06 FEB 2020 5869

ALL EXISTING.

FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

BLOCK PLAN 1:500

LOCATION PLAN 1:1250

roof
concrete interlocking red tiles to match existing house on s.w. battens, underslate sarking felt and s.w. roof members as follows:
100 x 50mm rafters at 400mm centres.
rafters fixed over lay boards at junction with existing roof, and rafter feet connected with 75 x 50mm binders.
100 x 50mm ceiling joists.
100 x 25mm ridgeboard.
150 x 25mm fixy rafters.
100 x 38mm wallplate.

windows
cave a head cavities of roof junctions formed under roof tiles min 450mm both sides of 450mm cavity bricks.

stability
100 x 5mm mild steel anchor straps fixed across min 300 s.w. roof and floor members at max 2m centres, hooped in accordance with bs[illegible] note and fixed to blockwork inner skin of external wall to provide lateral stability.

insulation
100mm fiberglass quilt insulation laid between ceiling joists and rafters

ventilation
min 25mm air gap between fascia board and soffit board covered with galvanised flyproof mesh or proprietary plastic or similar approved preventing excess ventilation to provide roof void 50 x 25mm holes fixed to soffit of rafters to provide min 500mm² air gap for through vent. min 5no. ridge vent tiles to provide through vent.

external walls
90mm facing brickwork to match existing house - 50mm air cavity filled with 50mm polyurea or similar approved cavity insulation both leaf as cavity brickwork - 100mm concrete or similar approved concrete blockwork - 250mm overall - all new work bonded to existing wall faces of 450mm horizontal and 450mm vertical centres.

internal partitions
100 x 50 mm s.w. studwork at 400mm centres on side plate, fixed across floor joists or double joists, bolted together where partitions run parallel to floor joists with 9.5mm plasterboard and skim coat finish and 100mm fibreglass quilt insulation infill.

internal finishes
12mm two coat plaster finish to all new internal walls.
9.5mm plasterboard and skim coat finish to all new ceilings.
all timber, including plasterboard encasing of new steel beams.

windows
all new windows to match existing, sizes as indicated on first floor plan and as specified by owner to provide min ventilation area equal to 1/20th of room floor area.
all cills galvanised steel lintels over all new window openings with cavity tray d.p.c. over.
600mm vertical d.p.c. on all new reveals.

first floor
90mm flooring grade chipboard on 175 x 50mm s.w. floor joists at 400mm centres fixed between existing flat roof joists

stairs
220 risers at 220mm : 190 tread at 210mm.

drainage
100mm foul round pipe drains gathering and connect to existing pipe downpipe, or connect to new 110mm dia pipe downpipe, and connect at base to soil/vent dia pipe, without water drain to soakaway min. 4.5m from any building.

PART GROUND FLOOR PLAN

note:
existing foundations and lintols of existing ground floor extension to be exposed before work commences and inspected by Local Authority to assess suitability to accept additional loadings

kitchen
dining
lounge
reception
property boundary
beam 1 over
line of first floor wall over

PART FIRST FLOOR PLAN

3420
265
3155
915 x 1200mm window
265
3840
3310
265
bedroom
bathroom
bedroom
roof
1200x1200mm window
prestressed concrete lintol over new opening through external wall, to match existing over window
down
up

SECTION A-A

felt turned up at junction with house min 150mm and chased in and linked with cavity tray d.p.c.
beam 1 over
178x102mm x 19kg UB with 250x8mm ms plate filled welded to bottom flange back and front as BS449 on 330x100x75mm deep concrete padstones both bearings

REVISION 2 structural July 89
REVISION 1 detail May 89

EXISTING. FIRST FLOOR SIDE EXTENSION
at
16 BURGESS CLOSE
WOODLEY
READING
for
MR+MRS ADAMS
scale 1:50 1:100 date DECEMBER 1988 dmg no. 476.01

TREVOR FREE
MULBERRY COTTAGE
WHEELER END
HIGH WYCOMBE HP14 3NE
TEL NO. H.W. 881888

FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

BLOCK PLAN 1:500

LOCATION PLAN 1:1250

PROPOSED BEDROOM EXTENSION and NEW TOILET
at
16 BURGESS CLOSE
WOODLEY
READING
for
MR+MRS ADAMS

scale 1-50 1-100

FIRST FLOOR.
18mm flooring grade chipboard on 175 x 50mm sw. floor joist at 400mm centers fixed between existing flat roof joists.

Felt turned up at junction with house min 150mm and chased in and linked cavity tray DPC.

BEAM OVER
178x102mm x19kg UB with 250x8mm ms plate fillet welded to bottom flange back and front as BS449 ON 330x100x75mm deep concrete padstones both bearings

SECTION A-A

NEW MANHOLE

NEW WINDOW

New window and door to match existing

MAIN SEWER

kitchen
dining
lounge
reception
up
line of first floor wall over

bedroom
bathroom
bedroom
down
up
Window removed and used on front elevation archway - reused

REFUSED

NOTES

ROOF
ALL TIMBER TO BE TREATED.
Tiles to match existing on 25x38mm batters on sarking felt.
Upvc facia and soffit to match existing with double disc ventilators at 600mm ctrs.
150mm fibreglass quilt laid between joist.
9mm plasterboard ceiling.
Rafters fixed over lay boards at junction with existing roof.

Lay/Boards	150x38mm	
Hip/Boards	200x38mm	
Rafters	100x50mm	
Ceiling Joist	100x50mm	ALL AT 400mm CENTERS.
Purlings	150x75mm	
Binders	125x50mm	
Collers and Struts	100x50mm	
Wall Plates	100x50mm	

Lateral restraints at top of walls by 30mm x 5mm x1000mm mild steel at 1800mm ctrs.

WALLS.
Facing brickwork to match existing 50mm cavity filled with Dritherm or equiverlent 100mm light weight blocks with 15mm plaster finish.
Galvanized butterfly wall ties spaced 900mm horizontal and 1150mm vertical and staggered.
DPC. 150mm above ground level and at all revels.
Catnic combined lintols with 150mm bearing above all openings.

TIOILET FLOOR.
100mm concrete on 225mm hardcore pollathene membrane 50mm jabalite with 60mm sand and cement screed finish.

FOUNDATIONS.
600mm x 300mm PC concrete taken to depth to suit ground conditions.

DRAINAGE.
New 100mm soil and vent pipe and under ground drainage.
112mm HR guttering to upvc drain laid to fall 1:40 to existing soakaway.

SOUTHPORT U.K. Tel.01704-226866 Fax.01704-225814
LONDON OFFICE Tel.020 7377 1777 Fax.020 7247 6181

EX SYSTEMS LTD

APPLICATION NO.5869

Name of appellant:
Mr M Adams

Site address:
16 Burgess Close

Proposal:Proposed 1st floor side extension dwelling & single storey rear extension

Case Officer:PT

PART ALLOWED
PART DISMISSED
PACT 13/11/02

951

DO

9 BUCKHURST GROVE

PLAN NUMBERS		DATE REC.	BRIEF DESCRIPTIONS AND REMARKS	DECISIONS		DATE STARTED	DATE COMP.
PLANNING	BUILDING		TPO 4/66	PLANNING	BUILDING		
0/2001/4	9444		Mrs. Craig - Erect 2 dwellings & garages + demolish dwelling	28.11.01	Ref		

Appeal Decision

Site visit made on 29 October 2002

by Philip Major BA(Hons) DipTP MRTPI

an Inspector appointed by the First Secretary of State

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

Date
13 NOV 2002

Appeal Ref: APP/X0360/A/02/1093570
16 Burgess Close, Woodley.

