APPLICATION NO:
F/2002/5877

LOCATION:
86 Clifton Road, Wokingham.

APPLICANT:
Mr M Guilfoyle C/O Peter Holmes

PROPOSAL:
Proposed first floor side extension to dwelling and two storey rear extension.

EARLIEST DATE FOR DECISION: **14/03/2002**
28 day expiry. 18/3/02
APPLICATION WILL HAVE EXPIRED ON:
08/04/2002

CASE OFFICER: **Francis Leo**

REFUSED

961

DO

R/A/I/L/E/X
Marbleboard

EASIFILE EP7

Appeal Decision

Site visit made on 14 January 2003

by T J Morgan LLB(Hons) Solicitor

an Inspector appointed by the First Secretary of State

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

Date
12 FEB 2003

Appeal Ref: APP/X0360/A/02/1099593
86 Clifton Road, Wokingham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr M Guilfoyle against the decision of Wokingham District Council.
- The application (Ref.F/2002/5877), dated 1 February 2002, was refused by notice dated 5 April 2002.
- The development proposed is addition of first floor bedroom over the existing garage.

Summary of Decision:

Procedural Matters

1. The refusal notice refers to a two storey rear extension as well as a first floor side extension, but it is clear from the plans and my site inspection that the proposal does not include any form of rear extension. The proposal is to build on top of the existing garage and an already approved ground floor side extension, which was partly built at the time of my inspection. It is on this basis that I deal with the appeal.

Main Issues

2. The main issue in the appeal is the impact of the extension on the living conditions of neighbouring occupiers in terms of outlook, overshadowing and daylight levels.

Planning Policy

3. Section 54A of the 1990 Act requires planning applications and appeals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the area consists of the adopted Berkshire Structure Plan 1991-2006 ["the BSP"] and the adopted South East Area Local Plan ["the SEALP"]. Policy EN1 of the former and Policies SBE1 and SBE2 of the latter are relevant to the appeal. The Wokingham District Local Plan Deposit Draft is at an advanced stage in its evolution and contains Policies WBE1 and WOS3, which are also of relevance.

Reasons

The Development Plan

4. The proposed extension would be built on top of the existing garage and partially built side extension. The garage runs along the boundary between the appeal property and 88 Clifton Road. This property has already been extended by building above its garage and the resultant bedroom has a south east facing window in its front elevation close to the boundary with 86. The flank wall and roof of the proposed extension would present a built

feature in the view from this window of significant massing and length. This would be so close and high, and project so far that it would convey an undue sense of enclosure and be overbearing on the outlook from that window.

5. The orientation of the extension in relation to the neighbouring window and the track of the sun means that the extension would cause overshadowing of the window and a loss of natural daylight to the room it serves. I realise that the room is served by another window at the rear, but this does not outweigh the unacceptable impact that I envisage the extension would cause. I consider the impact of the extension on living conditions within the room in terms of outlook, overshadowing and daylight levels would be unneighbourly and in conflict with Policy EN1 of the BSP, Policies SBE1 and SBE2 of the SEALP and Policies WBE1 and WOS3 of the emerging WDLP.

Other material considerations

6. I appreciate that the present occupier of 88 has not objected to the proposal, but I have to consider the amenities of future occupiers and consider they would be unduly harmed. I can understand the appellant's concern that his plans to provide for his personal needs seem to have been prejudiced by the fact that the neighbouring property has been extended in a similar fashion to his project. However, even though the draft planning guidelines warn against such situations, their status is not clear and, in any event, the extension was permitted and I have to deal with the situation as it presently exists.

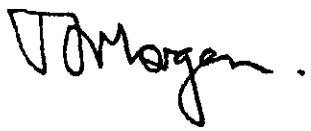
7. I looked at other extensions in the street, but found them to differ, either in design or separation from their neighbours at first floor level, and they do not assist in reaching a conclusion on this appeal. Every planning application has to be judged on its own merits and circumstances, and I am convinced that the appeal proposal would cause unacceptable harm to the living conditions of neighbouring residents in the terms I have identified. I note the comments about a compromise made by the appellant's advisor, but I have to deal with the application that was refused and any modified proposal needs to be addressed to the Council. The proposal conflicts with the existing and emerging development plan and should be refused permission, as there are no material considerations that indicate otherwise.

Conclusions

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

Information

9. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.



INSPECTOR

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr M Guilfoyle
C/O Peter Holmes
24 Peel Close
Windsor
Berkshire
SL4 3NP

Application Number: F/2002/5877

Parish: **WOKINGHAM**

Location: **86, Clifton Road, Wokingham.**

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

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

Reason

1. The proposed development because of its size, height and closeness would seriously obstruct light and would create an enclosed effect detrimental to the amenities of the adjoining property at No. 88 Clifton Road. As such the proposal would be contrary to policies SBE1 and SBE2 of the South East Area Local Plan, policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) and to policy EN1 of the Berkshire Structure Plan.

