkshire Buckinghamshire and Oxfordshire Naturalists Trust (BBONT) as meriting safeguarding are identified on the Proposals Maps as "Wildlife Heritage Sites". The criteria for identifying Wildlife Heritage Sites are included in a Local Plan Working Paper 6 which is available separately from this plan. The District Council will consult with EN , BBONT and Berkshire County Council where appropriate and take account of the importance of these sites when considering proposals which could affect them, and will urge other bodies to do the same. Should any further sites be identified through further surveys, similar consideration will be given to them in the event of any proposals being put forward which might affect them. However, much of the loss of ancient woodlands in recent years has been due to agriculture or replanting and the District Council receives no notification of, or has any control over, these activities.

❖ SC9 WILDLIFE HERITAGE SITES

IN RESPECT OF THE WILDLIFE HERITAGE SITES SHOWN ON THE PROPOSALS MAP THE DISTRICT COUNCIL WILL TAKE ACCOUNT OF THE NATURE CONSERVATION INTEREST IN DETERMINING PROPOSALS FOR DEVELOPMENT WHICH COULD ADVERSELY AFFECT THEM. WHERE THE SITE IS SHOWN TO BE OF SUFFICIENT NATURE CONSERVATION IMPORTANCE ANY PROPOSAL WHICH WOULD LEAD TO DAMAGE SUFFICIENT TO REMOVE OR ADVERSELY AFFECT THAT IMPORTANCE WOULD BE NORMALLY REFUSED.

1.3.31 Maintaining the habitat value of the countryside in the plan area will not be achieved by only protecting the best and rarest habitats. The overall richness and diversity of the wildlife interest depends on the amount and variety of habitats available in the plan area as a whole and not merely the presence of sites which can be specifically identified. It is therefore important

that the nature conservation implications of development in the countryside be considered in each case and the impacts be balanced with the need for the development and other considerations. Where proposals which are otherwise acceptable could be modified to reduce the impact on wildlife habitats, or where restoration or landscaping schemes could be introduced to create new habitats, this should be encouraged.

❖ SC10 NATURE CONSERVATION IN THE WIDER COUNTRYSIDE

IN CONSIDERING PROPOSALS FOR DEVELOPMENT WHICH WOULD AFFECT WILDLIFE HABITATS THE DISTRICT COUNCIL WILL TAKE INTO ACCOUNT THE IMPACT OF THE PROPOSALS AND, WHERE DEVELOPMENT IS OTHERWISE ACCEPTABLE, WILL SEEK TO AMELIORATE THAT IMPACT AND ENSURE, WHERE APPROPRIATE, THE CREATION AND FUTURE MANAGEMENT OF NEW HABITATS FOR WILDLIFE. IF THE SITE PROVES TO BE OF SUFFICIENT NATURE CONSERVATION IMPORTANCE ANY PROPOSAL WHICH WOULD LEAD TO DAMAGE SUFFICIENT TO REMOVE OR ADVERSELY AFFECT THAT IMPORTANCE WOULD BE REFUSED.

1.3.32 New development also provides the opportunity of creative conservation and the District Council will seek the improvement of existing sites or creation of new sites in conjunction with major developments.

1.3.33 Mineral extraction also provides an opportunity for the creation of new habitats and many former mineral sites are now important areas for wildlife. Although the District Council is not the planning authority for mineral applications it is consulted and will seek to see that the restoration proposals provide for the creation of new habitats for wildlife where appropriate. However, the use of the land after mineral extraction has ceased, does come within the scope of the District Council's planning powers and it will seek to ensure that the management of the areas in the future provides a balance between competing uses and that the nature conservation interest is maintained. An example of this form of creative conservation is the nature reserve at Moor Green Farm created from a gravel pit and administered by BBONT.

1.3.34 However, much of the scope for maintaining and creating habitats lies in the farmed countryside, and is outside the scope of planning control. The Farming and Wildlife Advisory Group exists to provide expert advice to farmers on land management practices which increase the habitat value of their land whilst remaining compatible with the needs of productive farming. The District Council will continue to contribute to the Countryside Conservation Grants scheme administered by the County Council which provides grants for small scale amenity planting and will consider entering into management agreements to ensure the management of areas which are important in nature conservation or landscape terms.

1.3.35 The District Council already promotes nature conservation on land within its control where appropriate, for example in both Dinton Pastures and California Country Parks. Additional opportunities may arise to manage areas for their nature conservation value and relevant sites are identified in the second part of this plan and on the Proposals Maps. It will also encourage other bodies, such as BBONT, to establish nature reserves elsewhere in the plan area.

❖ SC11 NEW NATURE RESERVES

THE DISTRICT COUNCIL WILL ENCOURAGE THE MANAGEMENT OF LAND FOR NATURE CONSERVATION PURPOSES AND THE CREATION OF NATURE RESERVES WHERE APPROPRIATE, FOR EXAMPLE IN CONNECTION WITH NEW DEVELOPMENT, OR AS AN AFTER USE FOLLOWING MINERAL EXTRACTION.

FARMLAND AND WOODLAND

1.3.36 The countryside outside of the major settlements contains a wide variety of

AGRICULTURAL BUILDINGS AND OTHER STRUCTURES IN RURAL AREAS

1.3.49 As has already been described, many agricultural operations and developments are outside of planning control. However, in certain circumstances planning permission is required, (e.g. for the erection of very large farm buildings or those close to main roads). Modern agricultural buildings are often starkly different from their historic predecessors, and can have a major impact upon the rural landscape. The District Council would urge that whether or not such development requires planning permission, care should be taken to ensure the scale, appearance and siting of such structures is sympathetic to the character and appearance of their surroundings in accordance with policy SC15 above. In considering such applications the District Council will consult, as necessary, with the Ministry of Agriculture, Fisheries and Food or agricultural consultants. Notice will also be taken of leaflets published by MAFF giving advice on the siting and planning of farm buildings.

REDEVELOPMENT AND EXTENSIONS IN RURAL AREAS

1.3.50 Within rural areas existing buildings will be the subject of proposals for redevelopment or extension. In some cases these will be large residential properties set in extensive grounds. There will be a presumption in favour of a continuation of residential use, in accordance with policy SH3, especially where the buildings are of architectural and historical importance. In some cases larger properties may be converted into smaller self-contained units in accordance with policy SH4. This will provide for the growing number of smaller households.

1.3.51 If continued use, refurbishment or conversion to smaller units are not feasible then the Council will consider favourably redevelopment for residential purposes, unless the buildings are of architectural importance. The replacement of dwellings that have reached the end of their useful life (generally by larger buildings) can have a significant impact on the open and/or rural character of an area, by increased visual presence or increases in ancillary features (such as fences, walls) etc. For this reason the District Council, in considering proposals for replacement dwellings, will have regard to visual impact, the need to maintain a range of house types and sizes in the rural area and the need to protect rural amenities. Any redevelopment should not normally provide for a larger number of separate units than that already existing on the site, occupy a larger area of the site, nor exceed the height of the existing buildings. The location of the new buildings should be decided having regard to the main features of the landscape and the need to minimise the impact of new development and integrate it with its surroundings. The amenity value of the site should be retained by preserving mature trees and keeping or laying out landscaped areas.

❖ SC18 REPLACEMENT DWELLINGS IN RURAL AREAS

THE REPLACEMENT OF EXISTING DWELLINGS IN RURAL AREAS MAY BE PERMITTED PROVIDED THAT:

A) THE EXISTING BUILDING IS NOT OF ARCHITECTURAL OR HISTORIC INTEREST.

B) THE SITING AND DESIGN OF THE NEW DEVELOPMENT HAS THE MINIMUM IMPACT ON THE RURAL ENVIRONMENT AS REQUIRED BY POLICY SC15.

C) THE SIZE OF THE NEW DEVELOPMENT WILL NOT SIGNIFICANTLY EXCEED THAT OF THE EXISTING PROPERTY BOTH IN HEIGHT AND FLOOR AREA AND, WHERE APPROPRIATE, IN NUMBERS OF SEPARATE UNITS.

1.3.52 Within the rural areas only minor extensions to existing dwellings will normally be permitted, consistent with Policy EN1 of the Replacement Structure Plan for Berkshire. The cumulative effect of large extensions to existing dwellings would lead to an increasingly urbanised appearance of the countryside, and reduce the range of house types available in the rural areas. Extensions to buildings in other uses will be treated on their merits, but generally the District Council will adopt a similar approach, and will be particularly concerned to see that the requirements of policy SC15 are observed.

❖ SC19 EXTENSIONS TO EXISTING DWELLINGS IN RURAL AREAS

APPROPRIATELY DESIGNED AND SITED MINOR EXTENSIONS TO EXISTING DWELLINGS IN RURAL AREAS WILL NORMALLY BE ACCEPTABLE. MAJOR EXTENSIONS OR ANY PROPOSAL WHICH HAS AN ADVERSE IMPACT ON THE RURAL ENVIRONMENT WILL GENERALLY NOT BE APPROVED. WHERE A DWELLING HAS ALREADY BEEN EXTENDED THE CUMULATIVE EFFECT OF ALL OF THE EXTENSIONS TO THE ORIGINAL BUILDING WILL BE TAKEN INTO ACCOUNT.

NEW USES FOR EXISTING BUILDINGS IN RURAL AREAS

1.3.53 With changing agricultural patterns and practices and other changes in the rural economy, a number of farm buildings are now surplus to requirements. Many of these buildings are of considerable merit using traditional materials and vernacular styles. The retention of these buildings can be ensured by allowing conversion to residential or other appropriate use. Such conversions need to protect and retain the essential character of the building. In addition, the conversion should not detract from the amenities of the rural area by inappropriate fencing, large extensions and garages or the incorporation of extensive agricultural areas within the curtilage for amenity purposes. Where the existing buildings are unattractive or have an adverse impact on the rural environment their perpetuation by conversion would not be appropriate.

1.3.54 Evidence that a building is not redundant for its present use is not by itself sufficient grounds for refusing permission for a new proposed use. However, in circumstances where the District Council has reasonable cause to believe that an applicant has attempted to abuse the system by constructing a new farm building with the benefit of permitted development rights, with the intention of early conversion to another use, it will be appropriate to investigate the history of the building to establish whether it was ever used for the purpose for which it was claimed to have been built.

❖ SC20 CONVERSION OF BUILDINGS IN RURAL AREAS TO DWELLINGS

IN RURAL AREAS, PROPOSALS FOR THE USE OR CONVERSION OF BUILDINGS TO DWELLINGS WILL GENERALLY BE APPROPRIATE PROVIDED THAT ALL OF THE FOLLOWING CRITERIA APPLY:

A) THERE IS NO SIGNIFICANT CONFLICT WITH ANY OTHER LOCAL OR STRUCTURE PLAN POLICY;

B) THE BUILDINGS ARE STRUCTURALLY SUITABLE FOR CONVERSION OR ADAPTION. EVIDENCE THAT THIS IS SO WILL BE REQUIRED BEFORE PLANNING PERMISSION IS GRANTED. NORMALLY THIS WILL BE IN THE FORM OF A DETAILED REPORT PREPARED BY A SUITABLY EXPERIENCED AND QUALIFIED SURVEYOR OR ARCHITECT;

C) THE CONVERSION DOES NOT DETRACT FROM THE SCALE AND CHARACTER OF THE BUILDINGS;

D) THE BUILDINGS ARE NOT UNSIGHTLY OR OBTRUSIVE ELEMENTS IN THE LANDSCAPE;

E) THERE WILL BE NO ADVERSE EFFECT ON THE APPEARANCE, CHARACTER OR AMENITY OF THE COUNTRYSIDE OR NEARBY PROPERTIES;

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ SBE1 DESIGN OF NEW DEVELOPMENT

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

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

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

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

❖ SBE2 INAPPROPRIATE DESIGN

PROPOSALS FOR DEVELOPMENT THAT IS INAPPROPRIATE IN TERMS OF ITS RELATIONSHIP WITH ADJOINING SITES AND BUILDINGS, OR WHICH WOULD ADVERSELY AFFECT THE CHARACTER OF AN AREA, BY

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

ENVIRONMENTAL IMPROVEMENT

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

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

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



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

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

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

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

SUNLIGHT, DAYLIGHT AND NOISE

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

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND



1.8.16 In order to ensure the more efficient use of parking space the District Council will seek the use of private office car parks for shoppers on Saturdays and after office hours. The District Council's own office car parks are already operated in this way.

❖ ST4 USE OF PRIVATE OFFICE PARKING BY THE PUBLIC

THE DISTRICT COUNCIL WILL SEEK TO ENSURE THE USE OF PRIVATE OFFICE CAR PARKING FOR THE GENERAL PUBLIC ON SATURDAYS AND AFTER OFFICE HOURS, WHERE THEY ARE WELL LOCATED FOR SUCH USE. THE DESIGN OF NEW DEVELOPMENT WILL BE ASSESSED AGAINST ITS SUITABILITY TO ENABLE EFFECTIVE PUBLIC USE.

1.8.17 The allocations in the local plan for retail use within Wokingham town centre will create a need for an additional 377 spaces. In addition there may be a need to replace some 310 parking spaces due to the development of the IDR. The District Council has provided 280 of the spaces required on the Paddocks car park and has identified sites for a further 430 public spaces.

1.8.18 It is expected that parking will generally be provided as an integral part of development, subject to design and environmental considerations. Commuted payments may also be acceptable provided that underprovision of space in the area will not result.

❖ ST5 CAR PARKING PROVISION

THE DISTRICT COUNCIL WILL SEEK THE PROVISION OF APPROPRIATELY LOCATED CAR PARKING AND CAR PARKS IN ACCORDANCE WITH THE DISTRICT COUNCIL'S ADOPTED STANDARDS, TO BE PROVIDED EITHER IN CONJUNCTION WITH NEW DEVELOPMENT, OR WHERE APPROPRIATE, BY OBTAINING A COMMUTED PAYMENT WHERE THE COUNCIL HAS AN INTENTION TO PROVIDE, OR HAS IDENTIFIED A NEED FOR, PUBLIC SPACES AND UNDERPROVISION WILL NOT RESULT.

NOTE 1:- The sum required per parking space by way of a commuted payment will be regularly reviewed.

NOTE 2:- The District Council's parking standards are attached as Appendix 1.

1.8.19 Motorcycles are often informally parked on parts of the highway not used by pedestrians or vehicles. It is recognised that motorcycles are a convenient and efficient form of travel, and that motorcycle owners generally prefer highly visible locations for the parking of their vehicles. As more of the carriageway and traffic islands are reclaimed for the pedestrian it will be necessary to ensure that adequate parking for motorcycles is retained.

❖ ST6 MOTORCYCLE PARKING

THE DISTRICT COUNCIL WILL SEEK APPROPRIATELY LOCATED MOTORCYCLE PARKING FACILITIES.

