SOUTHPORT U.K.
LONDON OFFICE
X SYSTEMS LTD

APPLICATION NO:
F/2000/0903

LOCATION:
Amen Cottage 7 Jubilee Road, Finchampstead Wokingham.

APPLICANT:
Mrs G Lovelock C/O Day Tanner Partnership

PROPOSAL:
Proposed demolition of existing dwelling and erection of replacement dwelling.

EARLIEST DATE FOR DECISION: **14/04/2000**

APPLICATION EXPIRY DATE: **10/05/2000**

CASE OFFICER: **Angela Odell**

Copy for Application file

Appeal Decision

Site visit made on 07 February 2001

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

by Roger Clews BA MSc DipEd DipTP MRTPI

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

Date

15 MAR 2001

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs G Lovelock against the decision of Wokingham District Council.
- The application (ref: F/2000/0903), dated 14 March 2000, was refused by notice dated 8 May 2000.
- The development proposed is replacement dwelling.

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

Procedural Matters

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

Main Issue

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

Planning Policy

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

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

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

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

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

Reasons

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

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

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

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

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

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

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

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

Other Matters

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

Conditions

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

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

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

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

Conclusions

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

Formal Decision

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

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

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

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

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

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

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

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

Information

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

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

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

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

Inspector

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mrs G Lovelock
C/O Day Tanner Partnership
11-13 Dukes Ride
Crowthorne
Berks
RG45 6LZ

Application Number: F/2000/0903

Parish:	**FINCHAMPSTEAD**
Location:	**Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.**
Proposal:	**Proposed demolition of existing dwelling and erection of replacement 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 subject to compliance with the following conditions, the reasons for which are specified hereunder.

Reason

1. Due to its siting, size and height, the propsed dwelling would be excessive in size as a replacement dwelling and together with the proposed garage, would have a detrimental effect on the character and appearance of the area, which is in the countryside and in an Area of Special Landscape Importance. The proposal would therefore be contrary to South East Area Local Plan Policies SC3 and SC18 and to Wokingham District Local Plan (Deposit Draft) Policy WLL2 and the aims of Policy WCC7.

Head of Planning and Transportation
Date: 08 May 2000

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

Angela

TO: DEVELOPMENT CONTROL FROM: Environmental Design

DATE: 10th April 2000

Location: Amen Cottage, 7 Jubilee Road, Finchampstead

Proposal: Proposed demolition of existing dwelling and erection of replacement dwelling

Application Number: F/2000/0903

In response to your consultation dated 21st March 2000 for the above application, the landscape comment is as follows:

The application is acceptable. The proposed extensions fit into the garden setting. The trees that will be felled for the new dwelling (eucalyptus, cupressus and small garden trees) are of no particular value and many other trees are retained on the site.

Care must be taken to protect the trees to be retained during the construction works and the applicant's attention is drawn to BS 5837:1991 *guide for trees in relation to construction.* Excavations within the spread of the roots must be by hand.

Patricia Green.

Patricia Green
Landscape Consultant

HIGHWAYS CONSULTATION SHEET

From: Angela Odell

Date: 21 March 2000

Application Number: F/2000/0903

Proposal: Proposed demolition of existing dwelling and erection of replacement dwelling.

Site Address:
Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.

Applicant:
Mrs G Lovelock C/O Day Tanner Partnership.

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

✓ below as applicable;

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

Sc 23 - Parking, Garaging & Turning (SR06)

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

4-4-00

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 25 June, 2002
My ref. BC/DC/F/2000/0903
Your ref.

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Mr & Mrs Day
C/o NHBC Building Control Services Ltd
Ash House
Dencora Business Park
Breckland Linford Wood
MK14 6ET

Dear Mr and Mrs Day

PLANNING PERMISSION F/2000/0903
SITE: 7 JUBILEE ROAD, FINCHAMPSTEAD

I note that you have submitted an application for Building Regulations approval.

I would like to take this opportunity to remind you that Planning Permission Number F/2000/0903 has condition(s) attached to it. Some of these condition(s) may require approval prior to work commencing on site.

The Council considers that it is important that planning conditions are fully complied with to ensure that development proceeds in the manner it was intended. Consequently, I must point out that failure to comply with the condition(s) could result in a Breach of Condition Notice being served. If the Notice is not complied with your client could be liable to a £1,000 fine.

Any work carried out prior to these conditions being formally discharged is undertaken at your own risk and expense.

If you have already complied with these conditions, please disregard this letter.

If you have any queries regarding this matter please do not hesitate to contact me on the above telephone number.

Yours sincerely

ANGELA ODELL
Senior Planning Officer

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 7 February, 2002
My ref. AO/O/2001/3234

Day Tanner Partnership
Bagshot House
37-39 High Street
Bagshot, Surrey
GU19 5AF

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Dear Mr Day

PLANNING APPLICATION F/2000/0903
PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING AT AMEN CORNER, 7 JUBILLEE ROAD, FINCHAMPSTEAD

I confirm that no letters of objection were received in connection with the above application.

I trust the above is clear, but if you wish to discuss the matter further please contact me.

Yours sincerely

AO

MRS A ODELL
Senior Planner

WORK SHEET FOR : Angela Odell

Application Number : F/2000/0903

Applicant : Mrs G Lovelock C/O Day Tanner Partnership.

Location : Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.

Proposal : Proposed demolition of existing dwelling and erection of replacement dwelling.

Site Notice Displayed ? :	YES	NO	DATE
	✓		30.3.00

Date of Neighbour Notifications : .....

Date of Site Visit : .....

Date Registered : 15/03/2000

Earliest Date for Decision : 14/04/2000

Latest Consultation Date/Site Notice Expiry Date : 14/04/2000

Application Expiry Date: 10/05/2000

Consultation Responses : P.C. : No objection.

HWS: No obj. subj to conditions

Landscape Officer: No obj. subj to cond.

Planning Issues :

Application Number: F/2000/0903

Appraisal : Site in countryside & ASLI : SC18 & 3 of SFALP & WCC7 (amgd) & WL2 2 of WDLP.

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

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

This is slightly greater than the existing footprint and over double the floorspace. Height of existing estimated to be 6.6m high to pitched roof. Proposed dwelling 7.15 / 6.8m high, and on different siting slightly higher up. Consider proposed dwelling excessive in size for a replacement dwelling, and, together with the increase in height in the ASLI would have unacceptable effect on character and appearance of area. Also double garage with pitched roof.

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

Application Number F/2000/0903
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
1			Due to its siting, size and height the proposed dwelling would be excessive in size as a replacement dwelling and, together with the proposed garage, would have a detrimental effect on the character and appearance of the area, which is in the Countryside and in an Area of Special Landscape Importance. The proposal would therefore be contrary to SDLP policies SC3 & SC18 & to WDLP(DD) Policy WLL2 and the aims of Policy WCC7.

RECORD OF SITE VISIT

SITE ADDRESS: Amen Cottage 7
Jubilee Road Finchampstead
Wokingham.

APPLICATION NUMBER: F/2000/0903

OFFICER: Angela Odell

DATE OF SITE VISIT: 30.3.00

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes 30.3.00

2. DESCRIPTION OF SURROUNDINGS Sporadic dev. in rural area.

3. DESCRIPTION OF SITE/BUILDING Existing bungalow with flat roof ext^n. Also shed + garage onsite.

4. RELATIONSHIP TO ADJOINING PROPERTIES To S-side what appears to be an annexe/cottage to Bolney House - s/s. 'Castleton' not readily visible to NW.

5. SITE CONSTRAINTS

TREES conifers to hedge to road. Conifers to S-side to 'annexe' and fence. Trees beyond fields to rear. Trees/ hedges to NW boundary

ACCESS/PARKING

LEVELS Land rises to SE from road.

BOUNDARY TREATMENT see above.

OTHERS

HIGHWAYS CONSULTATION SHEET

From: Angela Odell

Date: 21 March 2000

Application Number: F/2000/0903

Proposal: Proposed demolition of existing dwelling and erection of replacement dwelling.

Site Address:
Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.

Applicant:
Mrs G Lovelock C/O Day Tanner Partnership.

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

✓ below as applicable;

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

Sc 23 - Parking, Garaging & Turning (SR06)

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

4-4-00

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 16 May, 2002
My ref. AO/O/2001/3234

Day Tanner Partnership
Bagshot House
37-39 High Street
Bagshot, Surrey
GU19 5AF

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Dear Mr Day

PLANNING APPLICATION F/2000/0903
PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING AT AMEN CORNER, 7 JUBILLEE ROAD, FINCHAMPSTEAD - CONDITIONS

Thank you for your letters of 7 and 8 May.

Condition 2 – materials
I confirm the proposed tiles (Huguenot Fenal plain clay of colour Volcano) and off-white painted brickwork are acceptable for construction of the above development.

Condition 3 – slab levels
I confirm the proposed finished ground floor level of 52.50 for the house and 52.10 for the garage shown on drawing No. 1490/01A are acceptable for construction of the above development.

I trust the above is clear, but if you wish to discuss the matter further please contact me.

Yours sincerely

AO.

MRS A ODELL
Senior Planner

DAY • TANNER PARTNERSHIP

ARCHITECTURE & PLANNING

AID/LC/1490

7 May 2002

PLANNING SERVICES | HOT 56145
POL | TLS
DC AMO | ENF
APP |
CS |
08 MAY 2002
COPIES TO | ACK

Planning Department
Wokingham District Council
P O Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

For the attention of Mrs A Odell

Dear Mrs Odell

AMEN COTTAGE, JUBILEE ROAD, FINCHAMPSTEAD (F2000/0903)

I refer to the above planning application which was approved on appeal in March 2001, and to the conditions imposed by the Planning Inspector. With regard to the relevant conditions:

2. Roof to be plain clay tiles by Messrs. H B Tiles – colour Huguenot burnt red/brown.
Brickwork to be painted off white.
Windows and doors to be natural oak.

With regard to the painting of the brickwork we know that you did not consider this to be appropriate on another site in Church Lane, Finchampstead but in this instance the existing bungalow is painted brickwork and 70% of the properties within walking distance of the site are painted brickwork.

3. Please find enclosed two copies of drawing number 1490/01A showing slab levels for the house and garage.

5. There is a high degree of landscaping already on and around the site and perhaps your landscape architect Katherine Brimble could contact me if she requires any specific planting etc.

I look forward to hearing from you at your earliest convenience.

Yours sincerely

A I Day

Enc.

MEMBER OF THE BRITISH INSTITUTE OF ARCHITECTURAL TECHNOLOGISTS

TONY DAY MBIAT SHAUN TANNER MBIAT

BAGSHOT HOUSE, 37-39 HIGH STREET
BAGSHOT, SURREY GU19 5AF
TEL: 01276 451456 FAX: 01276 451553
tony@daytanner.freeserve.co.uk
www.daytanner.co.uk

Partners:
A I Day S Tanner J E Day C H Tanner

Tel. (0118) 974 6448 (Direct Line)
Date. September 18, 2001
My ref: F/2000/0903
Your ref:TSR MP Gilder

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

T S Roberts & Co
20A Peach St
Wokingham
Berks
RG40 1XG

Dear Sirs

Amen Cottage Jubilee Rd, Finchampstead

Further to my telephone conversations with Jane Cockburn, I am replying to your letter of 14th September, 2001 about the above property.

The file contains only two third party comments, & these followed consultations by the Case Officer. I have enclosed copies of them.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Angela

TO: DEVELOPMENT CONTROL FROM: Environmental Design

DATE: 10th April 2000

Location: Amen Cottage, 7 Jubilee Road, Finchampstead

Proposal: Proposed demolition of existing dwelling and erection of replacement dwelling

Application Number: F/2000/0903

In response to your consultation dated 21st March 2000 for the above application, the landscape comment is as follows:

The application is acceptable. The proposed extensions fit into the garden setting. The trees that will be felled for the new dwelling (eucalyptus, cupressus and small garden trees) are of no particular value and many other trees are retained on the site.

Care must be taken to protect the trees to be retained during the construction works and the applicant's attention is drawn to BS 5837:1991 *guide for trees in relation to construction.* Excavations within the spread of the roots must be by hand.

Patricia Green.

Patricia Green
Landscape Consultant

HIGHWAYS CONSULTATION SHEET

From: Angela Odell

Date: 21 March 2000

Application Number: F/2000/0903

Proposal: Proposed demolition of existing dwelling and erection of replacement dwelling.

Site Address:
Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.

Applicant:
Mrs G Lovelock C/O Day Tanner Partnership.

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

✓ below as applicable;

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

Sc 23 - Parking, Garaging & Turning (SR06)

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

4-4-00

T S Roberts & Co

Solicitors
20A Peach Street Wokingham Berkshire RG40 1XG

DX 33522 WOKINGHAM

Telephone: 0118 979 1818 (voicemail extension 517)
Fax: 0118 979 1821
Email: tsr@tsroberts.com

Wokingham District Council
DX 33506 – Wokingham

47808 14 September 2001

PLANNING DEPARTMENT

DG

Our ref: TSR MP GILDER

Dear Sirs

AMEN COTTAGE JUBILEE ROAD FINCHAMPSTEAD
INITIAL APPLICATION REFERENCE F/2000/0903
APPEAL REFERENCE APP/XO360/A/00/105332

We act for the proposed buyer of the above property in respect of which planning consent has now been granted.

Our clients require sight of the objections (if any) received by the Council in respect of the application for permission. We have raised this point with the owner of the property and she believes that no objections were raised except by official bodies.

We should be most grateful if you would check the planning file and provide a list of the objections received. If any objections were raised by members of the public please send us copies.

We undertake to pay your proper copying charge for this information and if you care to ring Jane Cockburn on receipt of this letter we will be pleased to arrange pre-payment.

Yours faithfully

T S Roberts & Co

LISTING FORM

Case officer: **Angela Odell** Application Number: **F/2000/0903**

Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.

Proposed demolition of existing dwelling and erection of replacement dwelling.

Transfer: Yes ☐ No ☑

Reason for Transfer:

Signed: G Cockroft Date: 02-05-00

Councillor G Cockroft

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

LISTING FORM

Case officer: **Angela Odell** Application Number: **F/2000/0903**

Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.

Proposed demolition of existing dwelling and erection of replacement dwelling.

Transfer: Yes ☒ No ☐

Reason for Transfer:

Signed: _____ Date: 27.4.00.

Councillor M Long

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Received by Wokingham District Council

Application No: F/2000/0903

Proposal:
Proposed demolition of existing dwelling and erection of replacement dwelling.

Location:
Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.

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

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Angela Odell P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 14/04/2000. Written comments submitted will become available for public inspection.

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

Head Planning and Transportation

FROM: Angela Odell

DATE: 21 March 2000

FINCHAMPSTEAD PARISH CONSULTATION SHEET

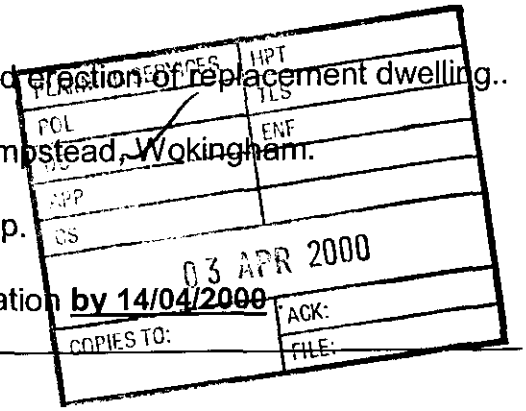
Application Number: F/2000/0903

Proposal: Proposed demolition of existing dwelling and erection of replacement dwelling..

Site Address: Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.

Applicant: Mrs G Lovelock C/O Day Tanner Partnership.

Your observations are required in respect of this application **by 14/04/2000**



The Parish Council has no objections to this application.

SIGNED: C.S. Coll DATE: 31-03-00

Clerk To Finchampstead Parish/Town Council.

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date: 15 MAR 2000	
Officer: AO	Application No. F/2000/0903

Map No. ..... Site ...010....
Easting: ..... Flood Pln .....
Northing: ..... Mineral .....

Level: ☐ **Sub Committee** ☑ **Delegated** ☐ **Sec. State**
☐ **Incorrect Fee** ☐ **Invalid** ☐ **PD**

Description: demolition of existing dwelling and (F) PROPOSED ERECTION OF REPLACEMENT DWELLING

Location: AMEN COTTAGE JUBILEE ROAD

Parish: FINCHAMPSTEAD Ward: Finch South 213

Applicant: MRS LOU ELOCK

Fee Received 190-00 Required ..... Additional ..... Refund .....

Enforcement Section to be notified (2) ☐ tick if required

Additional information required for validation

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

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 21/3..... Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control	NF: .....
Landscape	~~NK:~~ .....
Trees	NK: ✓ 21/3
Conservation Officer	NK: .....
Environmental Health	NA: .....
Housing	NA: .....
Leisure & Cultural services	PA: .....
Public Rights of Way	PA: .....
Property	NG: .....
District Secretary (only if called in by SOS)	MA: .....
Policy & Plans	QA: .....
Strategic Planning (JSPU)	HA: .....
Minerals (BABTIE)	GA: .....
Archaeological Site (BABTIE)	: .....
Education	AP: .....
Social Services	BT: .....
Highways	XA: ✓ 21/3

EXTERNAL CONSULTATIONS

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

HERITAGE BODIES

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

OTHERS:

.....

