APPLICATION NO:
F/2001/5592

LOCATION:
308a Barkham Road, Wokingham.

APPLICANT:
Mr & Mrs Cheney C/O L M Banfield

PROPOSAL:
Proposed erection of two storey rear extension and single storey front extension to dwelling.

EARLIEST DATE FOR DECISION: **09/02/2002**

APPLICATION WILL HAVE EXPIRED ON:
11/03/2002

CASE OFFICER: **Heidi Lynch**

REFUSED

705

RAILEX
Marbleboard

EASIFILE EP7

Appeal decision

Site visit made on 13 August 2002

by Robert A Luck BSc CEng MICE DipTE MIHT MEWI

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:
-3 SEP 2002

Appeal Ref: APP/X0360/A/02/1087849
308A Barkham Road, Wokingham, Berkshire

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Mr & Mrs Cheney against the decision of Wokingham District Council.
- The application (ref: F/2001/5592), dated 31 December 2001, was refused by notice dated 8 March 2002.
- The development proposed is a two storey rear extension and a single storey front extension.

Summary of decision: The appeal is dismissed.

Procedural Matters

1. Several revised proposals were submitted to the Council and it reached its decision with reference to revision C. I shall determine the appeal on the same basis. Revision D has not been considered by the Council and I shall not therefore take it into account.

2. The appellant has suggested that certain alterations could be carried out to the appeal property as permitted development. I shall deal with proposal before me on its own merits.

3. The appellant has also stated that a window in an adjoining property has not been in existence so long that a legal right to light has become established. Such a right is a private matter between the parties concerned. I shall determine the appeal on planning issues which, as set out in paragraph 64 of Planning Policy Guidance Note 1: General Policy and Principles (PPG1), may include the protection of amenities and the existing use of buildings in the public interest.

4. The Council has not objected to the proposed single storey front extension and I have no reason to come to a different conclusion.

The Main Issue

5. I consider the main issue in this appeal to be the effect of the proposal on the living conditions of neighbouring residents, with particular reference to light and visual intrusion.

The Development Plan and Other Relevant Guidance

6. The Development Plan for the area includes the South East Area Local Plan (1994). Policy SBE1 requires that, amongst other things, new development should contribute to an

attractive environment in which to live. Policy SBE2 states that proposed development that is inappropriate, in terms of its relationship with adjoining sites and buildings, will not normally be permitted.

7. The Draft Wokingham District Local Plan was the subject of a public inquiry in 1998 and the Inspector's report was published by the Council in November 2001. The Council has not yet formally considered the Inspector's recommendations. Draft Policy WOS3 includes the requirement that development proposals should not be detrimental to the amenities of adjoining land uses and occupiers. This principle is reflected Draft Policy WBE1. In view of the stage reached by the Draft Local Plan, these policies carry significant weight.

8. The Council has published Draft Planning Guideline B2 which states, at paragraph 5.1, that a rear extension should not be unduly overbearing or cause unreasonable loss of daylight or sunlight for neighbours. Paragraph 5.8 says that the first floor should be set in from the party boundary by a minimum of 2.5m. As I do not have any evidence of the status of this document, I give it only limited weight.

Reasons and Conclusions

9. The appeal building, No 308A, is a detached house which forms part of the south-eastern frontage of Barkham Road. The neighbouring property to the south west, No 310, is also a detached house and the flank walls of the two buildings are about 5m apart. The existing rear elevation of No 308A projects about 1m beyond that of No 310. The north east side boundary to the appeal site has some fairly high planting on both its sides and is approximately 2.4m from the flank wall of the appeal house. The adjacent property on that side, No 308, is a bungalow with accommodation in the roof space whose south-western flank wall, about 1.2m from the boundary, includes a dining room window, the greater part of which is clear of the line of the existing rear elevation of No 308A.

10. The proposed rear extension would cover the full width of the existing house. That part nearest to No 310 would extend 2.7m beyond the existing elevation, and thus about 3.7m beyond the rear elevation of No 310. The existing roof pitch would be extended over this element, so that the proposed eaves level would be a little below the sill level of the first floor windows. The roof would include a rear-facing, hip-roofed dormer providing light to an extended bedroom. I concluded from my observations at the site visit that the extended flank wall of the house and the side of the proposed dormer would be visible towards the side of the field of view from rear windows in No 310 and from the patio area immediately behind the house. However, I formed the opinion that the distance of the proposed flank wall from the site boundary, its diminishing height and the form and position of the proposed dormer would be sufficient to avoid their being overbearing for the occupants of the rear rooms or the users of the patio area of No 310.

11. The proposal would also include a new window with obscure glass, serving a bathroom, in the existing south-western flank wall. I am satisfied that the privacy of the residents of No 310 could be adequately protected by a planning condition confirming the type of glazing and controlling the height of any opening part of the proposed window.

12. The part of the proposed rear extension nearest to No 308 would increase the length of the two storey flank wall facing that bungalow by a little under 3m, so that it would continue well past the dining room window in No 308 and would be about 3.6m away from it. The

proposed roof would be pitched away from the bungalow and would be hipped rather than gabled above the proposed rear elevation. Nonetheless, I came to the view during the site visit that the proposed flank wall, because of its size and position, would be so visually intrusive when seen from the neighbouring dining room that it would have an overbearing effect on the occupants of that room. I also consider that the proposal would have a significantly detrimental effect on the level of daylight and sunlight in the room, to the further detriment of the living conditions of its occupants. Both effects caused by the proposal would, in my view, be substantially greater than those arising from the existing house and fence or, indeed, the planting, which in any case cannot be regarded as a permanent feature.

13. The appellant has suggested that occupancy of the dining room is confined to occasional use in the evening, but the proposed extension would remain long after the living routine of the present residents of No 308, or indeed the use to which they put that habitable room, had ceased to be relevant.

14. I have found that the proposal would not have a substantially adverse effect on the living conditions of the residents of No 310. However, it is my conclusion that this consideration is heavily outweighed by the harm it would cause to the living conditions of the residents of No 308. I therefore further conclude that the proposal would conflict with Local Plan Policies SBE1 and SBE2, as well as with Draft Local Plan Policies WOS3 and WBE1. As the first floor of the proposed flank wall would be 2.4m from the boundary with No 308, the proposal would also conflict with paragraph 5.8 of the Draft Planning Guidance.

Other Considerations

15. The appellant has provided photographs of other extensions allowed by the Council in the area, but it is a well-established planning principle that a development proposal should be determined on its individual merits, as I have determined this appeal.

Overall Conclusion

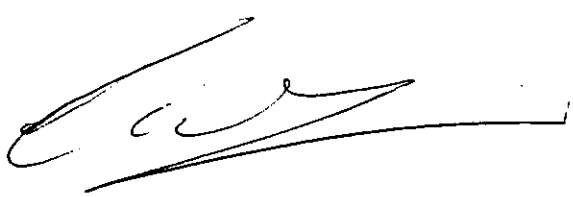
16. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be dismissed.

Formal Decision

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

Information

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



Inspector

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs Cheney
C/O L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Application Number: F/2001/5592

Parish: **WOKINGHAM**

Location: **308A Barkham Road, Wokingham.**

Proposal: **Proposed erection of two storey rear extension and single storey front extension to dwelling.**

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

Reason

1. The proposal is considered, by virtue of its size, siting, scale and massing, to have an overbearing impact to the detriment of the amenity of occupants of the adjoining properties. The application is therefore considered to conflict with policies SBE1 and SBE2 of the South East Area Local Plan, policy EN1 of the Berkshire Structure Plan and with policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

Informative

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

Berkshire Structure Plan Policy EN1.
South East Area Local Plan Policies SBE1, SBE2 and ST5.
Deposit Draft Wokingham District Local Plan Policies WOS3, WBE1 and WT6.

Anna Cronin
Head of Planning & Transportation
Date: 08/03/2002

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.

20/2/02

C

Appendix C

Telephone Call from Heidi Lynch
Development Control Officer

Proposal will be rejected on the grounds of being "too overpowering" and privacy i.e. bedroom 1 window overlooks neighbours terrace.

Reducing extension from 2995 to 2000 would be acceptable

Switching Gable and Sloping roof would not be acceptable

45° line from adjacent properties' nearest window (too establish if their is sufficient light to the next door neighbours house) is outside of extension as drawn. This has however, been overruled on the grounds that it is too overpowering

Household Team Leader Besia Polnik made the decision

LMB asked on what grounds. Heidi Lynch stated that the current scheme does not accord with the District Plan or the Planning Policies.

D

Appendix D

Meeting with Wokingham Unitary Planning Services 26.02.02
Regarding Planning Application Ref No F/2001/5592
308A Barkham Road, Wokingham

Attended by:

Heidi Lynch	Planning Services
Richard Cheney	Applicant
Mike Banfield	Agent

Topics for discussion regarding the current application as detailed on the following drawings:

90.Planning.01A	Floor Plans
90.Planning.02A	Elevations
90.Planning.03	Existing Floor Plans
90.Planning.04	Existing Elevations
90.Planning.05A	Block Plan

1. On what grounds has the application been rejected?
Ms Lynch thought it was because the proposal was overbearing

2. Have the neighbours' objections regarding reduced light and lack of privacy been taken into account when rejecting the application?
Not light, but lack of privacy had.

3. Has Councillor Marinos' objection regarding "massing" been taken into account when rejecting the application?
Yes

4. Have the other two local Councillors made comments and is it incumbent upon them to do so?
No, No

5. How is massing defined in the planning context?

6. Is massing measured by the volume of the extension relative to the original house volume and, if so, is there a defined limit to this volume?
No

7. The neighbours' and Councillor's objections regarding light cannot be sustained as the rear extension is inside the notional 45 degree "light line".
Agreed

8. If it could be shown that there are similar rear extensions in similar circumstances within the area, would the current application then be re-considered?
Non-committal

9. It should be noted that it is the applicants' intention to introduce brick features to improve the appearance of the front and rear of the house and the sides of the extensions.
Noted

Laurel Close - estate off Barkham road. L

2 storey extension. Appendix L

Planning application in progress for similar property. Likely 2 storey.





Sarum Crescent cont . . . .





View from back door.

PLANNING SERVICES | HP 54043
POL | TLS
DC MWT BLP | ENF
APP |
CS |
11 MAR 2002
COPIES TO | ACK:
FILE:

Richard Cheney
308a Barkham Road
Wokingham
Berkshire
RG41 4DA
0118 9787679

Friday 8th March 2002.

Mr Mike Thorpe
Environmental Services Department
Planning Services
Shute End
Wokingham, RG40 1WR

Dear Mr Thorpe

Reference: Application Number F/2001/5592

You will be aware that I tried to contact you on Friday 8th March to discuss the above application, I do not intend to summarise the events from start to finish in this letter, but do intend to do this following a meeting arranged with Mrs Polnik on Monday 18th March.

Up until Friday 8th March we had been in the process of negotiating with your colleagues, with a view to reaching a satisfactory compromise on a 2 storey rear extension. It was agreed with Mrs Polnik that due to the fact she was unable to meet with me during any part of last week and I am on holiday w/c 11th March that we would extend the application close date, which according to your operating procedures is perfectly acceptable.

"Negotiating on an application takes time and may push the decision date over 8 weeks"

I arranged to meet with Mrs Polnik on Monday 18th March to finalise our discussions.

However on Friday 8th March at 2.15 pm I received a phone call from Mrs Polnik to say that a decision would be made that afternoon, despite our previous arrangements. Needless to say I find this situation quite unacceptable, particularly given the fact that we had requested to meet on many previous occasions and always been told that we had to liase with Heidi Lynch, who although extremely helpful was unable to provide us with the decisions required to make the plans more acceptable.

If we had been aware on the 6th March (when I arranged the meeting for the 18th) that a decision would have to be reached by the end of the week, we would have naturally submitted the revised plans that we intended to discuss on Monday 18th March.

We did actually offer to submit these plans within half an hour of the telephone call on Friday, but were told this would not be acceptable as the rejection paperwork was already being processed.

As a result of this situation, we are forced to either appeal or make a second application, which will be time consuming for all concerned. I would like to request that the decision to reject the application is withdrawn and the application period extended as originally agreed.

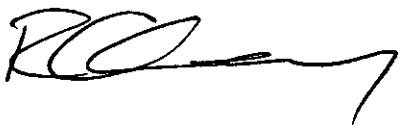
We really are not trying to be difficult, we would simply like to work with your team to understand what we have to do to make the application successful. If we are not provided with the appropriate guidance and the opportunity to negotiate improvements to the proposal, we are not in a position to establish what is acceptable.

As mentioned, we have a meeting scheduled with Mrs Polnik on Monday 18th March @ 11.00. In order that we can discuss and resolve this situation, it would be most helpful if you could attend.

Could you please acknowledge receipt of this letter and provide your response by either leaving a message on my answer phone or by writing to me prior to the 18th March.

We look forward to hearing from you.

Yours sincerely

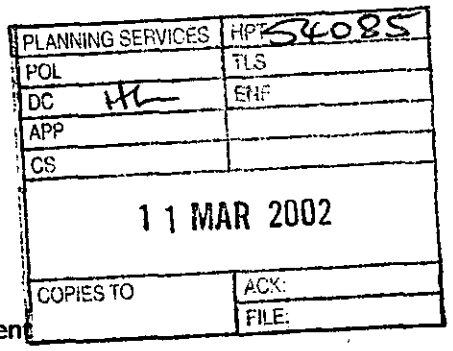


Richard Cheney

cc : L M Banfield – agent
Mrs B Polnik
Ms H Lynch

Richard Cheney
308a Barkham Road
Wokingham
Berkshire
RG41 4DA
0118 9787679

Friday 8th March 2002.



Mr Mike Thorpe
Environmental Services Department
Planning Services
Shute End
Wokingham, RG40 1WR

Dear Mr Thorpe

Reference: Application Number F/2001/5592

You will be aware that I tried to contact you on Friday 8th March to discuss the above application, I do not intend to summarise the events from start to finish in this letter, but do intend to do this following a meeting arranged with Mrs Polnik on Monday 18th March.

Up until Friday 8th March we had been in the process of negotiating with your colleagues, with a view to reaching a satisfactory compromise on a 2 storey rear extension. It was agreed with Mrs Polnik that due to the fact she was unable to meet with me during any part of last week and I am on holiday w/c 11th March that we would extend the application close date, which according to your operating procedures is perfectly acceptable.

"Negotiating on an application takes time and may push the decision date over 8 weeks"

I arranged to meet with Mrs Polnik on Monday 18th March to finalise our discussions.

However on Friday 8th March at 2.15 pm I received a phone call from Mrs Polnik to say that a decision would be made that afternoon, despite our previous arrangements. Needless to say I find this situation quite unacceptable, particularly given the fact that we had requested to meet on many previous occasions and always been told that we had to liase with Heidi Lynch, who although extremely helpful was unable to provide us with the decisions required to make the plans more acceptable.

If we had been aware on the 6th March (when I arranged the meeting for the 18th) that a decision would have to be reached by the end of the week, we would have naturally submitted the revised plans that we intended to discuss on Monday 18th March.

We did actually offer to submit these plans within half an hour of the telephone call on Friday, but were told this would not be acceptable as the rejection paperwork was already being processed.

As a result of this situation, we are forced to either appeal or make a second application, which will be time consuming for all concerned. I would like to request that the decision to reject the application is withdrawn and the application period extended as originally agreed.

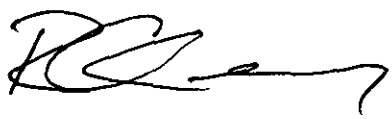
We really are not trying to be difficult, we would simply like to work with your team to understand what we have to do to make the application successful. If we are not provided with the appropriate guidance and the opportunity to negotiate improvements to the proposal, we are not in a position to establish what is acceptable.

As mentioned, we have a meeting scheduled with Mrs Polnik on Monday 18th March @ 11.00. In order that we can discuss and resolve this situation, it would be most helpful if you could attend.

Could you please acknowledge receipt of this letter and provide your response by either leaving a message on my answer phone or by writing to me prior to the 18th March.

We look forward to hearing from you.

Yours sincerely



Richard Cheney

cc : L M Banfield – agent
Mrs B Polnik
Ms H Lynch

PLANNING SERVICES	HPT 54084
POL	TLS
DC Bul	ENF
APP	
CS	
11 MAR 2002	
COPIES TO	ACK:
	FILE:

Richard Cheney
308a Barkham Road
Wokingham
Berkshire
RG41 4DA
0118 9787679

Friday 8th March 2002.

Mr Mike Thorpe
Environmental Services Department
Planning Services
Shute End
Wokingham, RG40 1WR

Dear Mr Thorpe

Reference: Application Number F/2001/5592

You will be aware that I tried to contact you on Friday 8th March to discuss the above application, I do not intend to summarise the events from start to finish in this letter, but do intend to do this following a meeting arranged with Mrs Polnik on Monday 18th March.

Up until Friday 8th March we had been in the process of negotiating with your colleagues, with a view to reaching a satisfactory compromise on a 2 storey rear extension. It was agreed with Mrs Polnik that due to the fact she was unable to meet with me during any part of last week and I am on holiday w/c 11th March that we would extend the application close date, which according to your operating procedures is perfectly acceptable.

"Negotiating on an application takes time and may push the decision date over 8 weeks"

I arranged to meet with Mrs Polnik on Monday 18th March to finalise our discussions.

However on Friday 8th March at 2.15 pm I received a phone call from Mrs Polnik to say that a decision would be made that afternoon, despite our previous arrangements. Needless to say I find this situation quite unacceptable, particularly given the fact that we had requested to meet on many previous occasions and always been told that we had to liase with Heidi Lynch, who although extremely helpful was unable to provide us with the decisions required to make the plans more acceptable.

If we had been aware on the 6th March (when I arranged the meeting for the 18th) that a decision would have to be reached by the end of the week, we would have naturally submitted the revised plans that we intended to discuss on Monday 18th March.

We did actually offer to submit these plans within half an hour of the telephone call on Friday, but were told this would not be acceptable as the rejection paperwork was already being processed.

As a result of this situation, we are forced to either appeal or make a second application, which will be time consuming for all concerned. I would like to request that the decision to reject the application is withdrawn and the application period extended as originally agreed.

We really are not trying to be difficult, we would simply like to work with your team to understand what we have to do to make the application successful. If we are not provided with the appropriate guidance and the opportunity to negotiate improvements to the proposal, we are not in a position to establish what is acceptable.

As mentioned, we have a meeting scheduled with Mrs Polnik on Monday 18th March @ 11.00. In order that we can discuss and resolve this situation, it would be most helpful if you could attend.

Could you please acknowledge receipt of this letter and provide your response by either leaving a message on my answer phone or by writing to me prior to the 18th March.

We look forward to hearing from you.

Yours sincerely



Richard Cheney

cc : L M Banfield – agent
Mrs B Polnik
Ms H Lynch

PLANNING SERVICES	HPT 54784
POL	TLS
DC	ENF
APP	
CS	
02 APR 2002	
COPIES TO	

BP

Richard Cheney
308a Barkham Road
Wokingham
Berkshire
RG41 4DA
0118 9787679

Monday 1st April 2002.

Mr Mike Thorpe
Environmental Services Department
Planning Services
Shute End
Wokingham, RG40 1WR

Dear Mr Thorpe

Reference: Application Number F/2001/5592

Following a letter sent to you (dated 08/03/02), enclosed is a summary of the events associated with our recent planning application and relevant meeting minutes.
To date we have received no response to the original letter and would appreciate your comments on the rescission of the extended application time.

We look forward to hearing from you.

Yours sincerely

Richard Cheney

cc : L M Banfield – agent

Basia

Please reply

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
AP	
CS	
02 APR 2002	
COPIES TO	ACK:
	FILE:

Minutes of a meeting held at the Wokingham District Council Planning Department on the 18th March 2002 regarding Application No F/2001/5592 to extend 308A Barkham Road Wokingham Berkshire.

Those present:

Mrs Polnik	Household Team Leader, Wokingham District Council Planning Department.
Richard Cheney	Applicant
LM Banfield	Agent

1. Mrs Polnik opened the meeting by stating the reasons why the application had been refused. The proposal was considered to be overbearing and to reduce light to the side window of No 308. She described the methods of determining the reduction in light to the side window; although the proposal is within a 45 degree angle projected on a horizontal plane from the window, it would not be within a 25 degree angle projected on a vertical plane from a point 2m above floor level in the centre of the window. The light to the window would therefore, in her opinion, be excessively reduced. LMB stated that he had not been made aware of the 25 degree criteria by the Planning Department and had not been given an opportunity to accommodate it by revising the proposal before the determination date of the application.
Post meeting note: LMB omitted to point out to Mrs Polnik that the side window of No 308 faces south-west allowing, with the proposal constructed, direct sunlight to enter the room served by the window.

2. RC pointed out to Mrs Polnik that there was a high hedge in front of the window of No 308. He also pointed out that the room served by the window was a dining room subject to only occasional use. LMB asked if the occupants of No 308 would have a "right to light" through the window if the window had not been in existence for more than 20 years. Mrs Polnik stated that she would need to consult the Council's lawyers if that was shown to be the case.
Post meeting note: Subsequent investigation has shown that the window of No 308 causing concern has not been in existence for more than 20 years.

3. LMB suggested that, to comply with the 25 degree angle criteria, the arrangement, as shown on the revision D set of drawings, be reversed such that the dormer was on the No 308 side of the house. Mrs Polnik stated that reversing the arrangement would not be acceptable as the hipped roofed part of the extension, albeit smaller and 600mm lower than the previous arrangements, would be considered as overbearing when viewed from the garden of No 310.

4. RC queried the "overbearing" reason for the refusal and showed Mrs Polnik a series of photographs of other recently constructed rear extensions to houses in Wokingham, similar to the proposal. Mrs Polnik agreed that in some cases the photographs showed these extensions to be far more overbearing than the proposal **(see appendix L for the photographs).** LMB stated that the Planning Department's decisions appeared to lack consistency. Mrs Polnik agreed that there was a lack of consistency and that the Planning Department would be trying to make their decisions more consistent in the future. Mrs Polnik handed LMB the Planning Department's Draft Planning Guideline B2 which, when implemented, would hopefully achieve consistency **(see appendix M for Guideline B2).** LMB stated that the decision making regarding the overbearing nature of a proposal appeared to be very subjective. Mrs Polnik agreed that it was.
Post meeting note: Guideline 5.8 of the Draft Planning Guideline B2 states that for two storey rear extensions "the first floor should be set in from the party boundary by a minimum of 2.5m and should not project by more than 3m. In any event these should be within the 45 degree angle (drawn in a horizontal plane) from the nearest part of a window to a habitable room of a neighbouring window, to ensure that there is no adverse impact on neighbours in terms of loss of light". The proposal would be 2.75m from the boundary of No 310 and 2.4m from the boundary of No 308. It would not project by more than 3.0m and would be within the 45 degree angle. LMB's suggestion to reverse the arrangement shown on the revision D set of drawings (see minute No 3) would, with some minor alterations, comply with the guideline.

5. LMB requested assistance from Mrs Polnik in trying to establish an alternative arrangement of the extensions that would be acceptable both to the Applicants and to the Planning Department. Mrs Polnik asked if a loft conversion had been considered; RC stated that it had and had been rejected. LMB suggested a single storey rear extension and a two storey front extension. RC expressed concern about additional costs and also stated that the suggestion would be very much a second choice. However, the suggestion was discussed further. Mrs Polnik stated that the roof to a single storey rear extension on the No 308 side of the house should be low enough such that it is within the 25 degree angle. She thought that having two storeys in the front of the house may be acceptable and asked that, if RC wished to proceed with this alternative arrangement, LMB prepare a sketch to enable more detailed discussions with her at a later date. Mrs Polnik asked LMB if he had considered taking advantage of permitted development rights when designing the extensions. LMB said he had not. Mrs Polnik arranged for a copy of the DETR booklet "Planning a Guide for Householders" to be made available; the booklet describes permitted development rights.
Post meeting note: Volume calculations show that under the permitted development rights a two storey extension with a dormered first floor could be constructed adjacent to either boundary.

6. RC queried the fact that the determination date for the application had been extended by Mrs Polnik during his telephone conversation with her on the

06.03.02 only to have the extension rescinded on the 08.03.02. leaving no time to submit the revision D set of drawings. Mrs Polnik explained that her decision had been overruled by her superior, Mr Thorpe. She also stated that had the revision D set of drawings been submitted, they would have been rejected anyway. LMB explained to Mrs Polnik that although he was aware that the revision D set of drawings would probably have been rejected, they would have been the drawings upon which an appeal to the DETR would have been based, indicating to the DETR that the applicants had tried hard to overcome the objections to the proposal. Mrs Polnik suggested that the revision D set of drawings be the subject of a new application. LMB pointed out that eight weeks would be wasted if this suggestion were to be adopted. LMB stated his concern that there had been no response to a letter sent by RC to Mr Thorpe on the 08.03.02, requesting that he reconsider his overruling of Mrs Polnik's decision to extend the application period. Mrs Polnik did not comment.

7. LMB asked Mrs Polnik what the "targets" were to which Heidi Lynch referred in her telephone conversation with LMB on the 07.03.02. Mrs Polnik replied that central government had set planning departments targets for determining 80 percent of applications within eight weeks. The targets had been set to ensure that applicants received a good service.

8. The meeting concluded.

LMB 21.03.02

Chronology of Events relating to Planning Application No F/2001/5592 to extend 308A Barkham Road Wokingham

Application submitted by hand on the 31.12.01. **(See appendix A)**

Agent (LMB) visited planning department on the 11.01.02 as there had been no notification that the application was being processed. The application had not been accepted by the planning officer (Heidi Lynch) because of some discrepancies on the drawings.

Drawings Nos 01A, 02A & 05A with discrepancies corrected were submitted on the 14.01.02.

The planning department accepted the application on the 16.01.02. **(See appendix B)**

Drawings were handed to both neighbours by the applicants (RC & SC) as a matter of courtesy. The neighbours in No 308, the adjacent bungalow, were very supportive however the neighbours in No 310, the adjacent house, objected on the grounds of loss of privacy and loss of light.

LMB visited the planning department with the intention of speaking to Heidi Lynch to discuss objections. Heidi Lynch was not available however the case file was made available for inspection. There were letters of objection on file from the neighbours in No 310 and from Councillor Marinos. Councillor Marinos had been requested by the planning department to write to them if she thought the application should go before the planning sub-committee rather than be dealt with under delegated powers. She did not respond to the request but did, however, write to the planning department objecting about the proposal. Her letter states that: "the first floor extension poses serious massing problems".

Heidi Lynch visited the site on the 18.02.02. LMB was in attendance. LMB asked Heidi Lynch if there were any planning regulations that determined the size of a proposed extension. She said that there were, these were the Local Plan and the 45 degree rule for determining loss of light to adjacent properties. She thought that the proposal for the rear extension would not pose any problems other than that the proposed first floor window that was to overlook the rear terrace of No 310 would compromise the neighbours' privacy.

Heidi Lynch telephoned LMB on the 20.02.02 to say that the application had been rejected. She stated that her household team leader, Mrs Polnik, had suggested that if the rear two storey extension were to be reduced in depth to 2.0m, the proposal would be acceptable. LMB stated that this would not be acceptable to RC & SC and that we would like to have a meeting with Mrs Polnik to negotiate a compromise solution. **(See appendix C for a record of the telephone conversation)**

RC attempted to arrange a meeting with Mrs Polnik, as she had made the decision to reject the application. RC was unable to contact her so he arranged a meeting with Heidi Lynch instead.

RC an LMB met with Heidi Lynch on the 26.2.02. Drawings Nos 01B, 02B & 05B were submitted to her. These showed the revised arrangement of the first floor internally. The arrangement had been revised to avoid having the bedroom 1 window overlooking the rear terrace of No 310. A bathroom window with obscure glazing was shown as overlooking the terrace. Heidi Lynch accepted this revision as overcoming the privacy problem and agreed that there would be no loss of light to No 310. A list of topics for discussion was handed to Heidi Lynch **(see appendix D for the list with Heidi Lynch's responses marked on it).** Heidi Lynch suggested that if the rear extension was re-arranged such that the dormer was on the objecting neighbour's side and was reduced to 2.0m in depth from the rear face of the existing house it might be acceptable. She agreed to call LMB after having spoken to Mrs Polnik about her suggestion. She also stated that Mrs Polnik was not prepared to meet us, but if we were to go to the planning department on thursday the 28.02.02 with the revised drawings Mrs Polnik would be on counter duty.

Heidi Lynch telephoned LMB on the 27.02.02 to say that she had spoken to Mrs Polnik who had made a further suggestion that would perhaps help the proposal gain approval i.e. introduce hip ends to the gable and dormer of the rear extension. Heidi Lynch also said that Mrs Polnik was to visit the site as the application had become "tricky".

RC and LMB visited the planning department on thursday the 28.02.02 and handed Drawings Nos 01C, 02C & 05C to Heidi Lynch. These drawings showed her's and Mrs Polnik's suggestions of the 26.02.02 and 27.02.02. RC and LMB asked to speak to Mrs Polnik but she was not available despite thursdays being her counter duty day.

Heidi Lynch telephoned LMB on the 04.03.02 to say that the drawings submitted on the 28.02.02 had been rejected. She stated that the planning department's block plan of the houses and bungalow in question had been out of scale but had now been redrawn and it indicated that the dining room side window of No 308, facing the proposed rear extension, was nearer to the proposal than originally thought. Not even a 2.0m deep two-storey rear extension would now be acceptable. LMB asked that if revised drawings showing the rear extension reduced in size and it's roofs lowered were to be submitted would they be considered. She said that they would if they were submitted at least a couple of days before the determination date of the application.

RC telephoned Mrs Polnik on the 06.03.02 to try to arrange a meeting with her. Mrs Polnik agreed to meet on the 18.03.02 and she also agreed to extend the application period beyond the determination date, as the application was still being negotiated. RC asked her if she had visited site; she had not.

LMB prepared Drawings Nos 01D, 02D and 05D on the 06.03.02 showing floor levels lowered by 300mm, the rear extension reduced in size and it's roofs lowered. These drawings were to be submitted to Mrs Polnik on the 18.03.02.

Heidi Lynch telephoned LMB 07.03.02 asking if the revised drawings discussed with her on the 04.03.02 were going to be submitted that day. LMB expressed surprise that Mrs Polnik had not informed her that the application period had been extended by Mrs Polnik and that he would be submitting the revised drawings to Mrs Polnik on the 18.03.02. Heidi Lynch said that she was not aware that the application period had

been extended and that she would have to speak to her manager as she was concerned that she would not "meet her targets".

Mrs Polnik telephoned RC at approx. 2.15pm on the 08.03.02 to say that she could not now extend the application. She would however still be able to meet with RC and LMB on the 18.03.02.

LMB telephoned Heidi Lynch at approx 3.05pm on the 08.03.02 after having been informed by RC that the application extension had now been rescinded. LMB asked Heidi Lynch if he could submit the Revision D drawings. She said no; the paperwork rejecting the application had been completed and there was no time to inspect revised drawings as she was leaving the office at 4.0pm. LMB tried to contact her manager, Mr Thorpe, in an attempt to keep the application open; Mr Thorpe was unavailable. A message was left asking Mr Thorpe to return the call. The call was not returned.

RC wrote to Mr Thorpe on the 08.03.02 regarding the granting and subsequent rescinding of the extension to the application period; a copy of the letter is attached. There has been no response to the letter from Mr Thorpe. **(See appendix E)**

Notification of Refusal of Permission dated 08.03.02 was received by LMB. **(See appendix F)**

RC and LMB met with Mrs Polnik on the 18.03.02. **(See appendix G for minutes of the meeting)**

SC and RC instructed LMB on the 19.03.02 to appeal to the Secretary of State for the Environment, Transport and the Regions.

LMB forwarded copies of the meeting minutes and chronology of events to Mrs Polnik and Heidi Lynch for their comments. **(See appendix H)**

RC forwarded copies of the chronology of events to Mr Thorpe. **(See appendix J)**

LMB wrote to Mrs Polnik regarding rights of light to the dining room window of No 308. **(See appendix K)**

20/2/02 C

Telephone Call from Heidi Lynch
Development Control Officer

Proposal will be rejected on the grounds of being "too overpowering" and privacy i.e. bedroom 1 window overlooks neighbours terrace.

Reducing extension from 2995 to 2000 would be acceptable

Switching Gable and Sloping roof would not be acceptable

45° line from adjacent properties' nearest window (too establish if their is sufficient light to the next door neighbours house) is outside of extension as drawn. This has however, been overruled on the grounds that it is too overpowering

Household Team Leader Basia Polnik made the decision

LMB asked on what grounds. Heidi Lynch stated that the current scheme does not accord with the District Plan or the Planning Policies.

D

Meeting with Wokingham Unitary Planning Services 26.02.02
Regarding Planning Application Ref No F/2001/5592
308A Barkham Road, Wokingham

Attended by:

Heidi Lynch	Planning Services
Richard Cheney	Applicant
Mike Banfield	Agent

Topics for discussion regarding the current application as detailed on the following drawings:

90.Planning.01A	Floor Plans
90.Planning.02A	Elevations
90.Planning.03	Existing Floor Plans
90.Planning.04	Existing Elevations
90.Planning.05A	Block Plan

1. On what grounds has the application been rejected?
Ms Lynch thought it was because the proposal was overbearing.

2. Have the neighbours' objections regarding reduced light and lack of privacy been taken into account when rejecting the application?
Not light, but lack of privacy had.

3. Has Councillor Marinos' objection regarding "massing" been taken into account when rejecting the application?
Yes

4. Have the other two local Councillors made comments and is it incumbent upon them to do so?
No, No

5. How is massing defined in the planning context?

6. Is massing measured by the volume of the extension relative to the original house volume and, if so, is there a defined limit to this volume?
No

7. The neighbours' and Councillor's objections regarding light cannot be sustained as the rear extension is inside the notional 45 degree "light line".
Agreed

8. If it could be shown that there are similar rear extensions in similar circumstances within the area, would the current application then be re-considered?
Non-committal

9. It should be noted that it is the applicants' intention to introduce brick features to improve the appearance of the front and rear of the house and the sides of the extensions.
Noted

Laurel Close - estate off Barkham road.

2 storey extension.

Planning application in progress for similar property. Likely 2 storey.









View from back door.

Meeting notes from applicant with sample/draft revised plans

Meeting with Wokingham Unitary Planning Services 26.02.02
Regarding Planning Application Ref No F/2001/5592
308A Barkham Road, Wokingham

Attended by:

Heidi Lynch	Planning Services
Richard Cheney	Applicant
Mike Banfield	Agent

Topics for discussion regarding the current application as detailed on the following drawings:

90.Planning.01A	Floor Plans
90.Planning.02A	Elevations
90.Planning.03	Existing Floor Plans
90.Planning.04	Existing Elevations
90.Planning.05A	Block Plan

1. On what grounds has the application been rejected?

2. Have the neighbours' objections regarding reduced light and lack of privacy been taken into account when rejecting the application?

3. Has Councillor Marinos' objection regarding "massing" been taken into account when rejecting the application?

4. Have the other two local Councillors made comments and is it incumbent upon them to do so?

5. How is massing defined in the planning context?

6. Is massing measured by the volume of the extension relative to the original house volume and, if so, is there a defined limit to this volume?

7. The neighbours' and Councillor's objections regarding light cannot be sustained as the rear extension is inside the notional 45 degree "light line".

8. If it could be shown that there are similar rear extensions in similar circumstances within the area, would the current application then be re-considered?

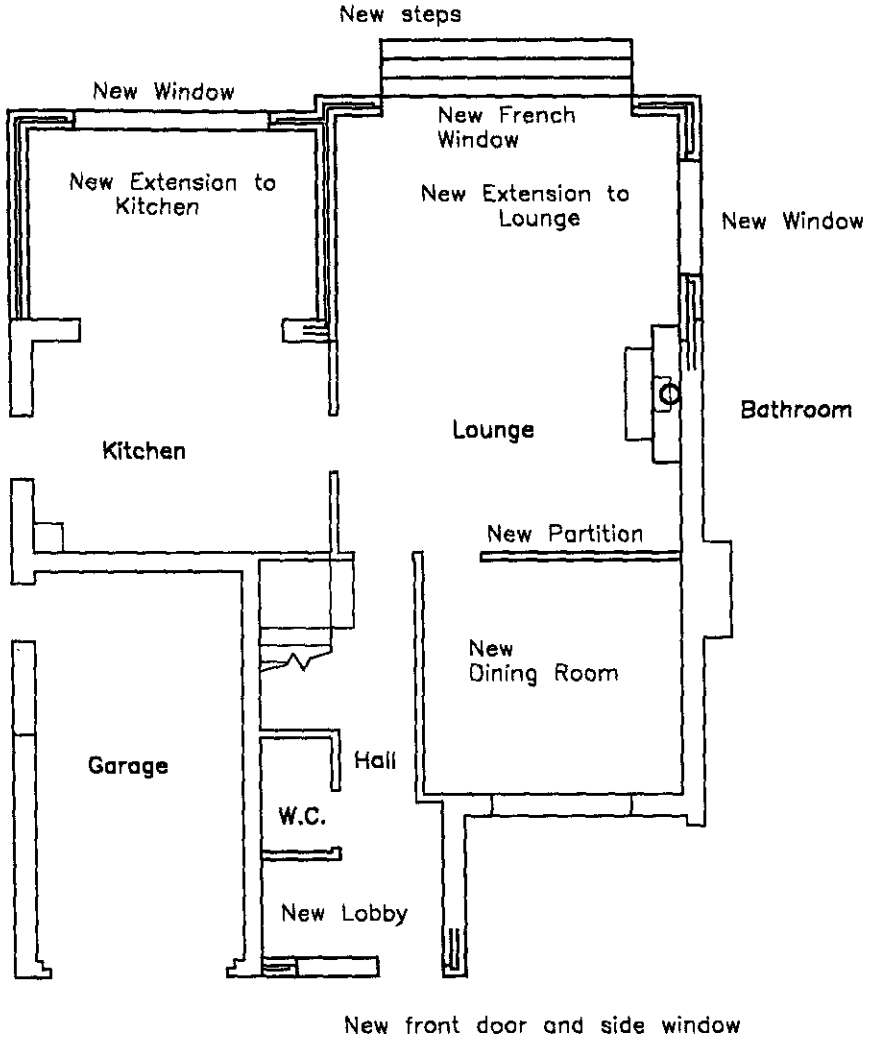
9. It should be noted that it is the applicants' intention to introduce brick features to improve the appearance of the front and rear of the house and the sides of the extensions.

Observations regarding the revised application as detailed on the following Drawings:

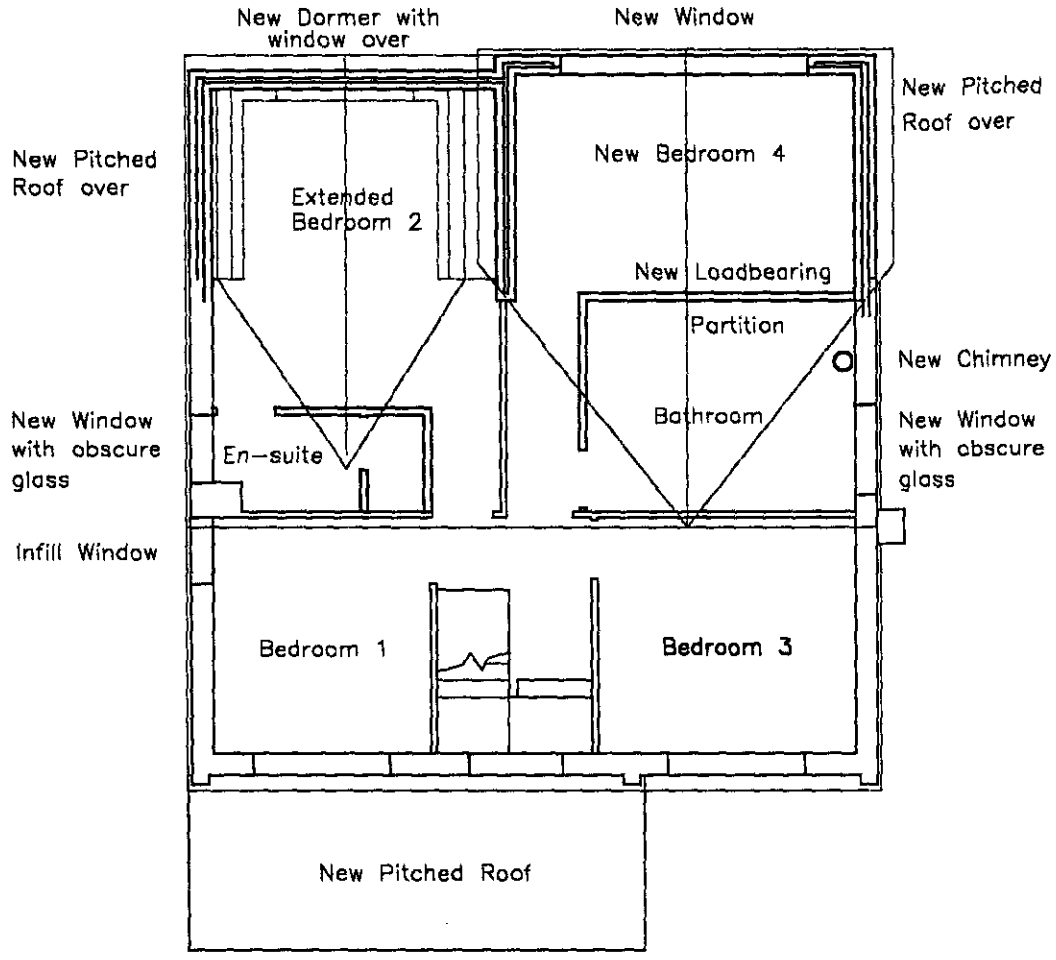
90.Planning.01B Floor Plans
90.Planning.02B Elevations
90.Planning.03 Existing Floor Plans
90.Planning.04 Existing Elevations
90.Planning.05B Block Plan

The applicants concede that the neighbours' and Councillor's objections regarding privacy can be sustained and have, accordingly, reduced in size the 1st floor window facing the objecting neighbours' property. This window has also been located nearer to the front of the house and obscure glass has been specified.

The 45 degree "light line" and the 1st floor window in question have been indicated on the block plan.



Ground Floor Plan



First Floor Plan

Revision A: Window noted to Bedroom 2 dormer
14.01.02 Bathroom side window infilled

Revision B: Arrangement of Bathroom and
22.02.02 Bedroom 1 revised. Bathroom window reduced in size, moved towards front of house and obscure glass noted. Chimney added.

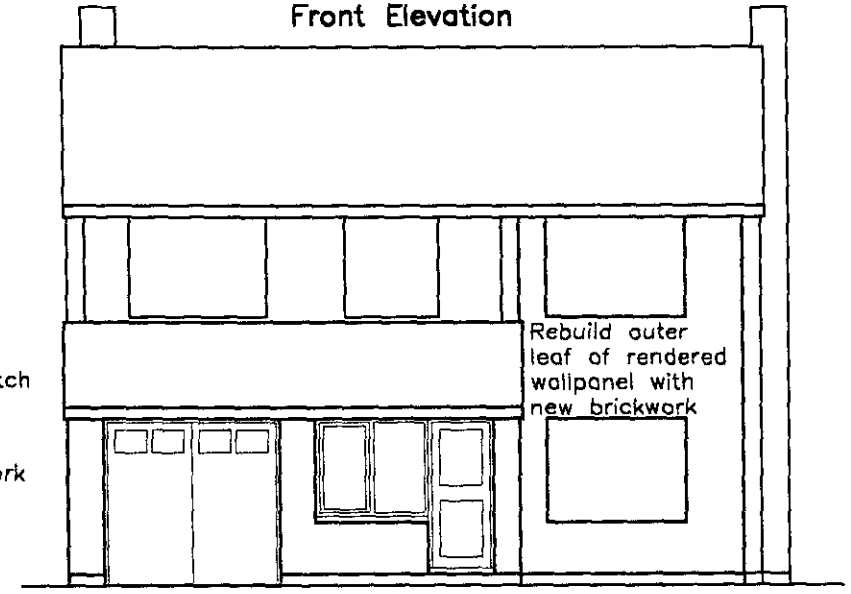
Proposed Alterations and Extensions

Floor Plans

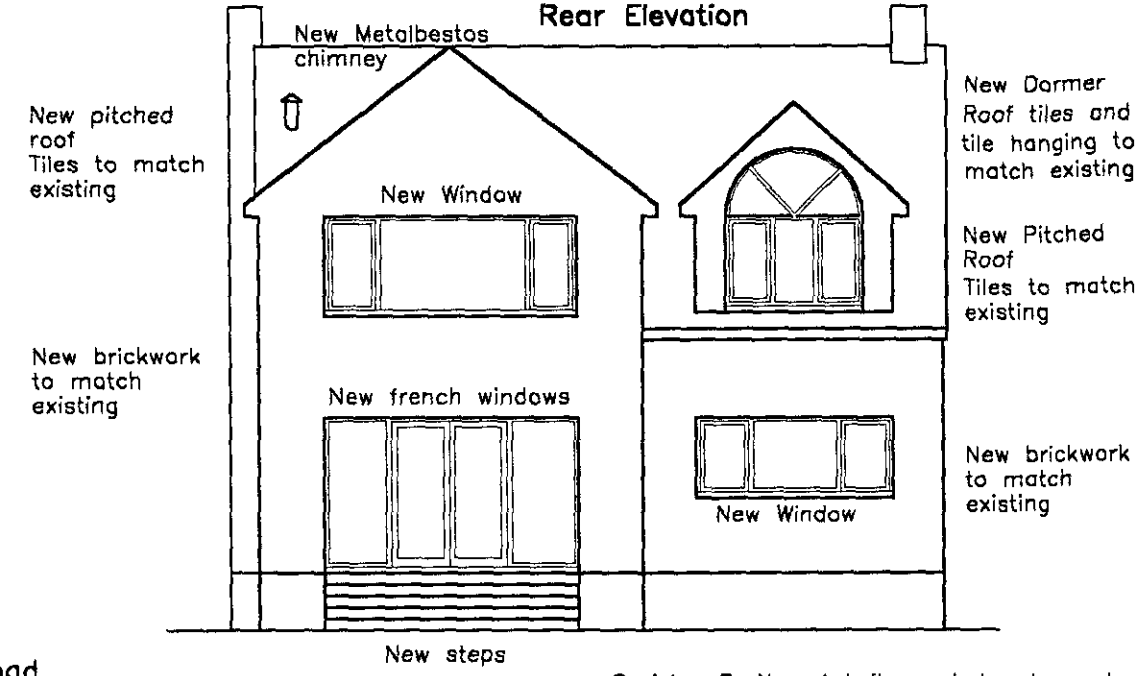
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01B
Scale: 1:100
Date: 11.12.01

Front Elevation



Rear Elevation



Revision A: 14.01.02
En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

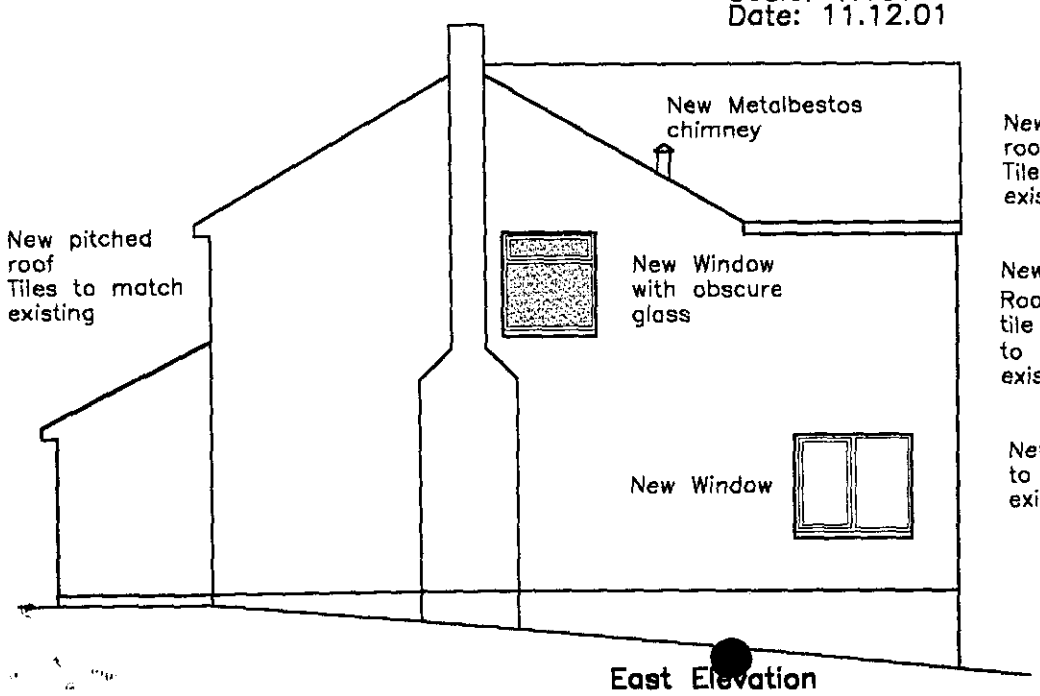
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.02B
Scale: 1:100
Date: 11.12.01

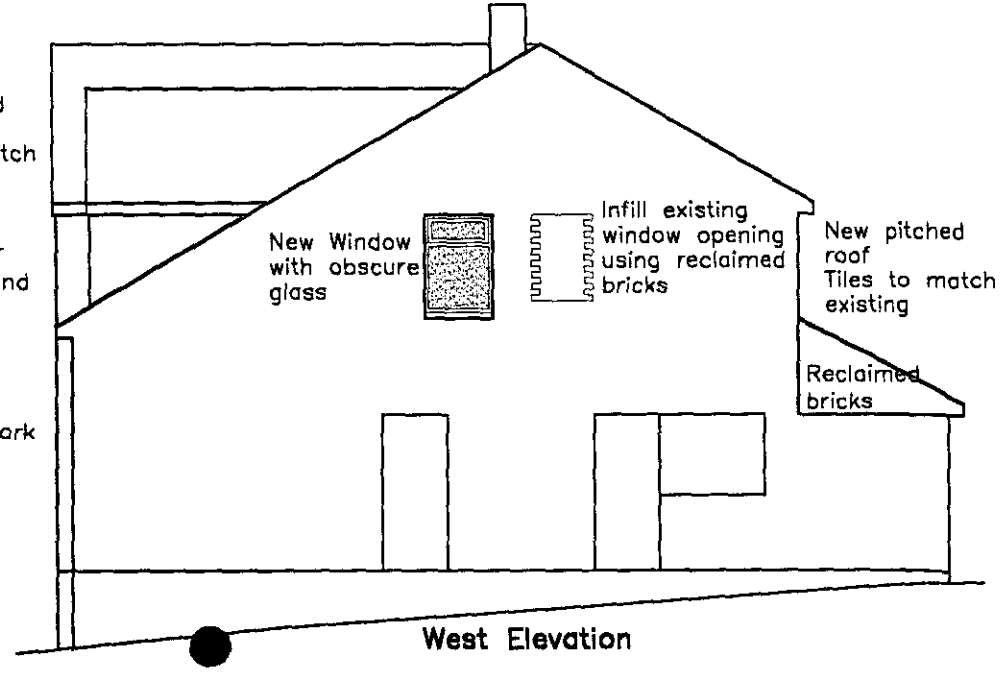
Proposed Alterations and Extensions

Revision B: 22.02.02
New 1st floor window to east elevation reduced in size, moved towards front of house and obscure glass noted.
Chimney added.

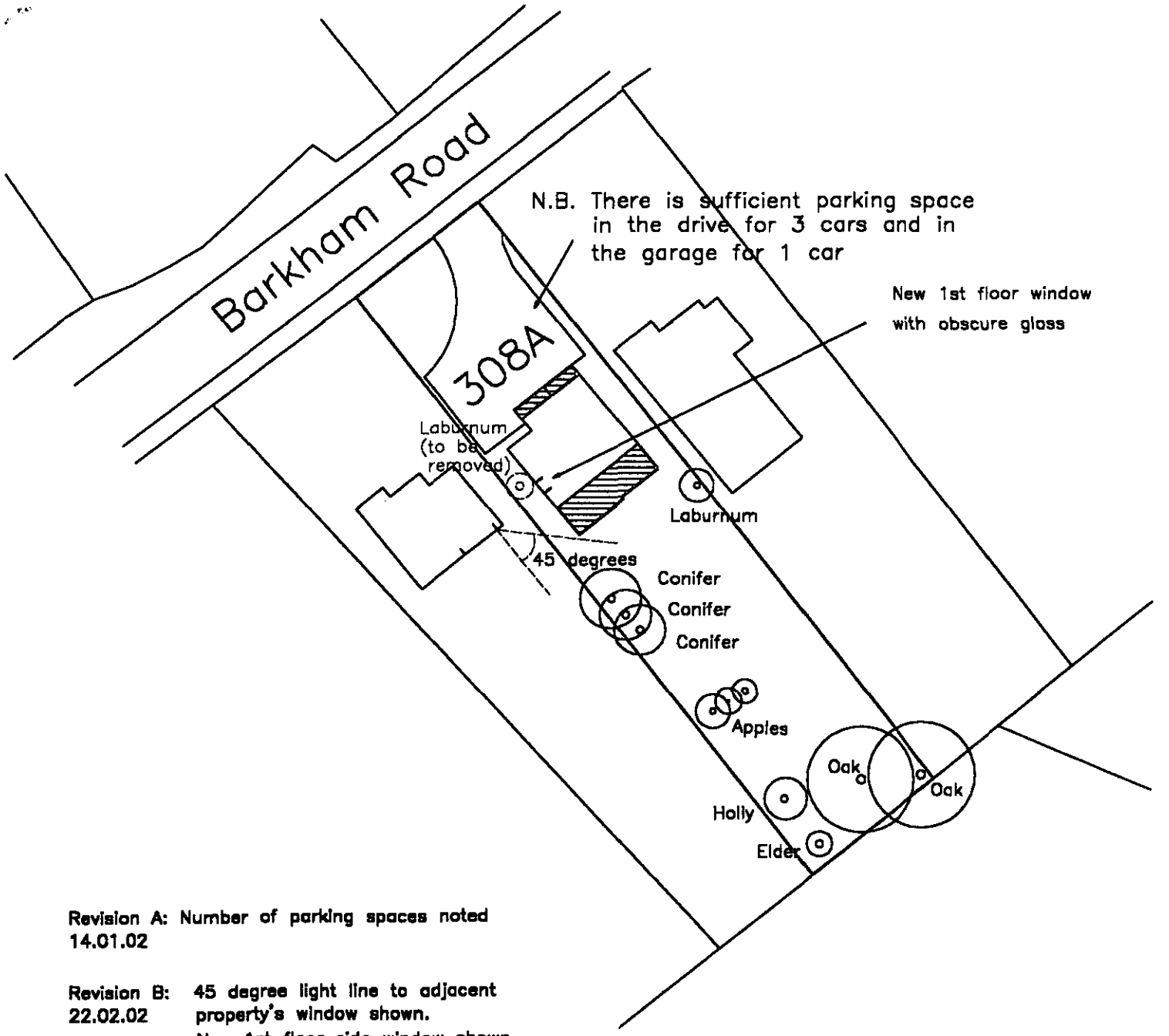
Elevations



East Elevation



West Elevation



N

Revision A: Number of parking spaces noted
14.01.02

Revision B: 45 degree light line to adjacent
22.02.02 property's window shown.
New 1st floor side window shown.

Block Plan

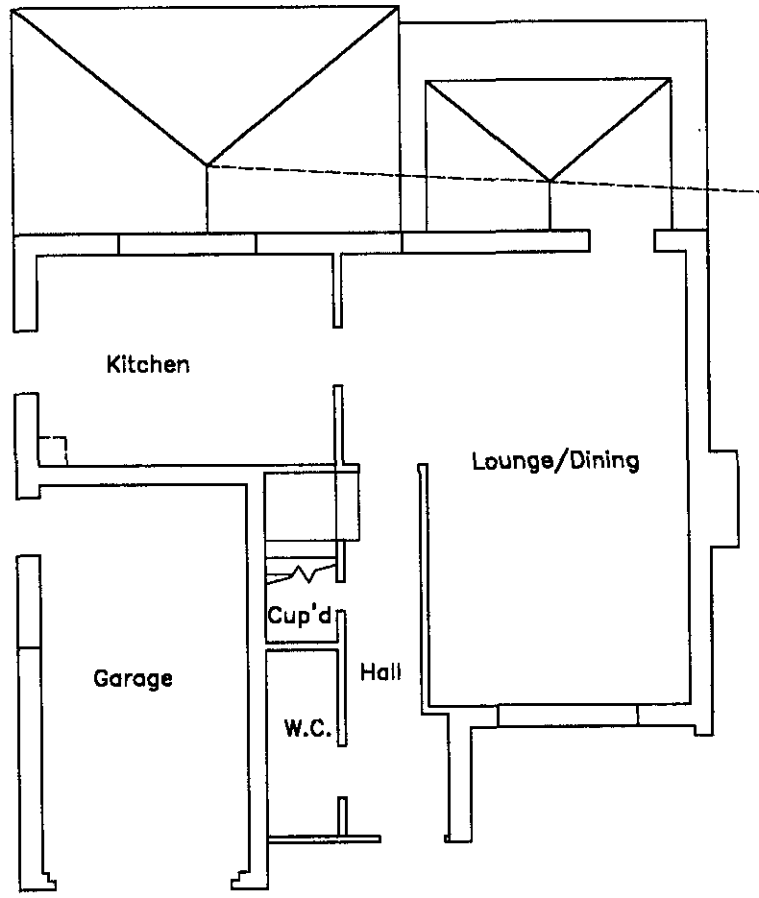
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.05B
Scale: 1:500
Date: 11.12.01

Revision C Proposal relative to adjacent properties

308A Barkham Road

Drawing No 90.Planning.09
Scale: 1:100
Date: 28.12.01

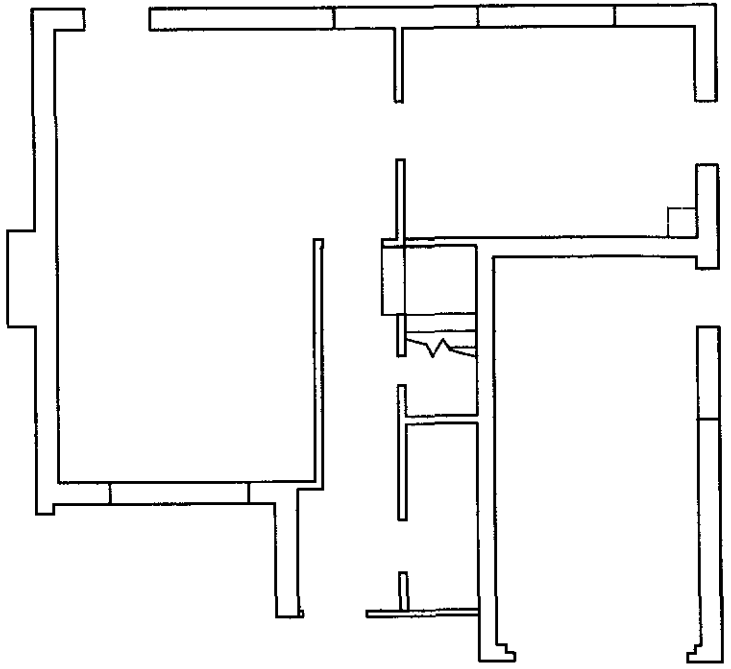


Boundary

Boundary

Sight Line

Area in which the highest ridge of the rear extension is not visible

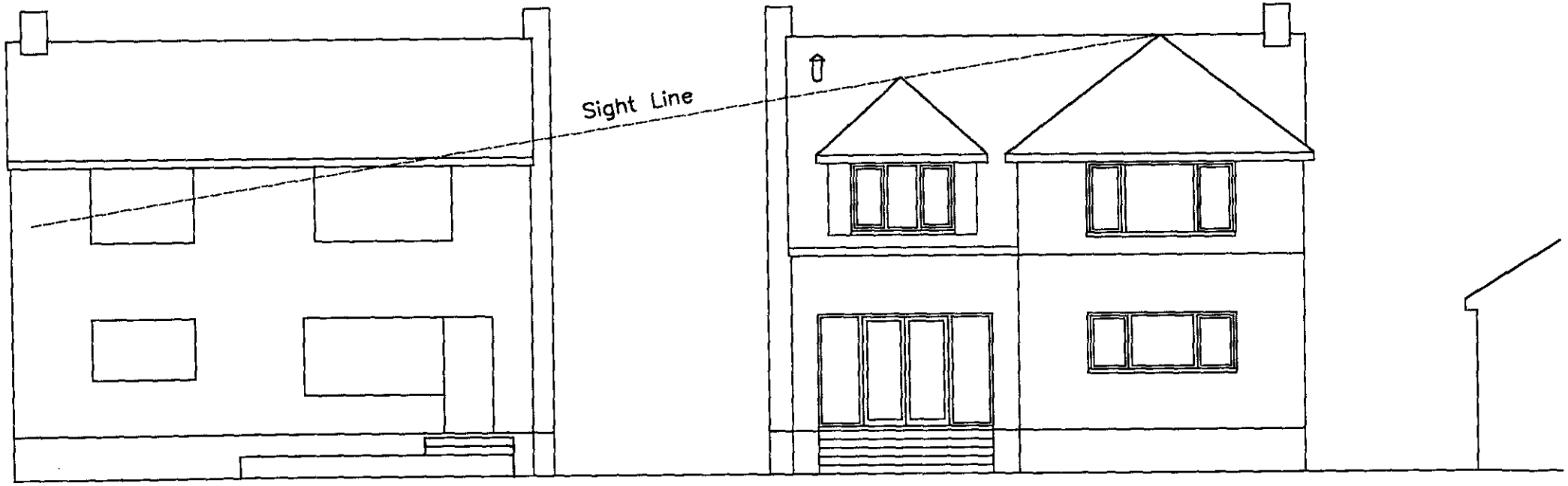


Ground Floor Plan

Revision C Proposal relative to adjacent properties

308A Barkham Road

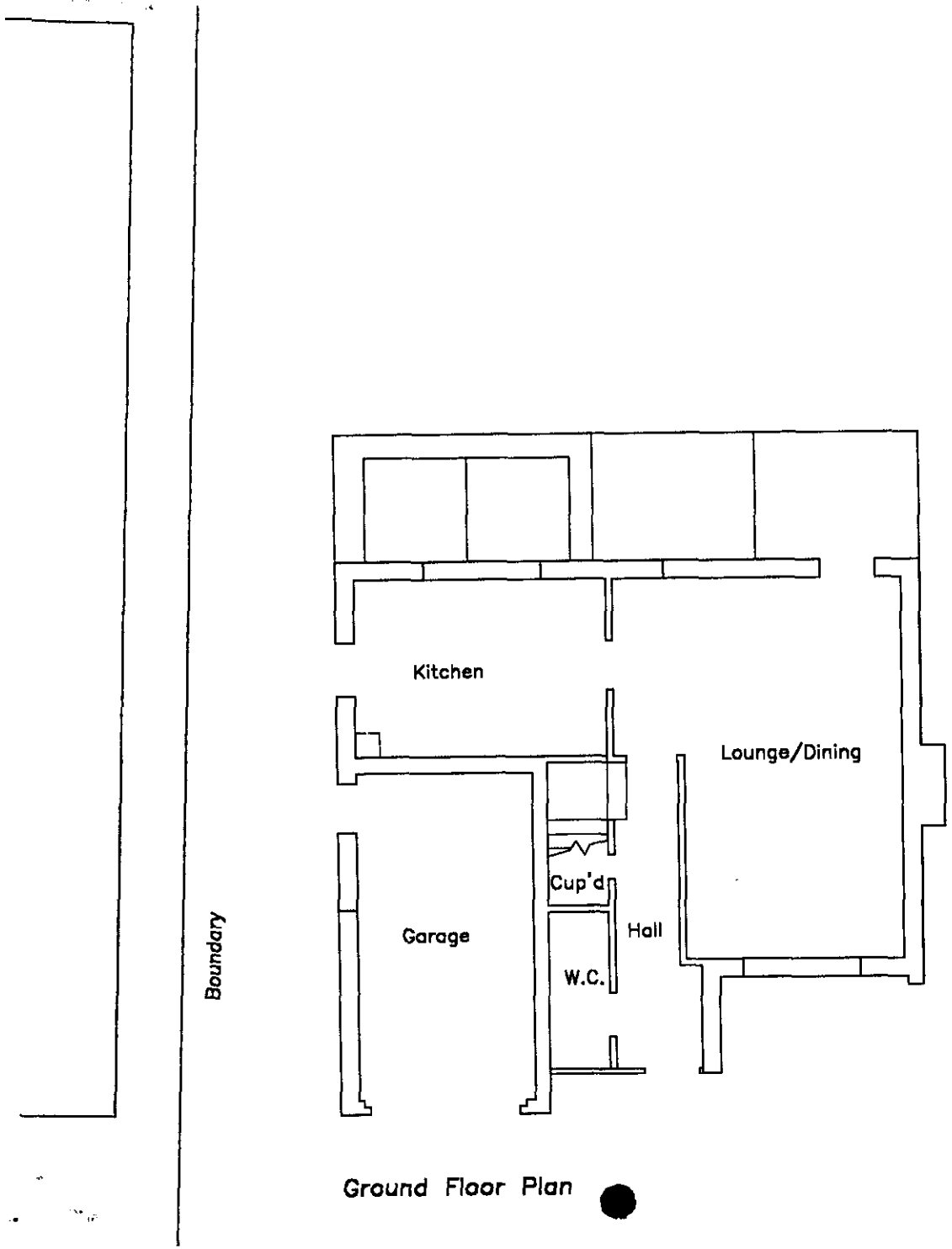
Drawing No 90.Planning.10
Scale: 1:100
Date: 28.12.01



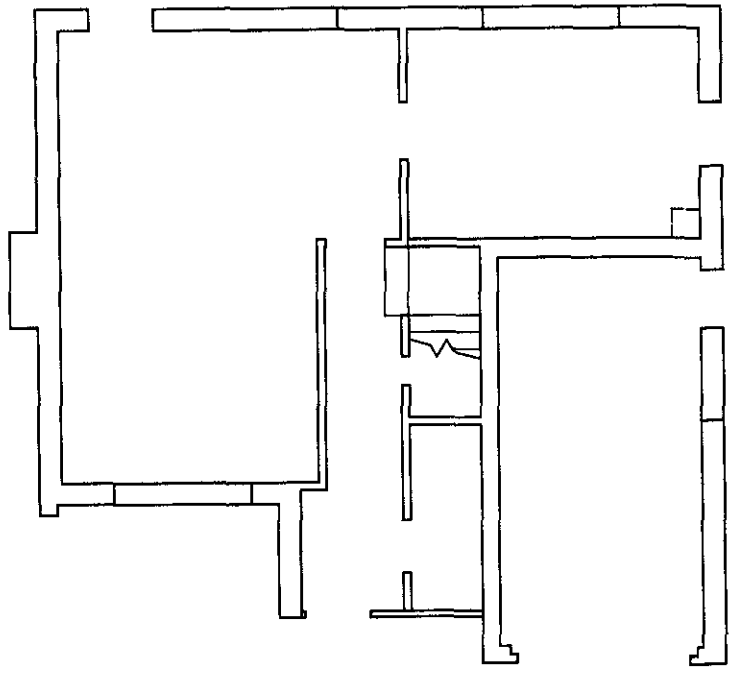
Planners' preference for Proposal relative to
adjacent properties

308A Barkham Road

Drawing No 90.Planning.11
Scale: 1:100
Date: 28.02.02



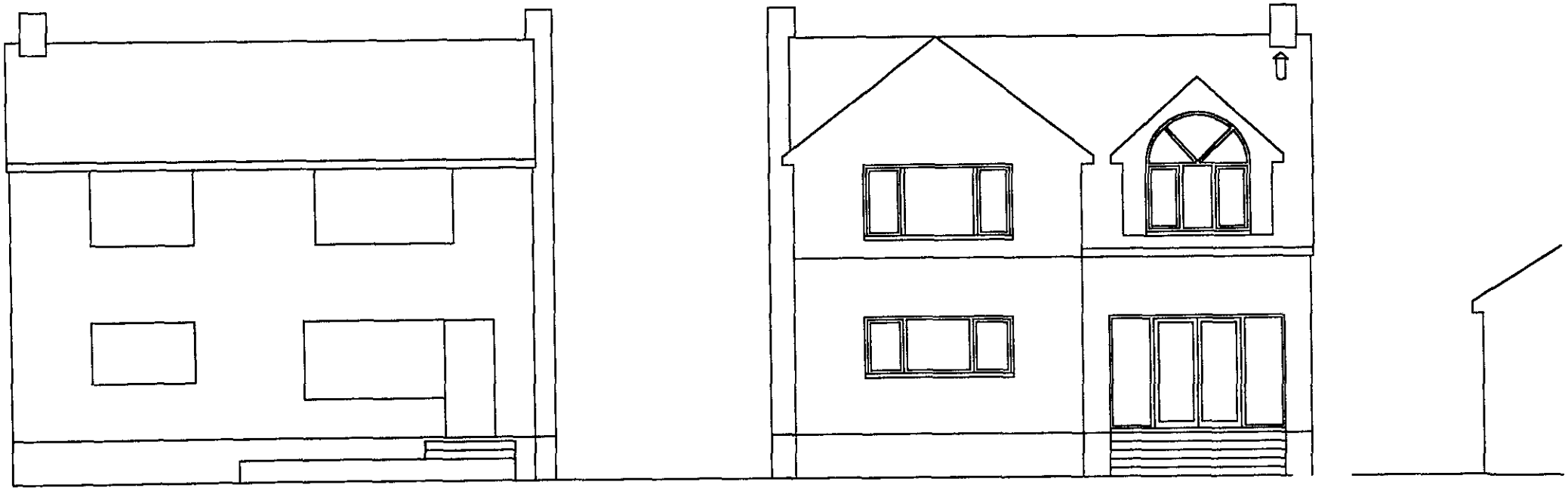
Ground Floor Plan



Planners' preference for Proposal relative to adjacent properties

308A Barkham Road

Drawing No 90.Planning.10
Scale: 1:100
Date: 28.02.02



PLANNING SERVICES	HPT 54 786
POL	TLS
DC HL	ENF
APP	
CS	
02 APR 2002	
COPIES TO	ACIC
	FILE:

L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Tel 0118 978 6917

28th March 2002.