PEDESTRIANS

1.8.20 In general more vehicular traffic makes journeys by foot less pleasant in some cases more dangerous. In older villages and towns in the Plan area pavements are often narrow, can be uneven and are sometimes non- existent. The total exclusion of traffic is rarely achievable or desirable and the Council is constrained at all times by the existing layout of the built environment.

APPENDIX I - VEHICLE PARKING STANDARDS

VEHICLE PARKING STANDARDS

The following standards have been prepared and published by Berkshire County Council as a part of its Design Guide - Highway Aspects of Development Control and have been adopted for use in Wokingham District by the District Council. In interpreting and assessing proposals against the standards the District Council will normally consult the Highway Authority.

INTRODUCTION

1.1 These standards indicate the minimum amount of parking space which the Highway Authority considers necessary to accommodate vehicles parked at places of residence, business, or leisure, at peak times.

1.2 The lack of provision of parking space can result in parking on the highway, which adversely affects the flow of vehicles and the safety of all road users.

1.3 Where planning applications are made for new development, extensions to existing development, and changes of use, the proposed parking facilities will be considered on their merits, using these standards for guidance.

GENERAL INFORMATION

2.1 TOWN CENTRES Where a town centre parking policy has been approved by the District and County Councils, usually as part of a local plan, the policy will take precedence over these parking standards. Town centre parking requirements are at present being reviewed by the County and District Councils.

2.2 OPERATIONAL PARKING Where as part of parking policy, employees' parking can be accommodated within public car parks, provision for visitors' cars and service vehicles only will be required on site at a level determined in a local plan.

2.3 DISABLED PARKING Specific provision for disabled parking has been incorporated in the standards.

2.4 MULTIPLE USES Where a site has more than one existing and/or proposed use, the requirement for each use will be assessed separately. In cases where there is little likelihood of uses being carried out concurrently, shared use of parking areas will be permitted.

2.5 DEVELOPMENT NOT SPECIFICALLY INCLUDED IN LIST OF USES Where a type of development is proposed which is not included in these standards, the parking requirement will be assessed taking into account the information submitted with the application, site and locality characteristics and experience of similar developments.

2.6 MINIMUM SIZE OF PARKING SPACES

a) Car space 4.8m x 2.4m.
b) Garage space 5m x 2.5m (internal).
c) Where the space is a garage drive, the distance from the face of the garage to the highway boundary shall be a minimum 6m, or a minimum 7m from the face of the garage to the carriageway edge on accessways.
d) Lorry space 16m x 3.5m. This may be relaxed where the unit of development is unlikely to attract long vehicles.

2.7 LAYOUT OF PARKING SPACES

The layout of car parking spaces will comply with the Housing Development Note VII, Parking in New Housing Schemes parts 1 and 2 (published by the Department of the Environment HMSO 1977).

Manoeuvring space for lorries will be considered for each site, individually, account being taken of operational requirements and the class of development applied for. Design geometry should have regard to the advice contained in "Designing for Deliveries" (Freight Transport Association Ltd 1978).

2.8 REVIEW OF STANDARDS The assessment of space required for the parking of vehicles at home and places of business and leisure are continually reviewed in the light of the findings of parking studies, and to meet changing circumstances.

2.9 The information contained in this document supersedes the standards previously approved by the County Council.

TABLE I RESIDENTIAL

Type of Dwelling	Nature of Parking Facility	Standard - Minimum Number of Spaces
1 bedroom units and bedsits.	a) All spaces assigned to dwelling. b) One space assigned remainder communal. c) All spaces communal.	2.0 per unit 1.75 per unit 1.5 per unit
Other dwelling units (2 or more bedrooms).	a) All spaces assigned to dwelling. b) One space assigned remainder communal. c) All spaces communal.	2.0 per unit 2.0 per unit 1.75 per unit One additional parking space shall be provided per bedroom per dwelling for each bedroom in excess of three bedrooms.
Elderly persons (frail and dependant) and nursing homes.	All spaces communal.	0.25 per resident plus 1.0 for each permanent staff member plus 2.0 for warden accommodation/ each residential unit.
Sheltered and other accommodation specifically designed for and occupied by elderly persons.	All spaces communal.	0.75 per unit depending on nature of scheme proposed plus 2.0 for warden accommodation/ each residential unit. (This Authority's standard is 1-1.5 per unit).

Notes: (i) The pedestrian route between the nearest parking space and the dwelling entrance should normally be shorter, and more convenient to use than would be the case if parking were on the carriageway or accessway.

Additional Notes: Table I does not include full provision for off-street visitor parking and when the road layout makes it undesirable for on-street parking to occur additional off-street parking will be required at a ratio of one parking space per four dwellings.

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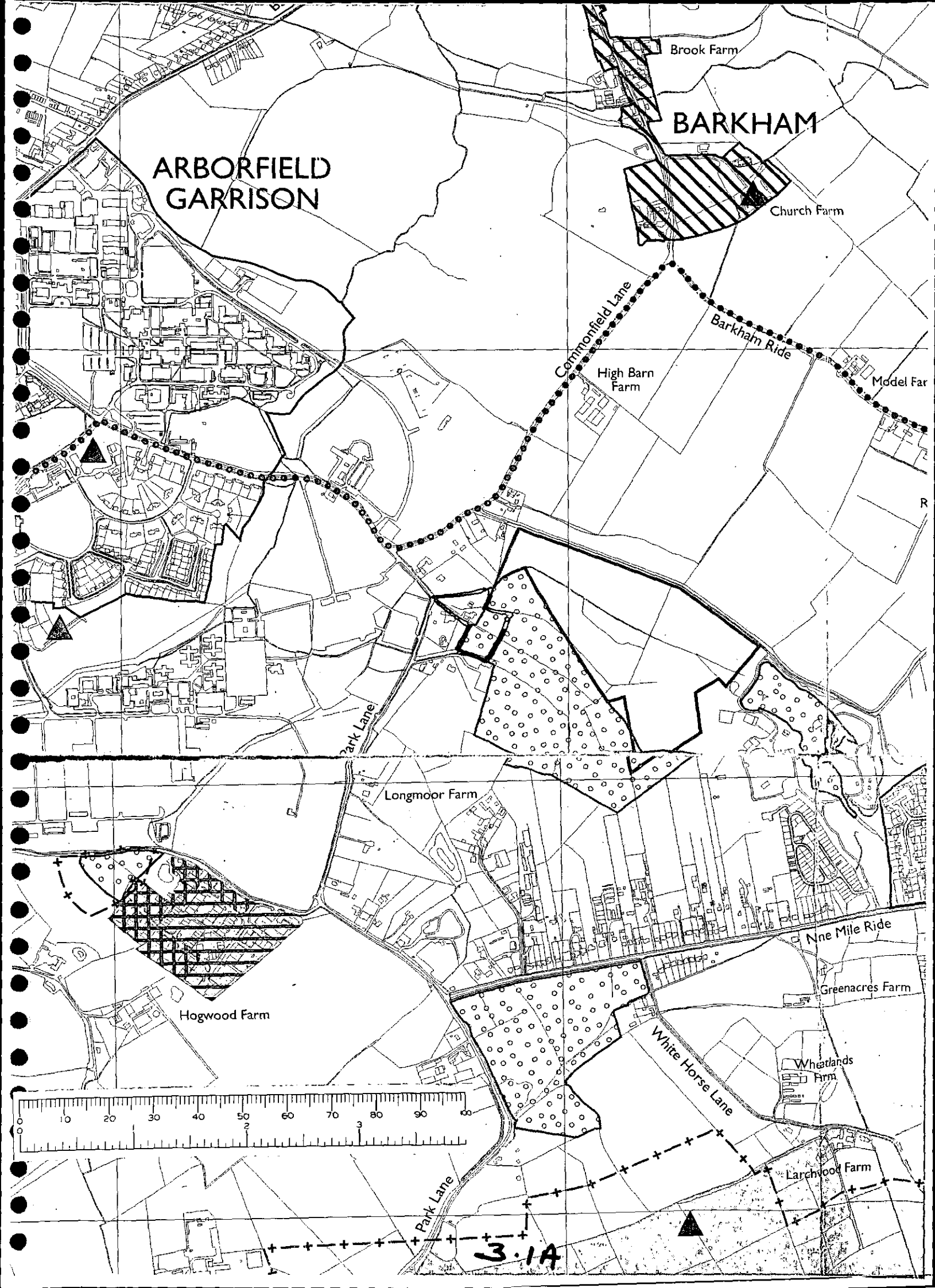
Wokingham District Local Plan
Deposit Draft
With Proposed Amendments Highlighted
February 2000

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

3.1


ARBORFIELD GARRISON
BARKHAM
Brook Farm
Church Farm
Commonfield Lane
Barkham Ride
High Barn Farm
Model Far
Park Lane
Longmoor Farm
Nine Mile Ride
Greenacres Farm
Hogwood Farm
White Horse Lane
Wheatlands Farm
Larchwood Farm
Park Lane
0 10 20 30 40 50 60 70 80 90 100
0 2 3
3.1A

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

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

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

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

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

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

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.

THE COUNTRYSIDE

Development in the Countryside

2.21 It is important to note the distinction between the 'countryside' and 'rural areas'. These are quite separate in technical terms. 'Countryside' is all land beyond identified settlement boundaries. Note that the countryside within the Metropolitan Green Belt is subject to specific Green Belt policies that form part of a separate chapter in this plan. The 'rural areas' definition is set out in the Berkshire Structure Plan 1991 - 2006, para. 5.5 where it is defined as:

"...those places which lie beyond towns (and adjoining built-up areas) with populations of 10,000 or more. This definition accords with that used by the Rural Development Commission...Using this approach the following settlements fall outside the remit of Policy C1: Reading Urban Area (Woodley and Earley); Wokingham/Winnersh"

2.22 Using just the 'rural areas' definition would mean that much of the plan area is rural and includes settlements such as Finchampstead North and Twyford. Therefore the 'countryside' definition is considered more appropriate and will apply in this plan.

2.23 The guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. Rural areas can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. *CERTAIN CATEGORIES OF DEVELOPMENT, E.G. AGRICULTURE AND TELECOMMUNICATIONS, ARE CLASSED AS PERMITTED DEVELOPMENT UNDER THE GENERAL DEVELOPMENT ORDER 1995 AND PRIOR NOTIFICATION TO THE COUNCIL OF THE EXERCISE OF THESE RIGHTS IS REQUIRED.***(PA 2/7)** Development in the open countryside, away from existing settlements or areas allocated for development in this local plan will be strictly controlled. Some categories of development that may be appropriate, are set out in Policy WCC1 below.

2.23A INFILL DEVELOPMENT IS DEFINED AS ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWISE BUILT-UP FRONTAGE. FOR THE PURPOSE OF THIS POLICY SMALL IS DEFINED AS NO LARGER THAN NECESSARY TO ACCOMMODATE TWO HOUSES HAVING REGARD TO THE WIDTHS OF THE EXISTING RESIDENTIAL FRONTAGES IN THE IMMEDIATE VICINITY. THE NEW DWELLING(S) SHOULD HAVE A SIMILAR ROAD FRONTAGE AND SIMILAR CURTILAGE TO ADJOINING DWELLINGS. IT IS ESSENTIAL THAT THE DEVELOPMENT DOES NOT ADVERSELY AFFECT THE CHARACTER OF THE AREA AND IN PARTICULAR NOT LEAD TO ANY URBANISATION OF THE AREA. SUCH DEVELOPMENT SHOULD PROVIDE ADEQUATE GARDEN OR AMENITY OPEN SPACE FOR THE PRIVATE ENJOYMENT OF RESIDENTS APPROPRIATE TO THE CHARACTER AND GENERAL LAYOUT OF THE AREA. THE PROTECTION OF TREES IN ACCORDANCE WITH POLICY WBE11 WILL BE ANOTHER IMPORTANT CONSIDERATION. **[A1]**

2.23B THE DEVELOPMENT WILL BE SUBJECT TO THE PROVISIONS OF POLICY WCC4 ON NEW BUILDINGS OUTSIDE SETTLEMENT BOUNDARIES. WHERE APPLICABLE, PROPOSALS FOR DEVELOPMENT WILL BE CONSIDERED AGAINST POLICY WCC2 AND POLICIES WLL2 TO WLL8 OF THIS PLAN AND THE RELEVANT POLICIES OF THE STRUCTURE PLAN. **[A1]**

POLICY WCC1: DEVELOPMENT IN THE COUNTRYSIDE (OUTSIDE THE METROPOLITAN GREEN BELT)

DEVELOPMENT OUTSIDE SETTLEMENT BOUNDARIES DEFINED IN THIS PLAN (AND NOT WITHIN THE METROPOLITAN GREEN BELT) WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF DETAILED POLICIES AND PROVISIONS OF THIS PLAN.

DEVELOPMENT WILL ONLY BE ACCEPTABLE IN PRINCIPLE WHERE THE PROPOSAL FALLS WITHIN AT LEAST ONE OF THE FOLLOWING CATEGORIES:

A) DEVELOPMENT FOR AGRICULTURE/FORESTRY

B) OUTDOOR SPORT/COUNTRYSIDE RECREATION

C) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

D) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

E) DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT COMPLIES WITH POLICY WRE1

Cont.

F) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE

G) OTHER DEVELOPMENT APPROPRIATE TO THE COUNTRYSIDE WHICH CANNOT BE ACCOMMODATED WITHIN A SETTLEMENT

~~*H) SENSITIVE INFILLING OF SMALL GAPS WITHIN SMALL GROUPS OF HOUSES AND MINOR EXTENSIONS TO GROUPS OUTSIDE DESIGNATED GREEN GAPS (POLICY WCC 2) FOR RESIDENTIAL USE WILL BE ACCEPTABLE SUBJECT TO THE PROVISIONS OF POLICY WH1A*~~ **(PA 2/8)**

H) SENSITIVE INFILLING OF ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWISE BUILT-UP FRONTAGE WHERE THE DEVELOPMENT WOULD NOT ADVERSELY AFFECT THE CHARACTER AND APPEARANCE OF THE AREA. **[A1]**

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, IT WILL ONLY BE PERMITTED IF IT IS APPROPRIATE IN SCALE, FORM, MATERIALS, DESIGN, CHARACTER, TO ITS LOCATION IN THE COUNTRYSIDE AND BE CONSISTENT WITH OTHER POLICIES IN THIS PLAN (SUCH AS *THOSE RELATING TO GREEN GAPS, LANDSCAPE AND* **[A1]** NATURE CONSERVATION) AND ANY SUPPLEMENTARY PLANNING GUIDANCE.

THE CLOSING OF GAPS OR THE ENCLOSURE OF OPEN AREAS THAT ARE IMPORTANT COMPONENTS IN THE CHARACTER OF AN AREA WILL NOT BE PERMITTED.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

2.24 As a result of the density of development and the variety of settlements that characterise the plan area, it is essential that the separate identity of these settlements is maintained by keeping real 'green wedges' and 'gaps' between them. Policy C6 of the Berkshire Structure Plan 1991 - 2006 states that the 'green wedges' and 'gaps' will be defined in local plans. The areas in question are set out on the proposals map supporting this plan. Some of these gaps are more vulnerable than others and any built development could undermine their importance. Where specific landscape features such as trees or hedgerows may be compromised measures for positive landscape management will be sought, where possible.