.....

.....

NEIGHBOURS:

..... Castleton + Bolney House, Jubilee Rd. ✓ 21/3 .....

.....

.....

.....

.....

.....

.....

.....

.....

15 MAR 2000

DAY • TANNER PARTNERSHIP

ARCHITECTURE & PLANNING

AID/LC/1490

14 March 2000

Planning Department
Wokingham District Council
P O Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

15 MAR 2000 C303

Dear Sirs

REPLACEMENT DWELLING AT AMEN COTTAGE, JUBILEE ROAD, FINCHAMPSTEAD

We enclose a full planning application for a proposed replacement dwelling at this property. The existing property has some structural faults and is getting to the point of "beyond economic repair". We have therefore taken the opportunity to design a low key cottage style property and relocate the new dwelling to the north-west of the current bungalow in order to take full advantage of the site, which is currently not the case. A new garage is proposed in the same location as the existing but slightly reorientated.

We enclose the following documents in order to submit the application:

Six copies each of drawings numbers 1490/01 and 02 together with location plan and site survey 476/1.
Six copies of the application form
Certificate A
Deposit cheque in the sum of £190.00

This application is made in full knowledge of your policy for dwellings in this location and we are of the opinion that the proposal will be less imposing than the current bungalow which has a long ridge line and sits very close to the road and, based on recent appeal decisions in similar locations in Finchampstead, this proposal is reasonably modest.

Continued/...

MEMBER OF THE BRITISH INSTITUTE OF ARCHITECTURAL TECHNOLOGISTS

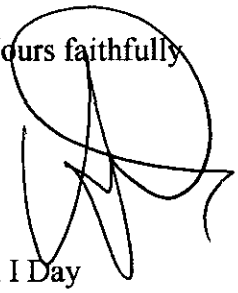
TONY DAY MBIAT SHAUN TANNER MBIAT

11-13 DUKES RIDE, CROWTHORNE
BERKSHIRE, RG45 6LZ
TEL: 01344 777143 FAX: 01344 750971

Partners:
A I Day S Tanner J E Day C H Tanner

We trust that you will be able to support this application and recommend approval and we look forward to hearing from you in due course.

Yours faithfully



A I Day

Encs

cc Client

SECTION 66 CERTIFICATE

Application No.

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

15.MAR2000 C 3

CERTIFICATE A

I certify that:

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

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

OR

CERTIFICATE B

I certify that:

I have/The applicant has* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owners (a) name	Address at which notice was served	Date on which notice was served

* See Note (a) to Certificate A

OR

CERTIFICATE C

I certify that:

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

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

Owners (a) name	Address at which notice was served	Date on which notice was served

ee Note (a) to Certificate A

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

(b)

- Notice of the application as attached to this certificate, has been published in

the (c)

on (d)

(b) Insert description of steps taken

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

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

OR

CERTIFICATE D

I certify that:

- I/The applicant* cannot issue a certificate in accordance with paragraph (a) of Section 66(1) of the Act in respect of the accompanying application.
- I have/The applicant have/has taken all reasonable steps open to me/him/her* to find out the names and addresses of everyone else who, at the beginning of the period of 21 days beginning with the date of the application was the owner (a) of any part of the land to which the application relates, but have/has* been unable to do so. These steps were as follows:.

  (b)

- Notice of the application as attached to this certificate, has been published in the (c)

on (d)

(b) Insert description of steps taken

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

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

ALL APPLICANTS MUST COMPLETE THIS SECTION

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

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable

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

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

OR

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

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

Signed _____

On behalf of **MRS LOVELOCK**

Date 14 MARCH 2000

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

✓ ADDRESS AMEN COTTAGE PARISH FINCH

PLOT No. 7 Jubilee Road ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision	
BR 5750	Mr R W Lovelock	garage	24.11.76	APP	N/A
05674	"	"	20.1.77	N/A	C/A
BR 20652.	Mrs G. Lovelock.	Ground floor ext.	11.5.83	App.	N/A
19457	"	"	30.6.83	N/A	C/A

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

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

Please answer **ALL QUESTIONS** in **BLOCK LETTERS**. If a question is not applicable, answer N/A in space. Please submit **SIX** copies of this form and plans to:-
THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P.O. Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY

15 MAR 2000 0903

1.	APPLICANT'S NAME	MRS G LOVELOCK
	ADDRESS	AMEN COTTAGE JUBILEE ROAD, FINCHAMPSTEAD
	POSTCODE	PHONE:
2. If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	DAY TANNER PARTNERSHIP
	ADDRESS	11-13 DUKES RIDE CROWTHORNE, BERKSHIRE
	POSTCODE	RG45 6LZ PHONE: 01344 777143
3. On the plans show the SITE outlined in RED. Show also OTHER land in the applicant's ownership or control in blue.	SITE LOCATION:	AMEN COTTAGE JUBILEE ROAD FINCHAMPSTEAD
4. WHAT IS THE APPLICATION FOR? Give brief details and state for what purpose this site and any buildings will be used		REPLACEMENT DWELLING
5. Give the area in [illegible]	AREA OF SITE	0.17 APPROX.
6. State the applicant's interest in the land, any owner, prospective, [illegible]	OWNERSHIP	OWNER
7. List all the plans and drawings submitted with the application	PLANS/DRAWINGS	1490/01, 02 LOCATION PLAN, SURVEY 476/1

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

CHANGE OF USE		REDEVELOPMENT	X
ERECTION OF NEW BUILDING	X	ALTERATION or EXTENSION	

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

OUTLINE PERMISSION		See question 11	
FULL PERMISSION	X		
APPROVAL OF DETAILS/RESERVED MATTERS		State relevant outline permission number	
TEMPORARY PERMISSION		State period required	
REVOCATION OF CONDITIONS		State relevant application no.	

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

		SITING	
EXTERNAL APPEARANCE		DESIGN	
MEANS OF ACCESS		LANDSCAPING	

11.	WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDINGS? e.g residential, industrial etc. If the site is vacant, say so, and also state its previous use and when that ceased.	RESIDENTIAL	
12.	DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS?	NO	If yes, show existing route(s) and any proposed alternatives on the plans
13.	ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED	YES YES	If so, show their positions, spread and species on the plans and which, if any, are to be felled
14.	STATE EXTERNAL MATERIALS TO BE USED	TO BE AGREED.	
15.	HOW WILL THE SITE BE ENCLOSED? Say whether walls, fences or hedges, and give height, colour and materials etc. If the site is divided into plots, say how each is to be enclosed	EXISTING BOUNDARIES	
16.	HOW WILL SURFACE WATER BE DISPOSED OF?	SOAKAWAYS	
17.	HOW WILL FOUL SEWAGE BE DISPOSED OF?	To existing system: YES If no, please give details:	
18.	WHAT ARE THE ACCESS ARRANGEMENTS? AS EXISTING AS PROPOSED Give details of pedestrian and vehicular access.	EXISTING DRIVEWAY.	
19.	HAS PROVISION BEEN MADE FOR THE DISABLED See notes for applicants?	YES	

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

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	1 / 9	/	/
BUNGALOW	/	/	1 / 5
FLAT/MAISONETTE	/	/	/
OTHER	/	/	/

21.	DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE ?	NO	If YES, complete Part 2 of the form
22.	DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS; THE DISPOSAL OR MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS?	NO	If YES, please ask for and complete Part 3 of the form
23.	STATE THE FEE ENCLOSED WITH THIS APPLICATION. The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.	£190.00	

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

SIGNED: _____ ON BEHALF OF: MRS G LOVELOCK DATE: 14/3.2000

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

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

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

Conclusions

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

Formal Decision

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

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

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

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

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

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

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

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

Information

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

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

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

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

Inspector

Recd 1.45PM 8.5.02

DAY • TANNER PARTNERSHIP

ARCHITECTURE & PLANNING

AID/LC/1490

8 May 2002

Mr A Odell
Planning Department
Wokingham District Council
P O Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Mrs Odell

AMEN COTTAGE, JUBILEE ROAD FINCHAMPSTEAD (F2000/0903)

Following my letter to you yesterday please find enclosed two copies of my drawing number 1490/01A which was omitted in error. Also, with regard to the roof tiles, these were wrongly described. They are plain clay tiles from the Phalempin tile range by Messrs Huguenot Fenal colour Volcano – I will drop a sample in to you.

I look forward to hearing from you.

Yours sincerely

A I Day

Enc

MEMBER OF THE BRITISH INSTITUTE OF ARCHITECTURAL TECHNOLOGISTS

TONY DAY MBIAT **SHAUN TANNER** MBIAT

BAGSHOT HOUSE, 37-39 HIGH STREET
BAGSHOT, SURREY GU19 5AF
TEL: 01276 451456 FAX: 01276 451553
tony@daytanner.freeserve.co.uk
www.daytanner.co.uk

Partners:
A I Day S Tanner J E Day C H Tanner

DAY • TANNER PARTNERSHIP

ARCHITECTURE & PLANNING

AID/LC/1490

7 May 2002

PLANNING SERVICES	HOT S6145
POL	TLS
DC Amo	ENF
APP	
CS	
08 MAY 2002	
COPIES TO	

Planning Department
Wokingham District Council
P O Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

For the attention of Mrs A Odell

Dear Mrs Odell

AMEN COTTAGE, JUBILEE ROAD, FINCHAMPSTEAD (F2000/0903)

I refer to the above planning application which was approved on appeal in March 2001, and to the conditions imposed by the Planning Inspector. With regard to the relevant conditions:

2. Roof to be plain clay tiles by Messrs. H B Tiles – colour Huguenot burnt red/brown.
Brickwork to be painted off white.
Windows and doors to be natural oak.

With regard to the painting of the brickwork we know that you did not consider this to be appropriate on another site in Church Lane, Finchampstead but in this instance the existing bungalow is painted brickwork and 70% of the properties within walking distance of the site are painted brickwork.

3. Please find enclosed two copies of drawing number 1490/01A showing slab levels for the house and garage.

5. There is a high degree of landscaping already on and around the site and perhaps your landscape architect Katherine Brimble could contact me if she requires any specific planting etc.

I look forward to hearing from you at your earliest convenience.

Yours sincerely

A I Day

Enc.

MEMBER OF THE BRITISH INSTITUTE OF ARCHITECTURAL TECHNOLOGISTS

TONY DAY MBIAT SHAUN TANNER MBIAT

BAGSHOT HOUSE, 37-39 HIGH STREET
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www.daytanner.co.uk

Partners:
A I Day S Tanner J E Day C H Tanner

SOUTHPORT U.K
LONDON OFFICE
X SYSTEMS LTD

APPLICATION NO.0903

Name of appellant:
Mrs G Lovelock

Site address:
Amen Cottage, Jubilee Rd

Proposal:Proposed demolition of existing dwelling & erection of replacement dwelling

Case Officer:AO

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: AO

APPLICATION NUMBER: 0903

APPELLANT: Mrs G Lovelock

SITE: Amen Cottage, Jubilee Rd, Finchampstead

APPEAL REF: APP/X0360/A/00/1053362

START DATE: 09/11/00

DATE OF SITE VISIT 07/02/01

Progress Record	Date Actioned	Initials
Appeal Logged:	13/11/00	
Entered on Access:	16/11/00	DG
Notification Letters Due:	**23/11/00**	
Notification Letters Sent:	16/11/00	DG
Questionnaire Due:	**23/11/00**	
Questionnaire Sent:	20/11/00	DG
File received by Officer:	16/11/00	
Statement Due:	**21/12/00**	
Checked by Team Leader:		
Statement Sent:	7/12/00	DG
Comments on Statement Due	11/01/01	
Comments on Statement Sent		
Decision letter circulated:	07/03/01	DG
Decision entered on Access.	07/03/01	

Appeal Decision

Site visit made on 07 February 2001

by Roger Clews BA MSc DipEd DipTP MRTPI

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

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

Date

05 MAR 2001

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs G Lovelock against the decision of Wokingham District Council.
- The application (ref: F/2000/0903), dated 14 March 2000, was refused by notice dated 8 May 2000.
- The development proposed is replacement dwelling.

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

Procedural Matters

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

Main Issue

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

Planning Policy

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

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

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

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

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

Reasons

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

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

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

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

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

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

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

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

Other Matters

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

Conditions

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

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

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

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

Conclusions

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

Formal Decision

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

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

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

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

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

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

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

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

Information

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

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

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

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

Inspector

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mrs G Lovelock
SITE: Amen Cottage, Jubilee Rd, Finchampstead
APPLICATION NO.: 0903
PROPOSAL: Proposed demolition of existing dwelling & erection of replacement dwelling

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Finchampstead South

Mr G A Cockroft

Mrs M Long

Clerk(s) of Parish / Town Council of Finchampstead

Mrs C S Cole, Memorial Hall, The Village, Finchampstead, berks RG40 4JU

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

Environmental Design, WDC
-Trees

The Planning Inspectorate

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

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

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

Your Ref: F/2000/0903

Our Ref: APP/X0360/A/00/1053362

Date: 15 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MRS G LOVELOCK
SITE AT AMEN COTTAGE, JUBILEE ROAD, FINCHAMPSTEAD

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

pp Miss A Groves

217L(BPR)

THE ELY

PLANNING & ARCHITECTURAL
CONSULTANCY
Town Planning, Development & Architectural Consultants

COPY

11th January 2001

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Dear Miss Groves,

Town & Country Planning Act 1990
Appeal by Mrs G Lovelock
Site at Amen Cottage, Jubilee Road, Finchampstead, Berkshire.

In response to the Council's written appeal statement I wish to make on behalf of the appellant, Mrs Lovelock, the following points of rebuttal :-

- One of the main thrusts of the Council's case is that it considers that the proposed replacement dwelling is too great in terms of both height and floor area above that of the existing dwelling. Enclosed with this letter is a copy of planning permission no: F/2000/2459 which was granted by the same Local Planning Authority, (Wokingham District Council) on 6th November 2000. It can be seen that planning permission has been granted for the raising of the existing roof height and creation of additional habitable rooms in roof space, including construction of four dormer windows in both side elevations of Bolney Lodge, Jubilee Road, Finchampstead. A copy of the approved planning application drawing no: 1477/01 is also enclosed together with an annotated copy of Plan EP1 which illustrates the location of Bolney Lodge in relation to the appeal site. By examining drawing no: 1477/01 it can be seen that a first floor to this property has been approved which measures 74.50 square metres in floor area, this is nearly equal to a doubling in the size of this property in terms of floor area. This is similar to the increase in floor area proposed within the appeal development. It is therefore considered that the Local Planning Authority has been entirely inconsistent in its approach between the appeal site and the immediately adjoining site. Furthermore it is considered that there is no justification for this inconsistency.

- In addition, by reference to this same drawing it can be seen that the roof of the Bolney Lodge would be raised by a maximum of 1.8 metres. The approved ridge height at this

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also at 29 Denmark Road, Reading, Berkshire RG1 5PA
Tel / Fax: 0118 958 9511 Mobile: 0498 904540 E-mail: theely@anmt5.force9.co.uk
Principal: Sally Walker B.A. Hons., M.R.T.P.I

property is greater than that of the proposed dwelling at the appeal site by approximately 0.5 metres. Although this increase is less than that of the effective proposed increase represented by the appeal property, it is only less by 0.6 - 0.95 metres. Again it is considered that the Council has been completely inconsistent in its approach to the two sites. Surely if a doubling of the floor area and an increase to the roof height of one dwelling is acceptable, then why is it not acceptable at the appeal site.

- The Council makes under paragraph 3.04 of its statement, the false claim that "The proposed dwelling would be clearly seen from Jubilee Road through the access drive and above the existing front boundary hedging." The Inspector's attention is again drawn to photograph 2 of Appendix 7 of the appellant's original written statement and to the annotated planning application drawing no: 1490/01 to be found at Appendix 1 of the original statement. It is clear by reference to both of these documents that the proposed dwelling would not in fact be clearly seen from Jubilee Road. Of a total length of the front elevation of the proposed dwelling of 12 metres, only 2.2 metres of this would be visible. The view comprising Photograph 2 clearly illustrates that the front boundary hedging is both dense and tall and it is asserted that it would not be possible to view the proposed dwelling above it. The proposed dwelling is not massive in scale as is asserted by the Council in this same paragraph of its statement.

- Photograph 1, (Appendix 7) demonstrates that the existing bungalow is completely visible from Jubilee Road. It is hard to see how the proposed dwelling, which by comparison would be visible from Jubilee Road to a minimal extent, would have an urbanising effect on the predominantly rural character and appearance of the area as stated by the Council, (paragraph 3.04). On the contrary it is strongly asserted that the appeal development would reduce the "urbanising" effect of development at the appeal site.