Ms Heidi Lynch
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Ms Lynch

Application No F/2001/5592, 308A Barkham Road Wokingham

Please find enclosed a copy of the chronology of events regarding the above application, for your comments.

This document will form part of our submission when appealing to the Secretary of State.

Yours sincerely

L. M. Banfield

cc R&S Cheney

Heidi Lynch

Chronology of Events relating to Planning Application No F/2001/5592 to extend 308A Barkham Road Wokingham

Application submitted by hand on the 31.12.01. **(See appendix A)**

Agent (LMB) visited planning department on the 11.01.02 as there had been no notification that the application was being processed. The application had not been accepted by the planning officer (Heidi Lynch) because of some discrepancies on the drawings.

Drawings Nos 01A, 02A & 05A with discrepancies corrected were submitted on the 14.01.02.

The planning department accepted the application on the 16.01.02. **(See appendix B)**

Drawings were handed to both neighbours by the applicants (RC & SC) as a matter of courtesy. The neighbours in No 308, the adjacent bungalow, were very supportive however the neighbours in No 310, the adjacent house, objected on the grounds of loss of privacy and loss of light.

LMB visited the planning department with the intention of speaking to Heidi Lynch to discuss objections. Heidi Lynch was not available however the case file was made available for inspection. There were letters of objection on file from the neighbours in No 310 and from Councillor Marinos. Councillor Marinos had been requested by the planning department to write to them if she thought the application should go before the planning sub-committee rather than be dealt with under delegated powers. She did not respond to the request but did, however, write to the planning department objecting about the proposal. Her letter states that: "the first floor extension poses serious massing problems".

Heidi Lynch visited the site on the 18.02.02. LMB was in attendance. LMB asked Heidi Lynch if there were any planning regulations that determined the size of a proposed extension. She said that there were, these were the Local Plan and the 45 degree rule for determining loss of light to adjacent properties. She thought that the proposal for the rear extension would not pose any problems other than that the proposed first floor window that was to overlook the rear terrace of No 310 would compromise the neighbours' privacy.

Heidi Lynch telephoned LMB on the 20.02.02 to say that the application had been rejected. She stated that her household team leader, Mrs Polnik, had suggested that if the rear two storey extension were to be reduced in depth to 2.0m, the proposal would be acceptable. LMB stated that this would not be acceptable to RC & SC and that we would like to have a meeting with Mrs Polnik to negotiate a compromise solution. **(See appendix C for a record of the telephone conversation)**

RC attempted to arrange a meeting with Mrs Polnik, as she had made the decision to reject the application. RC was unable to contact her so he arranged a meeting with Heidi Lynch instead.

RC an LMB met with Heidi Lynch on the 26.2.02. Drawings Nos 01B, 02B & 05B were submitted to her. These showed the revised arrangement of the first floor internally. The arrangement had been revised to avoid having the bedroom 1 window overlooking the rear terrace of No 310. A bathroom window with obscure glazing was shown as overlooking the terrace. Heidi Lynch accepted this revision as overcoming the privacy problem and agreed that there would be no loss of light to No 310. A list of topics for discussion was handed to Heidi Lynch **(see appendix D for the list with Heidi Lynch's responses marked on it).** Heidi Lynch suggested that if the rear extension was re-arranged such that the dormer was on the objecting neighbour's side and was reduced to 2.0m in depth from the rear face of the existing house it might be acceptable. She agreed to call LMB after having spoken to Mrs Polnik about her suggestion. She also stated that Mrs Polnik was not prepared to meet us, but if we were to go to the planning department on thursday the 28.02.02 with the revised drawings Mrs Polnik would be on counter duty.

Heidi Lynch telephoned LMB on the 27.02.02 to say that she had spoken to Mrs Polnik who had made a further suggestion that would perhaps help the proposal gain approval i.e. introduce hip ends to the gable and dormer of the rear extension. Heidi Lynch also said that Mrs Polnik was to visit the site as the application had become "tricky".

RC and LMB visited the planning department on thursday the 28.02.02 and handed Drawings Nos 01C, 02C & 05C to Heidi Lynch. These drawings showed her's and Mrs Polnik's suggestions of the 26.02.02 and 27.02.02. RC and LMB asked to speak to Mrs Polnik but she was not available despite thursdays being her counter duty day.

Heidi Lynch telephoned LMB on the 04.03.02 to say that the drawings submitted on the 28.02.02 had been rejected. She stated that the planning department's block plan of the houses and bungalow in question had been out of scale but had now been redrawn and it indicated that the dining room side window of No 308, facing the proposed rear extension, was nearer to the proposal than originally thought. Not even a 2.0m deep two-storey rear extension would now be acceptable. LMB asked that if revised drawings showing the rear extension reduced in size and it's roofs lowered were to be submitted would they be considered. She said that they would if they were submitted at least a couple of days before the determination date of the application.

RC telephoned Mrs Polnik on the 06.03.02 to try to arrange a meeting with her. Mrs Polnik agreed to meet on the 18.03.02 and she also agreed to extend the application period beyond the determination date, as the application was still being negotiated. RC asked her if she had visited site; she had not.

LMB prepared Drawings Nos 01D, 02D and 05D on the 06.03.02 showing floor levels lowered by 300mm, the rear extension reduced in size and it's roofs lowered. These drawings were to be submitted to Mrs Polnik on the 18.03.02.

Heidi Lynch telephoned LMB 07.03.02 asking if the revised drawings discussed with her on the 04.03.02 were going to be submitted that day. LMB expressed surprise that Mrs Polnik had not informed her that the application period had been extended by Mrs Polnik and that he would be submitting the revised drawings to Mrs Polnik on the 18.03.02. Heidi Lynch said that she was not aware that the application period had

been extended and that she would have to speak to her manager as she was concerned that she would not "meet her targets".

Mrs Polnik telephoned RC at approx. 2.15pm on the 08.03.02 to say that she could not now extend the application. She would however still be able to meet with RC and LMB on the 18.03.02.

LMB telephoned Heidi Lynch at approx 3.05pm on the 08.03.02 after having been informed by RC that the application extension had now been rescinded. LMB asked Heidi Lynch if he could submit the Revision D drawings. She said no; the paperwork rejecting the application had been completed and there was no time to inspect revised drawings as she was leaving the office at 4.0pm. LMB tried to contact her manager, Mr Thorpe, in an attempt to keep the application open; Mr Thorpe was unavailable. A message was left asking Mr Thorpe to return the call. The call was not returned.

RC wrote to Mr Thorpe on the 08.03.02 regarding the granting and subsequent rescinding of the extension to the application period; a copy of the letter is attached. There has been no response to the letter from Mr Thorpe. **(See appendix E)**

Notification of Refusal of Permission dated 08.03.02 was received by LMB. **(See appendix F)**

RC and LMB met with Mrs Polnik on the 18.03.02. **(See appendix G for minutes of the meeting)**

SC and RC instructed LMB on the 19.03.02 to appeal to the Secretary of State for the Environment, Transport and the Regions.

LMB forwarded copies of the meeting minutes and chronology of events to Mrs Polnik and Heidi Lynch for their comments. **(See appendix H)**

RC forwarded copies of the chronology of events to Mr Thorpe. **(See appendix J)**

LMB wrote to Mrs Polnik regarding rights of light to the dining room window of No 308. **(See appendix K)**

20/2/02 C

Appendix C

Telephone Call from Heidi Lynch
Development Control Officer

Proposal will be rejected on the grounds of being "too overpowering" and privacy i.e. bedroom 1 window overlooks neighbours terrace.

- Reducing extension from 2995 to 2000 would be acceptable

- Switching Gable and Sloping roof would not be acceptable

45° line from adjacent properties' nearest window (too establish if their is sufficient light to the next door neighbours house) is outside of extension as drawn. This has however, been overruled on the grounds that it is too overpowering

Household Team Leader Besia Polnik made the decision

LMB asked on what grounds. Heidi Lynch stated that the current scheme does not accord with the District Plan or the Planning Policies.

D

Appendix D

Meeting with Wokingham Unitary Planning Services 26.02.02
Regarding Planning Application Ref No F/2001/5592
308A Barkham Road, Wokingham

Attended by:

Heidi Lynch	Planning Services
Richard Cheney	Applicant
Mike Banfield	Agent

Topics for discussion regarding the current application as detailed on the following drawings:

90.Planning.01A	Floor Plans
90.Planning.02A	Elevations
90.Planning.03	Existing Floor Plans
90.Planning.04	Existing Elevations
90.Planning.05A	Block Plan

1. On what grounds has the application been rejected?
Ms Lynch thought it was because the proposal was overbearing.

2. Have the neighbours' objections regarding reduced light and lack of privacy been taken into account when rejecting the application?
Not light, but lack of privacy had.

3. Has Councillor Marinos' objection regarding "massing" been taken into account when rejecting the application?
Yes

4. Have the other two local Councillors made comments and is it incumbent upon them to do so?
No, No

5. How is massing defined in the planning context?

6. Is massing measured by the volume of the extension relative to the original house volume and, if so, is there a defined limit to this volume?
No

7. The neighbours' and Councillor's objections regarding light cannot be sustained as the rear extension is inside the notional 45 degree "light line".
Agreed

8. If it could be shown that there are similar rear extensions in similar circumstances within the area, would the current application then be re-considered?
Non-committal

9. It should be noted that it is the applicants' intention to introduce brick features to improve the appearance of the front and rear of the house and the sides of the extensions.
Noted

Tel. (0118) 974 6450 (Direct Line)
Fax. (0118) 974 6484
Email. Basia.Polnik@wokingham.gov.uk
Date May 15, 2002
My ref. BP/F/2001/5592

Mr L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham
http://www.wokingham.gov.uk

Dear Mr Banfield

RE: PROPOSED 2 STOREY REAR EXTENSION AND SINGLE STOREY FRONT EXTENSION AT 308A BARKHAM ROAD, WOKINGHAM

I refer to your letter dated 8th March 2002 addressed to Mr Thorp requesting an extension of time and your letter dated 27th March 2002 regarding rights to light, and apologise for the delay in replying.

Extension of time: As you are aware planning permission was refused on 8th March 2002 and your letter requesting an extension of time was received on 11th March 2002 which was after this time.

The Council operates a free pre-application service and encourages prospective applicants to submit proposals for comment prior to the submission of planning applications. However, if a planning application is received which is considered to be unacceptable and there is no obvious solution, then the application is refused.

Right to light: The right to light is a property issue and does not have a bearing on planning decisions which are primarily determined on public interest issues. In this instance planning permission was refused on the grounds that the proposal was considered to be overbearing to the detriment of the amenities of neighbouring occupier. This would include a degree of loss of light to windows in the adjoining property, regardless of the rights to light.

I hope that this clarifies the situation.

Yours sincerely

MRS B POLNIK
Senior Planning Officer

PLANNING SERVICES | HPT 54723
POL | TCS
DC bhl | ENF
APP |
CS |
28 MAR 2002
COPIES TO | OK
FILE

L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Tel 0118 978 6917

27th March 2002

Mrs B Polnik
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Mrs Polnik

Application No F/2001/5592, 308A Barkham Road Wokingham

Following our recent meeting, during which we discussed whether or not the occupants of No 308 Barkham Road had a right to light from their dining room window, I have researched the planning departments archives and have established that the formation of the opening for the window in question was included in Planning Application No 27539; permission for which was granted on the 19th May 1987. The window is shown on Drawing No 308/W1A.

The drawing of No 308 shows that there were no habitable rooms with windows facing No 308A prior to the 1987 application.

It would appear, therefore, that the occupants of No 308 do not have a right to light from the window, as it has not been in existence for more than 20 years (see attached copy of page 7 of the DETR publication "Planning A Guide for Householders"). By refusing the above application on the grounds that the proposal would cause a reduction in light to the window, you may be protecting a right that the occupants do not actually have.

I would be grateful for your comments.

Yours sincerely

L. M. Banfield

cc R & S Cheney

amenity and
igned to
Within the
councils should
is needed,
ne area are not
the use of

used to
le others think
ance with
works need
nor works do
e. Councils
and amenity
legree of

3 Before you start work

There are many kinds of alterations and additions to houses for which you do not need to apply for planning permission. Chapter 4 of this booklet will help you decide if you need to apply. Whether or not you need to apply, you should think about the following before you start work.

Your neighbours ▷

Let your neighbours know about work you intend to carry out to your property. They are likely to be as concerned about work which might affect them as you would be about changes which might affect your enjoyment of your own property. For example, your building work could take away some of their light or spoil a view from their windows. If the work you carry out seriously overshadows a neighbour's window and that window has been there for 20 years or more, you may be affecting his or her "right to light" and you could be open to legal action. It is best to consult a lawyer if you think you need advice about this.

You may be able to meet some of your neighbour's worries by modifying your proposals. Even if you decide not to change what you want to do, it is usually better to have told your neighbours

page 7 ▷▷

PLANNING SERVICES	HPT 54787
POL	TLS
DC BML	ENF
APP	
CS	
02 APR 2002	
COPIES TO	ACK:
	FILE.

L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Tel 0118 978 6917

28th March 2002.

Mrs B Polnik
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Mrs Polnik

Application No F/2001/5592, 308A Barkham Road Wokingham

Please find enclosed a copy of the minutes of our meeting of the 18th March 2002 together with a copy of the chronology of events, both regarding the above application, for your comments.

These documents will form part of our submission when appealing to the Secretary of State.

Yours sincerely

L. M. Banfield.

cc R&S Cheney

Mrs P

Minutes of a meeting held at the Wokingham District Council Planning Department
on the 18th March 2002 regarding Application No F/2001/5592 to extend 308A Barkham Road Wokingham Berkshire.

Those present:

Mrs Polnik	Household Team Leader, Wokingham District Council Planning Department.
Richard Cheney	Applicant
LM Banfield	Agent

1. Mrs Polnik opened the meeting by stating the reasons why the application had been refused. The proposal was considered to be overbearing and to reduce light to the side window of No 308. She described the methods of determining the reduction in light to the side window; although the proposal is within a 45 degree angle projected on a horizontal plane from the window, it would not be within a 25 degree angle projected on a vertical plane from a point 2m above floor level in the centre of the window. The light to the window would therefore, in her opinion, be excessively reduced. LMB stated that he had not been made aware of the 25 degree criteria by the Planning Department and had not been given an opportunity to accommodate it by revising the proposal before the determination date of the application.
   Post meeting note: LMB omitted to point out to Mrs Polnik that the side window of No 308 faces south-west allowing, with the proposal constructed, direct sunlight to enter the room served by the window.

2. RC pointed out to Mrs Polnik that there was a high hedge in front of the window of No 308. He also pointed out that the room served by the window was a dining room subject to only occasional use. LMB asked if the occupants of No 308 would have a "right to light" through the window if the window had not been in existence for more than 20 years. Mrs Polnik stated that she would need to consult the Council's lawyers if that was shown to be the case.
   Post meeting note: Subsequent investigation has shown that the window of No 308 causing concern has not been in existence for more than 20 years.

3. LMB suggested that, to comply with the 25 degree angle criteria, the arrangement, as shown on the revision D set of drawings, be reversed such that the dormer was on the No 308 side of the house. Mrs Polnik stated that reversing the arrangement would not be acceptable as the hipped roofed part of the extension, albeit smaller and 600mm lower than the previous arrangements, would be considered as overbearing when viewed from the garden of No 310.

4. RC queried the "overbearing" reason for the refusal and showed Mrs Polnik a series of photographs of other recently constructed rear extensions to houses in Wokingham, similar to the proposal. Mrs Polnik agreed that in some cases the photographs showed these extensions to be far more overbearing than the proposal **(see appendix L for the photographs).** LMB stated that the Planning Department's decisions appeared to lack consistency. Mrs Polnik agreed that there was a lack of consistency and that the Planning Department would be trying to make their decisions more consistent in the future. Mrs Polnik handed LMB the Planning Department's Draft Planning Guideline B2 which, when implemented, would hopefully achieve consistency **(see appendix M for Guideline B2).** LMB stated that the decision making regarding the overbearing nature of a proposal appeared to be very subjective. Mrs Polnik agreed that it was.
Post meeting note: Guideline 5.8 of the Draft Planning Guideline B2 states that for two storey rear extensions "the first floor should be set in from the party boundary by a minimum of 2.5m and should not project by more than 3m. In any event these should be within the 45 degree angle (drawn in a horizontal plane) from the nearest part of a window to a habitable room of a neighbouring window, to ensure that there is no adverse impact on neighbours in terms of loss of light". The proposal would be 2.75m from the boundary of No 310 and 2.4m from the boundary of No 308. It would not project by more than 3.0m and would be within the 45 degree angle. LMB's suggestion to reverse the arrangement shown on the revision D set of drawings (see minute No 3) would, with some minor alterations, comply with the guideline.

5. LMB requested assistance from Mrs Polnik in trying to establish an alternative arrangement of the extensions that would be acceptable both to the Applicants and to the Planning Department. Mrs Polnik asked if a loft conversion had been considered; RC stated that it had and had been rejected. LMB suggested a single storey rear extension and a two storey front extension. RC expressed concern about additional costs and also stated that the suggestion would be very much a second choice. However, the suggestion was discussed further. Mrs Polnik stated that the roof to a single storey rear extension on the No 308 side of the house should be low enough such that it is within the 25 degree angle. She thought that having two storeys in the front of the house may be acceptable and asked that, if RC wished to proceed with this alternative arrangement, LMB prepare a sketch to enable more detailed discussions with her at a later date. Mrs Polnik asked LMB if he had considered taking advantage of permitted development rights when designing the extensions. LMB said he had not. Mrs Polnik arranged for a copy of the DETR booklet "Planning a Guide for Householders" to be made available; the booklet describes permitted development rights.
Post meeting note: Volume calculations show that under the permitted development rights a two storey extension with a dormered first floor could be constructed adjacent to either boundary.

6. RC queried the fact that the determination date for the application had been extended by Mrs Polnik during his telephone conversation with her on the

06.03.02 only to have the extension rescinded on the 08.03.02. leaving no time to submit the revision D set of drawings. Mrs Polnik explained that her decision had been overruled by her superior, Mr Thorpe. She also stated that had the revision D set of drawings been submitted, they would have been rejected anyway. LMB explained to Mrs Polnik that although he was aware that the revision D set of drawings would probably have been rejected, they would have been the drawings upon which an appeal to the DETR would have been based, indicating to the DETR that the applicants had tried hard to overcome the objections to the proposal. Mrs Polnik suggested that the revision D set of drawings be the subject of a new application. LMB pointed out that eight weeks would be wasted if this suggestion were to be adopted. LMB stated his concern that there had been no response to a letter sent by RC to Mr Thorpe on the 08.03.02, requesting that he reconsider his overruling of Mrs Polnik's decision to extend the application period. Mrs Polnik did not comment.

7. LMB asked Mrs Polnik what the "targets" were to which Heidi Lynch referred in her telephone conversation with LMB on the 07.03.02. Mrs Polnik replied that central government had set planning departments targets for determining 80 percent of applications within eight weeks. The targets had been set to ensure that applicants received a good service.

8. The meeting concluded.

LMB 21.03.02

Mrs P

Chronology of Events relating to Planning Application No F/2001/5592 to extend 308A Barkham Road Wokingham

Application submitted by hand on the 31.12.01. **(See appendix A)**

Agent (LMB) visited planning department on the 11.01.02 as there had been no notification that the application was being processed. The application had not been accepted by the planning officer (Heidi Lynch) because of some discrepancies on the drawings.

Drawings Nos 01A, 02A & 05A with discrepancies corrected were submitted on the 14.01.02.

The planning department accepted the application on the 16.01.02. **(See appendix B)**

Drawings were handed to both neighbours by the applicants (RC & SC) as a matter of courtesy. The neighbours in No 308, the adjacent bungalow, were very supportive however the neighbours in No 310, the adjacent house, objected on the grounds of loss of privacy and loss of light.

LMB visited the planning department with the intention of speaking to Heidi Lynch to discuss objections. Heidi Lynch was not available however the case file was made available for inspection. There were letters of objection on file from the neighbours in No 310 and from Councillor Marinos. Councillor Marinos had been requested by the planning department to write to them if she thought the application should go before the planning sub-committee rather than be dealt with under delegated powers. She did not respond to the request but did, however, write to the planning department objecting about the proposal. Her letter states that: "the first floor extension poses serious massing problems".

Heidi Lynch visited the site on the 18.02.02. LMB was in attendance. LMB asked Heidi Lynch if there were any planning regulations that determined the size of a proposed extension. She said that there were, these were the Local Plan and the 45 degree rule for determining loss of light to adjacent properties. She thought that the proposal for the rear extension would not pose any problems other than that the proposed first floor window that was to overlook the rear terrace of No 310 would compromise the neighbours' privacy.

Heidi Lynch telephoned LMB on the 20.02.02 to say that the application had been rejected. She stated that her household team leader, Mrs Polnik, had suggested that if the rear two storey extension were to be reduced in depth to 2.0m, the proposal would be acceptable. LMB stated that this would not be acceptable to RC & SC and that we would like to have a meeting with Mrs Polnik to negotiate a compromise solution. **(See appendix C for a record of the telephone conversation)**

RC attempted to arrange a meeting with Mrs Polnik, as she had made the decision to reject the application. RC was unable to contact her so he arranged a meeting with Heidi Lynch instead.

RC an LMB met with Heidi Lynch on the 26.2.02. Drawings Nos 01B, 02B & 05B were submitted to her. These showed the revised arrangement of the first floor internally. The arrangement had been revised to avoid having the bedroom 1 window overlooking the rear terrace of No 310. A bathroom window with obscure glazing was shown as overlooking the terrace. Heidi Lynch accepted this revision as overcoming the privacy problem and agreed that there would be no loss of light to No 310. A list of topics for discussion was handed to Heidi Lynch **(see appendix D for the list with Heidi Lynch's responses marked on it).** Heidi Lynch suggested that if the rear extension was re-arranged such that the dormer was on the objecting neighbour's side and was reduced to 2.0m in depth from the rear face of the existing house it might be acceptable. She agreed to call LMB after having spoken to Mrs Polnik about her suggestion. She also stated that Mrs Polnik was not prepared to meet us, but if we were to go to the planning department on thursday the 28.02.02 with the revised drawings Mrs Polnik would be on counter duty.

Heidi Lynch telephoned LMB on the 27.02.02 to say that she had spoken to Mrs Polnik who had made a further suggestion that would perhaps help the proposal gain approval i.e. introduce hip ends to the gable and dormer of the rear extension. Heidi Lynch also said that Mrs Polnik was to visit the site as the application had become "tricky".

RC and LMB visited the planning department on thursday the 28.02.02 and handed Drawings Nos 01C, 02C & 05C to Heidi Lynch. These drawings showed her's and Mrs Polnik's suggestions of the 26.02.02 and 27.02.02. RC and LMB asked to speak to Mrs Polnik but she was not available despite thursdays being her counter duty day.

Heidi Lynch telephoned LMB on the 04.03.02 to say that the drawings submitted on the 28.02.02 had been rejected. She stated that the planning department's block plan of the houses and bungalow in question had been out of scale but had now been redrawn and it indicated that the dining room side window of No 308, facing the proposed rear extension, was nearer to the proposal than originally thought. Not even a 2.0m deep two-storey rear extension would now be acceptable. LMB asked that if revised drawings showing the rear extension reduced in size and it's roofs lowered were to be submitted would they be considered. She said that they would if they were submitted at least a couple of days before the determination date of the application.

RC telephoned Mrs Polnik on the 06.03.02 to try to arrange a meeting with her. Mrs Polnik agreed to meet on the 18.03.02 and she also agreed to extend the application period beyond the determination date, as the application was still being negotiated. RC asked her if she had visited site; she had not.

LMB prepared Drawings Nos 01D, 02D and 05D on the 06.03.02 showing floor levels lowered by 300mm, the rear extension reduced in size and it's roofs lowered. These drawings were to be submitted to Mrs Polnik on the 18.03.02.

Heidi Lynch telephoned LMB 07.03.02 asking if the revised drawings discussed with her on the 04.03.02 were going to be submitted that day. LMB expressed surprise that Mrs Polnik had not informed her that the application period had been extended by Mrs Polnik and that he would be submitting the revised drawings to Mrs Polnik on the 18.03.02. Heidi Lynch said that she was not aware that the application period had

been extended and that she would have to speak to her manager as she was concerned that she would not "meet her targets".

Mrs Polnik telephoned RC at approx. 2.15pm on the 08.03.02 to say that she could not now extend the application. She would however still be able to meet with RC and LMB on the 18.03.02.

LMB telephoned Heidi Lynch at approx 3.05pm on the 08.03.02 after having been informed by RC that the application extension had now been rescinded. LMB asked Heidi Lynch if he could submit the Revision D drawings. She said no; the paperwork rejecting the application had been completed and there was no time to inspect revised drawings as she was leaving the office at 4.0pm. LMB tried to contact her manager, Mr Thorpe, in an attempt to keep the application open; Mr Thorpe was unavailable. A message was left asking Mr Thorpe to return the call. The call was not returned.

RC wrote to Mr Thorpe on the 08.03.02 regarding the granting and subsequent rescinding of the extension to the application period; a copy of the letter is attached. There has been no response to the letter from Mr Thorpe. **(See appendix E)**

Notification of Refusal of Permission dated 08.03.02 was received by LMB. **(See appendix F)**

RC and LMB met with Mrs Polnik on the 18.03.02. **(See appendix G for minutes of the meeting)**

SC and RC instructed LMB on the 19.03.02 to appeal to the Secretary of State for the Environment, Transport and the Regions.

LMB forwarded copies of the meeting minutes and chronology of events to Mrs Polnik and Heidi Lynch for their comments. **(See appendix H)**

RC forwarded copies of the chronology of events to Mr Thorpe. **(See appendix J)**

LMB wrote to Mrs Polnik regarding rights of light to the dining room window of No 308. **(See appendix K)**

Applicationo	Name & Address
F/2001/5592	P.J. Gilder 310 Barkham Road WOKINGHAM. RG41 4DA
Application Refused	Letters sent 13.03.02

WOKINGHAM UNITARY
Aiming for Excellence

WORK SHEET FOR : Heidi Lynch

Application Number : F/2001/5592

Applicant : Mr & Mrs Cheney C/O L M Banfield.

Location : 308a, Barkham Road, , Wokingham.
Proposal : Proposed erection of two storey rear extension and single storey front extension to dwelling.

Site Notice Displayed ? : YES [ ] NO [ ] DATE [ ]

Date of Neighbour Notifications : .....

Date of Site Visit : .....

Date Registered : 14/01/2002

Earliest Date for Decision : 09/02/2002

Latest Consultation Date/Site Notice Expiry Date : 09/02/2002

This application will have expired on: 11/03/2002. You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses :

Trees - no objection (removal of tree at side of property will not have any affect on the local amenity of the area).

Highways - approval with conditions C049, C122, C137

Councillor Marinos - siting of bedroom window will directly overlook the patio of n310 Barkham Rd & would be an infringement of privacy. Roof extension would suggest loss of light.

310 Barkham Rd - object to new window at first floor level that will overlook their rear garden & will result in loss of privacy. Object to roof extension as it will affect lighting & have an overbearing affect.

Planning Issues :

Identified settlement } ENI
Impact on neighbours } HOS3, HBE1
Impact on streetscene } SBE1, SBE2
Highways } HT6, ST5

South East Local Plan

Application Number F/2001/5592
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
(1)			The ~~application~~ proposal is considered, by virtue of its size, siting, scale and massing, to have an overbearing impact to the detriment of the amenity of occupants of the adjoining properties. The application therefore is considered to conflict with policies SBE1 SBE2 of the South East Local Plan & policies NOS3, WBE1 of the Wokingham District Plan (Deposit Draft) & policy EN1 Berkshire Structure Plan.

original game
to agent

12/3

RECORD OF SITE VISIT

SITE ADDRESS: 308a Barkham Road Wokingham.

APPLICATION NUMBER: F/2001/5592

OFFICER: Heidi Lynch

DATE OF SITE VISIT: 18/2/02

1 SITE/STATUTORY NOTICE DISPLAYED ? NO

2. DESCRIPTION OF SURROUNDINGS

~~Rest~~ Residential area - varying house styles.

3. DESCRIPTION OF SITE/BUILDING

2 stry house with integral garage. Front porch & garage further fwd than house

4. RELATIONSHIP TO ADJOINING PROPERTIES

310 - 2 stry house, rear flank wall slightly further to road than 308A.
Overbearing issues (bedroom window & large window closest to 308A) Daylight.

308 - single stry house extends further back in section than 308A. Several windows & a door along side elevation - one opaque, opaque door & one clear window.
new side window along side shouldn't affect n° 308

Window starts 2½ folds away & is 9 folds wide.

5. SITE CONSTRAINTS

TREES N/A

ACCESS/PARKING Garage + room for parking at front

LEVELS rear lawn slopes downwards

BOUNDARY TREATMENT 2.0m high hedge ~~bef~~ surrounds rear garden.

OTHERS

Proposed side windows facing into 310 - ground floor will not affect due to hedge. first floor will look onto side of 310 & a bit of rear yard.

0.35
× 2¼
0.79

3.15m wide

Application Number: F/2001/5592

Appraisal:

The proposed development is the erection of a two-storey rear extension and a single storey front extension to a detached dwelling. The property is located in a residential area within an identified settlement. The existing house is two-storeyed with a pitched, gable end roof. There is also a single storey front extension section that houses the garage and the front porch and has a flat roof. The plot slopes downwards towards from the road.

The proposed front extension is an extension to the existing porch and will form a new lobby area. The porch will be extended out to the same level as the existing garage (0.6m) and the side wall will be continued on from the existing one. It is also proposed to place a new pitched roof over the garage and front lobby – as opposed to the existing flat roof that currently exists. This will have a maximum height of 3.5m. It is also proposed to rebuild part of the outer front façade with rendered wall panel and new brickwork.

The two-storey rear extension will have two different depths – 2.7m and 2.9m at ground floor level. The ground floor will be an extension to the existing kitchen and lounge. The first floor will extend an existing bedroom and will create one new bedroom. The rear extension will extend across the entire width of the house. The extension to the kitchen at 2.9m in depth and the new bedroom above it will have a pitched roof over it. This will have the same ridge height as the existing roof. The roof will however be hipped to reduce some bulk. The other part of the extension will extend the existing roof slope down to a height of 4.0m and have a pitched dormer window in it. The ridge of the dormer will be 0.7m below the existing roof slope and will have a hipped end. The first floor extended bedroom containing the dormer is only 2.0m in depth.

1. Impact upon neighbouring properties

The properties most likely to be affected by the proposals are nos.308 and 310 Barkham Road.

The neighbour at number 310 has objected to several parts of the application. One of these is the loss of light caused to their living room window by the new pitched roof at first floor level on the rear extension. The other objection is the proposed new window on the side flank wall that is thought to overlook their rear garden patio resulting in an acceptable loss in privacy.

New revised plans have now been sent in which repositions a bathroom where the first floor side window is and this window is now to be opaque glass. There are therefore no over-looking or loss of privacy issues to no.310. The roofline was also altered in the revised plans to have a hipped dormer window on the side closest to no.310. This will not cause a significant loss of daylight to no.310. Despite no significant impact on daylight, the plans are considered to be overbearing to no.310, especially as this house is located further forward in the section. The proposed extension will therefore be opposite the rear patio area on no.310 and will appear of a large size.

The other neighbouring dwelling (no.308) is a single storey building with rooms in the loft space. This dwelling extends further back in the section than no.308a, however its roof hips away from the side boundary. There is a sole habitable room window along the side elevation of no.308 however this will not be significantly affected by loss of daylight. There is also a doorway along

particulary in view of the hedge on the boundary.

the side elevation. It is considered that the proposed extension will be overbearing on no.308, especially to the habitable room window along the side elevation.

The proposed front extension and changes are of a small size and are not considered to affect the surrounding property owners in terms of overbearing, privacy and daylight issues.

It is therefore considered that there would be significant detrimental impacts upon neighbouring properties arising from this development.

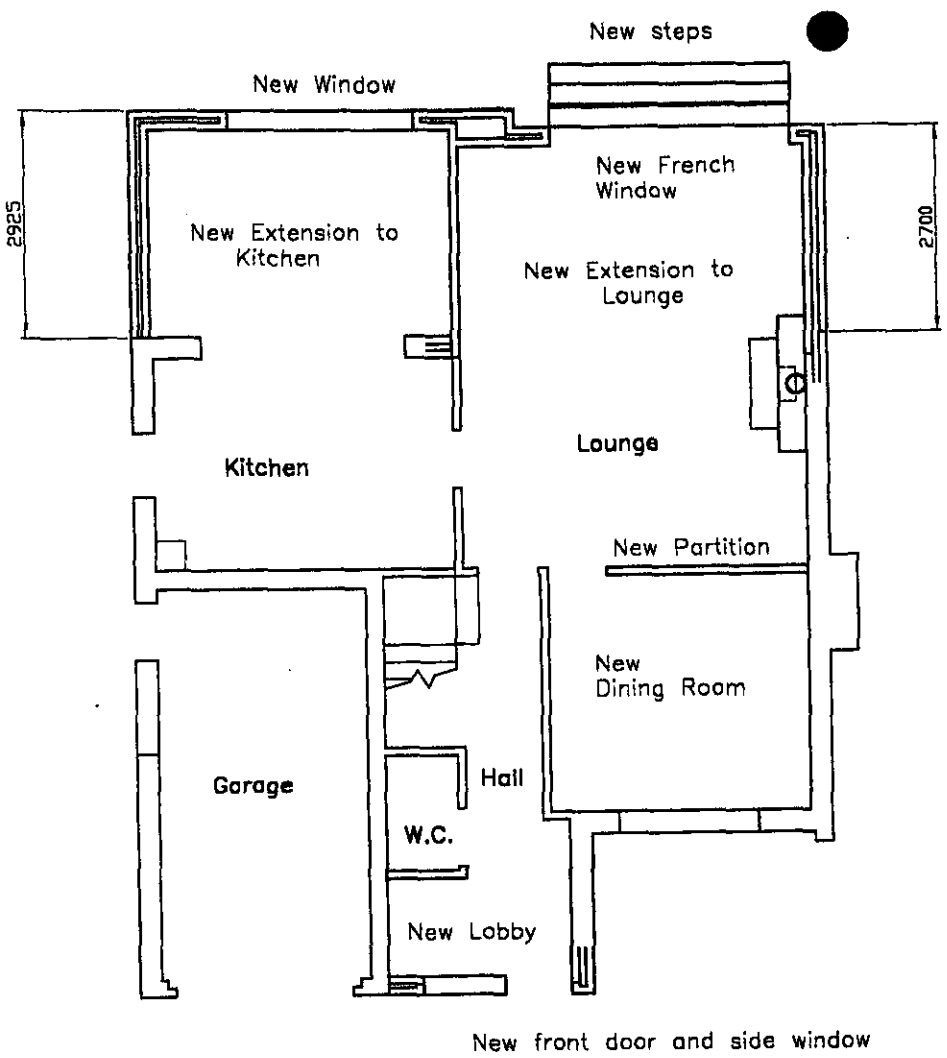
2. Impact upon the street scene and visual amenity

The main part of this extension will be located to the rear of the house and therefore will not be seen from the street. The proposed front porch and roof extension will be visible from the front of the property, however this is considered to add character to the existing house. It will also be constructed in materials to match the existing house. It is therefore not considered to have an adverse impact upon the character of the street scene.

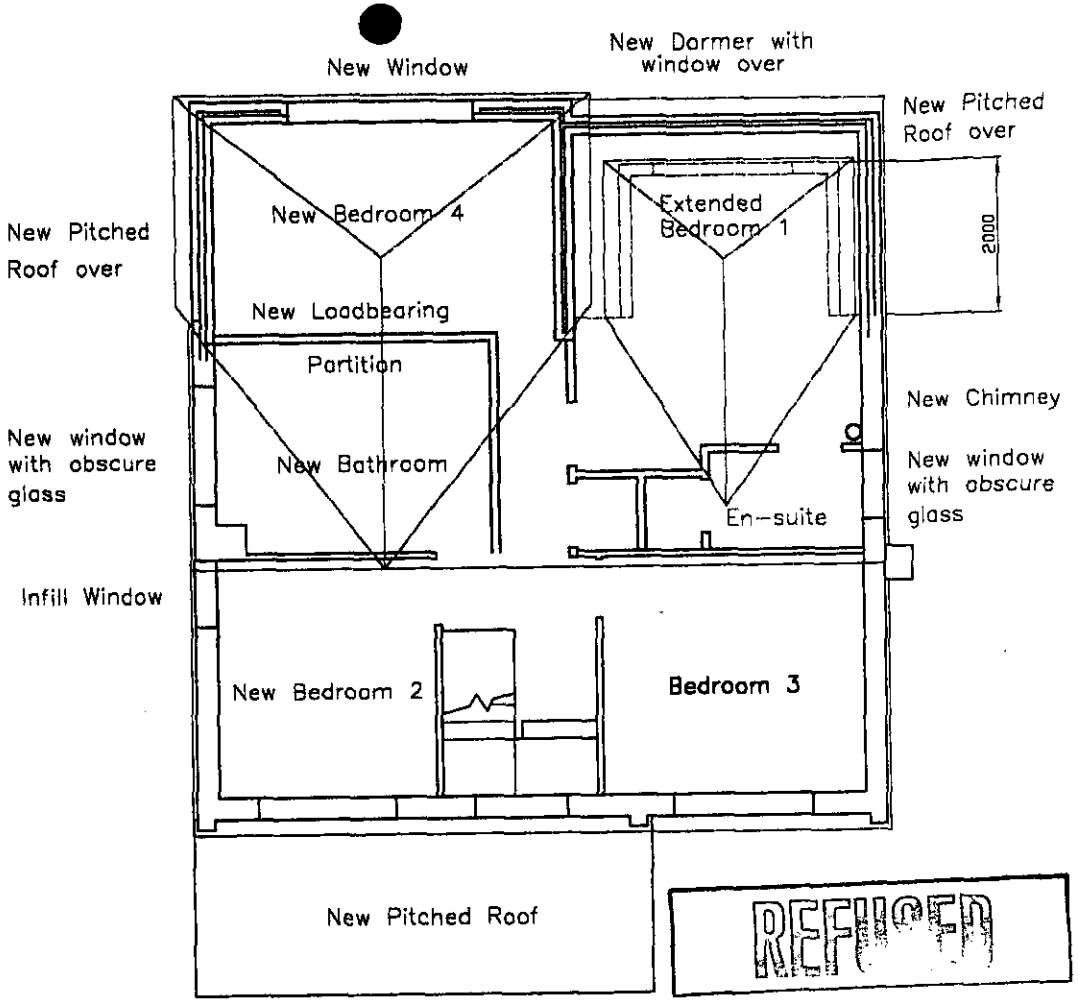
3. Impact upon highway safety

The number of bedrooms will be increasing by one and so three car park spaces are required on site. The garage and driveway on site provide enough room for the parking spaces required. The highways department are satisfied the parking standard has been meet and providing the parking is permanently maintained there would be no implications to the highway safety of the site.

Recommendation: ~~**Approval:**~~ **Refusal: ✓**



Ground Floor Plan



First Floor Plan

Revision A: 14.01.02 Window noted to Bedroom 2 dormer. Bathroom side window infilled

Revision B: 22.02.02 Arrangement of Bathroom and Bedroom 1 revised. Bathroom window reduced in size, moved towards front of house and obscure glass noted. Chimney added.

Revision C: 28.02.02 Rear extension arrangement revised and hip ends introduced. Dormer depth reduced to 2.0m. New ground floor window to east elevation omitted. New first floor window to east elevation reduced in size. New first floor window to west elevation increased in size.

Proposed Alterations and Extensions

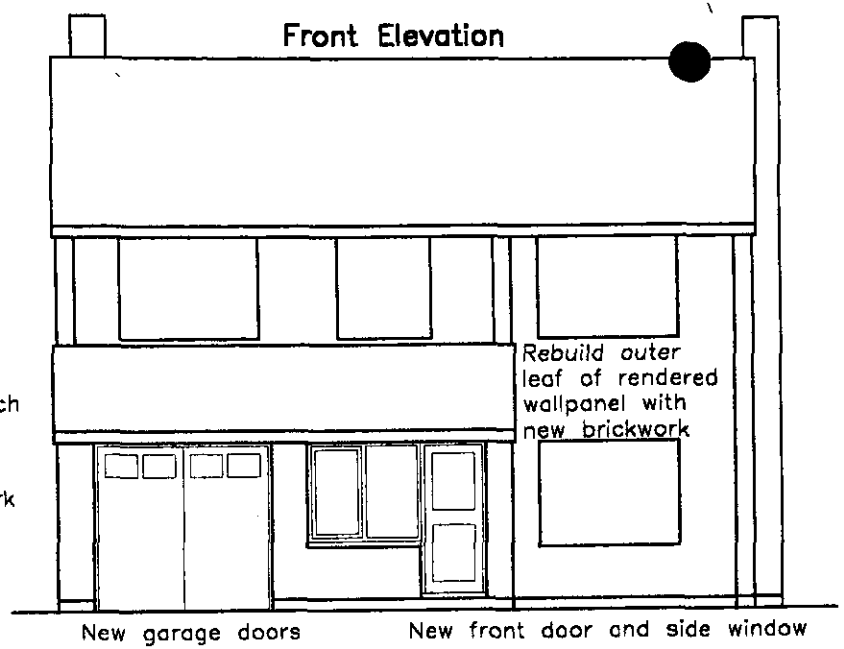
Floor Plans

308A Barkham Road
Wokingham Berkshire

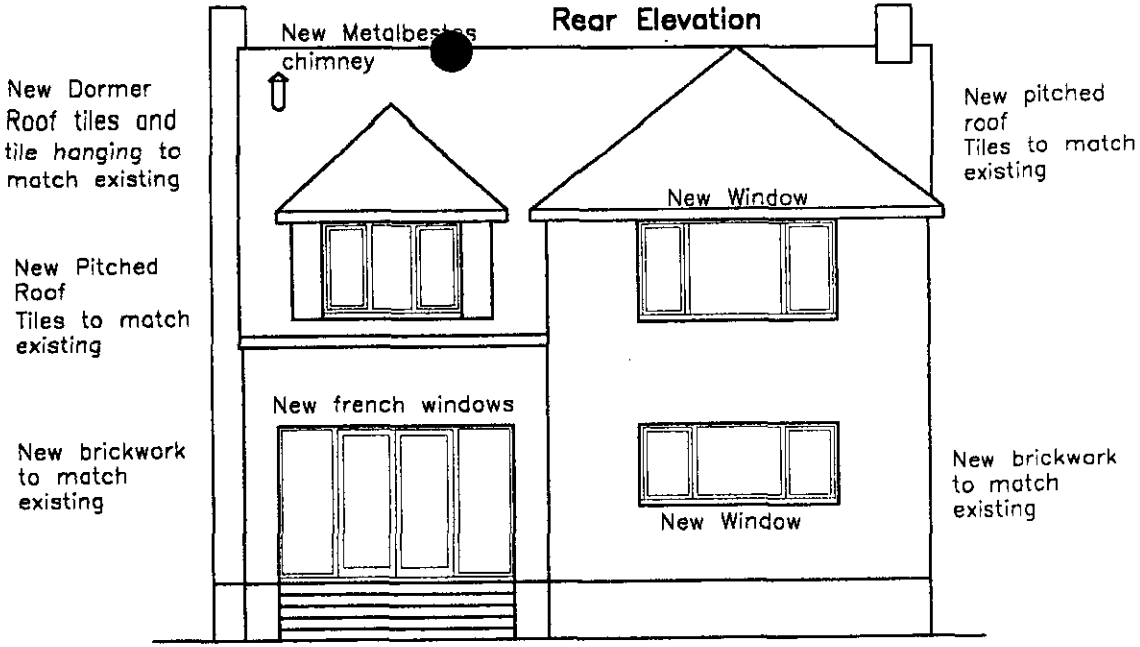
Drawing No 90.Planning.01C
Scale: 1:100
Date: 11.12.01

REVISED PLAN

Front Elevation



Rear Elevation



Revision A: 01.01.02
En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

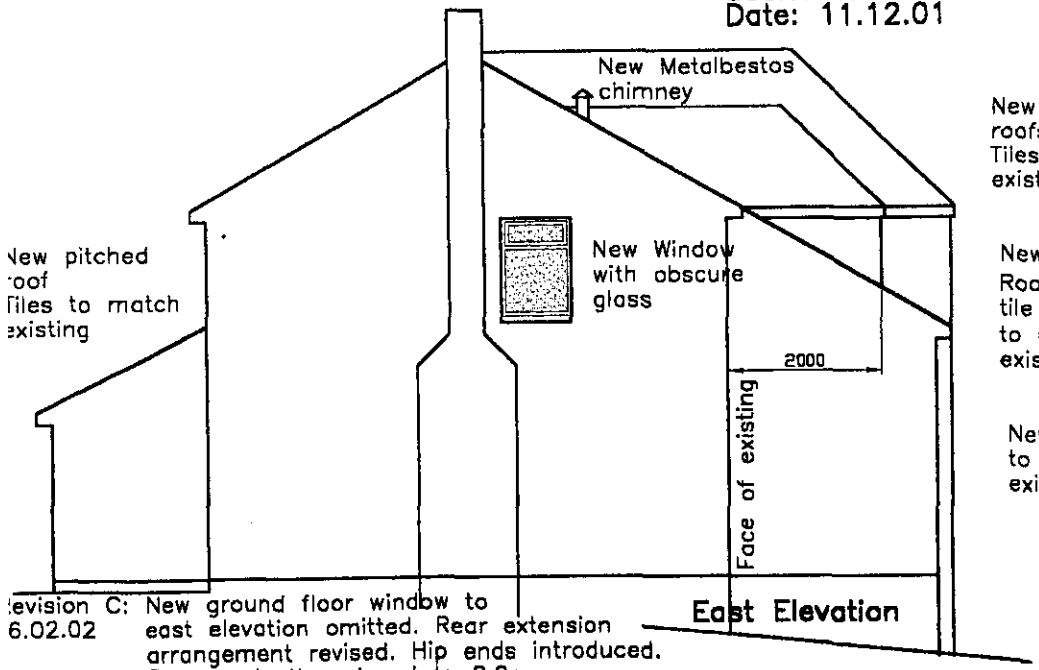
308A Barkham Road
Wokingham Berkshire

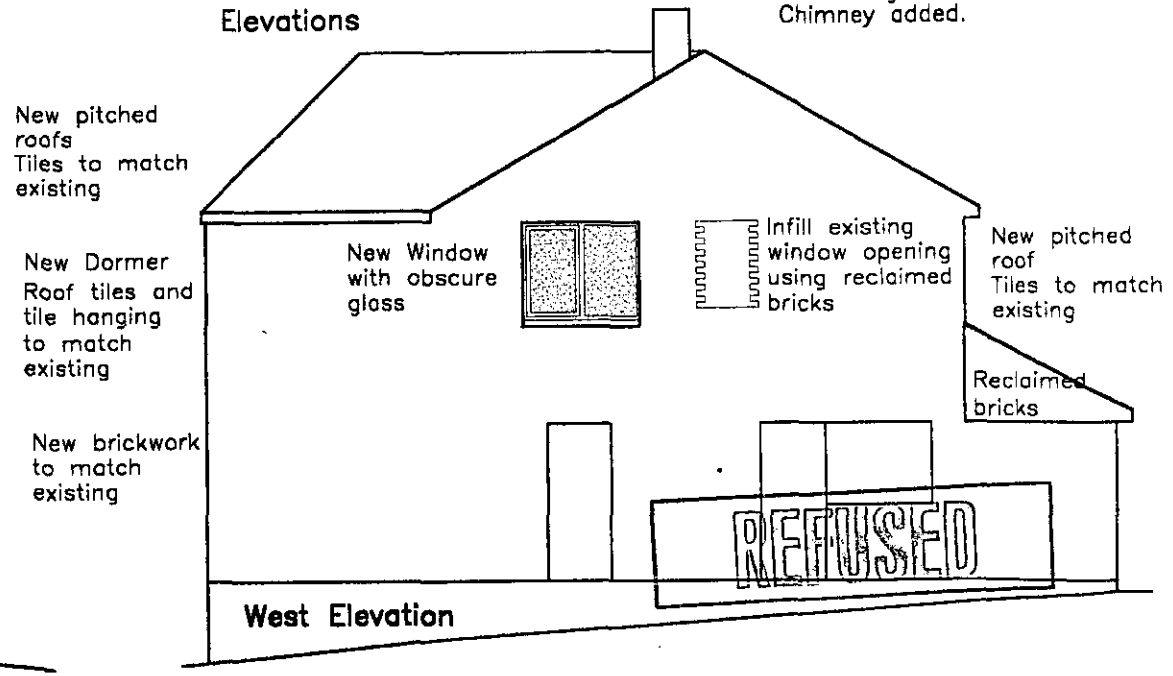
Drawing No 90.Planning.02C
Scale: 1:100
Date: 11.12.01

Proposed Alterations and Extensions

Revision B: 22.02.02
New 1st floor window to east elevation reduced in size, moved towards front of house and obscure glass noted.
Chimney added.

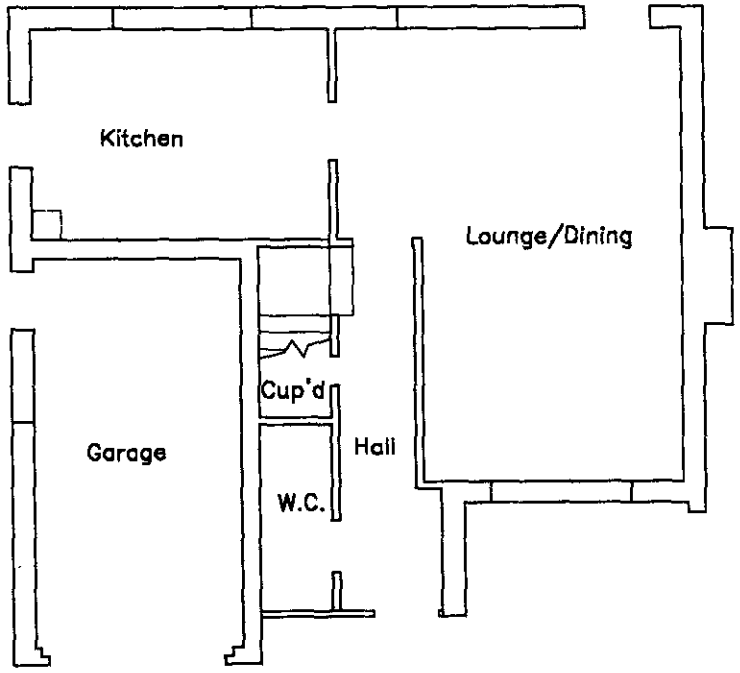
Elevations





Revision C: 06.02.02
New ground floor window to east elevation omitted. Rear extension arrangement revised. Hip ends introduced.
Dormer depth reduced to 2.0m.
New 1st floor window to east elevation reduced in size.
New 1st floor window to west elevation increased in size.

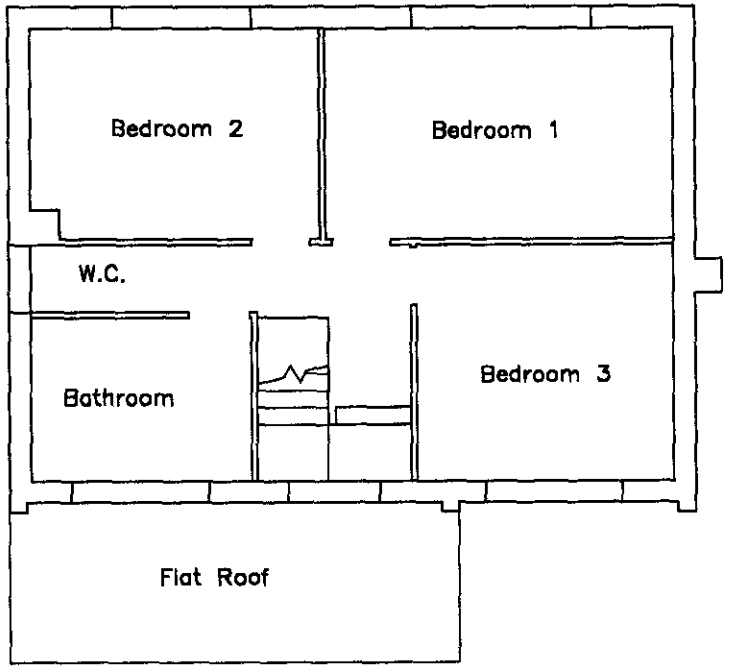
REVISED PLAN



Boundary

Ground Floor Plan

Boundary



First Floor Plan

REFUSED

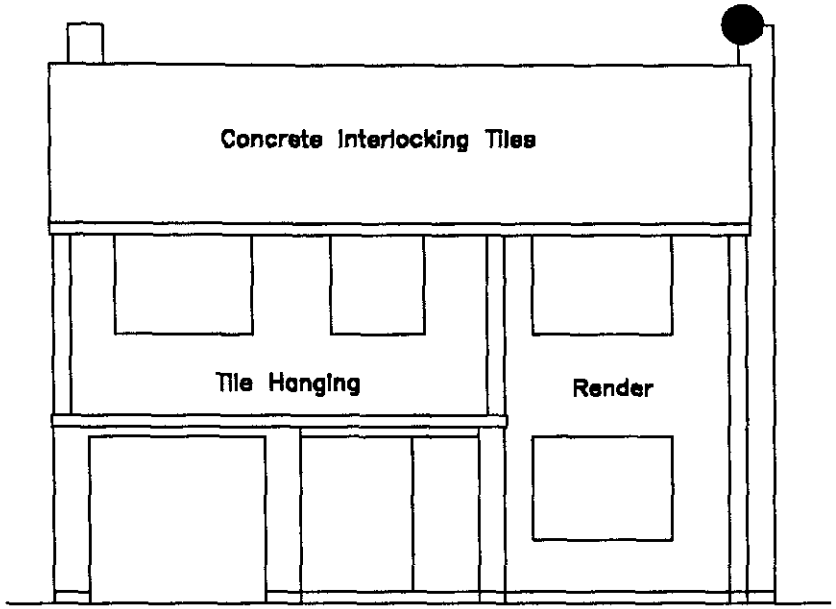
Existing Structure

Floor Plans

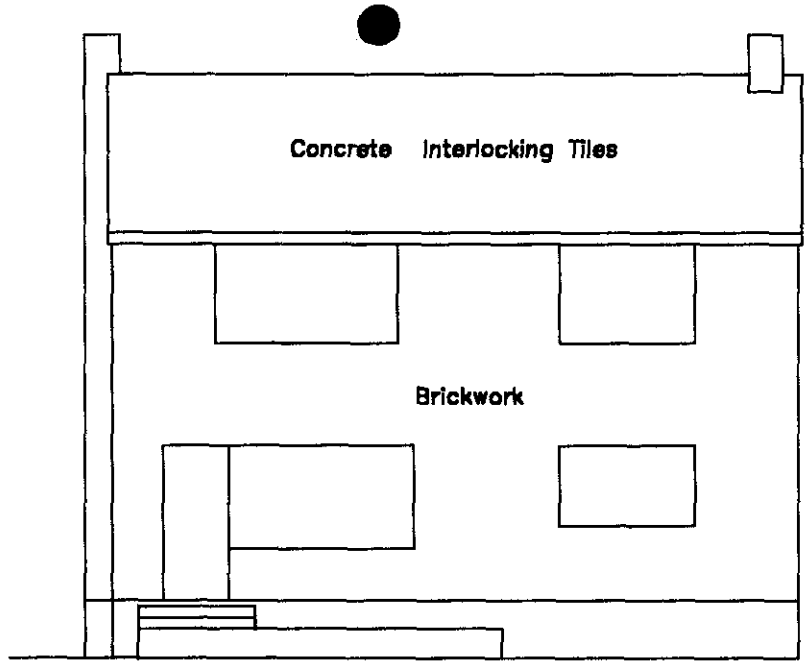
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.03
Scale: 1:100
Date: 11.12.01

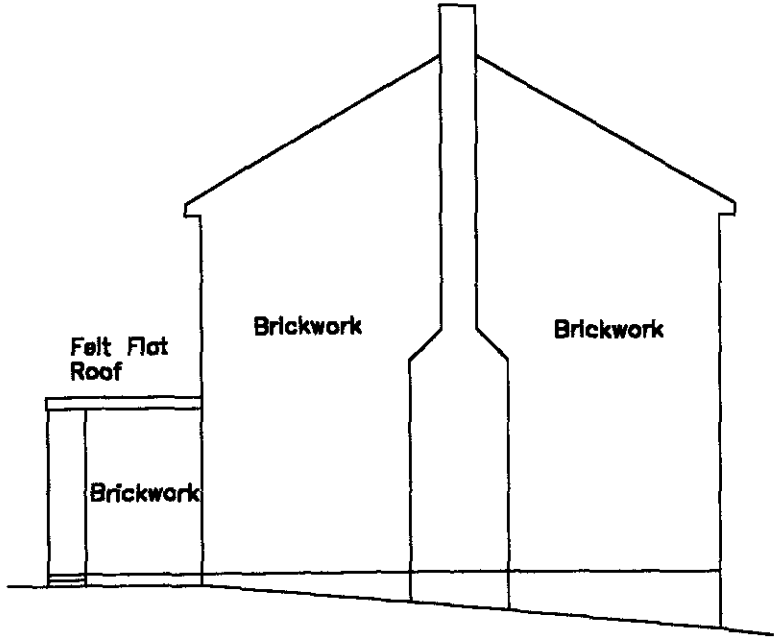
14.JAN.2002* 5592



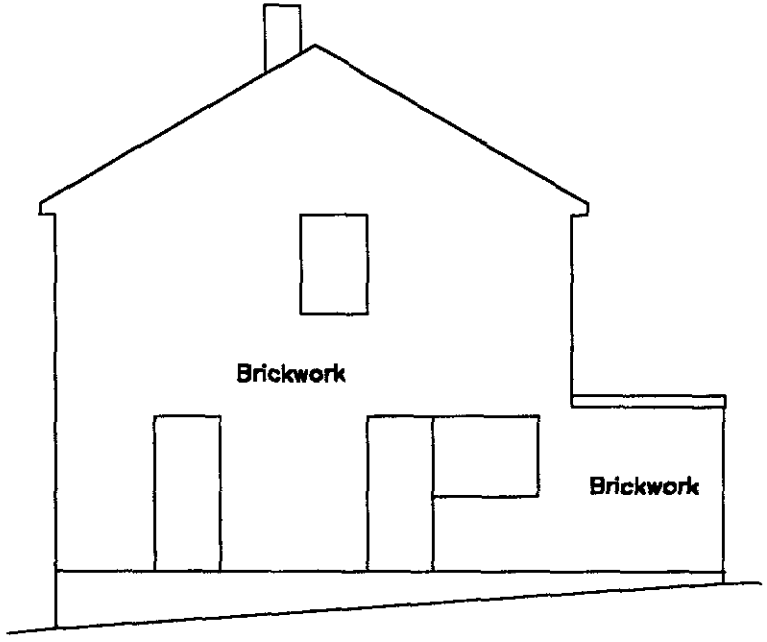
Front Elevation



Rear Elevation



East Elevation



West Elevation

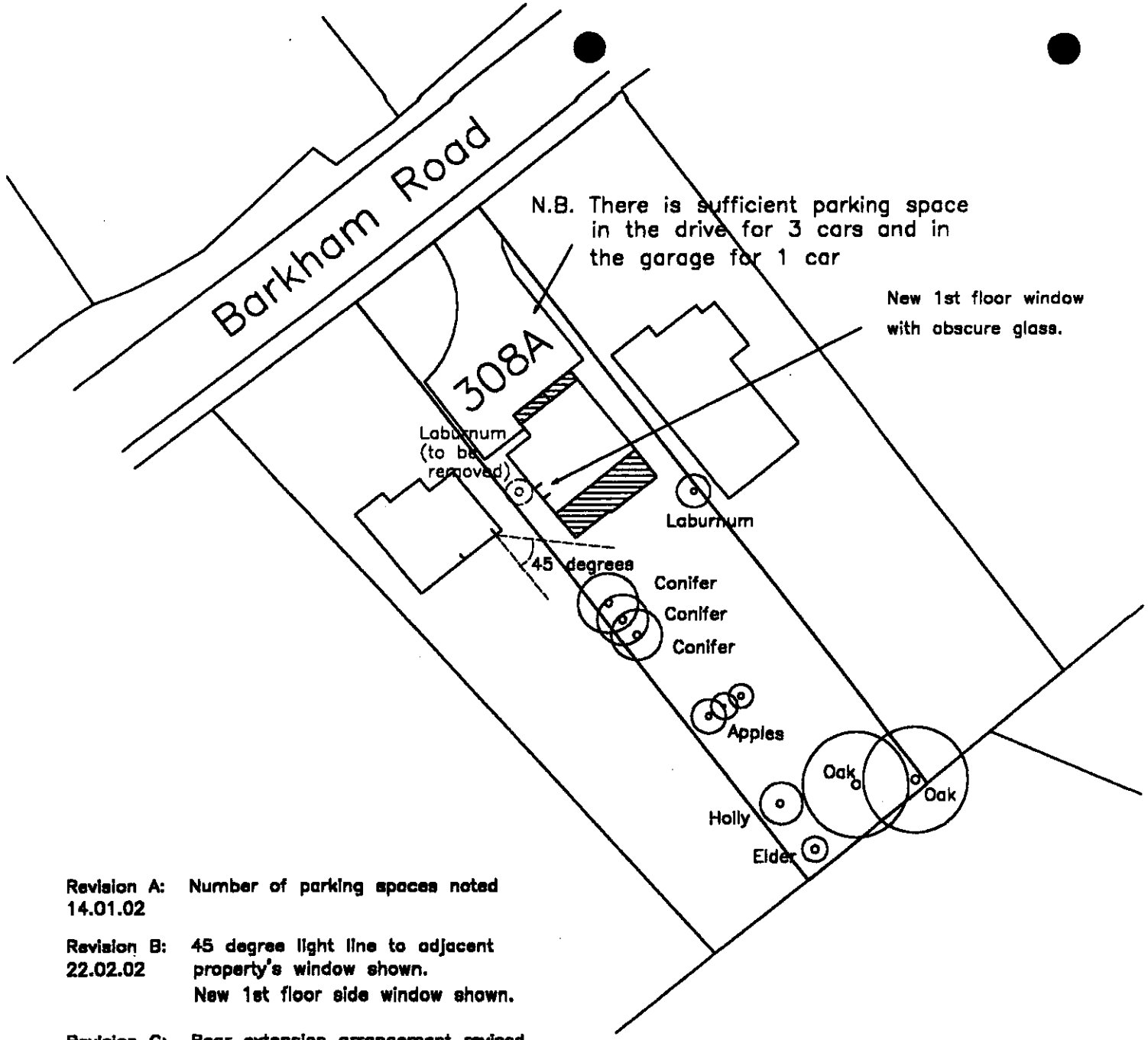
Existing Structure

Elevations

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.04
Scale: 1:100
Date: 11.12.01

14.JAN.2002* 5592



N

REFUSED

Revision A: Number of parking spaces noted
14.01.02

Revision B: 45 degree light line to adjacent property's window shown.
22.02.02 New 1st floor side window shown.

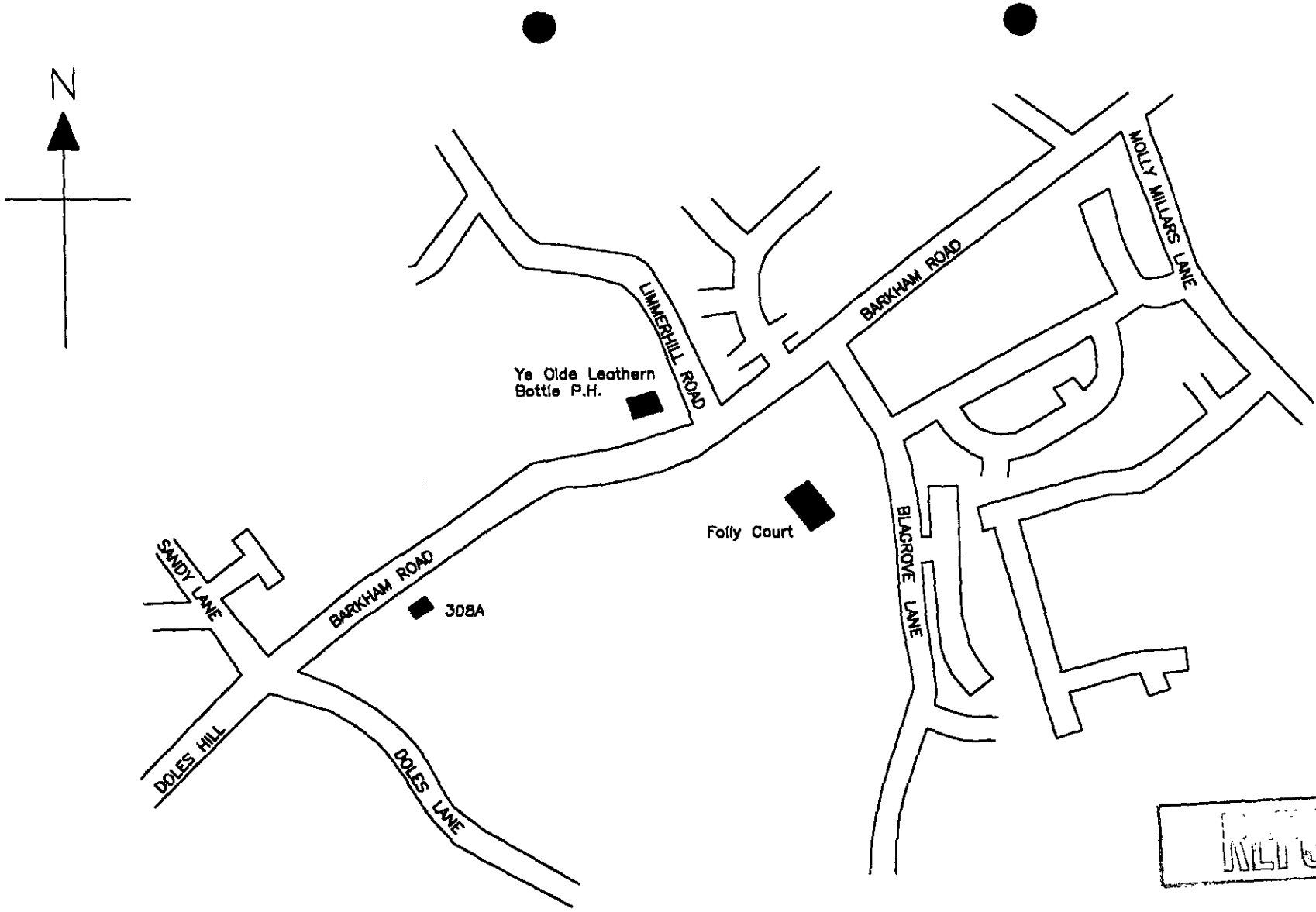
Revision C: Rear extension arrangement revised.
26.02.02 New 1st floor side window reduced in size.