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. ~~*EXISTING PERMITTED USES WILL CONTINUE IN THESE AREAS BUT INTENSIFICATION OF THESE USES WILL NOT BE ALLOWED, IN ORDER TO PRESERVE THE EXISTING OPEN CHARACTER OF THE LAND.*~~ **(PA 2/9)** *EXISTING PERMITTED USES WILL CONTINUE IN THESE AREAS, BUT INTENSIFICATION OF THESE USES WILL NOT BE ALLOWED WHERE THE EXISTING OPEN AND UNDEVELOPED CHARACTER OF THE LAND IS ADVERSELY AFFECTED.* **[A2]** 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements.

2.26 The areas included in the green wedges and gaps policy have been identified previously in the adopted local plans as areas important to the separation of settlements. These are retained except where specific proposals require a change, e.g. the new settlement identified at Grazeley, south of the M4.

2.27 The green wedges and gaps can also be important because of the character and sense of place that they can contribute to the settlements. In the adopted local plans the separation of, and setting of, settlements

issues were kept distinct in policy terms. This could lead to confusion arising from a multiplicity of designations on areas shown on the current proposals map. As a result this has been reviewed and a need to simplify the proposals map recognised.

2.28 The green wedges and gaps designation is now shown on those areas that had either a dual settings and separation of settlements function, or the separation of settlements designation only, in the adopted local plans. Where an area was only important to the setting of settlements, these areas will remain subject to a separate policy found in the Landscape section of this chapter (Policy WLL6).

2.29 Major development in the wider tracts of open countryside could create further development pressures leading to the coalescence of settlements. The open land between Wokingham and Crowthorne to the east of the Reading/Guildford railway line is subject to particular pressures and is therefore identified in the Structure Plan supporting text (para. 5.28) to Policy C6. The Council will continue to protect the wider tracts of open countryside between other settlements, such as between Wokingham, Hurst and Twyford *AND THE LODDON VALLEY BETWEEN ABORFIELD CROSS AND SHINFIELD.* **(PA 2/10)**

POLICY WCC2: GREEN GAPS AND WEDGES (OUTSIDE THE METROPOLITAN GREEN BELT)

IN SEEKING TO MAINTAIN A CLEAR SEPARATION OF SETTLEMENTS WITHIN THE PLAN AREA, DEVELOPMENT WILL NOT BE PERMITTED IN THE GREEN GAPS AND WEDGES THAT WOULD AFFECT OR DETRACT FROM THEIR OPEN OR COUNTRYSIDE APPEARANCE AND CHARACTER. THESE AREAS ARE OF SPECIAL SIGNIFICANCE BECAUSE THEY ARE ESSENTIAL TO THE MAINTENANCE OF A PHYSICAL AND VISUAL SEPARATION BETWEEN DISTINCT SETTLEMENTS AND THE COUNTRYSIDE SETTING THEY PROVIDE FOR THEM.

EXISTING SETTLEMENT BOUNDARY FEATURES SUCH AS WOODLANDS, COPSES AND HEDGEROWS SHOULD BE RETAINED AND, WHERE POSSIBLE, ENHANCED. POSITIVE MANAGEMENT OF LANDSCAPE FEATURES THAT CONTRIBUTE TO THE SEPARATION OF SETTLEMENTS WILL BE ENCOURAGED.

ANY DEVELOPMENT ADJOINING AREAS IMPORTANT TO THE SEPARATION OF SETTLEMENTS MUST NOT UNDERMINE THOSE BOUNDARY FEATURES IMPORTANT TO THE LANDSCAPE.

THE GREEN GAPS AND WEDGES ARE IDENTIFIED ON THE PROPOSALS MAP.

Implementation: The development control process, encouragement and advice to landowners.

Monitoring: Impact of planning consents and number of positive management actions achieved.

Central Berkshire Forest

2.30 This Council has been developing the principles of landscape enhancement on the edges of the built-up areas through its Community Woodland programme in the Loddon Valley. The Berkshire Structure Plan 1991 - 2006 includes a proposal for a 'new forest' in the central part of Berkshire. *THIS WILL INVOLVE INCREASED TREE COVER AND SHOULD ALSO INCLUDE A RICH VARIETY OF OTHER USES SUCH AS FARMLAND, HEATH AND MEADOWS. THE FOREST SHOULD AFFORD OPPORTUNITIES FOR RECREATION, WILDLIFE AND THE DIVERSIFICATION OF FARMING ACTIVITIES.* **[A3]**

2.31 A study has been undertaken of how and where the Community Woodland concept can be expanded into other areas where there would be a positive benefit from an increase in tree cover and thereby contribute to the concept of the new forest. The study has established a search area, outside the Metropolitan Green Belt, which includes:

a) the Earley sectors of the Community Woodland
b) the critical gaps between Woodley, Earley and Winnersh
c) the mineral degraded landscapes of the middle Loddon Valley
d) the Lower Loddon, between the A4 and the Thames
e) weak settlement edges and areas important to the setting and separation of settlements
f) the A329(M) and M4 corridors.

2.40 Detailed guidance on this is set out in Annex I (paras. I17 - I21) of PPG 7. DoE Circular 11/95 *The Use of Conditions in Planning Permissions* gives further advice on agricultural occupancy conditions.

POLICY WCC6: NEW DWELLINGS REQUIRED FOR COUNTRYSIDE LAND USES (OUTSIDE THE METROPOLITAN GREEN BELT)

A NEW DWELLING FOR COUNTRYSIDE LAND USES WILL NOT BE PERMITTED UNLESS *EVIDENCE DEMONSTRATES THAT* **(PA 2/19)** THERE IS:

A) AN ESTABLISHED EXISTING FUNCTIONAL NEED FOR A FULL TIME WORKER AND NOT A PART-TIME REQUIREMENT

B) A UNIT AND AGRICULTURAL ACTIVITY CONCERNED, THAT HAVE BEEN ESTABLISHED FOR AT LEAST THREE YEARS, HAVE BEEN PROFITABLE FOR AT LEAST ONE OF THEM, ARE CURRENTLY FINANCIALLY SOUND AND HAVE A CLEAR PROSPECT OF REMAINING SO

C) NO OTHER EXISTING ACCOMMODATION IN THE AREA THAT IS SUITABLE AND AVAILABLE FOR OCCUPATION BY THE WORKER(S) CONCERNED.

WHERE SUCH A DWELLING IS JUSTIFIED THE COUNCIL WILL ENSURE:

I. THAT THE SIZE OF THE DWELLING IS CONSISTENT WITH THE HOUSING NEEDS OF THE WORKER AND HIS/HER IMMEDIATE FAMILY

II. THAT THE OTHER REQUIREMENTS OF POLICY WCC4 (NEW BUILDINGS IN COUNTRYSIDE AREAS) ARE COMPLIED WITH

III. THAT THE DWELLING REMAINS IN THAT USE AND IS NOT SEPARATED FROM THE ENTERPRISE HOLDING.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Extensions to Existing Dwellings in the Countryside

2.41 Extensions to existing dwellings in rural areas need to be considered on a site-specific basis. Generally the aim will be to ensure that any extension does not impact on the surrounding countryside or significantly increase the scale of built development on the site.

2.42 It will be expected that the design will have regard to its wider context, in relation to both the immediate setting and the defining characteristics of the wider local area. This will include local or regional traditions or materials. Good design will be required as it helps maintain or even enhance local distinctiveness, and can help to make the new extension more acceptable to local people. Such an approach complies with detailed guidance set out in PPG 7.

POLICY WCC7: EXTENSIONS TO DWELLINGS IN THE COUNTRYSIDE (OUTSIDE THE METROPOLITAN GREEN BELT)

EXTENSIONS TO DWELLINGS IN AREAS OUTSIDE BUILT-UP AREAS AND SETTLEMENT BOUNDARIES SHOULD BE ACCEPTABLE IF:

A) THERE ARE NO ADVERSE VISUAL, PHYSICAL OR ECOLOGICAL IMPACTS ON THE UNDEVELOPED CHARACTER OF THE SURROUNDING COUNTRYSIDE

B) THERE IS NO SIGNIFICANT ALTERATION TO THE SCALE OF THE DWELLING AND THE SCALE OF DEVELOPMENT ON SITE

C) THE DESIGN RESPECTS THE CONTEXT OF THE DEVELOPMENT, INCLUDING LOCAL OR REGIONAL BUILDING TRADITIONS AND MATERIALS.

Implementation: The development control process.

Monitoring: Planning applications determined.

PROTECTING AND MANAGING THE LANDSCAPE

INTRODUCTION

2.43 The policies that form part of the landscape section of this chapter will apply throughout the local plan area irrespective of whether it is within or outside the Metropolitan Green Belt. The retention of natural beauty and landscape diversity requires that any development should be carried out in harmony and sympathy with its surroundings. The aim of the landscape policies is not only to screen development but to maintain and enhance the natural beauty and diversity of the landscape appropriate to its location.

2.44 Landscape is important because it is:

a) an essential part of our natural resource base
b) a reservoir of archaeological and historical evidence
c) an environment for plant and animal communities
d) a human habitat, evoking sensual, cultural and spiritual responses.

2.45 The term 'landscape' refers to the visual appearance of the land including its shape, form and colours. It reflects the way in which various components combine that are often distinctive in particular localities. The influence of geology, topography, soils, archaeology, landscape history, land use, ecology, architecture and cultural associations give a landscape value, experience and character.

2.46 Assessing the impacts on the landscape should involve an assessment of the component types, i.e. landform, land cover and the landscape elements, which terms are now described.

Landform: integrates information on geology and soils as well as the natural drainage pattern of the area of which the proposed development site forms part. It will include the shape of the land surface and levels, i.e. soils, water, climate.

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 WT5: ACCESS TO TOWN CENTRES

THE CURRENT LEVELS OF OVERALL ACCESSIBILITY TO TOWN CENTRES, PARTICULARLY BY ENVIRONMENTALLY FRIENDLY MODES OF TRANSPORT, WILL BE ENHANCED IN ORDER TO SUPPORT THE LOCAL ECONOMY AND TO MAINTAIN THE VIABILITY AND VITALITY OF THE CENTRES.

THE COUNCIL WILL SEEK TO ENSURE THAT THERE IS GOOD ACCESS TO TOWN CENTRES BY ALL MODES OF TRANSPORT.

PEDESTRIAN ACCESS PLANS WILL BE DEVELOPED FOR THE CENTRES OF WOKINGHAM, WOODLEY, EARLEY AND TWYFORD.

Implementation: Through the annual capital programme ~~of transport investment~~. *AND THE FIVE YEAR LOCAL TRANSPORT PLAN PROGRAMME* **{T/10}**

Monitoring: Through ~~Travel in Berkshire~~, *THE ROAD TRAFFIC REDUCTION ACT AND THE LOCAL TRANSPORT PLAN*, **{T/10}** other transport statistics and surveys.

Parking

10.32 In applying the parking standards, set out at Appendix 7, the District Council will have regard to whether a public transport alternative is available, and if so, its quality in terms of frequency and range of destinations served. In some cases, rather than to make provision on site, e.g. where it would lead to a multiplicity of crossings over heavily used footways or where it could only be used for a single purpose such as staff parking in connection with offices, it would be better to make communal provision. Thus in the centres of Wokingham, Woodley, Earley and Twyford, as defined on the inset maps, parking will be provided in communal areas and on-site parking will be restricted to that required for operational purposes only.

10.33 The provision of parking is seen as an important way to control the growth in the use of the private car. Therefore parking standards will treated as maxima and provision in excess of the standard will not be permitted.

10.34 There is already concern about on-street parking, particularly as an impediment to the movement of emergency vehicles. Control of on-street parking is needed in congested areas and in particular in residential areas close to town centres. Also, the space used for on-street parking could be used to increase the width of pavements and other pedestrian areas. However, the policies do not restrict the availability of on-street parking where this is appropriate, for example, for casual visitors to residential properties or for short term parking in shopping areas.

10.35 In making suitable provision for parking, the needs of disabled people require special consideration.

10.36 The quality of car parking is as much a matter of concern as the quantity. If car parking is to be used and thus meet the purpose of the standard, the spaces must be appropriately located. Studies have shown that there is a lack of communal parking close to dwellings for visitors even when quantitative standards have been met. There is also an under use of garages and hardstandings due to poor layout and dwelling design. Within residential areas proper provision will be sought for visitors. Thus some of the parking to meet the standard can be provided by means of communal spaces rather than exclusively within the curtilage. This will be by means of designated spaces rather than simple on-street provision.

10.37 As well as cars, it is essential that proper provision is made for cycles, motorcycles and lorries. Cycle parking facilities should be well related to cycle tracks. The provision of such facilities will prevent obstruction of footways and assist security. Such facilities should be provided in connection with all retail, business, leisure and educational development.

POLICY WT6: PARKING PROVISION

IN THE CENTRES OF WOKINGHAM, WOODLEY, EARLEY AND TWYFORD ON-SITE PARKING WILL BE LIMITED TO THAT REQUIRED FOR OPERATIONAL NEEDS. ELSEWHERE THE COUNCIL WILL SEEK THE PROVISION IN APPROPRIATE LOCATIONS WITHIN THE DEVELOPMENT FOR CAR, CYCLE, MOTORCYCLE AND LORRY PARKING IN ACCORDANCE WITH THE COUNCIL'S ADOPTED STANDARDS.

~~WITHIN CAR PARKS AND OTHER SUITABLE PUBLIC AREAS PROVISION WILL BE MADE FOR COVERED, WELL LIT AND SECURE CYCLE PARKING.~~

THE COUNCIL WILL SEEK THE PROVISION OF COVERED, WELL LIT AND SECURE CYCLE PARKING WITHIN CAR PARKS AND IN OTHER LOCATIONS WHERE IT IS LIKELY TO BE NEEDED SUCH AS SHOPPING CENTRES, RAILWAY STATIONS, SCHOOLS, LIBRARIES, DOCTORS' SURGERIES, COUNTRY PARKS AND LEISURE FACILITIES. CYCLE STANDS FOR INDIVIDUAL OR PAIRS OF CYCLES WILL BE SITED WHERE LARGER CYCLE PARKS ARE NOT APPROPRIATE. **(PA 10/4)**

THE COUNCIL WILL REVIEW THE NUMBER AND LOCATION OF DISABLED PARKING SPACES AND SEEK TO MEET ANY SHORTFALL IN AVAILABILITY OR LOCATIONAL CONSIDERATIONS, AND INCREASE PROVISION WHERE APPROPRIATE.

WHERE APPROPRIATE, IN ORDER TO PROMOTE ROAD SAFETY, ON-STREET PARKING WILL BE RESTRICTED.