- The assertion made by the Council under paragraph 3.05 of its statement that the proposed garage would be obtrusive is respectfully considered to be erroneous. The proposed garage occupies essentially the same location as that of the existing garage and is not materially greater in size or scale than the existing garage.

- Under paragraph 3.06 of its statement the Council asserts that the proposed dwelling has not been sited so as to have minimum impact on the rural environment. On the contrary, the proposed dwelling has been so sited, further back within the appeal site away from Jubilee Road and to the rear of the dense vegetative screen. This particular point of the Council's might have some weight to it, if the proposed replacement dwelling had been sited in the same location as the existing bungalow, which as has been demonstrated, is completely visible from Jubilee Road.

- Finally under paragraph 3.07 of the Council's statement it has singularly failed to define what the special landscape qualities of the appeal site or the area within which it is located are and what precise detriment the appeal development would have to them.

Yours sincerely,

Sally Walker

Sally Walker B A Hons M.R.T.P.I.
cc. Mrs G Lovelock
cc. District Planning Officer, Wokingham District Council.

Encs.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Approval of Permission

Mrs J A Kentish-Barnes
C/O Day Tanner Partnership
11-13 Dukes Ride
Crowthorne
Berkshire
RG45 6LZ

Application Number: F/2000/2459

Parish: FINCHAMPSTEAD

Location: Bolney Lodge, Jubilee Road, Finchampstead, Wokingham.

Proposal: Proposed raising of existing roof height and creation of additional habitable rooms in roof space, including construction of four dormer windows in both side elevations.

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Approve Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

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

Condition
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.

Condition
3. 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 purposes.

Condition
4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. In particular the scheme should include additional planting to soften the view of the cars. The approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained.

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

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

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

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

Reason
4. In the interests of visual amenity of the Area of Special Landscape Importance.

Reason
5. In the interests of visual amenity of the Area of Special Landscape Importance.

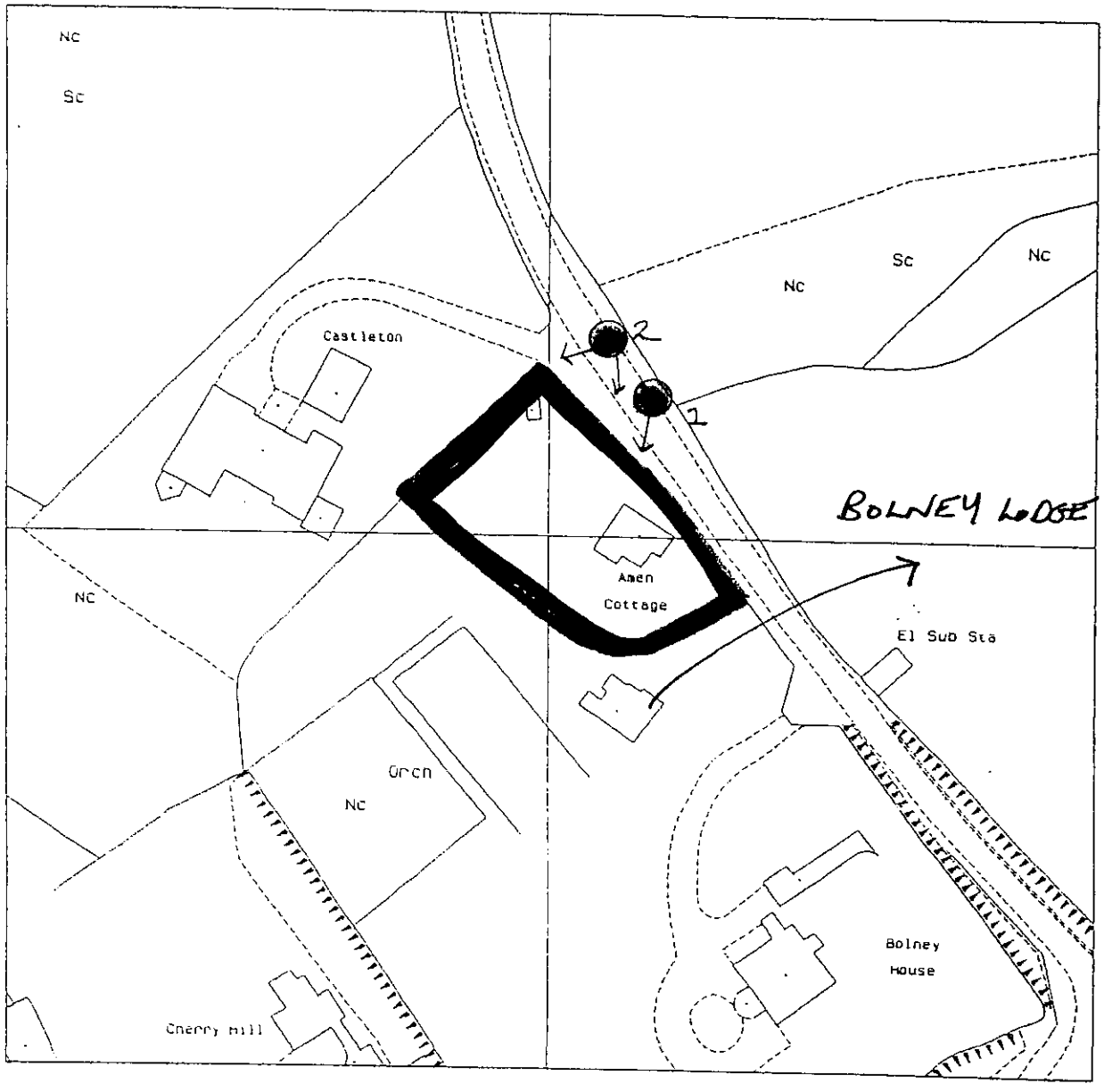
Informative
1. You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:

South East Area Local Plan Policies STV1, SC3, SC4, SC5, LBE1, LBE2 and SC19.

Deposit Draft Wokingham District Local Plan Policies WOS2, WCC1, WLL2, WLL3, WOS3, WBE1 and WCC7.

John Mitchell
Development Control Manager
Date: 16/11/2000

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



KEY:-

Scale 1: 1250

Appeal site

2 Position & direction of photograph

The Planning Inspectorate

For official use only
Date received

QUESTIONNAIRE

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

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/00/1053362 **GRID REF:** _____

APPEAL BY: MRS G Lovelock.

SITE: AMEN COTTAGE JUBILEE RD, FINCHAMPSTEAD

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks of the 'starting date' given in our letter. Please send our copy to the case officer. Their address is shown on our letter.

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

PLEASE TELL US OF ANY CHANGES TO THE INFORMATION YOU HAVE GIVEN ON THIS FORM.

1.	Do you agree to the written representations procedure?	YES / [redacted]
OR	Do the you wish to be heard by an Inspector at: a. a local inquiry?	[redacted] / NO
	or b. a hearing?	[redacted] / NO
2. a.	If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land?	[redacted] / NO
b.	From your knowledge of the issues, would our Inspector need to enter the site for any reason e.g. to view/measure any dimensions from within it?	YES / [redacted]
3.	Does the appeal relate to an application for approval of reserved matters?	[redacted] / NO
4.	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	Y[redacted] / NA
5.	Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	~~YES~~ / NO

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

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

a	Is the development in Schedule 1 or column one of Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	YES / NO Sch 1 Sch 2 col 1	
b.	Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	YES / NO	
c.	Has a screening opinion been placed on Part 1of the planning register? If YES, please send a copy to us.	YES / NO	
		Number of Documents Enclosed	N/A
d.	Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	1	
e.	Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f.	A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g.	Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h.	Details of any other applications or matters you are currently considering relating to the same site;		✓
i.	For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.*	2	
j.	Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k.	A list of any conditions or limitations you would agree to if the appeal were to be allowed;	1	
l.	Any other relevant information or correspondence you consider we should be aware of.		✓

16.a. What is the date you told those you notified about the appeal that we must receive any further comments by? — 21.12.00

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

	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	2	
ii) the planning officer's report to committee		✓
iii) any relevant committee minute		✓

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

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

a. In non-determination cases:

i) what the decision notice would have said;

ii) how the relevant development plan policies relate to the issues of this appeal.

b. In all cases:

i) the relevant planning history;

ii) any supplementary reasons for the decision on the application;

iii) matters which you want our Inspector to note at the site visit.

18. THE MAYOR OF LONDON CASES ONLY

a. Was it necessary to notify the Mayor of London about the application? If YES please attach a copy of that notification. — YES / NO

a. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction. — YES / NO

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

Signature: Dlyrell on behalf of WOKINGHAM DISTRICT Council

Date sent to us and the appellant 20/11/00 OUR REF: F12000/0903

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

Your Ref: E/2000/0903

Our Ref: APP/X0360/A/00/1053362

Date: 18 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MRS G LOVELOCK
SITE AT AMEN COTTAGE, JUBILEE ROAD, FINCHAMPSTEAD

Please note the new arrangements for the site inspection.
I am writing to inform you that the inspector appointed by the Secretary of State to determine the above appeal in accordance with the provisions of Schedule 6 of the act is

Mr R Clews BA MSc DipEd DipTP MRTPI

With reference to the above appeal the Secretary of State has arranged for the inspector to visit the appeal site at 12:00 on Monday 5/2/2001 and you are requested to arrange for the inspector to be met at the site at 12:00 to enable the inspection to be made.

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

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

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

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

Yours faithfully



Miss K Hallett

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

209D

The Planning Inspectorate

Room 1202W
Tollgate House
Houlton Street
Bristol BS2 9DJ
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15 JAN 2001
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/0903

Our Ref: APP/X0360/A/00/1053362

Date: 12 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MRS G LOVELOCK
SITE AT AMEN COTTAGE, JUBILEE ROAD, FINCHAMPSTEAD

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

Mr R Clews BA MSc DipEd DipTP MRTPI.

As part of the normal procedures, the inspector will be visiting the site. The purpose of the visit is to enable the inspector to assess the impact of the proposed development on the surrounding area. [redacted]

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, due for example to the receipt of late representations, we will let you know.

Yours faithfully

Miss K Hallett

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

209G

FROM: Angela Odell

DATE: 21 March 2000

FINCHAMPSTEAD PARISH CONSULTATION SHEET

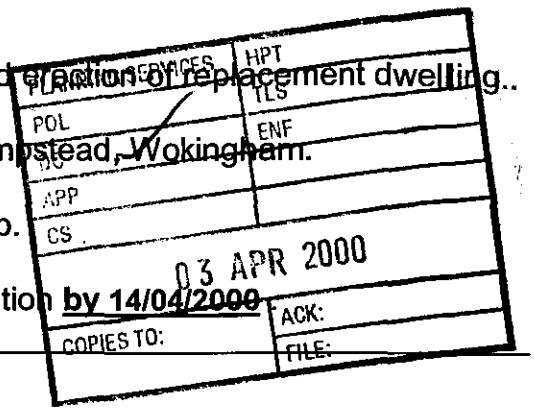
Application Number: F/2000/0903

Proposal: Proposed demolition of existing dwelling and erection of replacement dwelling..

Site Address: Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.

Applicant: Mrs G Lovelock C/O Day Tanner Partnership.

Your observations are required in respect of this application **by 14/04/2000**



The Parish Council has no objections to this application.

SIGNED: C.S. Coll DATE: 31-03-00

Clerk To Finchampstead Parish/Town Council.

Angela

TO: DEVELOPMENT CONTROL FROM: Environmental Design

DATE: 10th April 2000

Location: Amen Cottage, 7 Jubilee Road, Finchampstead

Proposal: Proposed demolition of existing dwelling and erection of replacement dwelling

Application Number: F/2000/0903

In response to your consultation dated 21st March 2000 for the above application, the landscape comment is as follows:

The application is acceptable. The proposed extensions fit into the garden setting. The trees that will be felled for the new dwelling (eucalyptus, cupressus and small garden trees)are of no particular value and many other trees are retained on the site.

Care must be taken to protect the trees to be retained during the construction works and the applicant's attention is drawn to BS 5837:1991 *guide for trees in relation to construction.* Excavations within the spread of the roots must be by hand.

Patricia Green.

Patricia Green
Landscape Consultant

HIGHWAYS CONSULTATION SHEET

From: Angela Odell

Date: 21 March 2000

Application Number: F/2000/0903

Proposal: Proposed demolition of existing dwelling and erection of replacement dwelling.

Site Address:
Amen Cottage 7, Jubilee Road, Finchampstead, Wokingham.

Applicant:
Mrs G Lovelock C/O Day Tanner Partnership.

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

✓ below as applicable;

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

Sc 23 - Parking, Garaging & Turning (SR06)

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

4-4-00

THE ELY

PLANNING & ARCHITECTURAL
CONSULTANCY

Town Planning, Development & Architectural Consultants

COPY

7th November 2000

POL	
DC	NF
APP	
CS	
08 NOV 2000	
COPIES TO:	ACK:
	FILE:

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

Dear Sirs,

Section 78 appeal against the refusal by Wokingham District Council of planning application no: F/2000/0903 for the erection of a replacement dwelling at Amen Cottage, Jubilee Road, Wokingham.

Please find enclosed a written representation Section 78 appeal hereby lodged against the refusal of the above planning application by Wokingham District Council. Accordingly please find enclosed the completed questionnaire, together with the written statement and accompanying appendices document.

I confirm that I have sent a copy of this appeal to the relevant Local Planning Authority.

I await confirmation of the registration of this appeal, but in the meantime should you have any enquiries please do not hesitate to contact me.

Yours faithfully,

Sally Walker

Sally Walker B A Hons M.R.T.P.I.
cc. District Planning Officer, Wokingham District Council.

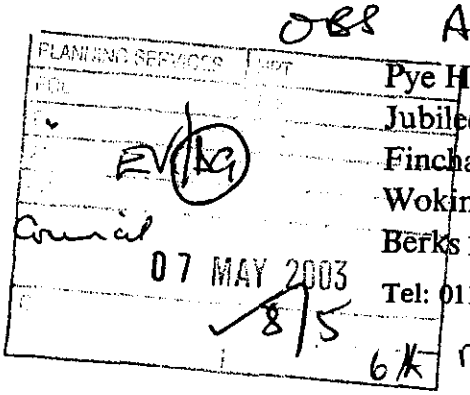
Encs.

17A Southfields Road, Eastbourne, East Sussex BN21 1BU
Tel / Fax: 01323 439904
also at 29 Denmark Road, Reading, Berkshire RG1 5PA
Tel / Fax: 0118 958 9511 Mobile: 0498 904540 E-mail: theely@anmt5.force9.co.uk
Principal: Sally Walker B.A. Hons., M.R.T.P.I

OBS APPEAL

Mrs. F. N. Lewis. B.D.S. U.St.And.
Dental Surgeon

Pye Hill House
Jubilee Road
Finchampstead
Wokingham
Berks RG40 3RU
Tel: 0118 973 3699



6th May 2003.

Chief Planning Officer
Wokingham District
Shute End
Wokingham
Berks RG40 1WJ.

Dear Sir,

Re planning application number F/2003/8819 and appeal Ref APP/X0360/A/00/1053362. — F/2000/6903

Now come on folks! Who is taking the Mickey here? Is it the planning office, or is it the Day, the architect/owner I've heard of flouting the law, but the nearly complete mansion house, takes the biscuit! How is it, that this very large house, has been allowed to be completed on such a small site, so near a very busy road, and with very little bearing

to the planning consent?. How obtrusive can one get??

Yet Mrs Ken Brant - application number F/2003/8368 with a one acre site at Cherry Hill, with a two storey house on site - to be demolished - has had her plans turned down on the pretext, it is too big! It can't even be seen from the road or from anywhere else! What comparisons - I ask you?.

Yours faithfully

Freda Lewis.

CONDITIONS FOR APPEAL - APPLICATION F/2000/0903

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

Condition
2. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

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

Condition
4. Works related to the construction of the development hereby granted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 8 am and 7 pm Monday to Friday and 8 am to 1.30 pm Saturdays and at no time on Sundays or Bank or National Holidays.

Condition
5. Prior to the commencement of development, details of the slab levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The constructed development shall not vary from the approved levels.

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

Condition
7. 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 purposes.

Condition
8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development; the approved landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of any of the building(s) hereby approved and retained.

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

Condition
10. No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed, shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local Planning Authority during development and for a period of five years after completion of the development hereby approved. The branch structure and trunks of the trees to be retained and their root systems shall be protected from any damage during site works, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), before the end of the first available planting season (1st November to 31st March) following their loss or removal.

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

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

Reason
3. To safeguard the character of the premises and the residential and visual amenities of the occupiers of adjoining properties.

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

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

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

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

Reason
8. In the interests of visual amenity.

Reason
9. In the interests of visual amenity.

Reason
10. The existing trees/hedgerows/shrubs represent an important public visual amenity in the area.