Block Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.05C
Scale: 1:500
Date: 11.12.01

REVISED PLAN

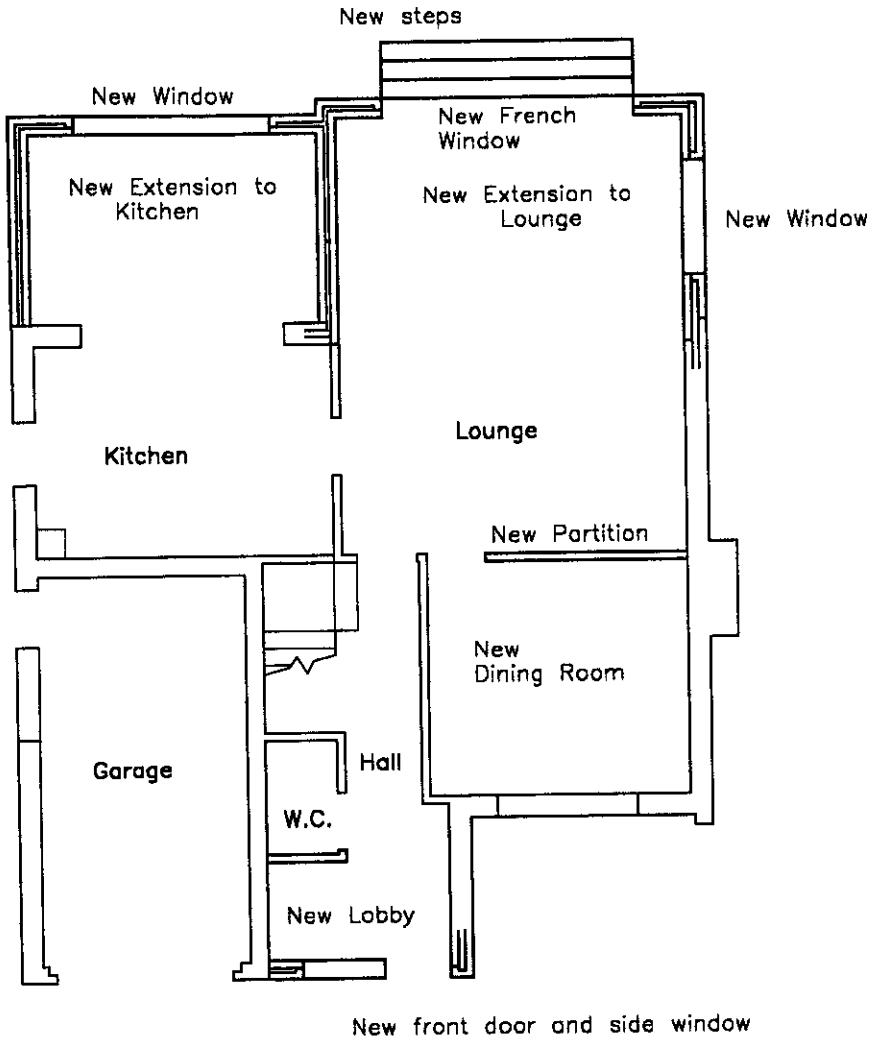


Location Plan

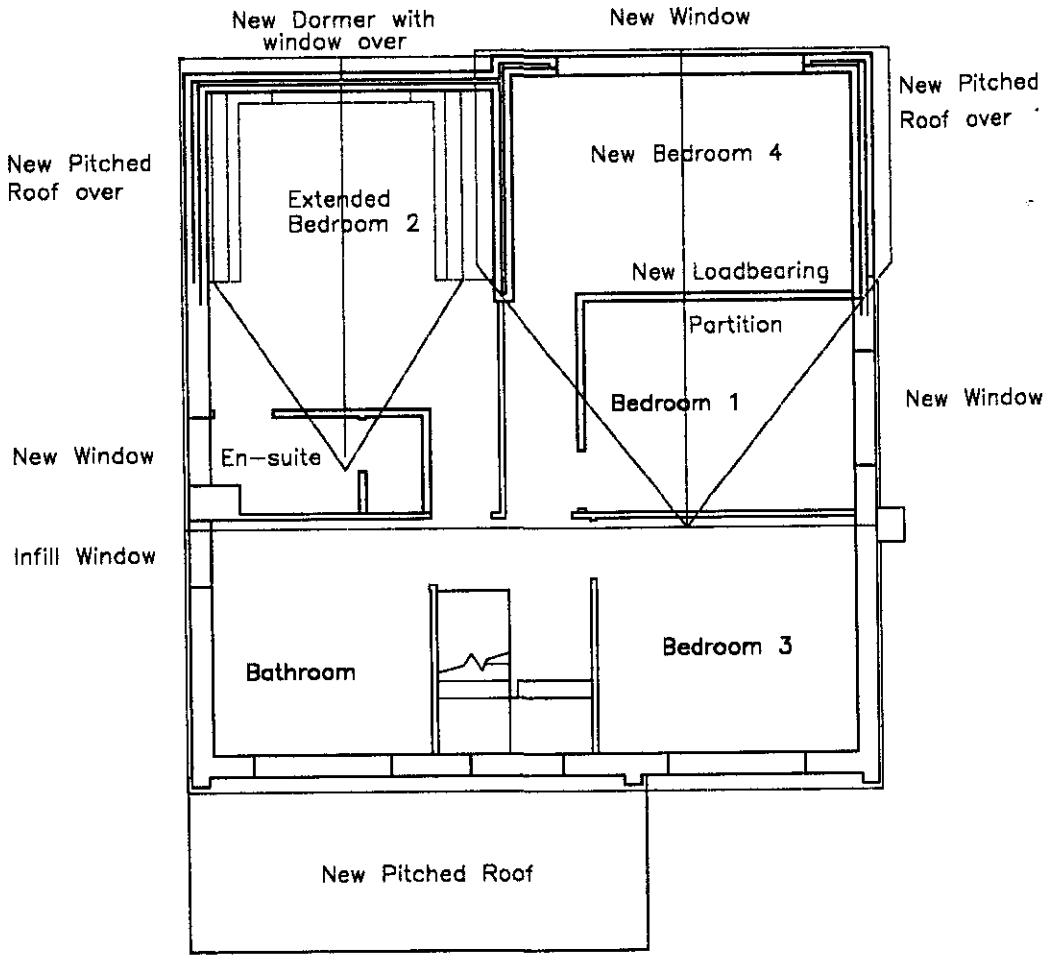
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.06
Scale: 1:2500
Date: 11.12.01

14.JAN.2002* 5592



Ground Floor Plan



First Floor Plan

Revision A: Window noted to Bedroom 2 dormer
14.01.02 Bathroom side window infilled

SUPERCEDED

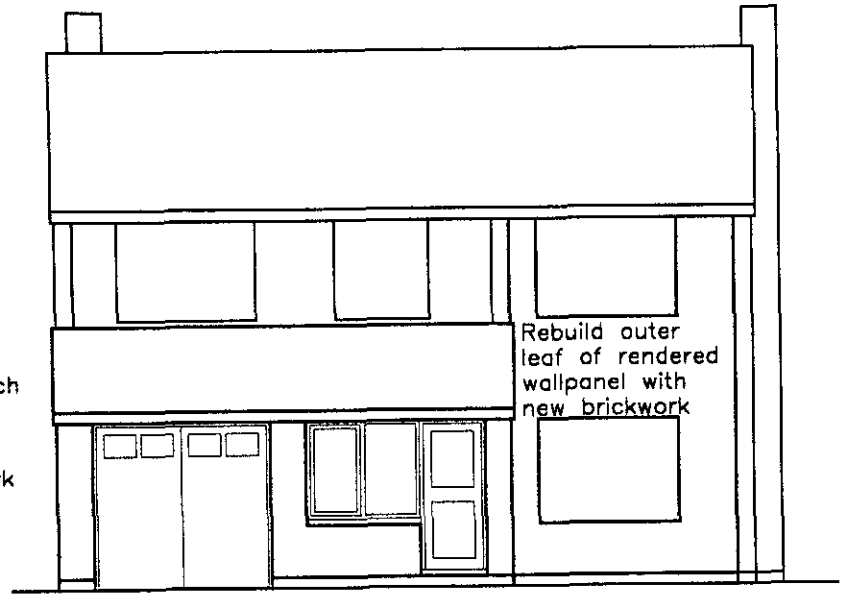
Proposed Alterations and Extensions

Floor Plans

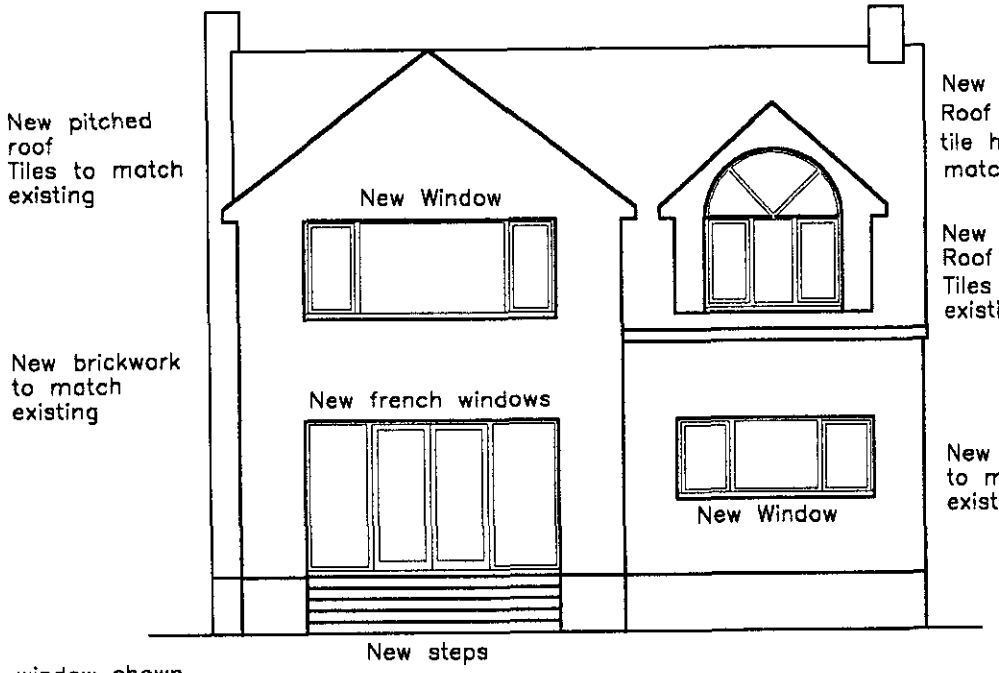
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01
Scale: 1:100
Date: 11.12.01A

14.JAN.2002* 5592



Front Elevation



Rear Elevation

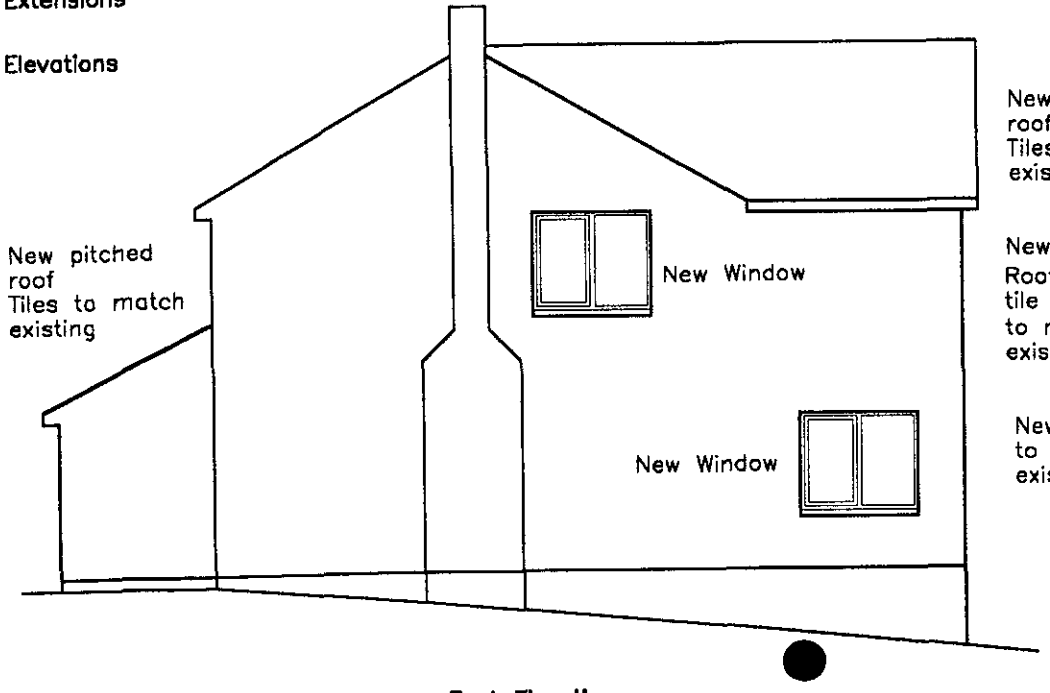
Revision A: En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

308A Barkham Road
Wokingham Berkshire

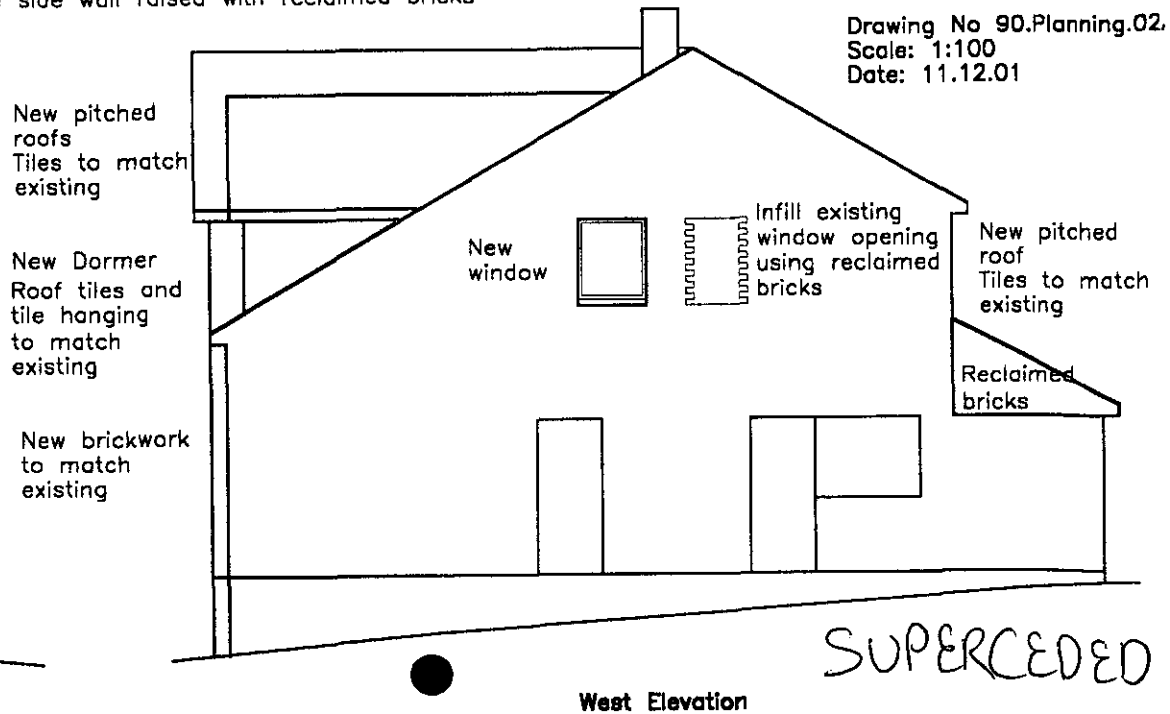
Proposed Alterations and Extensions

Elevations

Drawing No 90.Planning.02.
Scale: 1:100
Date: 11.12.01



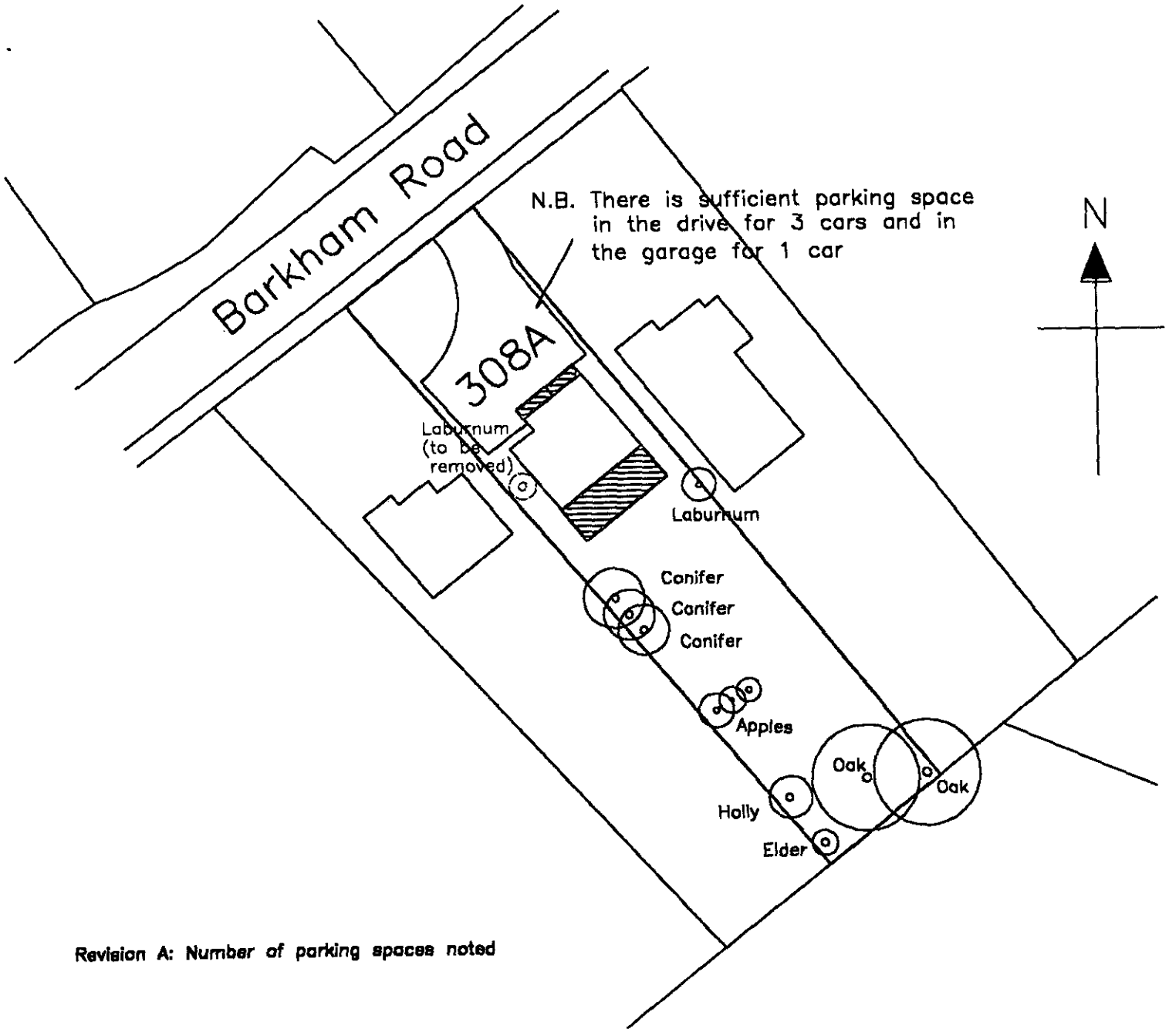
East Elevation



West Elevation

14.JAN.2002* 5592

SUPERCEDED



SUPERCEDED

Block Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.05A
Scale: 1:500
Date: 11.12.01

Revision A: Number of parking spaces noted

14.JAN.2002* 5592

1327

WOKINGHAM DISTRICT COUNCIL

To Heidi

Date 31.1.02 Time 3.05PM.

WHILE YOU WERE OUT

Name PETER GILDER.

Of 310, BARKHAM ROAD (neighbour)

Phone No. 0118.989.2661 Ext. ✓

Phoned		Please call back	✓
Called to see you	✓	Will call back	
Wants to see you		Urgent	

MESSAGE Re: F/2001/5597. 308a BARKHAM ROAD WOKINGHAM

Ring him when looked at case.

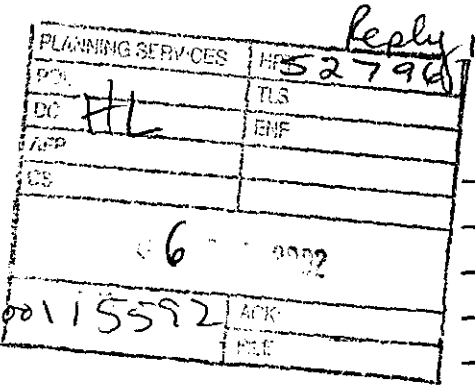
Also ring-D 9785217 Councillor

Thanks

Signed Hel

10 Wildwood Drive
Wokingham
Berks.
RG40 3HY

978527.



Reply

WOKINGHAM DISTRICT COUNCIL
Members' Room
P.O. Box 150
Shute End, Wokingham
Berkshire, RG40 1WQ

Application F/2001/5592

Dear Heidi

Further to my conversation with you I have visited Mr + Mrs Gilder at 310 Barkham Road and looked at their objections.

From the plans I can see that the siting of the windows in bedroom 1 would directly overlook the patio of 310 Barkham Rd and be a serious infringement of privacy. Further the roof line + extent of the first floor extension poses serious massing problems and I would suggest loss of light.

I am aware you have not done a site visit. Perhaps you could let me have your views after you do.

I can be contacted on the above telephone number or by mobile on 07960 128751.

Kind regards

Tim Harris

TO: **DEVELOPMENT CONTROL**
Heidi Lynch

FROM: Environmental Design

DATE: 31 January 2002

Location:	308a Barkham Road, Wokingham
Proposal:	Proposed erection of two storey rear extension and single storey front extension to dwelling.
Application Number:	F/2001/5592

In response to your consultation dated 16 January 2002 for the above application, the landscape comments are as follows:

I have no objection to the proposals. The removal of the tree at the side of the property as shown on the Block Plan (drawing no. 90.Planning.05A) will not have any affect on the local amenity of the area. The extension will not have any detrimental impact on the large oaks to the rear of the property.

Catherine Brimble

Catherine Brimble
Landscape Architect

HIGHWAYS CONSULTATION SHEET

From: Heidi Lynch **Date:** 16 January 2002

Application Number: F/2001/5592

Proposal: Proposed erection of two storey rear extension and single storey front extension to dwelling.

Parish: WOKINGHAM TOWN

Site Address:
308a, Barkham Road, , Wokingham.

Applicant:
Mr & Mrs Cheney C/O L M Banfield.

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

✓ below as applicable;

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

C049, R049
C122, R122
C137 (INSERT; extensions), R137.

Signed: _____ **Print name:** ADAM 18/01/02

5592

PLANNING SERVICES	HPT
POL	TLS
DC HL	ENF
APP	
CS	
15 JAN 2002	
COPIES TO:	ACK:

310, Barkham Road,
Wokingham
BERKS RG41 4DA

13th January '02

Dear Sirs,

Planning Application for 308A Barkham Road,

I understand my next door neighbours have submitted a Town Planning Application some two weeks ago of which I have just (yesterday) been given an opportunity to view the proposals.

Whilst my wife and I have no objection to any of the proposed alterations at ground storey level, we do wish to raise objection to the following proposals at first floor level :— 1) The proposed new window within the existing flank wall will directly overlook our rear garden patio and result in an unacceptable loss of privacy.

2) The present junction of the flank wall and main rear wall of 308A is approximately 2 metres in advance of our main rear wall, containing the window to our principal living area. In extending the first floor storey a further 3 metres plus the roof structure will seriously obstruct the natural lighting to that room and also produce an overbearing effect within that room and our patio area.

I trust you will consider these two objections in your consideration of the Town Planning Application.

Both these objections have been raised with our neighbours.

Yours faithfully,

(P.J. GILDER.)

ADDITIONAL NEIGHBOUR CONSULTATION SHEET

APPLICATION NUMBER: F/2001/5592
CASE OFFICER: Heidi Lynch

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

Received by Wokingham District Council

Application No: F/2001/5592

Proposal:
Proposed erection of two storey rear extension and single storey front extension to dwelling.

Location:
308a, Barkham Road, , Wokingham.

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

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

WOODLEY LIBRARY HEADLEY ROAD WOODLEY 9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday and 1.00pm - 4.00pm Sunday. Library closed all day Wednesday. If you intend to view this application at Woodley Library please allow 4 days from the date of this letter for delivery of plans and remember to quote application number F/2001/5592 to enable the library staff to locate the correct information.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Heidi Lynch P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 09/02/2002. Written comments submitted will become available for public inspection.

In view of the very large number of planning applications and letters of comment received, it will not be possible for an individual reply to be issued to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

Head Planning and Transportation

16 January 2002

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

Tel: (0118) 974 6482

Date: **16 January 2002**

My ref: F/2001/5592

WOKINGHAM UNITARY
Aiming for Excellence

CONFIDENTIAL

Councillor King
C/O Wokingham District Council

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

Dear Councillor

Application Number: F/2001/5592
308a, Barkham Road, , Wokingham.
Proposed erection of two storey rear extension and single storey front extension to dwelling.

I write to let you know that the above mentioned house holder application has been received

At this stage a recommendation has not yet been made. This form should only be returned if it is likely that you may wish the application to be listed for consideration by the Development Control Sub-Committee. This form must be received no later than 28 days from the date of this letter.

If you have any questions please do not hesitate to contact **Heidi Lynch** on **(0118) 974 6482**.

Yours faithfully,

Heidi Lynch

Development Control Officer

LISTING FORM

Case officer: **Heidi Lynch** Application Number: **F/2001/5592**
308a, Barkham Road, , Wokingham.
Proposed erection of two storey rear extension and single storey front extension to dwelling.

I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor King

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

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

Tel: (0118) 974 6482

Date: **16 January 2002**

My ref: F/2001/5592

WOKINGHAM UNITARY
Aiming for Excellence

CONFIDENTIAL

Councillor Morgan
Valois Farm
Range Road
Wokingham
RG40 3NR

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

Dear Councillor

Application Number: F/2001/5592
308a, Barkham Road, , Wokingham.
Proposed erection of two storey rear extension and single storey front extension to dwelling.

I write to let you know that the above mentioned house holder application has been received

At this stage a recommendation has not yet been made. This form should only be returned if it is likely that you may wish the application to be listed for consideration by the Development Control Sub-Committee. This form must be received no later than 28 days from the date of this letter.

If you have any questions please do not hesitate to contact **Heidi Lynch** on **(0118) 974 6482.**

Yours faithfully,

Heidi Lynch

Development Control Officer

LISTING FORM

Case officer: **Heidi Lynch** Application Number: **F/2001/5592**
308a, Barkham Road, , Wokingham.
Proposed erection of two storey rear extension and single storey front extension to dwelling.
I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Morgan

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

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

Tel: (0118) 974 6482

Date: **16 January 2002**

My ref: F/2001/5592

WOKINGHAM UNITARY
Aiming for Excellence

CONFIDENTIAL

Councillor Marinos
10 Wildcroft Drive
Wokingham
RG40 3NY

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

Dear Councillor

Application Number: F/2001/5592
308a, Barkham Road, , Wokingham.
Proposed erection of two storey rear extension and single storey front extension to dwelling.

I write to let you know that the above mentioned house holder application has been received

At this stage a recommendation has not yet been made. This form should only be returned if it is likely that you may wish the application to be listed for consideration by the Development Control Sub-Committee. This form must be received no later than 28 days from the date of this letter.

If you have any questions please do not hesitate to contact **Heidi Lynch** on **(0118) 974 6482**.

Yours faithfully,

Heidi Lynch

Development Control Officer

LISTING FORM

Case officer: **Heidi Lynch** Application Number: **F/2001/5592**
308a, Barkham Road, , Wokingham.
Proposed erection of two storey rear extension and single storey front extension to dwelling.
I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Marinos

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

Application Number : F/2001/5592	Map No : 82
Case Officer : HL	Site Area : 0.08
Valid Date : 14 JAN 2002	Received Date: 31/12/2001

Level : Delegated Application

Description : Proposed erection of two storey rear extension and single storey front extension to dwelling.

Location : 308a, Barkham Road, , Wokingham.

Parish : WK Ward : EVE

Applicant : Mr & Mrs Cheney C/O L M Banfield.

Fee Required: £95 Fee Received: £95 (1)

Additional: ..... or Refund: .....

Enforcement Section to be notified ☐ (tick if required)

Additional information required for validation;

REASON	NOTES	DATE REQ	DATE RECD
LOCATION PLANS			
BLOCK PLANS	Parking layouts at least 6 spaces on drive		
FORMS UNSIGNED			
S.66 MISSING/INCORRECT/ UNSIGNED			
ELEVATION PLANS	– Bedroom 2 window not shown on floor plan – En suite window shown in different position on floor plan/N. elevation.	phoned 14/1	✓ 14/1
FLOOR PLANS			
NO SCALE OR SCALE IS IMPERIAL			
ENCROACHMENT LETTER REQUIRED			
OTHER			

Is the site in a Conservation Area: ☐ Yes ☐ No I f "Yes" which one _____

Is the site a Listed Building: ☐ Yes ☐ No

Is a Statutory Advertisement required: ☐ Yes ☐ No

INTERNAL CONSULTATIONS

Building Control

Heritage (Harold Sanders)

Landscape

(Trees) ✓

Environmental Health

Housing

Leisure & Cultural Services

Public Rights of Way Officer

Property

Policy & Plans

Joint Strategic Planning Unit

Archaeological Officer (BABTIE)

Education

Social Services

(Highways) ✓

EXTERNAL CONSULTATIONS

Adjacent DPA : _____

Adjacent Parish : _____

SEB

British Gas

Oil pipeline

Transco

Environment Agency

Railtrack

Police Arch Officer

HERITAGE BODIES

Victorian Society
The Georgian Group
Ancient Monuments Society
Council for British Arch
RCHME
NRPB (Telecommunications)
Sport England
Society for Proct' of Ancient Bldgs
English Heritage

OTHERS

.....

.....

.....

.....

.....

.....

NEIGHBOURS

S/N 1 see map .....

.....

.....

No pre-apps.

Environmental Services

For office use only.
Application number: 14.JAN.2002* 5592

Householder planning application form

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

1	Your name	MR & MRS CHENEY
	Address and postcode	308A, BARKHAM ROAD WOKINGHAM BERKSHIRE RG41 4DA
	Phone number	0118 978 7679
2	Agent's Name	L.M. BANFIELD
	Address and postcode	28, SARUM CRESCENT WOKINGHAM BERKSHIRE RG40 1XF
	Phone number	0118 978 6917
3	Site We need you to send in six copies of the 1:2500 scale location plan and six copies of the 1:500 scale block plan, with the site outlined in red. You can buy these maps from the Environmental Services reception or order them by phoning 0118 974 6485.	308A, BARKHAM ROAD WOKINGHAM BERKSHIRE RG41 4DA
4	Give brief details of the proposal for example, two storey side extension. About the application	TWO STOREY REAR EXTENSION AND SINGLE STOREY FRONT EXTENSION
5	Are there any trees on the site? If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down.	Yes ☑ No ☐
6	Please list the external materials you will use, for example, red brick to match any existing bricks and dark stained timber.	RED BRICKS TO MATCH EXISTING AND ROOF TILES TO MATCH EXISTING
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐ No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐ No ☑

Crystal Mark Clarity

Please turn over

9	How many bedrooms does the property have?	Existing: 3	Proposed: 4
10	Does a public right of way touch the site? If yes, please show the route and any proposed alternative on the plans.	Yes ☐	No ☑
11	Checklist. Please make sure that you enclose the following:		
	a Six copies of this form signed and dated.		
	b The fee (We have attached a current scale of fees). If you do not have to pay a fee, please say why below.		
	c Six copies of each set of plans and drawings listed below.		
	• 1:2500 scale location plan with the site outlined in red.		
	• 1:500 scale site layout plan.		
	• 1:100 or 1:200 scale floor plans and elevations.		

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

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

Certificate A

I certify that

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

Certificate B

I certify that

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

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

None of the land forms part of an agricultural holding.

Your signature: L. M. Banfield

on behalf of Mr & Mrs Cheney

S Cheney

Date 31.12.01

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

ADDRESS 308A BARKHAM ROAD PARISH WOKINGHAM

PLOT No.

BUILDER ORD. SHEET No. SU. 7968 82

Plan No.	Applicant	Description of Development	Date of Decision	Decision
0/2/62	MR L. R. ROBERTS	DETACHED DWELLING	22.2.62	C/R
6/23/62 5331	"	DETACHED HOUSE & GARAGE	26.7.62	APP. C/D

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

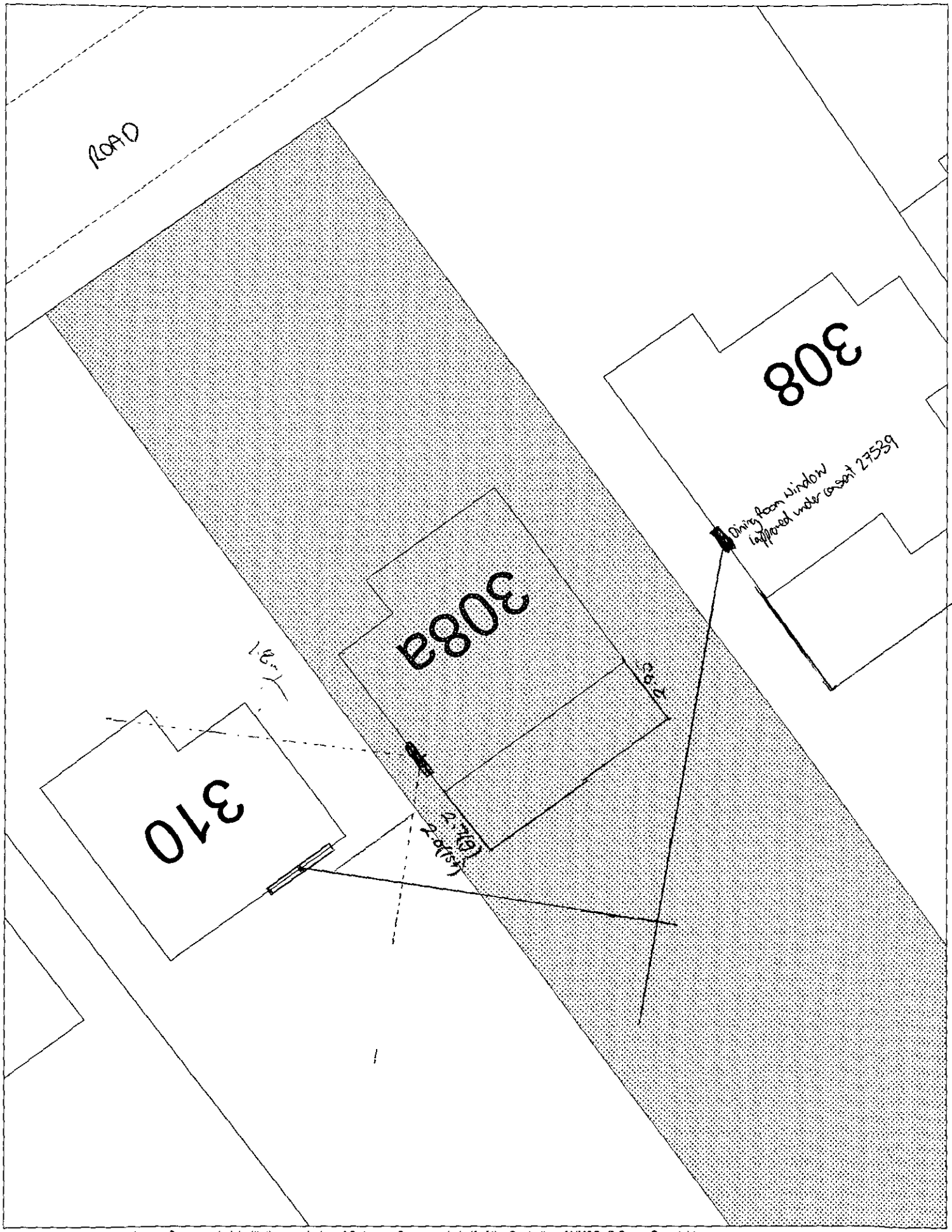
DRAINAGE

091074

CONDITION MONITORING RECORD SHEET

APPLICATION NO: **F/2001/5592**
CASE OFFICER: **Heidi Lynch**
SECTION 106 AGREEMENT Yes ☐ No ☐

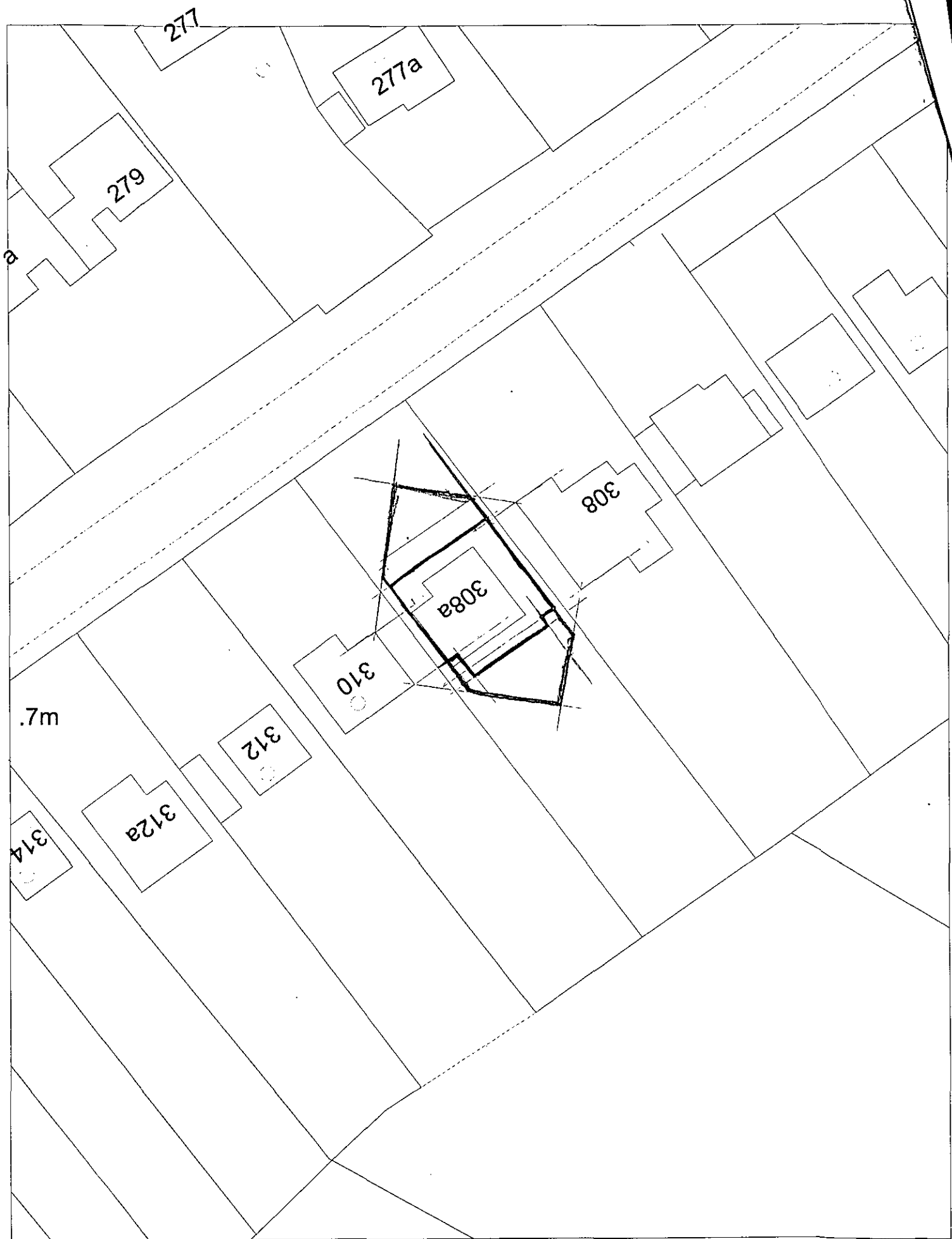
STAGE OF DEVELOPMENT	CONDITION NUMBER	DATE CONDITION DISCHARGED	DATE COMPLIANCE OBSERVED	DATE BREACH OBSERVED
PRIOR TO COMMENCEMENT				
COMMENCEMENT				
DURING CONSTRUCTION				
COMPLETION				



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

Development Control Section, Environmental Services, Wokingham District Council.
20 February 2002 Scale: 1 : 200

N
W E
S



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

Central Support Section, Environmental Services, Wokingham District Council.
16 May 2002

Scale: 1 : 500

N
W E
S

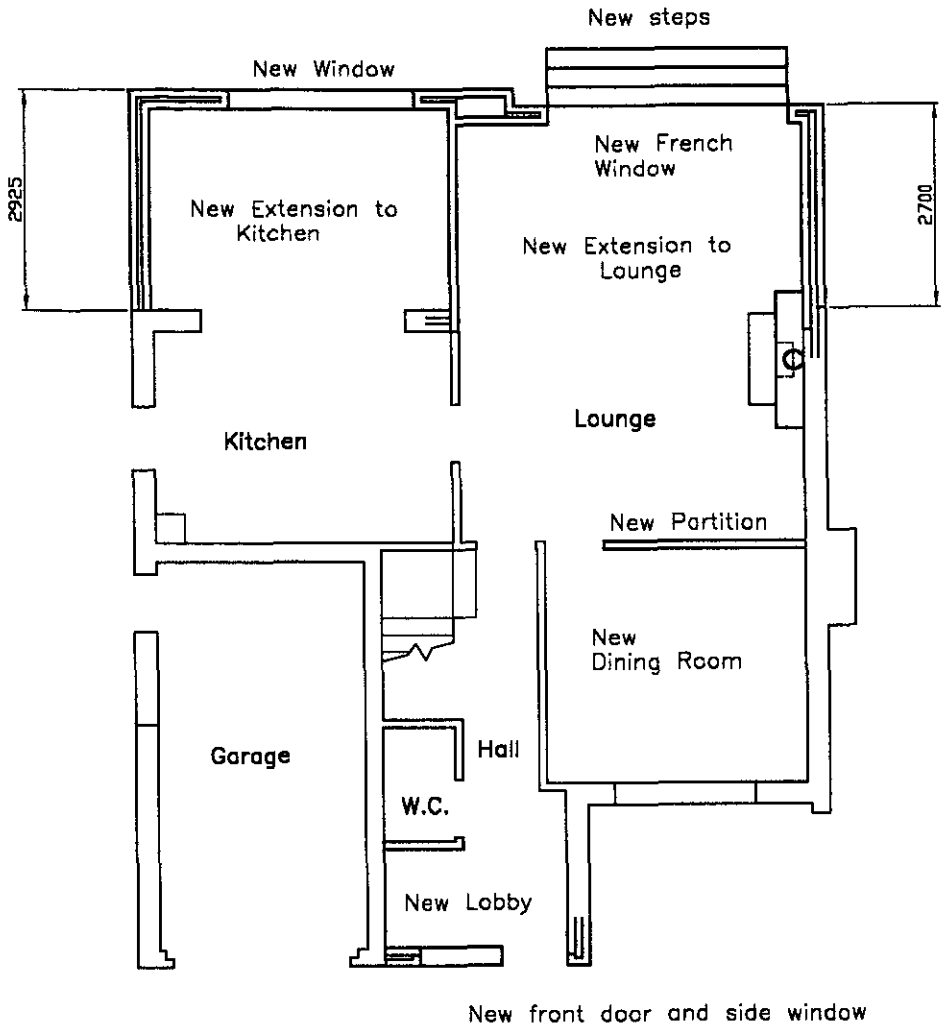
14.JAN.2002* 5592



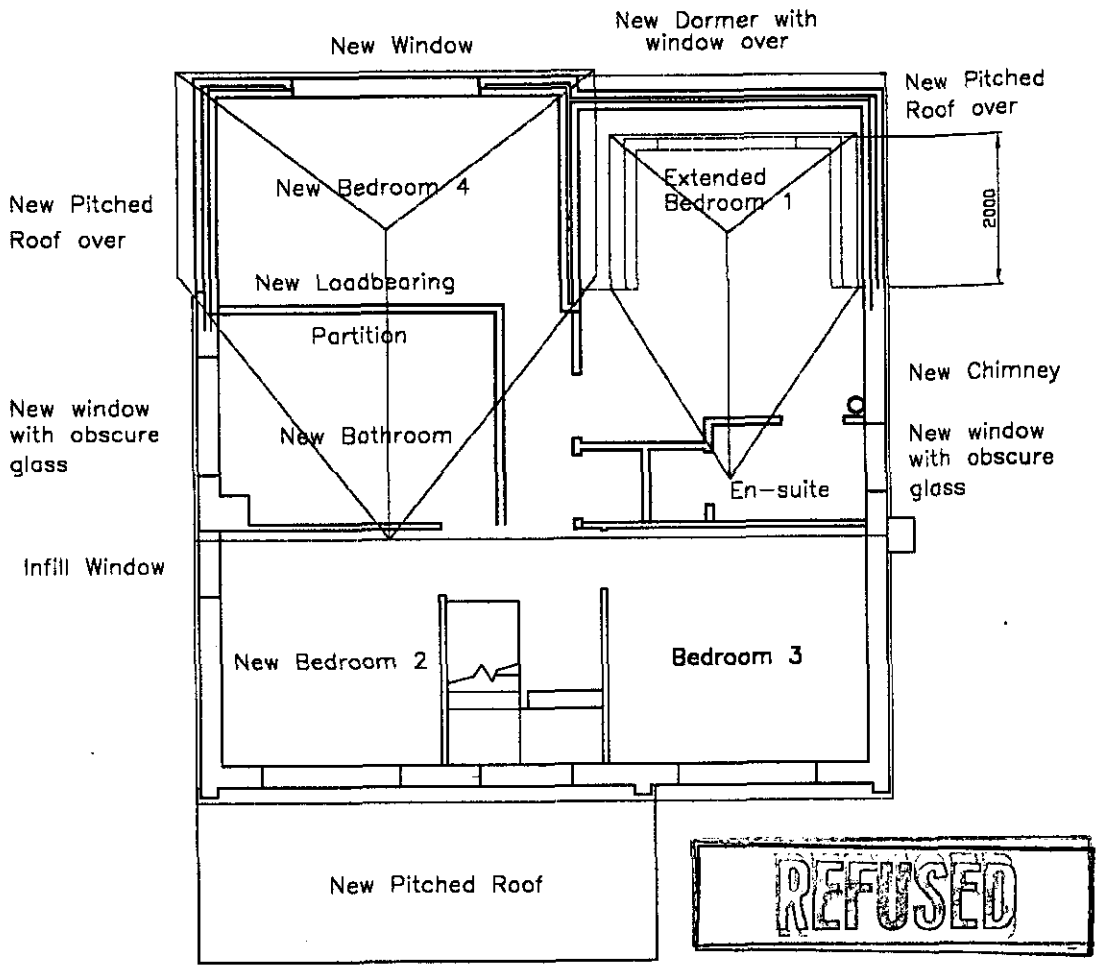
This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of HMSO. © Crown Copyright.
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.Wokingham District Council Licence LA086134

Development Control Section, Environmental Services, Wokingham District Council.
9 January 2002 Scale: 1 : 1250

N W E S



Ground Floor Plan



First Floor Plan

Revision A: 14.01.02 Window noted to Bedroom 2 dormer. Bathroom side window infilled

Revision B: 22.02.02 Arrangement of Bathroom and Bedroom 1 revised. Bathroom window reduced in size, moved towards front of house and obscure glass noted. Chimney added.

Revision C: 28.02.02 Rear extension arrangement revised and hip ends introduced. Dormer depth reduced to 2.0m. New ground floor window to east elevation omitted. New first floor window to east elevation reduced in size. New first floor window to west elevation increased in size.

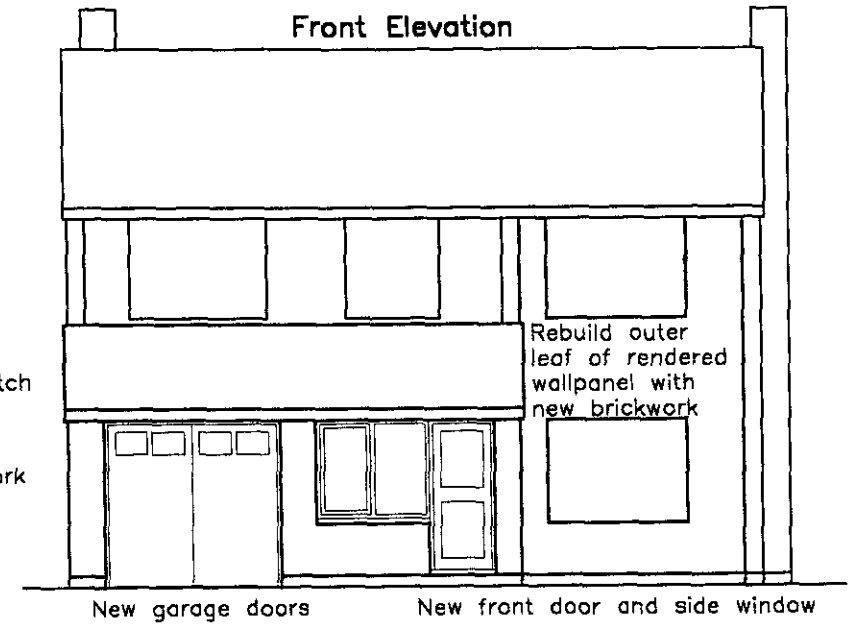
Proposed Alterations and Extensions

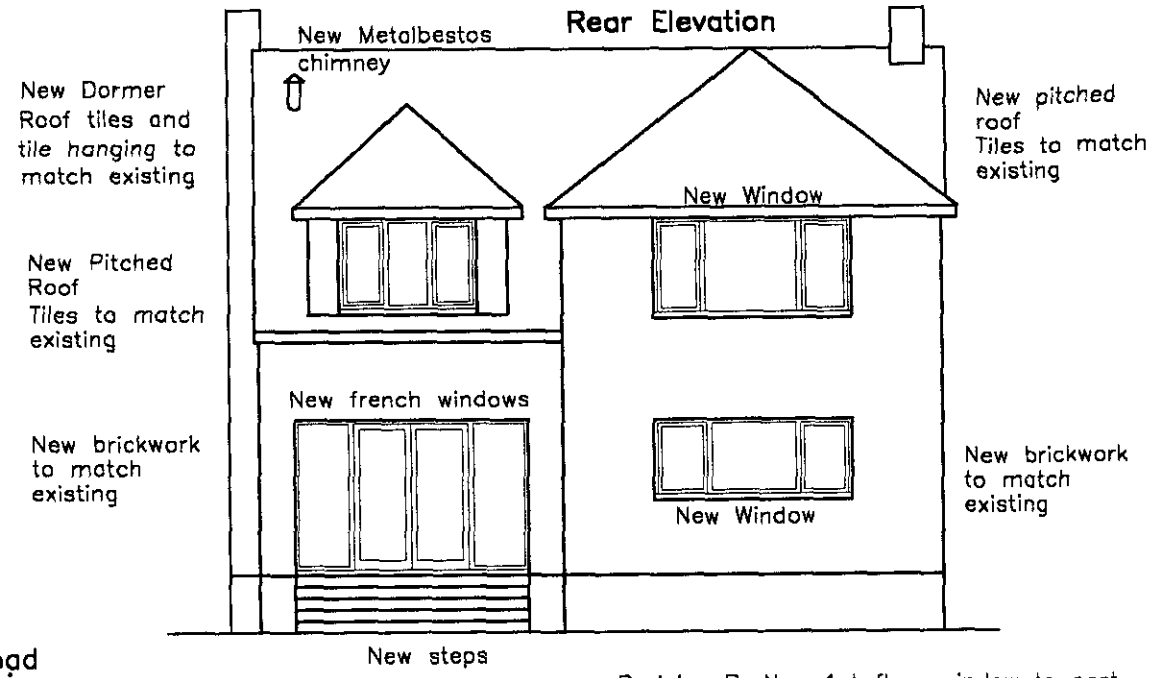
Floor Plans

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01C
Scale: 1:100
Date: 11.12.01

Revised Plan





Revision A: En-suite window shown
14.01.02 Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

308A Barkham Road
Wokingham Berkshire

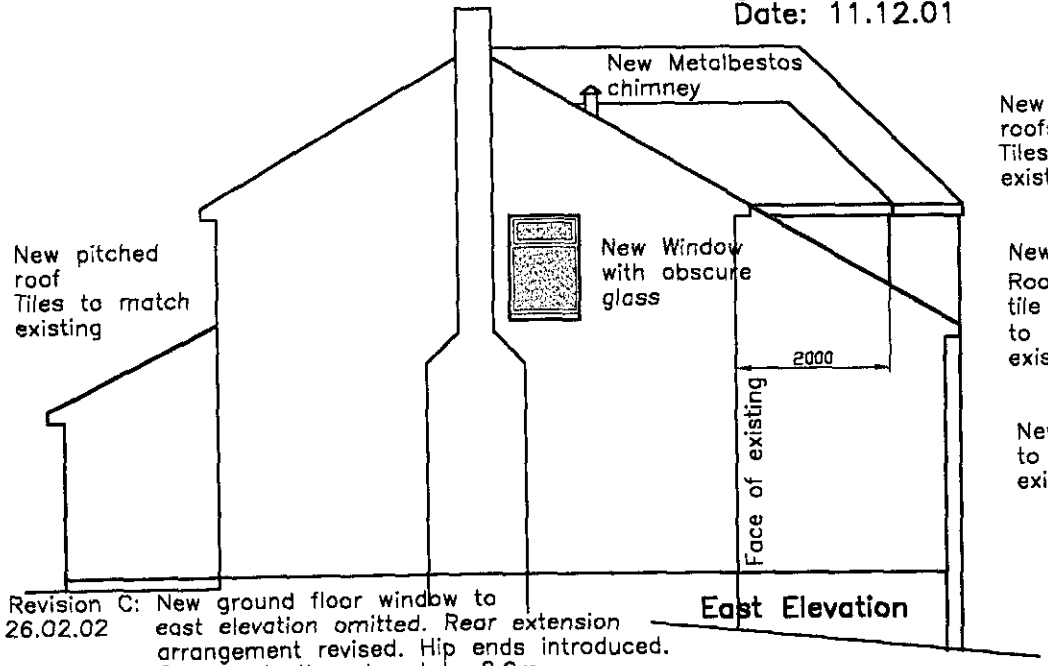
Drawing No 90.Planning.02C
Scale: 1:100
Date: 11.12.01

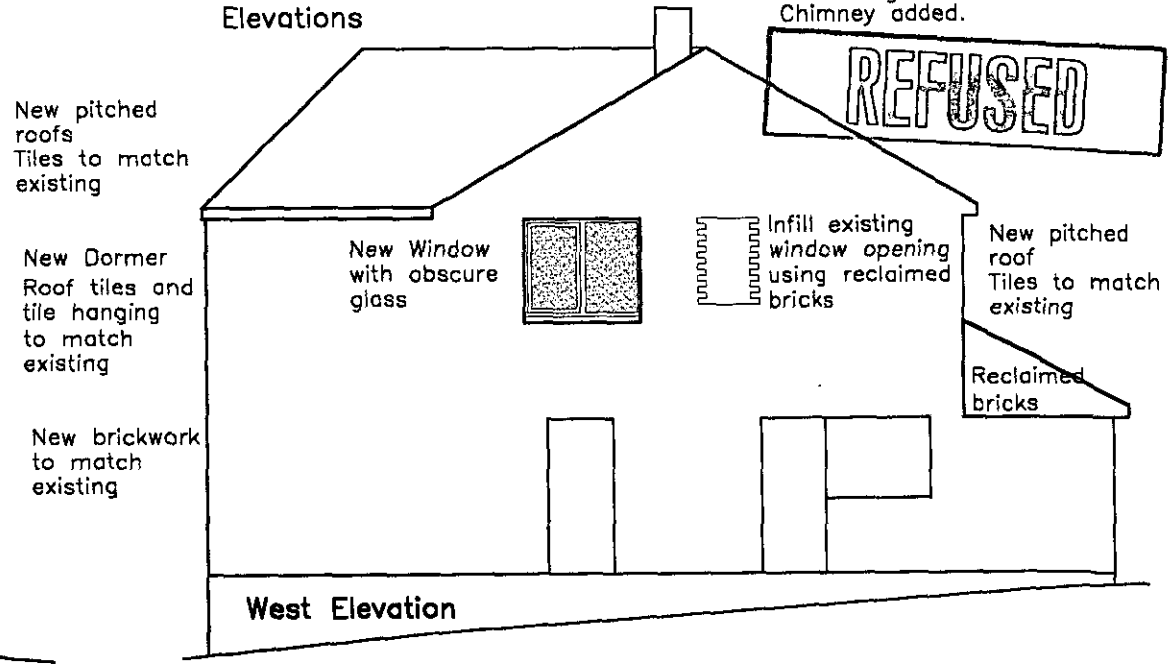
Proposed Alterations and Extensions

Revision B: 22.02.02 New 1st floor window to east elevation reduced in size, moved towards front of house and obscure glass noted. Chimney added.

Elevations

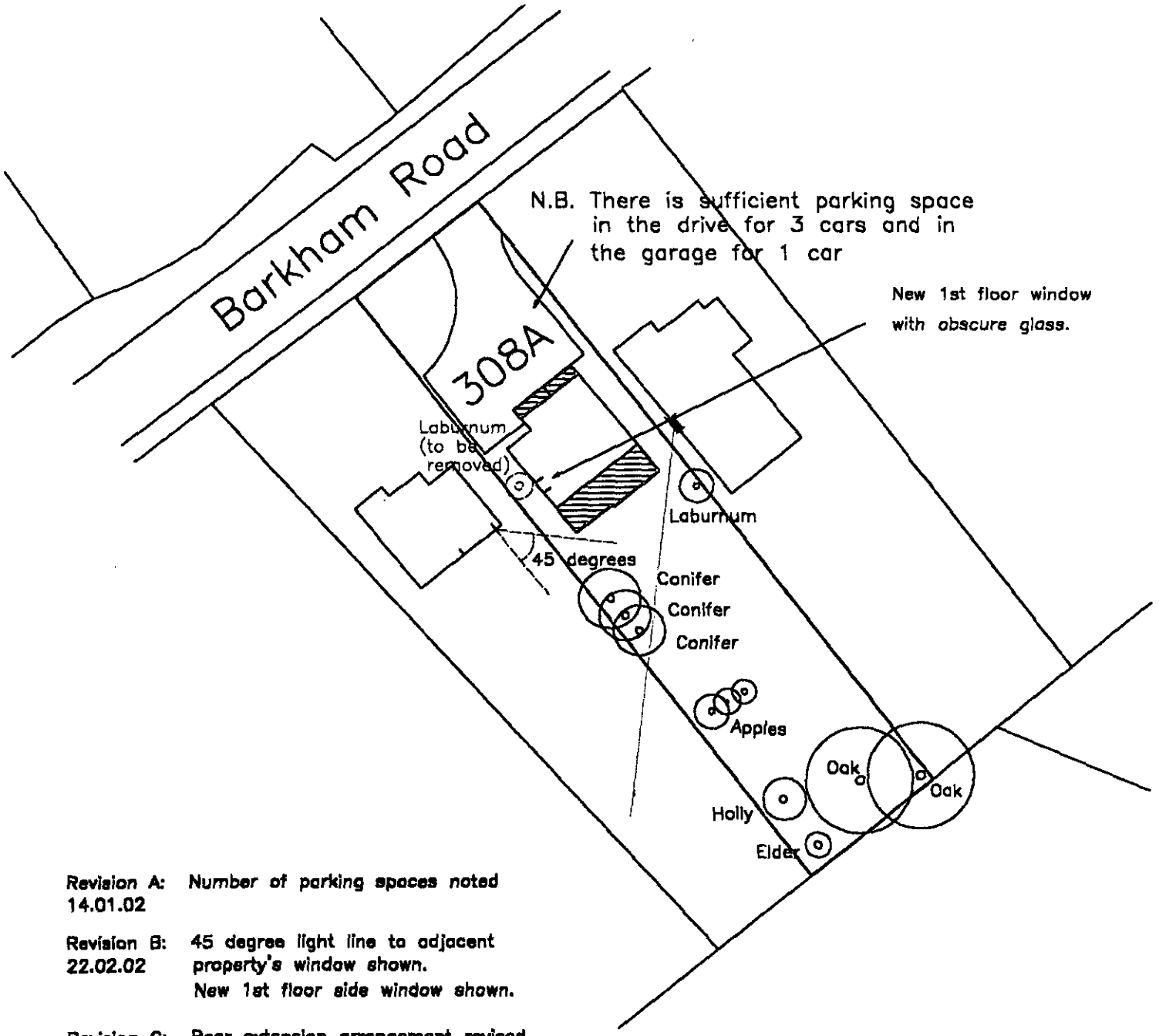
REFUSED





Revision C: 26.02.02 New ground floor window to east elevation omitted. Rear extension arrangement revised. Hip ends introduced.
Dormer depth reduced to 2.0m.
New 1st floor window to east elevation reduced in size.
New 1st floor window to west elevation increased in size.

Revised Plan



N

REFUSED

Revision A: *Number of parking spaces noted*
14.01.02

Revision B: **45 degree light line to adjacent property's window shown.**
22.02.02 **New 1st floor side window shown.**

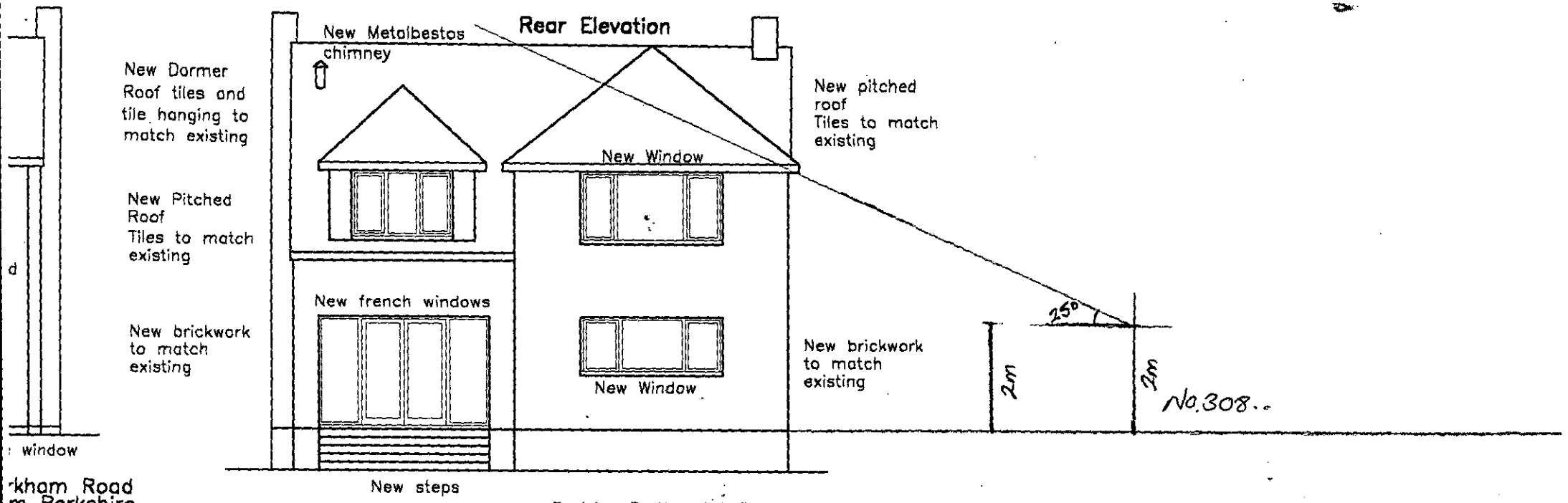
Revision C: **Rear extension arrangement revised.**
26.02.02 **New 1st floor side window reduced in size.**

Block Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.05C
Scale: 1:500
Date: 11.12.01

Revised Plan



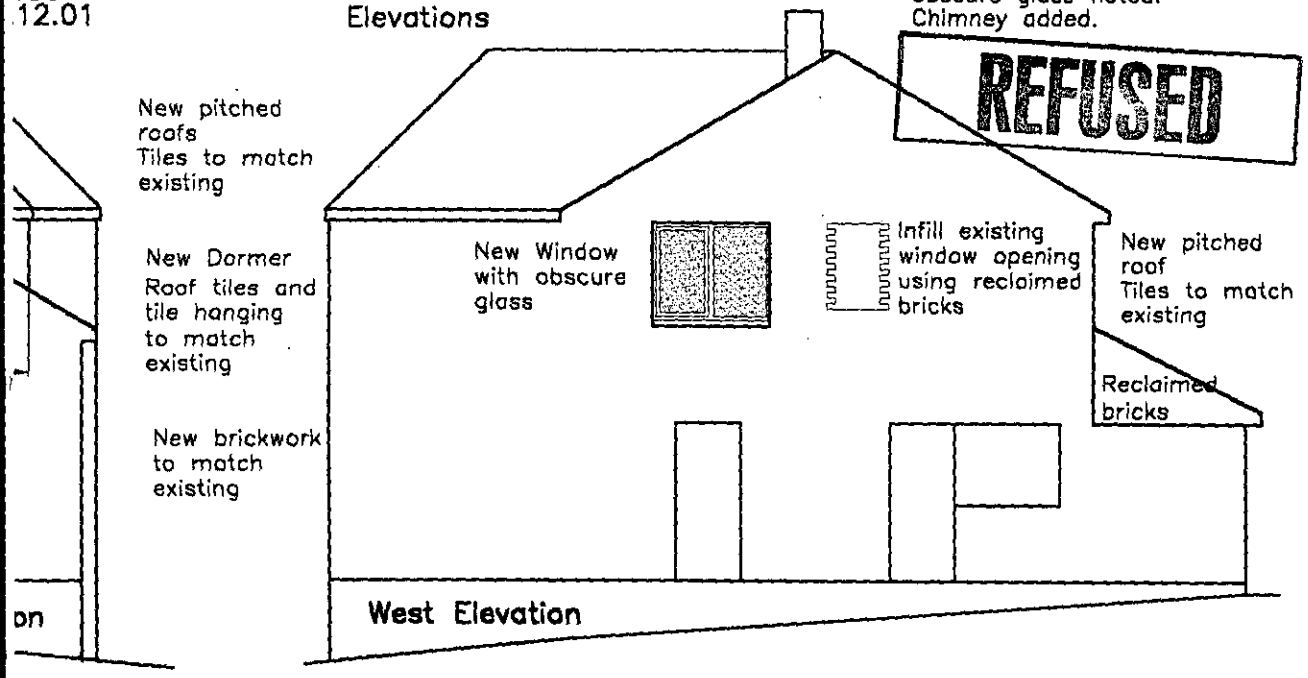
rkham Road
m Berkshire

No 90.Planning.02C
100
12.01

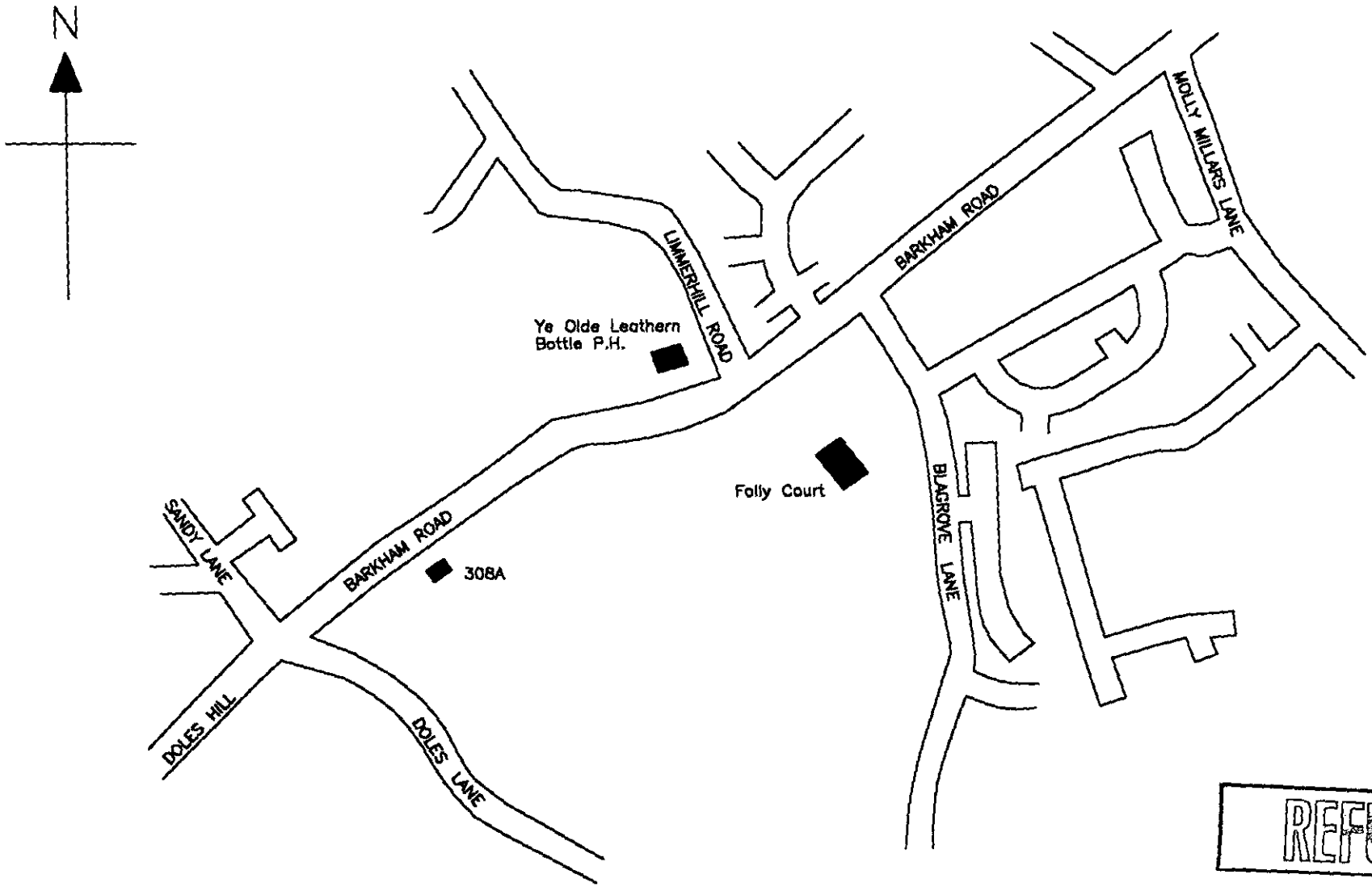
Revision B: 22.02.02 New 1st floor window to east elevation reduced in size, moved towards front of house and obscure glass noted. Chimney added.