- 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 M Adams against the decision of Wokingham District Council.
- The application (Ref. F/2002/5869), dated 7 February 2002, was refused by notice dated 3 April 2002.
- The development proposed is a first floor side extension and single storey rear extension.

Summary of Decision: The appeal is allowed in part and is dismissed in part as detailed in the Formal Decision below.

Main Issue

1. I consider that the main issue in this appeal is the effect of the proposed development on the living conditions of adjoining residents by reason of loss of light or overbearance.

Planning Policy

2. The development plan for the area is the Berkshire Structure Plan 1991 – 2006, and the Loddon Area Local Plan of 1995. Policy LD3 of the Structure Plan indicates that development will only be permitted where it does not give rise to an unacceptable impact on the environment, including serious harm to the amenities of neighbouring land uses. Local Plan Policy LBE1 requires development to be of a high standard of design appropriate to the area and, amongst other things, contribute to the creation of an attractive environment in which to live. Policy LBE2 seeks to restrict development which would be inappropriate in terms of its relationship with adjoining sites by reference to a number of matters, which include its siting, scale, form and massing.

3. The Wokingham District Local Plan Deposit Draft was published in February 2000. Policies WOS3 and WBE1 have similar aims to those of the development plan in that they seek to ensure development is of high quality, appropriate to its locality, and avoids detriment to the amenities of adjoining land uses and occupiers.

Reasons

4. The appeal property has already been extended from its original configuration of a modest semi detached house. The proposal before me would add to the extensions by infilling the area above most of the area described on the drawings as a reception room, to form an enlarged bedroom. This part of the dwelling is at its closest to the common boundary with No 17 Burgess Close.

5. The house at No 17 is set slightly behind No 16 and has a side extension which includes a dining room, the main window of which faces into the gap between the properties. I was

able to observe the outlook from this window at my site visit. Such is the relationship between Nos 16 and 17 that the light entering the window is already restricted by the presence of No 16. However, the proposed extension would exacerbate this situation. The extra height of the gable wall close to the boundary would block out a significant part of the clear sky on which the window looks out. In my judgement this would result in significant daylight reduction to the dining room of No 17, notwithstanding that there is a half glazed door to the rear of the room, and no barrier between it and the kitchen.

6. I consider that the light reduction would be such that the dining room would take on a gloomy ambience, and this would result in a substantial reduction in the living conditions in that room. In addition the siting, scale, form and massing of the enlarged gable to No 16 would dominate the outlook from the dining room. The gable would be a dominant feature which would impart an overbearing sense of enclosure to the users of the room.

7. The rear extension proposed has not been criticised by the Council, and I concur that it would not affect the living conditions of neighbours nor be harmful in any other way. However, this would not mitigate in favour of the first floor extension, which would be unacceptably harmful to the living conditions of neighbours and in conflict with Structure Plan Policy LD3, and Local Plan Policy LBE2. In that it would make No 17 a less attractive environment in which to live it would also conflict with Policy LBE1.

8. Since the rear extension and the first floor extension are clearly discreet and severable parts of the whole proposal, I am able to consider the issuing of a split decision. It seems to me that such a course of action would be appropriate in this case.

Conditions

9. The Council has suggested that a condition be imposed in the event of permission being granted, which would require external finishes to match those existing. I agree that such a condition is reasonable and necessary in order to protect the appearance of the locality.

Conclusions

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed only in part but otherwise dismissed.

Formal Decision

11. In exercise of the powers transferred to me, I dismiss the appeal insofar as it relates to the first floor side extension.

12. The appeal is allowed insofar as it relates to the single storey rear extension and I grant planning permission for the single storey rear extension at 16 Burgess Close, Woodley in accordance with the terms of the application Ref. F/2002/5869, dated 7 February 2002, and the plans submitted therewith (so far as relevant to that part of the development hereby permitted) and 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) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Information

13. 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.

14. 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.

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

INSPECTOR

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr M Adams
SITE: 16 Burgess Close, Woodley
APPLICATION NO.: 5869
PROPOSAL: *Proposed 1st floor side extension to dwelling & single storey rear extension*

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for South Lake

Mrs K M Gilder

Mr C E Lawley

Mrs E A Rowland

Clerk(s) of Parish / Town Council of Woodley

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

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

The Owner / Occupiers of the following addresses in Burgess Close, Woodley:

1-3, 15-17 & 23-26

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: PT

APPLICATION NUMBER: 5869

APPELLANT: Mr M Adams

SITE: 16 Burgess Close, Woodley

APPEAL REF: APP/X0360/A/02/1093570

START DATE: 27/06/02

DATE OF SITE VISIT

PART ALLOWED/PART DISMISSED 13/11/02

Progress Record	Date Actioned	Initials
Appeal Logged:	28/06/02	
Entered on Access:	08/07/02	DG
Notification Letters Due:	**11/07/02**	
Notification Letters Sent:	09/07/02	DG
Questionnaire Due:	**11/07/02**	
Questionnaire Sent:	09/07/02	DG
Statement Due:	**05/08/02**	
Statement Sent:	26/07/02	DG
Comments on Statement Due	29/08/02	
Comments on Statement Sent		
Decision letter circulated:	15/11/02	DG
Decision entered on Access:	15/11/02	DG

60297

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624
GTN 1371-6079

28 AUG 2002

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

Your Ref: F/2002/5869
Our Ref: APP/X0360/A/02/1093570
Date: 14 August 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M ADAMS
SITE AT 16 BURGESS CL, WOODLEY, READING, BERKS, RG5 3LJ

I enclose third party correspondence relating to the above appeal. Please accept my apologies for the delay in forwarding the correspondence.

To take account of the above I am extending the 9 week date. If you have any comments on the points raised, please send 2 copies to me **by 5 September**. You should comment solely on the representations enclosed with this letter.

You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.

Comments submitted after the **5 September** deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours faithfully

Mrs M Pocock

211AL(BPR)

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624
GTN 1371-6079

Mr & Mrs B Orme
17 Burgess Close
Woodley
Reading
Berkshire
RG5 3LJ

Your Ref:

Our Ref: APP/X0360/A/02/1093570

Date: 22 July 2002

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M ADAMS
SITE AT 16 BURGESS CL, WOODLEY, READING, BERKS, RG5 3LJ

Thank you for your letter asking the inspector to look at the appeal site from your property.

I will make sure that the inspector sees your request. However, it is for the inspector to decide whether to accept your invitation. If it is accepted, the local planning authority and the appellant or their representative will also have to be present throughout the visit.

The purpose of the site visit is to allow our Inspector to see the site before deciding the appeal. The inspector can be asked to note particular physical features of the site, or of the proposed development itself, but will not be able to discuss the merits of the case with anyone during the visit.

We will send you details of the site visit as soon as they are made.

I am sending copies of your letter and this reply to the appellant and the local planning authority.

Yours faithfully

Mrs M Pocock

105

17 Burgess Close
Woodley
Reading
RG5 3LJ

Tel: 0118 9262097

APP/X0360/A/02/1093570

12 July 2002

Mrs M Pocock
The Planning Inspectorate
Room 3/03
Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Dear Madam

Application No: **F/2002/5869**
Appeal By: **Mr M Adams**
Site Address: **16 Burgess Close, Woodley**
Proposal: **Proposed 1st floor side extension and single storey rear extension**

We have been informed by Wokingham Unitary that our neighbour is appealing against the referred planning permission for his extension. We confirm our objections remain and have not changed since the original application.