AO/PP
17/11/00

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT: **MRS G LOVELOCK**

APPEAL SITE: **AMEN ~~CORNER~~ COTTAGE, JUBILEE ROAD, FINCHAMPSTEAD**

REASON FOR APPEAL: **REFUSAL TO GRANT PLANNING PERMISSION FOR THE PROPOSED ERECTION OF REPLACEMENT DWELLING AND GARAGE**

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/0903

DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE : APP/XO360/A/1053362

1.00 INTRODUCTION

Main Issue

1.01 The main issue in this case is considered to be the effect of the proposal on the character and appearance of the area.

Description of Site and Surroundings

1.02 A location plan to scale 1:2500 is in Appendix 1.

1.03 The appeal site is in an area of sporadic development in the countryside and in the Blackwater Valley Area of Special Landscape Importance. There is an existing bungalow on the site with a flat roofed extension, and also a garage and shed. The site slopes upwards in a south-easterly direction from Jubilee Road. There are some trees on the site, including along the north-west boundary to 'Castleton'. On the south side is a cottage to Bolney House, which is a larger dwelling to the south.

Relevant Planning History

1.04 On 30/4/83 Application No. 19451 was granted permission for the existing flat-roofed single storey extension.

sdh

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

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

Please answer **ALL QUESTIONS** in **BLOCK LETTERS**. If a question is not applicable, answer N/A in space. Please submit **SIX** copies of this form and plans to:-
THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P.O. Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY

15.MAR2000* 0903

1.		APPLICANT'S NAME	MRS G LOVELOCK
		ADDRESS	AMEN COTTAGE JUBILEE ROAD, FINCHAMPSTEAD
		POSTCODE	PHONE:
	If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	DAY TANNER PARTNERSHIP
		ADDRESS	11-13 DUKES RIDE CROWTHORNE, BERKSHIRE
		POSTCODE	RG45 6LZ PHONE: 01344 777143
3.	On the plans show the SITE outlined in RED. Show also OTHER land in the applicant's ownership or control in blue:	SITE LOCATION:	AMEN COTTAGE JUBILEE ROAD FINCHAMPSTEAD
4.	WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used		REPLACEMENT DWELLING
5.	Give the area in hectares or part of a hectare	AREA OF SITE	0.17 APPROX.
6.	State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	OWNERSHIP	OWNER
7.	List all the plans and drawings submitted with the application	PLANS/DRAWINGS	1490/01, 02 LOCATION PLAN, SURVEY 476/1

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

CHANGE OF USE		REDEVELOPMENT	X
ERECTION OF NEW BUILDING	X	ALTERATION or EXTENSION	

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

OUTLINE PERMISSION		See question 10	
FULL PERMISSION	X		
APPROVAL OF DETAILS/RESERVED MATTERS		State relevant outline permission number.	
TEMPORARY PERMISSION		State period required.	
RELAXATION OF CONDITIONS		State relevant application no.	

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

		SITING	
EXTERNAL APPEARANCE		DESIGN	
MEANS OF ACCESS		LANDSCAPING	

WCC7	Extensions to Dwellings in the Countryside (outside the Metropolitan Green Belt)
WLL2	Areas of Special Landscape Importance.

Copies of the above policies are contained in Appendix 3.

3.00 THE COUNCIL'S CASE

3.01 South East Area Local Plan Policy SC18 allows replacement dwellings in principle, but requires that they have the minimum impact on the rural environment and that the size of the new dwelling does not exceed that of the existing property, both in height and floor area. The text to Policy SC18 explains that this is in order to prevent replacement dwellings having a significant impact on the open or rural character of the area by increased visual presence etc. and to maintain a range of dwelling types and sizes in rural areas. Wokingham District Local Plan (Deposit Draft) Policy WCC7 similarly aims to ensure that extensions to dwellings in the countryside do not significantly increase the scale of built development on the site nor impact on the surrounding countryside.

3.02 The original part of the bungalow is about 61m^2 and the existing extension about 30m^2, an increase in floor space of about 49%. The proposed replacement dwelling would be about 185m^2 floor space, an increase in the original bungalow of about 200%. It also represents an increase on the existing, extended dwelling of 94m^2 or about 103%.

3.03 The existing bungalow is estimated to be about 4.4m high. This compares with the proposed semi-chalet style dwelling of between 6.8 and 7.15m high, an increase of between 2.4 and 2.75m.

3.04 The size of the proposed dwelling would therefore clearly be much greater in both height and floor area than the existing dwelling it is to replace, which itself has already been extended. The proposed dwelling would be clearly seen from Jubilee Road through the access drive and above the existing front boundary hedging. It would be relatively tall, massive and obtrusive compared with the existing relatively low bungalow and would have an urbanising effect on the predominantly rural character and appearance of the area.

3.05 A $32m^2$ double garage 5m high is also proposed and this would also be relatively obtrusive and would add to the scale of obtrusive development on the site.

3.06 For the above reasons the proposed replacement dwelling would be clearly contrary to South East Area Local Plan Policy SC18 and to the aims of Wokingham District Local Plan (Deposit Draft) Policy WCC7. This is because the size of the new development would significantly exceed that of the existing property both in height and floor area, and would not be designed and sited so as to have a minimum impact on the rural environment. The relatively large size of the replacement garage would also add to the scale of development on the site.

3.07 Due to its increased visual impact (described in paragraphs 3.04 and 3.05 above) the proposed development would have an adverse effect on the character and appearance of the Blackwater Valley Area of Special Landscape in which the appeal site is located.

4.00 CONCLUSIONS

4.01 Due to its siting, size and height, the proposed dwelling would be excessive in size as a replacement dwelling and, together with the proposed garage, would have a detrimental effect on the character and appearance of the area, which is in the countryside area in an Area of Special Landscape Importance.

4.02 In accordance with Section 54A of the 1990 Town and Country Planning Act, applications should be determined in accordance with development plan unless material considerations indicate otherwise. In this case the proposal clearly conflicts with development plan policies contained in the South East Area Local Plan (which is the development plan for the purpose of Section 54A) for the reasons given above. The appeal should therefore be DISMISSED.

AO

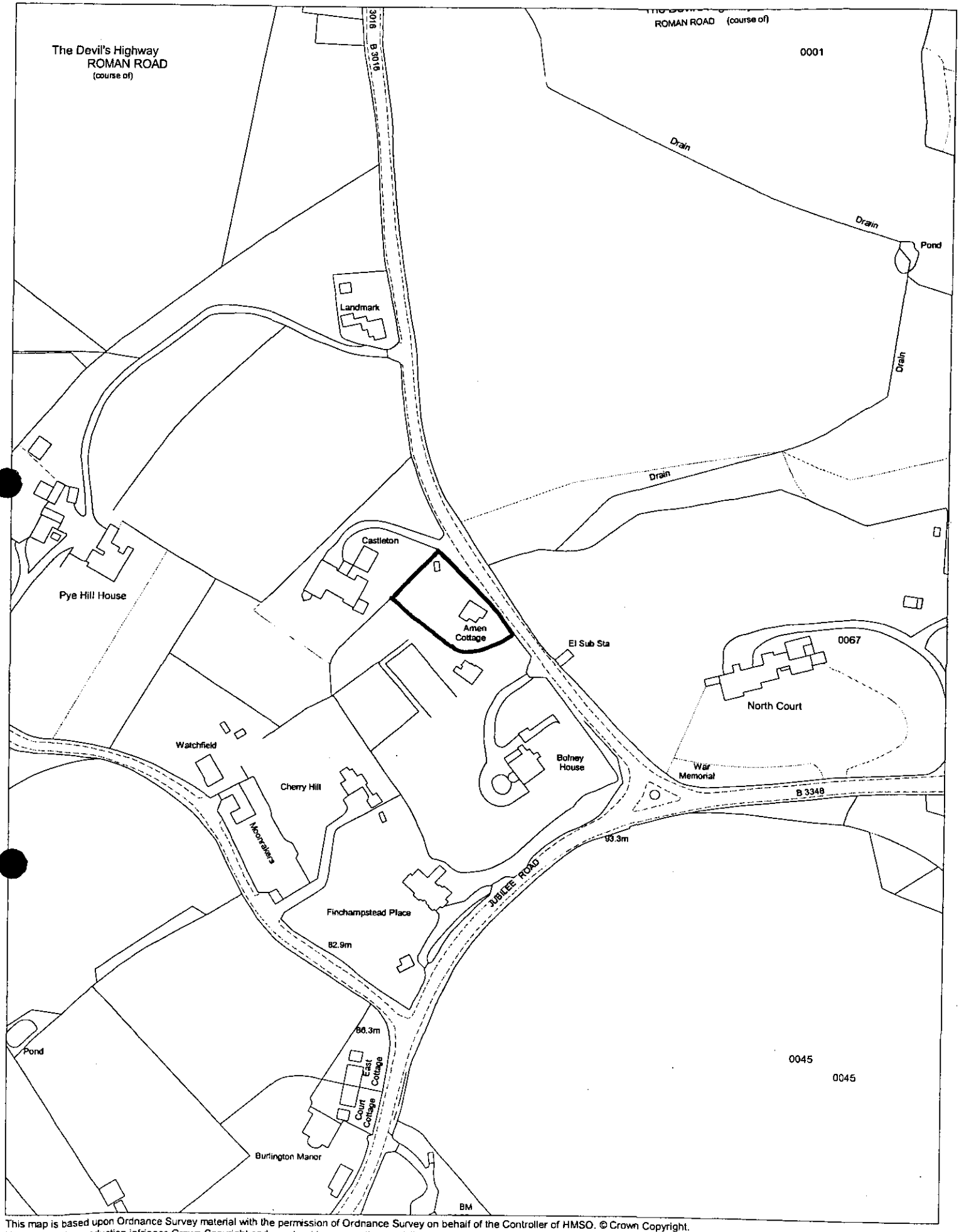
LIST OF APPENDICES

1. Location plan of the Appeal Site, Scale 1:2500.

2. Extracts from South East Area Local Plan.

3. Extracts from Wokingham District Local Plan (Deposit Draft)

APPENDIX 1



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Development Control Section, Environmental Services, Wokingham District Council.
24 November 2000

Scale: 1 : 2500

N
W E
S

APPENDIX 2

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994



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

❖ STV1 'IDENTIFIED SETTLEMENTS'

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

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

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

❖ STV2 DEVELOPMENT IN RURAL AREAS

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

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

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

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

(D) MINERAL EXTRACTION,

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

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

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

❖ SC1 SEPARATION OF SETTLEMENTS

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

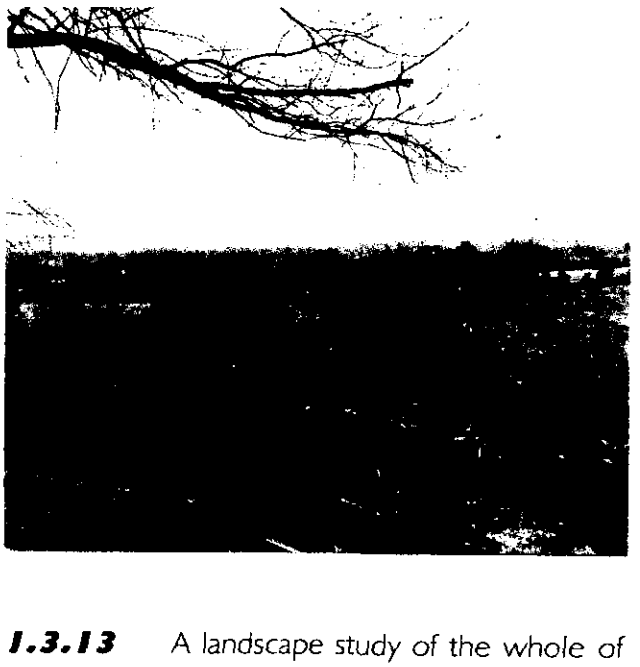
1.3.11 In addition to protecting land because of its significance in separating settlements from each other it is proposed that areas of importance because of their character and appearance in relationship to adjoining built-up areas should also be protected. These areas of land are either an important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

❖ SC2 SETTING OF SETTLEMENTS

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

AREAS OF SPECIAL LANDSCAPE IMPORTANCE

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



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

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

the larger Bearwood Area of Special Landscape Importance which is identified in the Loddon Area Local Plan. It is a significant wooded area which rises above the Loddon Valley to the west and the Emmbrook to the east and is prominent in long distance views from the surrounding area. The section within this plan area is particularly important in providing a strong wooded boundary to the westerly development of Wokingham.

1.3.15 The criteria used to identify these areas and the alternative boundaries considered are contained in Working Paper Three which is available separately from this Plan. The following policies are intended to:

) protect the areas of special landscape importance from development which would detract from their rural character and special landscape qualities,

b) enhance their rural character and landscape qualities by encouraging appropriate management,

c) protect them from development on land around them which would adversely affect their character and setting.

1.3.16 The two areas identified represent the 'Other Areas of Special Landscape Importance' within the Plan area referred to in Policy EN9 of the Replacement Plan for Berkshire.

❖ SC3 AREAS OF SPECIAL LANDSCAPE IMPORTANCE

WITHIN THE BLACKWATER VALLEY AND FINCHAMPSTEAD, AND BEARWOOD, AREAS OF SPECIAL LANDSCAPE IMPORTANCE AS DEFINED ON THE PROPOSALS MAP LAND USES OR BUILT DEVELOPMENT WILL NOT BE ALLOWED WHICH WOULD CAUSE LONG-TERM DAMAGE TO THE RURAL CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

❖ SC4 SETTING OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

DEVELOPMENT WILL NOT BE ALLOWED ON LAND CLOSE TO THE BLACKWATER VALLEY AND FINCHAMPSTEAD, AND BEARWOOD, AREAS OF SPECIAL LANDSCAPE IMPORTANCE WHICH, BY REASON OF ITS SIZE, LOCATION OR TYPE, WOULD ADVERSELY AFFECT THE RURAL CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

❖ SC5 MANAGEMENT OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

THE DISTRICT COUNCIL WILL SEEK TO ENSURE THAT THE MANAGEMENT OF LAND WITHIN THE BLACKWATER VALLEY AND FINCHAMPSTEAD, AND BEARWOOD AREAS OF SPECIAL LANDSCAPE IMPORTANCE IS UNDERTAKEN IN SUCH A WAY AS TO MAINTAIN AND ENHANCE THEIR RURAL CHARACTER AND SPECIAL LANDSCAPE QUALITIES.

LANDSCAPE MANAGEMENT

1.3.17 Within the landscape in recent years the rate of change appears to have increased. In agricultural parts of the plan area Dutch Elm disease and, more recently, storms have resulted in the loss of many hedgerow trees. In addition many modern farming practices and the demands of development including mineral extraction have led to the felling of woodland, grubbing up of hedgerows and drainage of wetland areas. More efficient drainage techniques have also resulted in the neglect or loss of important landscape features such as ponds and ditches.

1.3.18 Over recent years public awareness of changes in the countryside has increased. Modern farm production and management methods and the need for them are perhaps not readily understood by those not employed in agriculture. At the same time increased accessibility to the countryside for its recreational

AGRICULTURAL BUILDINGS AND OTHER STRUCTURES IN RURAL AREAS

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

REDEVELOPMENT AND EXTENSIONS IN RURAL AREAS

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

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

❖ SC18 REPLACEMENT DWELLINGS IN RURAL AREAS

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

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

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

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

APPENDIX 3



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**

THE COUNTRYSIDE

Development in the Countryside

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

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

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

2.23 The guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. Rural areas can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. Certain categories of development, e.g. agriculture and telecommunications, are classed as permitted development under the General Development Order 1995 and prior notification to the council of the exercise of these rights is required. Development in the open countryside, away from existing settlements or areas allocated for development in this local plan will be strictly controlled. Some categories of development that may be appropriate, are set out in Policy WCC1 below.

2.23A Infill development is defined as one or two dwellings in a small gap in an otherwise built-up frontage. For the purpose of this policy small is defined as no larger than necessary to accommodate two houses having regard to the widths of the existing residential frontages in the immediate vicinity. The new dwelling(s) should have a similar road frontage and similar curtilage to adjoining dwellings. It is essential that the development does not adversely affect the character of the area and in particular not lead to any urbanisation of the area. Such development should provide adequate garden or amenity open space for the private enjoyment of residents appropriate to the character and general layout of the area. The protection of trees in accordance with policy WBE11 will be another important consideration.

2.23B The development will be subject to the provisions of policy WCC4 on new buildings outside settlement boundaries. Where applicable, proposals for development will be considered against policy WCC2 and policies WLL2 to WLL8 of this plan and the relevant policies of the Structure Plan.

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

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

CONT.

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

A) DEVELOPMENT FOR AGRICULTURE/FORESTRY

B) OUTDOOR SPORT/COUNTRYSIDE RECREATION

C) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

D) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

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

Cont.

F) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE

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

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

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

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

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

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

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. Existing permitted uses will continue in these areas, but intensification of these uses will not be allowed where the existing open and undeveloped character of the land is adversely affected. 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements.