Proposed Alterations and Extensions

Elevations



Revised Plan



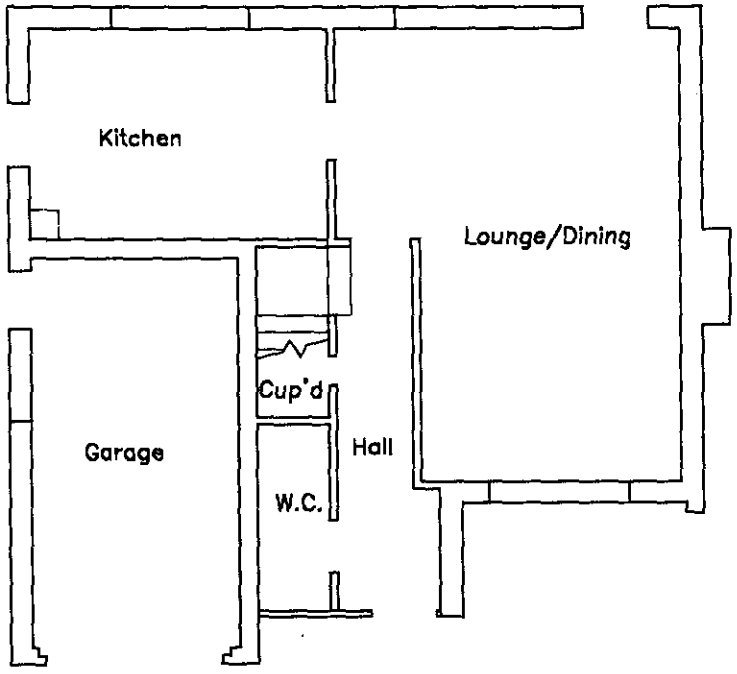
REFUSED

Location Plan

308A Barkham Road
Wokingham Berkshire

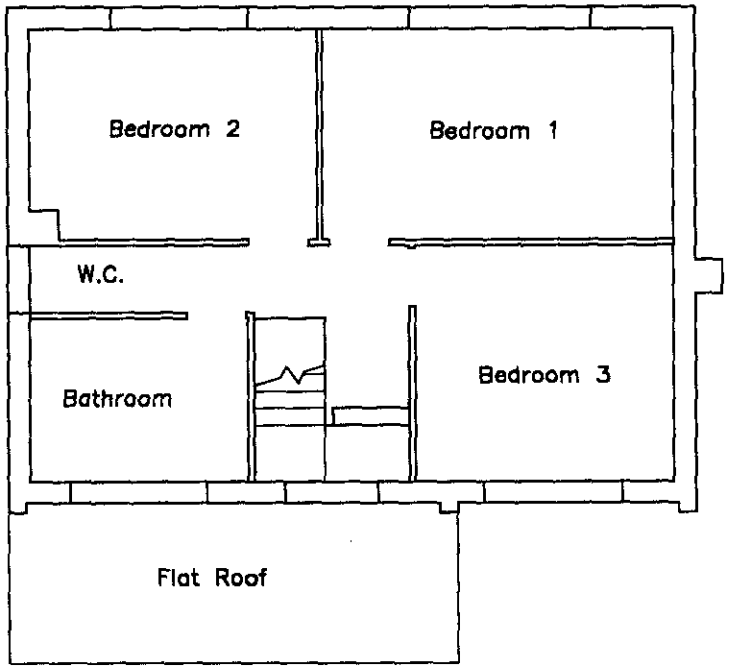
Drawing No 90.Planning.06
Scale: 1:2500
Date: 11.12.01

14.JAN.2002* 5592



Boundary

Ground Floor Plan



Boundary

First Floor Plan

RECEIVED

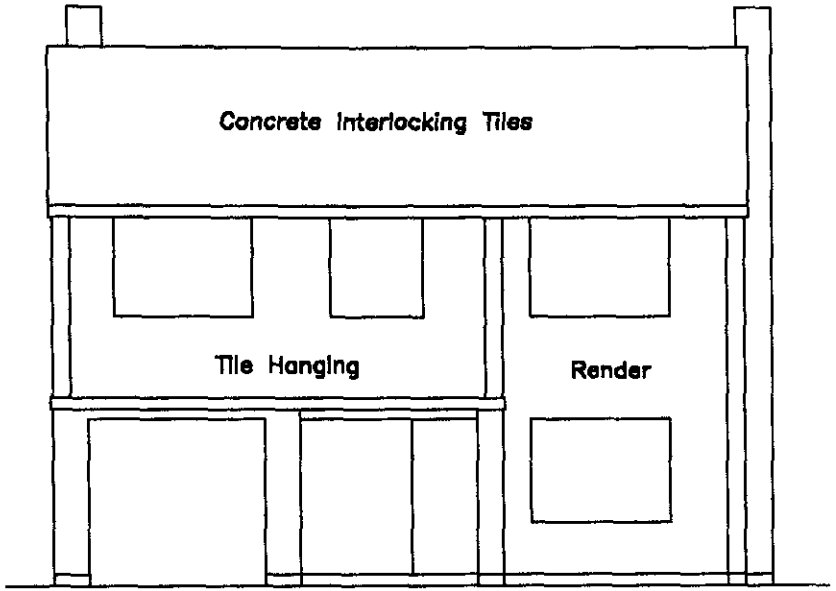
Existing Structure

Floor Plans

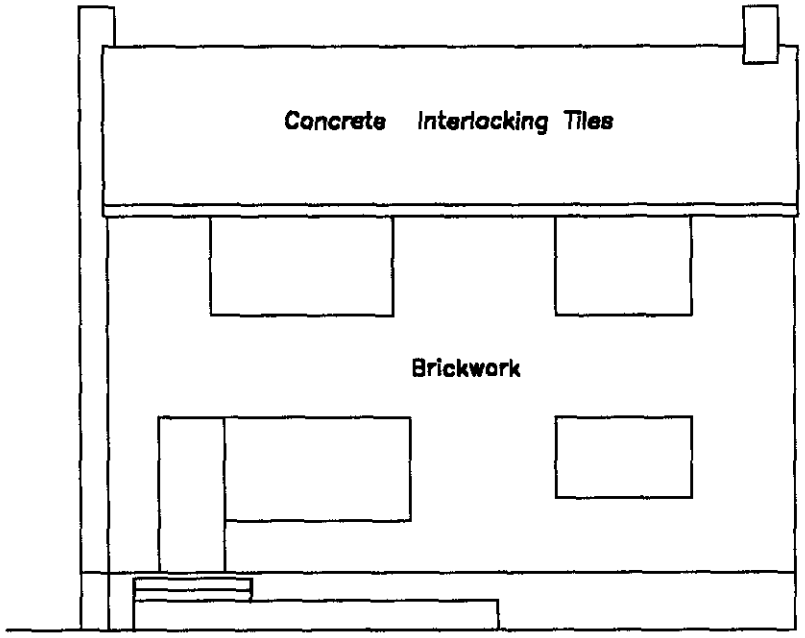
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.03
Scale: 1:100
Date: 11.12.01

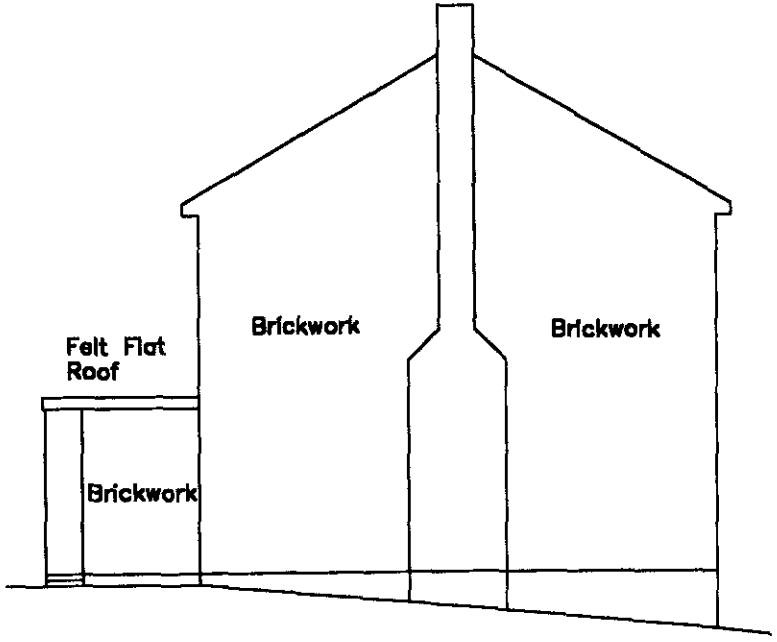
14.JAN.2002* 5592



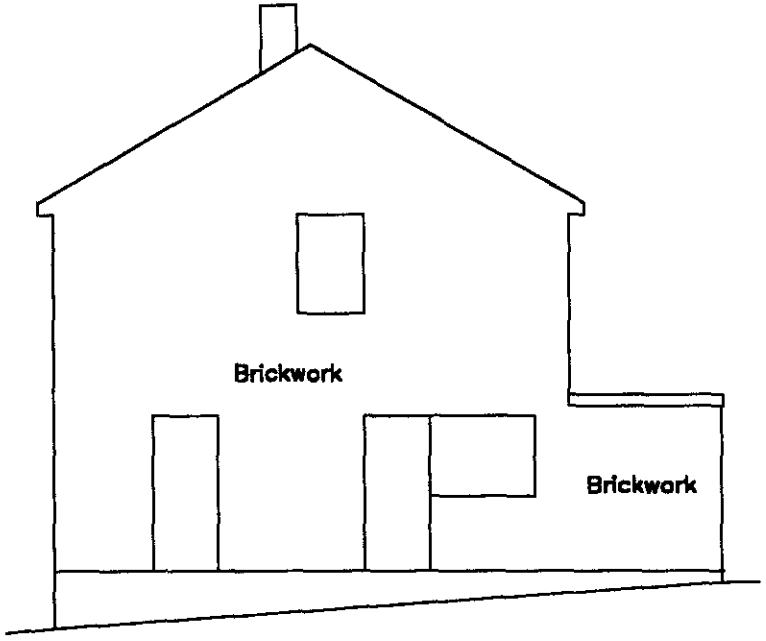
Front Elevation



Rear Elevation



East Elevation



West Elevation

REFUSED

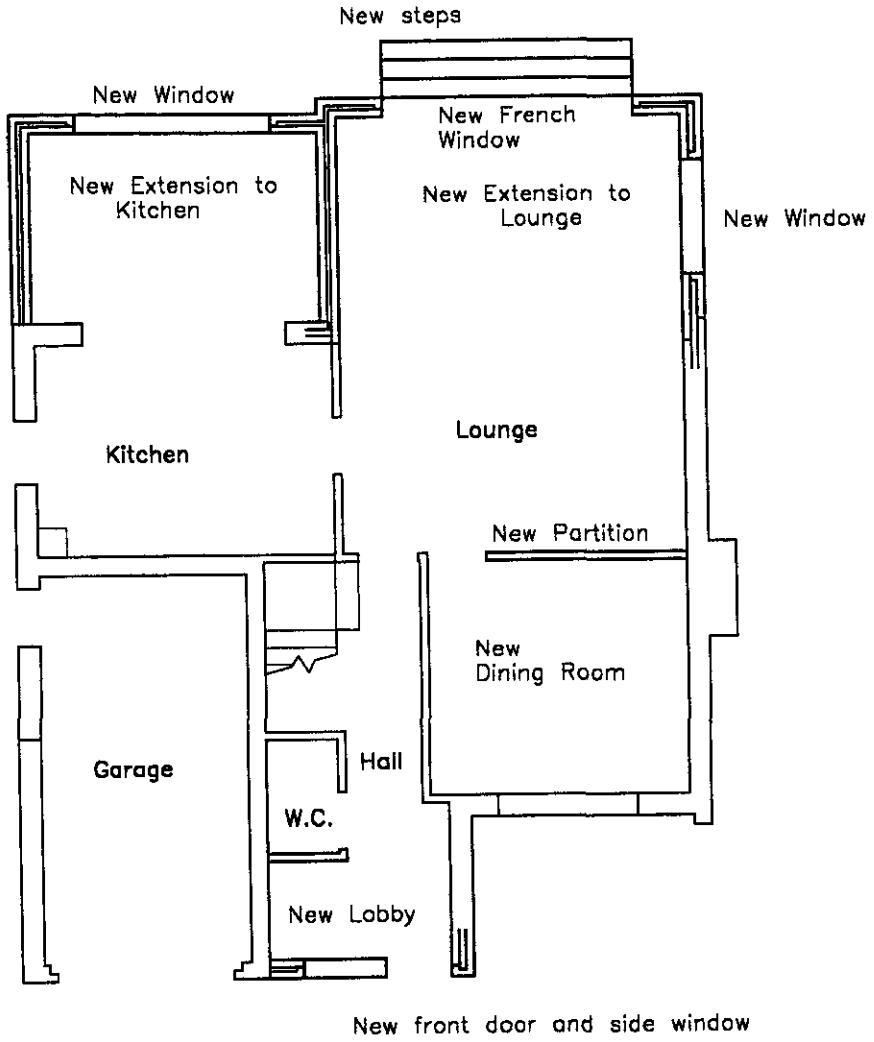
Existing Structure

Elevations

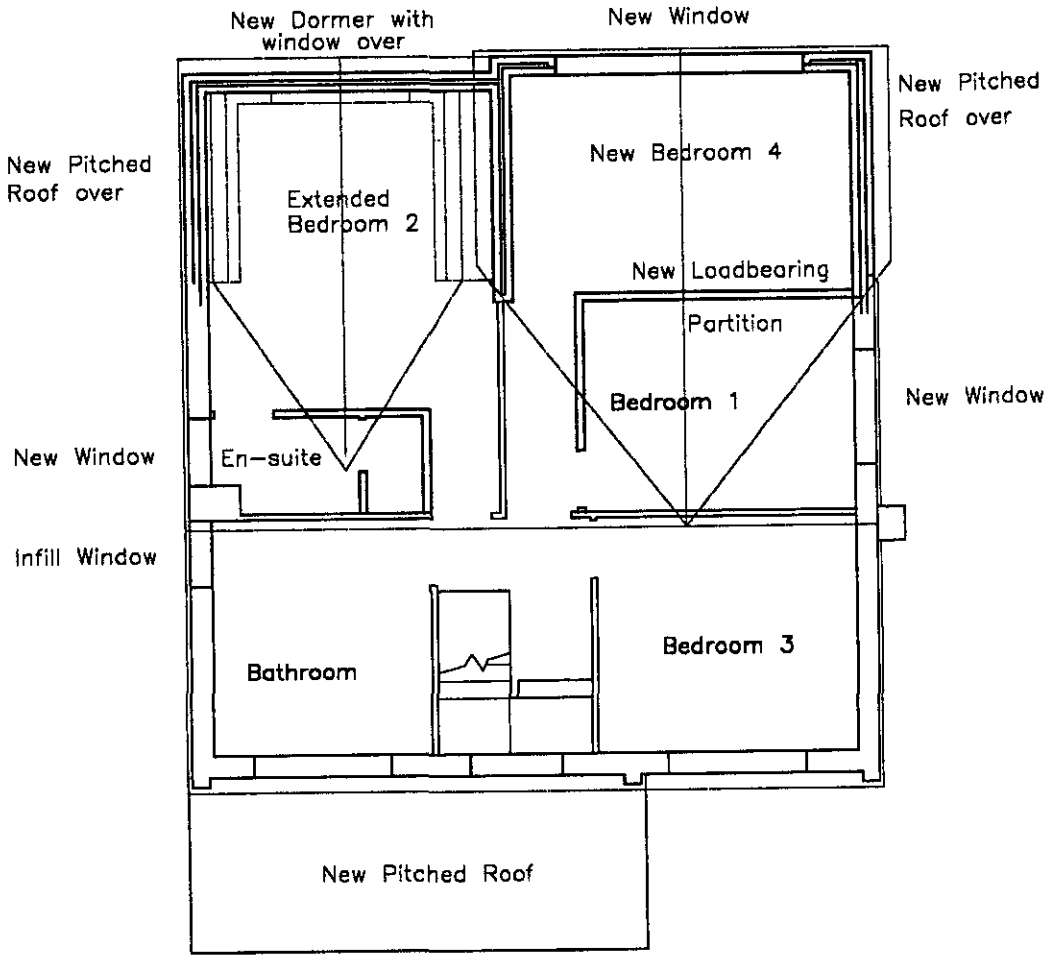
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.04
Scale: 1:100
Date: 11.12.01

14.JAN.2002* 5592



Ground Floor Plan



First Floor Plan

Revision A: Window noted to Bedroom 2 dormer
14.01.02 Bathroom side window infilled

SUPERCEDED

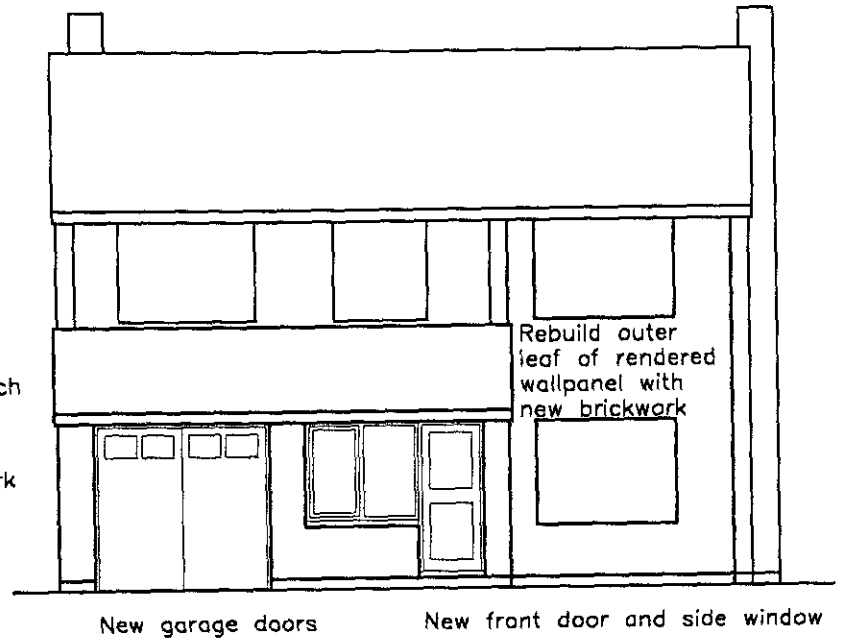
Proposed Alterations and Extensions

Floor Plans

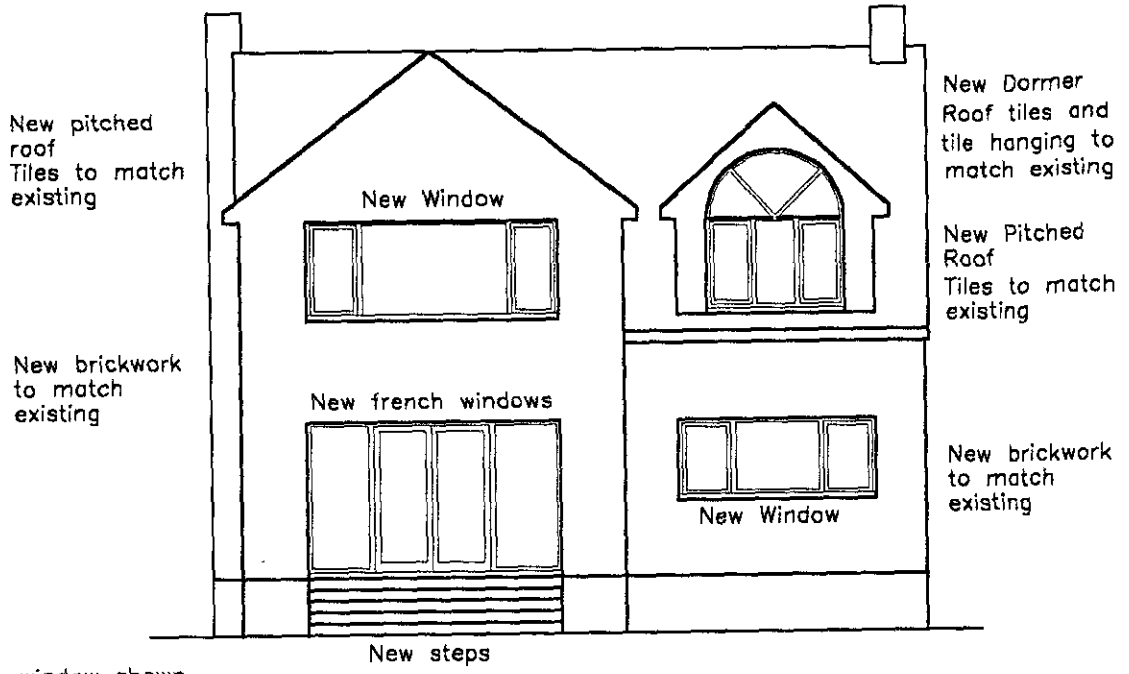
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01
Scale: 1:100
Date: 11.12.01A

14.JAN.2002* 5592



Front Elevation



Rear Elevation

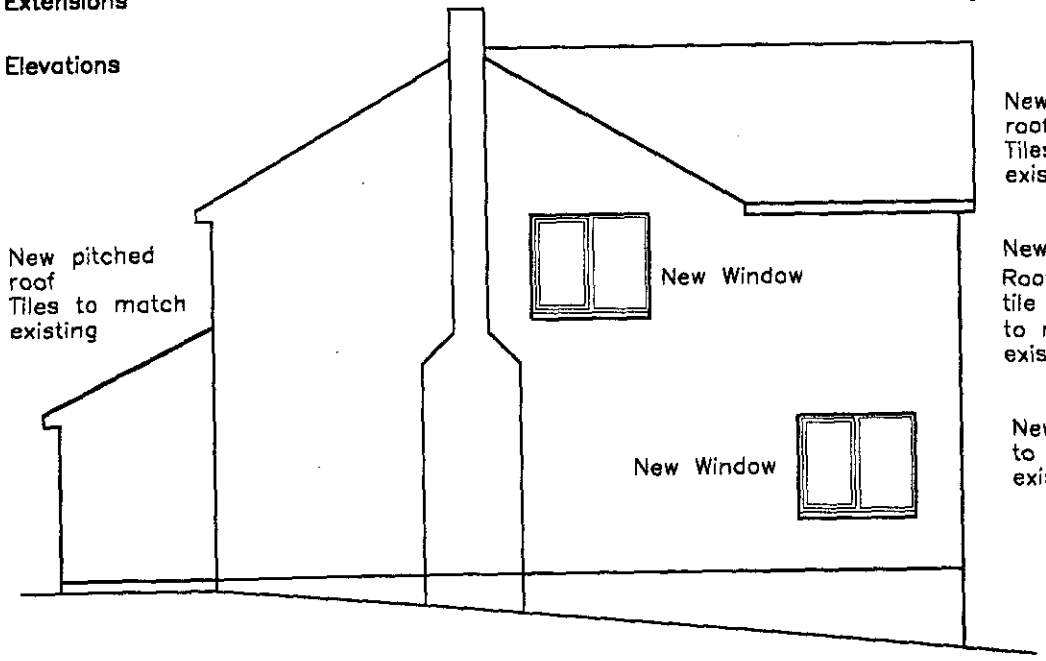
Revision A: En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

308A Barkham Road
Wokingham Berkshire

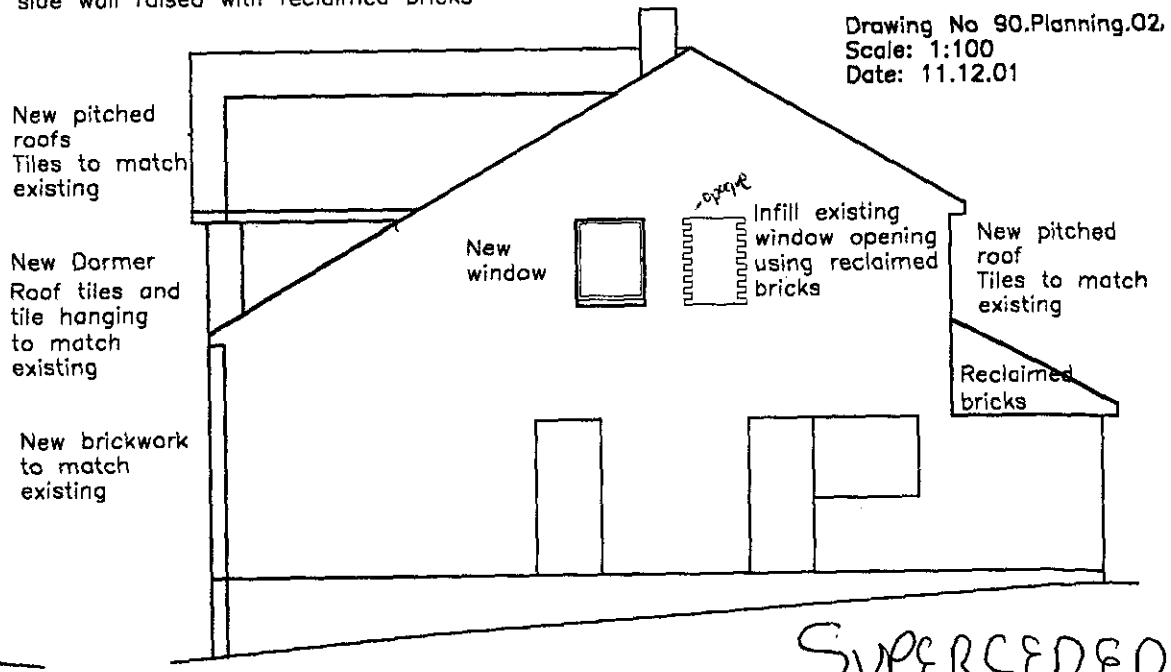
Drawing No 90.Planning.02.
Scale: 1:100
Date: 11.12.01

Proposed Alterations and Extensions

Elevations



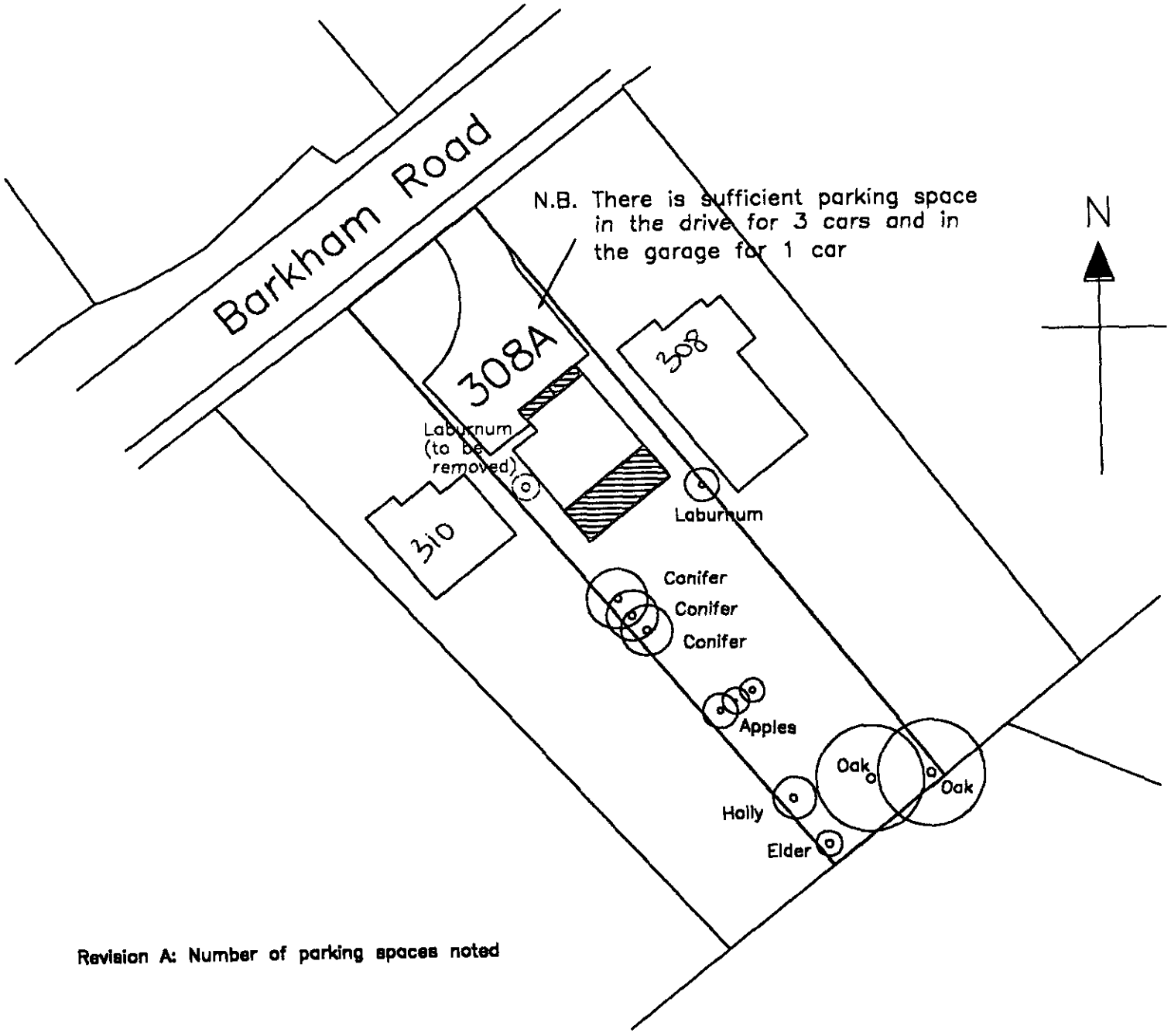
East Elevation



West Elevation

SUPERCEDED

14.JAN.2002 5592



Revision A: Number of parking spaces noted

Superceded

Block Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.05A
Scale: 1:500
Date: 11.12.01

14.JAN.2002* 5592

EX SYSTEMS LTD
SOUTHPORT UK Tel.01704-26866 Fax.01704-25814
LONDON OFFICE Tel.0171-377-1777 Fax.0171-247-6181

APPLICATION NO.5592

Name of appellant:
Mr & Mrs Cheney

Site address:
308a Barkham Rd, Wokingham

Proposal:Proposed erection of two storey rear extension & single

Case Officer:RK

Dismissed
03/09/02

706

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: RK

APPLICATION NUMBER: 5592

APPELLANT: Mr & Mrs Cheney

SITE: 308a Barkham Rd, Wokingham

APPEAL REF: APP/X0360/A/02/1087849

START DATE: 17/04/02

DATE OF SITE VISIT 13/08/02

DISMISSED 03/09/02

Progress Record	Date Actioned	Initials
Appeal Logged:	18/04/02	
Entered on Access:	19/04/02	DG
Notification Letters Due:	**01/05/02**	
Notification Letters Sent:	24/04/02	DG
Questionnaire Due:	**01/05/02**	
Questionnaire Sent:	25/04/02	DG
Statement Due:	~~29~~ **01/05/02**	
Statement Sent:	20/05/02	DG
Comments on Statement Due	19/06/02	
Comments on Statement Sent	—	
Decision letter circulated:	04/09/02	DG
Decision entered on Access:	04/09/02	DG

Appeal decision

Site visit made on 13 August 2002

by Robert A Luck BSc CEng MICE DipTE MIHT MEWI

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
- 3 SEP 2002

Appeal Ref: APP/X0360/A/02/1087849
308A Barkham Road, Wokingham, Berkshire

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Mr & Mrs Cheney against the decision of Wokingham District Council.
- The application (ref: F/2001/5592), dated 31 December 2001, was refused by notice dated 8 March 2002.
- The development proposed is a two storey rear extension and a single storey front extension.

Summary of decision: The appeal is dismissed.

Procedural Matters

1. Several revised proposals were submitted to the Council and it reached its decision with reference to revision C. I shall determine the appeal on the same basis. Revision D has not been considered by the Council and I shall not therefore take it into account.

2. The appellant has suggested that certain alterations could be carried out to the appeal property as permitted development. I shall deal with proposal before me on its own merits.

3. The appellant has also stated that a window in an adjoining property has not been in existence so long that a legal right to light has become established. Such a right is a private matter between the parties concerned. I shall determine the appeal on planning issues which, as set out in paragraph 64 of Planning Policy Guidance Note 1: General Policy and Principles (PPG1), may include the protection of amenities and the existing use of buildings in the public interest.

4. The Council has not objected to the proposed single storey front extension and I have no reason to come to a different conclusion.

The Main Issue

5. I consider the main issue in this appeal to be the effect of the proposal on the living conditions of neighbouring residents, with particular reference to light and visual intrusion.

The Development Plan and Other Relevant Guidance

6. The Development Plan for the area includes the South East Area Local Plan (1994). Policy SBE1 requires that, amongst other things, new development should contribute to an

attractive environment in which to live. Policy SBE2 states that proposed development that is inappropriate, in terms of its relationship with adjoining sites and buildings, will not normally be permitted.

7. The Draft Wokingham District Local Plan was the subject of a public inquiry in 1998 and the Inspector's report was published by the Council in November 2001. The Council has not yet formally considered the Inspector's recommendations. Draft Policy WOS3 includes the requirement that development proposals should not be detrimental to the amenities of adjoining land uses and occupiers. This principle is reflected Draft Policy WBE1. In view of the stage reached by the Draft Local Plan, these policies carry significant weight.

8. The Council has published Draft Planning Guideline B2 which states, at paragraph 5.1, that a rear extension should not be unduly overbearing or cause unreasonable loss of daylight or sunlight for neighbours. Paragraph 5.8 says that the first floor should be set in from the party boundary by a minimum of 2.5m. As I do not have any evidence of the status of this document, I give it only limited weight.

Reasons and Conclusions

9. The appeal building, No 308A, is a detached house which forms part of the south-eastern frontage of Barkham Road. The neighbouring property to the south west, No 310, is also a detached house and the flank walls of the two buildings are about 5m apart. The existing rear elevation of No 308A projects about 1m beyond that of No 310. The north east side boundary to the appeal site has some fairly high planting on both its sides and is approximately 2.4m from the flank wall of the appeal house. The adjacent property on that side, No 308, is a bungalow with accommodation in the roof space whose south-western flank wall, about 1.2m from the boundary, includes a dining room window, the greater part of which is clear of the line of the existing rear elevation of No 308A.

10. The proposed rear extension would cover the full width of the existing house. That part nearest to No 310 would extend 2.7m beyond the existing elevation, and thus about 3.7m beyond the rear elevation of No 310. The existing roof pitch would be extended over this element, so that the proposed eaves level would be a little below the sill level of the first floor windows. The roof would include a rear-facing, hip-roofed dormer providing light to an extended bedroom. I concluded from my observations at the site visit that the extended flank wall of the house and the side of the proposed dormer would be visible towards the side of the field of view from rear windows in No 310 and from the patio area immediately behind the house. However, I formed the opinion that the distance of the proposed flank wall from the site boundary, its diminishing height and the form and position of the proposed dormer would be sufficient to avoid their being overbearing for the occupants of the rear rooms or the users of the patio area of No 310.

11. The proposal would also include a new window with obscure glass, serving a bathroom, in the existing south-western flank wall. I am satisfied that the privacy of the residents of No 310 could be adequately protected by a planning condition confirming the type of glazing and controlling the height of any opening part of the proposed window.

12. The part of the proposed rear extension nearest to No 308 would increase the length of the two storey flank wall facing that bungalow by a little under 3m, so that it would continue well past the dining room window in No 308 and would be about 3.6m away from it. The

proposed roof would be pitched away from the bungalow and would be hipped rather than gabled above the proposed rear elevation. Nonetheless, I came to the view during the site visit that the proposed flank wall, because of its size and position, would be so visually intrusive when seen from the neighbouring dining room that it would have an overbearing effect on the occupants of that room. I also consider that the proposal would have a significantly detrimental effect on the level of daylight and sunlight in the room, to the further detriment of the living conditions of its occupants. Both effects caused by the proposal would, in my view, be substantially greater than those arising from the existing house and fence or, indeed, the planting, which in any case cannot be regarded as a permanent feature.

13. The appellant has suggested that occupancy of the dining room is confined to occasional use in the evening, but the proposed extension would remain long after the living routine of the present residents of No 308, or indeed the use to which they put that habitable room, had ceased to be relevant.

14. I have found that the proposal would not have a substantially adverse effect on the living conditions of the residents of No 310. However, it is my conclusion that this consideration is heavily outweighed by the harm it would cause to the living conditions of the residents of No 308. I therefore further conclude that the proposal would conflict with Local Plan Policies SBE1 and SBE2, as well as with Draft Local Plan Policies WOS3 and WBE1. As the first floor of the proposed flank wall would be 2.4m from the boundary with No 308, the proposal would also conflict with paragraph 5.8 of the Draft Planning Guidance.

Other Considerations

15. The appellant has provided photographs of other extensions allowed by the Council in the area, but it is a well-established planning principle that a development proposal should be determined on its individual merits, as I have determined this appeal.

Overall Conclusion

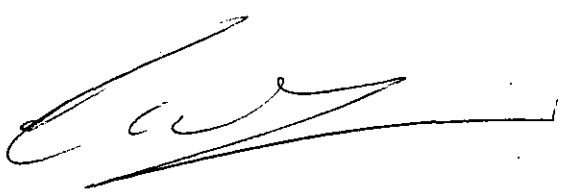
16. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be dismissed.

Formal Decision

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

Information

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



Inspector

The Planning Inspectorate

RK See BP

3/23 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3728809
Switchboard 0117-3728000
Fax No 0117-3728804

GTN 1371-8809

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

Your Ref: F/2001/5592

Our Ref: APP/X0360/A/02/1087849

Date: 24 July 2002 DG

58976

PLANNING SERVICE
25 JUL 2002
COPIES TO: APPS FILE

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS CHENEY
SITE AT 308A BARKHAM ROAD, WOKINGHAM, BERKSHIRE, RG41 4DA

I am writing to inform you that the Inspector appointed by the First Secretary of State to determine the above appeal is

Mr Robert Luck BSc CEng MICE DipTE MIHT MEWI

The Inspector will visit the appeal site at 2:30pm on Tuesday 13 August 2002. It is important that you make immediate arrangements for the Inspector to be met at the site to enable the inspection to be made. If you cannot attend, you should arrange for someone else to attend in your place. **If this is not possible, you must let me know immediately.**

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

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

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

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

Yours faithfully

Mr Kim Chong

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

209D

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr & Mrs Cheney
SITE: 308a Barkham Rd, Wokingham
APPLICATION NO.: 5592
PROPOSAL: Proposed erection of two storey rear extension & single

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Evendons

Mrs D King

Mrs T Marinos

Mr D C Morgan

Clerk(s) of Parish / Town Council of Wokingham

Mr K Abnett, Town Hall, Market Place, Wokingham RG40 1AS

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

Environmental Design, WDC
-FAO Catherine Brimble

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT :	Mr & Mrs Cheney
APPEAL SITE :	308a Barkham Road, Wokingham
REASON FOR APPEAL :	*Refusal of Planning Permission for the erection* of two storey rear extension and single storey front extension to dwelling.

LOCAL PLANNING AUTHORITY REFERENCE : F/2001/5592

DEPARTMENT OF TRANSPORT, LOCAL GOVERNMENT & THE REGIONS REFERENCE: APP/X0360/A/02/1087849

1.0 LOCATION AND SITE DESCRIPTION

1.1 The site is located within the identified settlement of Barkham Hill, and is sited within a predominantly residential area (see Appendix 1 for site location).

1.2 Number 308a is a two storey detached house, given permission in 1962 under consent O/2/62.

2.0 RELEVANT PLANNING HISTORY

2.1 There have been no planning applications at this site since that for the construction of the house itself (O/2/62).

3.0 POLICY BACKGROUND

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

3.2 **Berkshire Structure Plan (1996 - 2006)**

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

3.3 **South East Area Local Plan (Adopted 15 April 1994)**

The South East Area Local Plan forms the statutory basis for the operation of planning policy in this part of the District.

3.4 **Wokingham District Local Plan (Deposit Draft 1997)**

The Draft Wokingham District Local Plan (WDLP) was placed on deposit from 21 October to 2 December 1997 and has formed the basis for the development control decisions since 21 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.

3.5 The relevant Berkshire Structure Plan policy is (see appendix 2):
EN1 – Protection and enhancement of the environment and built up areas.

3.6 The relevant Wokingham District Local Plan (Deposit Draft) policy is (see Appendix 3):
WOS3 – Development Control Principles
WBE1 – Development in its local context
The Inspector's report recommended rewording this policy. His recommended replacement is included as appendix 4.
WT6 – Parking provision

3.7 The relevant South East Area Local Plan policies are (see appendix 5):
SBE1 – Design of new development
SBE2 – Inappropriate design
ST5 – Car parking provision

4.0 THE CASE FOR THE LOCAL AUTHORITY

4.1 The main issue raised by this application is the impact on the adjoining properties. The proposal constitutes a two storey rear extension with a depth of 2.925m on the side closest to 308 Barkham Road and a dormer style extension of 2.7m depth on the side closest to No 310 Barkham Road. This represents a revision from the originally submitted plans, which had these two elements the opposite way around. The proposal also included a single storey front extension, which is not contentious.

4.2 The rear wall of the neighbouring property of 310 Barkham Road is sited approximately 1m further forwards of the existing rear wall of 308a Barkham Road. As such the proposal would result in the house projecting approximately 3.7m beyond this neighbouring property.

4.3 It is accepted that there is no infringement of the Building Research Establishment's 45 degree line rule. However, this projection is considered to have an overbearing impact on the rear garden of 310 Barkham Road.

4.4 To the opposite side the adjoining property of 308 Barkham Road has a habitable room window on the side elevation facing the proposed extension. The proposed two storey extension would breach the Building Research Establishment's 25 degree line from this window at eaves level. Given the existence of a hedge on the boundary, the change in level of daylight will be limited, but the extension would be overbearing.

5.0 COMMENTS ON THE APPELLANT'S STATEMENT

5.1 The appellant has 6 grounds of appeal. Taking each in turn:

5.2 **Point 1: The Draft Supplementary Planning Guidance on household extensions.** It is agreed that the applicant's proposals as amended by the revised plans the subject of the refusal partly comply with the guidelines laid out in the Draft Supplementary Planning Guidance. However, this is only guidance and cannot be rigidly applied in all situations. In this case, where the houses are staggered and the ground level falls away down the rear garden, some flexibility is necessary in applying the advice. The proposed first floor dormer on the side facing No 310 would project only 3m beyond the rear wall of 310. However, the roof to the single storey element beyond the dormer window has a maximum height of 4.7m, falling to 4.3m at the eaves, owing to changing ground levels. Given that No 310 is 1m forwards of the appeal site the proposal effectively extends 0.7m beyond the recommended maximum for even a single storey extension with a height significantly greater than a normal single storey element.

5.3 With regard to the dining room window at No 308 to the opposite side, the draft SPG has been designed to give advice for 'normal' situations. It would not be applicable where there is a side window to a principal room of a neighbouring property.

5.4 **Point 2: Permitted Development Rights.** Particularly in the light of the changing ground levels, a two storey extension with dormered first floor could only be built if set 2m away from the boundary, contrary to the appellant's assertion that it could be built adjacent to either boundary.

Notwithstanding this, a two storey extension constructed under permitted development rights would necessarily be very small in footprint.

5.5 **Point 3: Rights of light to No 308.** It is accepted that the affected side window at 308 Barkham Road does not have a 'right to light'. However, the proposal is also overbearing on this window, as well as causing a loss of light.

5.6 **Point 4: Aspect of window at No 308.** It is accepted that the fact the window faces south west.

5.7 **Point 5: Inconsistency across district.** The appellant includes photographs of properties in Sarum Crescent, Laurel Close and Barkham Road. In the absence of full addresses it is not possible to comment on these specific cases, but the new Supplementary Planning Guidance is designed to achieve greater consistency in future. Historic decisions do not justify permitting poor design in the future.

5.8 **Point 6: revised plans more acceptable.** It is agreed that each set of plans produced were slightly more acceptable than those they replaced. The plans included as the appellant's appendix 1.6.1 go some way to reducing the impact on the window at 308 but does not eliminate the problem. The relationship with No 310 remains the same as above.

6.0 CONCLUSION

6.1 This proposed two storey rear extension would have an unacceptable impact on the adjoining properties. It will be overbearing on the rear garden of No 310 and the side window of No 308.

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

7.0 CONDITIONS IN THE EVENT PLANNING PERMISSION IS GRANTED

7.1 See appendix 7.

Richard Kelly, Planning Officer

APPENDICES

1. Location Plan of site
2. Berkshire Structure Plan policy EN1
3. Wokingham District Local Plan (deposit draft) policies WOS3, WBE1 and WT6
4. Inspector's recommended replacement policy WBE1
5. South East Area Local Plan policies SBE1, SBE2 and ST5
6. Conditions in the event planning permission is granted
7. Copy of original submitted plans
8. Copy of revised plans subject of the appeal

Appendices

Appendix 1



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

Central Support Section, Environmental Services, Wokingham District Council.

17 May 2002

Scale: 1 : 1250

N W E S

Appendix 2

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

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

The Environment of the Built-up Areas

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

Protection and Enhancement of the Environment of Built-Up Areas

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

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

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

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

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

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

Appendix 3

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.

THE 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.

WB

4.11 Because of their extent, large developments are likely to have a gre environment than smaller scale ones. It is therefore particularly importa quality of development within such proposals. Large development area considered in terms of a series or pattern of smaller areas, each with its o of development, and hence its own distinctive character. This should lead

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

POLICY WT6: PARKING PROVISION

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

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

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

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

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

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

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

Safety

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

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

Appendix 4

OBJECTION ISSUES

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

CONCLUSIONS

4.10 Fostering good design is an important objective in national pla is strongly endorsed in PPG 1, PPG 3 and PPG 13 as well as th 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

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ *SBE1 DESIGN OF NEW DEVELOPMENT*

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

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

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

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

❖ *SBE2 INAPPROPRIATE DESIGN*

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

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

ENVIRONMENTAL IMPROVEMENT

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

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

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



surrounding the buildings may be sufficient to rejuvenate the area as a whole.

❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

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

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

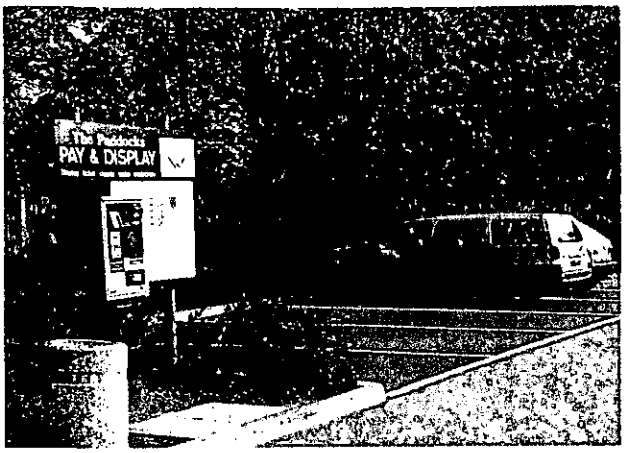
ENVIRONMENTAL ENHANCEMENT SCHEMES WILL BE ENCOURAGED WITHIN THE PLAN AREA AS OPPORTUNITIES ARISE AND WILL INCLUDE THE AREAS AS SHOWN ON THE PROPOSALS MAP AND AS SET OUT IN PART TWO OF THE PLAN.

SUNLIGHT, DAYLIGHT AND NOISE

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

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND



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

❖ ST4 USE OF PRIVATE OFFICE PARKING BY THE PUBLIC

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

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

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

❖ ST5 CAR PARKING PROVISION

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

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

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

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

❖ ST6 MOTORCYCLE PARKING

THE DISTRICT COUNCIL WILL SEEK APPROPRIATELY LOCATED MOTORCYCLE PARKING FACILITIES.

PEDESTRIANS

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

Appendix 6

Appeal: APP/X0360/A/02/1087849 – 308a Barkham Road, Wokingham

Appendix 6: Conditions in the event that planning permission is granted

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

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

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

Reason: To ensure that the external appearance of the building is satisfactory.

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

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

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

Reason: To ensure a satisfactory form of development and to avoid adverse impact on the public highway in the interests of highway safety.

5. The extensions shall not be occupied until space has been provided within the curtilage for vehicles to turn so that they may enter and leave the site in a forward gear and this space shall thereafter be maintained at all times for this purpose.

Reason: In the interests of highway safety and convenience.

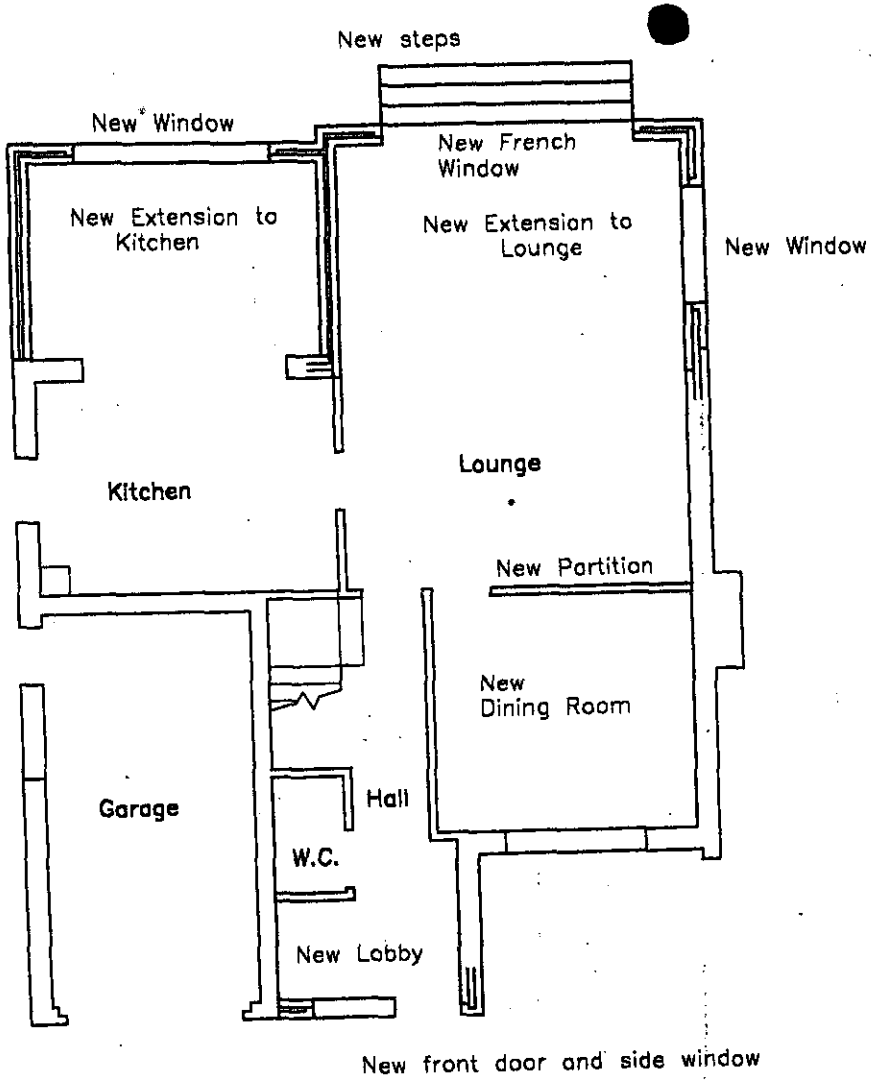
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows or similar openings shall be constructed in the flank elevations of the dwelling except for any which may be shown on the approved drawings.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties.

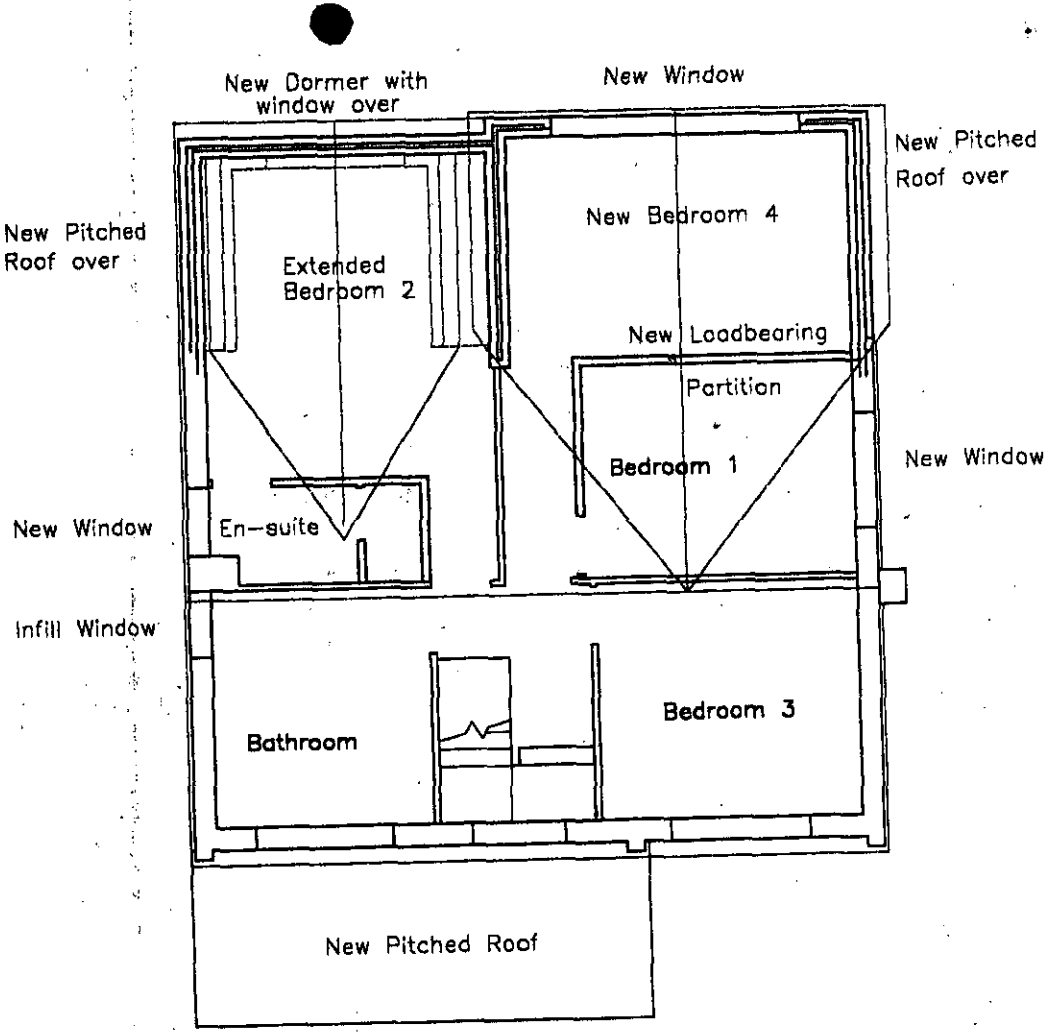
7. Those windows shown on the approved drawings as having obscured glazing in part or full shall be so fitted and be permanently retained so thereafter.

Reason: To safeguard the residential amenities of the occupiers of neighbouring properties.

Appendix 7



Ground Floor Plan



First Floor Plan

Revision A: Window noted to Bedroom 2 dormer
14.01.02 Bathroom side window infilled

SUPERCEDED

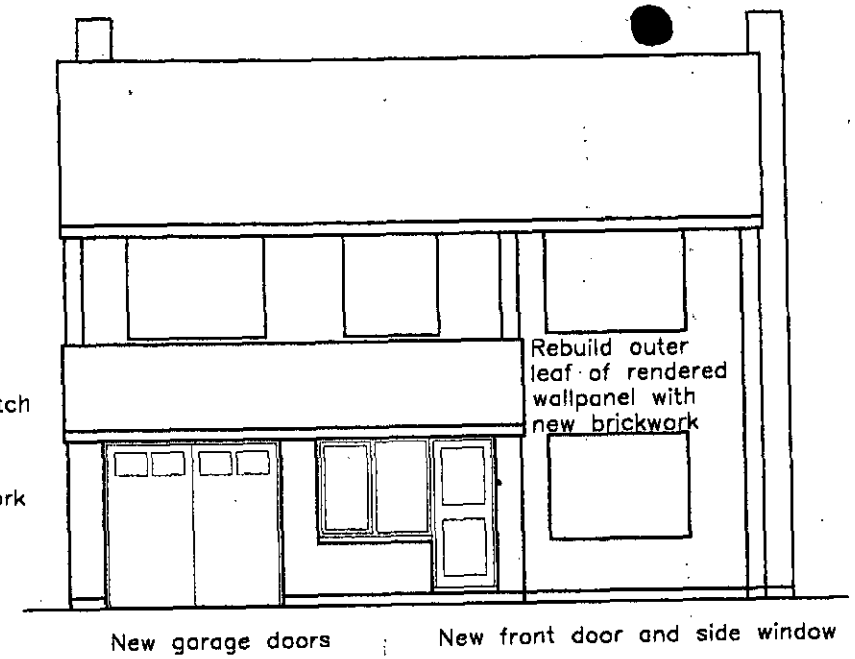
Proposed Alterations and Extensions

Floor Plans

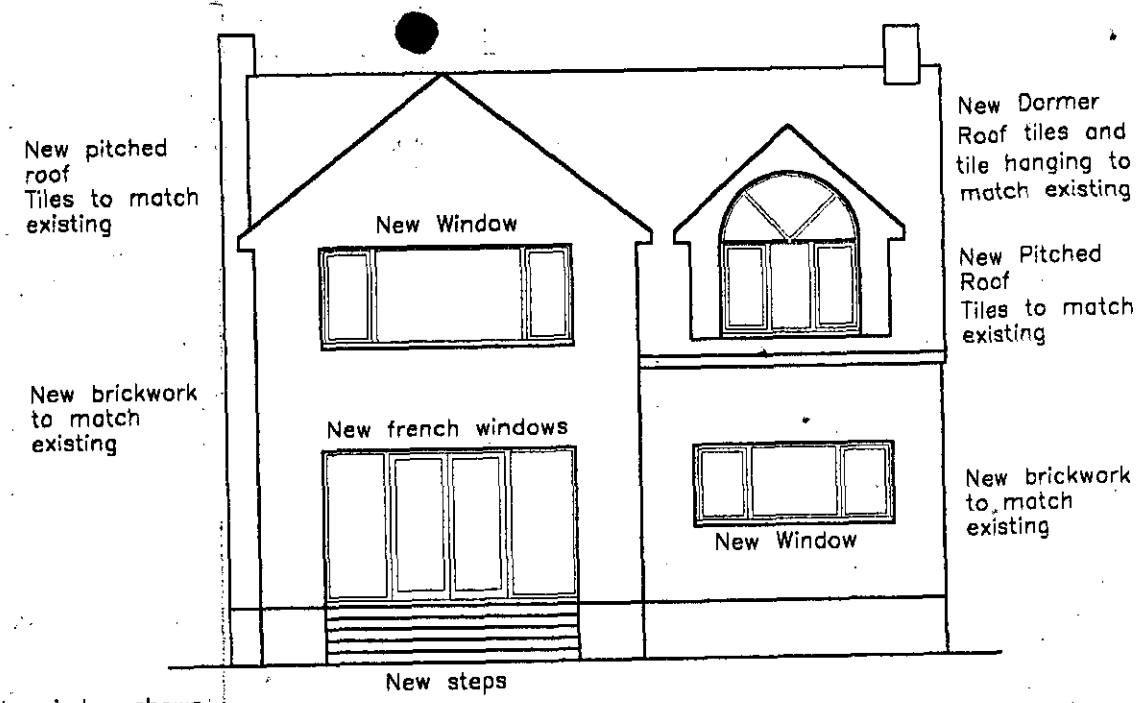
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01
Scale: 1:100
Date: 11.12.01A

14 JAN 2002 5597



Front Elevation



Rear Elevation

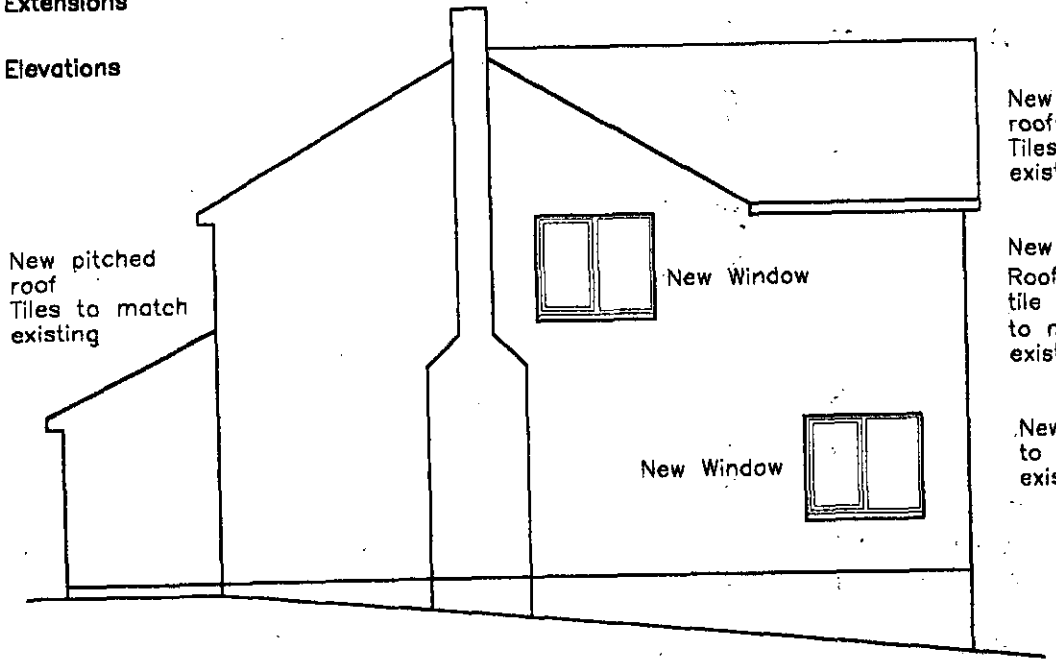
Revision A: En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

Proposed Alterations and Extensions

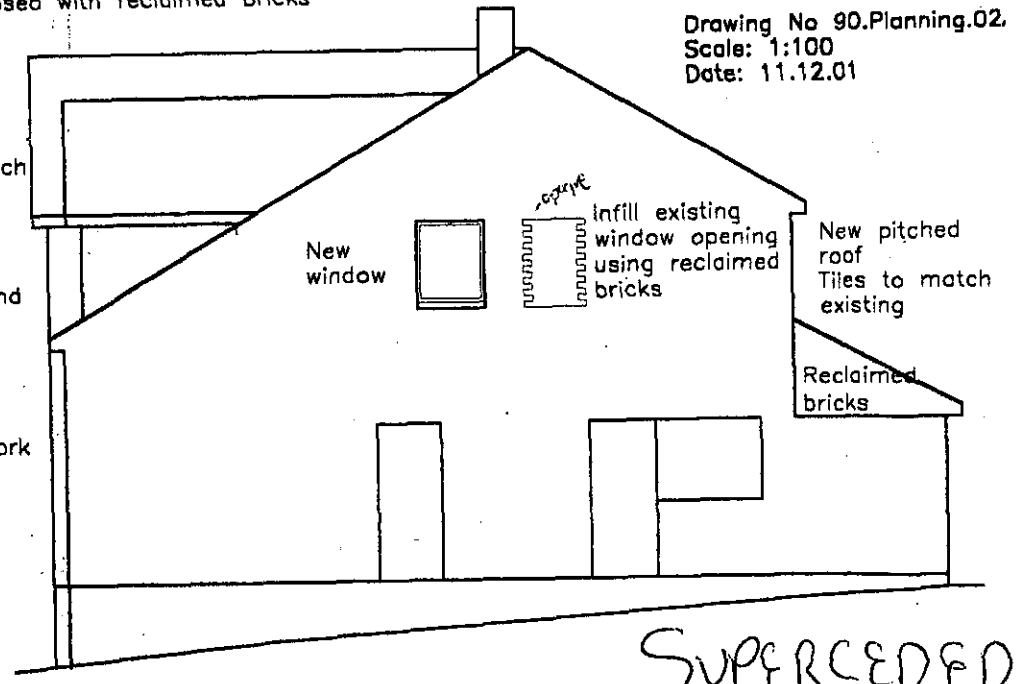
Elevations

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.02.
Scale: 1:100
Date: 11.12.01



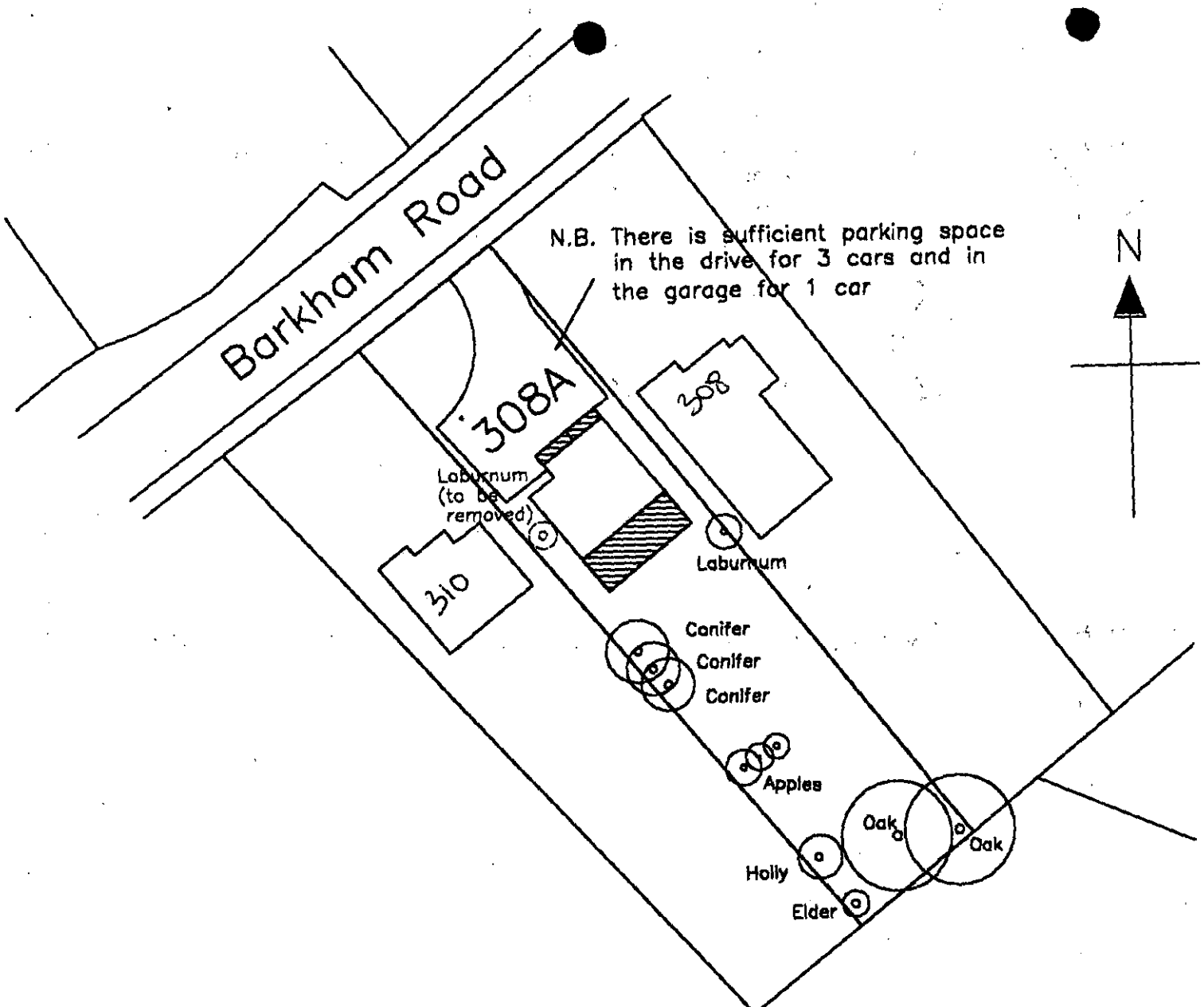
East Elevation



West Elevation

SUPERCEDED

14 JAN 2002



Revision A: Number of parking spaces noted

Superseded

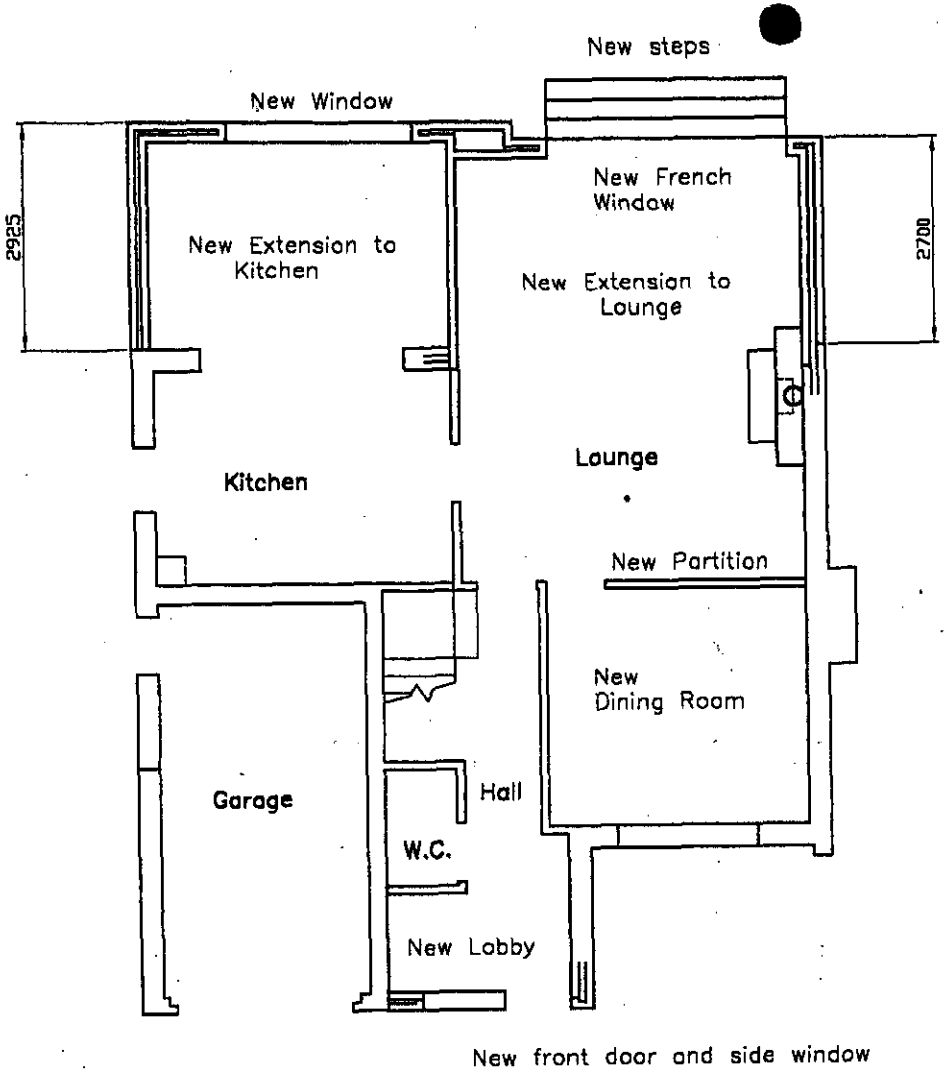
Block Plan

308A Barkham Road
Wokingham Berkshire

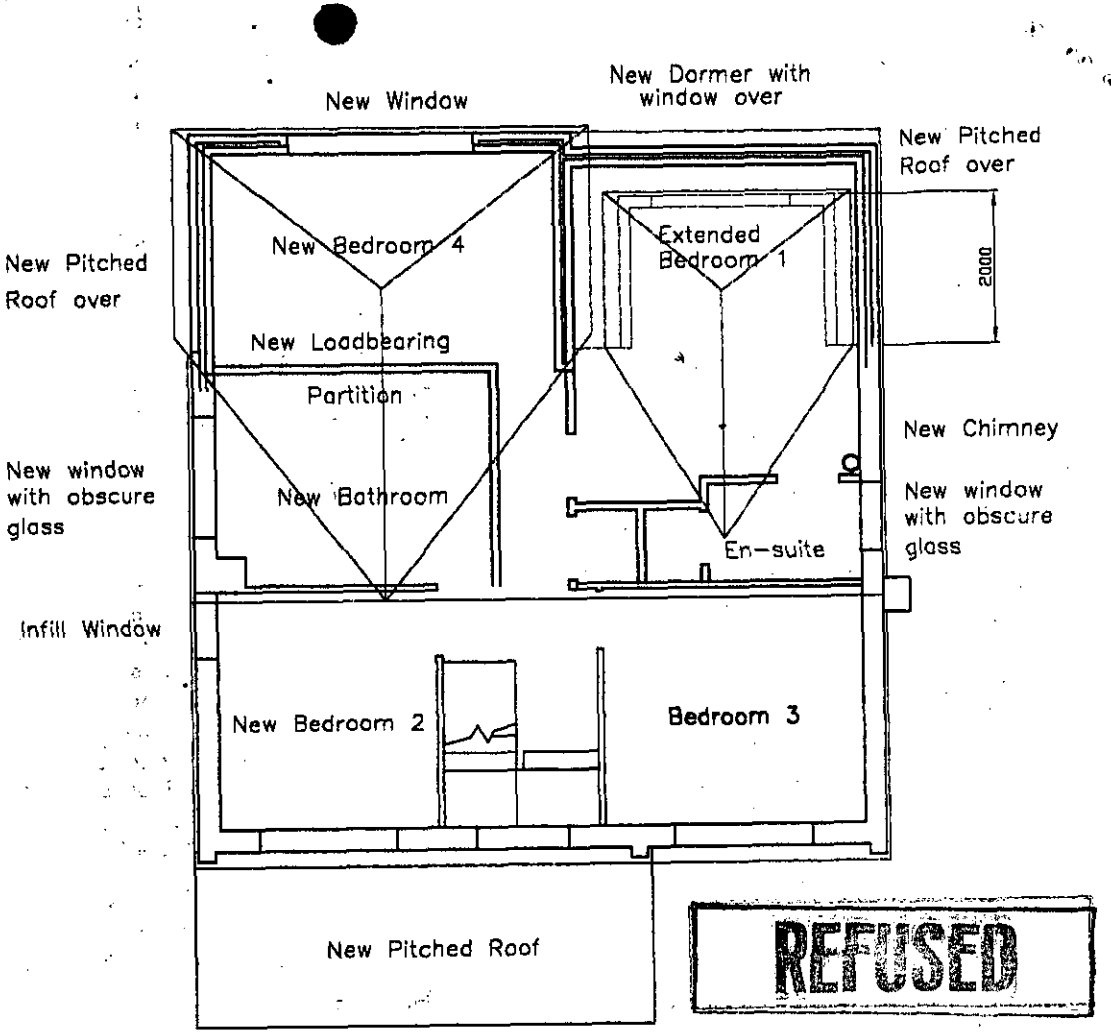
Drawing No 90.Planning.05A
Scale: 1:500
Date: 11.12.01

14 JAN 2002 5592

Appendix 8



Ground Floor Plan



First Floor Plan

Revision A: 14.01.02 Window noted to Bedroom 2 dormer
Bathroom side window infilled

Revision B: 22.02.02 Arrangement of Bathroom and Bedroom 1 revised. Bathroom window reduced in size, moved towards front of house and obscure glass noted.
Chimney added.