We cannot stress too much how we feel regarding the first floor side extension. This will block our light considerably and diminish our enjoyment of our dining room giving it a tunnel effect. It will also affect our view of the trees around the lake.

At present we also cannot grow anything in front of the dining room because of lack of light; the area is always so damp the grass will not grow properly. The proposed extension will exacerbate the situation.

We have no objection to the proposed single storey rear extension as it is only the side extension that will affect us.

As before if one of your Inspectors would care to visit us to examine how it will affect us please do not hesitate to contact us and we will make sure someone is at our property to let them in.

Yours faithfully
Mr and Mrs B Orme

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT : **Mr. Adams**

APPEAL SITE : **16 Burgess Close, Woodley**

REASON FOR APPEAL : **Refusal of planning permission for the erection of a first floor side extension and single storey rear extension.**

LOCAL PLANNING AUTHORITY REFERENCE : F/2002/5869

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/02/1093570

1.00 LOCATION AND SITE DESCRIPTION

1.01 The site is located within the identified settlement of Woodley and is sited within a residential area (see appendix 1 for site location)

1.02 No. 16 Burgess Close is a Semi-detached house. The adjacent neighbour No.17 (also a semi-detached house) is set further back and at a slight angle to No.16.

2.0 Relevant Planning History

2.01 The original dwelling received planning permission 1966. Following this there is a lengthy planning history.

Application No.	Description	Date	Decision
11/99/73	Addition of a living room and spare room.	1973	Conditional Approval
8855	2 storey side extension	1978	Refused
09466	Single storey extension	1978	Conditional approval
32915	1st floor extension	1989	Conditional Approval
34704	Erection of a fence	1990	Conditional approval
F/2002/5869	1st floor side extension and single storey rear	2002	refused

2.02 In April 2002 the appeal planning application (F/2002/5889) for the erection of a 1st floor side extension and single storey rear was refused under delegated powers for the following reason.

Reason

"The proposed two storey extension by virtue of its design, scale, bulk and massing would have an overbearing impact on No.17 Burgess Close to the detriment of the amenity of the occupiers. As such it would be contrary to policy LD3 of the Berkshire Structure Plan, Policies LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan."

3.0 **Policy Background**

3.1 The Development Plans that applies to the area in which the appeal site is located comprise of the Berkshire Structure Plan, the Loddon Area Local Plan and the Deposit Draft Wokingham District Local Plan which will replace the adopted LoddonArea Local Plan.

Berkshire Structure Plan (1996-2006)
The Berkshire Structure Plan (1996-2006) was adopted on the 4th of November 1995 and is the statutory Structure Plan for the area.

Loddon Area Local Plan (Adopted 5th May 1995)
The Loddon Area Local Plan forms the statutory basis for the operation of planning policy in this part of the district.

Wokingham District Local Plan (Deposit Draft) 1997
The draft Wokingham District Local Plan (WDLP) was placed on deposit from 21st October to 2nd of December 1997 and has formed the basis for development control decisions since 21st October 1997. The County Council issued a statement of general conformity with the structure plan in May 1997. The public local inquiry into the plan commenced in October 1998. The Inspector's report on the local plan inquiry was published in October 2001 but has yet to be formally considered and adopted.

3.02 The relevant Berkshire Structure Plan Policy is :

LD3 – Environmental impact of development

3.03 The relevant Wokingham District Local Plan (Deposit Draft) policy is (see appendix 4):

WBE1- Development in its local context

The Inspector's report recommended rewording of this policy. His recommended replacement is included in appendix 4.

WOS3 – Development control Principles

3.04 The relevant Loddon Area Local Plan policy is:

LBE1 – Design of new development
LBE2 – Inappropriate design

4.0 Case for the Local Authority

4.01 The main issue raised by this application is the overbearing impact on the adjacent neighbour No.17 Burgess Close.

4.02 In 1989 application 329215 was approved. This extension can be seen on the dwelling today with the first floor set back halfway along the dwelling. It was recognised at the time by the planning officer that should the 1st floor extension come the full width of the dwelling there would be an unacceptable loss of light to the dining room of No.17. The officer also mentioned planning application 8855 for a similar extension to the appeal one, which was refused in 1978.

4.03 There is a 4.0m gap between the No.16 and 17 widening to 4.5m at the rear. The effect of the 1st floor extension would be to cause a tunnel effect resulting in some loss of light and an overbearing presence. There is a door at the rear of the dining room providing another source of light.

4.04 The flank wall of No16 would be 7.0m which is considered a sizeable projection and very overbearing.

5.0 Comments on the appellants statement

5.1 No comment

6.0 Conclusion

6.01 The proposed 1st floor extension would by virtue of its design, scale bulk and massing have an overbearing effect on No.17 Burgess Close to the detriment of the amenity of the occupiers.