Informative

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

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

Anna Cronin
Head of Planning & Transportation
Date: 05/04/2002

Notice checked by: _____

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

PLANNING SERVICES | HPT 5555
POL | TLS
DC | ENF
APP |
CS |
15 APR 2002
COPIES TO | ACK:
FILE

86 Clifton Road
Emmbrook,
Wokingham.
RG41 1NE
Mark Guilfoyle

Tel 01189 791789

Ref F/2002/5877

14th April 2002

Planning Services
PO Box 157
Shute End
Wokingham

FAO Mr Francis Leo

Dear Sir

Proposed First Floor side extension to home

Further to our telephone conversation, 5th April in which you indicated that our proposed plans are to be rejected for reasons relating to the proximity of a neighbouring window.

As we did not complete our conversation, you were to raise the matters with your supervisor and come back. The following points we believe need to be taken into consideration when reviewing our application:

- The extension is modest consisting of a pitched roof incorporating a first floor bedroom which is needed for our family.
- The window in question forms part of the neighbouring property (88 Clifton Road) that has an overbearing extension on to the border. The Original property would have been unaffected by our plans.
- Notwithstanding the window also belongs to a single first floor room with windows to the front and also to the rear.
- We have suggested further changes to the plan (hipped roof and further height reduction) it is unclear if these have been considered

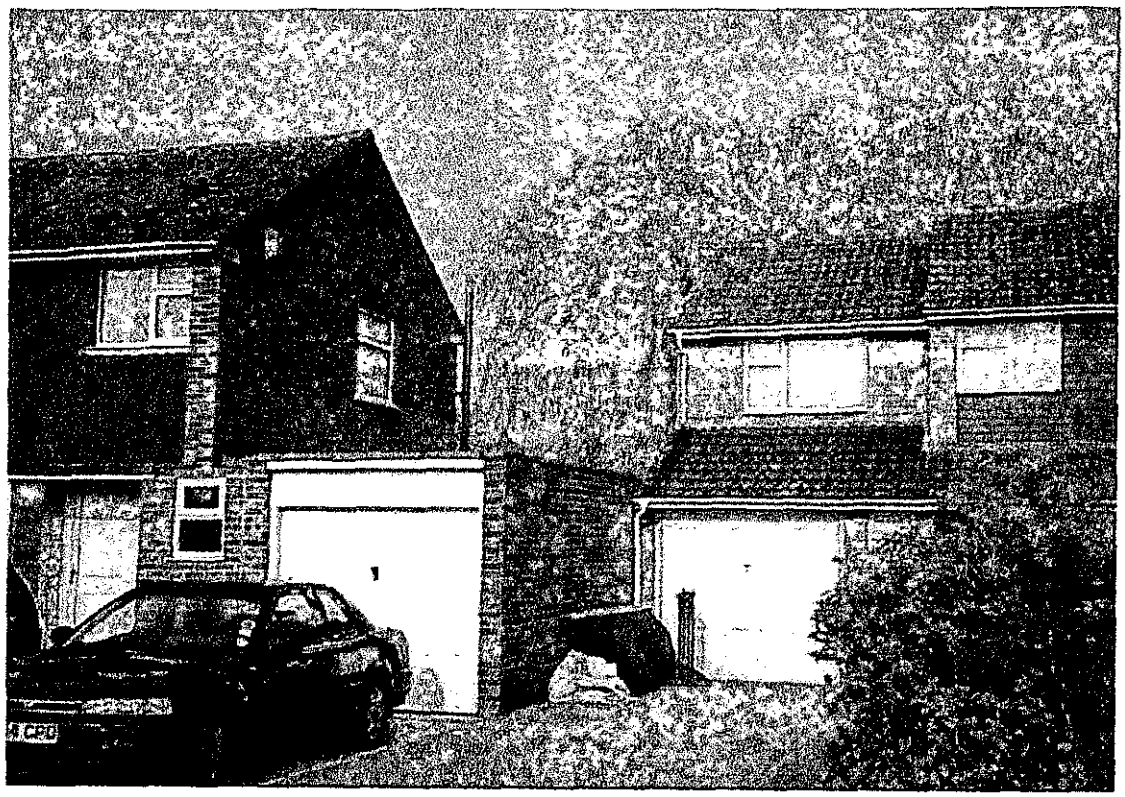
In summary we believe that although our needs are being prejudiced by previous planning decisions, the proposed changes are modest and should be considered in a more open manner.

We would be grateful for your consideration and can be contacted as above should you wish to discuss or perhaps advise a suitable way forward.

Yours Sincerely

Mark Guilfoyle

cc:



Picture showing 86 & 88 Clifton Road viewed from Front.