Implementation: Through development control and the annual capital programme of transport investment and environmental improvement *AND THE LOCAL TRANSPORT PLAN PROGRAMME.*

Monitoring: ~~Through surveys of need including problems caused by vehicles parked on street, restricting access particularly by the emergency services, and problems of cycle parking on the pavement and obstruction.~~ *THROUGH THE LOCAL TRANSPORT PLAN PROCESS.* {T/11}

Safety

10.38 The Council considers it important to meet the government's targets in relation to safety and the reduction in accidents. Measures to improve safety will have a high priority, particularly in the vicinity of schools. In recent years many improvements for road safety reasons have been implemented.

10.39 For safety and for environmental reasons a number of traffic calming schemes have been implemented in the District. Traffic calming measures aimed at reducing the speed and penetration of traffic, particularly in residential areas, combined with environmental improvements can improve road safety and make the streets a more pleasant place in which to be. There is, however, concern about the detail of some of the traffic calming schemes that have been implemented. Speed humps have been opposed by the emergency services who consider that they increase response times; they are a problem for patients in ambulances. The bus operators have also opposed speed humps for reasons of passenger comfort and safety. Concern has been expressed about the effect of traffic calming measures on roads that are used as an alternative to avoid such measures, particularly road humps, and the lack of alternative approaches to traffic calming. Offset parking areas, for example can reduce the speed of traffic. Other approaches include footway widening, width restrictions and variation in surface treatments. Traffic calming schemes, however modest, do incur a cost. In view of this, and the fact that schemes can arouse opposition, they will only be undertaken where clearly justified.

4.

BERKSHIRE STRUCTURE PLAN 1991-2006

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4.1

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

3.8 This approach is considered appropriate in view of :

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

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

The Overall Strategy

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

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

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

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

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

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

(vi) **to minimise pollution;**

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

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

MAIN THEMES OF THE STRATEGY

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

Restraining Levels of Growth

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

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

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

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

4.8 The provision of suitable small recycling facilities, such as bottle and can banks, in association with development acceptable under other policies in this Plan, will contribute towards meeting a target of recycling at least 25% of the County's household waste by the year 2000 as proposed in Policy W2 (35% by 2007). The nature and type of facilities will depend on the type of development and the waste management systems being used. However, the facilities may include two separate elements :

- local recycling facilities for the public to deposit different types of recyclable material; and
- facilities for source separation and storage of different types of waste.

4.9 Policy LD2 will normally apply to the following categories of development:

(i) housing proposals for 100 or more dwellings;

(ii) new development, redevelopment or refurbishment of shopping centres or facilities where the floorspace of existing and new development amounts to 500 sq.metres or more;

(iii) business, industrial, distribution or storage development involving a net increase in floorspace of 500 sq.metres or more;

(iv) major transport, leisure, recreation, tourist or community facilities;

(v) car parks for the public including 'park and ride' schemes with over 200 spaces; and

(vi) appropriate smaller developments which frequently attract a significant number of people (e.g. community or shopping schemes).

ENVIRONMENTAL IMPACT

4.10 The County Council considers that even where proposals for development may be acceptable in principle within the provisions of other policies in the Structure Plan and in local plans, local planning authorities need to be satisfied that proposals will not have any significant adverse environmental impact.

Environmental Impact of Development

Policy LD3 **Development proposals will only be permitted where they do not give rise to an unacceptable impact on the environment, including serious harm to the character or appearance of an area, or the amenities of neighbouring land uses.**

4.11 In a highly constrained County such as Berkshire, most major development is likely to have a significant impact, either by itself or cumulatively, and environmental assessments may be required for a wider range of development than that specifically referred to in Circular 15/88 in order to determine the acceptability of proposals.

4.12 Circular 15/88, which explains the provisions of the Town and Country Planning (Assessment of Environmental Effects) Regulations advises that environmental assessments need to be carried out for development proposals which are likely to have significant environmental impacts by virtue of their nature, size and location. To enable the local planning authorities to make such assessments, relevant proposals should be accompanied by "environmental statements" on the lines set out in Schedule 3 to the Regulations. The Circular gives a broad indication of the type and scale of project which may require an environmental assessment, although it is recognised that an assessment may also be needed for smaller development proposals where they are likely to give rise to significant environmental effects.

4.13 It will be up to the local planning authorities to determine the size, location and types of development for which an environmental assessment will normally be required. The environmental statement provided by a developer with a planning application should examine the impacts of the proposed development and make clear how measures to ameliorate these impacts have been incorporated into the design of the development, so that the local planning authorities can properly undertake an environmental assessment. Judgement as to whether on balance a particular proposal is likely to have an unacceptable impact on the environment will depend upon the size, location and type of development being considered.

4.14 Many proposals which do not necessitate a full environmental statement as specified in Schedule 3 to the Regulations may, nevertheless, have a substantial environmental impact either individually or cumulatively with other schemes. In such cases, planning applications will need to be accompanied by sufficient relevant information for their impact to be assessed by the local planning authority.

4.15 The County Council, as highway authority, will ensure that the environmental impact of new transport schemes or improvements is minimised. Improvements to the highway network will need to take account of the broader environmental implications, as well as the transport benefits of any scheme.

Environmental Impact of Transport Schemes

Policy LD4 **The County Council will seek to ensure that the environmental impact of any transport scheme is kept to the practical minimum by comprehensive planning.**

4.16 Steps to be taken in seeking to minimise the potential environmental impact of transport improvements will include careful alignment, design and use of materials, together with comprehensive landscaping and forms of lighting and signage that are as unobtrusive as possible.

LIMITING THE SPREAD OF DEVELOPMENT

Controlling Development in the Countryside

5.8 The protection of the countryside is a fundamental concern and it is necessary to limit development within it to that which is both appropriate (in type and form) and sensitive to its location.

Development Outside Built-Up Areas and Settlements

Policy C2 **Development outside built-up areas and settlement boundaries defined in local plans (and not within the Metropolitan Green Belt - see Policy C4) will be strictly controlled, and permitted only :**

(i) where it is required for agriculture or forestry; or

(ii) for the re-use, adaptation or redevelopment of existing buildings, particularly to assist the diversification of the rural economy and to maintain or enhance the rural environment; or

(iii) other development for which a rural location is essential;

provided it is both appropriate in scale, form, impact, character and siting to its location in the countryside and is acceptable in terms of other policies in the Structure Plan.

5.9 Building in the open countryside away from existing settlements or from areas allocated for development in local plans will be strictly controlled in line with advice in PPG7, 'The Countryside and the Rural Economy'. Even where development may be acceptable in principle in the countryside the acceptability of a particular proposal will depend on its suitability for the proposed site; on the impact of any related activity; and on the adequacy of any measures to integrate the proposal into the surroundings. More detailed criteria relating to the control of development in the countryside will be included in local plans. With regard to redevelopment, such criteria may for example require that proposals should have no greater impact (in terms of bulk of buildings or site coverage) than the existing development and should secure environmental improvements.

5.10 Proposals for essential utilities will be considered under sub-section (iii) of Policy C2. Essential utilities include development and facilities, where these cannot be sited within settlements, for transport and related services, including park and ride and motorway service areas; for the distribution of gas, oil and electricity; for sewage disposal; for water supply and flood alleviation; and for telecommunications.

5.11 Where necessary to meet provisions made in the Structure Plan, settlement boundaries may be defined in local plans to allow for appropriate forms of development on sites on the edge of built-up areas.

Countryside

Reducing the Risk of Flooding

Policy EN3 **Development should not be located in areas liable to flood if it would be likely to:**

(i) inhibit the capacity of the flood plain to store flood water; or

(ii) impede the flow of flood water; or

(iii) increase the risks to life or property arising from flooding.

In addition, proposals which would increase flood risk elsewhere as a result of additional surface water run-off will be resisted unless adequate surface water balancing facilities are provided.

6.8 Areas liable to flood include those which have at any time been affected by flooding, or which form part of a river flood plain. At sites suspected of being at risk of flooding but for which precise recent flood risk information is unavailable, a technical assessment of the flood risk may be required to demonstrate compliance with the requirements of this policy. Policy EN3 covers intensification of existing development and the raising of land.

PROTECTING PARTICULAR ENVIRONMENTAL INTERESTS

6.9 The protection of special landscapes and the rural landscape at large is dealt with in Chapter 5. Other policies for protection and enhancement of specific environmental interests are set out below.

Buildings of Special Character and Interest

6.10 Legislation provides for the protection of statutorily listed historic buildings from demolition or unnecessary or over-radical change. Other buildings of local importance may also warrant retention as part of development schemes. There is a need to ensure that subject to other policies in this Plan, historic buildings can have a use which justifies or funds their upkeep.

Development Proposals Related to Buildings of Special Character and Interest

Policy EN4 **Listed buildings and buildings in conservation areas will be protected from demolition, inappropriate alteration and other adverse change. Proposals affecting these buildings and other buildings of special architectural or historic interest should conserve their historic fabric and character, preserve or enhance their settings, provide appropriate uses and ensure adequate standards of maintenance and repair.**

5.

Deposit Draft March 2002

Berkshire Structure Plan

2001-2016

Prepared by the **Berkshire Unitary Authorities' Joint Strategic Planning Unit**

VISION

DEVELOPMENT

ENVIRONMENT

HOUSING

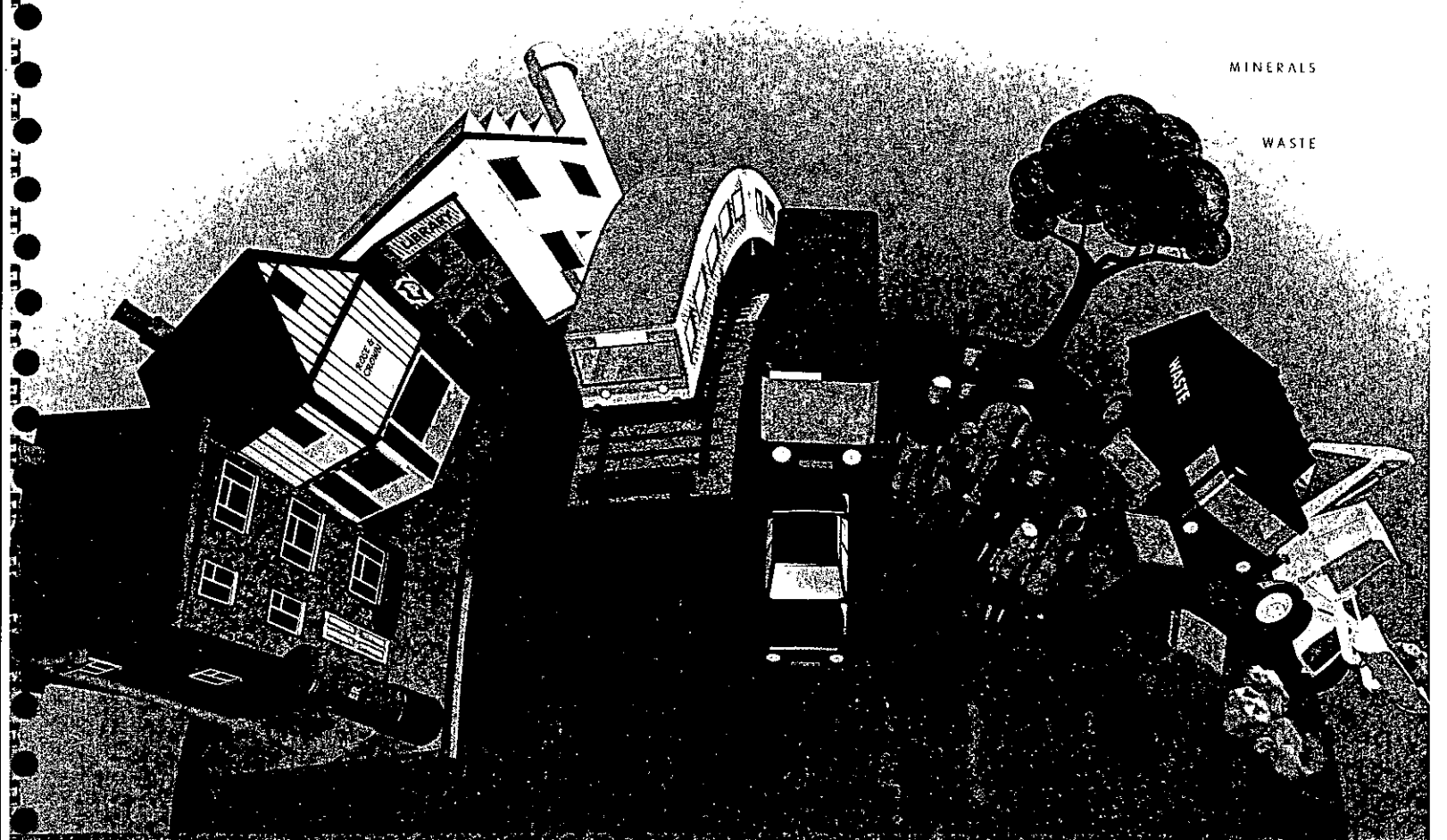
EMPLOYMENT

LEISURE

TRANSPORT

MINERALS

WASTE



Bracknell Forest Borough Council | Reading Borough Council | Slough Borough Council

West Berkshire Council | The Royal Borough of Windsor and Maidenhead | Wokingham District Council

4.13 Other policies in this plan assist in urban renaissance. Policy DP1 and others concentrate major development in town centres. This helps achieve a flow of investment and should promote a high level of demand for services from the working population in them. Policy H6 seeks to make better use of land for housing, and in particular to seek higher housing densities in centres. This will mean that future housing development is targeted on the centres rather than being more spread out over the countryside.

Policy DP6: Land Outside Settlements

1. Land outside settlements will be safeguarded for its own sake as a non-renewable natural resource.

2. In addition, local plans will ensure that land outside settlements is only used for purposes appropriate to rural areas, and in particular that it:

(i) makes a contribution to the economy through agriculture, forestry and other activities that can only be undertaken there, and by providing immediately accessible job opportunities for those who live there;

(ii) contributes to the identity of settlements; or

(iii) provides the population with easily accessible opportunities for informal recreation.

Reason for the Policy

4.14 The countryside merits protection for its own sake. The habitats and landscapes which it contains have taken many years to develop. They are a natural resource which is fragile and cannot be replaced if lost or damaged. The Councils also wish to see the countryside continuing to perform human-related functions of providing recreation, a sense of identity, food production and for many of those who live there, a livelihood. In relation to (ii), the urban fringe can present particular problems with pressures for development, sometimes accompanied by the degradation of the land.

How it will be carried out

4.15 Other polices in the Structure Plan develop these principles – in particular DP7 (Gaps and Wedges) DP8 (rural communities) EN1 (landscape) EN2 (agricultural land) and EN3 (biodiversity). Local plans will include detailed policies on development in the countryside following the principles in Policy DP6. Development in the countryside will be controlled using structure and local plan policies. Other measures may be needed to promote the proper management of land in areas such as the urban fringes, for example by the local authority working in partnership with agencies such as the

5.2

Countryside Agency, Thames Valley Groundwork and the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust. Some greenfield development is likely to be needed to carry out the policies in this Plan (in particular, meeting the housing allocations in policy H2). However, this will be done through local plans and will, where necessary, involve the local plan redefining the settlement boundary. Further guidance on the identification of land for housing development is given in policy H4.