6.02 It is therefore respectfully requested that the present appeal be DISMISSED.

7.0 Conditions in the event planing permission is granted

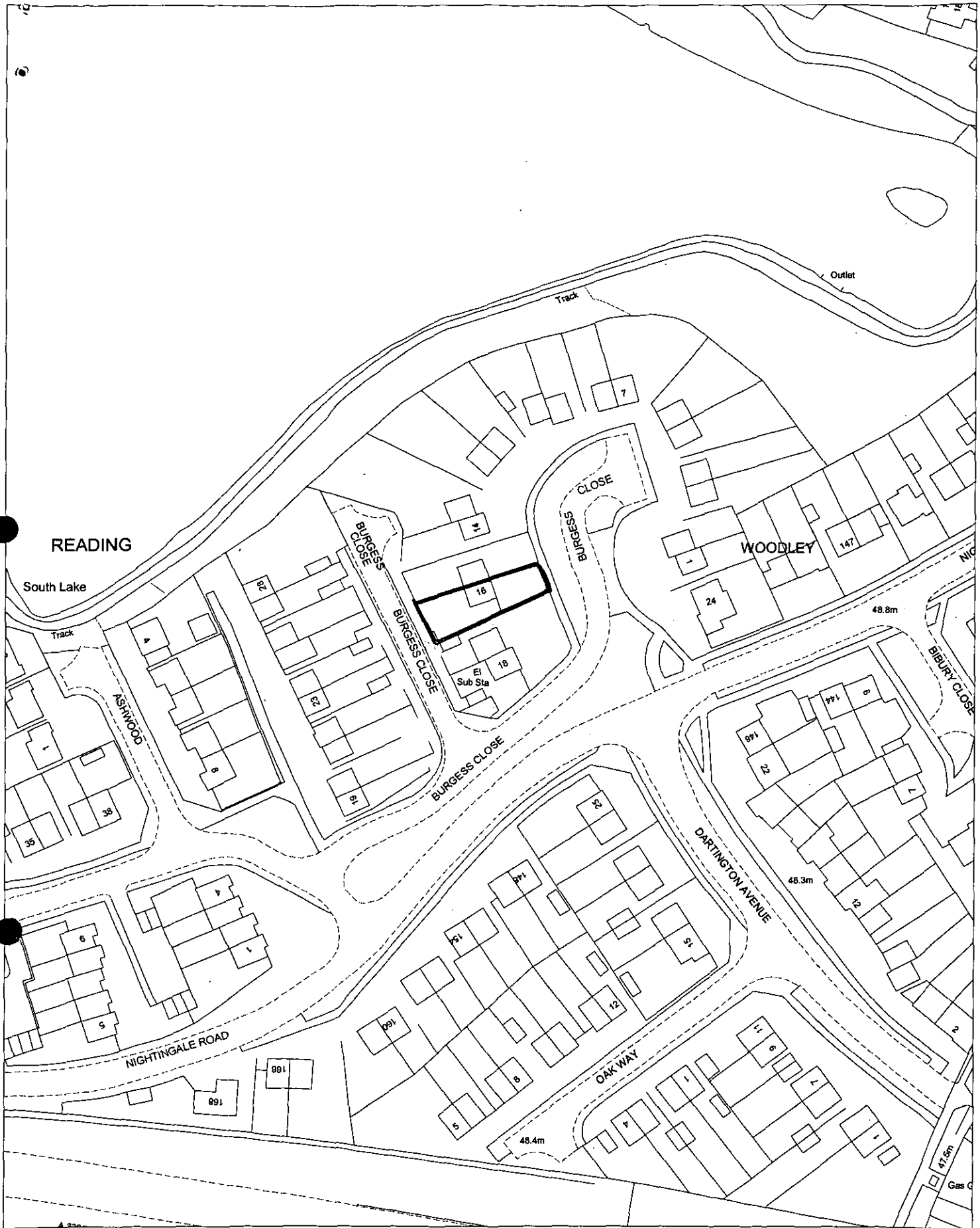
7.1 see appendix 6

APPENDICES

1. Location Plan of Site
2. Copy of Decision Notice for application F/2002/5869
3. Berkshire Structure Plan Policies
4. Wokingham District Local Plan Policies including the Inspector's report *recommended rewording of this policy.*
5. Loddon Area Local Plan Policies
6. Conditions in the event planning permission is granted

Appendices

Appendix 1



Site Plan, Scale: 1 to 1250

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

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

Date: 9 July 2002

N
W E
S

Appendix 2

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr M Adams
16 Burgess Close
Woodley
Reading
Berks
RG5 3LJ

Application Number: F/2002/5869

Parish: **WOODLEY**

Location: **16, Burgess Close, Woodley, Reading.**

Proposal: **Proposed first floor side extension to dwelling and single storey rear extension.**

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 first floor extension by virtue of its design, scale, bulk and massing would have an overbearing impact on No. 17 Burgess Close to the detriment of the amenity of the occupier. As such, it is therefore contrary to policy LD3 of the Berkshire Structure Plan, policies LBE1 and LBE2 of the Loddon Area Local Plan and to policies WBE1 and WOS3 of the Wokingham District Local Plan (Deposit Draft).

A Cronin

Anna Cronin
Head of Planning & Transportation
Date: 03/04/2002

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.

APPEALS TO THE SECRETARY OF STATE

PLANNING & ADVERTISEMENT APPEALS

1) If you disagree with the decision of the your local planning authority to refuse planning permission or you do not think that conditions placed on an approval are justified or reasonable, then you can appeal to the Secretary of State for the Environment, Transport and the Regions.

   If you want to appeal you must do so within **6 months** of the date of the decision notice for **planning applications** and within **8 weeks** in respect of **advertisement applications**, using a form you can get from The Planning Inspectorate. They can be contacted on (0117) 372 6373 or you can write to them at ; Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN.

2) In some exceptional circumstances an appeal can be considered if more than 6 months or 8 weeks have elapsed since the date of your decision. If the 6 month/8 week time limit has expired and you wish to appeal please contact the Planning Inspectorate to find out if they are willing to accept it.

3) The Secretary of State does not have to consider an appeal if it appears that the local planning authority could not have granted planning permission for the proposed development or could not have approved permission without the conditions it imposed while having regard to the statutory requirement of the development order or any directions given under the order. In practice The Secretary of State does not normally refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

4) It is a statutory requirement for all appellants to copy their appeal forms direct to Wokingham District Council, Planning Services, P.O. Box 157, Civic Offices, Shute End, Wokingham, RG40 1WR, at the same time as the appeal is sent to the Planning Inspectorate. Details of this procedure will be included on the appeal forms.

PURCHASE NOTICES

1) If the local planning authority or the Secretary of State for the Environment, Transport and the Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use in its existing state or cannot make the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

2) In these circumstances the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase an owners interest in the land in accordance with the provisions of Part XI of the Town and Country Planning Act 1971.

COMPENSATION

1) In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or is granted subject to certain conditions by the Secretary of State for the Environment, Transport and the Regions on appeal or on reference of the application to him. These circumstances are set out in Section 114 and related provision of the Town and Country Planning Act 1990.

Appendix 3



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie

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.

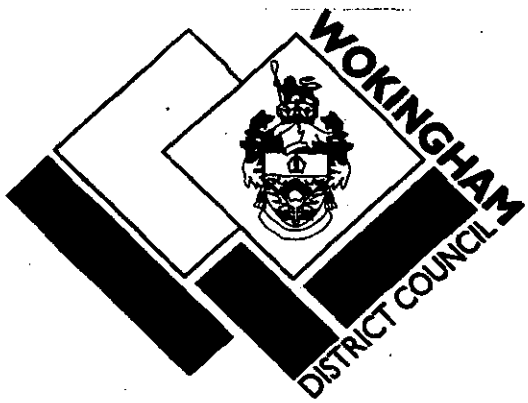
4.15 The County Council, as highway authority, will ensure that the environmental impact of new transport schemes or improvements is minimised. Improvements to the highway network will need to take account of the broader environmental implications, as well as the transport benefits of any scheme.

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.

Appendix 4



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

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

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.

WOKINGHAM UNITARY
Aiming for Excellence

WOKINGHAM DISTRICT LOCAL PLAN

INSPECTOR'S REPORT

PART TWO

CHAPTERS OTHER THAN HOUSING

Mr D Hollis
October 2001

RECOMMENDATION

4.5 That no changes are made to the Plan in response to these objections.

PARAGRAPH 4.4

REPRESENTATIONS

1775 Hicks Persimmon Limited (O)

OBJECTION ISSUES

4.6 This objection was concerned that there is no policy directed towards the key objective of improvement of poor/degraded land through the control of new development and the implementation of improvement schemes. This was contrary to PPG 12. A new policy was suggested to identify such sites and, where appropriate, to allocate them for development to secure environmental improvements.

CONCLUSIONS

4.7 The objective of securing environmental improvement is established in Policy WOS5. To my mind, enhancement should be a benefit to flow from the development of poor and degraded landscapes as part of the overall package. I do not agree with the implication in the proposed new policy that such benefits should necessarily outweigh other considerations. Just because land is degraded does not necessarily mean that an alternative use would be acceptable. For example, within a countryside location redevelopment of such a site may run counter to the principles of sustainability. In such cases proposals would have to be considered on their merits, as exceptions to the Plan. I do not therefore agree that a new policy is required.

RECOMMENDATION

4.8 That no changes are made to paragraph 4.4.

POLICY WBE1

REPRESENTATIONS

2493 George Wimpey Plc (O)
2566 Martin & Pole, Nicholas (O)
1308 Ms L Erler (S)

OBJECTION ISSUES

4.9 The policy was thought to be too restrictive and the words "will require" should be replaced with "will seek". It was also considered that the policy is a corporate mission statement and has no development control function. It should be deleted or relegated to subtext.