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DC	ENF
[illegible]	
CS	
15 APR 2002	
COPIES TO	BCK:

5877

PLANNING SERVICES	
POL	TLS
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APP	
CS	
10 APR 2002	
COPIES TO	ACK:
	FILE:

ENVIRONMENT AGENCY

Our Ref : SP/2002/005354-1/1
Your Ref : F/2002/5877

Date : 05 April 2002

District Planning Officer
Wokingham District Council
Council Offices
PO Box 157 Shute End
Wokingham
Berkshire
RG40 1WR

Dear Sir/Madam

FAO: Francis Leo

FIRST FLOOR EXTENSION TO DWELLING & TWO STOREY REAR EXTENSION
86 CLIFTON ROAD, WOKINGHAM, BERKSHIRE

Thank you for your letter dated 18 February 2002, received on 20 February 2002. Please quote the following reference in any correspondence: SU86NW/21/2. The Environment Agency has the following comments:

The Environment Agency has no objection, in principle, to the proposed development provided that the following conditions are imposed on any planning permission granted:

PLANNING CONDITIONS:

CONDITION: No soakaways shall be constructed such that they penetrate the water table, and they shall not in any event exceed 3 metres in depth below existing ground level.
REASON: To prevent pollution of groundwater.

CONDITION: No building or raising of ground levels shall take place on that part of the site lying within the area of land liable to flood.
REASON: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.

CONDITION: There shall be no new development including hardstanding and fences within a buffer zone 8 metres wide alongside the watercourse.
REASON: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor.

ADVICE TO PLANNING AUTHORITY

Flooding

Environment Agency
Swift House, Frimley Business Park, Camberley, Surrey, GU16 7SQ, Tel no:01276 454300, Fax no:01276 454301

The house lies on the edge of and possibly just outside the recorded 1968 flood plain of the Emm Brook. I am unsure of the exact extent of flooding across this site, however it appears that the house itself is situated outside the floodplain. There is a likelihood of the rear garden being flooded, and it is quite likely the rear garden flooded during the Autum 2000 flood.

The development is also greater than 8m from the Emm Bk, hence no Land Drainge Consent is required.

Environment Protection

Surface water from hard surfaced areas should discharge via deep seal trapped gullies incorporating a minimum water seal of 85mm or similar.

Roof water downpipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

Water Conservation

Household Use
Water is one of our most precious natural resources, and the Environment Agency is keen to ensure it is used wisely:
* Water use for WC flushing can represent 35% of all household use. The applicant should consider installing low (6 litres or less) or dual flush toilets.
* 10% of household water use comes through wash hand basin taps. The installation of water-efficient taps such as spray taps can reduce consumption from this source by up to a half.
* A shower uses less than half the water used for a bath. Power showers on the other hand can use as much water as a bath in just 5 minutes. Shower units using a maximum of 9 litres of water a minute should be fitted.

Domestic Appliances
If domestic appliances are to be provided in the new property, the applicant is asked to consider installing water and energy efficient models. Most products such as washing machines and dishwashers are now advertised with energy and water use information.

DECISION NOTICE

Please forward a copy of the decision notice to this office quoting our reference. A copy of this letter has been sent to the agent. If you have any further queries, please contact me, quoting the reference at the beginning of this letter.

Yours faithfully

Environment Agency
Swift House, Frimley Business Park, Camberley, Surrey, GU16 7SQ, Tel no:01276 454300, Fax no:01276 454301

JO MARSHALL
Development Planning Officer

Direct dial: 01276 454323
Direct fax: 01276 454352
Email: joanna.marshall@environment-agency.gov.uk

CC: Mr Peter Holmes

WORK SHEET FOR : Francis Leo

Application Number : F/2002/5877

Applicant : Mr M Guilfoyle C/O Peter Holmes.

Location : 86, Clifton Road, , Wokingham.
Proposal : Proposed first floor side extension to dwelling and two storey rear extension.

Site Notice Displayed ? :	YES	NO	DATE
		✓	26/2/02

Date of Neighbour Notifications : 26/2/02

Date of Site Visit : 26/2/02

Date Registered : 11/02/2002

Earliest Date for Decision : 14/03/2002

Latest Consultation Date/Site Notice Expiry Date : 14/03/2002

This application <u>will have expired on</u>: <u>08/04/2002.</u> You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses :

Highways :

Env Agency :

Wokingham Town Council : Object on grounds the proposed extension will block off access to the rear garden.

Planning Issues : I'd Sett.

SBE1 SBE2
WOS3. WBE1.
ENI.

Application Number: F/2002/5877 **Officer : Francis Leo**
86 Clifton Road, Wokingham

Appraisal :

Development
For the erection of a two storey side extension incorporating existing garage, an enclosed front porch and an extension to existing conservatory at the rear.

The site is a semi-detached property located within the identified settlement of Wokingham.

Impact upon neighbouring properties
The layout of the properties in this group between nos 80-90 is such that they are located in a staggered form. Accordingly no88, adjoining property to the north is set back some 7m behind the front face of application site.

No88 has habitable room windows that face east and receive maximum sunlight for part of the day. The proposed first floor side extension, although incorporates a sloping roof would obstruct light to the habitable rooms to no 88 and create a poor outlook detrimental to their amenities. The proposal is therefore considered to conflict with policy SBE2 of South East Area Local Plan which aims to resist development that is inappropriate in terms of its relationship with adjoining sites and buildings.