Revision C: 28.02.02 Rear extension arrangement revised and hip ends introduced.
Dormer depth reduced to 2.0m.
New ground floor window to east elevation omitted.
New first floor window to east elevation reduced in size.
New first floor window to west elevation increased in size.

Proposed Alterations and Extensions

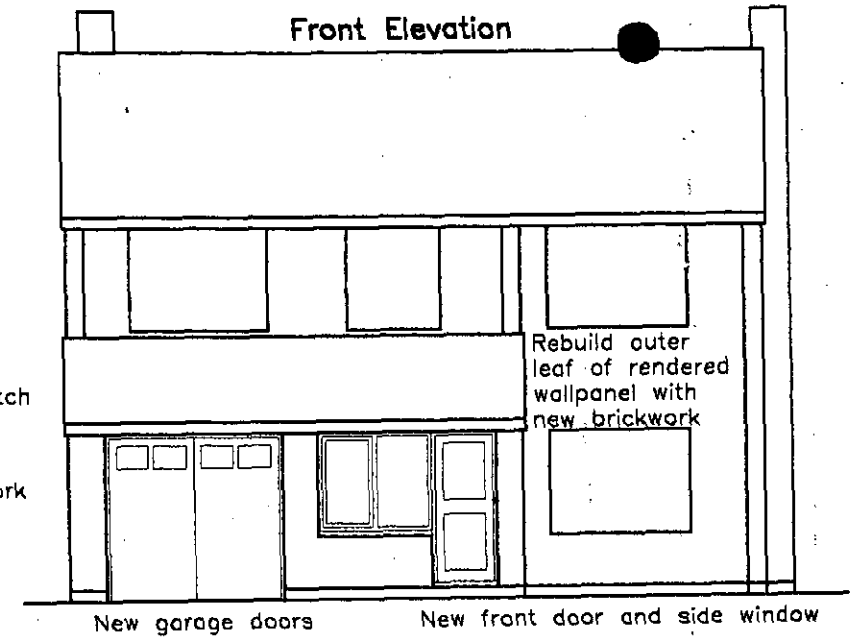
Floor Plans

308A Barkham Road
Wokingham Berkshire

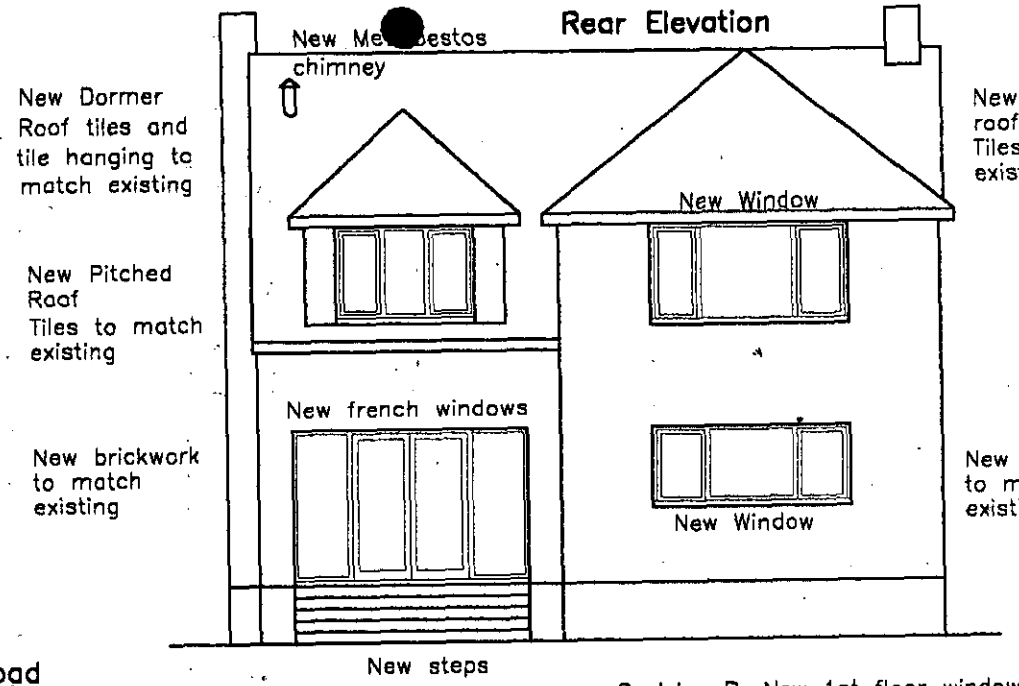
Drawing No 90.Planning.01C
Scale: 1:100
Date: 11.12.01

Revised Plan

Front Elevation



Rear Elevation



Revision A: 4.01.02
En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.02C
Scale: 1:100
Date: 11.12.01

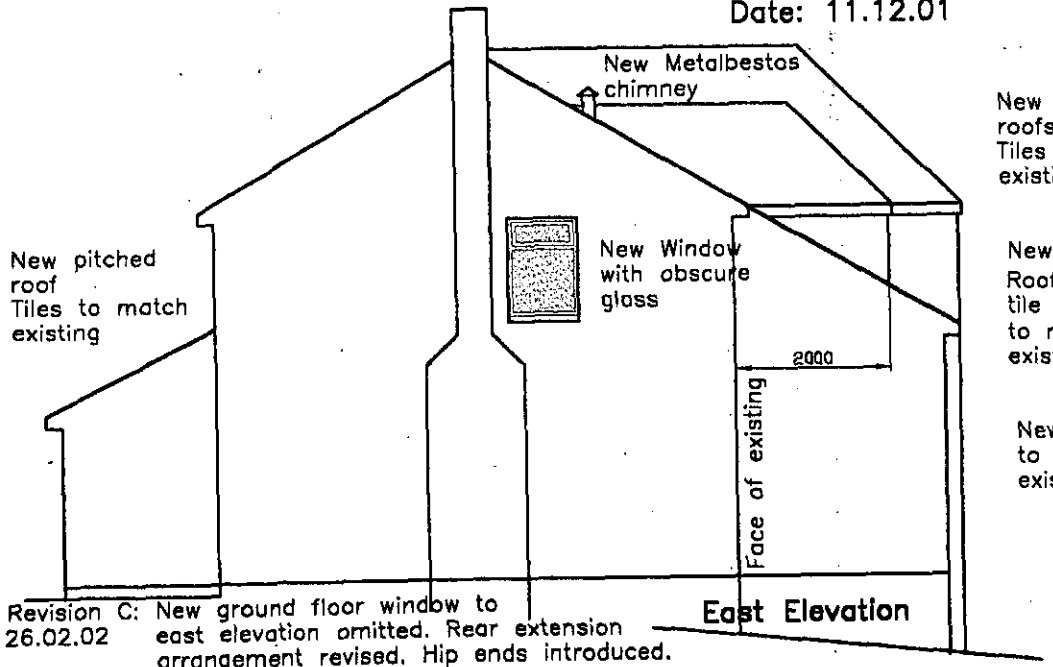
Revision B: 22.02.02
New 1st floor window to east elevation reduced in size, moved towards front of house and obscure glass noted.
Chimney added.

Proposed Alterations and Extensions

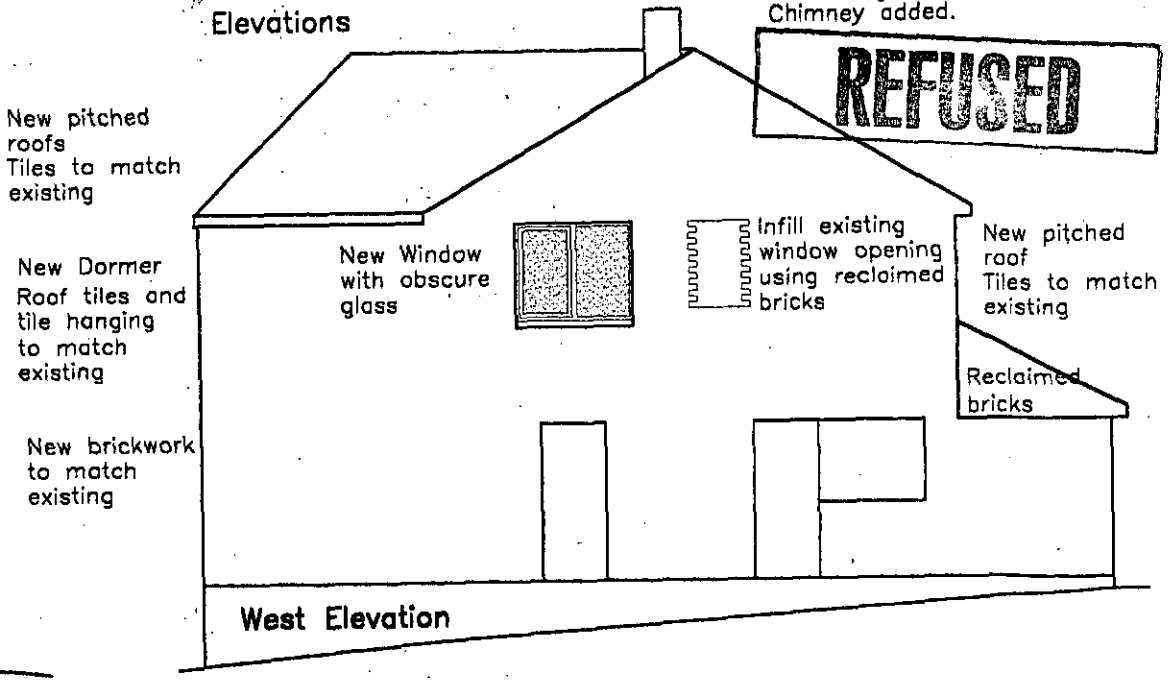
Elevations

REFUSED

East Elevation

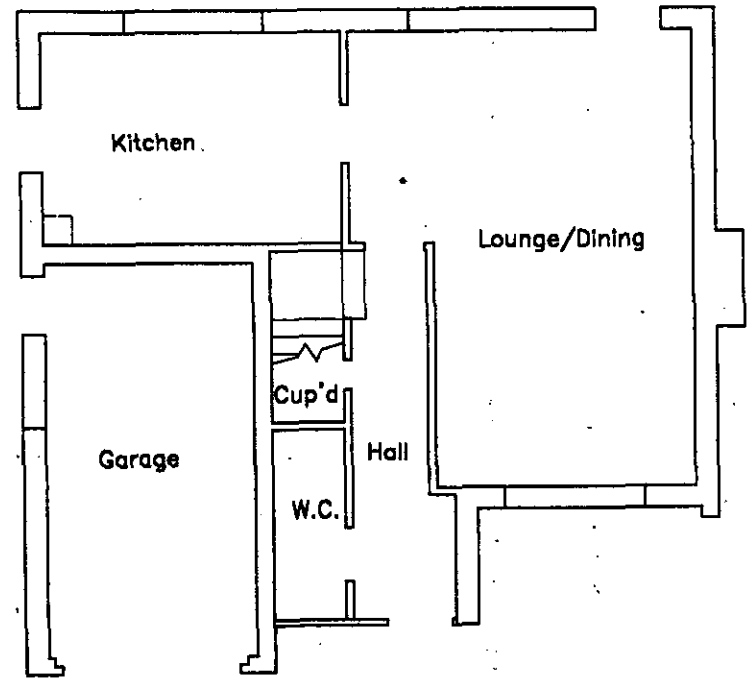


West Elevation

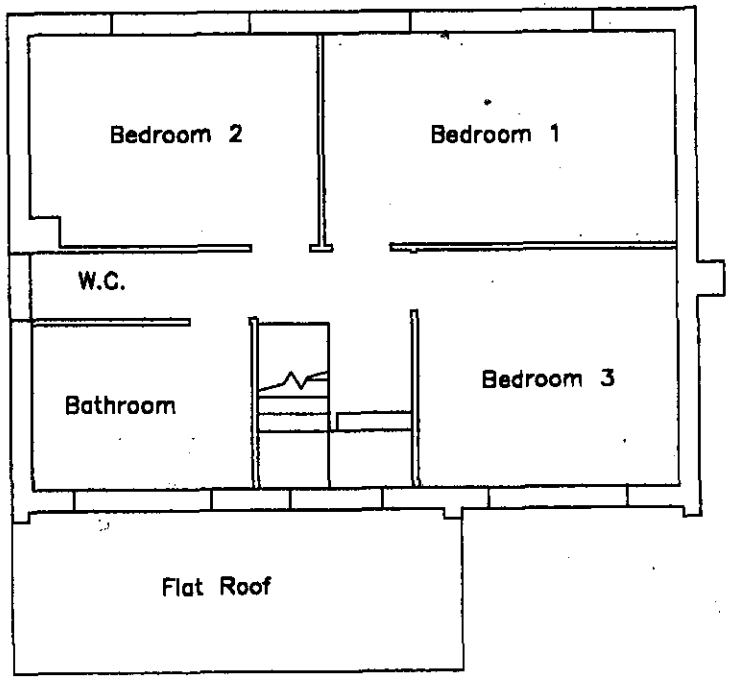


Revision C: 26.02.02
New ground floor window to east elevation omitted. Rear extension arrangement revised. Hip ends introduced.
Dormer depth reduced to 2.0m.
New 1st floor window to east elevation reduced in size.
New 1st floor window to west elevation increased in size.

Revised Plan



Ground Floor Plan



First Floor Plan

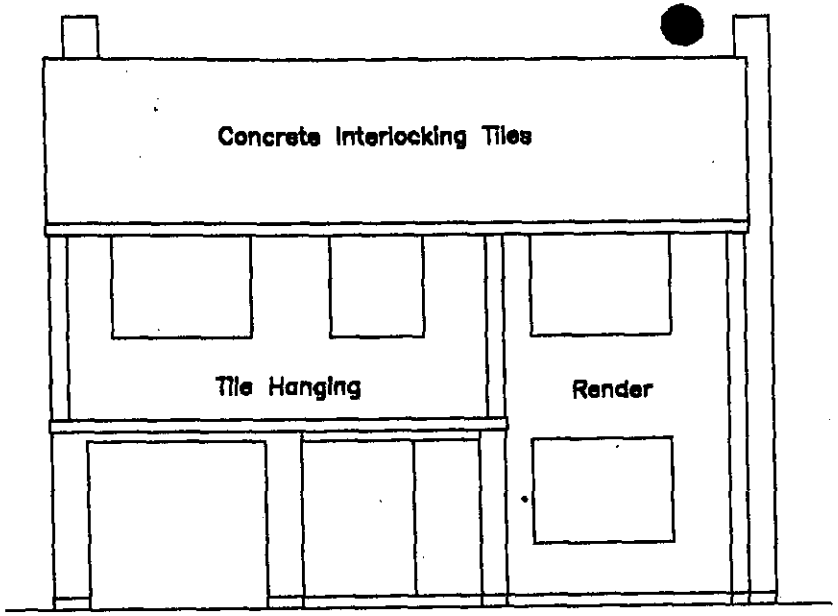
Existing Structure

Floor Plans

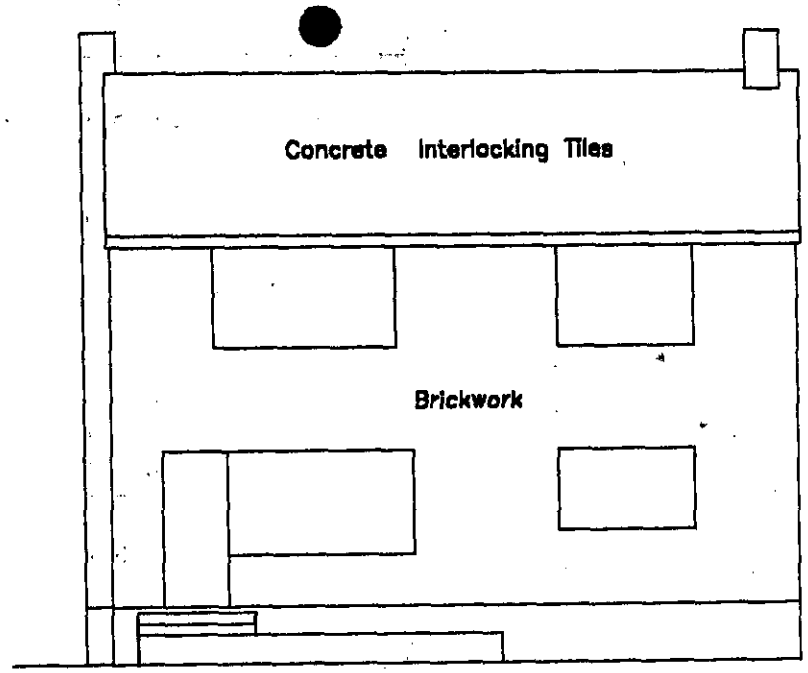
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.03
Scale: 1:100
Date: 11.12.01

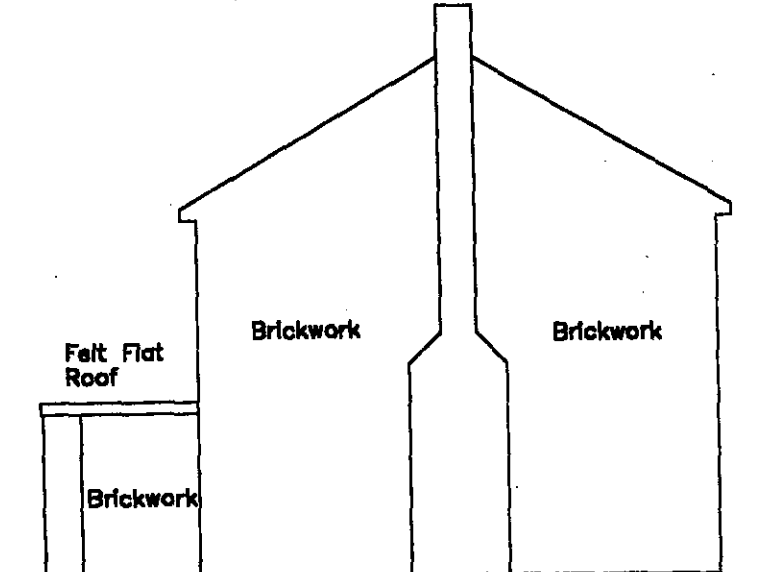
14.JAN.2002



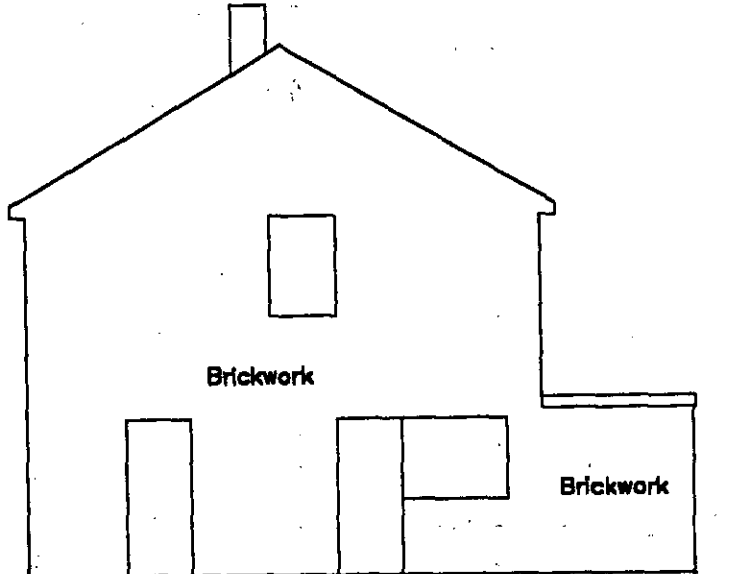
Front Elevation



Rear Elevation



East Elevation



West Elevation

REFUSED

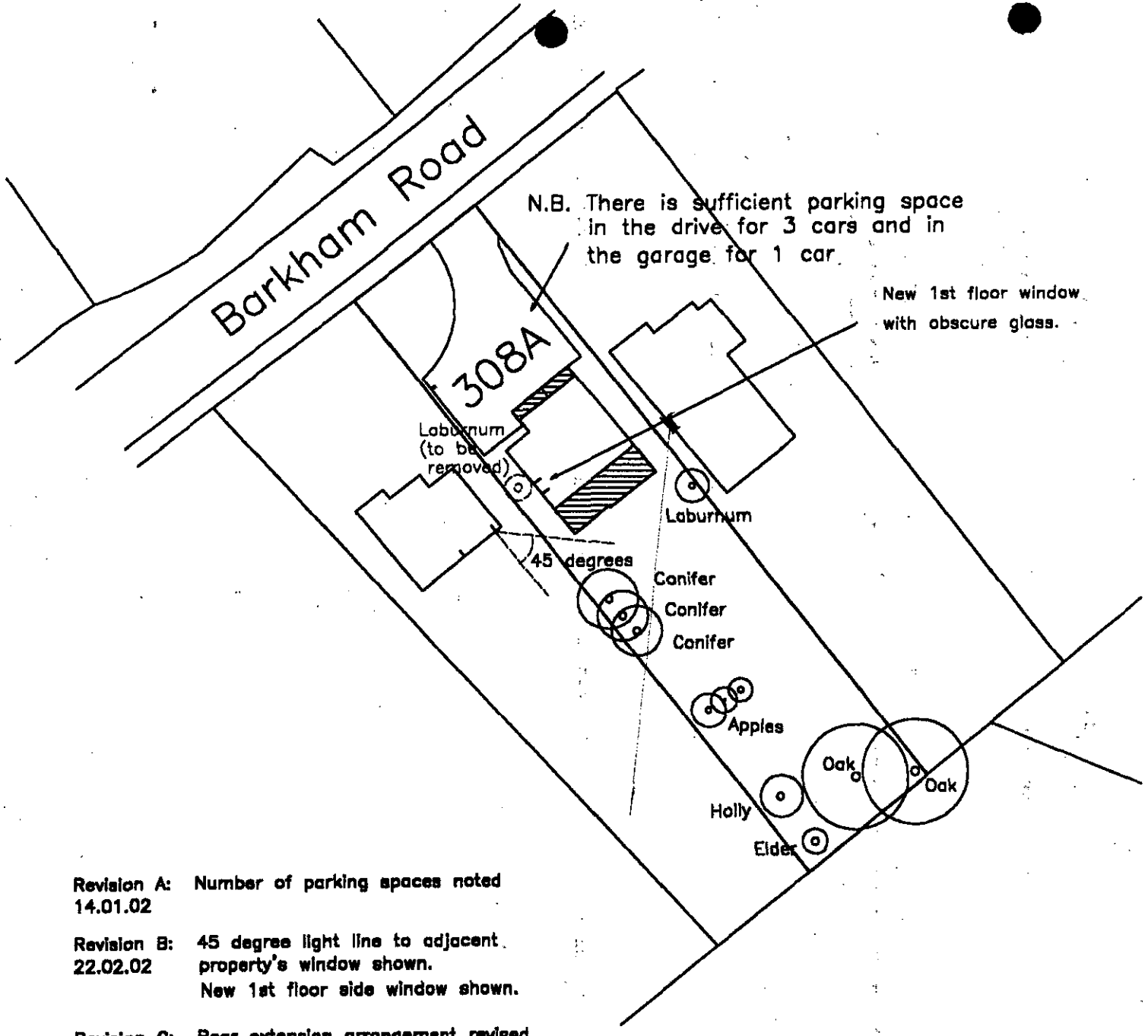
Existing Structure

Elevations

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.04
Scale: 1:100
Date: 11.12.01

14.JAN.2002* 5592



N

REFUSED

Revision A: Number of parking spaces noted
14.01.02

Revision B: 45 degree light line to adjacent property's window shown.
22.02.02 New 1st floor side window shown.

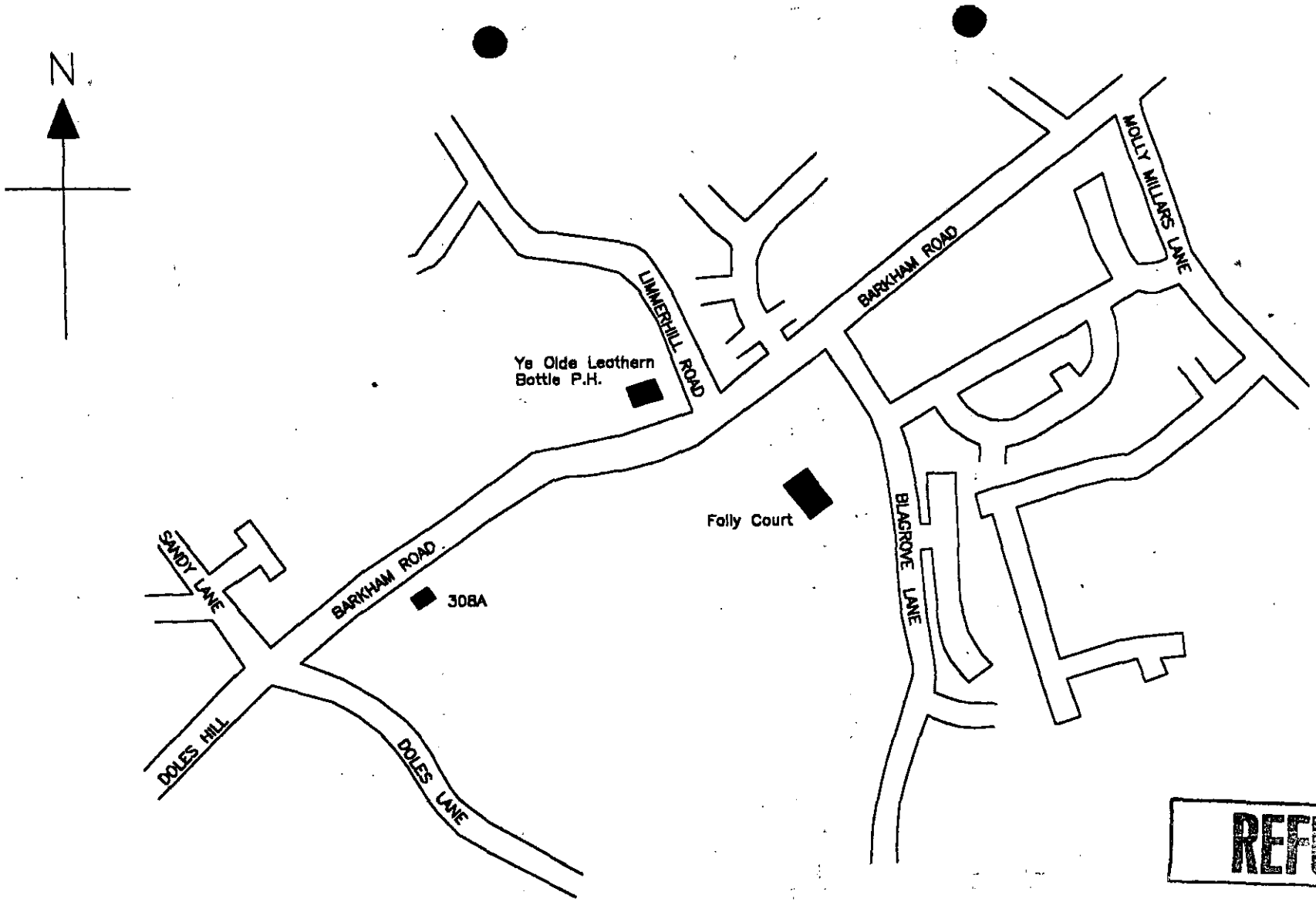
Revision C: Rear extension arrangement revised.
26.02.02 New 1st floor side window reduced in size.

Block Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.05C
Scale: 1:500
Date: 11.12.01

Revised Plan



REFUSED

Location Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.06
Scale: 1:2500
Date: 11.12.01

14.JAN.2002* 5592

The Planning Inspectorate

For offical use only Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP /X0360/A/02/1087849 **GRID REF:** _____

APPEAL BY: Mr + Mrs Cheney

SITE: 308a Barkham Rd, Wokingham

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? ***(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.)***		YES / (NO)
3.	Does the appeal relate to an application for approval of reserved matters?		YES / (NO)
4.	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?		YES / NO / (NA)
5.	Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?		YES / (NO)

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

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

a Is the development in Schedule 1 or column one of 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;	1	
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h. Details of any other applications or matters you are currently considering relating to the same site;		✓
i. **For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.***	3	
j. Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k. 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?	29/05/02
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	3
ii) the planning officer's report to committee	✓
iii) any relevant committee minute	✓
17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY Do you intend to send another statement about this appeal? If NO, please send the following information:-	(YES) / 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 University ~~Council~~

Date sent to us and the appellant 25/04/02 OUR Ref: F1/2001/5592

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

Tel: (0118) 974 6448 (Direct Line)
Email: Denise.Gumbrell@wokingham.gov.uk
Date: April 24, 2002
My ref: **F/2001/5592**

The Owner / Occupier
277B
BARKHAM ROAD

WOKINGHAM
BERKSHIRE
RG414BY

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/2001/5592
APPEAL BY: Mr & Mrs Cheney
SITE: 308a Barkham Road Wokingham
PROPOSAL: Proposed erection of two storey rear extension and single storey front extension to dwelling.

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/02/1087849**. Comments received after **29/05/2002** 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).

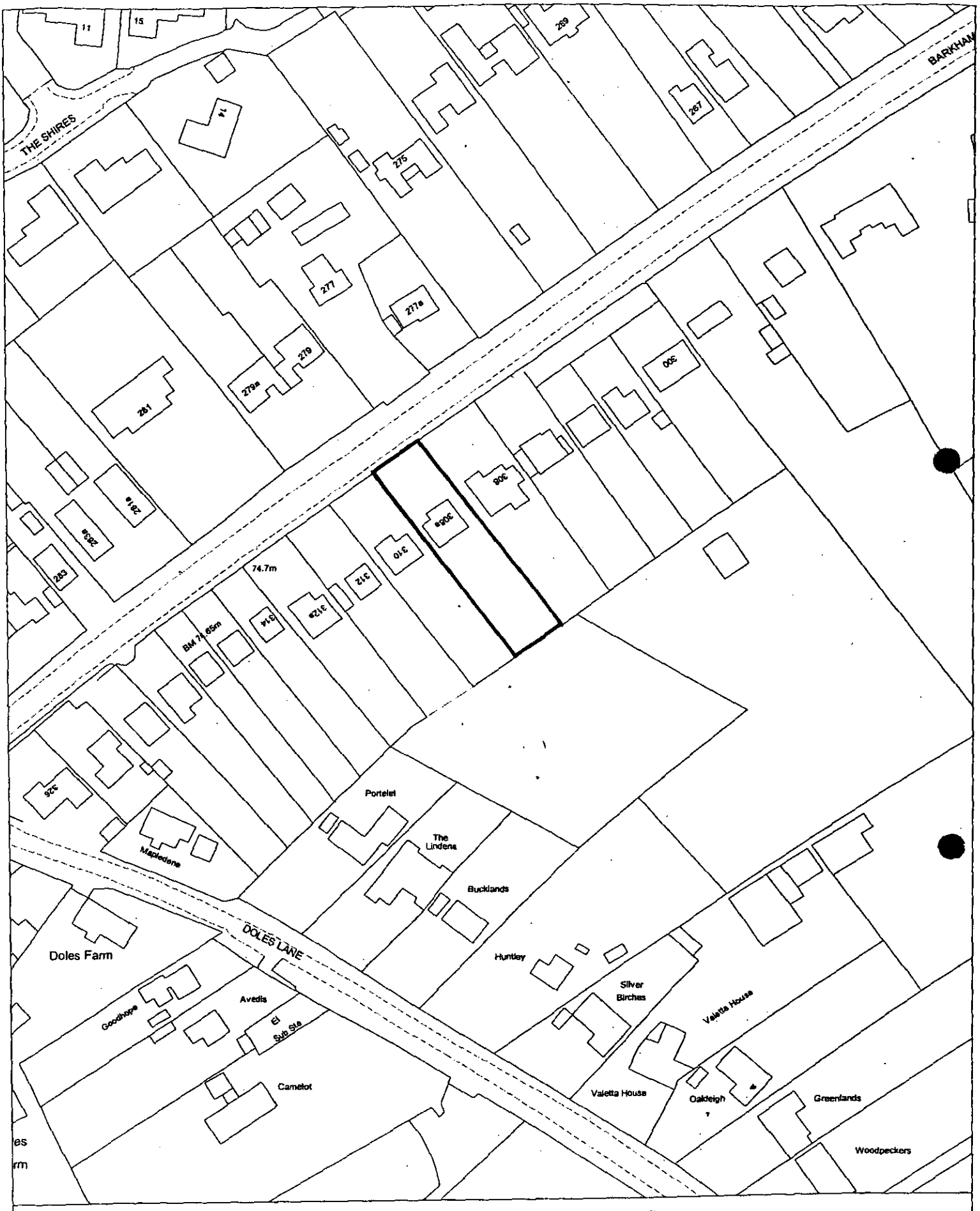
A free booklet, "Guide to taking part in planning appeals" is available from this office.

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: 24 April 2002

N
W E
S

The Owner/Occupiers of the following addresses in Barkham Road Wokingham

277, 277b, 279, 279a, 308 & 310

HIGHWAYS CONSULTATION SHEET

From: Heidi Lynch **Date:** 16 January 2002

Application Number: F/2001/5592

Proposal: Proposed erection of two storey rear extension and single storey front extension to dwelling.

Parish: WOKINGHAM TOWN

Site Address:
308a, Barkham Road, , Wokingham.

Applicant:
Mr & Mrs Cheney C/O L M Banfield.

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

✓ below as applicable;

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

C049, R049
C122, R122
C137 (INSERT; extensions), R137.

Signed: _____ **Print name:** HDM 18/01/02

TO: **DEVELOPMENT CONTROL**
Heidi Lynch

FROM: Environmental Design

DATE: 31 January 2002

Location:	308a Barkham Road, Wokingham
Proposal:	Proposed erection of two storey rear extension and single storey front extension to dwelling.
Application Number:	F/2001/5592

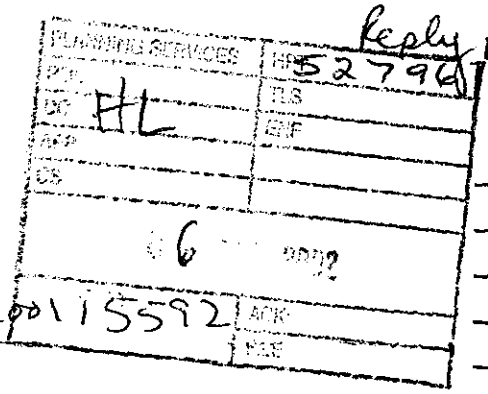
In response to your consultation dated 16 January 2002 for the above application, the landscape comments are as follows:

I have no objection to the proposals. The removal of the tree at the side of the property as shown on the Block Plan (drawing no. 90.Planning.05A) will not have any affect on the local amenity of the area. The extension will not have any detrimental impact on the large oaks to the rear of the property.

Catherine Brimble

Catherine Brimble
Landscape Architect

10 Wildevogt Drive
Wokingham
Berks
RG40 3HY
9785267.



Reply

WOKINGHAM DISTRICT COUNCIL
Members' Room
P.O. Box 150
Shute End, Wokingham
Berkshire, RG40 1WQ

Application F/2001/5592

Dear Heidi

Further to my conversation with you I have visited Mr + Mrs Gilder at 310 Barkham Road and looked at their objections.

From the plans I can see that the siting of the windows in bedroom 1 would directly overlook the patio of 310 Barkham Rd and be a serious infringement of privacy. Further the roof line + extent of the first floor extension poses serious massing problems and I would suggest loss of light.

I am aware you have not done a site visit. Perhaps you could let me have your views after you do.

I can be contacted on the above telephone number or by mobile on 07960 128751.

Kind regards

Tim Mansin

5592

PLANNING SERVICES	HPT
POL	TLS
DC HL	ENF
APP	
CS	
15 JAN 2002	
COPIES TO:	ACK:

310, Barkham Road,
Wokingham
BERKS RG41 4DA

13th January '02

Dear Sirs,

Planning Application for 308A Barkham Road,

I understand my next door neighbours have submitted a Town Planning Application some two weeks ago of which I have just (yesterday) been given an opportunity to view the proposals.

Whilst my wife and I have no objection to any of the proposed alterations at ground storey level, we do wish to raise objection to the following proposals at first floor level :— 1) The proposed new window within the existing flank wall will directly overlook our rear garden patio and result in an unacceptable loss of privacy.

2) The present junction of the flank wall and main rear wall of 308A is approximately 2 metres in advance of our main rear wall, containing the window to our principal living area. In extending the first floor storey a further 3 metres plus the roof structure will seriously obstruct the natural lighting to that room and also produce an overbearing effect within that room and our patio area.

I trust you will consider these two objections in your consideration of the Town Planning Application.

Both these objections have been raised with our neighbours.

Yours faithfully,

(P.J. GILDER)



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 WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.

POLICY WT5: ACCESS TO TOWN CENTRES

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

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

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

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

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

Parking

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

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

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

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

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

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

POLICY WT6: PARKING PROVISION

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

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

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

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

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

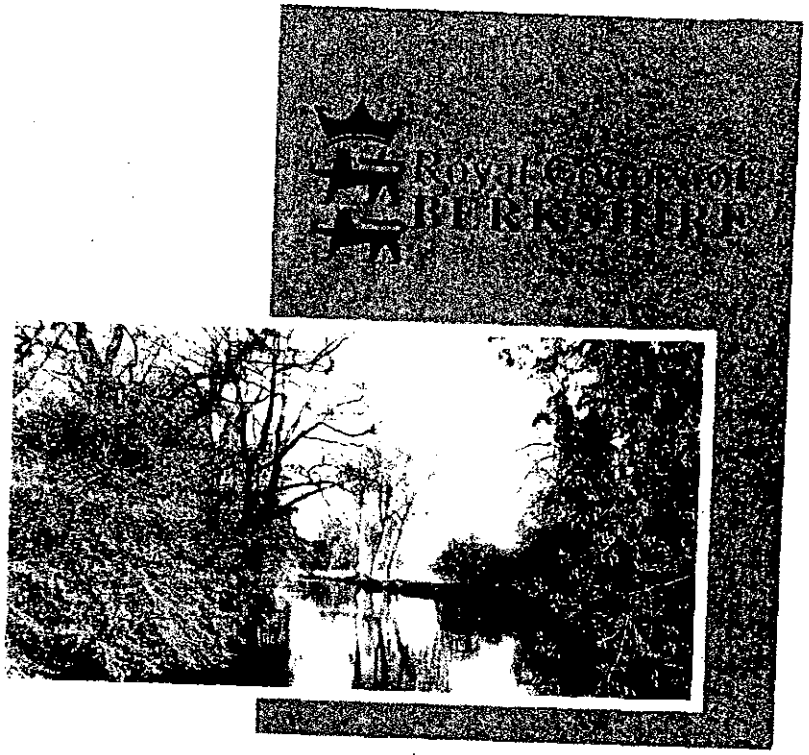
Implementation: Through development control and the annual capital programme of transport investment and environmental improvement *AND THE LOCAL TRANSPORT PLAN PROGRAMME.*

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

Safety

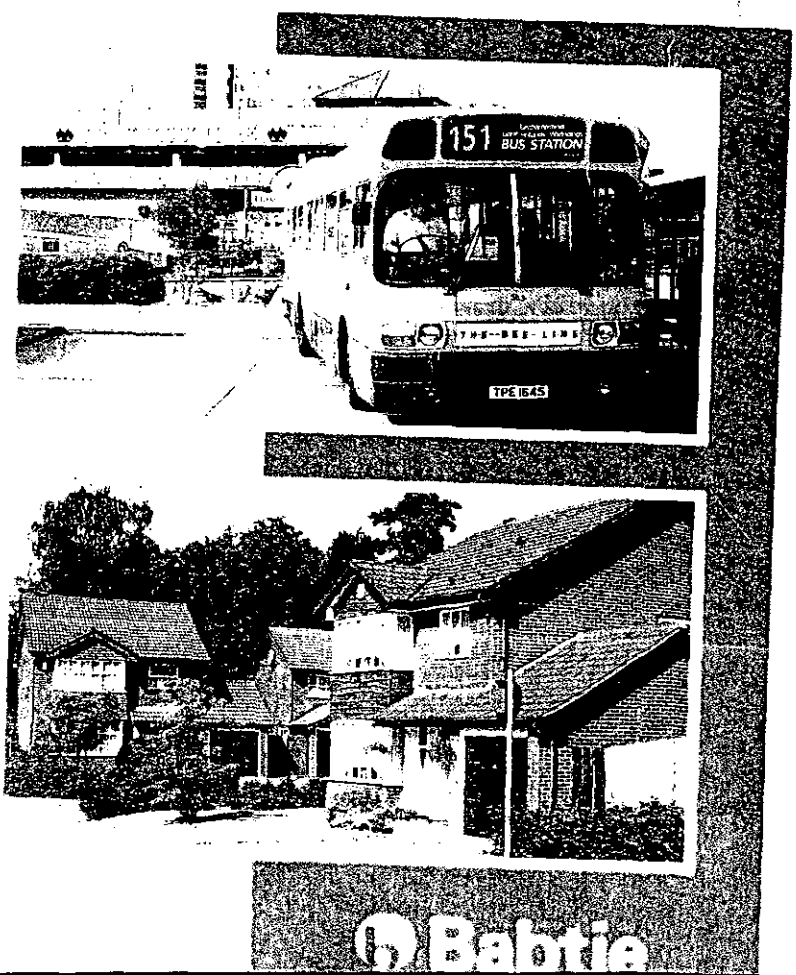
10.38 The Council considers it important to meet the government's targets in relation to safety and the reduction in accidents. Measures to improve safety will have a high priority, particularly in the vicinity of schools. In recent years many improvements for road safety reasons have been implemented.

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



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997



Babtie

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

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

The Environment of the Built-up Areas

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

Protection and Enhancement of the Environment of Built-Up Areas

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

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

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

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

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

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

Environment

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

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

Environmental Nuisance

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

Protection from Environmental Nuisance

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

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

Flooding

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

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

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

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ SBE1 DESIGN OF NEW DEVELOPMENT

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

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

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

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

❖ SBE2 INAPPROPRIATE DESIGN

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

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

ENVIRONMENTAL IMPROVEMENT

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

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

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



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

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

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

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

SUNLIGHT, DAYLIGHT AND NOISE

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

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND



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

❖ ST4 USE OF PRIVATE OFFICE PARKING BY THE PUBLIC

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

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

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

❖ ST5 CAR PARKING PROVISION

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

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

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

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

❖ ST6 MOTORCYCLE PARKING

THE DISTRICT COUNCIL WILL SEEK APPROPRIATELY LOCATED MOTORCYCLE PARKING FACILITIES.

PEDESTRIANS

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

2.7 LAYOUT OF PARKING SPACES

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

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

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

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

TABLE I RESIDENTIAL

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

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

Additional Notes: Table 1 does not include full provision for off-street visitor parking and when the road layout makes it undesirable for on-street parking to occur additional off-street parking will be required at a ratio of one parking space per four dwellings.

TABLE 2 COMMERCIAL/INDUSTRIAL DEVELOPMENT AND PLACES OF ENTERTAINMENT, WORSHIP AND MEDICAL

USE (Use Classes Order No)	ONE CAR SPACE Per (gfa = Gross Floor Area)	MINIMUM NO. OF CAR SPACES	LORRY PARKING SPACE
Business (Use Classes Order B1)	25m² gfa	2	C.O.M.
General and Special Industrial (Use Classes Order B2-B7) Up to 235m² Over 235m²	 25m² gfa 50m² gfa	 2 10	 1 minimum 1 per 500m² gfa
Storage and Distribution (Use Classes Order B8) a) First 235m² b) Additional floor space	 25m² gfa 200m² gfa	 2	 1 minimum 1 per 500m² gfa up to 2000m² then 1 per 1000m²
Shops, Financial and Professional Services (Use Classes Order A1-A2) Up to 1000m² 1000m²-2000m² Over 2000m²	 30m² gfa 20m² gfa 10m² gfa	 1	 C.O.M. 1 min. plus 1 per 500m² gfa 1 per 1000m² above 2000m²
(NB. These to be applied to the total floor area eg. a parade of shops)			
Retail Warehouse (Non Food over 1000m²)	20m² gfa		1 per 500m² gfa
Hotels, Guest Houses and Bed and Breakfast Establishments (Use Classes Order C1)	a) Hotels (C1) 1 car parking space per bedroom 1 car parking space per 5m² of nett floor area applied to restaurants, bars, lounges and conference rooms.		
Notes: (i) C.O.M. = considered on individual merit of proposal			

TABLE 2 (CONTINUED)

USE (Use Classes Order No)	ONE CAR SPACE Per (gfa = Gross Floor Area)	MINIMUM NO. OF CAR SPACES	LORRY PARKING SPACE
	b) Guest Houses and Bed and Breakfast Establishments (C1). It is considered that the requirements should be calculated differently to hotels and the standard is as follows: 1 car parking space per guest bedroom 1 car parking space per full time equivalent member of staff		
Food and drink (Use Classes Order A3)	c) Restaurants and bars (A3) It is considered that it is more appropriate to apply standards to the nett floor area of the building and the standard is as follows: 1 car parking space per 3m², nett floor area available for customers' use.		
Places of Worship (Use Classes Order D1)	10m² gfa		
Places of Entertainment and sports facilities (Use Classes Order D2)	5m² gfa Parking for sports facilities to be determined on their merits		
Hospitals/Clinics	3 beds plus 1 space per 2 members of staff		
Surgeries	1 member of staff (all categories) plus 3 spaces per 1 consulting room		

TABLE 3 EDUCATIONAL

TYPE OF SCHOOL	REQUIREMENTS (F.T.E. = FULL TIME EQUIVALENT)	NO. OF CAR PARKING SPACES	MINIMUM NO. OF CAR SPACES
Primary School	Per 1 member of staff (F.T.E.) Plus per school	1 3	3 3
Secondary School	Per 1 member of staff (F.T.E.) Plus per school	1 8	 8
Further Education	Per 1 member of teaching staff (F.T.E.) Per 3 members of non-teaching staff Per 3 students	1 2 1	
Hall of Residence	Per 2 staff Plus per 6 students	1 1	
Libraries	Per 30m² gfa	1	3
Nursery School, Play Group, Crèche	Per 1 member of staff (F.T.E.)	1	

Notes: (i) For each facility provision should be made for the dropping off, waiting for and picking up of pupils by car (primary schools) and by car and coach (secondary schools). This shall include a facility for vehicles to turn without reversing.

(ii) Hard play areas should be sited and constructed with a view to their use as overflow car parks outside normal school hours.

(iii) In a situation where the principle of access is acceptable but on-street parking is not, additional on-site parking spaces will be required as follows:-

A) Nursery with small period of attendance for all children - 1 per 3 children.
B) Nursery with varying hours of attendance to suit parents - 1 per 6 children.
C) Primary and Secondary Schools - considered on merit.

TABLE 4 VEHICLE SALES AND SERVICE STATIONS

USE	NO. OF CAR PARKING SPACES	MINIMUM NO. OF SPACES	LORRY PARKING SPACE
Employees	0.5		
Forecourt Car Sales per 10 cars displayed	1	2	
Showroom	C.O.M.		
Workshops per service bay	3		
Shop in excess of 20m² For every 20m²	1		

Notes: (i) The space required for ancillary vehicles and other uses such as driving schools and car hire will be considered on merit.

(ii) Where there is to be provision for the servicing of vehicles other than cars, each case will be considered on merit taking into account the type of vehicle to be serviced and nature of servicing.

(iii) The operational area of the forecourt shall be kept free of any form of parking.

(iv) Parking provision will be in addition to display areas for car sales and service bays.

(v) C.O.M. = considered on the individual merit of a proposal.

DISABLED PARKING PROVISION

Any development likely to give rise to a demand for access by disabled persons will be required to provide adequate disabled parking facilities to the standard detailed below. Such provision should be located close to an entrance accessible to disabled persons and the connection between such entrance and disabled parking spaces shall allow for uninterrupted access by wheelchair users. Dimensions and layout requirements for disabled parking bays are as shown below.

1. Employment - Generating Developments with no normal Public Access

1 (disabled space) per 25 car spaces up to 100 car spaces
1 for every additional 100 car spaces thereafter (or part thereof)

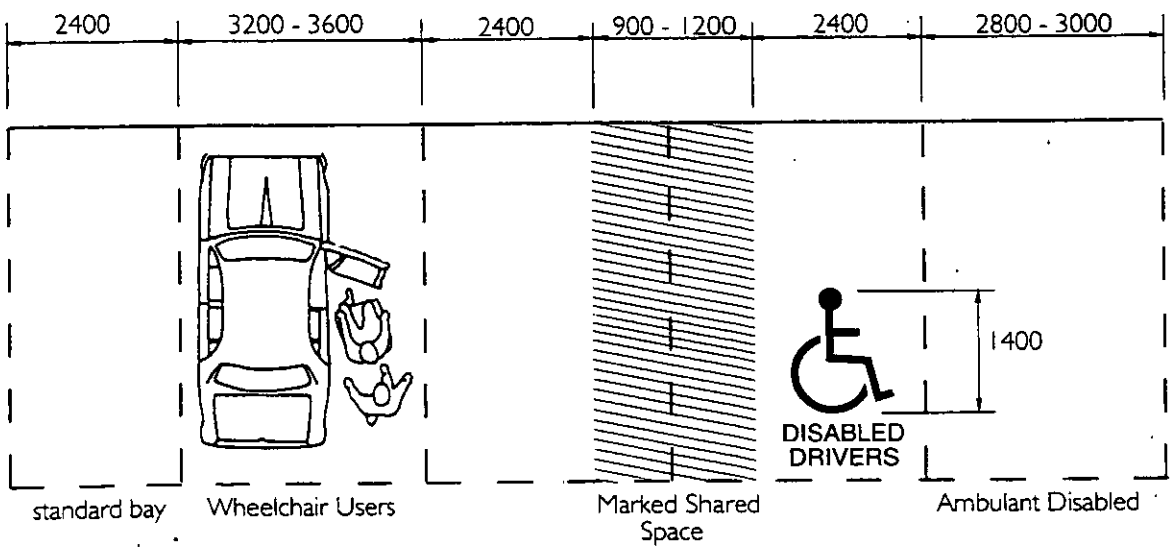
(NB. For developments requiring less than 25 car spaces provision shall be considered on the merits of a particular proposal, but consideration should be given to always providing at least one space wide enough for a disabled user).

2. Developments intended for normal Public Access

1 per 25 car spaces (minimum provision of 1)
3 per 50 car spaces
5 per 100 car spaces
1 for every additional 50 spaces (or part thereof)

(NB. Developments specifically catering for the needs of the disabled - nursing homes,clinics, etc.- should be considered on the merits of each particular case).

Car Parking (measurements in mm)



Car parking spaces for the disabled must be so marked and, in the case of public car parking facilities, signposted at the entrance.

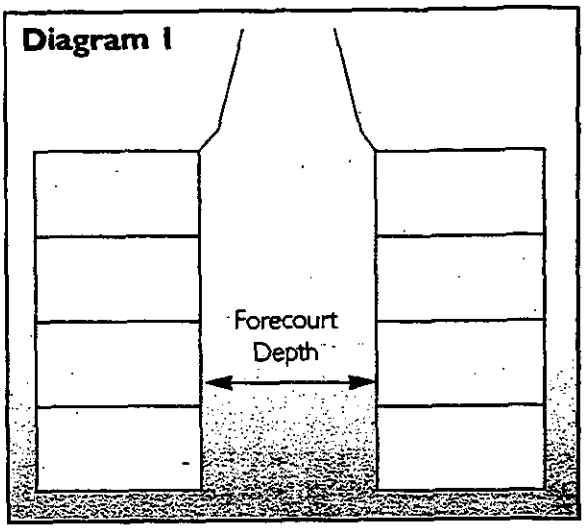
Spaces should be provided for assisted wheelchair users as well as ambulant disabled.

EXAMPLES OF GARAGE COURTS

Double-sided access

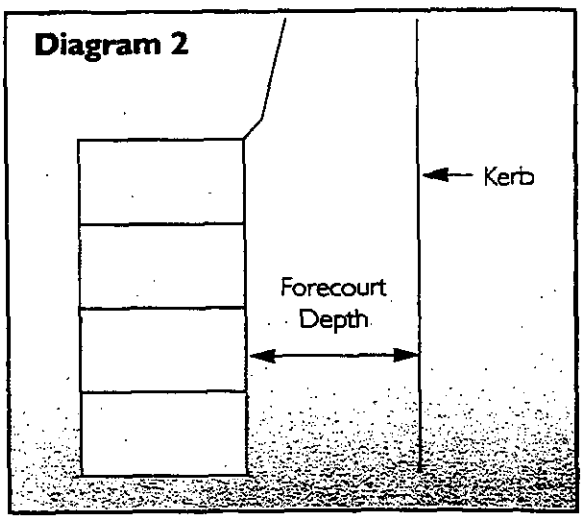
With a forecourt depth of 7.8m between garage doors cars may, in one turn, enter and exit from garages of 2.5m internal width.

When space for the forecourt is critical the depth may be reduced to 6.5m by widening the garage to 3m.



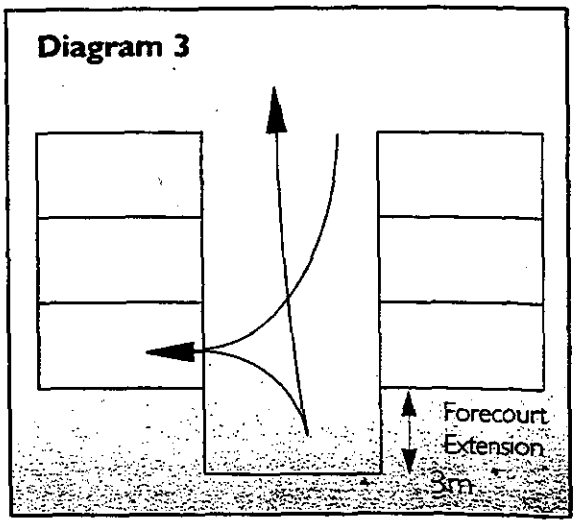
Single-sided access

Where a low kerb forms one side of the forecourt, the forecourt depth may be reduced by 0.5m by allowing car to overhang the kerb.



End conditions

An additional length of 3m should be provided beyond the last garage to allow cars to enter and exit.



NOTE

Where for any reason, cars may need to reverse direction within the forecourt without entering a garage, a depth of 8m should be provided to allow a three point turn. This may be reduced to 7.5m where one side is formed by a kerb rather than a wall or garage.

EXAMPLES OF HARDSTANDING COURTS

Where parking spaces consist only of hardstandings, cars may use the margins of adjoining bays whilst manoeuvring in and out. This allows some reduction to be made in the depth of forecourts compared with that required for garages.

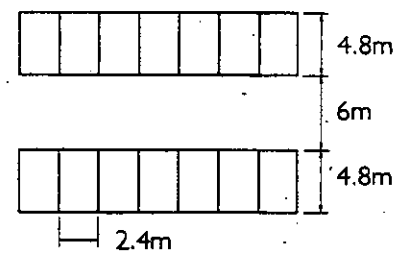
Where parking angles are less than 90 degrees, further reductions can be made to the forecourt's depth at the expense of increasing its length but it should be appreciated that unless one-way traffic systems are provided, a turning space will be required at the end of the court.

Alternative arrangements are shown in Diagrams 4 to 7.

90 degrees parking

With parking at right angles, a forecourt depth of 6m is required for 2.4m wide parking spaces. This may be reduced to 5m either by widening the parking spaces to 3m or accepting that cars must reverse in.

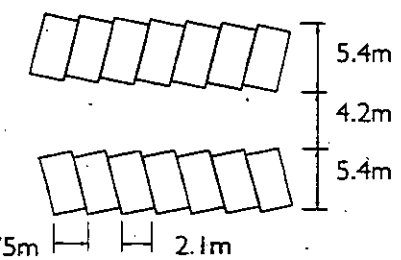
Diagram 4



60 degrees parking

For 60 degrees parking, a clear forecourt depth of 4.2m is required. This still allows room to two-way traffic.

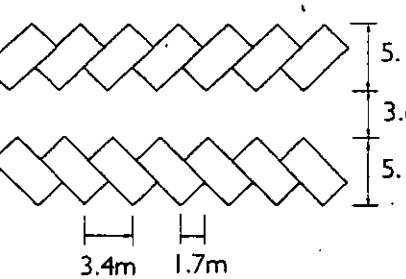
Diagram 5



45 degrees parking

For 45 degrees parking the forecourt depth may be reduced to 3.6m but should normally be restricted to one-way traffic only.

Diagram 6



0 degree parking

For 0 degree parking a forecourt depth of 3m is required for one-way traffic and 5.4m for two-way. A bay width of 2.4m should be provided where walls are adjacent but this width can be reduced to 2m where the vehicle is bounded by a pavement with a low kerb, or where a 0.4m clear strip is provided between parking bays. Where walking space is required between bays, a 800mm strip should be provided.

Diagram 7

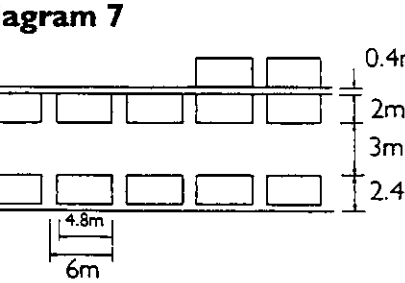
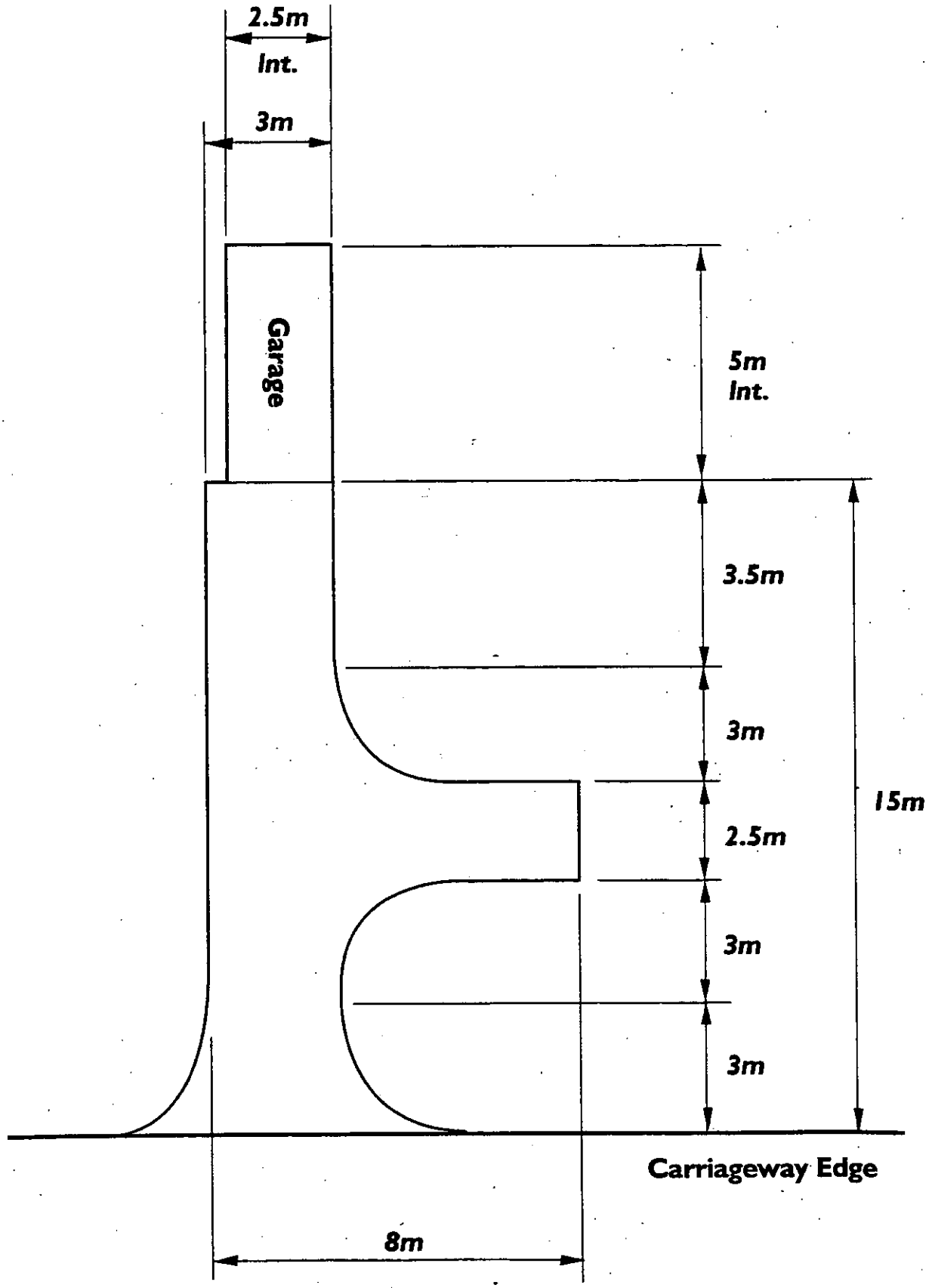


Diagram 8: Minimum Dimensions for Car Turning Area



COPY TO LPA as per appeal process.