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

2.27 The green wedges and gaps can also be important because of the character and sense of place that they can contribute to the settlements. In the adopted local plans the separation of, and setting of, settlements issues were kept distinct in policy terms. This could lead to confusion arising from a multiplicity of designations on areas shown on the current proposals map. As a result this has been reviewed and a need to simplify the proposals map recognised.

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

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

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

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

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

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

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

WHERE SUCH A DWELLING IS JUSTIFIED THE COUNCIL WILL ENSURE:

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

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

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

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Extensions to Existing Dwellings in the Countryside

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

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

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

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

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

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

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

Implementation: The development control process.

Monitoring: Planning applications determined.

PROTECTING AND MANAGING THE LANDSCAPE

INTRODUCTION

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

2.44 Landscape is important because it is:

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

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

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

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

POLICY WLL1: HIGH QUALITY AGRICULTURAL LAND

DEVELOPMENT THAT WOULD RESULT IN THE IRREVERSIBLE LOSS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND (GRADES 1, 2 AND 3A OF THE MINISTRY OF AGRICULTURE, FISHERIES AND FOOD'S AGRICULTURAL LAND CLASSIFICATION) WILL ONLY BE PERMITTED WHERE THERE IS AN OVERRIDING NEED FOR THE DEVELOPMENT AND NO OTHER SUITABLE SITE IS AVAILABLE.

WHERE DEVELOPMENT IS NECESSARY ON THE BEST AND MOST VERSATILE LAND IT SHOULD USE, AS FAR AS POSSIBLE, THE LOWEST GRADE OF LAND SUITABLE FOR THE DEVELOPMENT.

Implementation: The development control process.

Monitoring: Planning applications determined.

Areas of Special Landscape Importance (ASLI)

2.59 Four ASLI's were identified in the adopted local plans and are referred to in the text of the Berkshire Structure Plan 1991 - 2006. Three of these - The Blackwater Valley, Farley Hill and Bearwood - were the subject of extensive study prior to their inclusion in the local plans. These areas remain unchanged. The two new ASLI's are in:

a) Swallowfield/Beech Hill area (which is an extension to and takes account of adjoining District/Borough landscape designations. It is based on the Loddon river valley characteristics and provides a contiguous landscape feature in all areas).

b) Wargrave to Cookham new ASLI (which takes account of adjoining District/Borough landscape designations).

2.60 Both have not been previously defined and landscape studies have been carried out on which the proposed boundaries are based. Both have been subject to consultation processes. The areas have been divided into character zones which were surveyed and management issues defined.

2.61 The objectives of the policy on ASLI's are to:

a) protect the ASLI from development that would detract from its rural character and special landscape qualities
b) enhance the rural character and landscape qualities by encouraging appropriate management
c) protect the ASLI from development on land around it that would adversely affect its character and setting

2.62 The criteria for identifying the ASLI's are based on those in the Berkshire Structure Plan 1991 - 2006 which, in turn, are derived from the Countryside Commission's Landscape Assessment Guidance 1993 where:

a) the landscape should be of County significance
b) the landscape should be of generally acknowledged scenic quality and of distinctive character

c) the area and its landscape features should have an impact beyond their physical boundaries with prominent features being visible from long distances
d) the area should be rural in character and free from visually intrusive development
e) the area should contain sites of architectural and historic significance and sites of wildlife importance
f) the area should contain a diversity of landscape types that results from a combination of landform, vegetation and land use, creating areas of identifiable character.

2.63 The new ASLI based on the Loddon river valley in the Parish of Swallowfield, resulted from the public consultation in 1995 on the District Local Plan. The adjoining local planning authorities of Hart, Newbury and Basingstoke and Deane considered that their ASLI, River Heritage and Areas of Special Landscape Quality (ASLQ) designations should be taken account of in adjoining plan designations. This recognised the fact that District and Borough boundaries do not necessarily indicate a change in landscape types, character and quality.

2.64 A detailed study established that the area has a distinct and varied character. It comprises of the river valley with small enclosed field patterns adjoining the river itself. There are willow stands and alluvial pastures. The influence of the river on Man's activities is illustrated by the listed buildings of the Water Mills at Stanford End and Sheepbridge. Further out from the river valley, arable plateaus with more extensive field patterns and wooded ridges predominate. There are extensive long views across the river valley and beyond to Beech Hill, Stratfield Saye, Swallowfield and Spencers Wood. The River Loddon provides an element of continuity between these different areas. Whilst the A33 does appear to be a scar on the landscape, it does not dominate visually being contained largely within a cutting which also acts to reduce noise intrusion. There will be positive opportunities for further enhancement of the ASLI for conservation purposes. These could be funded from grants available from various agencies. The boundaries shown on the proposals map underwent a process of consultation with the Parish Council and landowners in 1996 - 97 to establish its quality and need for protection.

2.65 The detailed boundaries of the Wargrave/Cookham area (which extends into the Royal Borough of Windsor and Maidenhead) have not been previously defined. A landscape study has been carried out upon which the proposed boundaries are based. The area was divided into six character zones and the management issues defined. An area adjoining Wargrave on its northern side has an important dual function of providing an important landscape setting to the settlement as well as having a landscape quality that qualifies it as an ASLI. For the sake of clarity only the ASLI is shown on the proposals map, but its dual role should be noted and taken account of in considering any development proposals.

2.66 The proposed ASLI from Wargrave to Cookham has a distinct and varied character and comprises a mixture of wooded ridges and hills, arable plateaus and rolling chalk land, alluvial pasture, parkland and golf courses. The character of the area is influenced by the broad sweep of the River Thames to the west and north; the Chilterns Area of Outstanding Natural Beauty (AONB) and ASLI to the north; wooded knolls of Bowsey Hill and Ashley Hill to the east and the Lower Loddon to the south. There are extensive long distance views throughout the area along the Thames Valley from Sonning to Bowsey and Ashley Hill from the A4; from Henley up to the wooded escarpment of Park Place; and from the A423 to the Chilterns AONB in the north and Bowsey Hill in the south.

POLICY WLL2: AREAS OF SPECIAL LANDSCAPE IMPORTANCE

WITHIN THE DESIGNATED AREAS OF SPECIAL LANDSCAPE IMPORTANCE, AS DEFINED ON THE PROPOSALS MAP; LAND USES OR BUILT DEVELOPMENT WILL NOT BE PERMITTED THAT WOULD HAVE A DETRIMENTAL IMPACT ON THE OPEN, COUNTRYSIDE CHARACTER, OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

THIS INCLUDES ANY DEVELOPMENT THAT RESULTS IN THE REMOVAL OR EROSION OF LANDSCAPE FEATURES SUCH AS PONDS, CHALK OUTCROPS, WOODLAND, COPSES AND HEDGEROWS.

Implementation: The development control process

Monitoring: Planning applications determined.

2.67 Within ASLI's, the District Council will seek the management of landscape features. This will be achieved through negotiation with landowners and liaison with other bodies such as English Nature, the Countryside Commission, the Environment Agency, the Forestry Authority and the Woodland Trust amongst others. Advice and guidance will also be available to the landowners. Planning conditions and agreements will be used where appropriate and necessary in the granting of a planning permission. These can provide safeguards and benefits in these special areas.

2.67A *IT SHOULD BE NOTED THAT THE GENERAL COUNTRYSIDE POLICIES APPLY WITHIN AREAS OF SPECIAL LANDSCAPE IMPORTANCE.* **(PA2/22)**

POLICY WLL3: SETTING OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

DEVELOPMENT WILL NOT BE ALLOWED ON LAND THAT IS EITHER:

A) PHYSICALLY ADJOINING THE DEFINED BOUNDARIES OF THE AREA OF SPECIAL LANDSCAPE IMPORTANCE (AS SHOWN ON THE PROPOSALS MAP) OR

B) VISUALLY PROMINENT FROM OR TO THE DEFINED AREAS OF SPECIAL LANDSCAPE IMPORTANCE (AS SHOWN ON THE PROPOSALS MAP)

AND WHICH BY REASON OF ITS SIZE, *LAYOUT*, **(PA 2/23)** DESIGN, MATERIALS, LOCATION OR TYPE OF USE WOULD ADVERSELY AFFECT THE SETTING, CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

Implementation: The development control process.

Monitoring: Planning applications determined.

River Valleys

2.68 Some of this District's best quality landscapes are associated with or based upon parts of river valleys. These are the Loddon ASLI, the Blackwater Valley ASLI and the Wargrave/Cookham ASLI (based on the Thames Valley).


Countryside
Green Gap/Wedge
Setting of Settlement
Area of Special Landscape Importance
Nine Mile Ride
Greenacres Farm
Wheatlands Farm
B3016
Ridge Farm
Church Farm
Church Lane
Jubilee Road
APPEAL SITE
Rectory Farm
Dell Road
B3348
The Village
FINCHAMPSTEAD
Road
P

Tel. (0118) 974 6448 (Direct Line)
Date: December 7, 2000
My ref: F/2000/0903
Your ref: APP/X0360/A/00/1053362

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

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

Dear Miss Groves

APPEAL BY: Mrs G Lovelock
SITE: Amen Cottage, Jubilee Rd, Finchampstead

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. November 20, 2000
My ref: F/2000/0903
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

The Ely Planning Consultancy
17A Southfields Rd
Eastbourne
East Sussex
BN21 1BU

Dear Sirs

APPEAL BY: **Mrs G Lovelock**
SITE: **Amen Cottage, Jubilee Rd, Finchampstead**

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

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: November 20, 2000
My ref: F/2000/0903
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DX: 33506 – Wokingham

Mrs C Bate
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Mrs Bate

APPEAL BY: Mrs G Lovelock
SITE: Amen Cottage, Jubilee Rd, Finchampstead

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. November 16, 2000
My ref. F/2000/0903
Your ref.

CLLR MRS M LONG

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,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY: Mrs G Lovelock
SITE: Amen Cottage, Jubilee Rd, Finchampstead

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

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

If you wish to make further representations, you should send three copies to Mrs C Bate, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ, quoting reference APP/X0360/A/00/1053362. Comments received after 21 December 2000 will not normally be seen by the Inspector & will be returned.

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

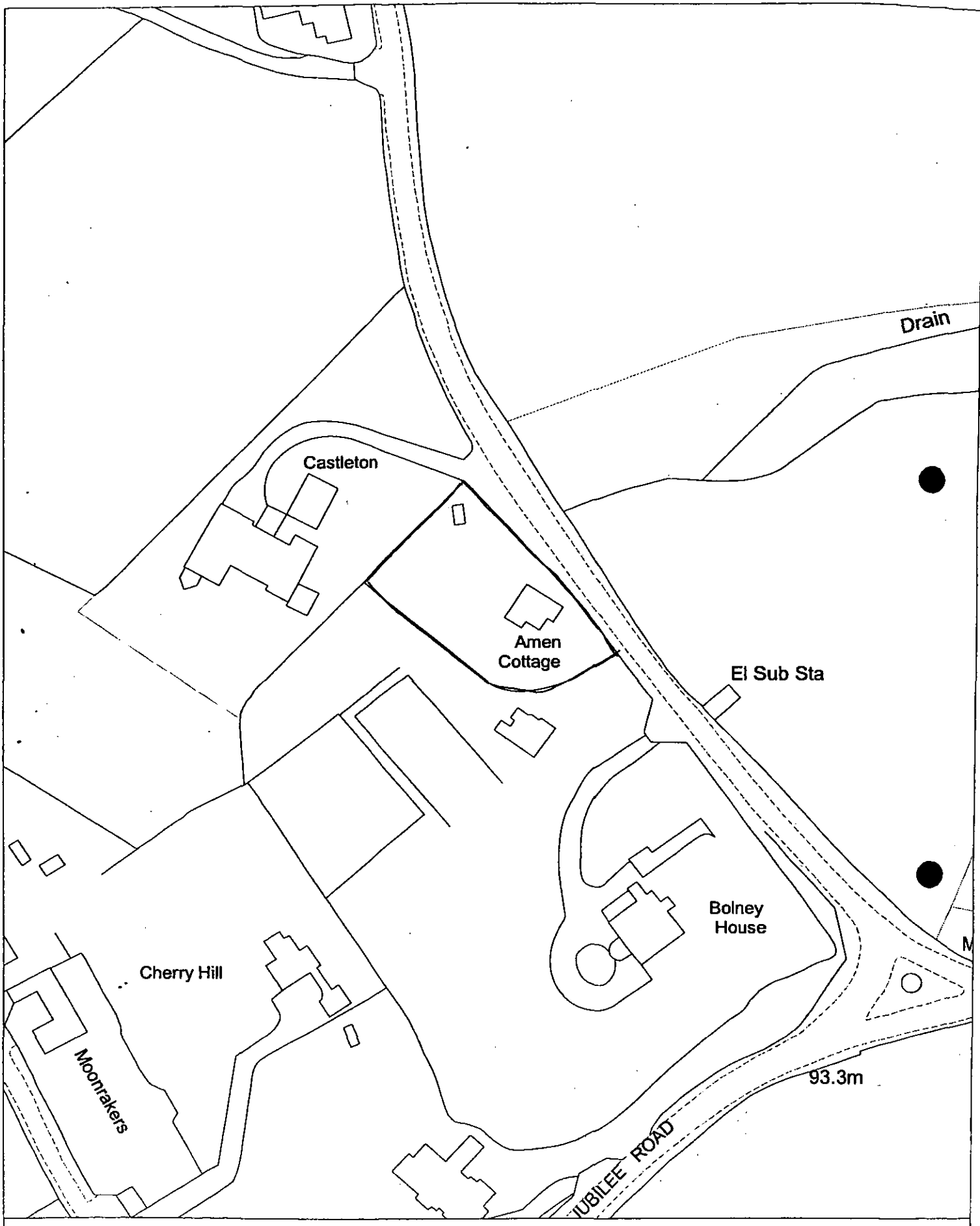
A free booklet, Guide to taking part in Planning Appeals, is available from this office.

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

Yours faithfully

Denise Gumbrell
Appeals Assistant

A copy will be sent to you



Site Plan, Scale: 1 to 1250

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

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Date: 16 November 2000

The Planning Inspectorate

For official use only
Date received

PLANNING APPEAL FORM

Please send each appeal on a separate form

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

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

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

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

Name ☒ MRS G LOVELOCK

Address c/o AGENT

Your reference

Daytime phone no

Fax no

Postcode

E-mail address

B. AGENT DETAILS (if any)

Name THE ELY PLANNING CONSULTANCY

Address 14A SOUTHFIELDS ROAD
EASTBOURNE
EAST SUSSEX

Your reference

Daytime phone no 01323 439904

Fax no

Postcode BN21 1BU

E-mail address tredly@aants.force9.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL

LPA's application reference no F/2000/0903

Date of the planning application 14.3.2000

Date of LPA's decision notice (if issued) 8.5.00

D. APPEAL SITE ADDRESS

Address AMEN COTTAGE, JUBILEE ROAD, WOKINGHAM, BERKSHIRE

Postcode RG40 3RW

National grid reference

(Please see the key on an Ordnance Survey map for instructions; this should be 2 letters and 6 numbers, eg TQ 298407)

E. DESCRIPTION OF THE DEVELOPMENT

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

PROPOSED DEMOLITION OF EXISTING DWELLING & ERECTION OF REPLACEMENT DWELLING

Size of the whole appeal site (*in hectares*)

0.17

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

196

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

1. Refuse planning permission for the development described in Section E. ☑
2. Grant planning permission for the development subject to conditions which you do not like. ☐
3. Refuse approval of details listed under a previous outline planning permission. ☐
4. Grant approval of details listed under a previous outline planning permission subject to conditions which you do not like. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

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

G. GROUNDS OF APPEAL

If you want your appeal dealt with by the written procedure, your **FULL STATEMENT MUST** be made, otherwise we will return the appeal form. You should give a clear explanation of why you disagree with each of the LPA's reasons for not granting permission, if appropriate. Please continue on a separate sheet(s) if you need to and attach them to this form. If you have requested a hearing or an inquiry, please provide a brief outline of your case.

PLEASE REFER TO ACCOMPANYING WRITTEN STATEMENT & APPENDICES DOCUMENT.

G. GROUNDS OF APPEAL (continued)

H. CHOICE OF PROCEDURE

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

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

Can the whole site be seen from a road or other public land and there is no need for the Inspector to enter the site (eg to take measurements or to enter a building)? If yes, please tick the box. If so, we will arrange an unaccompanied site visit. ☐

2. HEARING ☐

Although you may prefer a hearing, we will decide whether a hearing is suitable for your appeal after consulting the LPA.

3. INQUIRY ☐

Please give reasons why you think an inquiry is necessary.

I. APPEAL SITE OWNERSHIP DETAILS

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

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

CERTIFICATE A

☑

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

OR

CERTIFICATE B

☐

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

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

CERTIFICATES C and D

☐

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

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

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

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

OR

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

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

PLEASE SIGN BELOW

I confirm that this section has been fully completed and the details of the ownership of the appeal site are correct, to the best of my knowledge.