Impact upon the character of the area
The application property is a gable fronted two storey detached house, one of a small group of similarly designed houses within the even side of Clifton Road.

The application proposes a two storey side extension with a pitched roof, the ridge of which would be parallel to the sloping roof of the main dwelling but located 800mm lower. A dormer window would be incorporated within the roof at the front. The proposed front and side elevations have been designed to be in keeping with the character of the main building and the street and is not considered to have an adverse impact upon the character of the area.

Parking : Front forecourt would be sufficient for parking of 3 vehicles.

Recommendation : approval ☐ **Refusal** ☑

Application Number: F/2002/5877

Appraisal :

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

Application Number F/2002/5877
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			Reason for refusal **The proposed development because of its size, height and closeness would seriously obstruct light and would create an enclosed effect detrimental to the amenities of the adjoining property at no 88 Clifton Road. As such the proposal would be contrary to policies SBE1 and SBE2 of the South East Area Local Plan, policies WOS3 and WBE1 of the Wokingham District Local Plan and policy EN1 of Berkshire Structure Plan.**

Informative for approvals

N16

~~LODDON AREA LOCAL PLAN POLICIES:~~

SOUTH-EAST AREA LOCAL PLAN POLICIES: SBE1 SBE2

WOKINGHAM DISTRICT LOCAL PLAN POLICIES: WOS3 WBE1

~~GREEN BELT LOCAL PLAN POLICIES:~~

BERKSHIRE STRUCTURE PLAN POLICIES: EN1,

~~MINERALS LOCAL PLAN POLICIES:~~

RECOMMENDATION AND CONDITIONS/REASONS AGREED: K D Newkirk
(Development Control Manager)

Date: 5.6.02

RECORD OF SITE VISIT

SITE ADDRESS: 86 Clifton Road Wokingham. APPLICATION NUMBER: F/2002/5877	OFFICER: Francis Leo DATE OF SITE VISIT: 26/2/02

1 SITE/STATUTORY NOTICE DISPLAYED ? ?

2. DESCRIPTION OF SURROUNDINGS

2 storey semi-detached dwellings, open plan at front

3. DESCRIPTION OF SITE/BUILDING

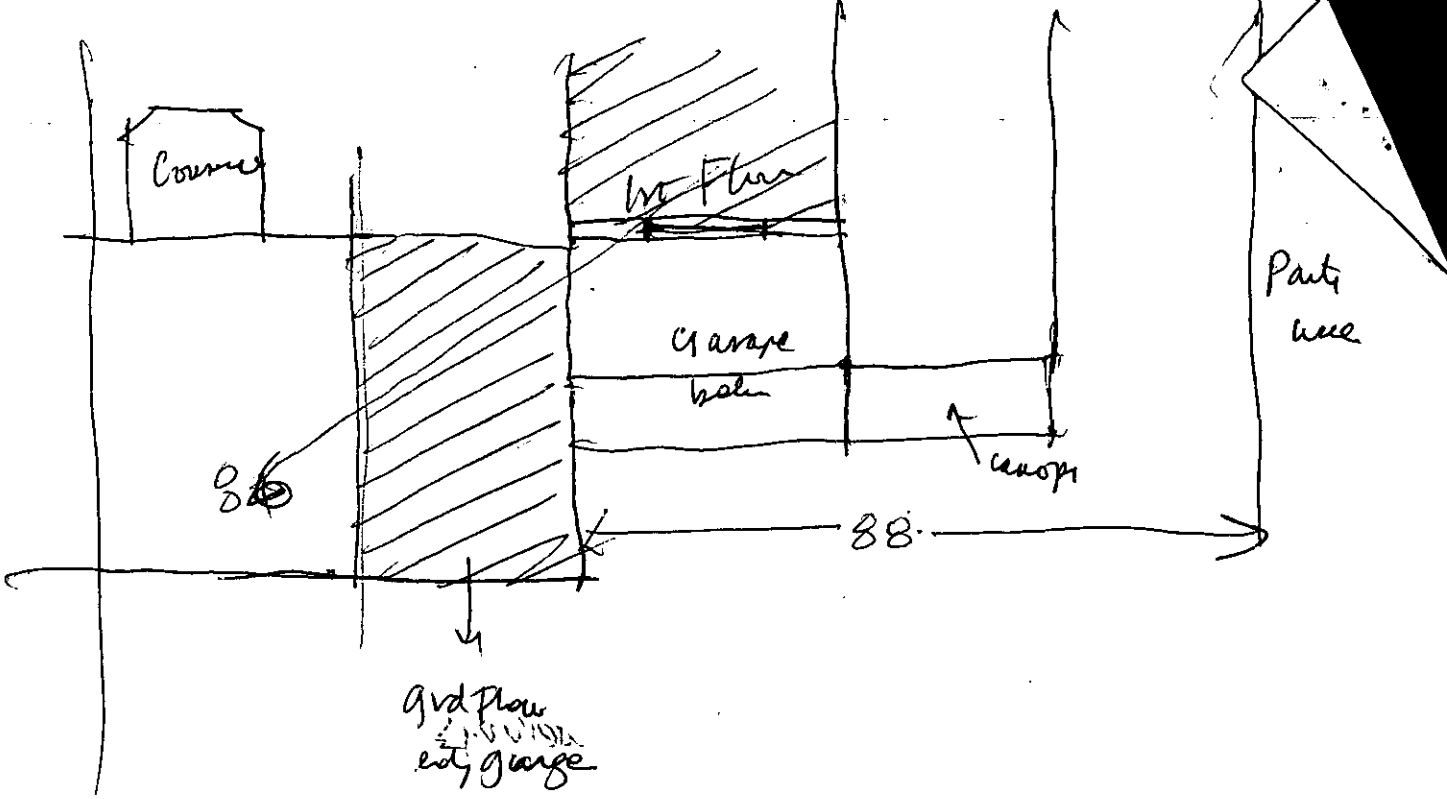
2 storey, bank house garage at side. open plan.
Rear conservation.