LPA COPY.

PLANNING SERVICES	HP 54994
FOL	TLS
DC Le	ENF
APP	For official use only
CS	Date received
	08 APR 2002
COPIES TO	FILE

The Planning Inspectorate

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

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 in Section J are not received by us within the 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

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

Name MR AND MRS CHENEY

Address 308A BARKHAM ROAD

WOKINGHAM. BERKSHIRE.

Postcode RG41 4DA.

Daytime phone no 01344 746054 (MR)

Fax no -

E-mail address richard.cheney@intores.com

B. AGENT DETAILS FOR THE APPEAL (if any)

Name L.M. BANFIELD.

Address 28 SARUM CRESCENT.

WOKINGHAM

BERKSHIRE

Postcode RG40 1XF.

Your reference 90.

Daytime phone no 0118 9787679

Fax no -

E-mail address mikelbanfield@aol.com

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL

Date of the planning application 31-12-01

LPA's application reference no F/2001/5592

Date of LPA's decision notice (if issued) 8/03/02

D. APPEAL SITE ADDRESS

Address 308A BARKHAM ROAD

WOKINGHAM

BERKSHIRE

Postcode RG41 4DA

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)

TWO STOREY REAR EXTENSION

AND

SINGLE STOREY FRONT EXTENSION

Size of the whole appeal site (in hectares)

0·084 h^2

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

46 m^2

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.

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.

Please see attached.

Grounds of Appeal

Reasons for LPA rejection:

Proposal is considered, by virtue of its size, siting, scale and massing to have an overbearing impact to the detriment of the amenity of occupants of the adjoining properties.

Summary of Grounds of Appeal :

You will find enclosed a number of revised plans many of which were discussed in detail with the LPA. There are five variations of the plans enclosed and we are prepared to accept any of these proposals or further adjustments to them. Revised plans were submitted in order to accommodate objections.

Our preferred proposal is attached as appendices 1.7.1, 1.7.2.

Our grounds for disagreeing with the LPA's decision are as follows:

1. Adjusted variations of the original proposal discussed with the LPA comply with:
   " Wokingham District Council's Draft Planning guideline B2, Guideline 5.8" ***(see Appendix X)***

2. Under the permitted development rights, as described in the *DETR Booklet – "Planning a Guide* for *Householders"* a two storey extension with a dormered first floor could be constructed adjacent to either boundary without planning permission.

3. The LPA gave one of the reasons for the rejection as reducing light to the side window of the adjacent property number 308. Subsequent investigation has shown that the window of number 308 causing concern has not been in existence for more than 20 years and as such by refusing the application the LPA may be protecting a "right of light" that the occupants do not have. The formation of the opening for the window in question was included in *Planning Application number 27539*, permission for which was granted on the 19th May 1987. There were no habitable rooms with windows facing number 308A prior to the 1987 application.

4. The side window of the adjacent property 308 faces south-west, allowing, with the proposal constructed, sun light to enter the room served by the window.

5. An inconsistent approach to applications for two storey rear extensions within the district. Please refer to Appendix 1.6.7 for photographic examples. This was discussed with the LPA and a copy of the *"Wokingham District Council's Draft Planning guideline B2,* ***(see Appendix X)*** was provided, in order to demonstrate how the LPA intend to achieve consistency with such applications. See Point number 1.

6. Four variations of the plans were submitted during the application period, the fifth variation of the plan was due to be submitted within an agreed extended application period. Unfortunately the extension to the application period was rescinded leaving no time to submit the fifth variation. We believe that the fifth variation or adjustments to it would be the most accommodating.

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 <u>sole</u> owner of the <u>whole</u> 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 <u>sole</u> 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.

(Please see attached Appendices) ✔

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: ☑

   Appendices 1.7 – 1.7.1, 1.7.2, 1.7.3

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

Essential Supporting Documents

Appendices

1.1	**Copy of the original planning application sent to the LPA**	
1.2	**Site Ownership details – this is part of 1.1 and detailed on Planning Appeal Form**	
1.3	**LPA's decision notice**	
1.4	**A plan showing the site outlined in red**	
1.5	**A list and copies of all plans, drawings and documents sent to the LPA as part of the application**	
1.5.1	*Drawing No 90.Planning.01*	*Proposed Alterations and Extensions – Floor Plans*
1.5.2	*Drawing No 90.Planning.01A*	*Proposed Alterations and Extensions – Floor Plans*
1.5.3	*Drawing No 90.Planning.01B*	*Proposed Alterations and Extensions – Floor Plans*
1.5.4	*Drawing No 90.Planning.01C*	*Proposed Alterations and Extensions – Floor Plans*
1.5.5	*Drawing No 90.Planning.02*	*Proposed Alterations and Extensions – Elevations*
1.5.6	*Drawing No 90.Planning.02A*	*Proposed Alterations and Extensions – Elevations*
1.5.7	*Drawing No 90.Planning.02B*	*Proposed Alterations and Extensions – Elevations*
1.5.8	*Drawing No 90.Planning.02C*	*Proposed Alterations and Extensions – Elevations*
1.5.9	*Drawing No 90.Planning.03*	*Existing Structure – Floor Plans*
1.5.10	*Drawing No 90.Planning.04*	*Existing Structure – Elevations*
1.5.11	*Drawing No 90.Planning.05*	*Block Plan*
1.5.12	*Drawing No 90.Planning.05A*	*Block Plan*
1.5.13	*Drawing No 90.Planning.05B*	*Block Plan*
1.5.14	*Drawing No 90.Planning.05C*	*Block Plan*
1.5.15	*Drawing No 90.Planning.06*	*Location Plan*
1.5.16	*Topics for discussion at a meeting with LPA on 26/02/02 (with LPA's responses noted on document)*	
1.6	**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**	
1.6.1	*Drawing No 90.Planning 01D*	*Proposed Alterations and Extensions – Floor Plans*
1.6.2	*Drawing No 90.Planning 02D*	*Proposed Alterations and Extensions – Elevations*
1.6.3	*Drawing No 90.Planning 05D*	*Block Plan*
1.6.4	*Chronology of Events throughout the application period*	
1.6.5	*Record of Telephone conversation with Agent and LPA on 20/02/02 advising that the proposal would be rejected*	
1.6.6	*Minutes of meeting held on 18/03/02 with the LPA*	
1.6.7	*Photographic examples of inconsistent application approval (discussed with LPA on 18/03/02)*	
1.7	**Additional Plans or Drawings relating to the application but not previously seen by the LPA**	
1.7.1	*Drawing No 90.Planning 01E*	*Proposed Alterations and Extensions – Floor Plans*
1.7.2	*Drawing No 90.Planning 02E*	*Proposed Alterations and Extensions – Elevations*
1.7.3	*Photographs of 308A Barkham Road and adjacent properties*	
1.8	**Any relevant correspondence with the LPA**	
1.8.1	*Applicants letter to LPA on 08/03/02 regarding rescinding of extension to application period (As of 26/03/02 no response received)*	
1.8.2	*Agent's letter to LPA on 27/03/02 regarding right of light to window of adjacent property*	
1.8.3	*Agent's letters to LPA on 28/03/02 providing copies of meeting minutes held on 18/03/02 together with appendices 1.6.4, 1.6.5, 1.6.6, 1.6.7.*	
1.8.4	*Acknowledgement of Receipt of Planning Application together with a leaflet: "The Planning Application Process" from Wokingham District Council on 16/01/02*	
1.8.5	*Applicants letter to LPA on 01/04/02 enclosing 1.6.4, 1.6.6 and requesting a response to previous letter 1.8.1*	

Appendix X " Wokingham District Council's Draft Planning guideline B2, Guideline 5.8"

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 R Cheney (on behalf of) _____

Name (in capitals) R CHENEY Date 1/4/02

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

1.1/1.2

1.1/1.2

Ryman

A4 10 Part

05.0301.12.45

5 021376 004152

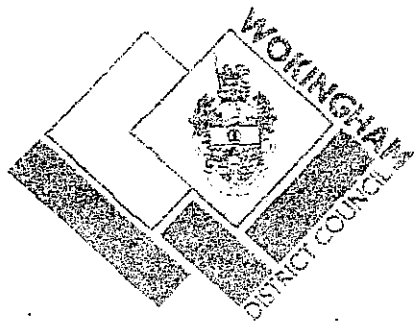
Made in the UK for Ryman Limited UB3 1DQ

Environmental Services

For office use only. Application number:

ppendix 1·1 /1·2.

Householder planning application form



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

1	Your name	MR & MRS CHENEY
	Address and postcode	308A, BARKHAM ROAD WOKINGHAM BERKSHIRE RG41 4DA
	Phone number	0118 978 7679
	Agent's Name	L.M. BANFIELD
	Address and postcode	28, SARUM CRESCENT WOKINGHAM BERKSHIRE RG40 1XF
	Phone number	0118 978 6917
3	Site We need you to send in six copies of the 1:2500 scale location plan and six copies of the 1:500 scale block plan, with the site outlined in red. You can buy these maps from the Environmental Services reception or order them by phoning 0118 974 6485.	308A, BARKHAM ROAD WOKINGHAM BERKSHIRE RG41 4DA
4	Give brief details of the proposal for example, two storey side extension. About the application	TWO STOREY REAR EXTENSION AND SINGLE STOREY FRONT EXTENSION

	Are there any trees on the site? If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down.	Yes ☑	No ☐
6	Please list the external materials you will use for example, red brick to match any existing bricks and dark stained timber.	RED BRICKS TO MATCH EXISTING AND ROOF TILES TO MATCH EXISTING	
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐	No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐	No ☑

Crystal Mark
Clarity

Please turn over

9	How many bedrooms does the property have?	Existing: 3	Proposed: 4
10	Does a public right of way touch the site? If yes, please show the route and any proposed alternative on the plans.	Yes ☐	No ☑

11 Checklist. Please make sure that you enclose the following.

a Six copies of this form signed and dated.

b The fee (We have attached a current scale of fees). If you do not have to pay a fee, please say why below.

c Six copies of each set of plans and drawings listed below.

- 1:2500 scale location plan with the site outlined in red.
- 1:500 scale site layout plan.
- 1:100 or 1:200 scale floor plans and elevations.

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

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

Certificate A

I certify that

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

Certificate B

I certify that

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

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

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

Your signature: L. M. Banfield

on behalf of Mr & Mrs Cheney

S Cheney.

Date 31.12.01

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

Appendix 1.3

Appendix 1.3

F

Application No: F/2001/5592 HL

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs Cheney
C/O L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Application Number: F/2001/5592

Parish: **WOKINGHAM**

Location: **308A Barkham Road, Wokingham.**

Proposal: **Proposed erection of two storey rear extension and single storey front extension to dwelling.**

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

Reason

1. The proposal is considered, by virtue of its size, siting, scale and massing, to have an overbearing impact to the detriment of the amenity of occupants of the adjoining properties. The application is therefore considered to conflict with policies SBE1 and SBE2 of the South East Area Local Plan, policy EN1 of the Berkshire Structure Plan and with policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

informative

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

Berkshire Structure Plan Policy EN1.
South East Area Local Plan Policies SBE1, SBE2 and ST5.
Deposit Draft Wokingham District Local Plan Policies WOS3, WBE1 and WT6.

Application No: F/2001/5592 HL

Anna Cronin
Head of Planning & Transportation
Date: 08/03/2002

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.

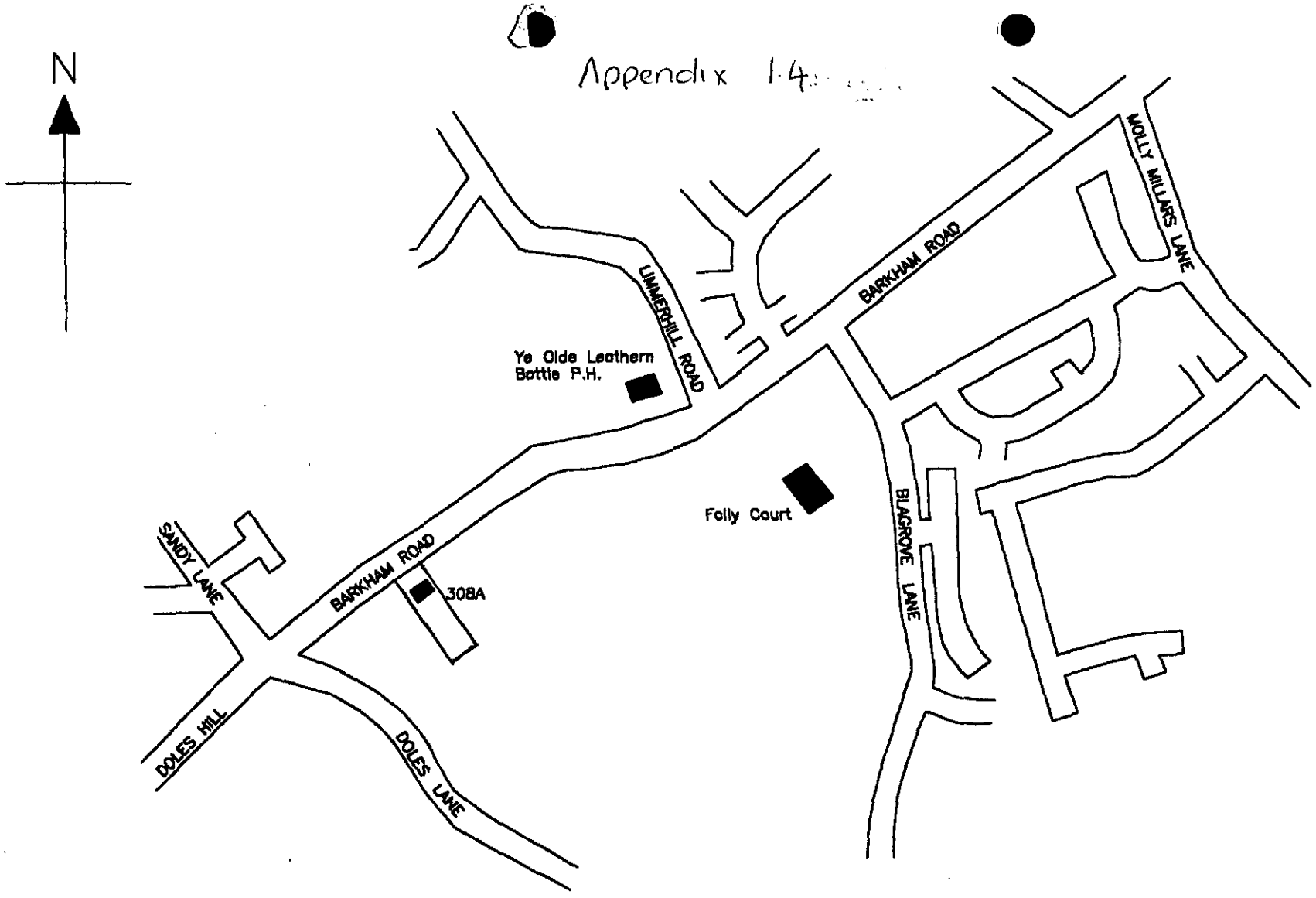
2) In these circumstances the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase an owners interest in the land in accordance with the provisions of Part XI of the Town and Country Planning Act 1971.

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 1.4

Appendix 1.4



Location Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.06
Scale: 1:2500
Date: 11.12.01

Appendix 1.5

Appendix

1.5.1

1.5.5

1.5.9

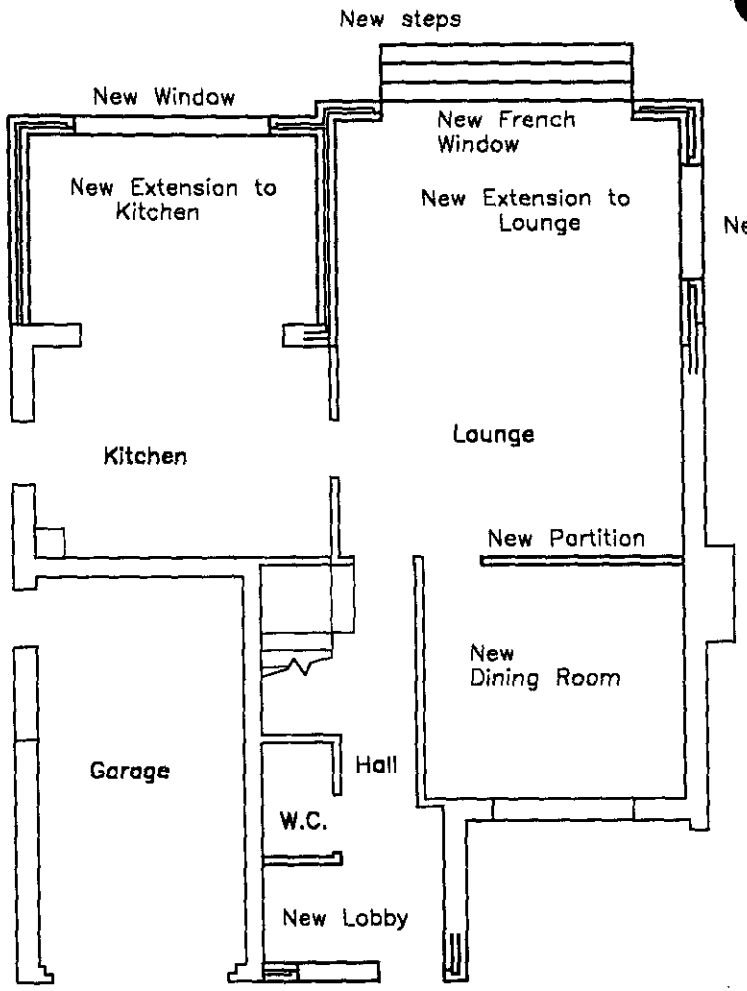
1.5.10

1.5.11

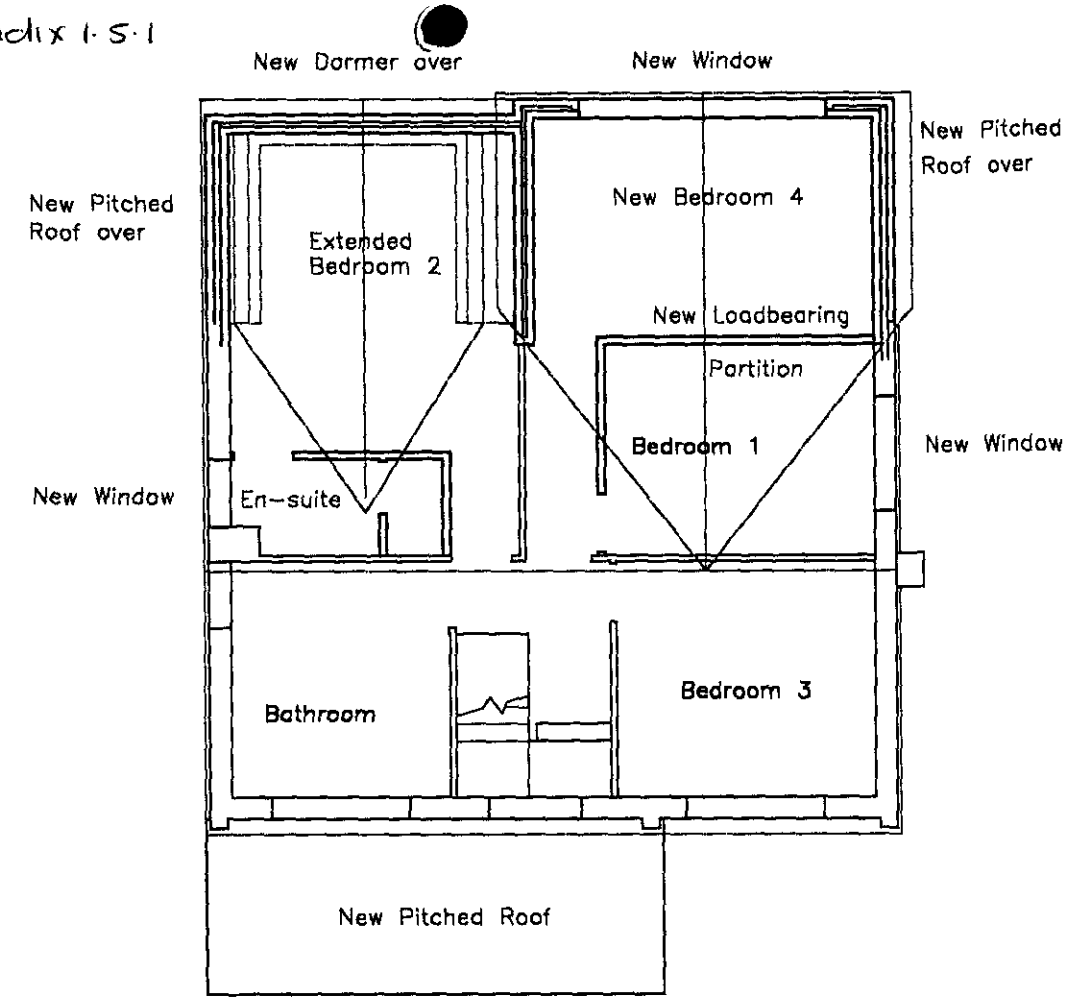
1.5.15

Appendix.
1-5-1
1-5-5
1-5-9
1-5-10
1-5-11
1-5-15

Appendix 1.5.1



Ground Floor Plan



First Floor Plan

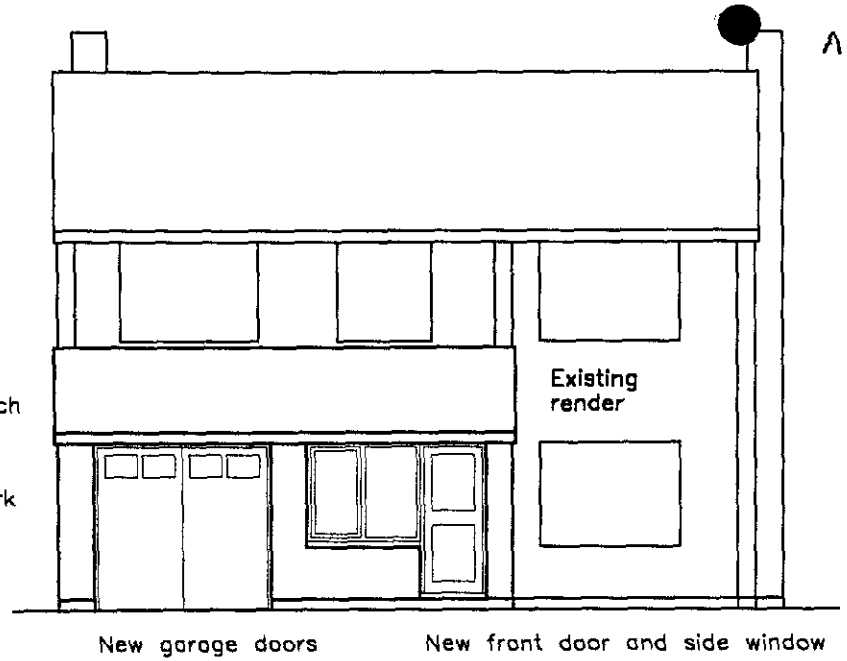
Proposed Alterations and Extensions

Floor Plans

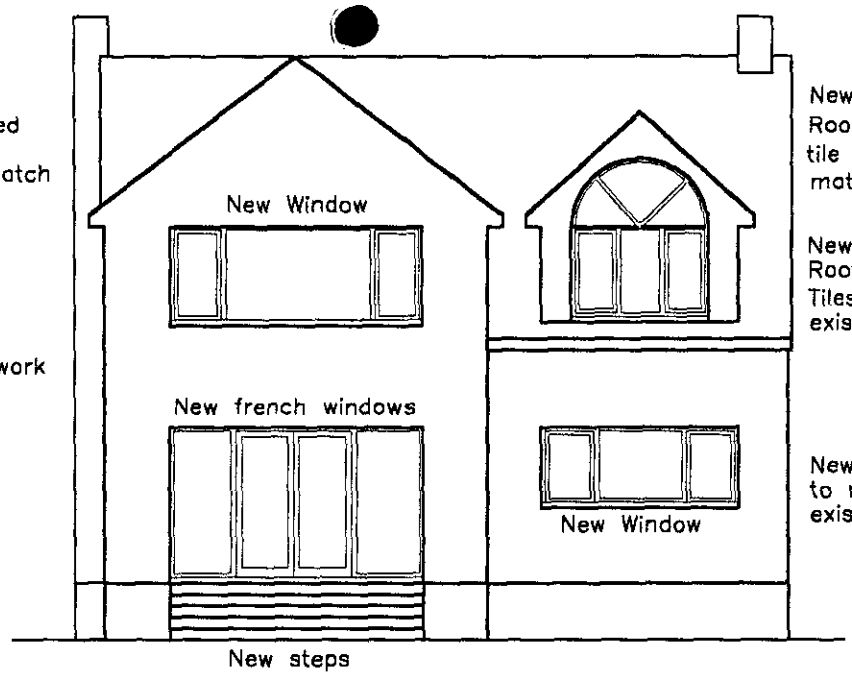
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01
Scale: 1:100
Date: 11.12.01

Appendix
1.5.5.



Front Elevation



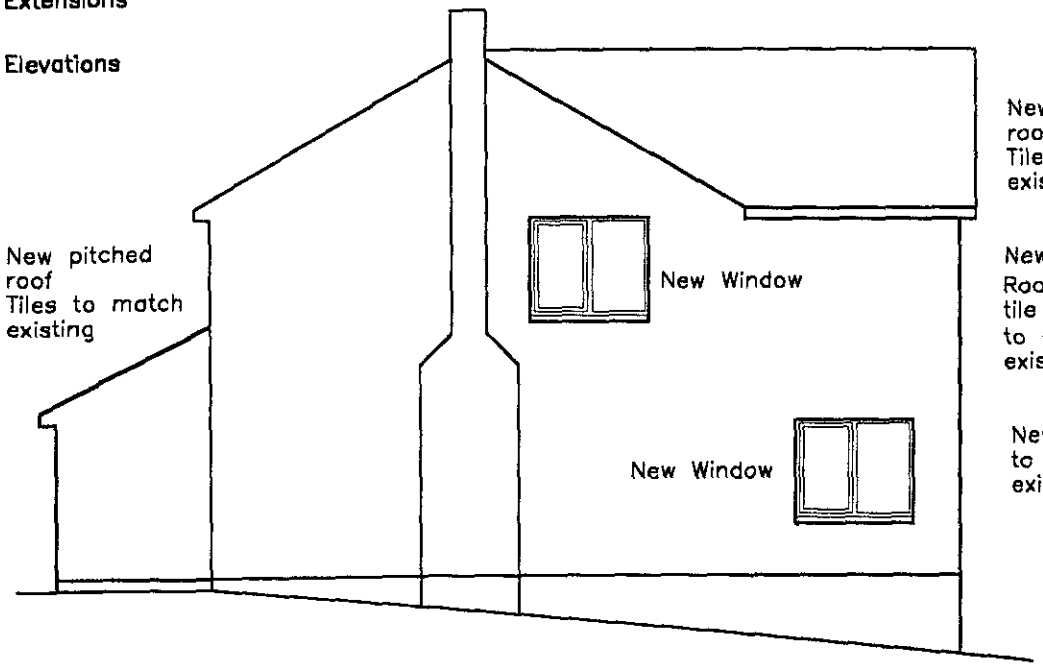
Rear Elevation

Proposed Alterations and Extensions

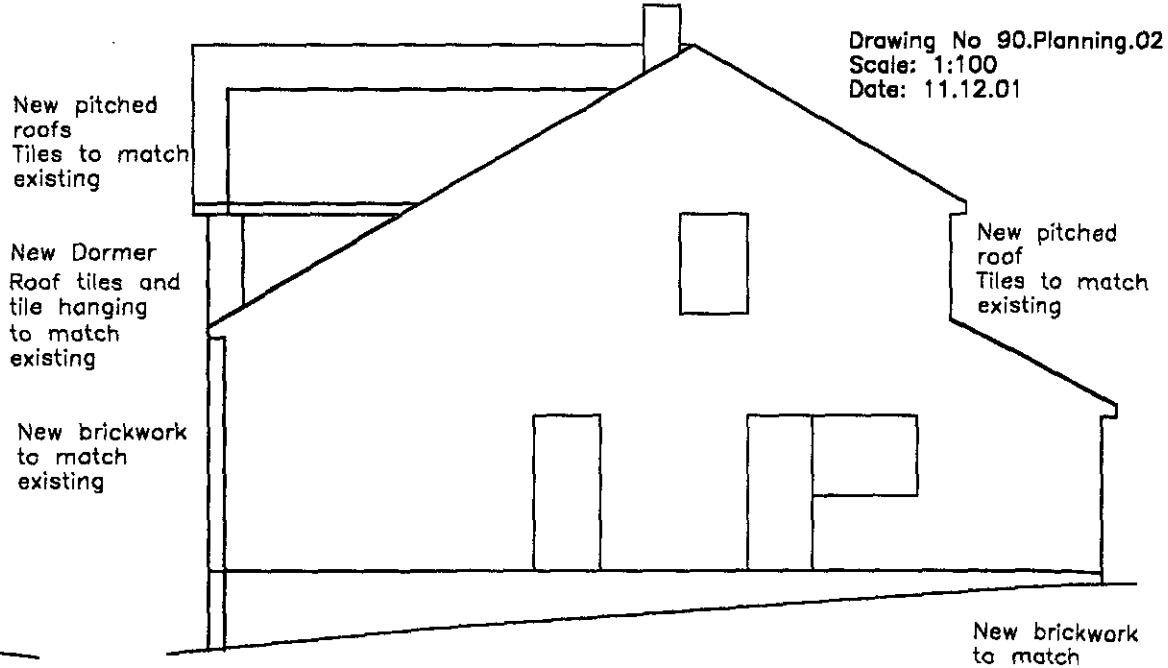
Elevations

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.02
Scale: 1:100
Date: 11.12.01

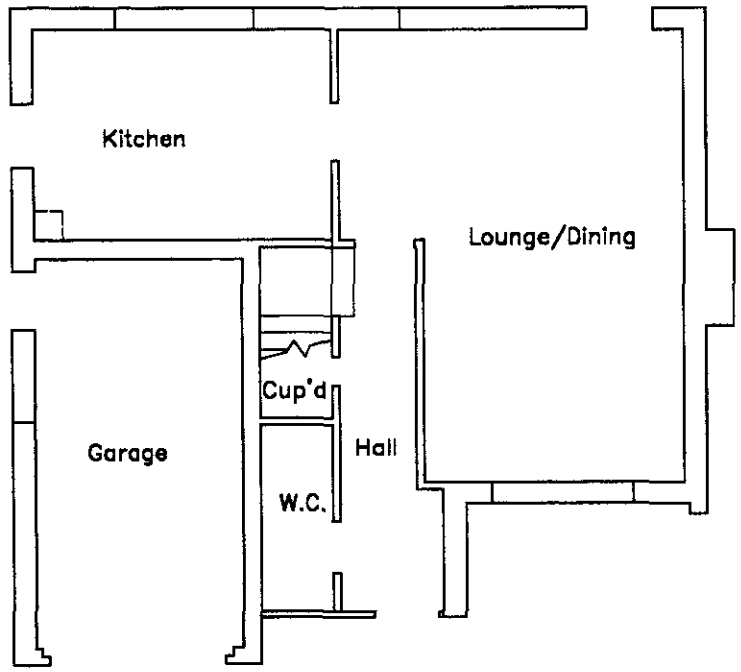


East Elevation

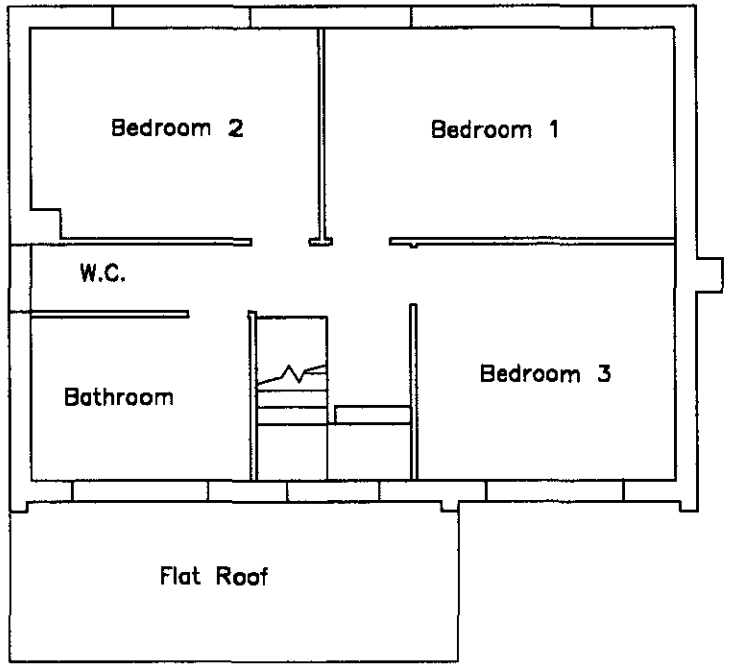


West Elevation

Appendix 1.5.9



Ground Floor Plan



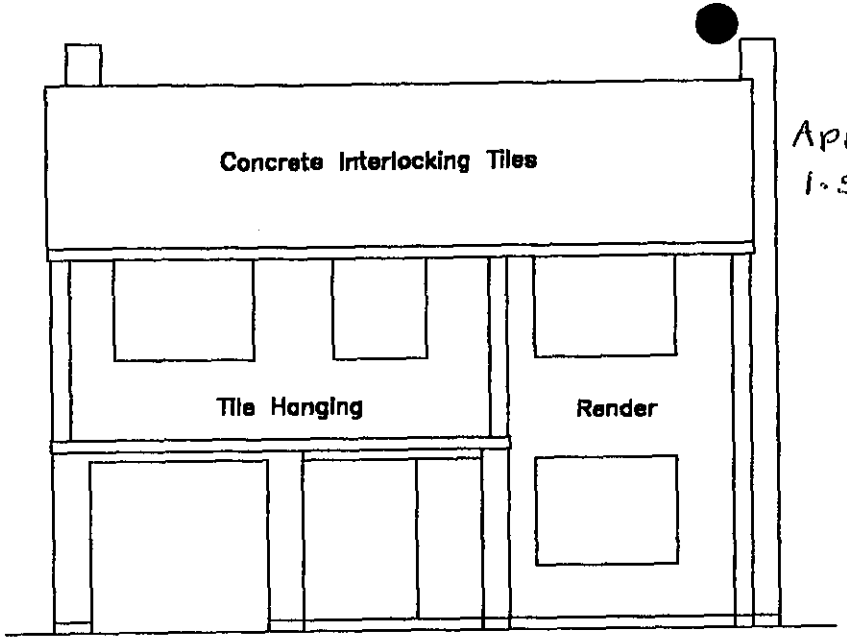
First Floor Plan

Existing Structure

Floor Plans

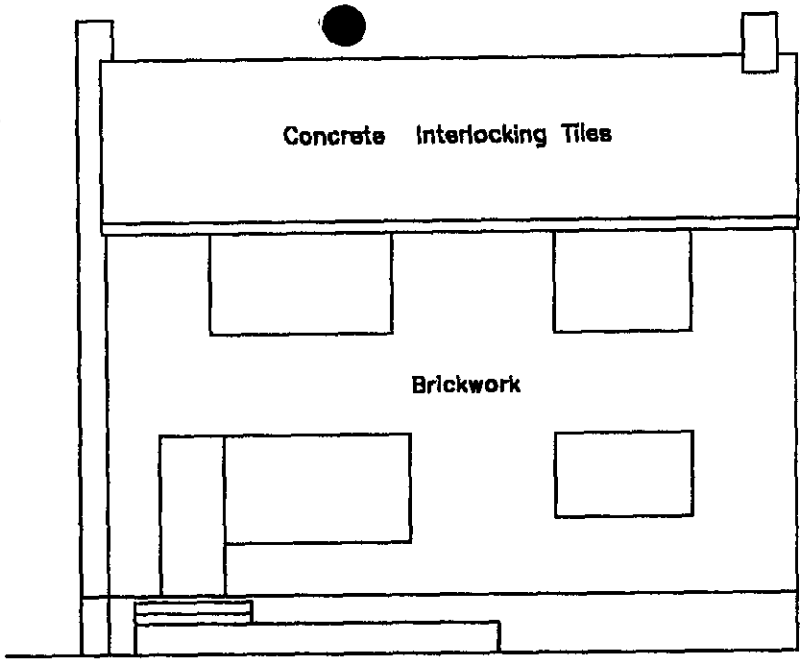
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.03
Scale: 1:100
Date: 11.12.01

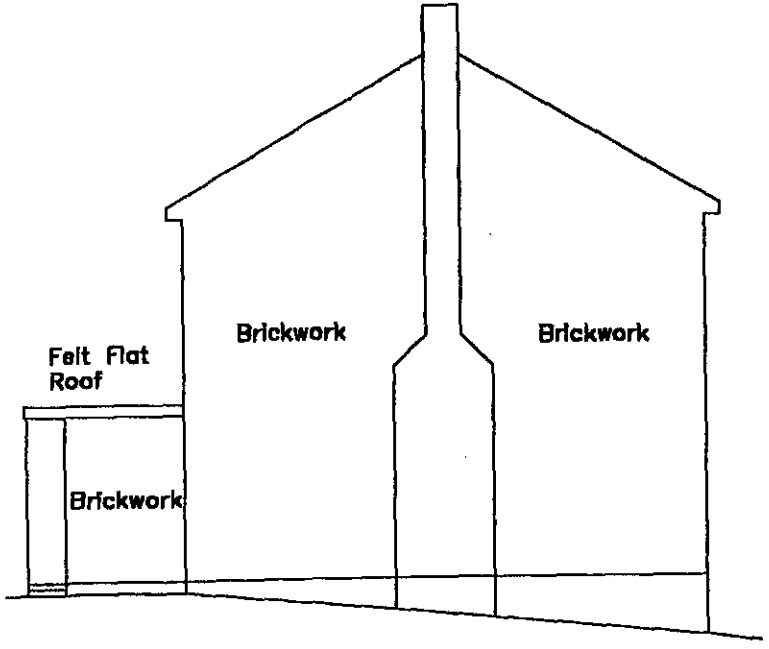


Appendix · 1·5·10

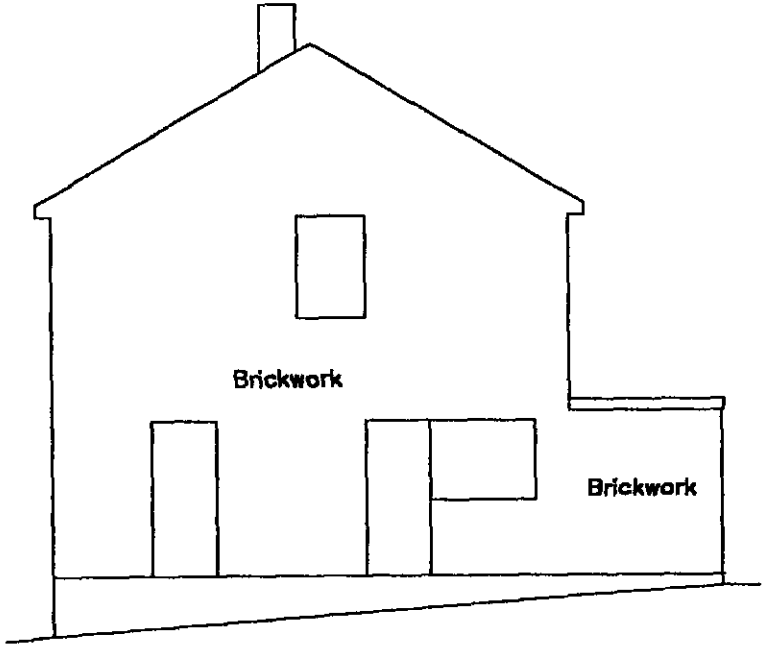
Front Elevation



Rear Elevation



East Elevation



West Elevation

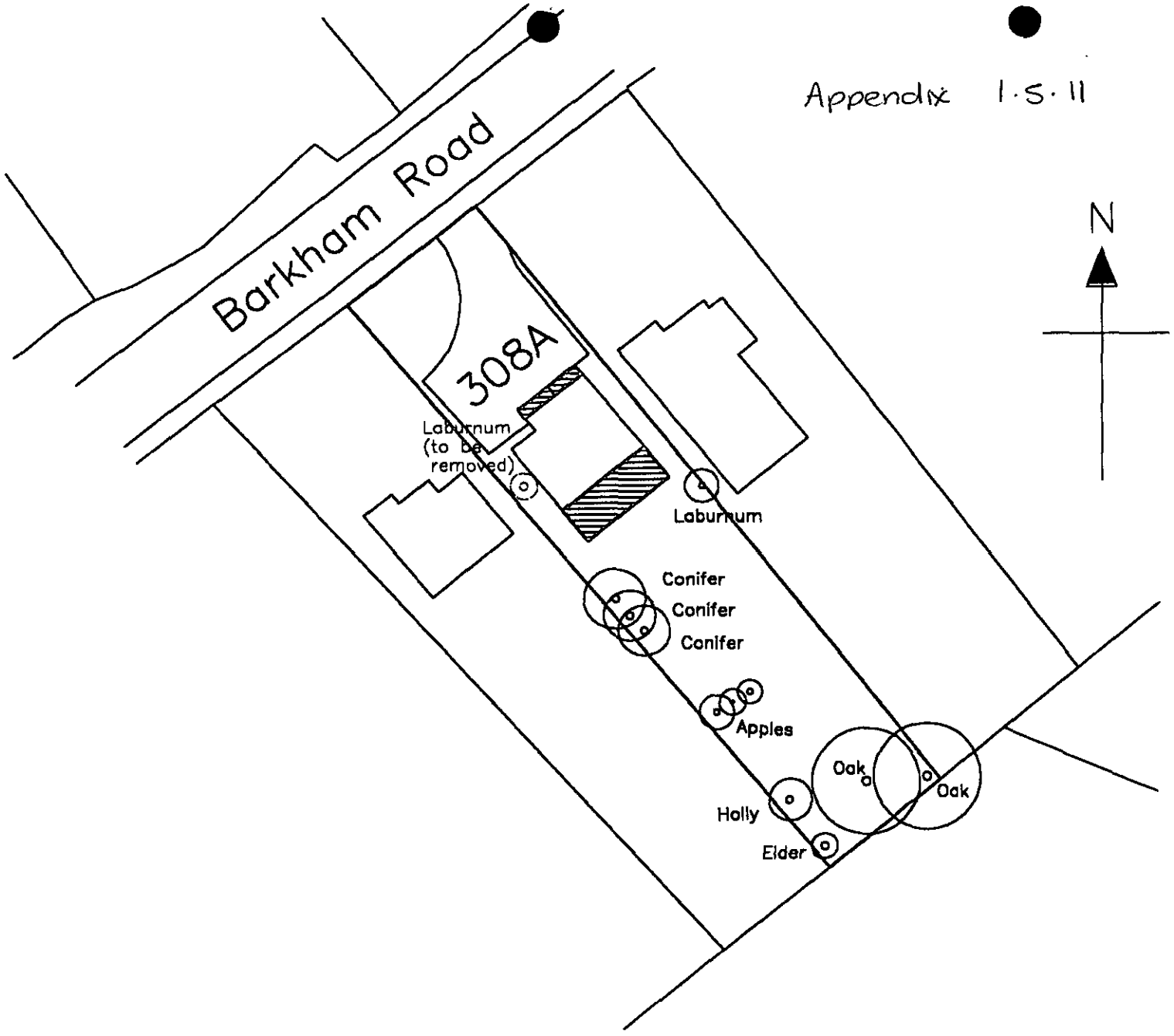
Existing Structure

Elevations

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.04
Scale: 1:100
Date: 11.12.01

Appendix 1.5.11

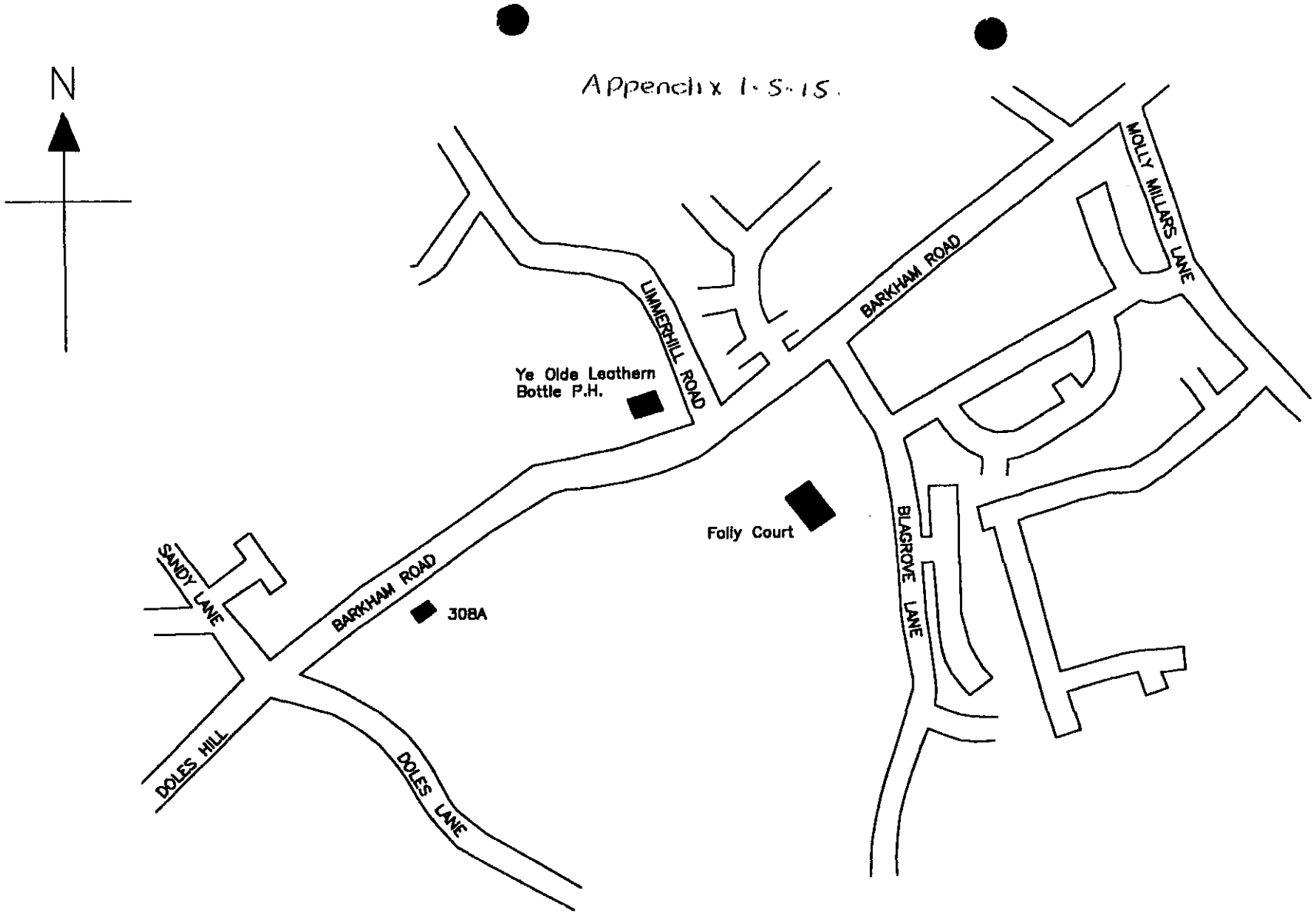


Block Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.05
Scale: 1:500
Date: 11.12.01

Appendix 1-5-15.



Location Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.06
Scale: 1:2500
Date: 11.12.01

Appendix

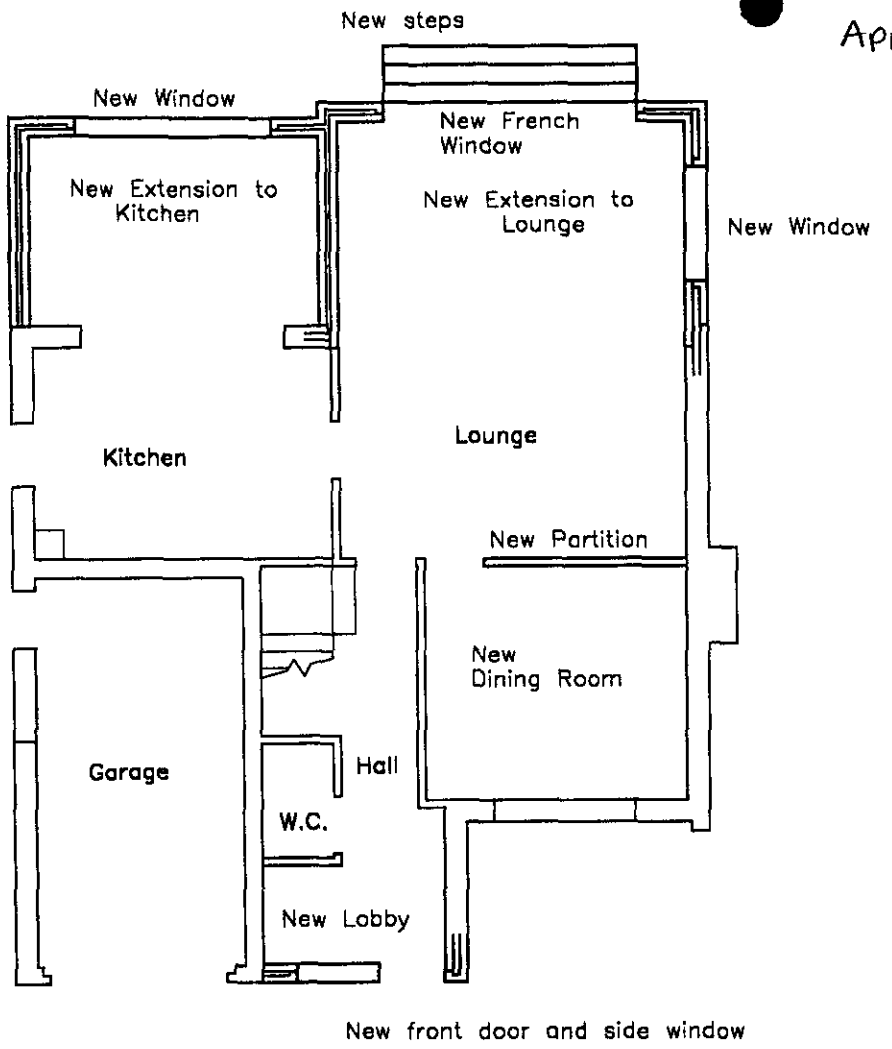
1.5.2

1.5.6

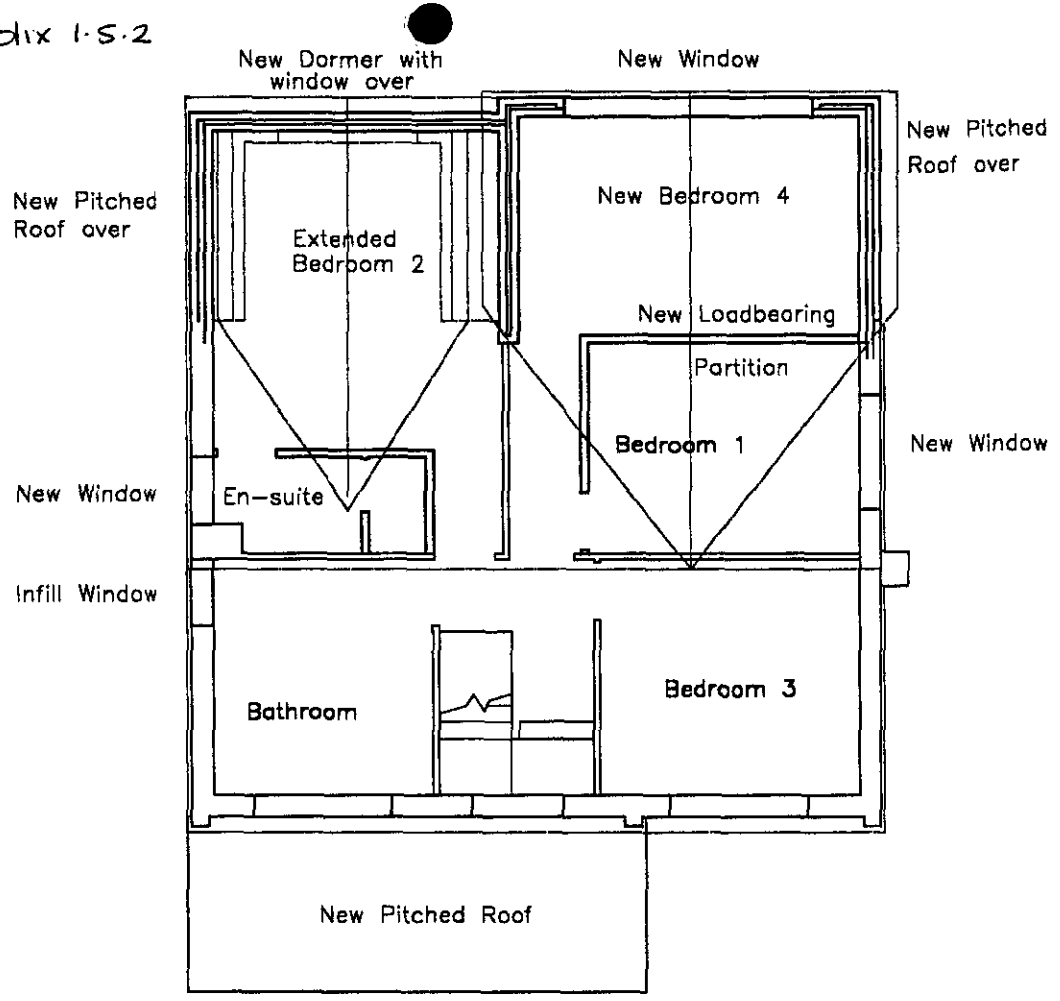
1.5.12

Appendix 1.5.2 1.5.6 1.5.12

Appendix 1.5.2



Ground Floor Plan



First Floor Plan

Revision A: Window noted to Bedroom 2 dormer
14.01.02 Bathroom side window infilled

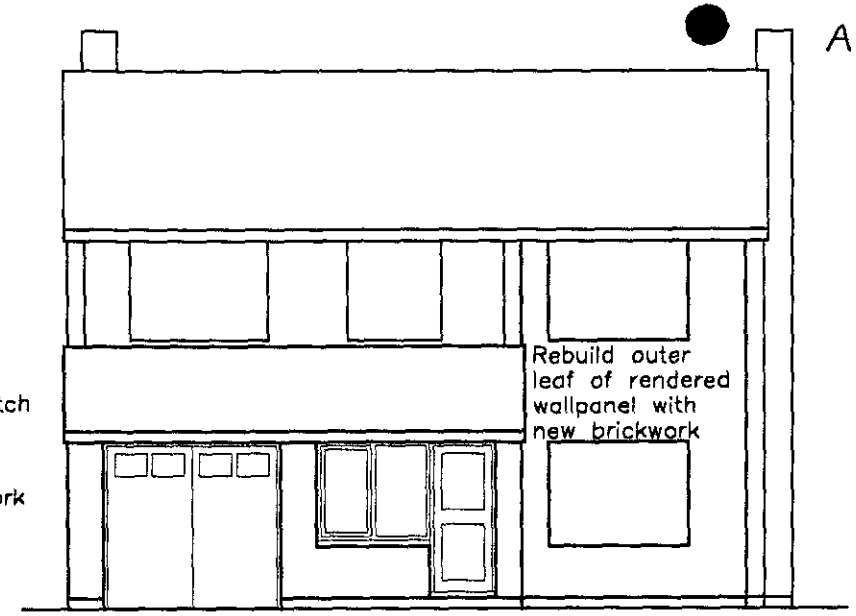
Proposed Alterations and Extensions

Floor Plans

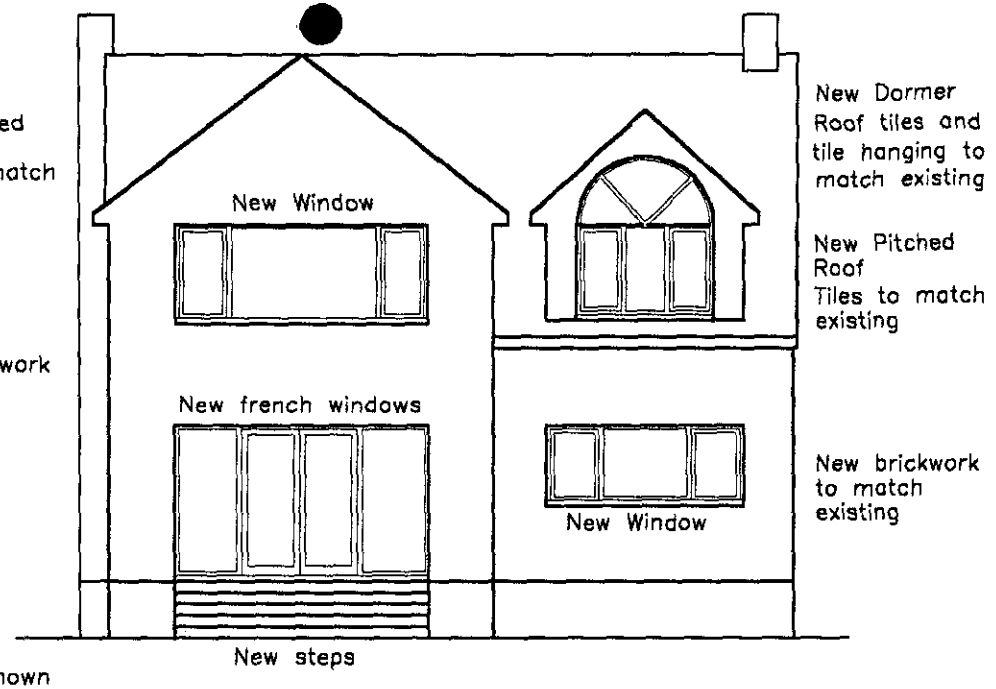
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01A
Scale: 1:100
Date: 11.12.01

Appendix
1·5·6



Front Elevation



Rear Elevation

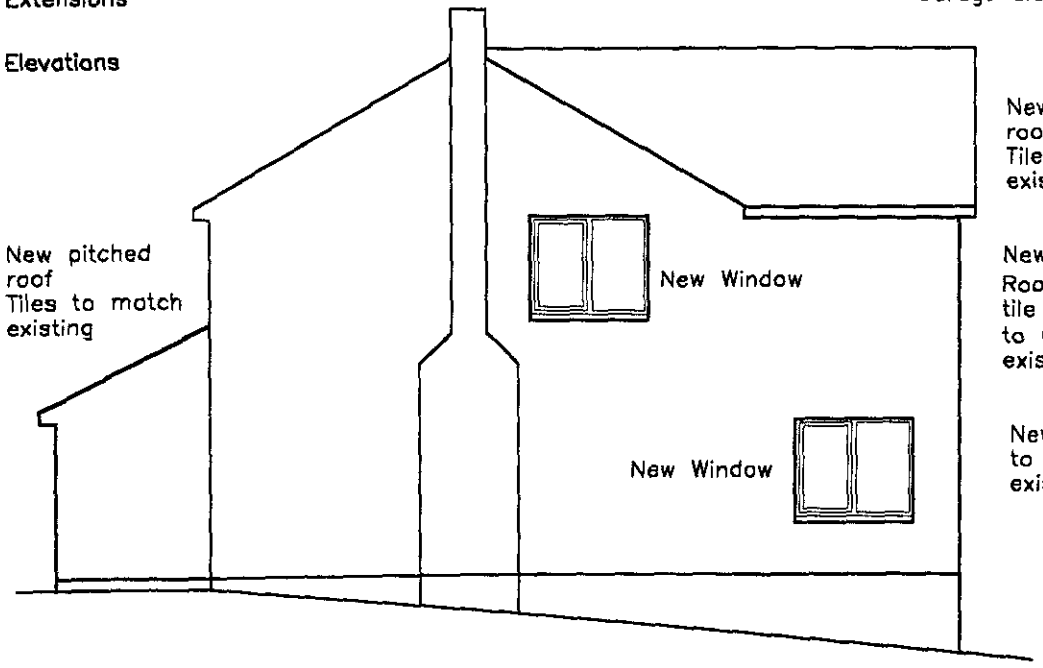
Revision A: En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

Proposed Alterations and Extensions

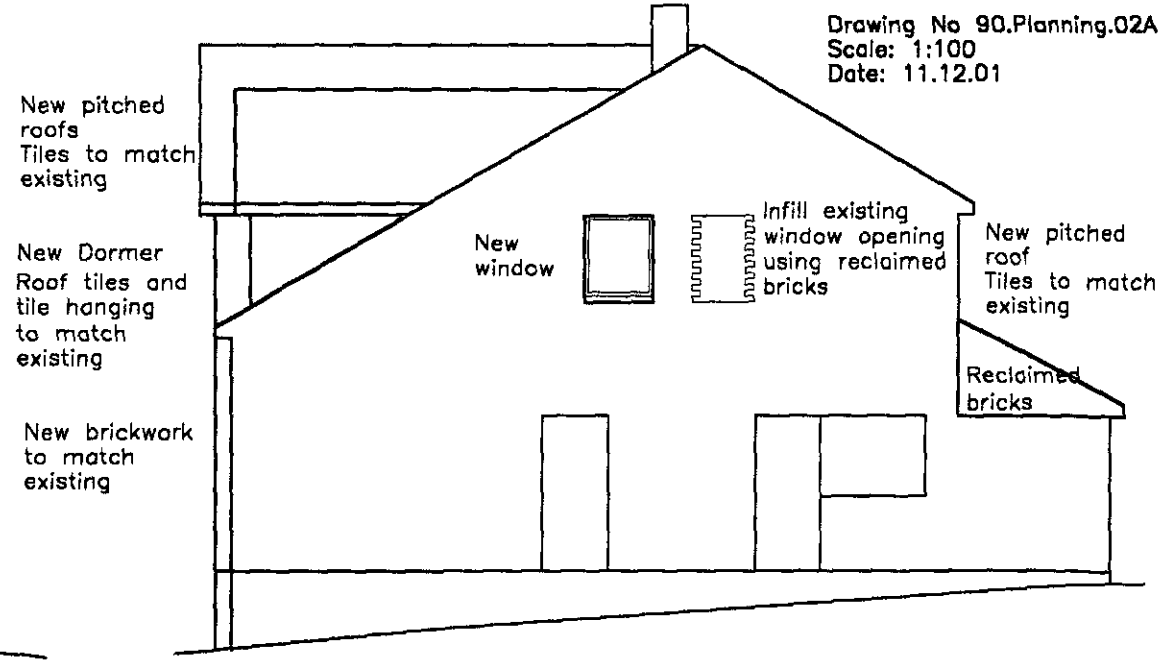
Elevations

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.02A
Scale: 1:100
Date: 11.12.01

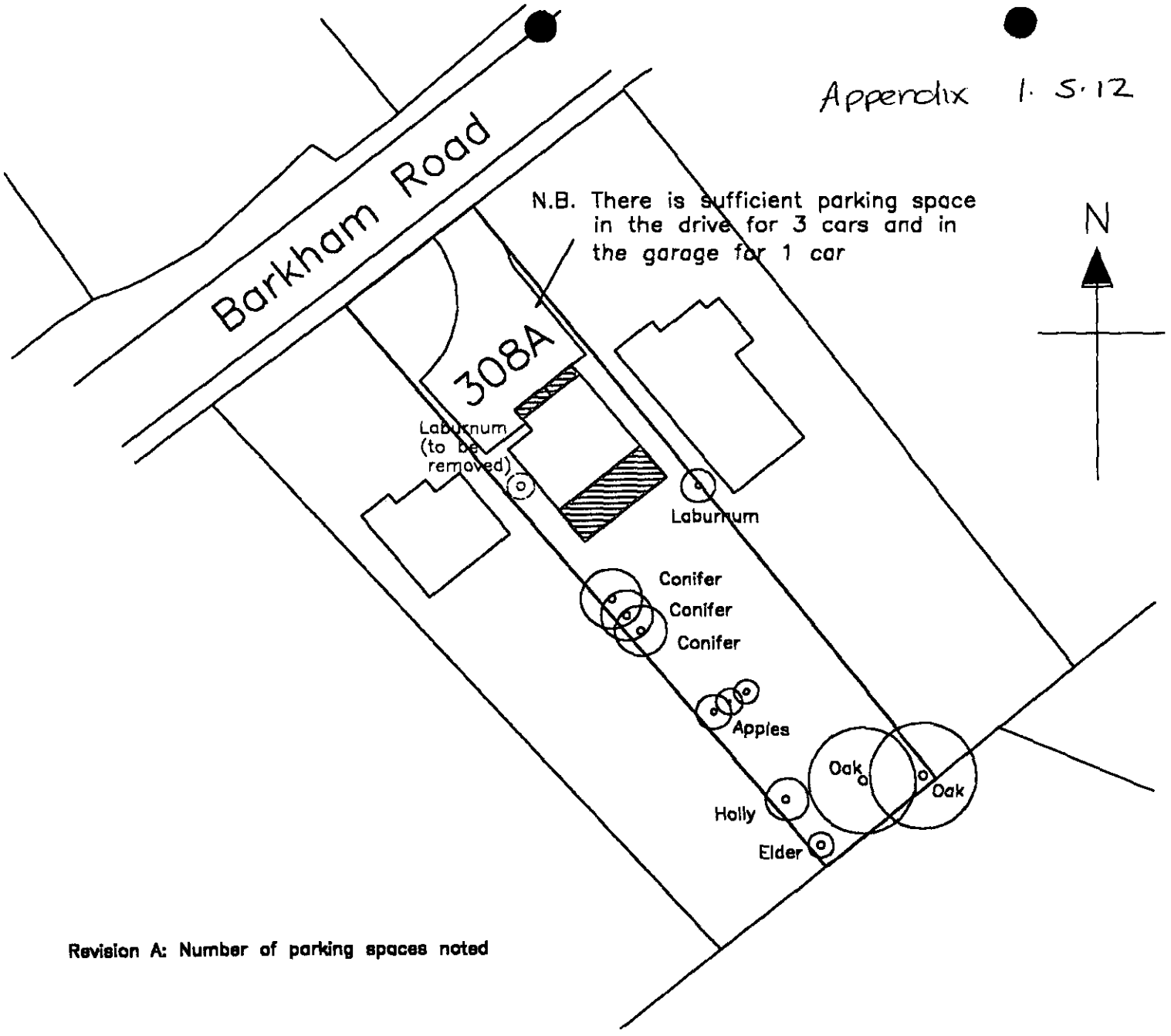


East Elevation



West Elevation

Apperdix 1.5.12



Revision A: Number of parking spaces noted

Block Plan

308A Barkham Road
Wokingham Berkshire

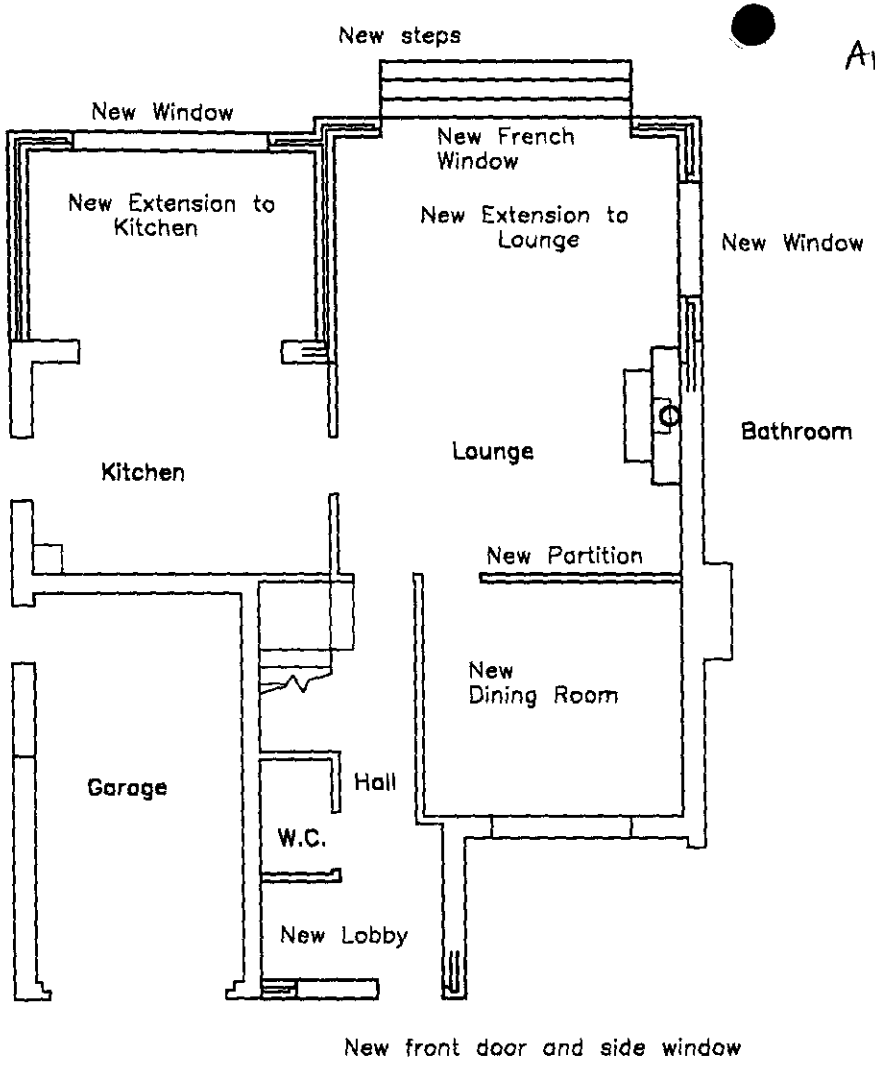
Drawing No 90.Planning.05A
Scale: 1:500
Date: 11.12.01

Appendix

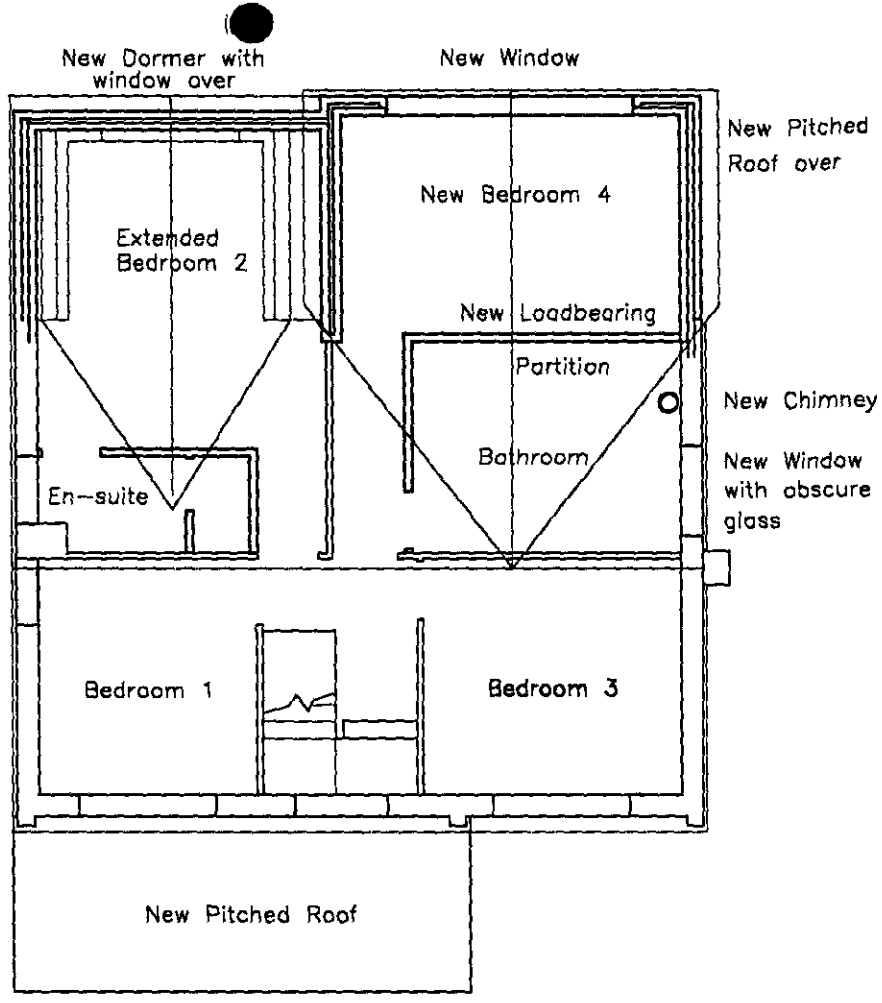
1.5.3
1.5.7
1.5.13

1.5.3
Appendix 1.5.7
1.5.13

Appendix
1.5.3



Ground Floor Plan



First Floor Plan

New Pitched Roof over

New Window with obscure glass

Infill Window

Revision A: Window noted to Bedroom 2 dormer
14.01.02 Bathroom side window infilled

Revision B: Arrangement of Bathroom and
22.02.02 Bedroom 1 revised. Bathroom window reduced in size, moved towards front of house and obscure glass noted. Chimney added.