CONCLUSIONS

4.10 Fostering good design is an important objective in national planning guidance and is strongly endorsed in PPG 1, PPG 3 and PPG 13 as well as the recently published Urban White Paper. Developing sustainable environments at higher densities and reducing the need to travel are key themes. I therefore support the policy in principle and must emphasise the message needs to be strongly conveyed that poor designs will be rejected. However, the present wording is not sufficiently specific and conveys the impression that new development should mirror its immediate surroundings. This may not be appropriate and the policy needs to be retitled and restructured to give clear guidance of what is expected in terms of design and sustainability.

4.11 I would also suggest removing reference to supplementary planning guidance from the policy itself. This can be referred to in the supporting text, but an attempt to afford it Section 54A status should be resisted.

RECOMMENDATION

4.12 That reference to supplementary planning guidance is removed from the policy and inserted into the supporting text. That this is supplemented by a reference to development briefs as I have recommended under Policy WBE19.

4.13 That Policy WBE1 is deleted and replaced as follows:

"Policy WBE1: Design and new development

New development will be expected to achieve high standards of design and layout, which makes efficient use of land and buildings. A scheme should create its own identity, whilst taking account of the wider locality, including the surrounding townscape and landscape. In addition, development proposals will be expected to have regard to the following principles:

A) a reduction in the level of car parking below maximum standards wherever possible in order to promote sustainable transport choices;

B) encouragement of measures that promote accessibility to services and facilities by public transport, cycling and walking;

C) incorporation of features that maximise the safety and security of people living in or using the development;

D) creation of easily accessible and attractive open spaces".

POLICY WBE2

REPRESENTATIONS

2487 Slough Properties Ltd (O)
2567 Martin & Pole, Nicholas (O)

OBJECTION ISSUES

4.14 It was considered that there were some areas such as Winnersh Triangle, which although they do not have particularly pronounced or historic architectural styles, do not have poor architectural quality. In such cases further development should be compatible and not used to create artificial visual interest. It was also felt that the policy has no development control function and should either be deleted or relegated to the supporting text.

CONCLUSIONS

4.15 There are many built-up parts of the District of mediocre quality but I do not agree that such circumstances should necessarily be perpetuated in new development. Policy WBE1 calls for better quality in the design of individual developments and this should reinforce local identity and result in improvement of the wider urban area. To my mind Policy WBE2 is a reasonable objective but the point is adequately covered by my recommended rewording of Policy WBE1.

RECOMMENDATION

4.16 That Policy WBE2 is deleted.

POLICY WBE3

REPRESENTATIONS

2494 George Wimpey Plc (O)
2568 Martin & Pole, Nicholas (O)

OBJECTION ISSUES

4.17 The policy was considered to be unreasonable in that it requires details that were likely to change as a result of market demand. The only requirement should be for a master plan. The other objection felt that the policy has no development control function and should be deleted or relegated to the subtext.

Appendix 5

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire

1.4 QUALITY AND CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT, REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ LBE1 DESIGN OF NEW DEVELOPMENT

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

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

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.

❖ LBE2 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 ING, 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 also to seek opportunities to enhance the quality of the built environment.

4.05 Often the more attractive and successful an 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, district and local shopping centres in particular, where large scale redevelopment 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.

❖ LBE3 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.

❖ LBE4 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.

❖ LBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND REFURBISHMENT THE DISTRICT COUNCIL WILL

Appendix 6

SUGGESTED CONDITIONS IN THE EVENT THAT APPEAL IS ALLOWED
(WITHOUT PREJUDICE)

APPEAL REF: APP/X0360/A/02/1093570
APPLICATION NUMBER: F2001/5869
SITE ADDRESS: No.16 Burgess Close, Woodley

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

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

Reasons

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

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

PLANNING SERVICES	HPT 58623 + 058
PQ	TLS
DC DG	ENF
APP	
CS	
15 JUL 2002	
COPIES TO	ACK ✓ 15/7/02
	FILE

17 Burgess Close
Woodley
Reading
RG5 3LJ

Tel: 0118 9262097

12 July 2002

Ms Denise Gumbrell
Appeals Assistant
Wokingham Unitary
Environmental Services Dept
Planning Services
P O Box 157
Shute End
Wokingham RG40 1WR

Dear Madam

Application No: **F/2002/5869**
Appeal By: **Mr M Adams**
Site Address: **16 Burgess Close, Woodley**
Proposal: **Proposed 1st floor side extension and single storey rear extension**

Thank you for your letter of 9 July and please find enclosed copy of the letter we have today written to the Planning Inspectorate.

Yours faithfully

Mr and Mrs B Orme

17 Burgess Close
Woodley
Reading
RG5 3LJ

Tel: 0118 9262097

APP/X0360/A/02/1093570

12 July 2002

Mrs M Pocock
The Planning Inspectorate
Room 3/03
Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Dear Madam

Application No:	**F/2002/5869**
Appeal By:	**Mr M Adams**
Site Address:	**16 Burgess Close, Woodley**
Proposal:	**Proposed 1st floor side extension and single storey rear extension**

We have been informed by Wokingham Unitary that our neighbour is appealing against the referred planning permission for his extension. We confirm our objections remain and have not changed since the original application.

We cannot stress too much how we feel regarding the first floor side extension. This will block our light considerably and diminish our enjoyment of our dining room giving it a tunnel effect. It will also affect our view of the trees around the lake.

At present we also cannot grow anything in front of the dining room because of lack of light; the area is always so damp the grass will not grow properly. The proposed extension will exacerbate the situation.

We have no objection to the proposed single storey rear extension as it is only the side extension that will affect us.

As before if one of your Inspectors would care to visit us to examine how it will affect us please do not hesitate to contact us and we will make sure someone is at our property to let them in.

Yours faithfully
Mr and Mrs B Orme

FROM: Phillip Taylor

DATE: 18 February 2002

DELEGATED

WOODLEY TOWN CONSULTATION SHEET

Application Number: F/2002/5869

Proposal: *Proposed first floor side extension to dwelling and single storey rear extension..*

Site Address: 16, Burgess Close, Woodley, Reading.

Applicant: Mr M Adams .

Your observations are required in respect of this application **by 14/03/2002** .

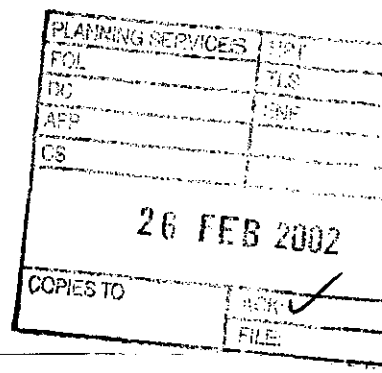
PLANNING SERVICES DEPT
08 MAR 2002
COPIES TO

The committee supported the neighbour's concerns regarding the loss of light.

SIGNED: _____ DATE: 6.3.02.

Clerk To Woodley Parish/Town Council.

17 Burgess Close
Woodley
Reading
RG5 3LJ



25 February 2002

Mr Phillip Taylor
Development Control Officer
Wokingham Unitary
Environmental Services Dept
Planning Services
Shute End
Wokingham
RG40 1WR

0118926 7097

Dear Sir

Application No: **F/2002/5869**
Site Address: **16 Burgess Close, Woodley**
Proposal: **Proposed 1st floor side extension**

Thank you for your letter of 18 February informing of the proposed extension at No 16 Burgess Close.

We feel we must object to the 1st floor side extension due to the fact that this will block our view of the trees round the lake and more importantly our light. The existing extension already blocks our light to a certain extent and this will block our light even more and will give an even more tunnel effect to our dining room extension.

We look forward to hearing from you.