4. RELATIONSHIP TO ADJOINING PROPERTIES

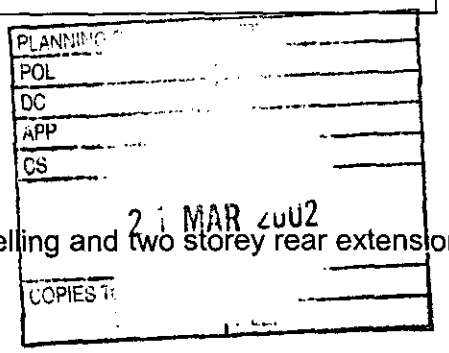
No 88 is located set back. Proposal would affect 1st floor window. start of 2 storey at 88 bld line at [illegible] rear bld line

5. SITE CONSTRAINTS

TREES	at rear of gdn
ACCESS/PARKING	at front.
LEVELS	—
BOUNDARY TREATMENT	84 has 1.8m high timber fence.
OTHERS	88. is set back.


Course
1st Floor
Garage
below
canopy
Party
wall
88
88
Grd Floor
entry garage

WOKINGHAM TOWN COUNCIL CONSULTATION SHEET



Case officer: Francis Leo

Application Number: F/2002/5877

Proposal: Proposed first floor side extension to dwelling and two storey rear extension

Site Address: 86 Clifton Road, Wokingham

Applicant: Mr M Guilfoyle C/O Peter Holmes

Your observations are required in respect of this application **by 14/03/02**

At its meeting on 19 March 2002, the Planning & Transportation Committee resolved to make the following observation:

Object because the proposed extension will block off access to the rear garden.

SIGNED: _____ **DATE:** 20/03/02

CLERK TO Wokingham Town Council

Peter Holmes.

T/A Harlson Fantasy,
24 Peel Close,
Windsor,
Berkshire. SL4 3NP.

Tel/Fax : + 44 (0) 1753 620951 Mobile : 07721 422554
E-mail : Pete@harlson-fantasy.freeserve.co.uk
Web Site : www.harlson-fantasy.co.uk

Fax

To:	Mr Leo	**From:**	Pete Holmes
Fax:		**Date:**	08.03.02
Phone:		**Pages:**	3 inc. cover sheet
Re:	86 Clifton Road, Wokingham	**CC:**	

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

•Comments:

Dear Mr Leo,

Thank you for your call earlier this week to discuss the problems with the above application. As requested I have visited site and taken details of the neighbouring property, and attach a revised plan, elevation plus the added benefit of an isometric interpretation to help assist in any compromise that could hopefully be met between my client and the current planning guidelines.