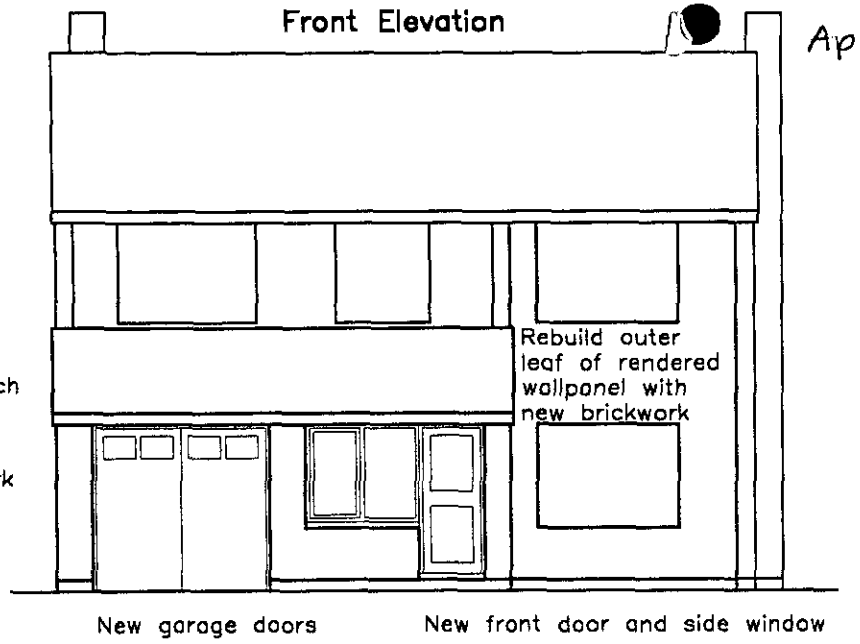
Proposed Alterations and Extensions

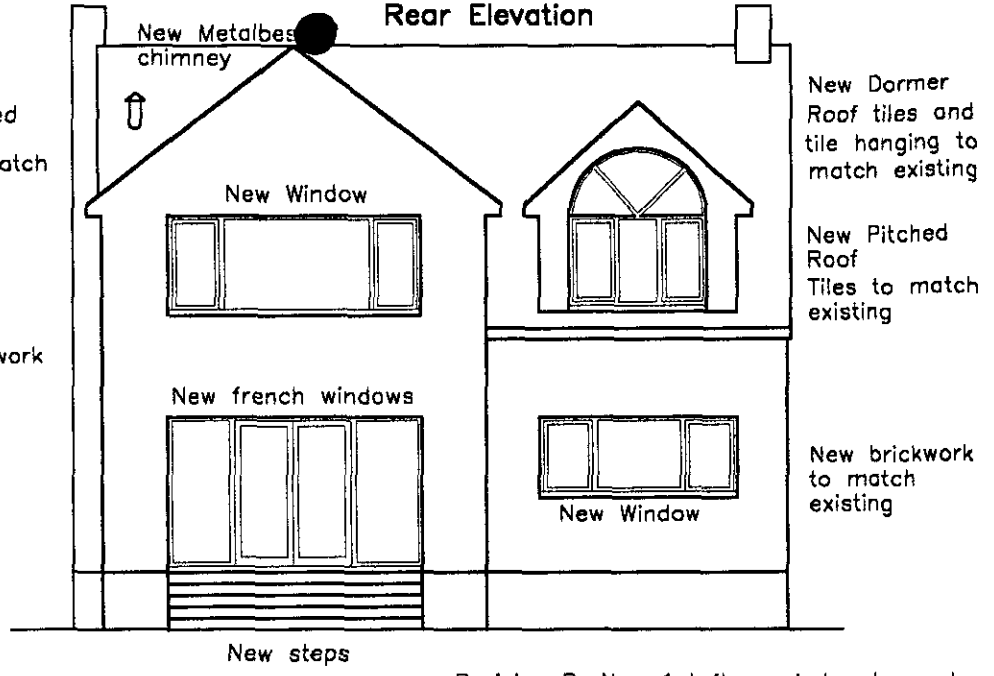
Floor Plans

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01B
Scale: 1:100
Date: 11.12.01

Appendix
1.5.7





Revision A: 14.01.02
En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

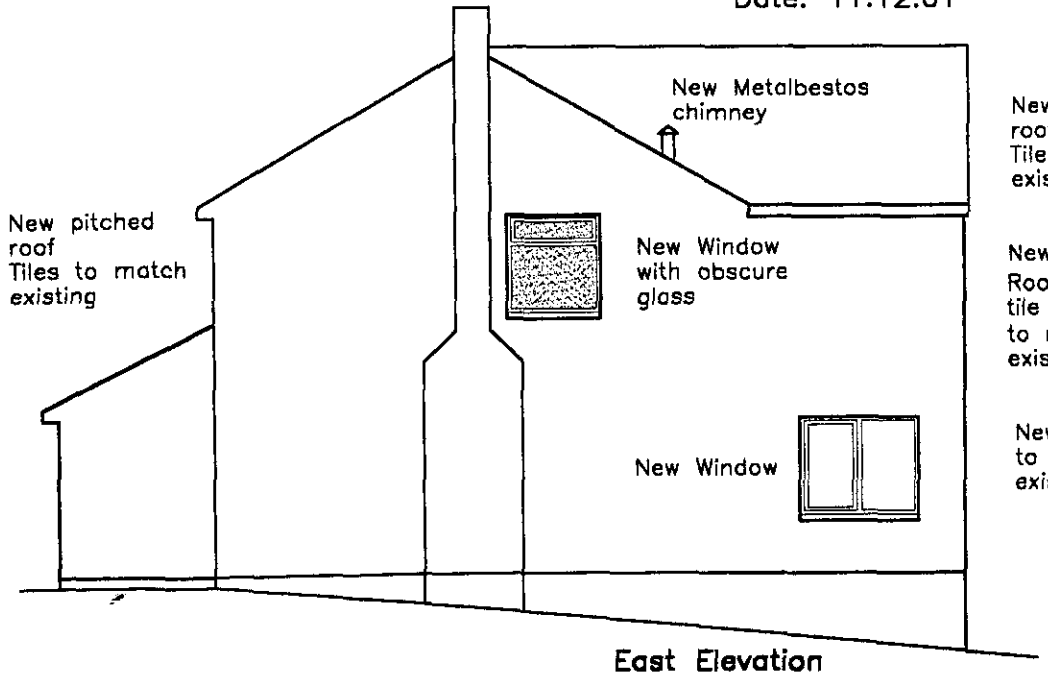
308A Barkham Road
Wokingham Berkshire

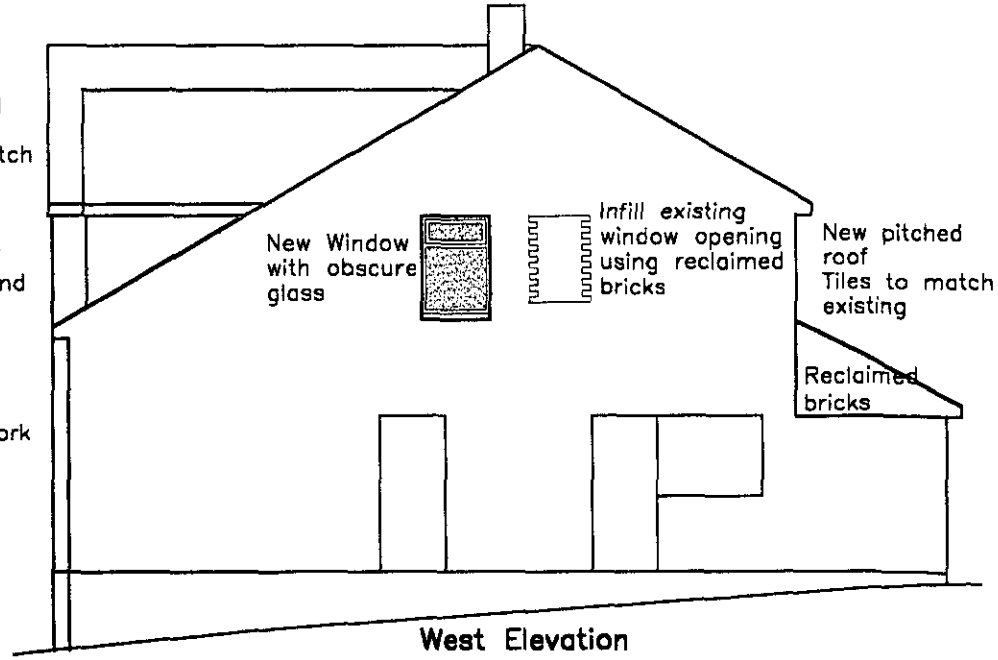
Drawing No 90.Planning.02B
Scale: 1:100
Date: 11.12.01

Proposed Alterations and Extensions

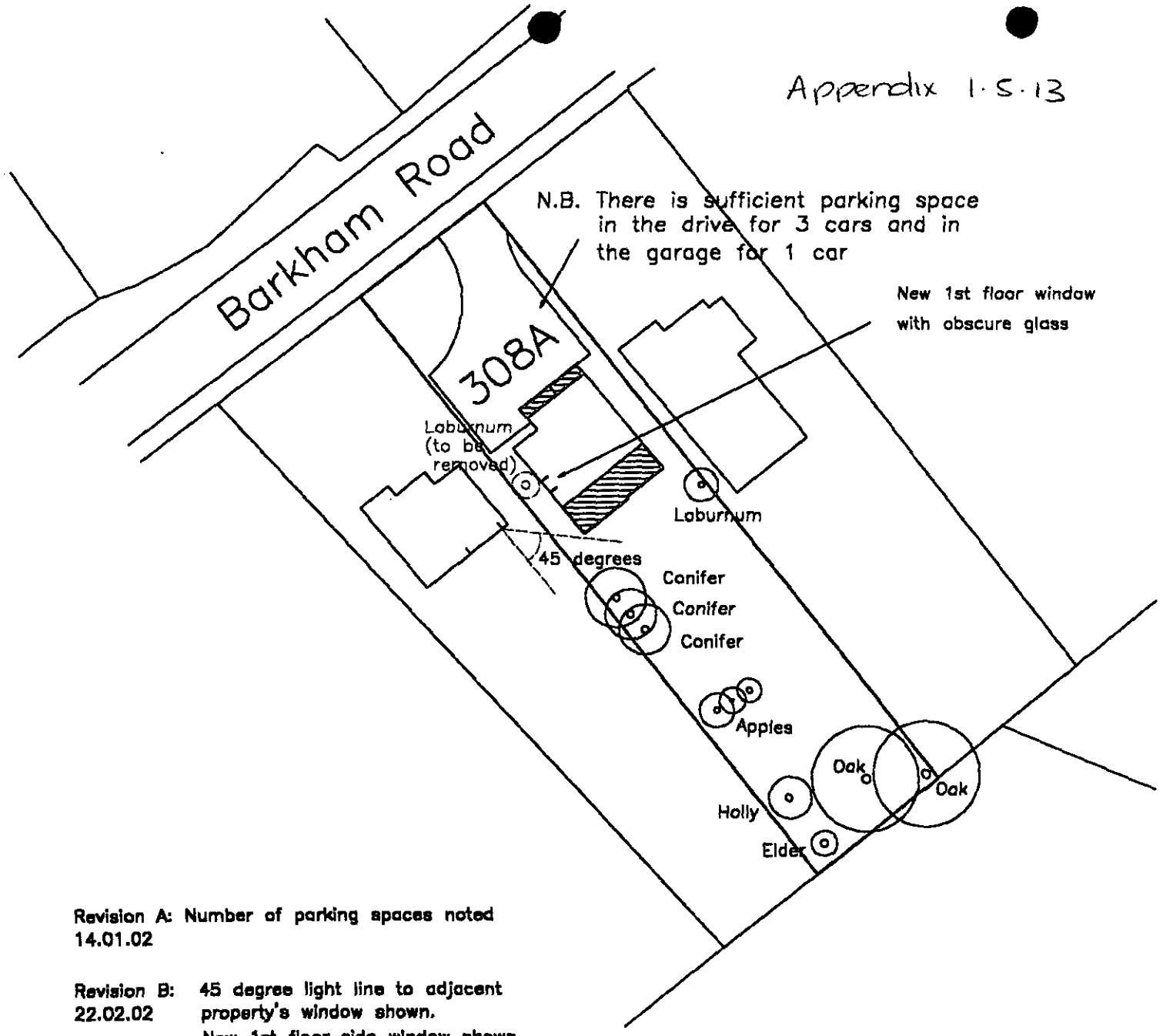
Elevations

Revision B: 22.02.02
New 1st floor window to east elevation reduced in size, moved towards front of house and obscure glass noted.
Chimney added.





Apperdix 1.5.13



N

Revision A: Number of parking spaces noted 14.01.02

Revision B: 22.02.02 45 degree light line to adjacent property's window shown. New 1st floor side window shown.

Block Plan

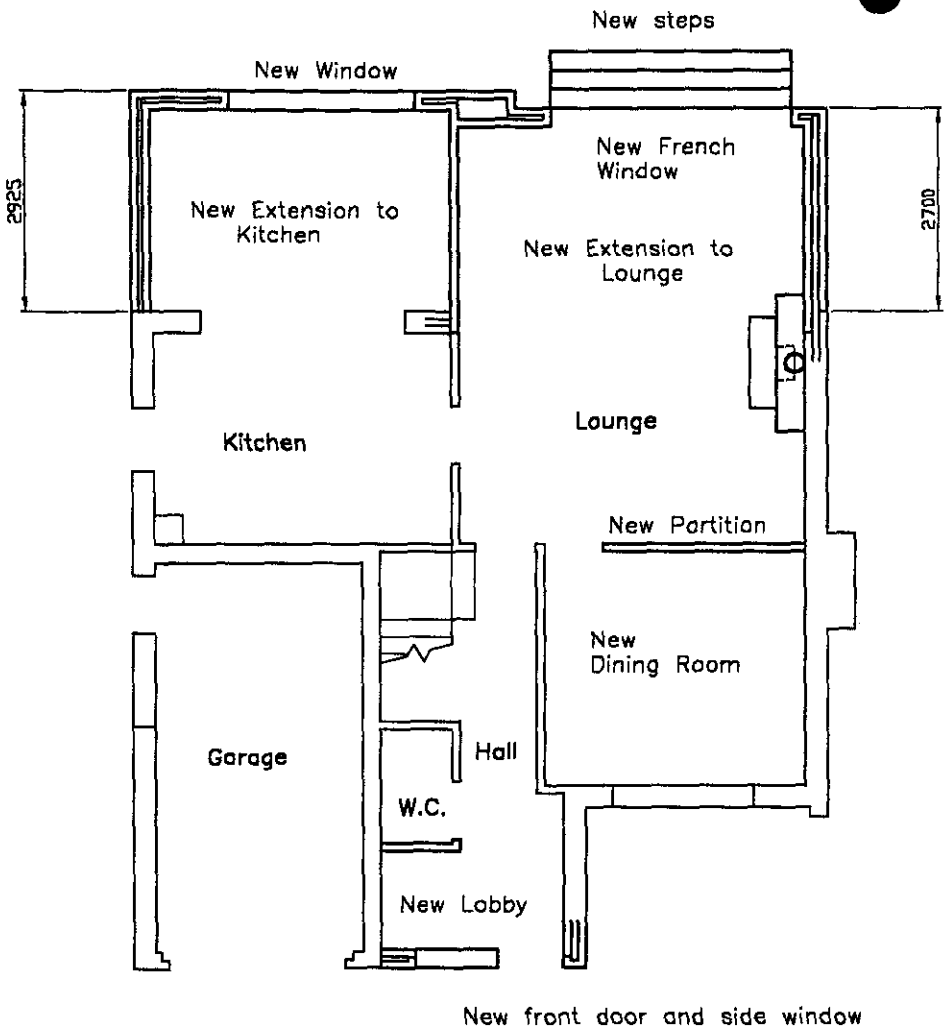
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.05B
Scale: 1:500
Date: 11.12.01

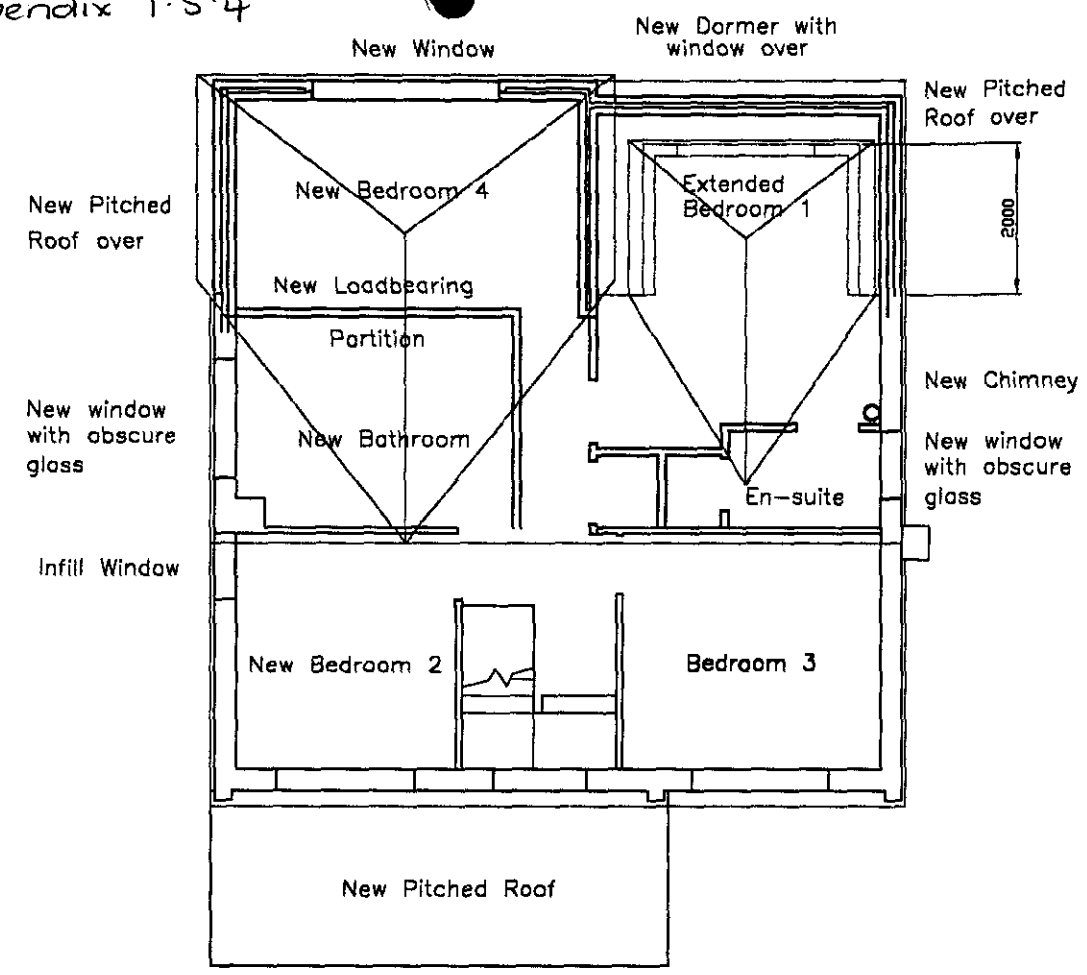
Appendix

1.5.4
1.5.8
1.5.14

Appendix 1.5.4



Ground Floor Plan



First Floor Plan

Revision A: 14.01.02 Window noted to Bedroom 2 dormer
Bathroom side window infilled

Revision B: 22.02.02 Arrangement of Bathroom and Bedroom 1 revised. Bathroom window reduced in size, moved towards front of house and obscure glass noted.
Chimney added.

Revision C: 28.02.02 Rear extension arrangement revised and hip ends introduced.
Dormer depth reduced to 2.0m.
New ground floor window to east elevation omitted.
New first floor window to east elevation reduced in size.
New first floor window to west elevation increased in size.

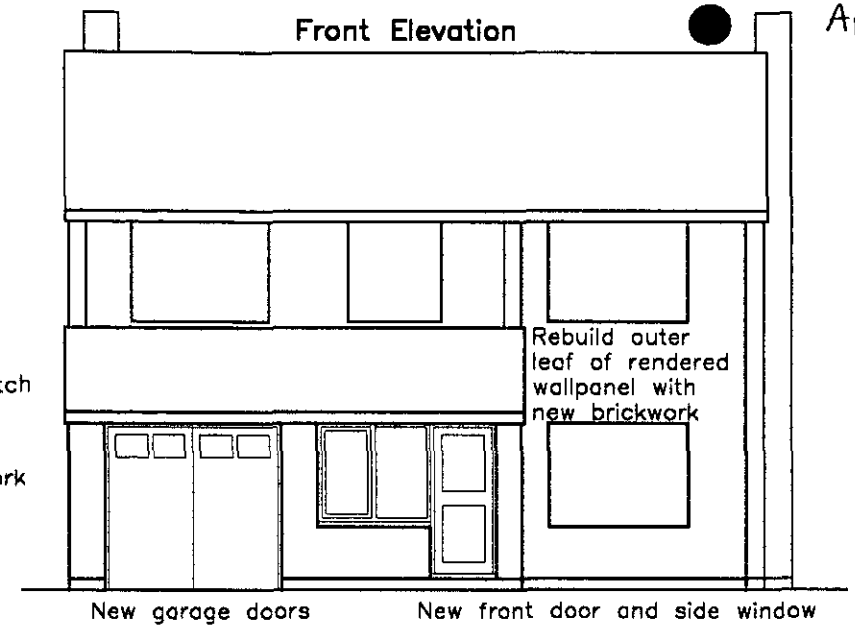
Proposed Alterations and Extensions

Floor Plans

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01C
Scale: 1:100
Date: 11.12.01

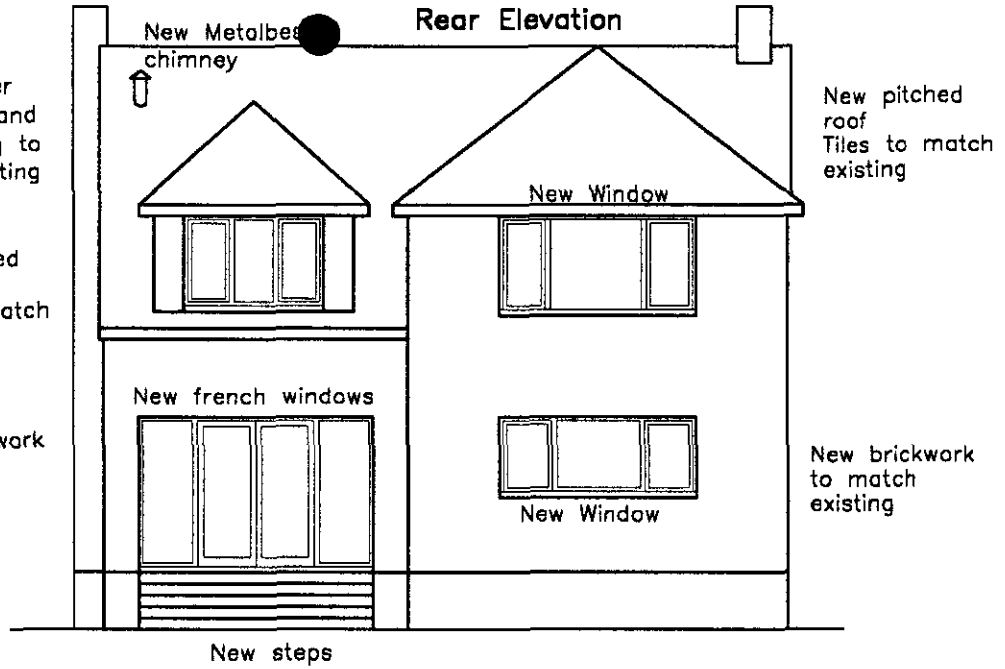
Appendix
1-5-8



New Dormer Roof tiles and tile hanging to match existing

New Pitched Roof Tiles to match existing

New brickwork to match existing



Revision A: 14.01.02
En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

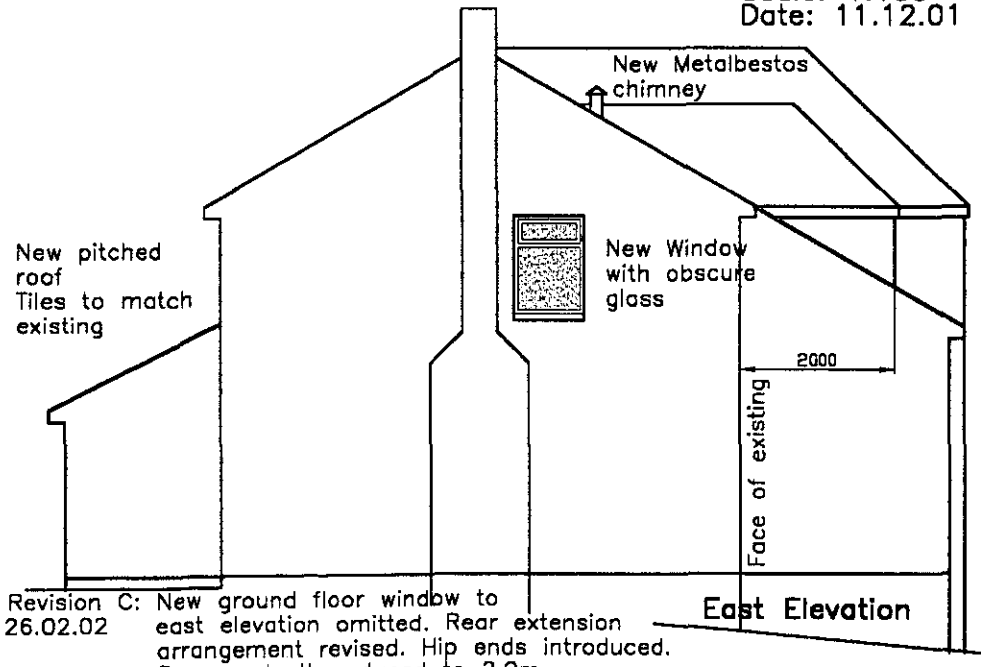
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.02C
Scale: 1:100
Date: 11.12.01

Proposed Alterations and Extensions

Revision B: 22.02.02
New 1st floor window to east elevation reduced in size, moved towards front of house and obscure glass noted.
Chimney added.

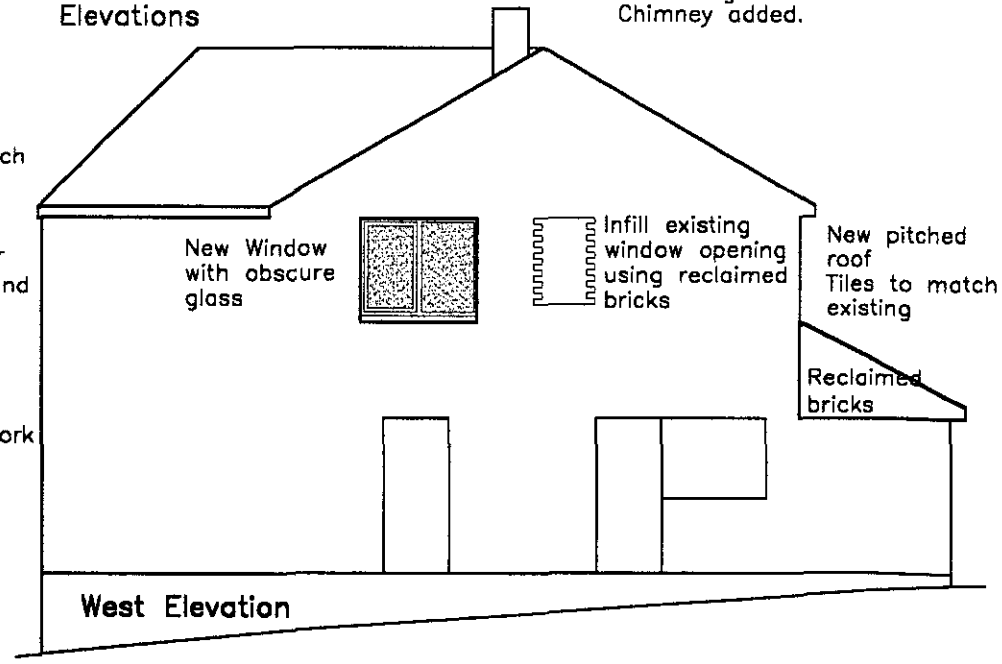
Elevations



New pitched roofs Tiles to match existing

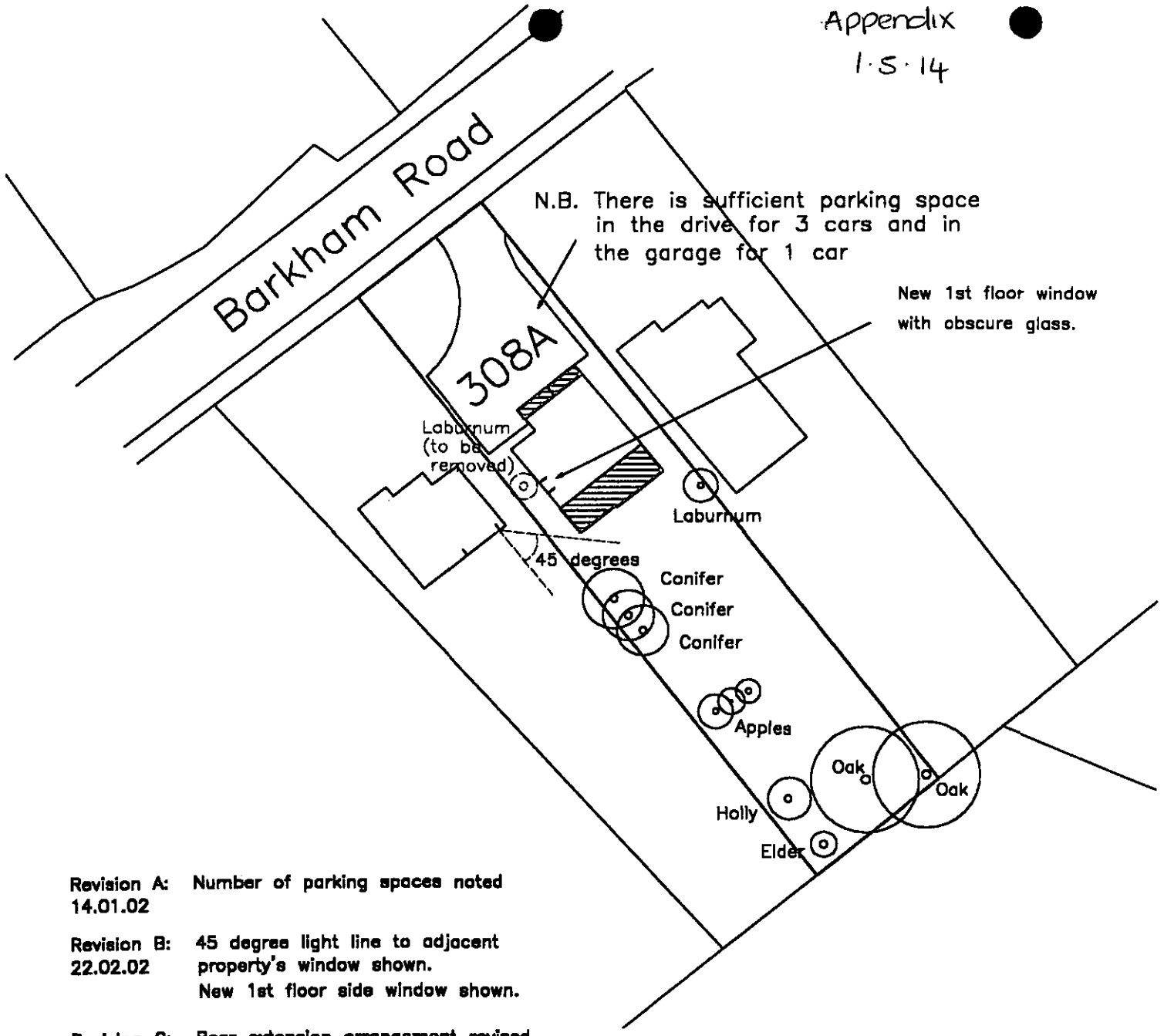
New Dormer Roof tiles and tile hanging to match existing

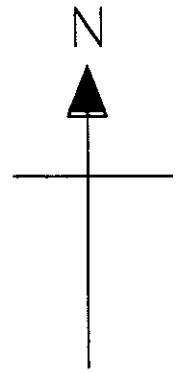
New brickwork to match existing



Revision C: 26.02.02
New ground floor window to east elevation omitted. Rear extension arrangement revised. Hip ends introduced.
Dormer depth reduced to 2.0m.
New 1st floor window to east elevation reduced in size.
New 1st floor window to west elevation increased in size.

Appendix
1·5·14





Revision A: Number of parking spaces noted
14.01.02

Revision B: 45 degree light line to adjacent property's window shown.
22.02.02 New 1st floor side window shown.

Revision C: Rear extension arrangement revised.
26.02.02 New 1st floor side window reduced in size.

Block Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.05C
Scale: 1:500
Date: 11.12.01

Appendix

1.5.16

Appendix 1.5.16.

Meeting with Wokingham Unitary Planning Services 26.02.02
Regarding Planning Application Ref No F/2001/5592
308A Barkham Road, Wokingham

Attended by:

Heidi Lynch	Planning Services
Richard Cheney	Applicant
Mike Banfield	Agent

Topics for discussion regarding the current application as detailed on the following drawings:

90.Planning.01A	Floor Plans
90.Planning.02A	Elevations
90.Planning.03	Existing Floor Plans
90.Planning.04	Existing Elevations
90.Planning.05A	Block Plan

1. On what grounds has the application been rejected?
Ms Lynch thought it was because the proposal was overbearing

2. Have the neighbours' objections regarding reduced light and lack of privacy been taken into account when rejecting the application?
Not light, but lack of privacy had.

3. Has Councillor Marinos' objection regarding "massing" been taken into account when rejecting the application?
Yes

4. Have the other two local Councillors made comments and is it incumbent upon them to do so?
No, No

5. How is massing defined in the planning context?

6. Is massing measured by the volume of the extension relative to the original house volume and, if so, is there a defined limit to this volume?
No

7. The neighbours' and Councillor's objections regarding light cannot be sustained as the rear extension is inside the notional 45 degree "light line".
Agreed

8. If it could be shown that there are similar rear extensions in similar circumstances within the area, would the current application then be re-considered?
Non-committal

9. It should be noted that it is the applicants' intention to introduce brick features to improve the appearance of the front and rear of the house and the sides of the extensions.
Noted

Copy handed to planning
26.2.02

Observations regarding the revised application as detailed on the following Drawings:

90.Planning.01B	Floor Plans
90.Planning.02B	Elevations
90.Planning.03	Existing Floor Plans
90.Planning.04	Existing Elevations
90.Planning.05B	Block Plan

The applicants concede that the neighbours' and Councillor's objections regarding privacy can be sustained and have, accordingly, reduced in size the 1st floor window facing the objecting neighbours' property. This window has also been located nearer to the front of the house and obscure glass has been specified.

The 45 degree "light line" and the 1st floor window in question have been indicated on the block plan.

Appendix

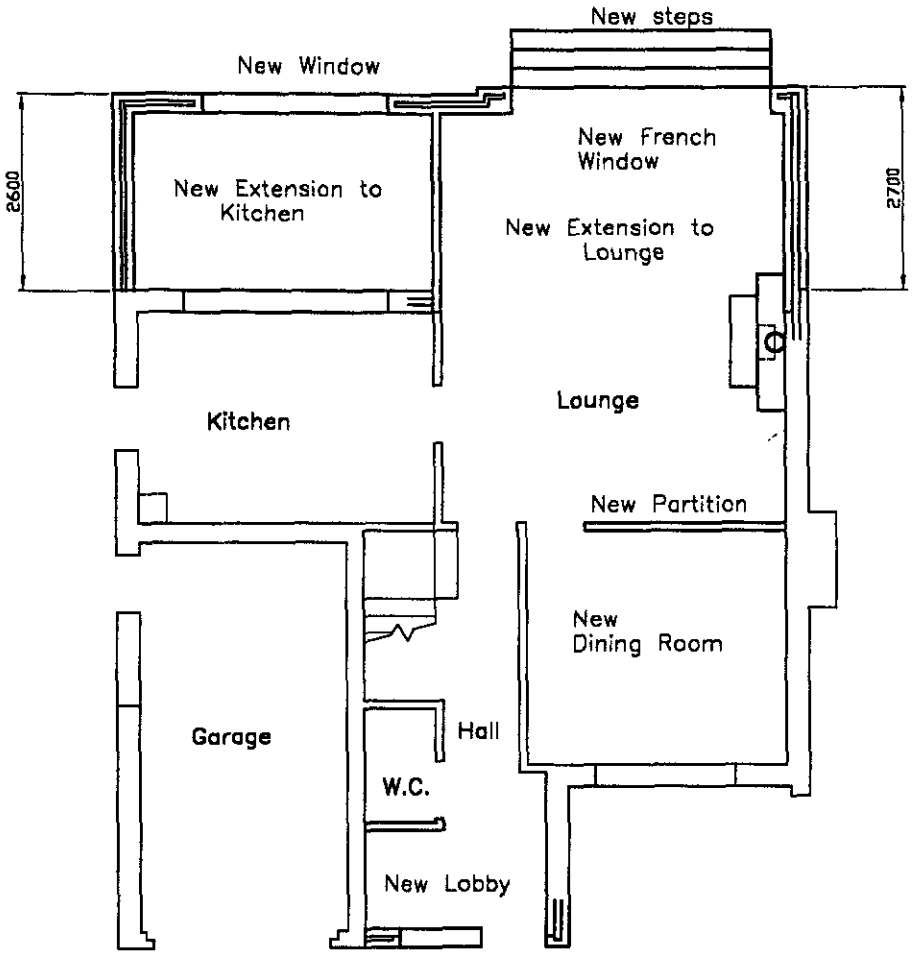
1.6

Appendix 1.6

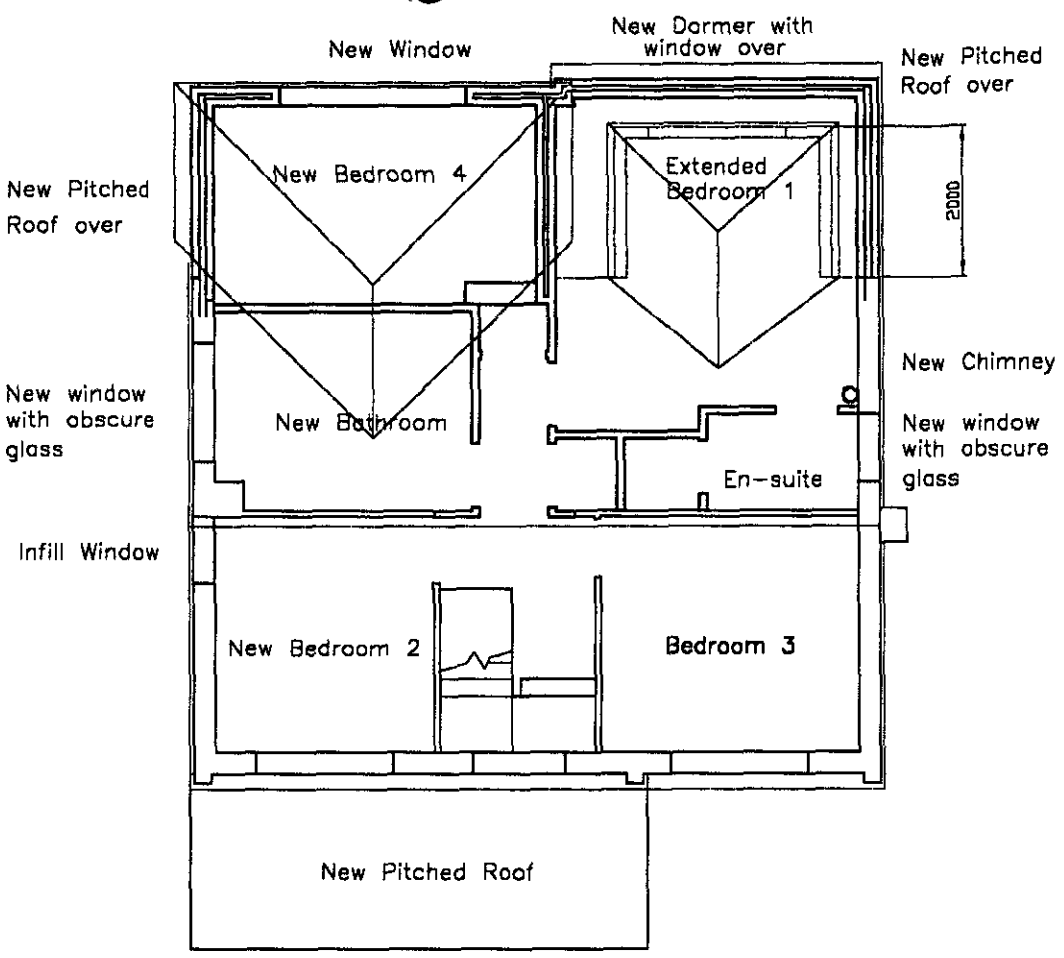
Appendix

1.6.1
1.6.2
1.6.3

Appendix 1.6.1



Ground Floor Plan



First Floor Plan

Revision A: 14.01.02
Window noted to Bedroom 2 dormer
Bathroom side window infilled

Revision B: 22.02.02
Arrangement of Bathroom and Bedroom 1 revised. Bathroom window reduced in size, moved towards front of house and obscure glass noted.
Chimney added.

Revision C: 28.02.02
Rear extension arrangement revised.
Dormer reduced in depth.
Hip ends introduced.
New ground floor window to east elevation omitted.
New first floor window to east elevation reduced in size.
New first floor window to west elevation increased in size.

Revision D: 06.03.02
Kitchen and Bed 4 reduced in depth and width. Floor levels in Kitchen and Bed 4 lowered by 300 and steps added.
Angle of roof hips reduced.

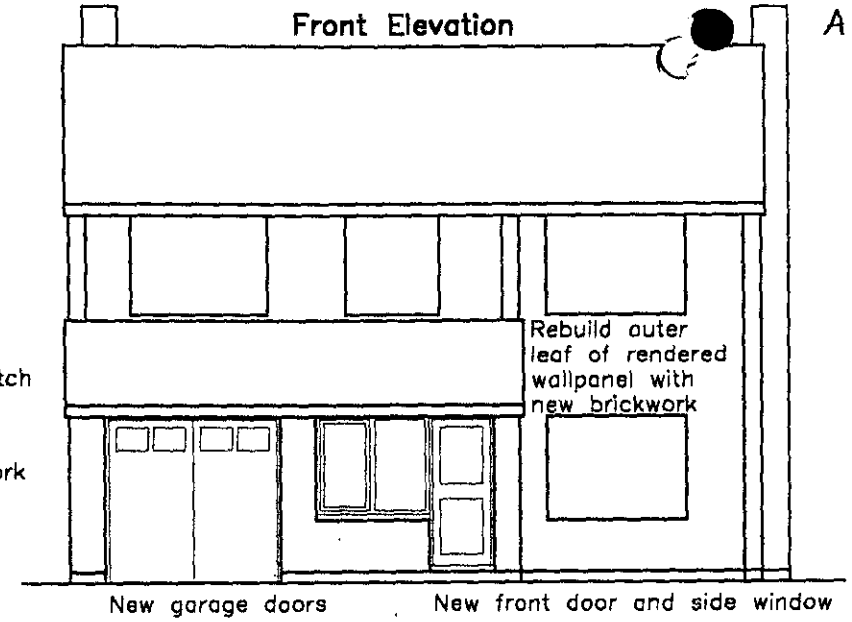
Proposed Alterations and Extensions

Floor Plans

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01D
Scale: 1:100
Date: 11.12.01

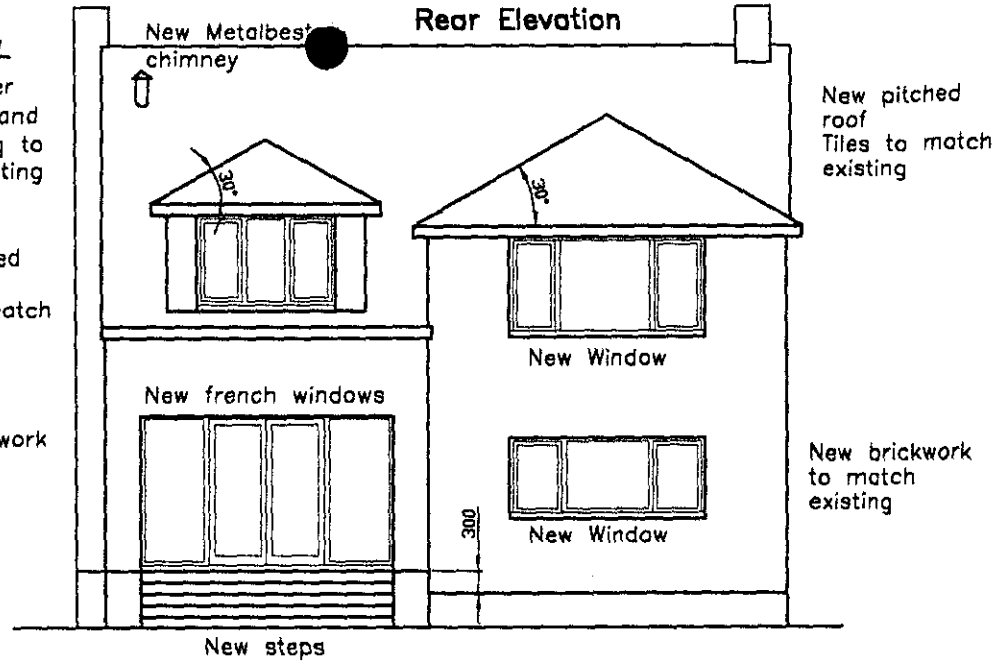
Appendix
1-6-2



New Dormer Roof tiles and tile hanging to match existing

New Pitched Roof Tiles to match existing

New brickwork to match existing



Revision A: 14.01.02
En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

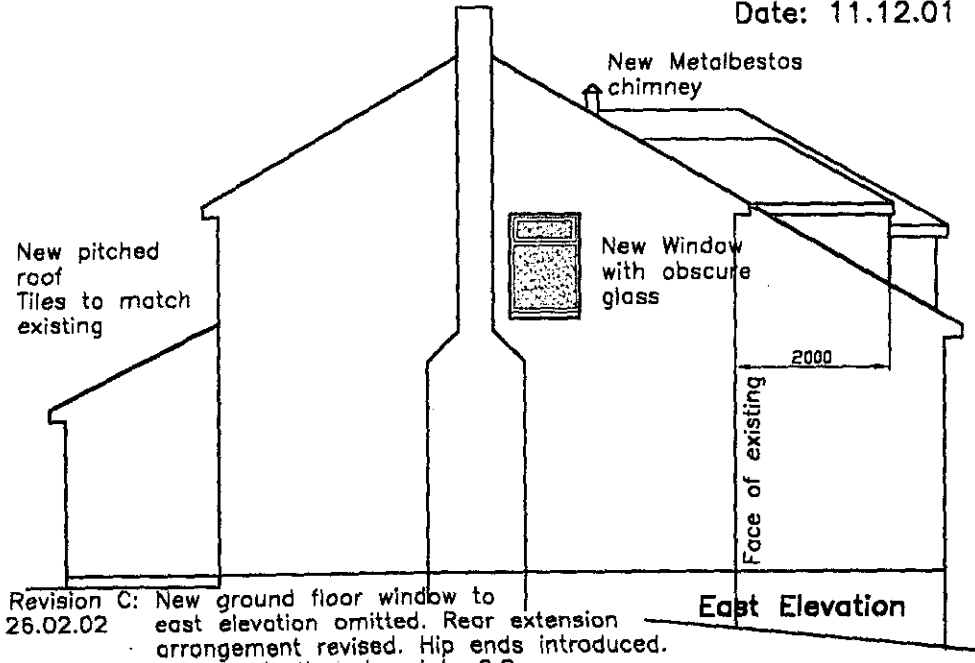
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.02D
Scale: 1:100
Date: 11.12.01

Proposed Alterations and Extensions

Elevations

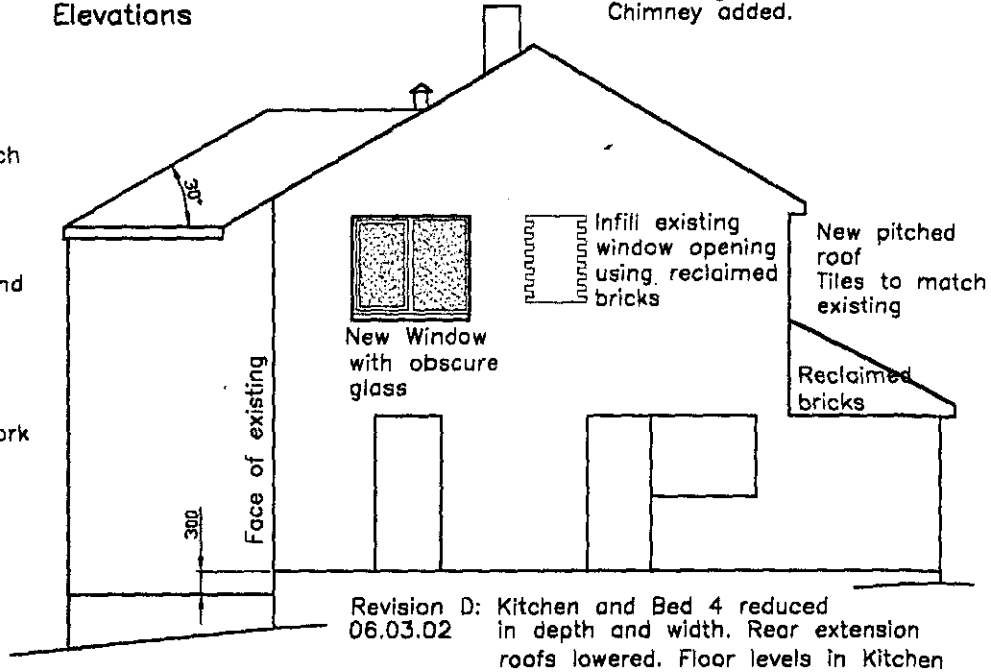
Revision B: 22.02.02
New 1st floor window to east elevation reduced in size, moved towards front of house and obscure glass noted.
Chimney added.



New pitched roofs Tiles to match existing

New Dormer Roof tiles and tile hanging to match existing

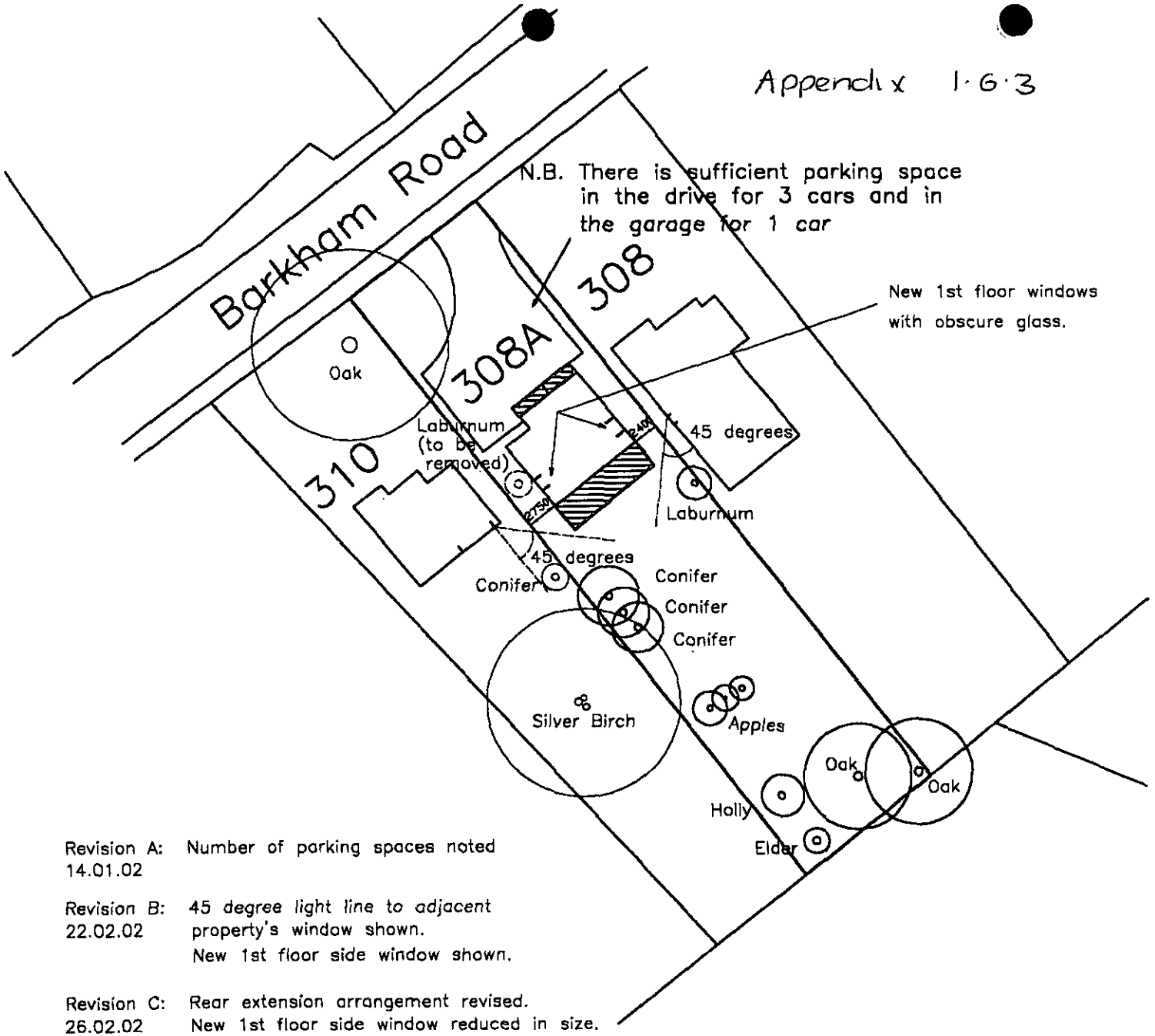
New brickwork to match existing



Revision C: 26.02.02
New ground floor window to east elevation omitted. Rear extension arrongement revised. Hip ends introduced.
Dormer depth reduced to 2.0m.
New 1st floor window to east elevation reduced in size.
New 1st floor window to west elevation increased in size.

Revision D: 06.03.02
Kitchen and Bed 4 reduced in depth and width. Rear extension roofs lowered. Floor levels in Kitchen and Bed 4 lowered by 300mm.
Angle of roof hips reduced.

Appendix 1·6·3



N

Revision A: Number of parking spaces noted
14.01.02

Revision B: 45 degree light line to adjacent
22.02.02 property's window shown.
New 1st floor side window shown.

Revision C: Rear extension arrangement revised.
26.02.02 New 1st floor side window reduced in size.

Revision D: Rear extension reduced in depth.
06.03.02 45 degree light line to adjacent property's window shown. Dimensions to boundaries shown. Neighbouring trees added.

Block Plan

308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.05D
Scale: 1:500
Date: 11.12.01

Appendix

Appendix 1.6.4

Ryman
A4 10 Part
05.0301.12.45
5 021376 004152
Made in the UK for Ryman Limited UB3 1DQ

Appendix 1.6.4.

Chronology of Events relating to Planning Application No F/2001/5592 to extend 308A Barkham Road Wokingham

Application submitted by hand on the 31.12.01. **(See appendix 1.1)**

Agent (LMB) visited planning department on the 11.01.02 as there had been no notification that the application was being processed. The application had not been accepted by the planning officer (Heidi Lynch) because of some discrepancies on the drawings.

Drawings Nos 01A, 02A & 05A with discrepancies corrected were submitted on the 14.01.02.

The planning department accepted the application on the 16.01.02. **(See appendix 1.8.4)**

Drawings were handed to both neighbours by the applicants (RC & SC) as a matter of courtesy. The neighbours in No 308, the adjacent bungalow, were very supportive however the neighbours in No 310, the adjacent house, objected on the grounds of loss of privacy and loss of light.

LMB visited the planning department with the intention of speaking to Heidi Lynch to discuss objections. Heidi Lynch was not available however the case file was made available for inspection. There were letters of objection on file from the neighbours in No 310 and from Councillor Marinos. Councillor Marinos had been requested by the planning department to write to them if she thought the application should go before the planning sub-committee rather than be dealt with under delegated powers. She did not respond to the request but did, however, write to the planning department objecting about the proposal. Her letter states that: "the first floor extension poses serious massing problems".

Heidi Lynch visited the site on the 18.02.02. LMB was in attendance. LMB asked Heidi Lynch if there were any planning regulations that determined the size of a proposed extension. She said that there were, these were the Local Plan and the 45 degree rule for determining loss of light to adjacent properties. She thought that the proposal for the rear extension would not pose any problems other than that the proposed first floor window that was to overlook the rear terrace of No 310 would compromise the neighbours' privacy.

Heidi Lynch telephoned LMB on the 20.02.02 to say that the application had been rejected. She stated that her household team leader, Mrs Polnik, had suggested that if the rear two storey extension were to be reduced in depth to 2.0m, the proposal would be acceptable. LMB stated that this would not be acceptable to RC & SC and that we would like to have a meeting with Mrs Polnik to negotiate a compromise solution. **(See appendix 1.6.5 for a record of the telephone conversation)**

RC attempted to arrange a meeting with Mrs Polnik, as she had made the decision to reject the application. RC was unable to contact her so he arranged a meeting with Heidi Lynch instead.

RC an LMB met with Heidi Lynch on the 26.2.02. Drawings Nos 01B, 02B & 05B were submitted to her. These showed the revised arrangement of the first floor internally. The arrangement had been revised to avoid having the bedroom 1 window overlooking the rear terrace of No 310. A bathroom window with obscure glazing was shown as overlooking the terrace. Heidi Lynch accepted this revision as overcoming the privacy problem and agreed that there would be no loss of light to No 310. A list of topics for discussion was handed to Heidi Lynch **(see appendix 1.5.16 for the list with Heidi Lynch's responses marked on it).** Heidi Lynch suggested that if the rear extension was re-arranged such that the dormer was on the objecting neighbour's side and was reduced to 2.0m in depth from the rear face of the existing house it might be acceptable. She agreed to call LMB after having spoken to Mrs Polnik about her suggestion. She also stated that Mrs Polnik was not prepared to meet us, but if we were to go to the planning department on thursday the 28.02.02 with the revised drawings Mrs Polnik would be on counter duty.

Heidi Lynch telephoned LMB on the 27.02.02 to say that she had spoken to Mrs Polnik who had made a further suggestion that would perhaps help the proposal gain approval i.e. introduce hip ends to the gable and dormer of the rear extension. Heidi Lynch also said that Mrs Polnik was to visit the site as the application had become "tricky".

RC and LMB visited the planning department on thursday the 28.02.02 and handed Drawings Nos 01C, 02C & 05C to Heidi Lynch. These drawings showed her's and Mrs Polnik's suggestions of the 26.02.02 and 27.02.02. RC and LMB asked to speak to Mrs Polnik but she was not available despite thursdays being her counter duty day.

Heidi Lynch telephoned LMB on the 04.03.02 to say that the drawings submitted on the 28.02.02 had been rejected. She stated that the planning department's block plan of the houses and bungalow in question had been out of scale but had now been redrawn and it indicated that the dining room side window of No 308, facing the proposed rear extension, was nearer to the proposal than originally thought. Not even a 2.0m deep two-storey rear extension would now be acceptable. LMB asked that if revised drawings showing the rear extension reduced in size and it's roofs lowered were to be submitted would they be considered. She said that they would if they were submitted at least a couple of days before the determination date of the application.

RC telephoned Mrs Polnik on the 06.03.02 to try to arrange a meeting with her. Mrs Polnik agreed to meet on the 18.03.02 and she also agreed to extend the application period beyond the determination date, as the application was still being negotiated. RC asked her if she had visited site; she had not.

LMB prepared Drawings Nos 01D, 02D and 05D on the 06.03.02 showing floor levels lowered by 300mm, the rear extension reduced in size and it's roofs lowered. These drawings were to be submitted to Mrs Polnik on the 18.03.02.

Heidi Lynch telephoned LMB 07.03.02 asking if the revised drawings discussed with her on the 04.03.02 were going to be submitted that day. LMB expressed surprise that Mrs Polnik had not informed her that the application period had been extended by Mrs Polnik and that he would be submitting the revised drawings to Mrs Polnik on the 18.03.02. Heidi Lynch said that she was not aware that the application period had

been extended and that she would have to speak to her manager as she was concerned that she would not "meet her targets".

Mrs Polnik telephoned RC at approx. 2.15pm on the 08.03.02 to say that she could not now extend the application. She would however still be able to meet with RC and LMB on the 18.03.02.

LMB telephoned Heidi Lynch at approx 3.05pm on the 08.03.02 after having been informed by RC that the application extension had now been rescinded. LMB asked Heidi Lynch if he could submit the Revision D drawings. She said no; the paperwork rejecting the application had been completed and there was no time to inspect revised drawings as she was leaving the office at 4.0pm. LMB tried to contact her manager, Mr Thorpe, in an attempt to keep the application open; Mr Thorpe was unavailable. A message was left asking Mr Thorpe to return the call. The call was not returned.

RC wrote to Mr Thorpe on the 08.03.02 regarding the granting and subsequent rescinding of the extension to the application period; a copy of the letter is attached. There has been no response to the letter from Mr Thorpe. **(See appendix 1.8.1)**

Notification of Refusal of Permission dated 08.03.02 was received by LMB. **(See appendix 1.3)**

RC and LMB met with Mrs Polnik on the 18.03.02. **(See appendix 1.6.6 for minutes of the meeting)**

SC and RC instructed LMB on the 19.03.02 to appeal to the Secretary of State for the Environment, Transport and the Regions.

LMB forwarded copies of the meeting minutes and chronology of events to Mrs Polnik and Heidi Lynch for their comments. **(See appendix 1.8.3)**

RC forwarded copies of the chronology of events to Mr Thorpe. **(See appendix 1.8.5)**

LMB wrote to Mrs Polnik regarding rights of light to the dining room window of No 308. **(See appendix 1.8.2)**

APPENDIX

1.6.5

20/2/02 C

Appendix 1.6.5.

Telephone Call from Heidi Lynch
Development Control Officer

Proposal will be rejected on the grounds of being "too overpowering" and privacy i.e. bedroom 1 window overlooks neighbours terrace.

Reducing extension from 2995 to 2000 would be acceptable

- Switching Gable and Sloping roof would not be acceptable

45° line from adjacent properties' nearest window (too establish if their is sufficient light to the next door neighbours house) is outside of extension as drawn. This has however, been overruled on the grounds that it is too overpowering

-

Household Team Leader Besia Polnik made the decision

LMBC asked on what grounds. Heidi Lynch stated that the current scheme does not accord with the District Plan or the Planning Policies.

APPENDIX
1.6.6

Appendix 1.6.6.

Minutes of a meeting held at the Wokingham District Council Planning Department on the 18th March 2002 regarding Application No F/2001/5592 to extend 308A Barkham Road Wokingham Berkshire.

Those present:

Mrs Polnik	Household Team Leader, Wokingham District Council Planning Department.
Richard Cheney	Applicant
LM Banfield	Agent

1. Mrs Polnik opened the meeting by stating the reasons why the application had been refused. The proposal was considered to be overbearing and to reduce light to the side window of No 308. She described the methods of determining the reduction in light to the side window; although the proposal is within a 45 degree angle projected on a horizontal plane from the window, it would not be within a 25 degree angle projected on a vertical plane from a point 2m above floor level in the centre of the window. The light to the window would therefore, in her opinion, be excessively reduced. LMB stated that he had not been made aware of the 25 degree criteria by the Planning Department and had not been given an opportunity to accommodate it by revising the proposal before the determination date of the application.
   Post meeting note: LMB omitted to point out to Mrs Polnik that the side window of No 308 faces south-west allowing, with the proposal constructed, direct sunlight to enter the room served by the window.