Policy DP7: Strategic Gaps and Wedges

1. The Councils will preserve the setting and separate identity of settlements and protect areas of the open countryside which penetrate urban areas and provide access to the countryside for residents of urban areas. This will be achieved by the identification and maintenance of Gaps and Green Wedges.

2. The location and extent of Gaps and Green Wedges will be defined in local plans. Where they overlap administrative boundaries, local planning authorities will work together to ensure that adequate gaps are maintained through coordinated policies in their local plans.

Reason for the Policy

4.16 The distinction between Berkshire's built-up areas and the open or largely undeveloped areas around and between them is important. Due to pressure for development there is a real threat of settlements coalescing, and the subsequent loss of the separate identity of individual settlements and the coherence of the existing settlement pattern. In order to protect the existing open character of land between settlements it is important that Gaps are identified to steer development away from areas where there is a real threat of coalescence occurring. Gaps comprise open land that separates distinct settlements.

4.17 Similarly, there is a need to provide real access and recreational benefits for all, and to retain the benefits of having open countryside near to where people live. Some areas that perform this function are under threat from development and it is important to give them further protection through the identification of Green Wedges. Green Wedges are areas of open space penetrating, partly enclosed by, or separating built-up areas.

4.18 Most Gaps and Wedges lie entirely within the jurisdiction of a single planning authority, and it is appropriate that these are identified and protected in the relevant local plan. But where areas of land justify being identified as Gaps or Green Wedges and they cover more than one local authority area, it will be necessary for the authorities concerned to work together to ensure that they are maintained.

5.3

How it will be carried out

4.19 Local plans will identify, justify and delineate the exact boundaries of the Gaps or Wedges. Where necessary, local plans will also include policies to maintain the Gaps and Wedges. These policies will ensure that development will only be permitted if it does not threaten important open areas or the separation of settlements that are close together. In some cases, policies in this Plan (for example, H2) may result in development of greenfield land between settlements. In establishing the boundaries of such development, local planning authorities will ensure that adequate provision is made for the maintenance of Gaps and Wedges.

Policy DP8: Rural Communities

The Councils will seek to strengthen rural communities and the rural economy by:

(i) encouraging appropriate rural enterprise, including the diversification of farm business;

(ii) promoting a more equitable, and locally based, provision of services;

(iii) supporting development which preserves or enhances the range of rural community facilities and makes the rural community more self-sufficient;

(iv) supporting the provision of affordable housing in appropriate locations which meets the proven needs of local people and/or key workers within the rural community;

(v) ensuring that development is of a scale, form and layout which conserves or enhances the character of its surroundings, and involves a relationship between buildings and spaces which achieves a sense of place;

(vi) ensuring that buildings are accessible to all members of the community.

Reason for the Policy

4.20 The rural areas in Berkshire have undergone considerable change in recent years and there is ever-increasing pressure for growth and further change. This is clearly illustrated by the current pressures on the agricultural industry. Although farming continues to make a significant contribution to the rural economy, its continuing viability may depend on diversification into non-agricultural activities which support existing agricultural uses.

4.21 The structure of rural communities has altered, as people travel further afield to find work, and house prices have risen, making it difficult for many local people to stay in their local rural community. Local services are declining and access to them growing more difficult as village schools, post offices, shops and pubs close, thus placing more

5.4



6.

Appeal Decision

Site visit made on 07 February 2001

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☎ 0117 987 8927

by Roger Clews BA MSc DipEd DipTP MRTPI

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

Date

15 MAR 2001

Appeal Ref: APP/X0360/A/00/1053362
Amen Cottage, Jubilee Road, Finchampstead

- 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 Mrs G Lovelock against the decision of Wokingham District Council.
- The application (ref: F/2000/0903), dated 14 March 2000, was refused by notice dated 8 May 2000.
- The development proposed is replacement dwelling.

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

Procedural Matters

1. The appellant has made it clear in evidence that a tree, which was identified on the application drawings to be removed as part of the proposed development, no longer needs to be removed. I have taken account of this in reaching my decision.

Main Issue

2. I consider that the main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area, which lies in an Area of Special Landscape Importance.

Planning Policy

3. The development plan for the area is the Berkshire Structure Plan 1991-2006 (BSP), adopted in November 1995, and the South East Area Local Plan (SEALP), adopted in April 1994. The BSP contains two policies relevant to this appeal. Policy C2 requires development outside built-up areas and settlement boundaries defined in local plans to be strictly controlled in order to protect the countryside. Such development should be restricted to that required for agriculture or forestry, to the re-use, adaptation or redevelopment of existing buildings, and to development needing a rural location. It should be appropriate in scale, form, impact, character and siting to its location in the countryside. Policy C8 states that Areas of Special Landscape Importance (AsSLI) will be delineated and designated through local plans. The location, scale, form, character and type of development in these areas will be carefully controlled to protect their special landscape significance.

4. The SEALP, which pre-dates the BSP, contains three relevant policies. Policy STV2 states that development outside the settlements identified on the proposals map will not normally be permitted, subject to a number of exceptions. Policy SC18 states that the replacement of dwellings in rural areas may be permitted, provided that the existing building is not of

architectural or historical interest, that the siting and design of the new development has minimum impact on the rural environment, and that its size will not significantly exceed that of the existing property. Policy SC3 states that development will not be permitted within AsSLI if it would cause long-term damage to the rural character or special landscape qualities of the area.

5. The Wokingham District Local Plan Deposit Draft (WDLP) was placed on deposit in October 1997 and the Public Local Inquiry has been completed. The consolidated version of the WDLP, published in February 2000, incorporates proposed amendments made in April and September 1999 and in February 2000. Two policies are directly relevant to this appeal. Policy WCC1 states that development outside defined settlement boundaries will only be allowed in exceptional circumstances. Policy WLL2 states that in AsSLI, development will not be permitted that would have a detrimental impact on the open countryside character or special landscape qualities of the area. These policies correspond closely to policies STV2 and SC3 respectively in the adopted SEALP, and reflect the principles of BSP policies C2 and C8. In view of this, and of the fact that the WDLP has reached a fairly advanced stage, I am able to give these policies significant weight in determining this appeal.

6. However, neither the Council nor the appellant have referred to any policy in the WDLP which corresponds to SEALP policy SC18. The Council have referred to WDLP policy WCC7, but this deals with extensions to dwellings in the countryside, rather than replacement dwellings. I take it therefore that SEALP policy SC18 remains the most up-to-date local policy dealing specifically with replacement dwellings in the countryside.

Reasons

7. The appeal site lies in an area designated as countryside in the WDLP. On the basis of my site inspection I concur with the Council's view that the area around the site has a predominantly countryside character. The site is also within the designated Blackwater Valley ASLI; however I saw that the valley itself lies over a ridge some way south of the site and is not visible from it.

8. The proposed new dwelling would be over half as high again as, and have approximately twice the floor area of, the existing bungalow on the site. According to SEALP policy SC18(C), replacement dwellings in rural areas should not significantly exceed the size of the existing property in height or floor area. However the policy also states at (B) that replacement dwellings may be permitted provided they have a minimum impact on the rural environment. In my view, clause (B) provides the more appropriate test of the effect of the proposed replacement dwelling on the character and appearance of the area. The height and floorspace of the new dwelling are not necessarily significant in themselves, except insofar as they have an effect on the character and appearance of the area. I also consider that clause (B) also accords better with BSP policy C2.

9. The existing bungalow on the site is positioned close to the roadside and as a result is very prominent in views from Jubilee Road. The appellant claims that the new house would not be seen above the high hedge at the front of the site. I observed that this is not altogether accurate, as a section of the hedge has been cut down to a low level. Nonetheless, in my view the proposed position of the new house significantly further back within the site would mean that it would be no more prominent in views from Jubilee Road than the existing bungalow, despite its greater height and floorspace. In addition, the application drawings

indicate that this section of hedge is to be restored to a height of 1.7m as part of the development, and thus would provide additional screening. As a result, I do not consider that the proposed new dwelling would adversely affect the predominantly countryside character of the area, or have an urbanising effect upon it.

10. The existing bungalow appears to have no particular architectural or historical merit. The design of the proposed house is, in my view, appropriate in the context of the surrounding area, which contains dwellings in a variety of styles and materials. In their evidence the Council make no specific objection to the design of the new house, other than to its size.

11. The proposed new garage would occupy substantially the same site as the existing garage on the site, and would be largely screened from the road by trees and shrubs. As a result, although the new garage would be higher and wider than the existing one, I do not consider that it would adversely affect the appearance of the area.

12. Although the site lies in the Blackwater Valley ASLI, it is not prominent in the landscape. As I have reasoned that the proposed house and garage would not adversely affect the countryside character or the appearance of the area, for the same reasons I do not consider that they would have a detrimental impact on the character and appearance of the ASLI.

13. I therefore conclude on the main issue that the proposed development would not have a significantly adverse impact on the character and appearance of the surrounding area, which lies in an Area of Special Landscape Importance. It would therefore not conflict with BSP policies C2 and C8, SEALP policies STV2, SC18 and SC3, nor with WDLP policies WCC1 and WLL2.

Other Matters

14. The written justification to SEALP policy SC18 refers to the need to maintain a range of dwelling types and sizes in rural areas. However there is no evidence that harm would occur to the range of dwellings in the area if the proposed development were permitted.

Conditions

15. I consider it appropriate to apply the conditions numbered (1) to (6) inclusive in my Formal Decision below, as suggested by the Council. Condition (1) reflects section 91(1) of the Town and Country Planning Act 1990. Condition (2) is needed in order to ensure that the external materials to be used in the development are appropriate to the area. Condition (3) is needed to ensure that the proposed buildings are sited at appropriate levels within the site. Condition (4) is necessary to protect the living conditions of neighbouring residents. Conditions (5) and (6) are required in order to ensure that landscaping which is appropriate to the countryside character of the area, and which provides suitable screening of the new dwelling, is provided and maintained.

16. I do not propose to apply the further conditions suggested by the Council. I consider the removal of permitted development rights from the proposed dwelling to be unnecessary, as any extensions or ancillary buildings which could be constructed as permitted development would not be so large or prominent as to significantly affect the character or appearance of the surrounding area. I consider it unnecessary to require that the garage be constructed before the dwelling is occupied, and kept available for parking at all times, as there would in any case be sufficient space within the site for vehicles to turn and park without adversely affecting highway safety. The proposed condition requiring that no trees, hedgerows or

shrubs be felled, lopped or pruned without the prior consent of the local planning authority is, in my opinion, unnecessary in view of conditions (5) and (6), and of the Council's powers to apply Tree Preservation Orders to any trees they consider to be in need of protection.

17. Finally, although the Council have not suggested this, I consider it necessary to apply condition (7) requiring the demolition of the existing bungalow within six months of the completion of the proposed new house, in order to ensure that the new dwelling is a replacement for the existing one, and not additional to it. This does not, of course, prevent the bungalow being demolished at any earlier time if the appellant wishes.

Conclusions

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

Formal Decision

19. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for a replacement dwelling at Amen Cottage, Jubilee Road, Finchampstead in accordance with the terms of the application No: F/2000/0903 dated 14 March 2000, and the plans submitted therewith, subject to the following conditions:

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

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

(3) No development shall take place until details of the slab levels of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

(4) Works related to the construction of the development hereby permitted shall not take place outside the hours of 0800 to 1900 on Mondays to Fridays and 0800 to 1330 on Saturdays, nor at any time on Sundays or public holidays.

(5) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. The approved scheme shall be implemented prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.

(6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

(7) The existing dwelling on the site shall be demolished before the expiration of six months from the date of completion of the dwelling hereby permitted.

Information

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

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

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

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

Roger Clews

Inspector

Application Number: F/2000/0903

Appraisal : Site in countryside + ASLI = SC18 & 3 of SFALP + WCC7 (unsafe) + WL2-2 of WDLP.

~~Exist~~ Original bungalow = 61 m²
Existing exist^n = 29.6 m²
Total existing = 90.6 m²

Proposed dwelling (semi chalet style 2 floor) = 185 m².

This is slightly greater than the existing footprint and over double the floorspace. Height of existing estimated to be 6 m high to pitched roof. Proposed dwelling 7.15 / 6.8 m high, and a different siting slightly higher up. Consider proposed dwelling excessive in size for a replacement dwelling, and together with the increase in height in the ASLI would have unacceptable effects on character and appearance of area. Also double garage with pitched roof.

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

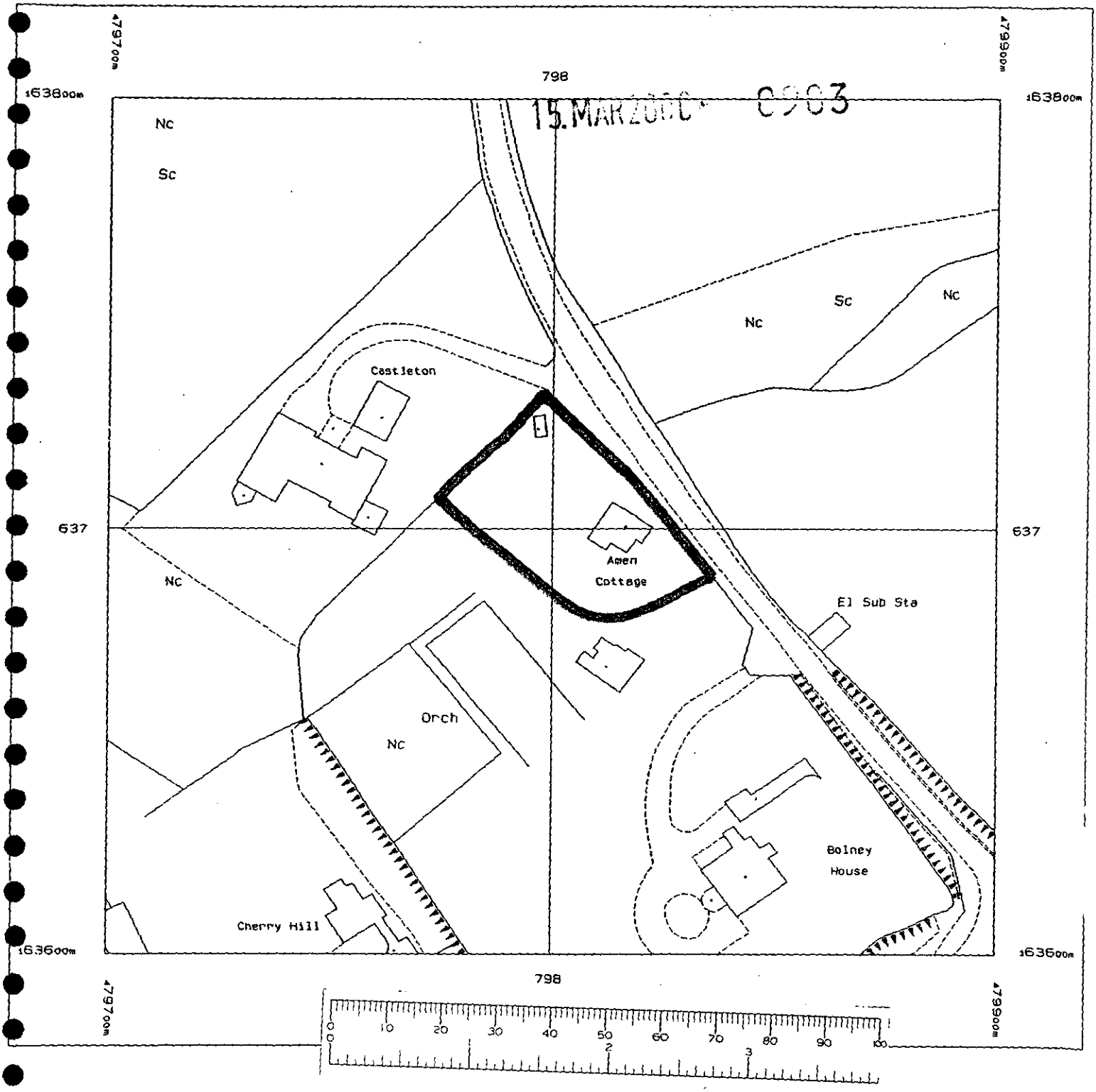
6.6

Ordnance Survey®

Superplan

Planning Extract - 1

Site-centred



15.MAR2000 0903

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Part or all of this Superplan is enlarged from mapping produced at one or more of the following scales: 1:1250, 1:2500 & 1:10000

Scale 1:1250

National Grid sheet reference at centre of this Superplan: SU7963

The representation of a road, track or path is no evidence of a right of way.