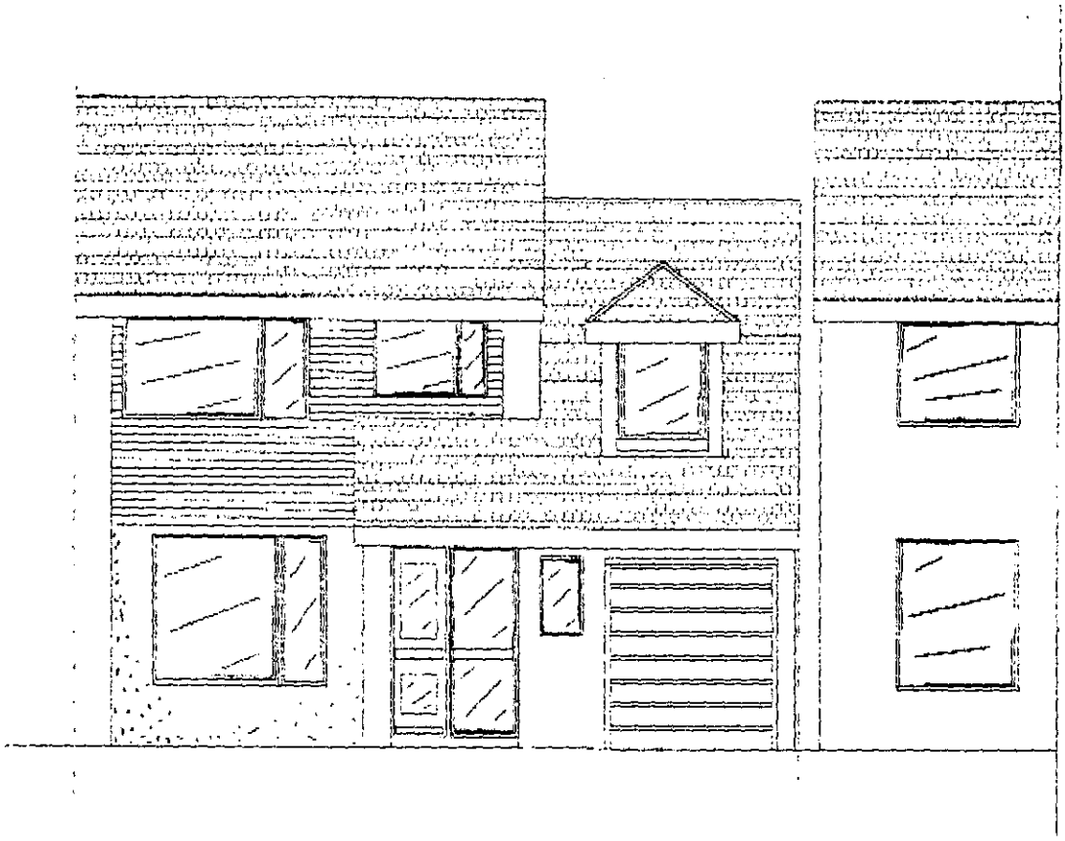
I have spoken at great length with my client, and they are willing to offer either of both of the following:

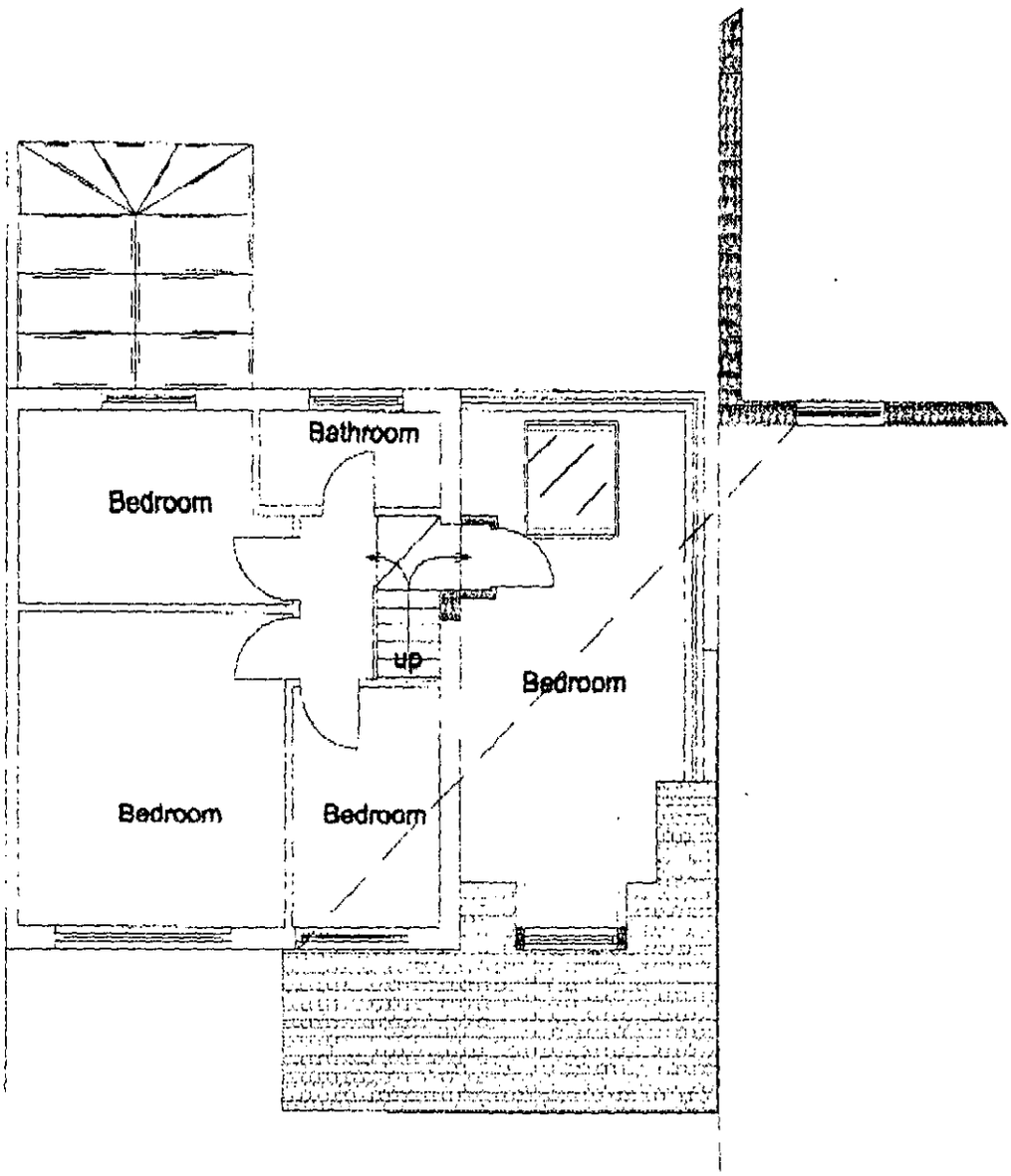
1. A height reduction of the proposed first floor bedroom
2. To hip th roof to the side of the new proposal.