Yours faithfully

Mr and Mrs B Orme

Tel: (0118) 974 6448 (Direct Line)
Email: Denise.Gumbrell@wokingham.gov.uk
Date: 09 July 2002
My ref: **F/2002/5869**

The Owner / Occupier
17
BURGESS CLOSE
WOODLEY
READING
RG5 3LJ

WOKINGHAM UNITARY
Aiming for Excellence

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

Dear Sir/Madam

APPLICATION No: F/2002/5869
APPEAL BY: Mr M Adams
SITE: 16 Burgess Close Woodley Reading
PROPOSAL: Proposed first floor side extension to dwelling and single storey rear extension.

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

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

If you wish to make further representations, you should, if possible, send three copies to Mrs M Pocock, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference **APP/X0360/A/02/1093570**. Comments received after **08/08/2002** will not normally be seen by the Inspector & will be returned.

The application, and the appellant's grounds of appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during office hours (08:30- 17:00 Monday to Thursday, & 08:30-16:00 Friday).

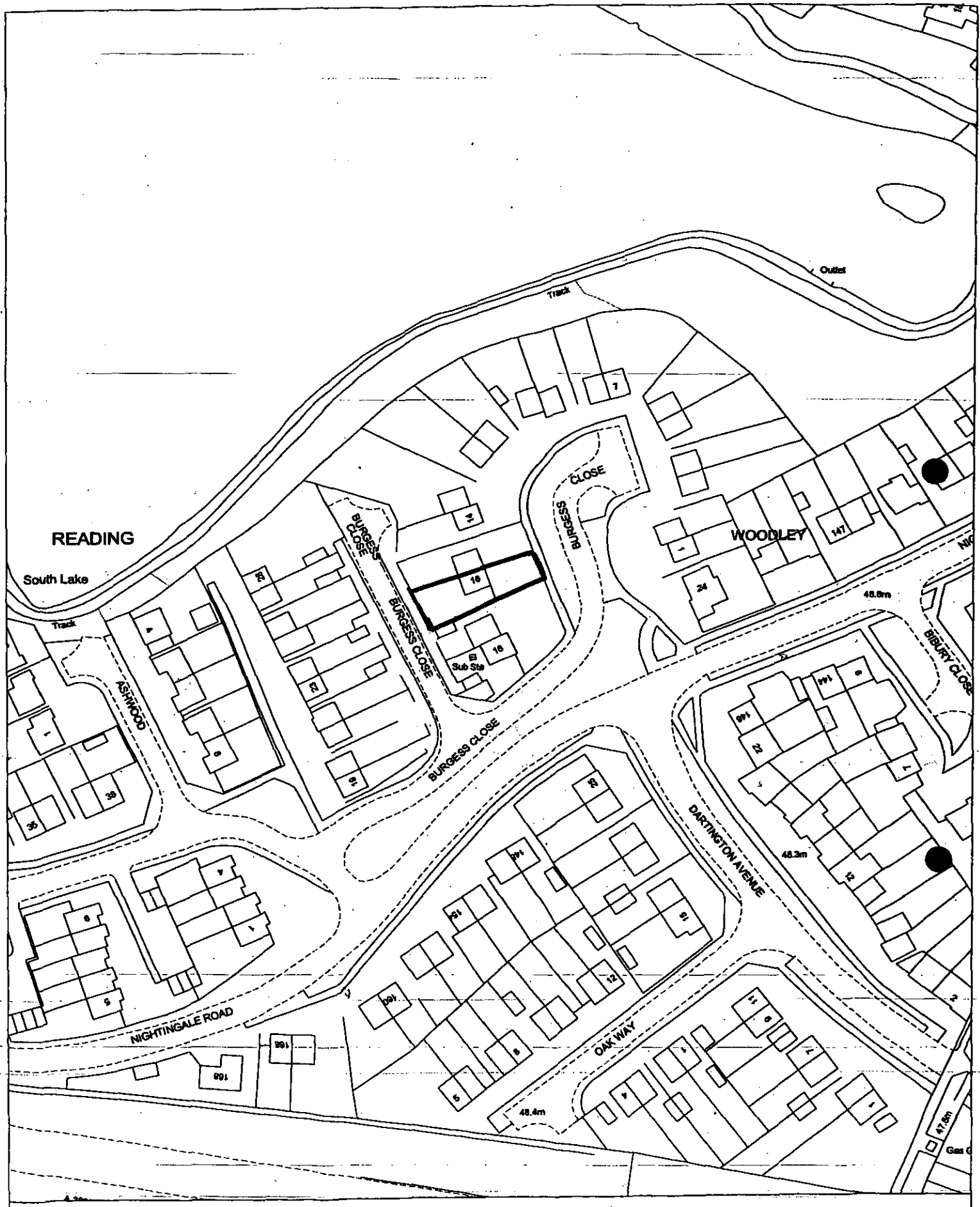
A free booklet, "Guide to taking part in planning appeals" is available from this office.

If you would like a copy of the Appeal decision, please request one from Mrs Pocock at the Inspectorate.

Yours faithfully

Denise Gumbrell

Appeals Assistant



Site Plan, Scale: 1 to 1250

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

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

Date: 9 July 2002

N
W E
S

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624
GTN 1371-6079

58632

DG

15 JUL 2002

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

Your Ref: F/2002/5869

Our Ref: APP/X0360/A/02/1093570

Date: 12 July 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M ADAMS
SITE AT 16 BURGESS CL, WOODLEY, READING, BERKS, RG5 3LJ

With reference to the above appeal, this is to let you know that Mr. M Evans is representing Mr. M Adams and from time to time, Mr. Evans works as a fee paid Planning Inspector for the Inspectorate.

Yours faithfully

Mrs Margaret Pocock

211B(BPR)

The Planning Inspectorate

For offical use only
Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/02/1093570 **GRID REF:**

APPEAL BY: MR M ADAMS

SITE: 16 Burgess Close Woodley

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks from the starting date given in our letter. You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan. Please send our copy to the case officer. Their address is shown on our letter.

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

1.	Do you agree to the written representations procedure?			YES / ~~NO~~
OR	Do you wish to be heard by an Inspector at:	a.	a local inquiry?	~~YES~~ / NO
		or b.	a hearing?	~~YES~~ / NO
2.	If the written procedure is agreed, could the Inspector make an unaccompanied site visit?			~~YES~~ / NO
	(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)			
3.	Does the appeal relate to an application for approval of reserved matters?			~~YES~~ / NO
4.	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?			~~YES / NO~~ / NA
5.	Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?			~~YES~~ / NO

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

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

a Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	~~YES~~ / NO Sch1 Sch 2 col 1
b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~ / NO
c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.–	~~YES~~ / NO

	Number of Documents Enclosed	N/A
d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;		✓
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h. Details of any other applications or matters you are currently considering relating to the same site;		✓
i. **For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.***	3	
j. Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k. Any other relevant information or correspondence you consider we should be aware of.		✓

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?	08/08/02
b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.	Number of Documents Enclosed: N/A
i) representations received from interested parties about the original application	2
ii) the planning officer's report to committee	✓
iii) any relevant committee minute	✓
17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY	
Do you intend to send another statement about this appeal? If NO, please send the following information:-	YES / ~~NO~~
a. In non-determination cases:	
i) what the decision notice would have said;	
ii) how the relevant development plan policies relate to the issues of this appeal.	
b. In all cases:	
i) the relevant planning history;	
ii) any supplementary reasons for the decision on the application;	
iii) matters which you want our Inspector to note at the site visit.	
18. THE MAYOR OF LONDON CASES ONLY	
a. Was it necessary to notify the Mayor of London about the application? If YES, please attach a copy of that notification.	YES / NO
b. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction.	YES / NO

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

Signature: _____ on behalf of WOKINGHAM UNITARY ~~Council~~

Date sent to us and the appellant 09/07/02 Our Ref: F/2002/5869

Please tell us of any changes to the information you have given on this form.