Signed S.A. Walker (on behalf of) MRS G LOVELOCK

Name (in capitals) S.A. WALKER Date 6.11.00

Please turn over

J. ESSENTIAL SUPPORTING DOCUMENTS

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

✔

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

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

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

_____

_____

8. Any relevant **correspondence** with the LPA. ☐
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
   (a) the relevant outline application; ☐
   (b) all plans sent at outline application stage; ☐
   (c) the original outline planning permission; ☐
10. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
11. If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers. ☐

_____

_____

K. PLEASE SIGN BELOW

(Unsigned forms will be returned. Signed forms must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and documents to the LPA – ***N.B.*** *if you do not, your appeal will not normally be accepted.*
2. I confirm that section J has been fully completed.
3. I will send 2 copies of any further documents relating to this appeal to the Inspectorate.

Signed S.A. Walker (on behalf of) MRS G LOVELOCK

Name (in capitals) S.A. WALKER Date 6.11.00

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

NOW SEND:

- **1 COPY to us at:**
  The Planning Inspectorate
  Appeals Registry
  Tollgate House
  Houlton Street
  BRISTOL
  BS2 9DJ
  Fax no: 0117 987 8769

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

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid.

2) Write to you and the LPA and tell you the procedure for your appeal.

3) Tell you the timetable for us receiving further information or representations.
If your representations are received after the deadline, they will not normally be seen by our Inspector and will be returned to you.

4) Tell you about the arrangements for the site visit, hearing or inquiry.

5) Tell you our Inspector's decision.

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The Planning Inspectorate

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

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

13 NOV 2000

COPIES TO: | ACK: | FILE:

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

Your Ref: F/2000/0903

Our Ref: APP/X0360/A/00/1053362

Date: 9 November 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MRS G LOVELOCK
SITE AT AMEN COTTAGE, JUBILEE ROAD, FINCHAMPSTEAD

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

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

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

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

Within the next 2 weeks

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

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

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

Within the next 6 weeks

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

Within the next 9 weeks

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

Site visit arrangements

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

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

Planning obligations - Section 106 agreements

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

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

Please see enclosed document request form sent to the appellants agent.

Yours faithfully

Miss A Bibi

102(BPR)

The Planning Inspectorate

Remember we must receive documents before the deadline for submitting appeals expires.

You need to send:

- A plan showing the appeal site, marked in red, with at least two well-established named roads.

Please give our reference number when you reply.

The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol
BS2 9DJ

SECTION 78 APPEAL BY

MRS G LOVELOCK

AGAINST THE REFUSAL BY WOKINGHAM DISTRICT COUNCIL

OF

PLANNING APPLICATION NO: F/2000/0903

FOR THE PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING

AT

AMEN COTTAGE, JUBILEE ROAD, WOKINGHAM.

WRITTEN STATEMENT

TE
HL
EY
PLANNING
CONSULTANCY
Town Planning and Development Consultants

1.0 BACKGROUND

1.1 This Section 78 appeal is lodged against the refusal by Wokingham District Council of planning application no: F/2000/0903. This planning application sought full planning permission for the proposed demolition of the existing dwelling and the erection of a replacement dwelling at Amen Cottage, 7 Jubilee Road, Finchampstead, Wokingham. It comprised the completed planning application form, Certificate of Ownership, a location plan, a site survey plan no: 476/1, a site plan no: 1490/01, a plans and elevations drawing no: 1490/02 and a covering letter. A copy of this complete planning application comprises **Appendix 1** of this statement.

1.2 It was refused under the Local Planning Authority's, (LPA's) delegated powers on 8th May 2000 for the following reason:-

> ***"Due to its siting, size and height, the proposed dwelling would be excessive in size as a replacement dwelling and together with the proposed garage, would have a detrimental effect on the character and appearance of the area, which is in the countryside and in an Area of Special Landscape Importance. The proposal would therefore be contrary to South East Area Local Plan Policies SC3 and SC18 and to Wokingham District Local Plan (Deposit Draft) Policy WLL2 and the aims of Policy WCC7."***

A copy of this decision notice comprises **Appendix 2** of this statement.

2.0 APPEAL SITE DESCRIPTION

2.1 The appeal site has an area of approximately 0.17 hectares and is located on the western side of Jubilee Road. It comprises the residential bungalow known as Amen Cottage and its garden, access driveway and turning area and detached single garage. The site contains a number of trees, the location and species of which are depicted on the aforementioned site survey plan. Immediately adjacent to the appeal site, to the north-west is another residential property, "Castleton," and to the immediate south, again adjacent to the appeal site is another residential property, Bolney Lodge.

3.0 RELEVANT PLANNING HISTORY OF THE APPEAL SITE

3.1 In 1977 full planning permission no: 05674 was granted for the demolition of the existing garage and the erection of a new garage, (the existing garage at the appeal site).

3.2 In 1983 full planning permission no: 19451 was granted for a ground floor extension. The extent and location of this extension is indicated on the aforementioned site survey plan no: 476/1.

4.0 DEVELOPMENT PLAN CONTEXT

4.1 For the purposes of Section 54A of the 1990 Town & Country Planning Act the approved development plan is the Berkshire Structure Plan 1991 - 2006, (BSP) and the South East Area Local Plan, (SEALP). The former was adopted in November 1995 and the latter on 15 April 1994. The SEALP had an end date of 1996. Thus it can be considered that the SEALP is somewhat out-of-date, although the Planning & Transportation Committee of the LPA resolved in November 1996 that apart from

policies relating to housing provision, all other policies would be regarded as having the weight of the most up-to-date adopted policies.

4.2 A district-wide local plan, the Wokingham District Local Plan, (WDLP) is currently under preparation. This is presently in the form of the Deposit Draft Incorporating Proposed Amendments 1999. It is intended to follow on from the SEALP in terms of the plan period, thus the WDLP's plan period runs from 1996 - 2006. It has been the subject of a Local Plan Inquiry and the Inspector's report is awaited.

4.3 Within the SEALP the appeal site is designated as being located within a rural area and in particular an Area of Special Landscape Importance and an Area of Sporadic Development.

4.4 With this designation it is considered that policies LD3, C2 and C8 of the BSP are relevant to the consideration of this appeal development. Copies of these policies comprise **Appendix 3** of this statement.

4.5 Policy LD3 has the objective of development only be permitted where it does not give rise to an unacceptable impact on the environment, including serious harm to the character or appearance of an area. It will be demonstrated below how the replacement dwelling the subject of this appeal complies with this objective.

4.6 Policy C2 has the objective of strictly controlling development in rural areas outside of settlement boundaries. It is only to be permitted if it falls within one of three defined categories of which (ii) states as follows:-

> **"for the re-use, adaptation or redevelopment of existing buildings, particularly to assist the diversification of the rural economy and to maintain or enhance the rural environment;"**

To be acceptable development must have an appropriate scale, form, impact, character and siting to its location in the countryside and comply with other relevant Structure plan policies. It will be demonstrated how the appeal development being a replacement dwelling fits into category (ii) as it represents the redevelopment of an existing building. Furthermore it will be shown how in fact the scale, form, impact, character and siting are entirely suitable to its location in the countryside, indeed it marks an improvement upon the siting of the bungalow that currently occupies the appeal site.

4.7 Policy C8 provides that within Areas of Special Landscape Importance the location, scale, form, character and type of development will be carefully controlled to protect their special landscape significance. Again it will be demonstrated below how the proposed replacement dwelling would not have an adverse effect upon the Area of Special Landscape Importance within which it is sited.

4.8 Within the SEALP it is considered that policies STV2, SC3 and SC18 are relevant to the consideration of this appeal, to the extent that weight should be attached to them given that they are contained within an out-of-date local plan. Copies of these policies comprise **Appendix 4** of this statement.

4.9 Policy STV2 provides that in rural areas development will not normally be allowed unless the proposed development falls into the 8 listed exceptions to this normally restrictive policy.

4.10 Policy SC3 provides that within such areas built development should not cause long-term damage to the rural character of special landscape qualities of the area.

4.11 Policy SC18 relates specifically to the type of development proposed here, that is a replacement dwelling. The policy provides that the replacement of existing

dwellings will be acceptable provided that three criteria are complied with. It will be demonstrated below how the particular replacement dwelling the subject of this appeal complies with the fundamental objective of this policy.

4.12 Within the WDLP the appeal site is similarly sited within the designated countryside and an Area of Special Landscape Importance. As such it is considered that polices WCC1 and WLL2 are relevant to the consideration of this appeal. Copies of these policies comprise **Appendix 5** of this statement.

4.13 Policy WCC1 is essentially policy STV2 rolled forward. Policy WLL2 provides that built development will not be permitted which would have a detrimental impact on the open, countryside character, or special landscape qualities of the area. Furthermore, there should be no removal or erosion of the landscape features such as ponds, chalk outcrops, woodland, copses and hedgerows. It will be demonstrated below how the proposed replacement dwelling the subject of this appeal would not conflict with the objective contained within these policies.

4.14 In addition, the LPA has cited policy WCC7 in its reason for refusal. A copy of this policy comprises **Appendix 6** of this statement. However, it is not considered that this is strictly relevant to the appeal development because it relates to extensions to dwellings in the countryside. The aims of this policy are to ensure that there will be no adverse visual, physical or ecological impact on the undeveloped character of the countryside, that there is no significant alteration to the scale of the dwelling and the scale of development on the site and that the design respects the context of the development, including local or regional building traditions and materials.

5.0 CASE FOR THE APPELLANT

5.0.1 The LPA's reason for refusal raises two main concerns regarding the proposed development. The first is that it considers that the size and height of the replacement dwelling are considered to be excessive and that this excessive size together with the proposed garage would have a consequent detrimental effect on the character and appearance of the area. The reason for refusal also makes reference to the siting of the proposed replacement dwelling contributing to its excessive size. This clearly cannot be the case, but it is taken to mean that the LPA considers that the proposed siting of the replacement dwelling would of itself contribute to its detrimental impact on the character and appearance of the area.

5.0.2 Clearly, then there needs to ensue an examination of the proposed size and height of the replacement dwelling in addition to the proposed garage. In addition the siting of the proposed replacement dwelling needs to be looked at. The existing character and appearance of the area needs to be defined and then the impact of the size, height and siting of the proposed replacement dwelling and its garage upon it, needs to be assessed in light of the relevant development plan policies.

5.1 Comparative sizes of dwellings.

5.1.1 Looking first at the proposed size of the replacement dwelling it can be seen that in terms of footprint it is essentially the same as that of the bungalow together with the shed shown on the site survey plan. The proposed footprint of the replacement dwelling measures 98 square metres, whilst that of the existing bungalow and shed measures 96 square metres. The footprint of the existing garage measures 21 square metres, whilst that of the proposed garage is 33 square metres.

5.1.2 In terms of the length of the two dwellings the existing bungalow has a total length of 12.8 metres, whilst that of the proposed replacement dwelling is 11.8 metres, therefore 1 metre less.

5.1.3 The dimension in which the proposed replacement dwelling is larger than the existing bungalow is its height. The existing bungalow is obviously single storey whilst the replacement dwelling is two storey. However, it is important that note is taken of the fact that the first floor accommodation is provided partly in the roof and thus the upper storey windows are dormer windows. The maximum ridge height of the replacement dwelling is 7.6 metres in height, but the main part of the dwelling has a ridge height of 6.6 metres. The replacement dwelling is therefore not full two storeys in height, but is more of a chalet-style dwelling. It is of vital importance that this increase in height is seen within the context of the comparative siting of the existing and the proposed dwellings.

5.2 Comparative sitings.

5.2.1 Reference to the site plan no: 1490/01 illustrates that the existing bungalow is sited nearer to the public highway, Jubilee Road than the proposed dwelling. To be precise, the existing bungalow is sited a minimum of 5 metres from the front boundary of the appeal site, adjacent to Jubilee Road. The proposed replacement dwelling, at its nearest, is 12.5 metres distance from Jubilee Road.

5.2.2 The photographs which comprise **Appendix 7** of this statement have been taken in the positions indicated on Plan EP1, also to be found at **Appendix 7**. It can be seen that the existing bungalow is clearly visible from the public vantage point of Jubilee Road. However, the proposed site of the replacement dwelling also viewed from Jubilee Road is shown in photograph no: 2. It can be deduced from this photograph by reference to the aforementioned site plan that only a very limited view of the

replacement dwelling would be obtained from this vantage point. Onto the site plan has been indicated the approximate amount of the replacement dwelling that would be seen from Jubilee Road. It can be seen that it equates to the end dormer of the front elevation to be found on drawing no: 1490/02. This is in fact considerably less than the existing situation depicted in Photograph 1, where the whole of the front elevation of the bungalow is visible from Jubilee Road. Again it is vital that note is taken of the fact that whilst on the site plan no: 1490.01 the tree coloured blue is shown to be removed, this is not necessary and in fact this tree would remain. When in leaf these trees would significantly reduce the view described above that would be obtained of the replacement dwelling from Jubilee Road. Finally the proposed siting of the garage is essentially the same as that of the existing garage and thus equally it would not be visible from the public highway. The fact that the existing garage is not visible from this position is indicated in Photograph 2.

5.3 Existing character and appearance of the area.

5.3.1 The existing character and appearance of this particular road is that of a road in the countryside, but one which has dwellings adjacent to it. Some of these are more visible from Jubilee Road than others. It is considered important that note is taken of the fact that none are more visible than Amen Cottage. The countryside character in particular is derived from the trees which are adjacent to Jubilee Road, but which are nonetheless within the curtilages of the residential properties which are accessed off this road. Comprising **Appendix 8** of this statement is an enlarged extract from the Proposals Map of the SEALP which includes the appeal site and this particular Area of Special Landscape Importance. It can be seen by reference to this extract that this particular area is in fact comprised of residential properties and their curtilages. It is not comprised of open fields or woodland.

5.3.2 Given the account of the extent of the proposed replacement dwelling that would be visible from Jubilee Road as compared with the existing bungalow, it is strongly argued here, that the appeal development would have no adverse impact at all upon the character and appearance of this area. Indeed it can be argued that because less built form would be visible from the public highway than is the present case, there would be a positive rather than an adverse impact upon the character and appearance of this area. The important point is that it is a road with a countryside character from which residential properties are visible and this essential character and appearance would not change as a result of the appeal development.

5.4 Application of the development plan policies.

5.4.1 Berkshire Structure Plan

5.4.1.1 The relevant policies within this development plan have the objective of seeking to safeguard the environment, thus development to be acceptable must not cause serious harm to the character or appearance of the area. The scale, form, impact, character, type and siting must all be suitable to the countryside location of the proposed development. Finally the proposed development must fall into one of three categories.

5.4.1.2 Dealing with the last stated objective first, it is considered that the proposed development the subject of this appeal represents the redevelopment of an existing building, because it would entail the demolition of the existing building and the erection of another building in its place. In conclusion on this point it is therefore considered that the proposed replacement dwelling constitutes one of the three stated acceptable forms of development within the countryside defined within Policy C2.

5.4.1.3 With regard to the impact of the proposed development upon the particular environment and piece of countryside into which it is proposed to be introduced, it is considered that it has been demonstrated in the preceding paragraphs of this section of this written statement, how the proposed replacement dwelling would have no adverse impact. In short, very little of the proposed replacement dwelling would be visible from the public vantage point of Jubilee Road. The existing vegetative screening that exists along the front boundary of the appeal site directly to the front of the proposed site of the replacement dwelling would all remain. Indeed the proposed replacement dwelling would be less visible than the existing bungalow. It is therefore considered that the appeal development complies with the provisions of Policies LD3 and C8.

5.4.2 <u>South East Area Local Plan</u>

5.4.2.1 With regard to Policy STV2 the appeal development does not neatly fall into one of the 8 defined categories of development which may be considered acceptable exceptions to the normal restrictions. The nearest applicable is category (h) "any other purpose wholly appropriate to a rural area." This is considered applicable by virtue of the fact that one residential property is proposed to replace an existing at the same site and therefore in this case it is considered to be "wholly appropriate." Indeed this development plan does make provision for replacement dwellings in the countryside by virtue of Policy SC18.

5.4.2.2 Policy SC18 establishes 3 criteria which must be satisfied in order for a replacement dwelling to be acceptable. The first of these is that the existing building is not of architectural or historical interest. The existing bungalow is painted brick in external structure and appearance and is not listed as being of architectural or historical interest. The second criterion is that the siting and design of the new development has the minimum impact on the rural environment. This issue has been dealt with in

preceding paragraphs. Finally, the third criterion states that the size of the new dwelling should not significantly exceed that of the existing property both in height and floor area. The replacement dwelling represents an increase in floor area by virtue of the provision of additional storey of accommodation. However, as already stated this additional storey is not a full storey, the additional accommodation being provided partly in the roof, hence the relatively low ridge height that is proposed, (relative to the height of an average two storey house). The proposed replacement dwelling is more akin to a chalet bungalow than a house. The important point here is that the proposed replacement dwelling would have no greater visual impact upon this rural area, than the existing bungalow, indeed for the reasons given in preceding paragraphs, it is considered that it would have less visual impact. The proposed replacement dwelling would therefore have no greater visual presence.