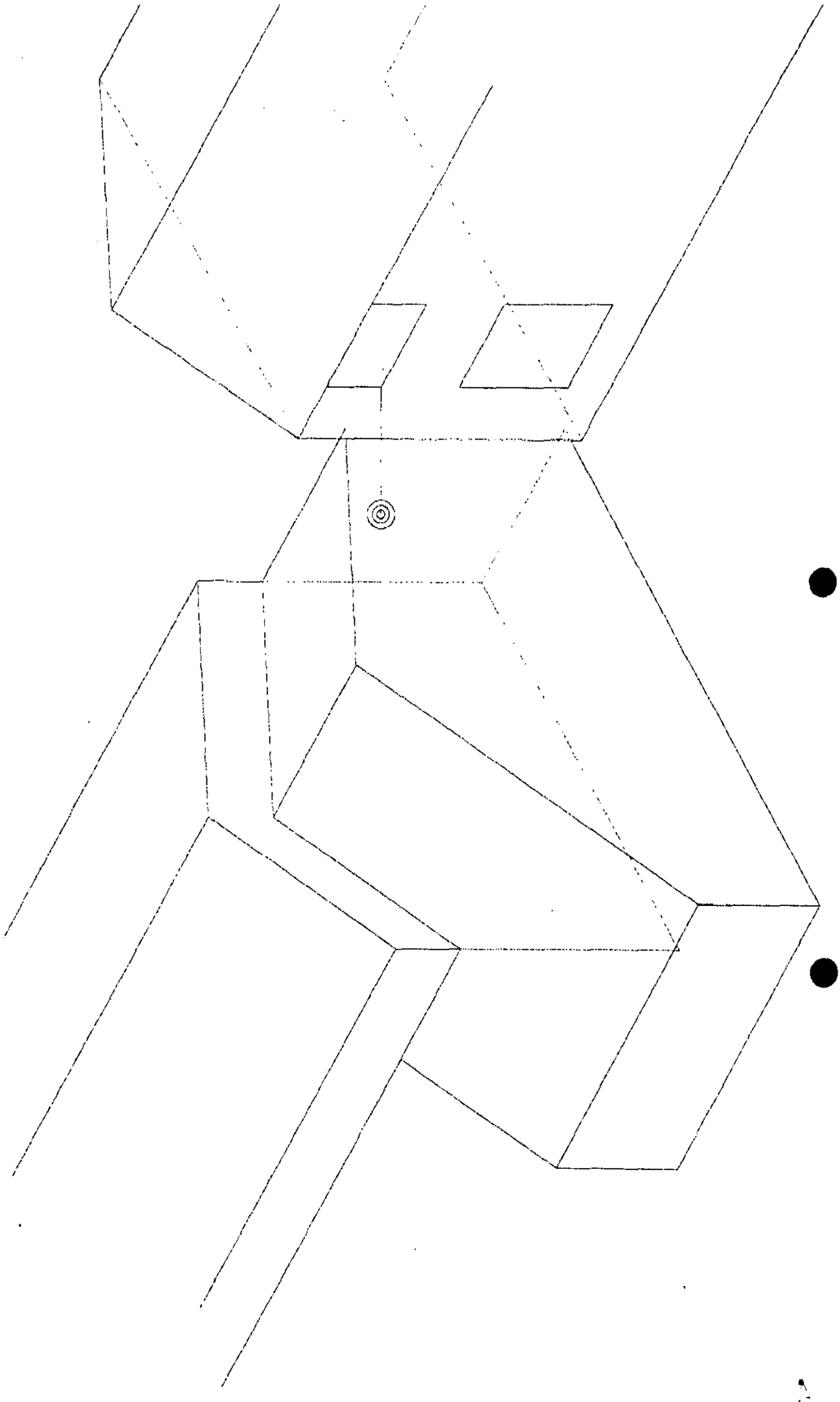
I would hope that a compromise could be reached, as my client has expressed to me their need for an additional bedroom due to current family commitments, plus the convenience of their location for schooling needs of their children; and to be blunt, the additional cost of finding a house within the area to give them an additional bedroom, plus associated moving costs is just not viable for them.