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

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

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

Evans Planning and Development Consultancy

PLANNING SERVICES | HPT 57797
POL | TLS
DC | ENF
APP |
OS |
24 JUN 2002
COPIES TO | ACK:
FILE:

EPDC

Mike Evans BA MA MPhil DipTP MRTPI
Chartered Town Planner
18 Webb Court
Wokingham
Berkshire
RG40 5YR
Tel: 0118 9892968
Mobile: 07766 053657
Email: EvansPlanningUK@Yahoo.com

Wokingham District Council
Shute End
Wokingham
Berkshire
RG40 1BN

20th June 2002

APPEAL RE 16 BURGESS CLOSE, WOODLEY

Dear Sir

I enclose papers regarding a planning appeal I have submitted to the Planning Inspectorate.

Yours sincerely

M. Evans

Mike Evans

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624

GTN 1371-6079

PLANNING SERVICES HPT 63220 TLS ENF 14 NOV 2002

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

Your Ref: F/2002/5869

Our Ref: APP/X0360/A/02/1093570

Date: 13 November 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M ADAMS
SITE AT 16 BURGESS CL, WOODLEY, READING, BERKS, RG5 3LJ

I enclose a copy of our Inspector's decision on the above appeal.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Phone No. 0117 372 8252

Fax No. 0117 372 8139

E-mail: Complaints@pins.gsi.gov.uk

Yours faithfully

cc Mrs Margaret Pocock

COVERDL1

Tel. (0118) 974 6448 (Direct Line)
Date: July 26, 2002
My ref: F/2002/5869
Your ref: APP/X0360/A/02/1093570

Mrs M Pocock
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

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

Dear Mrs Pocock

APPEAL BY: Mr Adams
SITE: 16 Burgess Close, Woodley

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: July 9, 2002
My ref:F/2002/5869
Your ref: APP/X0360/A/02/1093570

Mrs M Pocock
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

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

Dear Mrs Pocock

APPEAL BY: Mr M Adams
SITE: 16 Burgess Close, Woodley

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. July 9, 2002
My ref: F/2002/5869
Your ref:

Mr M Evans
Evans Planning & Development Consultancy
18 Webb Court
Wokingham
RG40 5YR

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

Dear Sir

APPEAL BY: **Mr M Adams**
SITE: **16 Burgess Close, Woodley**

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

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

11/7

3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624
GTN 1371-6079

S8009

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

Your Ref: F/2002/5869

Our Ref: APP/X0360/A/02/1093570

Date: 27 June 2002

PHILLIP

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M ADAMS
SITE AT 16 BURGESS CL, WOODLEY, READING, BERKS, RG5 3LJ

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

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

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

You must **submit** the following documents within this timetable:

Within 2 weeks from the starting date -

You must notify any statutory parties and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them that:-

i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within **6 weeks of the starting date.** If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.

ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and

iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must submit a copy of a completed appeal questionnaire with copies of all necessary supporting documents, to the appellant and me. It is essential that details of all the relevant development plan policies are included with it at this early stage.

Within 6 weeks from the starting date -

You must submit 2 copies of your statement to me if the appeal questionnaire does not comprise the full details of your case. The appellant must submit 2 copies of any statement to me if it proves necessary to add to the full details of the case made in the grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, *as recommended in Annex 1(i) of DETR Circular 05/2000.* Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant a copy of any comments submitted by interested parties.

Within 9 weeks from the starting date -

You and the appellant must submit 2 copies of any final comments on each other's statement and on any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement and no new evidence is allowed. I will forward the appellant's final comments to you at the appropriate time.

Site visit arrangements

We will arrange for our Inspector to visit the appeal site and we will send you the details. Our aim is to arrange the visit within 12 weeks of the **starting date**, but from time to time it may take us a little longer.

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

Planning obligations - Section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, you must submit a completed, signed and dated copy before the date of the site visit. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Yours faithfully

Mrs Margaret Pocock
102(BPR)

The Planning Inspectorate

Further information about us and the planning appeal system is available on our website www.planning-inspectorate.gov.uk

For official use only
Date received

PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our helpline on 0117 372 6372.

Please use a separate form for each appeal

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING If any of the Essential supporting documents listed [illegible] received by us within the [illegible] period, the appeal will not be accepted

A. APPELLANT DETAILS

The name of the person(s) making the appeal must be the same as on the planning application form.

Name Mr M. ADAMS

Address 16 BURGESS CLOSE

WOODLEY, READING, BERKSHIRE

Postcode RG5 3LJ

Daytime phone no

Fax no

E-mail address

B. AGENT DETAILS FOR THE APPEAL (if any)

Name Mr M. EVANS – EVANS PLANNING AND DEVELOPMENT CONSULTANCY

Address 18 WEBB COURT

WOKINGHAM

BERKSHIRE

Postcode RG40 5YR

Your reference

Daytime phone no 0118 9892968

Fax no

E-mail address EvansPlanningUK@Yahoo.com

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL

LPAs application reference no F/2002/5869

Date of the planning application 7.2.02

Date of LPA's decision notice (if issued) 3.4.02

D. APPEAL SITE ADDRESS

Address 16 BURGESS CLOSE
WOODLEY
READING, BERKSHIRE
Postcode RG5 3LJ

If the whole site can be seen from a road or other public land and there is no need for the Inspector to enter the site e.g. to take measurements or to enter a building, please tick the box. ☐

E. DESCRIPTION OF THE DEVELOPMENT

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed with the LPA)

FIRST FLOOR SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION,

Size of the whole appeal site (in hectares): 0.03

Area of floor space of proposed development (in square metres): 17.5

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

1. Refuse planning permission for the development described in Section E. ☑
2. Grant planning permission for the development subject to conditions to which you object. ☐
3. Refuse approval of details required by a previous outline planning permission. ☐
4. Grant approval of details required by a previous outline planning permission subject to conditions to which you object. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

or

6. The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval. ☐

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

Please note that when we decide how the appeal will proceed, we take into account the LPA's views

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

The written procedure involves an exchange of written statements followed by a site visit by the Inspector. The grounds of appeal should make up your full case.

2. HEARING ☐

A hearing is a discussion of the appeal proposals. The Inspector leads the discussion. Hearings give everyone concerned the chance to give their views in a more relaxed and informal atmosphere than at a public inquiry. Hearings have many advantages, but they are not suitable for appeals that:

- are complicated or controversial;
- have caused a lot of local interest;
- involve cross-examination (questioning) of witnesses.

Although you may prefer a hearing, the Inspectorate must consider your appeal suitable for this procedure. Hearings are open to the public.

3. INQUIRY ☐

This is the most formal of the procedures, because it usually involves larger or more complicated appeals. These are often cases where expert evidence is presented, and witnesses are cross-examined. An inquiry may last for several days, or even weeks. It is not a court of law, but the proceedings will often seem to be quite similar and the appellant and LPA usually have legal representatives. Inquiries are open to members of the public.

An inquiry is held if you or the LPA decide that you cannot rely on the written procedure and a site visit, and we have decided that a hearing is unsuitable. Sometimes we decide that an inquiry is necessary. If we do, you will be given reasons for our decision.