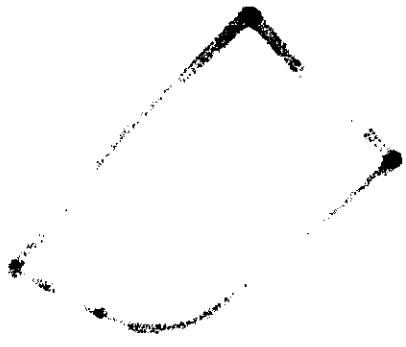
This Superplan product does not contain l recorded map information.

6.7 REFUSED

Centre Coordinates: 479800 163700

Supplied by: Blackwell's Reading

Serial Number: 12382



Appeal decision

Hearing conducted on 26 October 2000

by Robert A Luck BSc CEng MICE DipTE MIHT MEWI

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

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

Date:

Appeal Ref: APP/X0360/A/00/1046621
Woodside, Church Road, Farley Hill

- 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 brought by Mrs B Denton against the decision of Wokingham District Council.
- The application (ref: 99/70767/0), dated 1 November 1999, was refused by notice dated 18 January 2000.
- The development proposed is the renewal of outline planning permission reference 96/64587/0.

Summary of decision: The appeal is allowed and planning permission granted, subject to conditions set out in the formal decision.

Preliminary Points

1. The application is for outline permission for the erection on one replacement dwelling with siting and means of access to be determined. The outline permission reference 96/64587/0 was granted in 1996 subject to conditions which include that the dwelling should be of the chalet type having a low eaves line and followed similar permissions dating back to 1990.

The Main Issue

2. I consider the main issue in this appeal to be the effect of the proposed development on the character and appearance of its surroundings.

The Development Plan and Other Local and National Policy

3. The Development Plan for the area includes the Loddon Area Local Plan (1995). Policy LBE1 states that new development shall be of a high standard of design appropriate to the character of the area in which it is to be situated and that, amongst other things, it should make a positive contribution to its setting and the character of the area. Policy LBE2 seeks to prevent development that is inappropriate in terms of its relationship with adjoining sites and buildings, or which would adversely affect the character of an area by virtue of its siting, scale, form and massing. Policy LC18 allows the replacement of an existing dwelling in a rural area provided that it meets criteria which include that the siting and design of the development has the minimum impact on the rural environment and that its size does not significantly exceed that of the existing property both in height and floor area. The site lies within an Area of Special Landscape Importance defined in Policy LC3 and an Area of Traditional Character defined in Policy LBE16.

4. The Wokingham District Local Plan Deposit Draft has recently been subject to a Local Plan Inquiry and I am therefore able to give some weight to the policies relevant to this case. Draft Policy WOS3 requires, amongst other things, that development proposals should be appropriate in character to the area and be integrated into their local context without detriment to the amenities of adjoining land uses and occupiers, and that they should be of a high quality of design that respects the local context by virtue of siting, layout and massing. Draft Policy WBE1 requires development proposals to incorporate good contemporary design which respects its local context, having regard to visual impact, layout, form and scale. Draft Policy WCC1, whilst accepting in principle redevelopment proposals in the countryside, states that these will only be permitted if they are appropriate in scale, form, design and character to the location. The site lies within an Area of Special Landscape Importance defined in Draft Policy WLL2 and an Area of Special Character defined in Draft Policy WHE8.

5. It was agreed at the hearing that there is little difference of substance relevant to this appeal between the policies of the Loddon Area Local Plan and the Wokingham District Local Plan Deposit Draft.

6. Planning Policy Guidance Note 7: The Countryside - Environmental Quality and Economic and Social Development (PPG7) (1997) places greater emphasis on the importance of design than did its predecessor published in 1992. At paragraph 2.11 in particular it stresses the need for new building in rural areas to be of an appropriate design and scale for its location and to include local or regional building traditions or materials, so that it helps to maintain or enhance local distinctiveness. PPG7, together with other Government publications including Planning Policy Guidance Note 1: General Policy and Principles (PPG1) (1997) and "By Design" (2000), reflects a greater requirement in national policy for design issues to be considered carefully and I conclude that this is a material consideration in this appeal.

Reasons and Conclusions

7. The village of Farley Hill is for the most part spread out along the main east-west road, Church Road. The greater concentration of buildings is in the vicinity of the public house and the school to the east whilst to the west, towards and beyond the site, development is more sporadic with many houses, and indeed the parish church, largely concealed from the road by dense boundary planting which therefore lends a particularly rural character to the street scene. The site is a spacious plot on the north-east corner of the junction of Church Road with Castle Road. There is a playing field on the north-west corner of the junction which, with the generally lower roadside boundaries of the appeal site, gives a more open appearance to the immediate vicinity of the site, especially since "Woodside", the present bungalow on the appeal site, is sited away from Church Road towards the northern site boundary.

8. Such dwellings as are visible from the public road near the site are varied in style, size and age. The neighbouring building to the north of the site, "Church Terrace", appears to be a pair of traditional cottages which may have been converted internally into one dwelling and has painted brick walls under a low-pitched roof. To the east of the site and facing on to Church Road is "Taneborc" (formerly "Briar Rose"), a red brick chalet bungalow of relatively modern design which is of a fairly compact appearance when viewed from its road frontage. "Woodside" has a hipped roof with a short ridge which appears to be about the same height as that of "Church Terrace" but perhaps somewhat higher than that of "Taneborc", and it is

clear to me that, for the proposed building to be satisfactorily integrated into its surroundings, its height too must be similar to that of its neighbours. However, the use of dormers to allow for second storey accommodation within a roof with low eaves would reflect the design of "Taneborc" and therefore would not be inappropriate to the surroundings. It was agreed at the hearing that, whilst the footprint of the proposed dwelling and garage together would be greater than that of the present bungalow and garage, it would be less than that of "Taneborc" and indeed of other buildings in the area, especially those further to the west which are visible from the road. Whilst there is insufficient detail in this outline proposal to enable a comparison of floor areas between the existing and proposed dwelling, it is my opinion that the size of the proposal is not excessive in its location and that it does not therefore conflict in that respect with Local Plan Policies LBE2 and LC18.

9. The proposed dwelling would be sited with its footprint overlapping that of the existing bungalow, but placed more centrally on the plot so that its Church Road elevation would be about 1m behind the line of the front elevation of "Taneborc". It would therefore be more noticeable in the street scene than the present bungalow, both from the south and particularly from the east, beyond the playing field, from where the most conspicuous building at present is "Taneborc". However, the stepping back of the proposed dwelling would respect the curving highway boundary as Church Road turns into Castle Road and ensure that the siting of new building had an appropriate relationship with "Taneborc", whilst its "L"-shaped plan would ensure the apparent massing of the proposal in the important view from the east would be acceptable.

10. I conclude that, with the proposed dwelling being of the chalet type, the proposed development in accordance with the siting shown on the application drawing would not be harmful to the character and appearance of its surroundings and that it would not conflict Local Plan Policies LBE1, LBE2 and LC18. Taking into account that the Council would retain control over details including style and materials, I further conclude that this outline proposal in itself would not conflict with current national policies which place greater emphasis on design than was the case in 1996. Furthermore, Draft Deposit Local Plan Policies WOS3, WBE1 and WCC1 do not represent so significant an emerging change of local policy as to justify a decision not to renew the permission previously granted for this site

Other Matters

11. Representations have been made by the occupiers of "Taneborc" that dormers in the eastern elevation would be detrimental to their living conditions because they would suffer loss of privacy from overlooking. However, the dormers on the submitted drawing are illustrative and are not to be determined as part of the present outline application.

Consideration of Conditions

12. I have considered the conditions suggested by the Council, the advice in Circular 11/95 and also the conditions applied by the previous planning permissions. It is essential to ensuring the integration of the proposed building into the character and appearance of its surroundings, and thus the acceptability of the proposal in design terms, that the Council should retain control of all design details, including landscaping and external materials. The roads surrounding the site are confined in width and, in the interests of the safety and convenience of road users, the on-site parking and turning facilities included in this application should be retained.

13. The Council has suggested that, although previous permissions restricted the building to a chalet type with low eaves, the present proposal should be restricted to a single storey of accommodation. I have concluded that dormer windows would reflect the style of the neighbouring building and would not necessarily result in a higher ridge line than the present building on the site. I therefore find there is no reason to alter the condition previously applied in this respect.

14. I have concluded that spaciousness is an important characteristic of the site. The retention of any part of the existing dwelling, any future extension of the proposed dwelling or the erection of additional buildings or enclosures may be prejudicial to this characteristic, especially since the footprint of the proposal is in any case greater than that of the present development on the site. I conclude that it is therefore necessary that control of such matters should be retained by the Council. The slab level of the proposed dwelling, combined with the design details yet to be determined, should also be controlled by the Council in order to ensure that the overall height of the building has an acceptable relationship with the neighbouring dwellings.

Overall Conclusion

15. For the reasons given above and having regard to all other matters raised I conclude that the appeal should succeed.

Formal Decision

16. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the renewal of outline planning permission reference 96/64587/0 at Woodside, Church Road, Farley Hill in accordance with the terms of the application reference 99/70767/0 dated 1 November 1999 and the plans submitted therewith, subject to the following conditions:

    (1) Approval of the details of the design and external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced

    (2) Plans and particulars of the reserved matters referred to in condition 1 above, relating to design and external appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

    (3) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

    (4) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

    (5) The building shall not be occupied until the area shown to be used for vehicle access, parking and turning on the application plan has been constructed in accordance with details submitted to and approved by the local planning authority, and that area shall not thereafter be used for any purpose other than vehicle access, parking and turning.

(6) The existing dwelling on the site shall be completely demolished prior to the occupation of the new dwelling hereby permitted.

(7) Not withstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no building or enclosure, other than those expressly authorised by this permission, and no enlargements, improvements or alterations to the dwelling house or its roof shall be constructed.

Information

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

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

19. Attention is drawn to the fact that an applicant for the approval of reserved matters referred to in this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.

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

Inspector

APPEARANCES

FOR THE APPELLANT:

Ms Julie Williams BSc(Hons) DipTP MRTPI	Martin & Pole, Nicholas, 7 Broad Street, Wokingham, Berkshire RG40 1AY. Agents for the Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Ms Emy Circuit	Wokingham District Council

INTERESTED PERSONS

Ms Shona McLean	"Taneborc", Church Road, Farley Hill, Berkshire RG7 1UA
Mr Yousuf Qayum	"Taneborc", Church Road, Farley Hill, Berkshire RG7 1UA

DOCUMENTS

Document	1	List of those attending the hearing
Document	2	Letter of notification
Document	3	1 letter of representation
Document	4	Copy of PPG7 (January 1992)
Document	5	2 plans showing the footprint of the proposed dwelling in relation to others in the locality
Document	6	Extract from the Local Plan showing the site within designated Special Areas
Document	7	Extract from the 1996 renewal of Planning Permission listing conditions applied

PLANS

Plan	A	Drawing No 14963/90/1A: Application drawing with location and site plans

Application Number : 99/70767/O

Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
01			The size of the proposed replacement dwelling is excessive and would result in a scale of development that would be obtrusive in the street scene and harmful to the character of the area. The proposals are, therefore, contrary to Policies WOS3, WCC1 and WBE1 of the Wokingham District Local Plan, as proposed to be amended and the advice given in PPG7.

6.14

The Planning Inspectorate

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Robin Bradbeer BA(Hons) MRTPI
Planning & Development Consultancy
20 Lansdown Parade
CHELTENHAM
Glos
GL50 2LH

Your Ref:
158
Our Ref:
T/APP/X0360/A/98/299923/P5

Date: 07 DEC 1998

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 & SCHEDULE 6
APPEAL BY BELCHER FARMS
APPLICATION NO: 98/67207/F

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your client's appeal against the decision of the Wokingham District Council to refuse planning permission for demolition of existing dwelling and garage and erection of replacement dwelling and garage at The Pightle, Dunt Lane, Hurst. I conducted a hearing on 24 November 1998. At the hearing, an application was made on behalf of Belcher Farms for an award of costs against the Council. This is the subject of a separate letter.

2. For the purposes of clarification I confirm that the four drawings which formed part of the application are numbered 158/98/01B, 02A, 03A, & 04, and that the replacement garage would be integral with the dwelling.

3. From the evidence given at the hearing, my reading of the written representations and inspection of the site and its surroundings, I consider that the main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding rural area.

4. There is an emerging local plan, the Wokingham District Local Plan (Deposit Draft) (DDLP) which is presently the subject of public inquiry and which is used for development control purposes. The DDLP derives from the development plan (DP) which consists of the Berkshire Structure Plan 1991-2006 (1995) (SP) and the Loddon Area Local Plan (1995) (LP). I am required to decide the appeal having regard to the DP and to make my determination in accordance with it unless material considerations indicate otherwise.