5.4.2.3 Policy SC3 provides that within the defined Areas of Special Landscape Importance built development will not be allowed to cause long-term damage to the rural character or special landscape qualities of the area. What the special landscape qualities of this particular Area of Special Landscape Importance are, are not defined in this development plan. Reference under paragraph 1.3.13 is simply made to a landscape study of the whole of the Blackwater Valley published in 1976 which provided a detailed assessment of the landscape and character of the area. With particular regard to the area within which the appeal site is located it is stated that:

> **"The area on the Proposals Map also includes additional land to the north of the B3348 since it is important that the crest of the ridge above Finchampstead Village and land a little way to the north of the crest along the whole of its length should be protected from disfiguring development which could be visible from a long distance across the Blackwater Valley."**

5.4.2.3 It is clear from the assessment of the impact of the appeal development upon the character of this particular rural area that it could in no way be regarded as a disfiguring development. In addition it would not be visible from a long distance across the Blackwater Valley, indeed only very limited views of the proposed replacement dwelling would be obtained from outside of the appeal site boundary.

5.4.3 Wokingham District Local Plan

5.4.3.1 Policy WCC1 is essentially Policy STV2 of the SEALP rolled forward. An assessment of the degree to which the appeal development complies with the objectives of the latter policy has been undertaken in paragraph 5.4.2.1 above and is equally relevant to an assessment of Policy WCC1.

5.4.3.2 Policy WLL2 relates specifically to development within Areas of Special Landscape Importance. The first part of this policy is essentially Policy SC3 of the SEALP rolled forward. The second part provides that the development should not result in the removal or erosion of a number of named landscape features which have been listed above. The proposed appeal development would result in the loss of none of these named features. The only loss would be the removal of two trees which are well within the garden of this residential property and their loss would have no visual impact upon the public appearance of the appeal site. In addition, it is considered important that note is taken of the fact that the LPA has not placed TPO's upon these trees.

6.0 CONCLUSION

6.1 The proposed replacement dwelling is larger in size than the existing dwelling only in the respect of the ridge height due to the provision of first floor accommodation. However, the ridge height of the proposed dwelling has been kept to an absolute

minimum. The siting of the proposed replacement dwelling would, it has been argued above, have considerably less visual impact on the character of this particular area than the existing dwelling by virtue of the fact that a significantly reduced amount of the proposed replacement dwelling would be visible, as compared with the existing, which is highly visible from Jubilee Road.

6.2 It is considered that the appeal development would not prejudice the reason for designating this area as being an area of countryside, neither would the appeal development harm the appeal site's designation as being within an Area of Special Landscape Importance.

6.3 It is therefore considered that it has been demonstrated how the appeal development complies with the relevant development plan polices and in the absence of any material considerations to indicate otherwise, that planning permission should be granted. Accordingly, the Inspector is respectfully urged to allow this appeal and grant full planning permission for the proposed replacement dwelling.

SECTION 78 APPEAL BY

MRS G LOVELOCK

AGAINST THE REFUSAL BY WOKINGHAM DISTRICT COUNCIL

OF

PLANNING APPLICATION NO: F/2000/0903

FOR THE PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING

AT

AMEN COTTAGE, JUBILEE ROAD, WOKINGHAM.

APPENDICES DOCUMENT

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PLANNING
CONSULTANCY
Town Planning and Development Consultants

CONTENTS

1. **Planning application no: F/2000/0903 submitted to the Local Planning Authority.**

2. **Decision notice.**

3. **Copies of relevant Berkshire Structure Plan 1991 - 2006 policies.**

4. **Copies of relevant South East Area Local Plan policies.**

5. **Copies of relevant Wokingham District Local Plan policies.**

6. **Copy of Policy WCC7 of the Wokingham District Local Plan.**

7. **Photographs 1 and 2 and Plan EP!.**

8. **Enlarged extract from the Proposals Map of the South East Area Local Plan.**

APPENDIX 1

WOKINGHAM DISTRICT COUNCIL

PLANNING APPLICATION

PART 1

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

answer ALL QUESTIONS in BLOCK LETTERS. If a question is icable, answer N/A in space. Please submit SIX copies of this d plans to:-
DISTRICT PLANNING OFFICER
KINGHAM DISTRICT COUNCIL
ING DEPARTMENT
x No. 157
CIL OFFICES
UTE END
KINGHAM
SHIRE, RG40 1WR

FOR OFFICE USE ONLY

	APPLICANT'S NAME	MRS G LOVELOCK
	ADDRESS	AMEN COTTAGE JUBILEE ROAD, FINCHAMPSTEAD
	POSTCODE	PHONE:
If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	DAY TANNER PARTNERSHIP
	ADDRESS	11-13 DUKES RIDE CROWTHORNE, BERKSHIRE
	POSTCODE	RG45 6LZ PHONE: 01344 777143
On the plans show the SITE outlined in RED. Show also OTHER land in the applicant's ownership or control in blue:	SITE LOCATION:	AMEN COTTAGE JUBILEE ROAD FINCHAMPSTEAD
WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used		REPLACEMENT DWELLING
Give the area in hectares or part of a hectare	AREA OF SITE	0.17 APPROX.
State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	OWNERSHIP	OWNER
List all the plans and drawings submitted with the application	PLANS/DRAWINGS	1490/01, 02 LOCATION PLAN, SURVEY 476/1

DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING? Tick the boxes

CHANGE OF USE		REDEVELOPMENT	X
ERECTION OF NEW BUILDING	X	ALTERATION or EXTENSION	

WHAT TYPE OF APPLICATION IS THIS ? Tick one box only

OUTLINE PERMISSION		See question 10	
FULL PERMISSION	X		
APPROVAL OF DETAILS/RESERVED MATTERS		State relevant outline permission number.	
TEMPORARY PERMISSION		State period required.	
RELAXATION OF CONDITIONS		State relevant application no.	

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

EXTERNAL APPEARANCE		SITING	
MEANS OF ACCESS		DESIGN	
		LANDSCAPING	

WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDINGS? e.g residential, industrial etc. If the site is vacant, say so, and also state its previous use and when that ceased.	RESIDENTIAL	
DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS?	NO	If yes, show existing route(s) and any proposed alternatives on the plans
ARE THERE ANY TREES ON THE SITE? **IF YES, ARE ANY TO BE FELLED**	YES YES	If so, show their positions, spread and species on the plans and which, if any, are to be felled
STATE EXTERNAL MATERIALS TO BE USED	TO BE AGREED.	
HOW WILL THE SITE BE ENCLOSED? Say whether walls, fences or hedges, and give height, colour and materials etc. If the site is divided into plots, say how each is to be enclosed	EXISTING BOUNDARIES	
HOW WILL SURFACE WATER BE DISPOSED OF?	SOAKAWAYS	
HOW WILL FOUL SEWAGE BE DISPOSED OF?	To existing system YES If no, please give details	
WHAT ARE THE ACCESS ARRANGEMENTS? AS EXISTING AS PROPOSED Give details of pedestrian and vehicular access.	EXISTING DRIVEWAY.	
HAS PROVISION BEEN MADE FOR THE DISABLED See notes for applicants?	YES	

IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS, PLEASE COMPLETE THE FOLLOWING TABLE:

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	1 / 9	/	/
BUNGALOW	/	/	1 / 5
FLAT/MAISONETTE	/	/	/
OTHER	/	/	/

DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE ?	NO	If YES, complete Part 2 of the form
DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS: THE DISPOSAL OR MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS?	NO	If YES, please ask for and complete Part 3 of the form
STATE THE FEE ENCLOSED WITH THIS APPLICATION. The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.	£190.00	

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

SIGNED: _____ ON BEHALF OF: MRS G LOVELOCK DATE: 14/3.2000

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

SECTION 66 CERTIFICATE

pplication No.

ease fill in both Certificate B, C or D and ricultural Holdings Certi- e. Delete sections not ant

"Owner" means a person ving a freehold interest or sehold interest the not less pired term of which is 7 years

OR

See Note (a) to Certificate A

OR

See Note (a) to Certificate A

) Insert description of steps taken

) Name of local ewspaper circulating in the where the land is situated

) Date of publication (which ust not be earlier than the eginning of the period of 21 ays ending with the date of the pplication).

CERTIFICATE A

I certify that:

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

CERTIFICATE B

I certify that:

I have/The applicant has* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owners (a) name	Address at which notice was served	Date on which notice was served

CERTIFICATE C

I certify that

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

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

Owners (a) name	Address at which notice was served	Date on which notice was served

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

(b)

- Notice of the application as attached to this certificate has been published in

the (c)

on (d)

OR

) Insert description of steps taken

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

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

CERTIFICATE D

I certify that:

- I/The applicant* cannot issue a certificate in accordance with paragraph (a) of Section 66(1) of the Act in respect of the accompanying application
- I have/The applicant have/has taken all reasonable steps open to me/him/her* to find out the names and addresses of everyone else who, at the beginning of the period of 21 days beginning with the date of the application was the owner (a) of any part of the land to which the application relates, but have/has* been unable to do so. These steps were as follows:.

  (b)

- Notice of the application as attached to this certificate, has been published in

the (c)

on (d)

ALL APPLICANTS MUST COMPLETE THIS SECTION

any of the site is part of an ·ea of land which is let or there an agreement to let the land ›r agricultural purposes to a ›nant, it may be an agricultural olding. Further advice may be btained from the Department.

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable

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

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

OR

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

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

Signed _____

On behalf of **MRS LOVELOCK**

Date 14 MARCH 2000

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

OR

CERTIFICATE D

I certify that:

- I/The applicant* cannot issue a certificate in accordance with paragraph (a) of Section 66(1) of the Act in respect of the accompanying application

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

  (b)

- Notice of the application as attached to this certificate, has been published in the (c)

on (d)

Insert description of steps taken

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

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

ALL APPLICANTS MUST COMPLETE THIS SECTION

ny of the site is part of an a of land which is let or there s an agreement to let the land or agricultural purposes to a ant, it may be an agricultural olding. Further advice may be btained from the Department.

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable

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

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

OR

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

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

Signed _____

On behalf of MRS LOVELOCK

Date 14 MARCH 2000

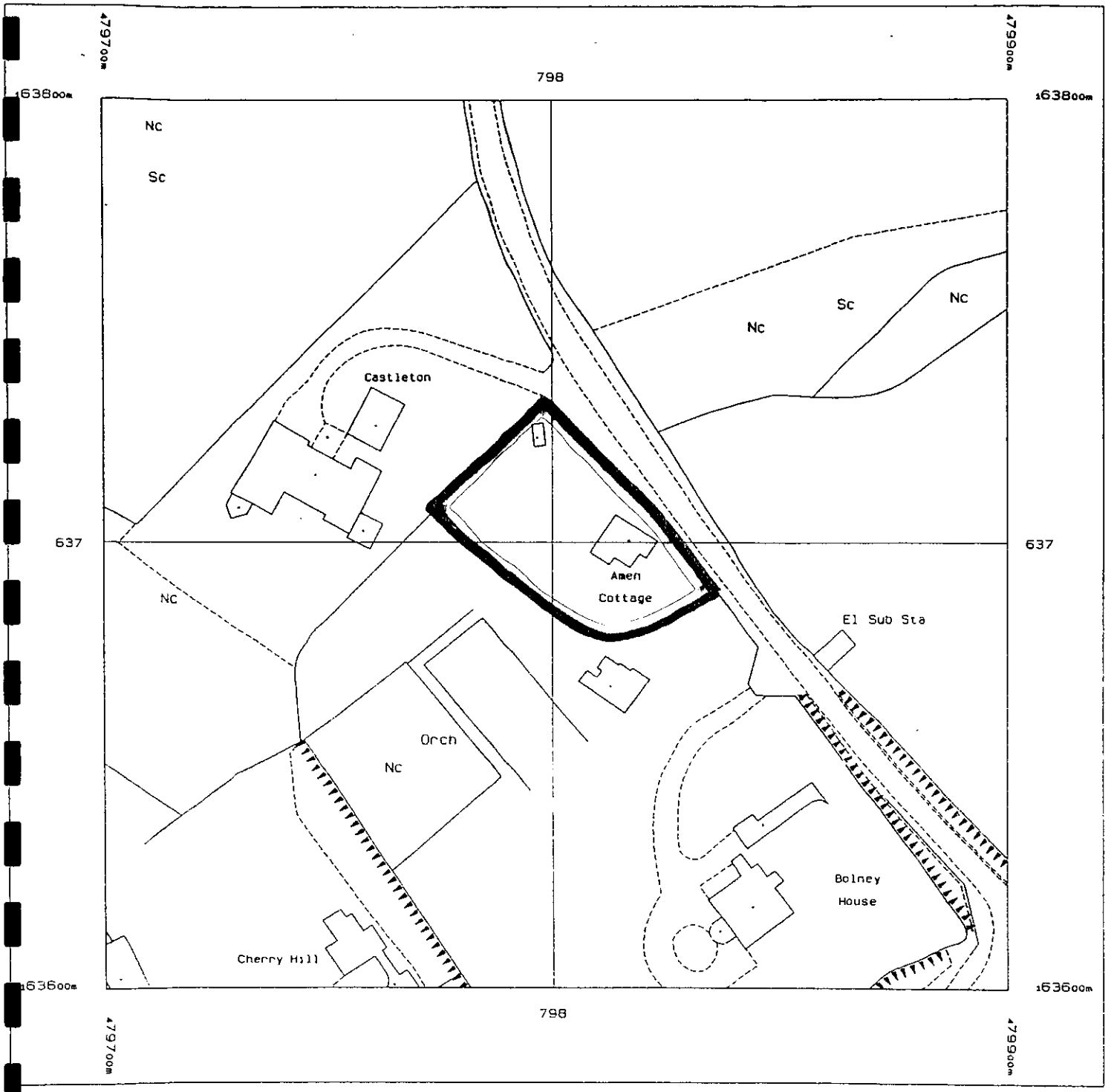
TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY GENERAL DEVELOPMENT ORDER 1988
Certificate under Section 66

Ordnance Survey®

Superplan

Planning Extract - 1

Site-centred



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Scale 1: 1250

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

National Grid sheet reference at centre of this Superplan: SU7963

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

This Superplan product does not contain all recorded map information

Centre Coordinates: 479800 163700

Supplied by Blackwell's Reading

Serial Number: 12332

AID/LC/1490

14 March 2000

Planning Department
Wokingham District Council
P O Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Sirs

REPLACEMENT DWELLING AT AMEN COTTAGE, JUBILEE ROAD, FINCHAMPSTEAD

We enclose a full planning application for a proposed replacement dwelling at this property. The existing property has some structural faults and is getting to the point of "beyond economic repair". We have therefore taken the opportunity to design a low key cottage style property and relocate the new dwelling to the north-west of the current bungalow in order to take full advantage of the site, which is currently not the case. A new garage is proposed in the same location as the existing but slightly reorientated.

We enclose the following documents in order to submit the application:

Six copies each of drawings numbers 1490/01 and 02 together with location plan and site survey 476/1.
Six copies of the application form
Certificate A
Deposit cheque in the sum of £190.00

This application is made in full knowledge of your policy for dwellings in this location and we are of the opinion that the proposal will be less imposing than the current bungalow which has a long ridge line and sits very close to the road and, based on recent appeal decisions in similar locations in Finchampstead, this proposal is reasonably modest.

Continued/...

We trust that you will be able to support this application and recommend approval and we look forward to hearing from you in due course.

Yours faithfully

A I Day

Encs

cc Client

APPENDIX 2

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

D Howe Esq
C/O The Day Tanner Partnership
11 - 13 Dukes Ride
Crowthorne
Berkshire
RG45 6LZ

Application No : 98/67185/F

Parish : FINCHAMPSTEAD PARISH

Proposal : PROPOSED DEMOLITION OF EXISTING DWELLING AND OUTBUILDING AND ERECTION OF REPLACEMENT DWELLING WITH DETACHED GARAGE

Location : OAKVIEW PARK LANE FINCHAMPSTEAD

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **REFUSE PLANNING PERMISSION** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

REASONS(S) :
01
The proposed house will be excessive in size compared with the existing bungalow on the site and, due to the size, massing, height and siting of the proposed garage, the proposed development will be visually obtrusive and out of character in this predominantly rural area in a gap between settlements. The proposal is therefore contrary to Loddon Area Local Plan Policies LC1 and LC18 and to Wokingham District Local Plan Deposit Draft Policies WCC2 and WCC7.