2. RC pointed out to Mrs Polnik that there was a high hedge in front of the window of No 308. He also pointed out that the room served by the window was a dining room subject to only occasional use. LMB asked if the occupants of No 308 would have a "right to light" through the window if the window had not been in existence for more than 20 years. Mrs Polnik stated that she would need to consult the Council's lawyers if that was shown to be the case.
   Post meeting note: Subsequent investigation has shown that the window of No 308 causing concern has not been in existence for more than 20 years.

3. LMB suggested that, to comply with the 25 degree angle criteria, the arrangement, as shown on the revision D set of drawings, be reversed such that the dormer was on the No 308 side of the house. Mrs Polnik stated that reversing the arrangement would not be acceptable as the hipped roofed part of the extension, albeit smaller and 600mm lower than the previous arrangements, would be considered as overbearing when viewed from the garden of No 310.

4. RC queried the "overbearing" reason for the refusal and showed Mrs Polnik a series of photographs of other recently constructed rear extensions to houses in Wokingham, similar to the proposal. Mrs Polnik agreed that in some cases the photographs showed these extensions to be far more overbearing than the proposal **(see appendix 1.6.7 for the photographs).** LMB stated that the Planning Department's decisions appeared to lack consistency. Mrs Polnik agreed that there was a lack of consistency and that the Planning Department would be trying to make their decisions more consistent in the future. Mrs Polnik handed LMB the Planning Department's Draft Planning Guideline B2 which, when implemented, would hopefully achieve consistency **(see appendix X for Guideline B2).** LMB stated that the decision making regarding the overbearing nature of a proposal appeared to be very subjective. Mrs Polnik agreed that it was.
Post meeting note: Guideline 5.8 of the Draft Planning Guideline B2 states that for two storey rear extensions "the first floor should be set in from the party boundary by a minimum of 2.5m and should not project by more than 3m. In any event these should be within the 45 degree angle (drawn in a horizontal plane) from the nearest part of a window to a habitable room of a neighbouring window, to ensure that there is no adverse impact on neighbours in terms of loss of light". The proposal would be 2.75m from the boundary of No 310 and 2.4m from the boundary of No 308. It would not project by more than 3.0m and would be within the 45 degree angle. LMB's suggestion to reverse the arrangement shown on the revision D set of drawings (see minute No 3) would, with some minor alterations, comply with the guideline.

5. LMB requested assistance from Mrs Polnik in trying to establish an alternative arrangement of the extensions that would be acceptable both to the Applicants and to the Planning Department. Mrs Polnik asked if a loft conversion had been considered; RC stated that it had and had been rejected. LMB suggested a single storey rear extension and a two storey front extension. RC expressed concern about additional costs and also stated that the suggestion would be very much a second choice. However, the suggestion was discussed further. Mrs Polnik stated that the roof to a single storey rear extension on the No 308 side of the house should be low enough such that it is within the 25 degree angle. She thought that having two storeys in the front of the house may be acceptable and asked that, if RC wished to proceed with this alternative arrangement, LMB prepare a sketch to enable more detailed discussions with her at a later date. Mrs Polnik asked LMB if he had considered taking advantage of permitted development rights when designing the extensions. LMB said he had not. Mrs Polnik arranged for a copy of the DETR booklet "Planning a Guide for Householders" to be made available; the booklet describes permitted development rights.
***Post meeting note:* Volume calculations show that under the permitted development rights a two storey extension with a dormered first floor could be constructed adjacent to either boundary.**

6. RC queried the fact that the determination date for the application had been extended by Mrs Polnik during his telephone conversation with her on the

06.03.02 only to have the extension rescinded on the 08.03.02. leaving no time to submit the revision D set of drawings. Mrs Polnik explained that her decision had been overruled by her superior, Mr Thorpe. She also stated that had the revision D set of drawings been submitted, they would have been rejected anyway. LMB explained to Mrs Polnik that although he was aware that the revision D set of drawings would probably have been rejected, they would have been the drawings upon which an appeal to the DETR would have been based, indicating to the DETR that the applicants had tried hard to overcome the objections to the proposal. Mrs Polnik suggested that the revision D set of drawings be the subject of a new application. LMB pointed out that eight weeks would be wasted if this suggestion were to be adopted. LMB stated his concern that there had been no response to a letter sent by RC to Mr Thorpe on the 08.03.02, requesting that he reconsider his overruling of Mrs Polnik's decision to extend the application period. Mrs Polnik did not comment.

7. LMB asked Mrs Polnik what the "targets" were to which Heidi Lynch referred in her telephone conversation with LMB on the 07.03.02. Mrs Polnik replied that central government had set planning departments targets for determining 80 percent of applications within eight weeks. The targets had been set to ensure that applicants received a good service.

8. The meeting concluded.

LMB 21.03.02

Appendix 1.6.7

Appendix 1.67.





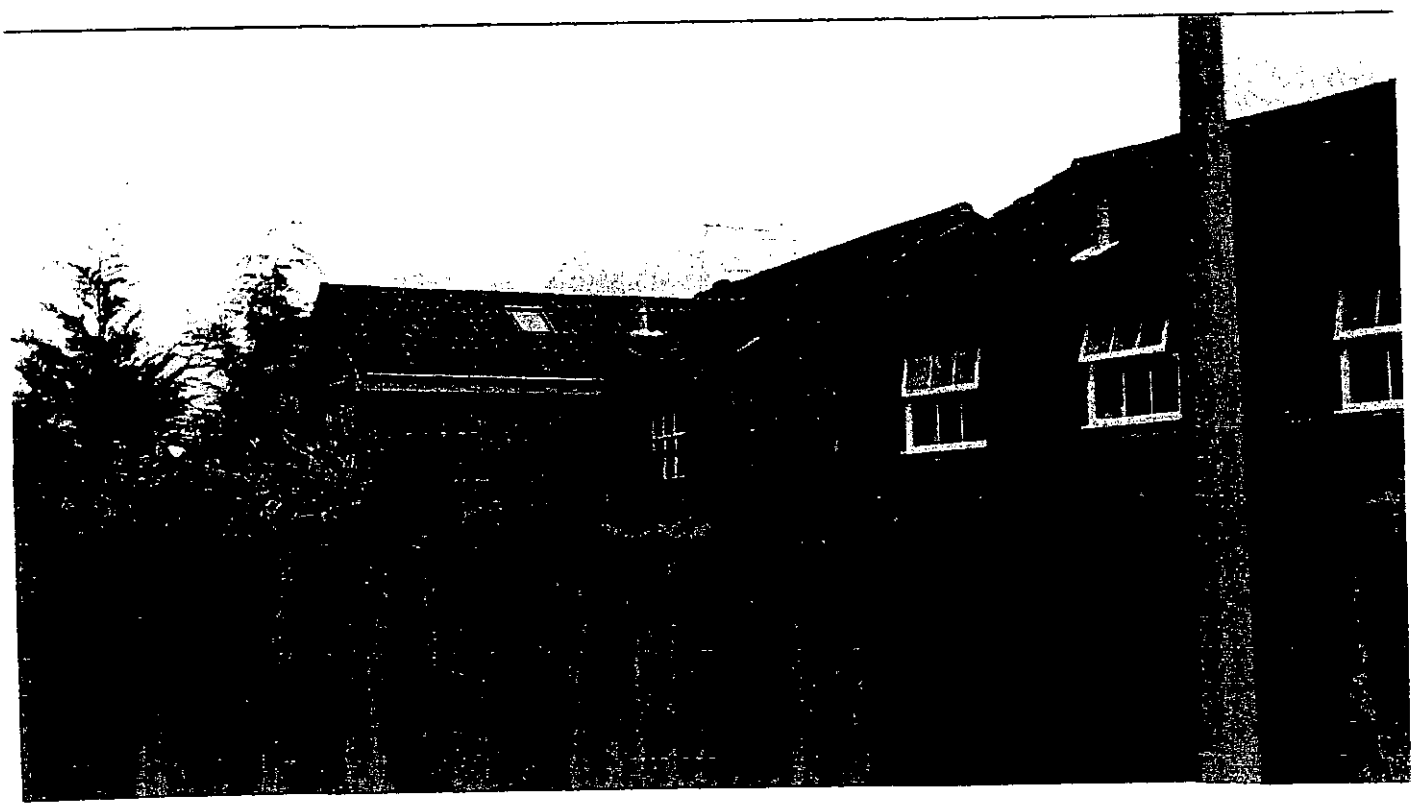
View from back door.

Laurel Close - estate off Barkham road. Spare

Appendix
1.6.7.

2 storey extension.
Planning application in progress for similar property. Likely 2 storey.





Barkham Road (property a few doors away)

Appendix 1-E-7

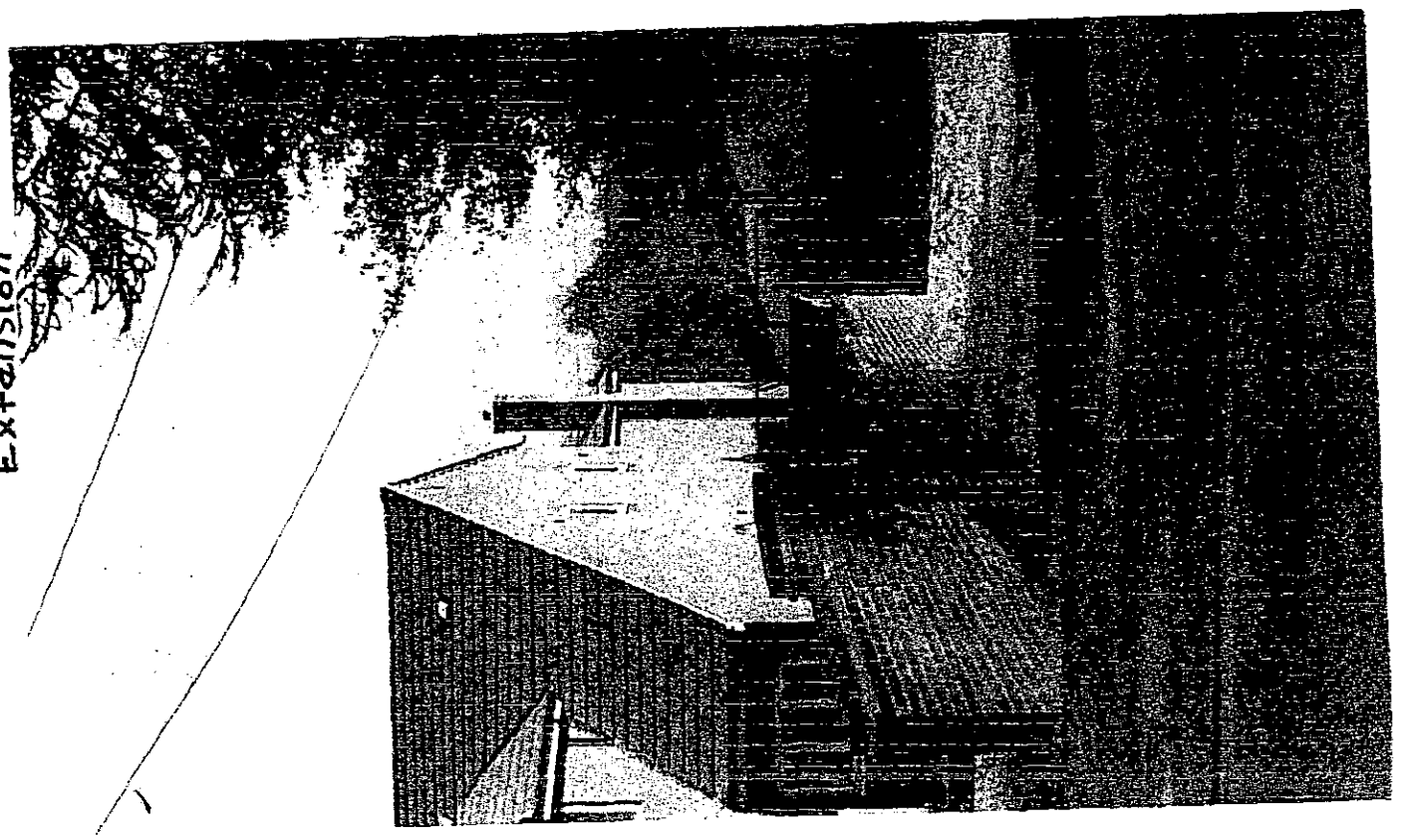
A few doors down from 308A.

Side view not possible.

Extension drops down but demonstrates massing.

Extension also extends well beyond rear face of adjacent property.





Appendix 1.6.7

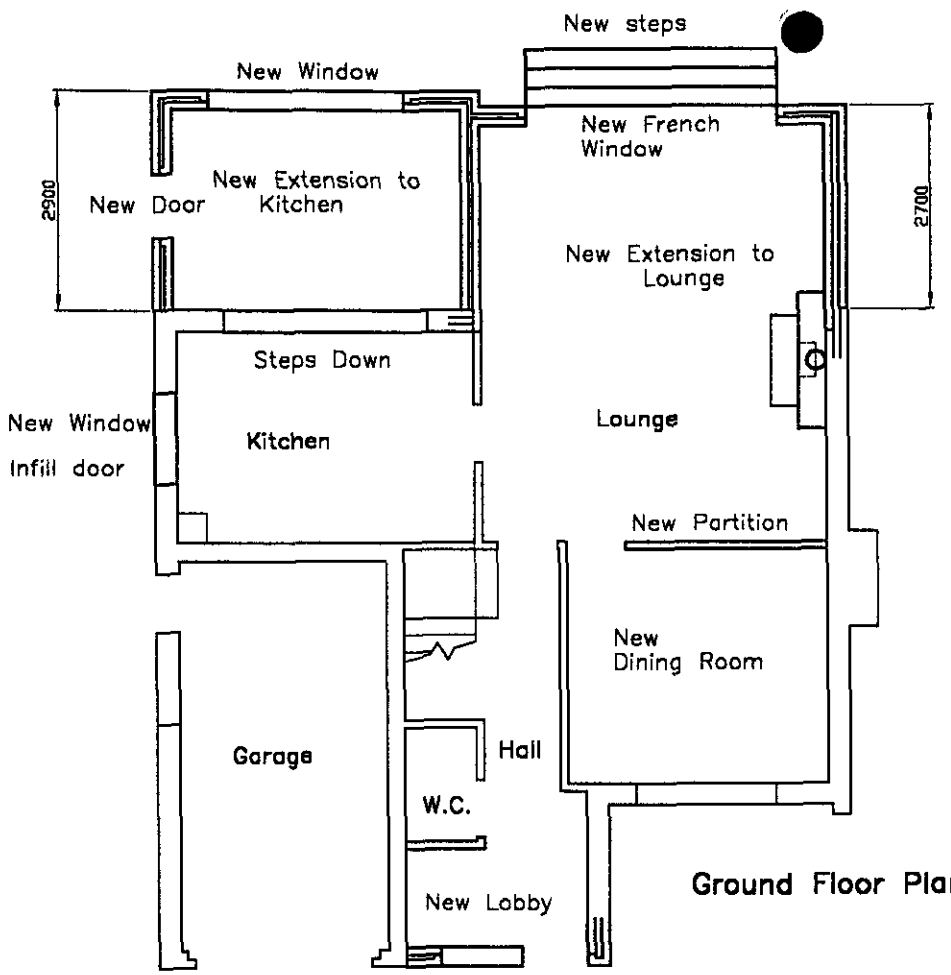
Barkham Road.

View from garden of 308A. Massing demonstrated.



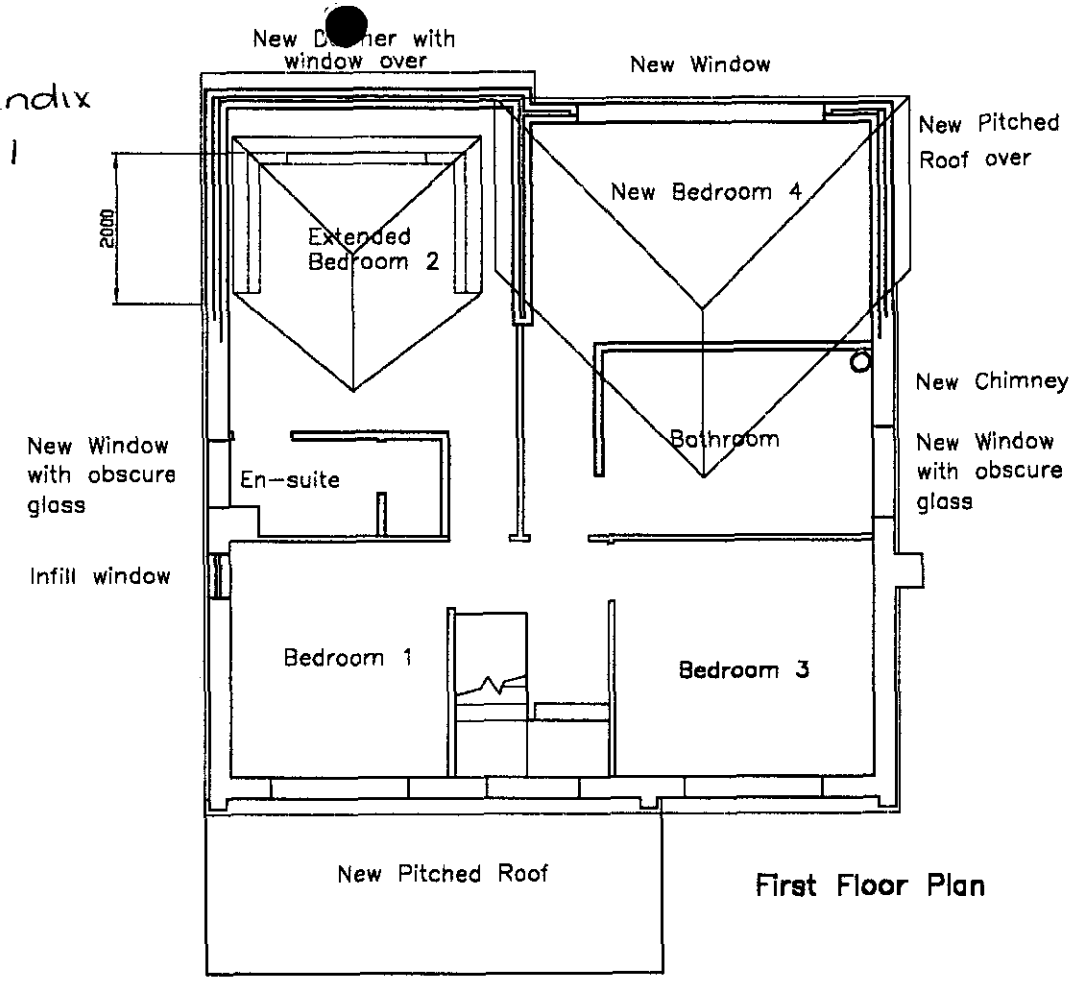
Appendix 1.7

Appendix
1.7.1.1.7.2



Ground Floor Plan

Appendix
1.7.1



First Floor Plan

Revision A: 14.01.02 Window noted to Bedroom 2 dormer. Bathroom side window infilled

Revision B: 22.02.02 Arrangement of Bathroom and Bedroom 1 revised. Bathroom window reduced in size, moved towards front of house and obscure glass noted. Chimney added.

Revision C: 28.02.02 Rear extension arrangement revised. Dormer reduced in depth. Hip ends introduced. New ground floor window to east elevation omitted. New first floor window to east elevation reduced in size. New first floor window to west elevation increased in size.

Revision D: 06.03.02 Kitchen and Bed 4 reduced in depth and width. Floor levels in Kitchen and Bed 4 lowered by 300 and steps added. Angle of roof hips reduced.

Revision E: 26.03.02 Rear extension re-arranged. Kitchen door and window added.

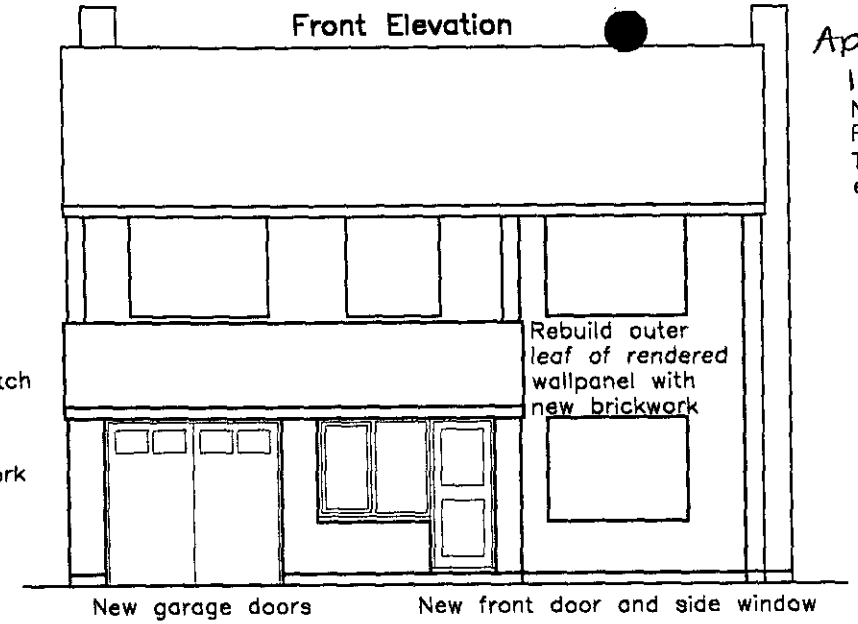
Proposed Alterations and Extensions

Floor Plans

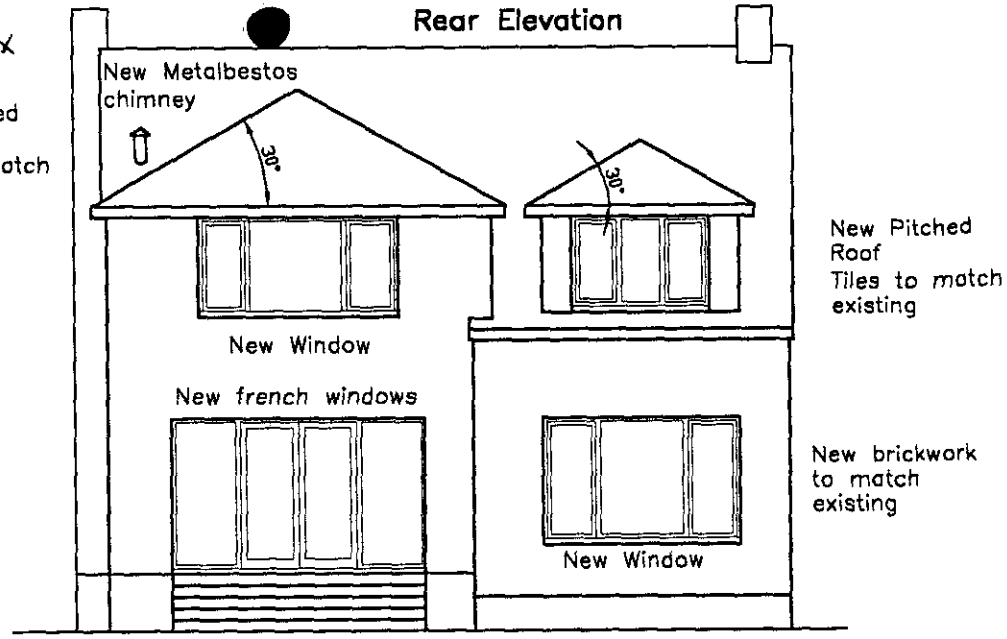
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.01E
Scale: 1:100
Date: 11.12.01

Appendix
1·7·2



New Pitched Roof Tiles to match existing



Revision A: 14.01.02 En-suite window shown
Bathroom side window shown infilled
Front rendered panel replaced with brickwork
Garage side wall raised with reclaimed bricks

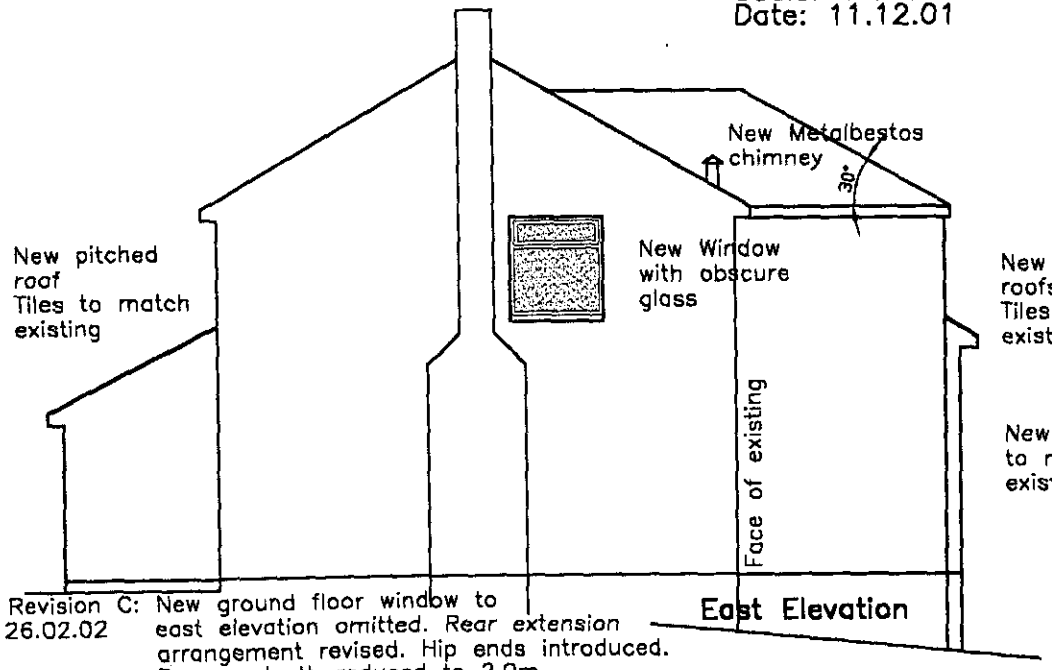
308A Barkham Road
Wokingham Berkshire

Drawing No 90.Planning.02E
Scale: 1:100
Date: 11.12.01

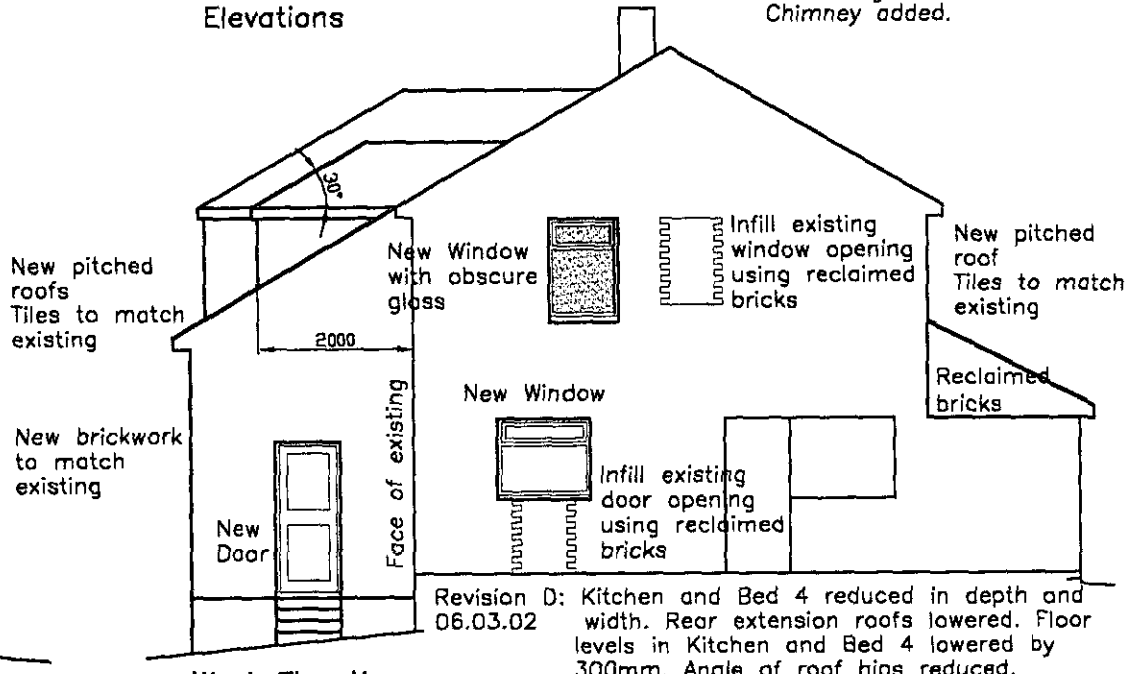
Proposed Alterations and Extensions

Elevations

Revision B: 22.02.02 New 1st floor window to east elevation reduced in size, moved towards front of house and obscure glass noted.
Chimney added.



Revision C: 26.02.02 New ground floor window to east elevation omitted. Rear extension arrangement revised. Hip ends introduced.
Dormer depth reduced to 2.0m.
New 1st floor window to east elevation reduced in size.
New 1st floor window to west elevation increased in size.



Revision D: 06.03.02 Kitchen and Bed 4 reduced in depth and width. Rear extension roofs lowered. Floor levels in Kitchen and Bed 4 lowered by 300mm. Angle of roof hips reduced.

Revision E: 26.03.02 Rear extension re-arranged.
New side door and side window added.

Appendix

1.7.3

308A Balkham Rd and adjacent properties.

Appendix
1.7.3.



310 308A



308A 308

Appendix 1.8

Appendix 1.8.1

Appendix 1.8.1

Appendix 1.8.1.

E

Richard Cheney
308a Barkham Road
Wokingham
Berkshire
RG41 4DA
0118 9787679

Friday 8th March 2002.

Mr Mike Thorpe
Environmental Services Department
Planning Services
Shute End
Wokingham, RG40 1WR

Dear Mr Thorpe

Reference: Application Number F/2001/5592

You will be aware that I tried to contact you on Friday 8th March to discuss the above application, I do not intend to summarise the events from start to finish in this letter, but do intend to do this following a meeting arranged with Mrs Polnik on Monday 18th March.

Up until Friday 8th March we had been in the process of negotiating with your colleagues, with a view to reaching a satisfactory compromise on a 2 storey rear extension. It was agreed with Mrs Polnik that due to the fact she was unable to meet with me during any part of last week and I am on holiday w/c 11th March that we would extend the application close date, which according to your operating procedures is perfectly acceptable.

"Negotiating on an application takes time and may push the decision date over 8 weeks"

I arranged to meet with Mrs Polnik on Monday 18th March to finalise our discussions.

However on Friday 8th March at 2.15 pm I received a phone call from Mrs Polnik to say that a decision would be made that afternoon, despite our previous arrangements. Needless to say I find this situation quite unacceptable, particularly given the fact that we had requested to meet on many previous occasions and always been told that we had to liase with Heidi Lynch, who although extremely helpful was unable to provide us with the decisions required to make the plans more acceptable.

If we had been aware on the 6th March (when I arranged the meeting for the 18th) that a decision would have to be reached by the end of the week, we would have naturally submitted the revised plans that we intended to discuss on Monday 18th March.

We did actually offer to submit these plans within half an hour of the telephone call on Friday, but were told this would not be acceptable as the rejection paperwork was already being processed.

As a result of this situation, we are forced to either appeal or make a second application, which will be time consuming for all concerned. I would like to request that the decision to reject the application is withdrawn and the application period extended as originally agreed.

We really are not trying to be difficult, we would simply like to work with your team to understand what we have to do to make the application successful. If we are not provided with the appropriate guidance and the opportunity to negotiate improvements to the proposal, we are not in a position to establish what is acceptable.

As mentioned, we have a meeting scheduled with Mrs Polnik on Monday 18th March @ 11.00. In order that we can discuss and resolve this situation, it would be most helpful if you could attend.

Could you please acknowledge receipt of this letter and provide your response by either leaving a message on my answer phone or by writing to me prior to the 18th March.

We look forward to hearing from you.

Yours sincerely

Richard Cheney

cc : L M Banfield – agent
Mrs B Polnik
Ms H Lynch

Appendix 1.8.2

Appendix 1.8.2.

L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Tel 0118 978 6917

27th March 2002

Mrs B Polnik
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Mrs Polnik

Application No F/2001/5592, 308A Barkham Road Wokingham

Following our recent meeting, during which we discussed whether or not the occupants of No 308 Barkham Road had a right to light from their dining room window, I have researched the planning departments archives and have established that the formation of the opening for the window in question was included in Planning Application No 27539; permission for which was granted on the 19th May 1987. The window is shown on Drawing No 308/W1A.

The drawing of No 308 shows that there were no habitable rooms with windows facing No 308A prior to the 1987 application.

It would appear, therefore, that the occupants of No 308 do not have a right to light from the window, as it has not been in existence for more than 20 years (see attached copy of page 7 of the DETR publication "Planning A Guide for Householders"). By refusing the above application on the grounds that the proposal would cause a reduction in light to the window, you may be protecting a right that the occupants do not actually have.

I would be grateful for your comments.

Yours sincerely

cc R & S Cheney

ed

protect amenity and
s not designed to
nother. Within the
iament, councils should
where it is needed,
nity of the area are not
anges in the use of

ıould be used to
ient, while others think
interference with
at major works need
nany minor works do
it balance. Councils
naracter and amenity
onable degree of

3 Before you start work

There are many kinds of alterations and additions to houses for which you do not need to apply for planning permission. Chapter 4 of this booklet will help you decide if you need to apply. Whether or not you need to apply, you should think about the following before you start work.

Your neighbours

Let your neighbours know about work you intend to carry out to your property. They are likely to be as concerned about work which might affect them as you would be about changes which might affect your enjoyment of your own property. For example, your building work could take away some of their light or spoil a view from their windows. If the work you carry out seriously overshadows a neighbour's window and that window has been there for 20 years or more, you may be affecting his or her "right to light" and you could be open to legal action. It is best to consult a lawyer if you think you need advice about this.

You may be able to meet some of your neighbour's worries by modifying your proposals. Even if you decide not to change what you want to do, it is usually better to have told your neighbours

page 7

Appendix

Appendix
1.8.3

Ryman
A4 10 Part
05.0301.12.45
5 021376 004152
Made in the UK for Ryman Limited UB3 1DQ

Appendix 1.8.3.

L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Tel 0118 978 6917

28th March 2002.

Mrs B Polnik
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Mrs Polnik

Application No F/2001/5592, 308A Barkham Road Wokingham

Please find enclosed a copy of the minutes of our meeting of the 18th March 2002 together with a copy of the chronology of events, both regarding the above application, for your comments.

These documents will form part of our submission when appealing to the Secretary of State.

Yours sincerely

cc R&S Cheney

L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Tel 0118 978 6917

28th March 2002.

Ms Heidi Lynch
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Ms Lynch

Application No F/2001/5592, 308A Barkham Road Wokingham

Please find enclosed a copy of the chronology of events regarding the above application, for your comments.

This document will form part of our submission when appealing to the Secretary of State.

Yours sincerely

cc R&S Cheney

APPENDIX
1.8.4

Tel. **(0118) 974 6482**

Date: 16 January 2002 Appendix 1·8·4. B

Your Ref:

My Ref: **Heidi Lynch - F/2001/5592**

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

Mr & Mrs Cheney
C/O L M Banfield
28
Sarum Crescent
Wokingham
Berkshire
RG40 1XF

ACKNOWLEDGEMENT OF RECEIPT OF PLANNING APPLICATION

Dear Sir/Madam
Application Number: F/2001/5592
Site Address: 308a, Barkham Road, , Wokingham.
Proposal: Proposed erection of two storey rear extension and single storey front extension to dwelling.

Thank you for the above application, which has now been accepted along with the sum of £95 in fees.

We will try to determine your application within 8 weeks.

If for any reason your application cannot be registered as valid we will contact you again as soon as possible. However, it is not always obvious that insufficient information and/or inaccurate drawings have been submitted until after the case officer has visited the site. If we do not notify you otherwise within 28 days of this letter you may assume the application is valid and the 8 week determination date of **11/03/2002** also mentioned in the next paragraph is correct.

If you have not received notification of the outcome of your application by **11/03/2002** you have the right to appeal to the Secretary of State for the Environment, Transport and the Regions. Appeals must be made within 6 months of this date on a form which is available from the Department of the Environment, Transport and the Regions & they can be contacted on (0117) 987 8000.

If you have any queries concerning your application contact your case officer, **Heidi Lynch,** on **(0118) 974 6482** quoting reference number **F/2001/5592.**

Please note that you may also require Building Regulation approval & for further advice contact the Public Protection Section on (0118) 974 6375.

Yours faithfully,

Heidi Lynch

Development Control Officer

The planning application process

These notes explain the procedures that are involved when we decide on your planning application. It should answer some of the questions you have. However if you have any more questions, please phone Planning Support on 0118 974 6428.



Weeks 1 to 3
14/1/02 to 4/2/02

We receive your application.

Administration. We decide whether your application will go to Sub Committee or be decided by the Development Control Manager.

We consult organisations including parish and town councils, local councillors, highways and the Environment Agency.

We send a site notice to you. You must display this for 21 days.

We research planning history and planning policies.

The case officer dealing with your application will visit the site.

We receive letters of comment.

Weeks 4 to 7
4/2/02 to 4/3/02

We may need to change the proposal so that it is more acceptable. The officer may negotiate improvements to the proposal.

We will consult again on the revised proposals.

The Development Control Manager will make a recommendation, based on the case officer's assessment. We send a letter out to your local councillors telling them about the recommendation, and they have the choice to 'list' the application. This means that the application will be heard at the Development Control Sub Committee rather than decided by the Development Control Manager.

Weeks 5 to 8
11/2/02 to 11/3/02

If the application is 'listed' the decision may be delayed until the next available committee date. The case officer will write a report.
You may go to the committee meeting, but only parish council representatives, officers and members can speak at it.

If the application is not listed, the Development Control Manager will make a decision.

We will send a decision notice to you.

You can appeal to the DETR (formerly Department of the Environment) if we refuse, attach a condition to the planning permission or if we do not make a decision within eight weeks. We send out details of how to do this with the decision notice.

We aim to decide 70% of applications within eight weeks, however this is not always possible. For example negotiating on an application takes time and may push the decision date over eight weeks.

Crystal Mark
Clarity approved by Plain English Campaign

Any questions ?

Why do I need to send in six copies of the application form and plans?

When we receive your application we need to consult other organisations like highways, conservation and the Environment Agency as well as the parish or town council. We like to send them copies of the plans and forms so they have all the information they need to give us a speedy reply. We also keep a copy of the application at the Environmental Services Reception so members of the public can come in and look at them.

Can I start work before I receive a decision?

No, you cannot start work before we send you a decision. If we refuse your planning application and you have begun or finished the work, we may take enforcement action against you.

Can I apply for more than one extension on the same site, in one application?

You can apply for more than one extension on the same site. However, if one part of the proposal is not acceptable then we may refuse the whole application.

If my proposal spreads onto neighbouring property, does this mean that you will refuse planning permission?

We may not necessarily refuse planning permission, but you must let your neighbour know what you plan by using a certificate that you can get from the Environmental Services Department. You may well receive permission for your proposal, however, this **does not** give you permission to enter your neighbour's property to do the actual building work. So you should make your own arrangements for this.

How do I comment on an application?

You can comment either to support or object to any application no later than three weeks after we have registered the application. You need to put your comments in a letter to the officer dealing with the case. You can find out who the officer is by reading the orange site notice or by phoning the Environmental Services Department on 0118 974 6428. You can also view any application at our offices in Shute End or at Woodley Library.

Do you take my comments into account when you make a decision?

An officer can only take planning considerations into account when making a recommendation for an application. These include, for example, loss of privacy and light, car parking and effect on character of the area. They **cannot** take into account, house values, loss of view, boundary disputes, covenants (legal clauses in the deeds of your house) or noise and disturbance that building work may cause during the course of development.

Are all applications decided by a committee?

Officers have powers on most applications which means that the Development Control Manager makes the decision, not the Development Control Sub Committee. However, your local councillors are told of recommendations made by the officers and can ask for the committee to decide on the application if they have a planning related concern.

If you have any further questions, please phone the Environmental Services Department on 0118 974 6428.

Appendix 1.8.5

Appendix 1.8.5

Richard Cheney
308a Barkham Road
Wokingham
Berkshire
RG41 4DA
0118 9787679

Monday 1st April 2002.

Mr Mike Thorpe
Environmental Services Department
Planning Services
Shute End
Wokingham, RG40 1WR

Dear Mr Thorpe

Reference: Application Number F/2001/5592

Following a letter sent to you (dated 08/03/02), enclosed is a summary of the events associated with our recent planning application and relevant meeting minutes.
To date we have received no response to the original letter and would appreciate your comments on the rescission of the extended application time.

We look forward to hearing from you.

Yours sincerely

Richard Cheney

cc : L M Banfield – agent

APPENDIX X

Draft Planning Guideline B2

WOKINGHAM UNITARY
Aiming for Excellence

Appendix X.

GUIDELINES FOR EXTENSIONS TO DWELLINGS

1.0 Introduction

1.1 The policies contained in existing adopted development plans (Structure Plan policy EN1, Green Belt Plan policy 6, Loddon Area Local Plan policies LBE1 and LBE2; and South East Area Local Plan policies SBE1 and SBE2) and the emerging Wokingham District Local Plan policies WOS3 and WBE1 relating to design of extensions to existing dwellings are very general and do not give specific advice.

1.2 This Guide explains how the Council will assess the design of extensions to most dwellings. Its purpose is to give a degree of confidence to applicants, their agents and architects, as to what is likely to be acceptable to the Council in the vast majority of cases. It will also aid the occupiers of neighbouring properties, and other interested parties, who may be affected by a planning application. These criteria also apply to flats, maisonettes and houses in multiple occupation.

1.3 Whilst the guidelines are an aid to good design they must also be applied with an understanding of the particular circumstances of each case. Individual cases do not always fit easily into a particular category. The advice does not apply to Listed Buildings or to buildings in Conservation Areas, where more strict criteria may apply. Other criteria also apply in rural areas and areas liable to flooding. In such cases further advice should be sought from the Council's Development Control Service.

2.0 General Issues

2.1 The acceptability of a residential extension depends upon:

(i) Its effect on the general street scene and

(ii) Its effect on the amenity of the occupiers of nearby properties.

2.2 An extension should be designed to be sympathetic in character and appearance to the original building and to the general neighbourhood in which it is located. The scale and proportions of the extension should respect the form of the original building and appear visually subservient in bulk and siting. It should not dominate or unreasonably overshadow adjoining buildings or garden areas or result in undue loss of privacy.

2.3 In most cases an extension should appear to be an integral part of the original building. Extensions should not collectively be detrimental to the character of a street eg. by converting regular semi-detached pairs of houses into apparent terraces.

2.4 Extensions should be provided with a pitched roof and where practicable the pitch of the new roof should match the pitch of the existing main roof. This is especially important on corner properties where side and rear extensions can be seen from the street, and will always be the case with first floor or two storey extensions. In addition side extensions on corner properties should not project beyond the building line of dwellings in the street to the rear to preserve the spaciousness of the character of junctions.

2.5 Flat roofs are generally discouraged due to their visual appearance and increased risk of crime, though they may be acceptable on rear extensions where they are necessary to avoid unacceptable impact on a neighbouring property and where they are not visible from the street or areas of public open space. On certain designs of house they may be quite in keeping with the original.

2.6 In the case of a side to rear relationship, between the application site and the neighbouring house or vice versa, a minimum distance of 12m should be maintained between houses at first floor level, in order to allow for sufficient distances between dwellings.

2.7 The materials chosen for an extension should normally match those of the existing buildings. Where a new roof intersects with an existing roof it is good practice to use saved tiles on the elevations visible from the street.

2.8 The window openings and fittings of an extension should relate to those of the existing building in terms of size, proportion, positioning and detailing to help maintain the visual balance of the extended property.

3.0 Neighbours

3.1 It is advisable to discuss your proposal informally with any neighbour who may be affected before making the planning application. Once the application is received by the Council, owners of adjoining properties will be consulted for their formal views.

3.2 In the event of the foundations encroaching, or if the extension overhangs or is attached to a neighbouring property, permission will have to be given by the owner of the adjoining property affected by the proposal. Whilst these are not planning matters, and therefore cannot be taken into account in dealing with a planning application, a deed may have to drawn up to cover these issues.

3.3 If the proposal involves work to a party wall, proposes a wall astride a boundary or excavation near a neighbouring building The Party Wall etc Act 1996 may apply. Separate leaflets are available relating to this from the Council's Building Control Section. In addition a neighbour's consent may be required if access to their property is necessary during

construction or for maintenance. Finally there may also be covenants which may restrict the type of development on a property. Although again these are not planning matters.

4.0 Front extensions and porches

4.1 The impact on the streetscene is of paramount importance when determining applications for front extensions due to their prominence, together with its relationship with neighbouring properties, depth of front gardens and amount of frontage vegetation. Generally two storey front extensions are not acceptable and single storey extensions, other than porches, should not project significantly from the main wall of the dwelling.

4.2 Porches may be constructed to a greater depth provided this would not result in an unreasonable affect on neighbours or streetscene but in any event should not normally exceed 2m in depth.

4.3 Larger front extensions may be acceptable where one or more of the following applies:

(i) a detached dwelling is set well back from a road in a good-sized plot

(ii) there are a number of similar extensions in the immediate vicinity

(iii) an adjoining dwelling or garage already projects to the front

5.0 Rear extensions

5.1 The main considerations for the Council in determining proposals for rear extensions will be to protect the amenity of the occupiers of dwellings immediately adjoining the proposal, and to safeguard the overall appearance of the area. Particular attention will be given to the protection of privacy, the reasonable maintenance of daylight and sunlight and that the extension is not unduly overbearing. An extension should not prejudice the opportunity for the neighbouring properties to be extended similarly.

Single storey rear extensions:

5.2 In normal circumstances rear extensions on or close to a flank boundary should not project more than 3 metres from the main rear wall. Any greater depth required should be within an angle of 45° from the 3m dimension on the boundary to ensure that there is no adverse impact on neighbours in terms of loss of light and the extension being overbearing.

5.3 Windows and other openings should be avoided in flank elevations of extensions to prevent overlooking and therefore loss of privacy.

5.4 The eaves height should not exceed 3m, whether a flat or pitched roof is proposed and where possible it should be lower than this. Pitched roofs

should be designed to minimise bulk and to avoid an overbearing appearance. Hipped roofs can therefore be preferable to gabled or lean-to roofs. Greater dimensions may be acceptable where there is an adjoining extension of a similar depth or height. A larger extension may be acceptable in some circumstances if it can be shown that there is no material loss to privacy, outlook or sunlight/daylight.

Conservatories

5.5 The same criteria for side and rear extensions apply to conservatories. However as they are lightweight structures it is possible for these criteria to be relaxed in certain circumstances. Applicants should ensure that conservatories which abut boundaries do not result in loss of privacy to an unacceptable degree.

Two storey rear extensions:

5.6 In addition to the above criteria for single storey extensions, two storey rear extensions need careful design so as not to be overbearing, cause overshadowing and loss of privacy.

5.7 *Terraced dwellings*: Two storey rear extensions are seldom acceptable on terraced properties as they invariably affect one or both of the adjoining dwellings to an unacceptable amount.

5.8 *Semi-detached and detached dwellings:* The first floor should be set in from the party boundary by a minimum of 2.5m and should not project by more than 3m. In any event these should be within the 45° angle (drawn in a horizontal plane) from the nearest part of a window to a habitable room of a neighbouring window, to ensure that there is no adverse impact on neighbours in terms of loss of light. Utility rooms, bathrooms and garages do not count as habitable rooms. Kitchens may be considered to be habitable rooms depending on their size.

5.9 Windows in the flank walls at first floor level or above are unlikely to be acceptable because of the resultant loss of privacy for neighbouring properties. Similarly the inclusion of balconies or use of flat roofs for balconies is unlikely to be acceptable because of the potential for overlooking, although they may be appropriate for large houses on substantial plots where there is no loss of privacy.

6.0 Side Extensions

Single storey side extensions:

6.1 Single storey side extensions should essentially adhere to the criteria for rear extensions where they abut or are close to the boundary of adjoining properties. They should not be more than 3m high at eaves level, should have a pitched and hipped roof, should not project rearwards by more than 3m from the main wall of the house and should

not project more than 1m forward of the main wall of the property. Windows and other openings in the flank elevations should be avoided.

Two storey or first floor side extensions:

6.2 In designing a two storey or first floor side extension consideration needs to be given to the streetscene and that it would not prejudice the possibility of the adjacent property being extended in a similar manner.

6.3 Side extensions to properties at road junctions or other prominent features should not project beyond the building line of houses in the road to the rear of the property, so as to protect the spacing and character of the road.

6.4 *End of terrace properties*: Side extensions to end-of-terrace properties can continue the existing built form and roof line of the terrace.

6.5 *Semi-detached properties*: Side extensions to semi-detached houses should be designed so that cumulatively they do not create a terracing effect. Therefore they should be set back at first floor level, by a minimum of 1m from the main front wall of the house, and should include a drop in the ridge line, thus creating a break in the roof line and ensuring that side extensions do not entirely fill the gap between neighbouring pairs of semi-detached houses when viewed obliquely. They should also not be so large as to upset the overall balance of the pair of semi-detached houses as a building unit.

6.6 *Detached properties*: Side extensions to detached dwellings may be constructed to the full height of the existing building provided the extension appears as an integral part of the whole building and not an unrelated addition and does not result in an overly bulky building. Hence it is often good practice to include a setback from the front and a drop in the ridge line, as for semi-detached properties. Furthermore detached dwellings should not normally be extended up to both flank boundaries to prevent undue loss of the characteristic gap between properties.

7.0 Roof Alterations, Loft Conversions and Dormer Windows

7.1 Inappropriate roof alterations can have an adverse effect on the appearance of whole streets, especially where the development is fairly rhythmic and regular. They therefore need to be designed with care. In order to create first floor accommodation in single storey properties eaves and ridge heights should not normally be raised by more than 0.75m unless the dwelling is adjoined by taller buildings or ground conditions make it reasonable. In raising the ridge height consideration needs to be given to any habitable room windows in adjoining properties which may be affected. Conversions of hipped roofs of two storey and higher dwellings to gabled roofs should be avoided as they can close

down the characteristic spaces between buildings. Partial gabling may be acceptable.

7.2 Dormer windows should be contained well within the body of the main roof by being well set back from the eaves and by setting their flanks well in from gables or party walls. They must never extend beyond the ridge line and should preferably be set well below it. All windows at roof level should relate to the windows of the original dwelling in proportion, design and position.

7.3 Dormer windows facing the highway should have pitched roofs at a similar angle to those of the main roof unless similar alternative forms of window (eg flat roofed dormers) predominate in the immediate vicinity. The total width of dormers and other rooflights facing the highway should not exceed half the width of the existing roof measured at its mid height.

7.4 Rear facing dormers can be flat roofed but should not extend across the full width of the property. The "cheeks" of the window should be set in from the gable or party walls by at least 0.3m.

8.0 Miscellaneous Issues

Granny Annexes or accommodation for elderly or disabled relatives

8.1 The principle of providing accommodation for elderly or disabled relatives in the form of an annexe is acceptable. However it should not be in the form of a self-contained building capable of separate occupation from the dwelling and should normally be interconnected to the main dwelling. The annexe should be an integral part of the existing dwelling and would normally take the form of a single storey side or rear extension of comparatively modest size.

Car Parking

8.2 Where an additional bedroom in properties of three bedrooms or more is created the Council's parking standards can require the creation of an additional parking space to be provided on-site. The minimum size of a space is 2.4m x 4.8m. In certain circumstances this requirement can be waived where the resultant hard surfacing of the front garden would unduly detract from the street scene. As a general rule no more than 70% of the front garden area should be paved over to create parking spaces.

Garages in front gardens

8.3 Unless there are several examples in the immediate locality, garages in front gardens are not acceptable as they can be intrusive in the street scene. Garages should normally be located to the side or rear of dwellings. The interior of a single garage should be at least 2.5m x 5.0m and that of a double 5.0m x 5.0m.

Amenity Areas

8.4 Many "open plan" housing developments contain green, planted amenity areas which adjoin the highway but are in the ownership of the occupier of the adjacent dwelling. These contribute to the openness of the street scene. Due to restrictive conditions planning permission is often required for the relocation of fences at the side of dwellings. The enclosure of these spaces into private gardens by bringing forward boundary walls, fences or hedges is seldom acceptable because of the impact on the openness of the street scene.

Boundary treatment to front gardens

8.5 Except for "open plan" estates where there is a general presumption against the enclosure of a front garden by walls, fences etc., planning permission is not normally required for walls and fences not exceeding more than 1m in height where the site adjoins a highway. Any fence or wall in such a location exceeding this height would require planning permission and this will only be granted where the boundary treatment is acceptable in terms of its impact on the streetscene and vehicle visibility splays.

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

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

Your Ref: F/2001/5592

Our Ref: APP/X0360/A/02/1087849

Date: 3 September 2002

PLANNING SERVICES | HPT
POL | TLS
DC | ENF
APP DG
CS
04 SEP 2002
ACCESS TO | FILE:
60602.

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS CHENEY
SITE AT 308A BARKHAM ROAD, WOKINGHAM, BERKSHIRE, RG41 4DA

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

KF
Mrs Margaret Pocock

COVERDL1

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
PINS 57851
POL
FILE
DC
ENF
APP
CS
25 JUN 2002
COPIES TO
ACK
FILE

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

Your Ref: F/2001/5592

Our Ref: APP/X0360/A/02/1087849

Date: 24 June 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS CHENEY
SITE AT 308A BARKHAM ROAD, WOKINGHAM, BERKSHIRE, RG41 4DA

I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours faithfully

Mrs M Pocock

217L(BPR)

L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Tel 0118 978 6917

Your ref: APP/X0360/A/02/1087849

6th June 2002.

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

RECEIVED
7 = JUN 2002
PINS AA

For the attention of Mrs Margaret Pocock

Dear Sirs

Town and Country Planning Act 1990
Appeal by Mr & Mrs Cheney
Site at 308A Barkham Road, Wokingham

Thank you for the LPA's statement and third party correspondence relating to the above appeal. The Appellants and I would comment as follows:

LPA Statement

1.0 The site location plan is incorrect. No 308A is located too close to the No 310 boundary and the 1987 rear extension to No 308 is not shown.

4.1 The revision C set of drawings is being discussed in this clause. The revision D set is, we believe, more accommodating, but has not been addressed.

4.3 The distance between the flank walls of Nos 310 & 308A at the rear is approx. 5.0m; a sufficient distance, we believe, for the proposal not to be "overbearing".

4.4 The LPA admits that the change in daylight level to the side window of No 308 will be limited. The window has, since it's introduction in 1987 looked out onto a fence, a hedge and the side wall of No 308A. We do not believe that the proposal would be very much more "overbearing" when viewed from the window than the present arrangement.

5.2 To establish the "overbearing nature" of the proposal, we believe that the heights of the proposal should be considered when viewed from the terrace of No 310, not from the original ground level. The approximate heights of the single storey element would then be 4.1m and 3.7m. We do not believe that the extent of the proposal should be measured from the rear of No 310 when applying the recommended maximums as set out in the guidelines. The

properties are too far apart for this to be the case i.e. approx. 5.0m.
It should be noted that the rear wall of the 1987 extension to No 308 currently projects approx. 8.0m from the rear wall of No 308A and the extension's ridge height is approx. 5.2m. The properties are approx. 3.6m apart. All the above dimensions are shown on the attached copy of Drg No 90.Planning.13.

5.3 The "principal room" of No 308, with it's window facing the proposal, is a dining room; a room normally subject only to occasional evening use.

5.4 We do not understand the point being made in the first sentence of this clause, however, permitted development rights would allow a two storey extension with a dormered first floor to be built adjacent to either boundary. By adjacent we mean close to the boundary, not on the boundary i.e. flush with the existing flank wall on the No 310 side or 2.5m from the boundary on the No 308 side. Our volume calculations show that the footprint of such an extension could be up to 2.7m deep by 4.15m wide.

5.5 See or comments on clauses 4.4 and 5.3.

5.6 We do not believe that the proposal is a "poor design".

5.8 The drawings referred to as our appendix 1.6.1 are the revision C set. These drawings were prepared to show the roofs with hipped ends, the dormer style extension and the two storey extension the opposite way around and the dormer reduced in depth to 2.0m. All of these revisions were suggested by the LPA during our negotiations with them (see the tenth and eleventh paragraphs of our Chronology of Events). Unfortunately these drawings were subsequently rejected when the LPA discovered that their block plans were out of scale and that the side window of No 308 was closer to the proposal than originally thought.

Because of the LPA's decision to rescind the extension to the application period, the revision D set of drawings was not accepted as part of the application. We believe that these drawings go further to accommodate the LPA's objections by lowering the roofs and floor levels, by reducing the angle of the hipped ends and by reducing the depths of the extension.

Third Party Correspondence

Mr Gilder's letter to you dated 25th May 2002 makes three points regarding the application and we would comment on each as follows:

1.0 We would obviously not wish to "justify his objections", however, we believe that we have tried hard to accommodate them by amending the arrangement to reduce, what he considers as being, "the overbearing nature of the extension". The window "overlooking" Mr Gilder's patio now serves a bathroom and has only a small opening light and obscure glass.

2.0 See our comments on clause 5.2 of the LPA Statement regarding extension projections as permitted by the LPA's planning guidelines.

3.0 The appellant, Richard Cheney, handed copies of the drawings to both of his neighbours before the commencement of the application. This was done as a matter of courtesy; he was under no obligation to do so. Mr Gilder's comments regarding a further application has no relevance to this appeal.

Yours faithfully

L. M. Banfield.

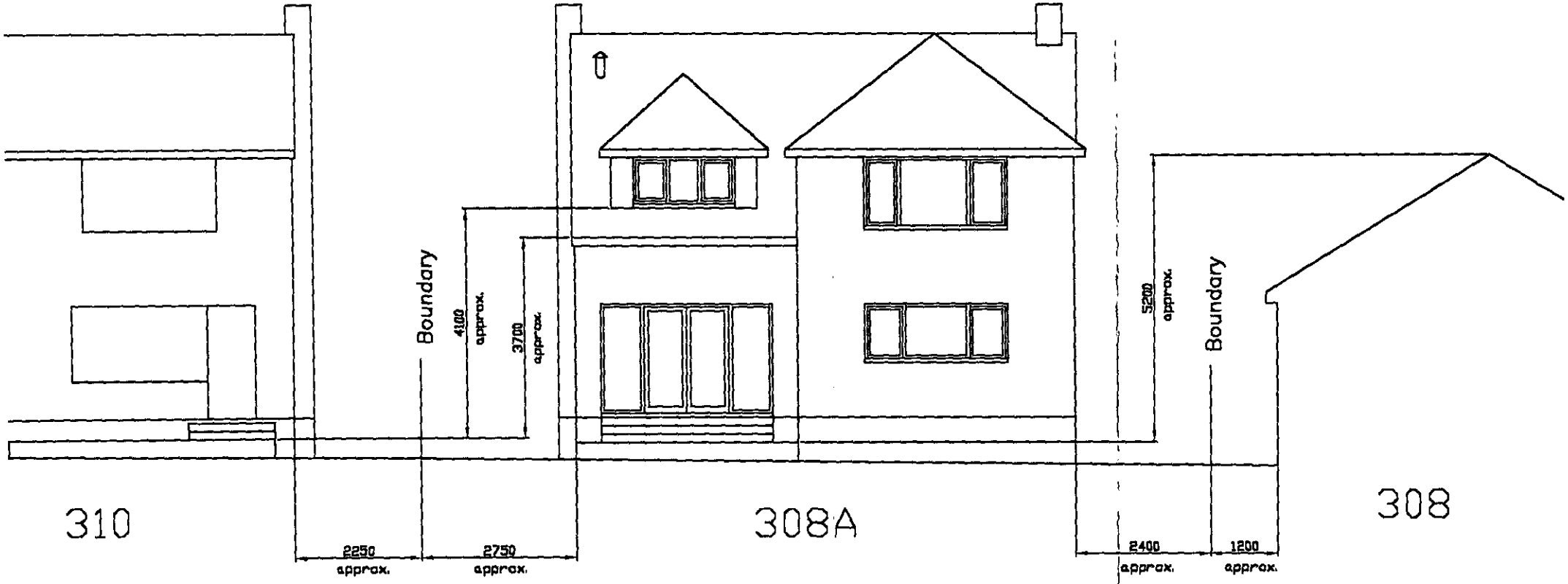
L.M. Banfield

cc Mr & Mrs Cheney

Revision C Proposal relative to adjacent properties

308A Barkham Road

Drawing No 90.Planning.13
Scale: 1:100
Date: 04.06.02



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

57081
DG
2002
COPIES TO
ACK.

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

Your Ref: F/2001/5592

Our Ref: APP/X0360/A/02/1087849

Date: 30 May 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS CHENEY
SITE AT 308A BARKHAM ROAD, WOKINGHAM, BERKSHIRE, RG41 4DA

I enclose a copy of the appellants statement and third party correspondence relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. You should comment solely on the representations enclosed with this letter. — 19/06/02

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 9-week deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours faithfully

M Pocock

Mrs M Pocock

211AL(BPR)

L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Tel 0118 978 6917

Your ref: APP/X0360/A/02/1087849

25th May 2000.

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

For the attention of Mrs Margaret Pocock

Dear Sirs

Town and Country Planning Act 1990
Appeal by Mr & Mrs Cheney
Site at 308A Barkham Road, Wokingham

I wish to add to the full details of our case made in the grounds of appeal.

Accordingly, I enclose a copy of a letter received from the LPA dated 15th May 2002 together with my response dated 24th May 2002. The LPA's letter is in response to the applicant's letter to them dated 8th March 2002 (see appendix 1.8.1 of our appeal documents) and my letter to them dated 27th March 2002 (see appendix 1.8.2 of our appeal documents).

Yours faithfully

L. M. Banfield

L.M. Banfield

L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Tel 0118 978 6917

24th May 2002.

Mrs B Polnik
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Mrs Polnik

Application No F/2001/5592, 308A Barkham Road Wokingham

Thank you for your letter dated 15th May 2002 regarding the extension of time and rights to light and I would respond as follows.

You granted an extension of time verbally on 6th March 2002 during a telephone conversation with the applicant Richard Cheney. This was two days before your department refused planning permission.

As the proposal complied with your guidelines for rear two storey extensions and as your Development Control Officer, at the time of her site visit, thought that the proposal would not pose any problems, your free pre-application service would only have highlighted the privacy problem of a new side window overlooking the adjacent properties rear terrace. You would not have been aware at the pre-application stage of the true position of the adjacent bungalow's window, as your block plans were out of scale. You would also not have been aware that Councillor Marinos would have objected to the proposals. We believe, therefore, that had the proposals been submitted for the pre-application service, we would have been recommended to make an application with only the side window amended.

I note your comments regarding rights to light.

Yours sincerely

L. M. Banfield

cc R&S Cheney

Tel. (0118) 974 6450 (Direct Line)
Fax. (0118) 974 6484
Email. Basia.Polnik@wokingham.gov.uk
Date May 15, 2002
My ref. BP/F/2001/5592

Mr L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham
http://www.wokingham.gov.uk

Dear Mr Banfield

RE: PROPOSED 2 STOREY REAR EXTENSION AND SINGLE STOREY FRONT EXTENSION AT 308A BARKHAM ROAD, WOKINGHAM

I refer to your letter dated 8th March 2002 addressed to Mr Thorp requesting an extension of time and your letter dated 27th March 2002 regarding rights to light, and apologise for the delay in replying.

Extension of time: As you are aware planning permission was refused on 8th March 2002 and your letter requesting an extension of time was received on 11th March 2002 which was after this time.

The Council operates a free pre-application service and encourages prospective applicants to submit proposals for comment prior to the submission of planning applications. However, if a planning application is received which is considered to be unacceptable and there is no obvious solution, then the application is refused.

Right to light: The right to light is a property issue and does not have a bearing on planning decisions which are primarily determined on public interest issues. In this instance planning permission was refused on the grounds that the proposal was considered to be overbearing to the detriment of the amenities of neighbouring occupier. This would include a degree of loss of light to windows in the adjoining property, regardless of the rights to light.

I hope that this clarifies the situation.

Yours sincerely

B. Polnik

MRS B POLNIK
Senior Planning Officer

310, Barkham Road,
Wokingham.
BERKS. RG41 4DA

REF : APP/X0360/A/02/1087849

RECEIVED
28 MAY 2002
PLANNING

25th May '02

Appeal Site : 308a Barkham Road, Wokingham

Dear Mrs Pocock,

I wish to add the following further representations to my original objection letter to Wokingham Unitary dated 13th January 2002. (Copy attached)

Having read the appeal papers it would appear that the main objections to the Council's refusal concentrates on the property 308, with little or no attempt to justify my objections to the window overlooking our patio at 1st Floor Level or indeed the fact of the overbearing nature of the extension from our side.

Whilst mention is made to Wokingham's Planning Guideline B2 and the angle of 45° quoted (See 5.2 and 5.8) no mention is made to the preceeding requirement that rear extensions "should not project more than 3 metres from the main rear wall." Due to the original setting out of both 308a and 310, 308a already projects 1.8 metres and the proposal would add a further 3.0 metres.

I note that a further application has been advertised as being lodged with the Council relating to extensions at the front of 308a, again no prior discussions have taken place with ourselves as neighbours.

Yours sincerely,

(P.J. GILDER)

310, Barkham Road,
Wokingham
BERKS RG41 4DA

13th January '02

Dear Sirs,

Planning Application for 308A Barkham Road.

I understand my next door neighbours have submitted a Town Planning Application some two weeks ago of which I have just (yesterday) been given an opportunity to view the proposals.

Whilst my wife and I have no objection to any of the proposed alterations at ground storey level, we do wish to raise objection to the following proposals at first floor level :— 1) The proposed new window within the existing flank wall will directly overlook our rear garden patio and result in an unacceptable loss of privacy.

2) The present junction of the flank wall and main rear wall of 308A is approximately 2 metres in advance of our main rear wall, containing the window to our principal living area. In extending the first floor storey a further 3 metres plus the roof structure will seriously obstruct the natural lighting to that room and also produce an overbearing effect within that room and our patio area.

I trust you will consider these two objections in your consideration of the Town Planning Application.

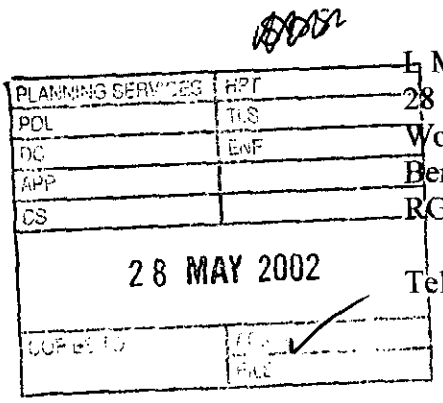
Both these objections have been raised with our neighbours.

Yours faithfully,

(P.J. GILDER)

L M Banfield
28 Sarum Crescent
Wokingham
Berkshire
RG40 1XF

Tel 0118 978 6917



24th May 2002.

Mrs B Polnik
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Mrs Polnik

Application No F/2001/5592, 308A Barkham Road Wokingham

Thank you for your letter dated 15th May 2002 regarding the extension of time and rights to light and I would respond as follows.

You granted an extension of time verbally on 6th March 2002 during a telephone conversation with the applicant Richard Cheney. This was two days before your department refused planning permission.

As the proposal complied with your guidelines for rear two storey extensions and as your Development Control Officer, at the time of her site visit, thought that the proposal would not pose any problems, your free pre-application service would only have highlighted the privacy problem of a new side window overlooking the adjacent properties rear terrace. You would not have been aware at the pre-application stage of the true position of the adjacent bungalow's window, as your block plans were out of scale. You would also not have been aware that Councillor Marinos would have objected to the proposals. We believe, therefore, that had the proposals been submitted for the pre-application service, we would have been recommended to make an application with only the side window amended.

I note your comments regarding rights to light.

Yours sincerely

L. M. Banfield.

cc R&S Cheney

Tel. (0118) 974 6448 (Direct Line)
Date: May 20, 2002
My ref: F/2001/5592
Your ref: APP/X0360/A/02/1087849

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 & Mrs Cheney
SITE: 308a Barkham Rd, Wokingham

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: April 25, 2002
My ref: F/2001/5592
Your ref: APP/X0360/A/02/1087849

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 & Mrs Cheney
SITE: 308a Barkham Rd

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. April 25, 2002
My ref: F/2001/5592
Your ref:

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

L M Banfield
28 Sarum Crescent
Wokingham
RG41 4DA

Dear Sirs

APPEAL BY: **Mr & Mrs Cheney**
SITE: **308a, Barkham Rd**

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

1/5

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 OFFICER 55432
POL TLS
DC DG ENF
APP

18 APR 2002

1/5

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

Your Ref: F/2001/5592

Our Ref: APP/X0360/A/02/1087849

Date: 17 April 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS CHENEY
SITE AT 308A BARKHAM ROAD, WOKINGHAM

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

G. Nall

Mrs Margaret Pocock

102(BPR)



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: 24 April 2002

N
W E
S