5. SP Policy C2 allows for the redevelopment of existing buildings in areas outside settlement boundaries, particularly to assist the economy or to maintain or enhance the rural environment, provided that they are appropriate in scale, form, impact and character. Policy

6.15

100%

LBE1 of the LP states that new development shall be of a high standard of design appropriate to the character of the area, and LP Policy LBE2 says that development which is inappropriate in terms of its relationship with adjoining sites by virtue of siting, scale, form, mass or materials will not normally be permitted. LP Policy LC18 allows replacement of existing dwellings of no architectural or historic interest in rural areas provided that their siting and design has minimum impact on the rural environment.

6. The site is in the countryside, outside of any settlement boundaries, and is presently occupied by a plain 1960s dwelling of no architectural interest which is the middle one of three bungalows. It is within a row of dwellings and farm buildings on the east side of Dunt Lane. The row incorporates single and two storey buildings of varying sizes, styles and ages, in brick and tile finish. There are fields to the west of Dunt Lane and to the south of the row. Buildings to the north of, and including, Dunt Cottage are generally of two storeys height and are of greater mass than the three bungalows south of this point. These bungalows are set further back from the road and there is a more open, rural feel to this southerly end of the row.

7. The new dwelling would be of similar width to the existing bungalow and garage on the site, and would be positioned with its front face approximately in line with the neighbouring buildings. Its roof would be steeper than, and some 2.1m higher than, the present dwelling on the site and it would have a central protruding gable and two dormers. The form and design would be similar to that of a number of the properties further north in the row. The proposed materials would be similar to those of nearby houses, and appropriateness could be ensured by the imposition of a condition. The height of the dwelling would be greater than that of its immediate neighbours but not sufficient to make it appear out of scale. The increase in height would reduce the openness of the area but this would have marginal impact when seen from the public highway because of the set-back from the road and the screening effect of front and side hedges. Screening would be increased in time by the growth to maturity of the additional plantings shown on the drawings which formed part of the application.

8. I note that the Planning Officer's recommendation to Committee was to grant planning permission. The present rural environment of the locality already incorporates an element of redeveloped properties, and the proposal would exhibit some similarity in style to these redevelopments and would, in my view, enhance appearances in comparison to the existing bungalow. I conclude on the main issue that the proposed development would not harm the character and appearance of the surrounding rural area. It would comply with SP Policy SP2. It would meet the aims of LP Polices LBE1 and LC18 and it would not conflict with LP Policy LBE2. I shall allow the appeal.

9. Both you and the Council have suggested conditions to be considered in the event that planning permission were to be granted. I shall impose a condition for approval of materials, to ensure a satisfactory appearance, and one for the restriction of side windows to prevent direct overlooking of neighbours' properties, which would be close to the new house. I shall include cable and landscape conditions to maintain rural appearances and improve screening, together with restrictions on hours of construction work in the interests of the living conditions of neighbours. No exceptional or specific reasons have been put forward for a general restriction of permitted development rights. With regard to highway matters, I do

not consider that the development would precipitate an increase in traffic and so there is no requirement for a condition related to access arrangements, but I shall impose one for the approval of the details of the site parking and turning space, in the interests of highway safety.

10. I have taken into account all other matters raised in evidence at the hearing and in the written representations, but none is sufficient to override the considerations which have led to my decision.

11. For the above reasons and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for demolition of existing dwelling and garage and erection of replacement dwelling and integral garage at The Pightle, Dunt Lane, Hurst in accordance with the terms of the application (No 98/67207/F) dated 27 February 1998 and the plans submitted therewith, subject to the following conditions:

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

2. no development shall take place until samples of the materials to be used in construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details;

3. notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) (with or without modification), no windows or similar openings shall be constructed at first floor level in either of the side elevations of the development hereby permitted;

4. no additional overhead wires or cables or other form of overhead servicing shall be placed over the site or used in the development hereby permitted;

5. no development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development;

6. all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation;

7. no operation of machinery in connection with construction of the development hereby permitted shall take place on Sundays or Bank Holidays, or before 0700 hours

or after 1900 hours on Mondays to Fridays, or before 0700 hours or after 1330 hours on Saturdays;

8. the development hereby permitted shall not be occupied until details of the parking and turning area have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

12. These conditions require further matters to be agreed by the local planning authority. There is a right of appeal to the Secretary of State if they refuse any such application, fail to give a decision within the prescribed period, or grant a conditional approval.

13. This letter only grants planning permission under Section 57 of the Town and Country Planning Act 1990. It does not give any other approval or consent that may be required.

Yours faithfully

Michael A. Hillyer.

Michael A Hillyer BSc MSc CEng MICE FCIWEM
Inspector

APPEARANCES

FOR THE APPELLANT

Mr Robin Bradbeer BA(Hons) MRTPI	Robin Bradbeer Planning & Development Consultancy, 20 Lansdown Parade, Cheltenham, Glos GL50 2LH

FOR THE LOCAL PLANNING AUTHORITY

Miss Heather Morgan BA(Hons) MPhil MRTPI	Senior Planning Officer

INTERESTED PERSONS

Mr Ian McMinn	Hurst St Nicholas Parish Council, c/o 195 Reading Road, Wokingham, Berks RG41 1LJ

DOCUMENTS

Document 1	List of persons present at the hearing.
Document 2	Council's letter of notification of the hearing and list of persons notified.

PLANS

Plans A1 - A4	Application plans.

The Planning Inspectorate

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Abbots Quay Studios
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Your reference:
JO
Our reference:
T/APP/B1225/A/99/1025960/P8
Date: 26 OCT 1999

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR AND MRS D JOSEPH
APPLICATION NO:- 6/99/0068F

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your clients' appeal against the decision of the Purbeck District Council to refuse planning permission to demolish the existing dwelling, garage and outbuildings and erect a new dwelling with a detached double garage at Valeview, Haycrafts Lane, Harmans Cross. I have considered all the written representations together with all other material submitted to me. I inspected the site on 5 October 1999.

Clarification

2. The application was submitted on 27 January 1999. While it was under consideration by the council, you submitted amended plans on 11 March 1999. In a letter dated 24 March 1999, you agreed to further amend the scheme by reducing the size of the first floor balcony and providing obscure glazed screens to the sides of it. However, amended plans covering these points were never submitted. I have therefore considered this appeal on the basis of the plans that were before the council when it determined the application, which do not show amendments to the balcony. Nevertheless, I have taken account of your offer to amend the plans.

The issues

3. From what I saw on my visit, and from my reading of the written representations, I consider the issues in this case to be the effects of the proposal on the landscape of the area, and on the amenities of residents of neighbouring properties.

Planning policies

4. The development plan is the Dorset (excluding South East) Structure Plan (Second Alteration), approved in 1993, and the Isle of Purbeck Local Plan, adopted in 1991. The site lies within an Area of Outstanding Natural Beauty (AONB), protected by Structure Plan Policy C6. In the adopted Local Plan, the site lies within the Coastal Valleys and Limestone Plateau Policy Area (Policy CC13). Structure Plan Policy D5 seeks to minimise the impact of development in the countryside. Replacement dwellings in the countryside are dealt with specifically in Structure Plan Policy D4 and Local Plan Policy H19. Local Plan Policy G1 contains general criteria for assessing proposals.

5. A district-wide Local Plan, the Purbeck District Local Plan, has reached deposit stage, and its policies are therefore a material consideration in this appeal. The thrust of these policies is largely similar to those in the existing development plan, but there is no reference to a Coastal Valleys and Limestone Plateau Policy Area and there are new policies (QL34 and QL36) dealing with the scale of development, and privacy and daylight.

Issue 1: the effect on the landscape of the area

6. The proposal involves the replacement of an existing small chalet bungalow with a much larger dwelling, also of chalet bungalow style, but situated much further back on the plot. It lies within a cluster of about six dwellings amid mainly open countryside forming part of a designated Area of Outstanding Natural Beauty (AONB).

7. Development plan policies allow the replacement of existing dwellings in the countryside provided, amongst other matters, that the proposed dwelling is not disproportionate in size to that being replaced (Local Plan Policy H19) or is similar in scale to the dwelling being replaced (Structure Plan Policy D4). The council points out that the footprint of the property would be increased by over 100%, while the overall bulk would also be substantially increased. The additional floorspace and bulk of the replacement dwelling are such that it is neither proportionate in size nor similar in scale to the dwelling being replaced. In this respect, the proposal fails to comply with these particular development plan policies.

8. However, the present dwelling is very small by modern standards and is significantly smaller than many of the neighbouring dwellings in the cluster. Policy G1(i) of the Local Plan requires development to be in scale in relation to adjoining buildings. This requirement is continued in Policy QL34 of the emerging Local Plan. While the proposed new dwelling may be larger than some of its neighbours, I consider it would nevertheless fulfil the requirement to be "in scale" with its immediate surroundings.

9. Indeed, the council has recently approved, on the adjoining site (Valley Mount), a dwelling of significantly greater proportions than the dwelling it is to replace. This indicates that more importance may be attached to the fact that a replacement dwelling is in scale with its surroundings, than on strict adherence to the requirement that it be of similar scale to the dwelling being replaced.

10. Furthermore, because of its relatively central location within the group of six or so dwellings, the proposed dwelling would be seen in the landscape amid a collection of existing buildings. While this is undoubtedly an area of great scenic quality, I do not consider that the proposed dwelling, when seen in the context of the surrounding buildings (including, when built, the larger replacement dwelling recently permitted at Valley Mount), would have any noticeable effect on the landscape. The natural beauty of the landscape, which planning policies in the AONB seek to protect, would be unimpaired. The proposal would not therefore conflict with policies designed to protect the AONB (Structure Plan Policy C6 and emerging District Local Plan Policy CA6).

11. These factors amount to significant material considerations for permitting a dwelling of this scale, despite the conflict with local planning policies on replacement dwellings.

12. There is concern that the dwelling is too large for the plot. While it would occupy much of the width of the plot, the plot is nevertheless of considerable depth. The extent to which the dwelling is set back would reduce its apparent size when viewed from the road.

13. On the first issue, I therefore conclude that, despite the apparent conflict with local policies governing replacement dwellings in the countryside, the proposal would not adversely affect the landscape of the area.

Issue 2: the effect on the amenities of residents of neighbouring properties

14. The new dwelling would be set further back from the road frontage than the existing building. There is, however, no distinct building line in this collection of dwellings, so there is no conflict in this respect with Policy QL27 of the emerging Local Plan.

15. The set back of the dwelling would make the development more noticeable from the adjoining property to the south, Dunvant. However, it would be at a lower level than Dunvant, such that the impact of the flank wall projecting beyond the rear of Dunvant would be minimal. There would be some diminution in the view from the rear of Dunvant but little effect on daylight and sunlight. With the exception of the balcony, to which I will refer later, there are no side windows in that part of the south elevation which projects beyond the rear wall of Dunvant. In all these respects, I consider that the proposal is unlikely to affect the privacy and outlook of adjoining residents, and would not therefore conflict with emerging District Local Plan policy QL36.

16. The proposed first floor balcony is, however, a source of some concern. As noted above, I have considered this appeal on the basis of the plans which show a semi-circular balcony projecting beyond the rear wall of the proposed dwelling. There would appear to be scope for overlooking of several neighbouring properties from this balcony. Your letters of 24 March 1999 and 16 April 1999 agreed to eliminate the projection of this balcony beyond the rear wall and to provide obscure glazed screens to the sides of the balcony. I consider that such an amendment is necessary if the proposal is to be acceptable. Since this is a matter which you agreed to undertake prior to the determination of the application, I consider that I

can allow this appeal subject to a suitable condition requiring a revised scheme for the balcony to be agreed with the council.

Conclusions

17. I conclude that the proposal conflicts with development plan policies in that the size of the replacement dwelling is far greater than the dwelling being replaced. However, there are material considerations why permission can be granted because of the relatively small size of the existing dwelling, the location of the development within an existing group where there already are larger dwellings, and the approval of a similarly conflicting proposal on the adjoining site. In the light of these points, I do not consider that to erect a dwelling of the scale proposed would adversely affect the landscape of the area, or harm the natural beauty of the AONB.

18. Provided that the design of the balcony was amended, the development would not adversely affect the amenities of neighbouring residents. Subject to suitable conditions, I shall therefore allow this appeal.

19. As well as a condition relating to the balcony, I shall impose a number of the conditions suggested by the council in the event of my deciding to allow this appeal. I do not consider that a condition requiring the siting and levels to be pegged out and agreed before works commence is necessary because these details are evident from the plans. I shall impose conditions requiring the council's approval to materials in order to achieve a satisfactory appearance to the development. In the interests of protecting the amenity of residents of Dunvant, I shall also impose a condition restricting any further windows in the south elevation. Conditions relating to the provision of parking and turning areas and access details are necessary in the interests of highway safety. A further condition is necessary to secure approval of details of foul drainage in order to protect the amenities of the area.

20. I have considered all the other matters raised in the representations, but, in my opinion, none are sufficient to outweigh the factors which have led to my decision.

Decision

21. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission to demolish the existing dwelling, garage and outbuildings and a erect new dwelling with a detached double garage at Valeview, Haycrafts Lane, Harmans Cross in accordance with the terms of the application no. 6/99/0068F dated 27 January 1999 and the plans submitted therewith (as amended by drawing VV5A submitted on 11 March 1999), subject to the following conditions:

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

2. no development shall commence until a revised scheme for the first floor balcony has been submitted to and approved by the local planning

authority and the development shall be carried out strictly in accordance with the revised details

3. details of foul drainage shall be submitted to and approved by the local planning authority before development commences and the development shall be carried out strictly in accordance with the approved details

4. samples of the materials to be used in the external elevations of the buildings shall be submitted to and approved by the local planning authority before development commences

5. the first 4.5m of the access crossing shall be laid out in accordance with a specification which shall have been submitted to and approved by the local planning authority prior to the commencement of development

6. any access gates or similar barriers shall be set back a minimum distance of 4.5m from the nearside edge of the highway and shall open inwards away from the highway into the site

7. the dwelling shall not be occupied until the parking and turning areas shown on the approved plans have been laid out and paved in accordance with details that shall have first been approved in writing by the local planning authority, and the areas shall thereafter be kept free of any obstruction to the parking and turning of vehicles

8. notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), no additional windows or other openings shall be inserted in the south wall of the dwellinghouse without the written permission of the local planning authority

22. These conditions require further matters to be agreed by the local planning authority. There is a right of appeal to the Secretary of State if they refuse any such application, fail to give a decision within the prescribed period, or grant a conditional approval.

23. This letter only grants planning permission under Section 57 of the Town and Country Planning Act 1990. It does not give any other approval or consent that may be required.

Yours faithfully

Peter Hardge

P G HORRIDGE BSc DipTP FRICS MRTPI
Inspector

6.24

Appeal Decision

Hearing held on 10 May 2001

by Alan Rugman BSc(Econ) DipTP MRTPI

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

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CASE COPIED BY COMPASS UNDER LICENCE FROM HMSO Tel: 01452 310566

Date 23 MAY 2001

Appeal Ref: APP/H1840/A/01/1057647
Homeland, Evesham Road, Upper Moor

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr J Massingham against the decision of Wychavon District Council.
- The application (Ref. W/00/01476/PP), dated 18 October 2000, was refused by notice dated 5 January 2001.
- The development proposed is a replacement three bedroom dwelling.