Date 17 April 1998

C.E. Rimmer
Head of Development Control

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

APPENDIX 3

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

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

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

(i) housing proposals for 100 or more dwellings;

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

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

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

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

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

ENVIRONMENTAL IMPACT

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

Environmental Impact of Development

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

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

LIMITING THE SPREAD OF DEVELOPMENT

Controlling Development in the Countryside

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

Development Outside Built-Up Areas and Settlements

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

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

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

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

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

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

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

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

Designation of and Development Within Areas of Special Landscape Importance

Policy C8 **Areas of Special Landscape Importance will be delineated and designated through local plans. The location, scale, form, character and type of development in these areas will be carefully controlled to protect their special landscape significance.**

5.32 Examples of Areas of Special Landscape Importance defined by or to be considered for inclusion or redefinition in local plans are :

The area between Wargrave and Cookham

The Blackwater Valley Area

The Farley Hill Area

Windsor Great Park

Bearwood, Sindlesham

The area at Donnington, north of Newbury

The area north of Theale

The Greenham/Crookham area

5.33 The designation of ASLI's will serve to highlight particularly important parts of the countryside which display landscape characteristics of importance in the county context, that should be taken into account in planning decisions. In considering the designation and delineation of an ASLI, the local planning authorities will apply the following criteria (derived from the Countryside Commission's 'Landscape Assessment Guidance' 1993) to ensure consistency throughout the County'.

(i) ***Landscape as a resource***
The landscape should be a resource of at least county importance for reasons of rarity or representativeness.

(ii) ***Scenic quality***
It should be of high scenic quality, with pleasing patterns and combinations of landscape features, and important aesthetic or intangible factors.

(iii) ***Unspoilt character***
The landscape within the area generally should be unspoilt by large-scale, visually intrusive industry, mineral extraction or other inharmonious development.

(iv) ***Sense of place***
It should have a distinctive and common character, including topographic and visual unity and a clear sense of place.

APPENDIX 4

❖ STV1 'IDENTIFIED SETTLEMENTS'

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

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

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

❖ STV2 DEVELOPMENT IN RURAL AREAS

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

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

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

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

(D) MINERAL EXTRACTION,

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

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

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

the larger Bearwood Area of Special Landscape Importance which is identified in the Loddon Area Local Plan. It is a significant wooded area which rises above the Loddon Valley to the west and the Emmbrook to the east and is prominent in long distance views from the surrounding area. The section within this plan area is particularly important in providing a strong wooded boundary to the westerly development of Wokingham.

1.3.15 The criteria used to identify these areas and the alternative boundaries considered are contained in Working Paper Three which is available separately from this Plan. The following policies are intended to:

a) protect the areas of special landscape importance from development which would detract from their rural character and special landscape qualities,

b) enhance their rural character and landscape qualities by encouraging appropriate management,

c) protect them from development on land around them which would adversely affect their character and setting.

1.3.16 The two areas identified represent the 'Other Areas of Special Landscape Importance' within the Plan area referred to in Policy EN9 of the Replacement Plan for Berkshire.

❖ SC3 AREAS OF SPECIAL LANDSCAPE IMPORTANCE

WITHIN THE BLACKWATER VALLEY AND FINCHAMPSTEAD, AND BEARWOOD, AREAS OF SPECIAL LANDSCAPE IMPORTANCE AS DEFINED ON THE PROPOSALS MAP LAND USES OR BUILT DEVELOPMENT WILL NOT BE ALLOWED WHICH WOULD CAUSE LONG-TERM DAMAGE TO THE RURAL CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

❖ SC4 SETTING OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

DEVELOPMENT WILL NOT BE ALLOWED ON LAND CLOSE TO THE BLACKWATER VALLEY AND FINCHAMPSTEAD, AND BEARWOOD, AREAS OF SPECIAL LANDSCAPE IMPORTANCE WHICH, BY REASON OF ITS SIZE, LOCATION OR TYPE, WOULD ADVERSELY AFFECT THE RURAL CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

❖ SC5 MANAGEMENT OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

THE DISTRICT COUNCIL WILL SEEK TO ENSURE THAT THE MANAGEMENT OF LAND WITHIN THE BLACKWATER VALLEY AND FINCHAMPSTEAD, AND BEARWOOD AREAS OF SPECIAL LANDSCAPE IMPORTANCE IS UNDERTAKEN IN SUCH A WAY AS TO MAINTAIN AND ENHANCE THEIR RURAL CHARACTER AND SPECIAL LANDSCAPE QUALITIES.

LANDSCAPE MANAGEMENT

1.3.17 Within the landscape in recent years the rate of change appears to have increased. In agricultural parts of the plan area Dutch Elm disease and, more recently, storms have resulted in the loss of many hedgerow trees. In addition many modern farming practices and the demands of development including mineral extraction have led to the felling of woodland, grubbing up of hedgerows and drainage of wetland areas. More efficient drainage techniques have also resulted in the neglect or loss of important landscape features such as ponds and ditches.

1.3.18 Over recent years public awareness of changes in the countryside has increased. Modern farm production and management methods and the need for them are perhaps not readily understood by those not employed in agriculture. At the same time increased accessibility to the countryside for its recreational

AGRICULTURAL BUILDINGS AND OTHER STRUCTURES IN RURAL AREAS

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

REDEVELOPMENT AND EXTENSIONS IN RURAL AREAS

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

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

❖ *SC18 REPLACEMENT DWELLINGS IN RURAL AREAS*

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

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

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

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

APPENDIX 5

THE COUNTRYSIDE

Development in the Countryside

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

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

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

2.23 The guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. Rural areas can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. Development in the open countryside, away from existing settlements or areas allocated for development in this local plan will be strictly controlled. Some categories of development that may be appropriate, are set out in Policy WCC1 below.

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

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

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

a) DEVELOPMENT FOR AGRICULTURE/FORESTRY

b) OUTDOOR SPORT/COUNTRYSIDE RECREATION

c) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

d) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

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

Cont.

f) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE

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

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

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

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

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

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements

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

2.27 The green wedges and gaps can also be important because of the character and sense of place that they can contribute to the settlements. In the adopted local plans the separation of, and setting of, settlements issues were kept distinct in policy terms. This could lead to confusion arising from a multiplicity of designations on areas shown on the current proposals map. As a result this has been reviewed and a need to simplify the proposals map recognised.

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

POLICY WLL2: AREAS OF SPECIAL LANDSCAPE IMPORTANCE

WITHIN THE DESIGNATED AREAS OF SPECIAL LANDSCAPE IMPORTANCE, AS DEFINED ON THE PROPOSALS MAP; LAND USES OR BUILT DEVELOPMENT WILL NOT BE PERMITTED THAT WOULD HAVE A DETRIMENTAL IMPACT ON THE OPEN, COUNTRYSIDE CHARACTER, OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

THIS INCLUDES ANY DEVELOPMENT THAT RESULTS IN THE REMOVAL OR EROSION OF LANDSCAPE FEATURES SUCH AS PONDS, CHALK OUTCROPS, WOODLAND, COPSES AND HEDGEROWS.

Implementation: The development control process

Monitoring: Planning applications determined.

2.67 Within ASLI's, the District Council will seek the management of landscape features. This will be achieved through negotiation with landowners and liaison with other bodies such as English Nature, the Countryside Commission, the Environment Agency, the Forestry Authority and the Woodland Trust amongst others. Advice and guidance will also be available to the landowners. Planning conditions and agreements will be used where appropriate and necessary in the granting of a planning permission. These can provide safeguards and benefits in these special areas.

POLICY WLL3: SETTING OF AREAS OF SPECIAL LANDSCAPE IMPORTANCE

DEVELOPMENT WILL NOT BE ALLOWED ON LAND THAT IS EITHER:

a) PHYSICALLY ADJOINING THE DEFINED BOUNDARIES OF THE AREA OF SPECIAL LANDSCAPE IMPORTANCE (AS SHOWN ON THE PROPOSALS MAP) OR

b) VISUALLY PROMINENT FROM OR TO THE DEFINED AREAS OF SPECIAL LANDSCAPE IMPORTANCE (AS SHOWN ON THE PROPOSALS MAP)

AND WHICH BY REASON OF ITS SIZE, DESIGN, MATERIALS, LOCATION OR TYPE OF USE WOULD ADVERSELY AFFECT THE SETTING, CHARACTER OR SPECIAL LANDSCAPE QUALITIES OF THE AREA.

Implementation: The development control process.

Monitoring: Planning applications determined.

River Valleys

2.68 Some of this District's best quality landscapes are associated with or based upon parts of river valleys. These are the Loddon ASLI, the Blackwater Valley ASLI and the Wargrave/Cookham ASLI (based on the Thames Valley).

APPENDIX 6

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

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

A NEW DWELLING FOR COUNTRYSIDE LAND USES WILL NOT BE PERMITTED UNLESS THERE IS:

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

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

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

WHERE SUCH A DWELLING IS JUSTIFIED THE COUNCIL WILL ENSURE:

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

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

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

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Extensions to Existing Dwellings in the Countryside

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

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

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

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

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

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

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

Implementation: The development control process.

Monitoring: Planning applications determined.

PROTECTING AND MANAGING THE LANDSCAPE

INTRODUCTION

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

2.44 Landscape is important because it is:

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

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

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

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

APPENDIX 7

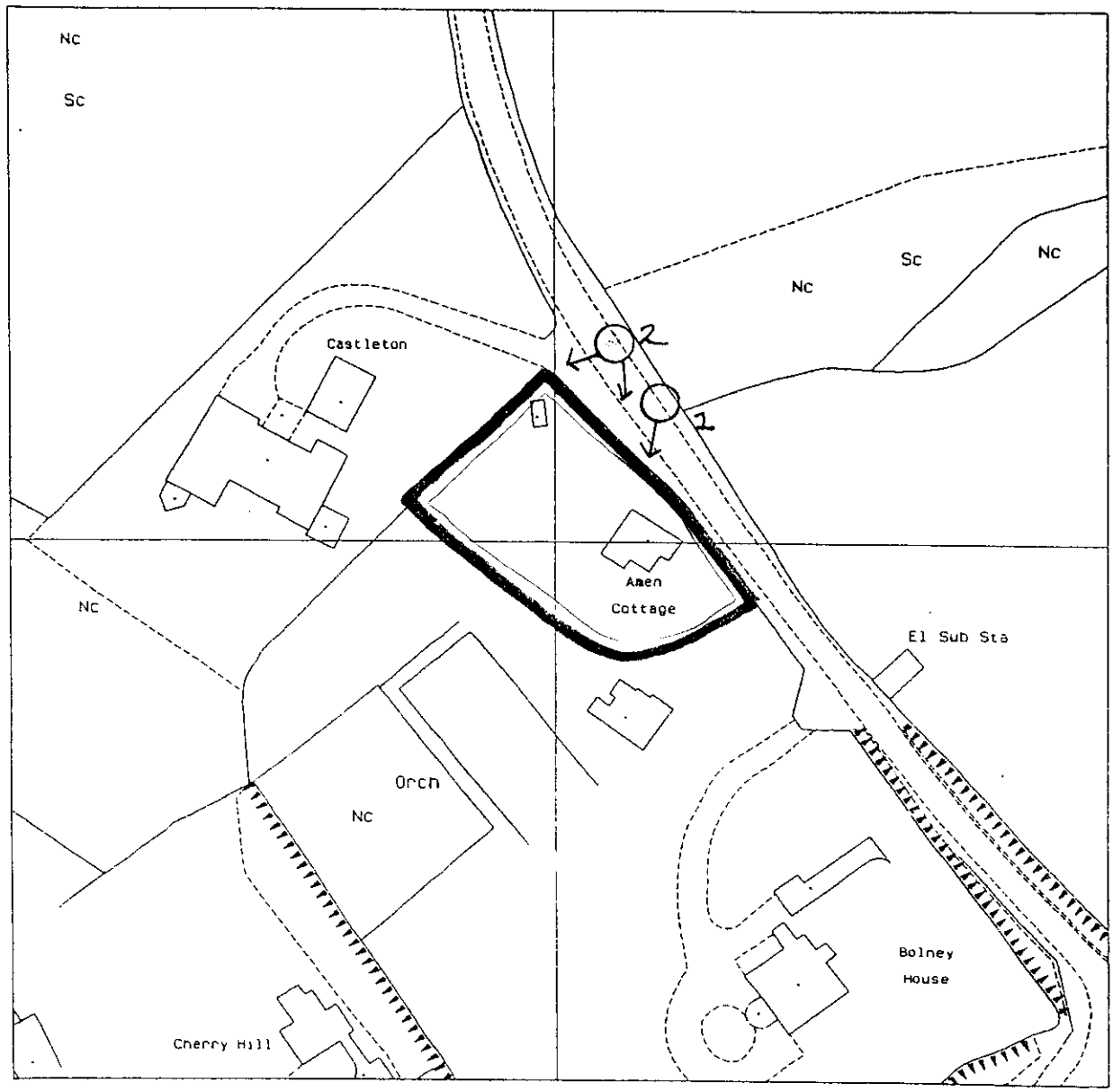


Photograph 1: Existing dwelling viewed from Jubilee Road.



Photograph 2: **Existing access and site of proposed replacement dwelling viewed from Jubilee Road.**

PLAN EP1



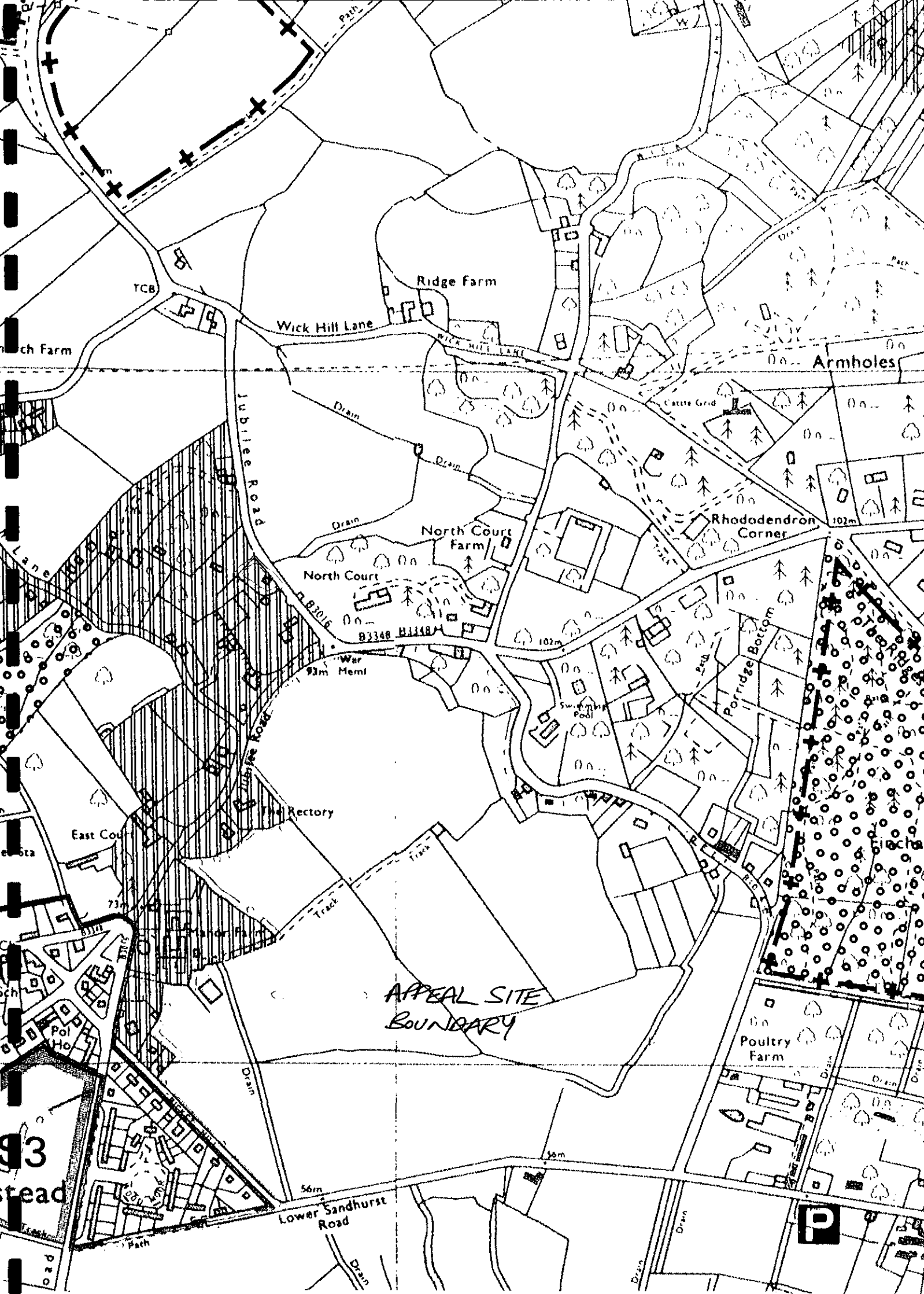
KEY:-

Scale 1: 1250

Appeal site

Position & direction of photograph

APPENDIX 8


Ridge Farm
Wick Hill Lane
Armholes
Cattle Grid
Rhododendron Corner
102m
Jubilee Road
Drain
North Court Farm
North Court
B3348
War Meml
93m
Porridge Bottom
Swimming Pool
The Rectory
East Court
Track
APPEAL SITE BOUNDARY
Poultry Farm
56m
Lower Sandhurst Road
Path
P