Please turn over

H. GROUNDS OF APPEAL

If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, please provide a brief outline of your grounds.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

SEE ATTACHED

H. GROUNDS OF APPEAL (continued)

SEE ATTACHED

Please turn over

I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES. Please read the enclosed *Guidance Notes* if in doubt.

If you are the sole owner of the whole appeal site, Certificate A will apply: *Please tick **one** box only* ✔

CERTIFICATE A

☑

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates;

OR

CERTIFICATE B

☐

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

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

CERTIFICATES C and D

☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b). **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'.**

✔

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding; ☑

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below: ☐

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

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1–6 below, must be sent with your appeal form; 7–10 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

		✔
1.	A copy of the original **planning application** sent to the LPA.	☑
2.	A copy of the **site ownership certificate and ownership details** submitted to the LPA at application stage (this is usually part of the LPA's planning application form).	☑
3.	A copy of the **LPA's decision notice** (if issued).	☑
4.	A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map).	☑
5.	A list and copies of all **plans, drawings and documents** sent to the LPA as part of the application.	☑
6.	A list and copies of any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes).	☐

Copies of the following must also be sent, if appropriate:

7.	**Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here:	☐
8.	Any relevant **correspondence** with the LPA.	☐
9.	If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:	
	(a) the relevant outline application;	☐
	(b) all plans sent at outline application stage;	☐
	(c) the original outline planning permission.	☐
10.	If the appeal is against the LPA's refusal or failure to decide an application which relates to a **condition**, we must have a copy of the original permission with the condition attached.	☐
11.	A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).	☐
12.	If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.	☐

PLEASE TURN OVER AND SIGN THE FORM – UNSIGNED FORMS WILL BE RETURNED

K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and relevant documents to the LPA *(if you do not, your appeal will not normally be accepted).*
2. I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature M. Evans (on behalf of) Mr M. ADAMS

Name (in capitals) MICHAEL EVANS Date 11.6.02

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration (Reg No: E311018) under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our Website under "Privacy Statement" and in the booklet accompanying this appeal form.

NOW SEND:

- **1 COPY to us at:**
  The Planning Inspectorate
  Customer Support Unit
  Temple Quay House
  2 The Square
  Temple Quay
  BRISTOL
  BS1 6PN

  We do not currently accept appeals by e-mail or fax.

- **1 COPY to the LPA**
  Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid and who is dealing with it.
2) Tell you and the LPA the procedure for your appeal.
3) Tell you the timetable for sending further information or representations.
   YOU MUST KEEP TO THE TIMETABLE
   If information or representations are sent late we may disregard them. They will not be seen by the inspector but will be sent back to you.
4) Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

Published by the Planning Inspectorate April 2002

Printed in the UK April 2002 on paper comprising 25% post consumer waste and 100% ECF recycled paper.

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

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

EPDC

EVANS PLANNING AND DEVELOPMENT CONSULTANCY

APPEAL BY MR M ADAMS AGAINST THE REFUSAL OF PLANNING PERMISSION BY WOKINGHAM DISTRICT COUNCIL FOR THE ERECTION OF A FIRST FLOOR SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION AT 16 BURGESS CLOSE, WOODLEY, BERKSHIRE.

LOCAL PLANNING AUTHORITY REFERENCE: F/2002/5869

Evans Planning and Development Consultancy
18 Webb Court
Wokingham
Berkshire
RG40 5YR

1.00 DESCRIPTION OF SITE AND SURROUNDINGS

1.01 The appeal site is in a residential cul de sac with semi-detached dwellings grouped around the access road and turning head. In some cases dwellings have a staggered building line. The appeal site is adjacent to the dwelling at 17 Burgess Close. There is a gap between the two dwellings but part of this is filled by a single storey addition to 17. This has a front window which looks directly towards the highway.

2.00 PLANNING POLICIES

2.01 The development plan comprises the Berkshire Structure Plan (BSP) (adopted August 1997) and the Loddon Area Local Plan (LALP) (adopted May 1995). Policy LD3 of the BSP seeks to protect the living conditions of occupiers of properties and is relevant to this appeal. In my opinion policies LBE1 and LBE2 of the LALP are purely design policies and do not address the issue of impact on living conditions and so are not relevant to this appeal.

2.02 There is also an emerging local plan which has been subject to a local plan inquiry. The objectives of policies WBE1 and WOS3 include preventing harm to the living conditions of occupiers of residential properties.

3.00 BACKGROUND

3.01 The planning application was refused under delegated powers by the Head of Planning and Transportation on the 3rd April 2002. The reason for refusal identifies the design, scale, bulk and massing as leading to an unacceptably overbearing effect on the living conditions of occupiers of 17 Burgess Close. There is also an officer's report which provides further clarification of the reason for refusal. The report makes it clear that there is no objection to the single storey rear extension and the objection relates purely to the first floor addition. In the report it is alleged that the proposal would create a tunnelling effect and that the affected area is the single storey dining room extension to 17. The Council's concern is purely with the impact on this room.

4.00 THE CASE FOR THE APPELLANT

4.01 The main issue to be considered in this appeal is the effect of the proposal on the living conditions of occupiers of the adjacent house at 17 Burgess Close.

4.02 The nature of the proposal in my view severely limits the potential for it to have any significant impact on the living conditions of adjacent occupiers. The roof is fully hipped so that from ground level in 17 the roof would not be visible. This leaves the vertical wall element. In relation to what is already there this would introduce an additional area of brick wall in closer proximity to 17. However this is above an existing single storey flat roofed element. In this context the proposal will make little difference to the perception of built development from 17.

4.03 The affected room has a large window which looks to the front of the property. As it is a ground floor window the views from it are correspondingly at ground floor level. I consider it unlikely that occupiers would crane their neck upwards to catch a view of the first floor addition and even if they did I do not consider they would find it unacceptably overbearing. They will look straight ahead in a level plane and have an open view as at present.

4.04 The first floor addition is also too far away from the first floor proposal for it to be genuinely overbearing. The window in 17 is virtually in line with the main rear building line of 16. This makes it about 4 metres distant from the proposal. Even if it was not going above an existing single storey element I consider this too far for it to have a truly overbearing effect. Occupiers of 17 will not have a genuinely oppressive feeling of being hemmed in by the proposal. In fact they would have exactly the same completely open view to the front that they currently enjoy.

4.05 It is also necessary to consider the significance of the area which is alleged to be affected by the proposal. The main outlook of 17 is to the front and rear from the original dwelling and not from this single storey extension. We also know, from the officer's report, that there is another window in the single storey extension which looks to the rear. I do not, therefore, consider the outlook from this window to be of overriding importance even if the outlook from it was detrimentally affected.

5.00 CONCLUSION

5.01 The proposal creates a modest first floor addition which the Council considers to be overbearing. However this is above an existing single storey element which is set at some distance from the window from which it is alleged to be overbearing. It is doubtful that occupiers would even see the proposal unless they made a special effort to move right up to the window and looked sharply upwards. A proposal which is not extremely obvious to occupiers cannot be overbearing. The room which is alleged to be affected is not part of the original dwellinghouse at 17 and would leave their main outlook to the front and rear in any case. Even the single storey extension itself has another window to the rear. In my view the outlook from this one window does not justify the refusal of this proposal both because it is not significantly affected and because it is not of overriding importance to the living conditions of occupiers of 17 Burgess Close.

5.02 It is therefore respectfully requested that the above appeal be ALLOWED.