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

Main Issue

1. I consider that the main issue in the appeal is whether the proposed size, scale, height and siting of the proposed replacement house would harm the character and appearance of the rural locality.

Planning Policy

2. The development plan consists of the Hereford and Worcester County Structure Plan 1993 and the Wychavon District Local Plan adopted in 1998. Structure Plan Policy H.20 does not normally permit residential development in the open countryside except where (e), among other criteria, it is in replacement of, and comparable in size with, an existing building with established use rights. Any development so permitted must comply with Policy H.16A, criterion (b) of which requires proposals to be of a scale or character appropriate to the settlement or location. There is a similar criterion (i) in Policy CTC.9 applying to all development. Local Plan Policy H9 reiterates the terms of Structure Plan Policy H.20(e). The position is not materially altered by the emerging Worcestershire County Structure Plan, which has reached an advanced stage of preparation.

Reasons

3. Upper Moor is a hamlet to either side of the Pershore-Evesham road (A4538). Homeland is a small bungalow towards the centre of a row of seven dwellings fronting the northern side of the road. The surroundings are otherwise rural.

4. It was agreed at the Hearing that the objective of Policy H.20(e) in relation to the appeal scheme is to ensure that a replacement dwelling should not become dominant or otherwise harm the rural character of the existing group of dwellings or the plot. The development plan does not define "size" in relation to Policy H.20(e), but the text supporting the equivalent policy in the emerging Structure Plan refers to volume, scale and height.

5. The existing bungalow has an external floor area of only about 54 sq m and is apparently in poor condition. However, it occupies a relatively large plot compared with most of its neighbours, even though all the other dwellings in the row are two storey houses. The proposed house would have a floor area of some 204 sq m, representing an increase of well over 300% compared with the bungalow. Its footprint would also be somewhat larger than that of other dwellings in the group. On the other hand, the proportion of the plot covered by the building would be similar to that of most of the other properties. The Council accepted at the Hearing that their concerns related more to the design, height and position of the proposed house in the plot than to the increase in floor area. It certainly seems to me that it would be unreasonable to expect such a small dwelling to be replaced by one of equivalent size. Another bungalow would also be out of place in this row of houses.

6. The other properties in the row are mixed in virtually all respects; there is little consistency in age, design or character. I do not consider that the Georgian/Victorian style of the proposed stone-built house would be out of keeping with the other buildings. Figures agreed at the Hearing showed that the house would be about 12m wide within a plot about 18m in width. This would be comparable with neighbouring detached houses and significantly less than the overall width of the pair of Victorian/Edwardian semi-detached houses to the east. The house would be higher to the ridge and set further forward than the adjacent properties at Springwell and The Woodlands. It would however be lower than the tallest part of The Thatched Cottage to the west, and both lower and further from the road than the semi-detached houses. Although the building is likely to be more obvious in the street scene than the houses immediately to either side, it seems to me that it would be significantly less dominant than the semi-detached pair.

7. Planning Policy Guidance Note 7 advises at paragraphs 3.19 and 3.20 that new housing developments in the countryside should be designed and sited with particular care and sensitivity, and be well-related in scale and location to existing development. Homeland does not stand alone and it is the relationship between the building on the plot and the others in the row that is the determining aspect of the main issue. I am satisfied that the particular circumstances of this site justify deviation from a strict application of the size criterion in Policy H.20(e). It is also my opinion that the proposal would not cause any significant harm to the character and appearance of the row of houses, the individual plot or the locality in general. It would therefore meet the tests in PPG7 and accord with the objectives of Policies H.16A(b) and CTC.9(i). Indeed, I consider that the size and design of the existing bungalow, which has apparently been extended to the rear with a second pitched roof, has a markedly odd appearance in relation to the other dwellings in the row. Its replacement by the proposed larger dwelling would bring positive benefits.

Conclusions

8. For the reasons given above and having regard to all other matters raised, including discussions with the Council before permission was refused, I conclude that the appeal should be allowed.

Conditions

9. Conditions are necessary along the lines of those suggested by the Council and discussed at the Hearing. Nos 2-4 are to ensure that the development is in keeping with its rural surroundings. A particular feature of the row of properties including Homeland is the hedgerow behind the roadside verge. In addition to any new planting, condition 3 therefore

requires the submission and approval of details of existing vegetation to be retained. Conditions 5-7 are applied in the interests of highway safety.

10. I do not consider it necessary to impose the Council's suggested conditions 3 and 4 and part of their condition 5, bearing in mind that it is proposed to replace an existing dwelling rather than construct a new one. In particular, formation of a visibility splay 5m back from the carriageway edge, apparently to provide visibility of pedestrians, would result in the removal of much of the hedgerow and would involve land beyond the appeal site. There is no footway along this side of the road, and no evidence to indicate that visibility of oncoming traffic from a point nearer the carriageway is inadequate. On the other hand, it is essential to ensure that any gate is set far enough into the site to avoid the need for cars to wait on the carriageway.

Formal Decision

11. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for a replacement three bedroom dwelling at Homeland, Evesham Road, Upper Moor in accordance with the terms of the application Ref. W/00/01476/PP dated 18 October 2000, and the plans submitted therewith, subject to the following conditions:

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

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

3) No works or development shall take place until full details of all proposed tree planting and the proposed times of planting, together with indications of all existing trees and hedgerows on the land and details of any to be retained, have been submitted to approved in writing by the local planning authority. All tree planting shall be carried out in accordance with those details and at those times

4) If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

5) Before the first occupation of the dwelling hereby permitted, any entrance gates shall be set back a minimum of 5m from the edge of the carriageway and hung so as to open inwards.

6) Before the first occupation of the dwelling hereby permitted, parking and turning areas shall be provided in accordance with the approved plans and shall thereafter be retained and kept available for those uses at all times.

7) No development shall be commenced before parking facilities for site operatives and visitors has been provided in accordance with details to be submitted to and approved by the local planning authority. The approved facilities shall be retained and kept available during construction of the development.

Information

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

13. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990. The Council also point out that this permission does not authorise the carrying out of works or the laying of private apparatus within the confines of the public highway.

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

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

Alan Rogers

INSPECTOR

CASE COPIED BY COMPASS UNDER LICENCE FROM HMC Tel: 01452 31

Appeal Decision

Hearing held on 3 July 2001

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By Martin Andrews MA BSc(Econ) DipTP(Dist) MRTPI

An Inspector appointed by the Secretary of State for Transport, Local Government and the Regions

Date

10 JUL 2001

Appeal Ref: APP/H1705/A/01/1060753
Nothing Hill, Ecchinswell Road, Kingsclere, Newbury, Berkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs AGK Hamilton against the decision of Basingstoke & Deane Borough Council.
- The application (Ref. BDB/48383), dated 4 July 2000, was refused by notice dated 20 September 2000.
- The development proposed is the demolition of the existing dwelling and the erection of a replacement in similar frontage style.

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

Procedural Matters

1. The appeal site falls within the Ecchinswell Area of Special Landscape Quality (ASLQ).

Main Issues

2. I consider that the main issues in this appeal are:
   (a) whether the existing dwelling is of 'local importance' and worthy of retention, and
   (b) the effect on the rural character and appearance of the area, bearing in mind its status as an ASLQ.

Planning Policy

3. The development plan comprises the *Hampshire County Structure Plan (Review) 1996-2011* adopted in 2000 and the *Basingstoke & Deane Borough Local Plan, 1998*. Structure Plan Policy UB3 refers to development needing to be appropriate in design, scale, layout and density to its surroundings. In the Local Plan, Policy CD12 states that the Borough will encourage the retention of historic dwelling houses of local importance and will seek to ensure their maintenance and continued use. Policy CD103 requires development to respect the character of its surroundings in terms of street pattern, plot sizes, layout form, scale and use. Policy C36 deals specifically with the replacement of an existing dwelling in the countryside and sets out four criteria that a proposal must meet. Finally Policy C109 seeks to protect ASLQs, with supporting paragraph 6.337 stating that within such areas particular attention must be given to the scale, siting and design of development proposals in order to protect the landscape quality.

4. Relevant national guidance includes Planning Policy Guidance Notes (PPGs) 7: *The Countryside – Environmental Quality and Economic and Social Development* and 15: *Planning and the Historic Environment*.

Reasons

Retention of the Existing Building

5. On this issue the Council places great reliance on Local Plan Policy CD12. However when adopting the Local Plan, in their justification for the retention of the policy against the Local Plan Inspector's recommendation, reference was made to the option of an Article 4 Direction. This is repeated in paragraph 7.56 of the adopted Local Plan and by issuing a Direction the Council can prevent an owner exercising permitted development rights to demolish a dwelling.

6. In this case however an Article 4 Direction, which in any event must be confirmed by the Secretary of State, has not been made. Moreover it seems to me that the exceptional circumstances which must be present for a Direction to be confirmed are not in evidence. The dwelling is undoubtedly a picturesque building of some character and its original construction as two cottages, possibly for local workers involved in extracting chalk from the dell, adds some local historic interest. But whilst I recognise that the Council might wish to encourage its retention, I consider that to do so by refusing permission for its replacement is inappropriate under Policy CD12.

7. Moreover the Council cannot refer to any documentation in support of the 'local importance' of the dwelling other than letters solicited from objectors to the planning application. There also appears to be a significant lack of knowledge as to its origins and some disagreement as to its date of construction. Were the building to be of real local importance or historic interest, albeit below the level required for listing, I would expect the evidence to include references to it in books or magazine articles on the heritage of Berkshire or, perhaps, the more immediate area. To my mind the ad hoc approach towards the importance of a building based on local opinion is unsatisfactory unless supported by published assessment criteria and reliable information.

8. Furthermore although some of the original character remains, the architectural and historic integrity of the building has been substantially compromised by the subsequent additions. Whilst therefore the Council might wish to encourage the retention of the dwelling, I consider that this does not justify a refusal of a proposal for its demolition and replacement.

9. The key policy in this case is therefore Local Plan Policy C36 rather than Policy CD12 and two of the criteria relate to the existing building. These do not preclude permission as in respect of criterion i) the dwelling is not the result of temporary permissions, whilst with regard to criterion v) it is clearly not derelict.

10. On this issue therefore, I conclude that the building is not of sufficient local importance or historic interest to be worthy of retention under Local Plan Policy CD12 insofar as that policy can be considered to apply. The proposed demolition would also not be in conflict with the relevant criteria of Policy C36 and I can find nothing in PPG15 that causes me to alter my conclusion.

Effect on the Rural Character and Appearance of the Area

11. Although the Council has referred to Structure Plan Policy UB3 and Local Plan Policy CD103, I interpret these policies as mainly intending to relate to urban or built up areas rather than isolated country houses. I therefore consider that the proposal should be assessed primarily in relation to Local Plan Policy C109.

12. The Council argues that both the revised siting, with a slab level at a metre higher than the existing, and the increase in size, would have a significant adverse impact on the character and appearance of the area, and therefore harm the ASLQ. As regards the comparative sizes, the Council considers that regard should be had to the relative increase from the existing building. Compared to the present dwelling this would be an increase of 60% whilst if the extant permission granted in 1996 were to be fully implemented the figure would be 17.5%.

13. However the larger size of the dwelling is not precluded in the Council's policies in terms of any percentage limit of an increase from the original. In my view the scale of the increase proposed would not be inappropriate in this particular setting within the extensive grounds of the appeal property. These include a more formal area of garden with a large area of lawn set at a lower level in front of the house. Although in this case the arrangement is due to the chalk excavation, it is in fact typical of many traditional country houses of the 18th and 19th centuries. It could therefore be argued that a slightly larger residence than the extended cottages, with a more coherent concept and greater integrity of design, would complement such a setting.

14. In terms of the wider landscape of the ASLQ, the site is exceptionally well screened by mature trees and in my judgement it would be difficult to see even the new, larger dwelling from any public vantage point. Certainly in this context I do not regard the revised higher siting, the increased ridge height or the greater depth of the building as visually significant. Any long distance sightings would be mainly confined to glimpses rather than unobscured views, even in winter with its reduction in leaf cover.

15. In terms of design, criterion iii) of Policy C36 requires the proposed design of the dwelling to be of a high standard and to be appropriate to the rural character of the area. This approach is reflected by the advice on achieving good quality development in paragraph 2.11 of PPG7. But the Council has not criticised the external appearance of the proposed dwelling and by adopting a similar frontage style to the important southern elevation facing the dell, the building would retain much of the pleasing appearance of the existing dwelling.

16. I have also had regard to the 'fallback position' whereby the appellants could implement the extant 1996 approval for alterations and extensions. In my view the further alteration and expansion of the original cottages including the provision of an extensive area of flat roof, albeit for the most part hidden, would detract from the character and any residual historic or architectural interest of the building. This adds weight to the argument that the objective of safeguarding and enhancing the ASLQ would be best served by permitting the demolition and replacement of the existing building.

17. My conclusion on this issue is that the proposal would comply with Policies C36 and C109 of the Local Plan and would not have an adverse effect on the character and appearance of the ASLQ. I have had regard to the guidance in PPG7 but this does not cause me to alter my findings.

Other Matters

18. On the issue of flooding I agree from the evidence that the appellants have a justifiable cause for concern that there may be a further rise in groundwater levels that could threaten the existing dwelling. This is an additional factor both in favour of its replacement and a re-siting at a higher level.

19. The Council has also raised the issue of precedent but as I find that the proposal accords with the Council's policies I do not consider that an approval in this case would make it difficult to refuse other unsatisfactory proposals that could have an adverse impact on the character and appearance of the area.

Conditions

20. In their statement the Council suggested a number of conditions if the appeal is allowed and these were discussed at the Hearing. A condition in respect of external materials is necessary to ensure that the appearance of the building is appropriate to the visual amenity of the site and this part of the ASLQ. However having regard to the proposed siting, conditions in respect of landscaping and the safeguarding of trees are in my view unnecessary. I also consider that because of the information already supplied on levels there is no need for further details in this regard.

21. There are no exceptional circumstances that would justify the withholding of permitted development rights, whilst the isolated nature of the site is such that there is no reason for a condition restricting working hours. I note the appellants' intention to re-use some of the materials from the existing dwelling so I shall not impose a condition requiring their removal. Finally I have considered whether the intended demolition of a redundant garage and a storage building in the grounds should be the subject of a condition. But as the future of these buildings is not an important factor in my decision, I shall not formally require their removal.

Conclusion

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

Formal Decision

23. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the demolition of the existing dwelling and the erection of a replacement in similar frontage style at Nothing Hill, Ecchinswell Road, Kingsclere, Newbury, Berkshire in accordance with the terms of the application Ref. BDB/48383 dated 4 July 2000, and the plans submitted therewith, subject to the following conditions:

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

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

Information

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

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

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

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

INSPECTOR

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