Regards,

Pete Holmes.




Bathroom
Bedroom
up
Bedroom
Bedroom
Bedroom



01753 620951

Peter Holmes.

T/A Harlson Fantasy,
24 Peel Close,
Windsor,
Berkshire. SL4 3NP.

Tel/Fax : + 44 (0) 1753 620951 Mobile : 07721 422554
E-mail : Pete@harlson-fantasy.freeserve.co.uk
Web Site : www.harlson-fantasy.co.uk

53986
FL
2002

Fax

To:	Mr Leo	**From:**	Pete Holmes
Fax:		**Date:**	08.03.02
Phone:		**Pages:**	3 inc. cover sheet
Re:	86 Clifton Road, Wokingham	**CC:**	

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

•Comments:

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Regards,

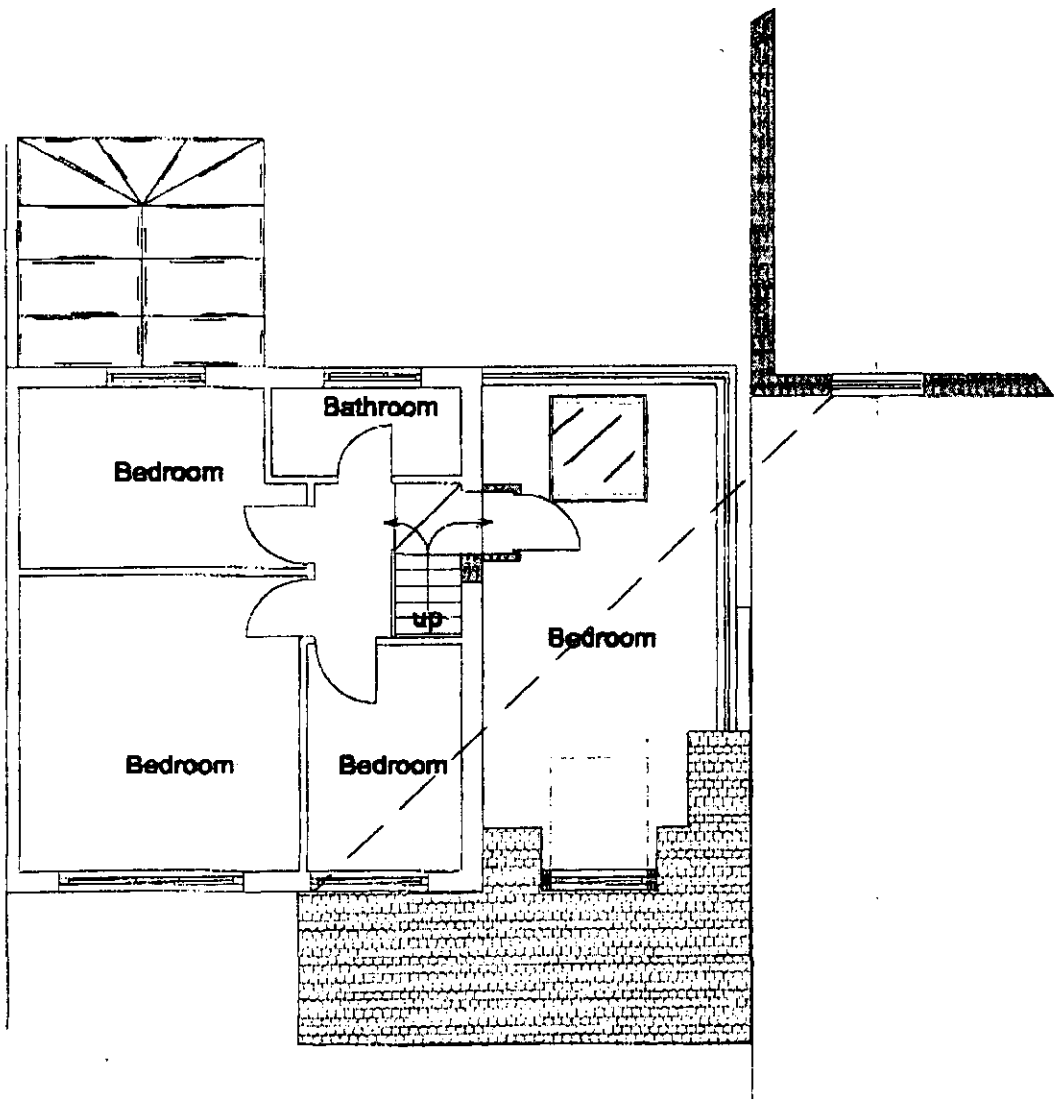
P. Holmes

Pete Holmes.

01753 620951

PLANNING SERVICES
08 MAR 2002





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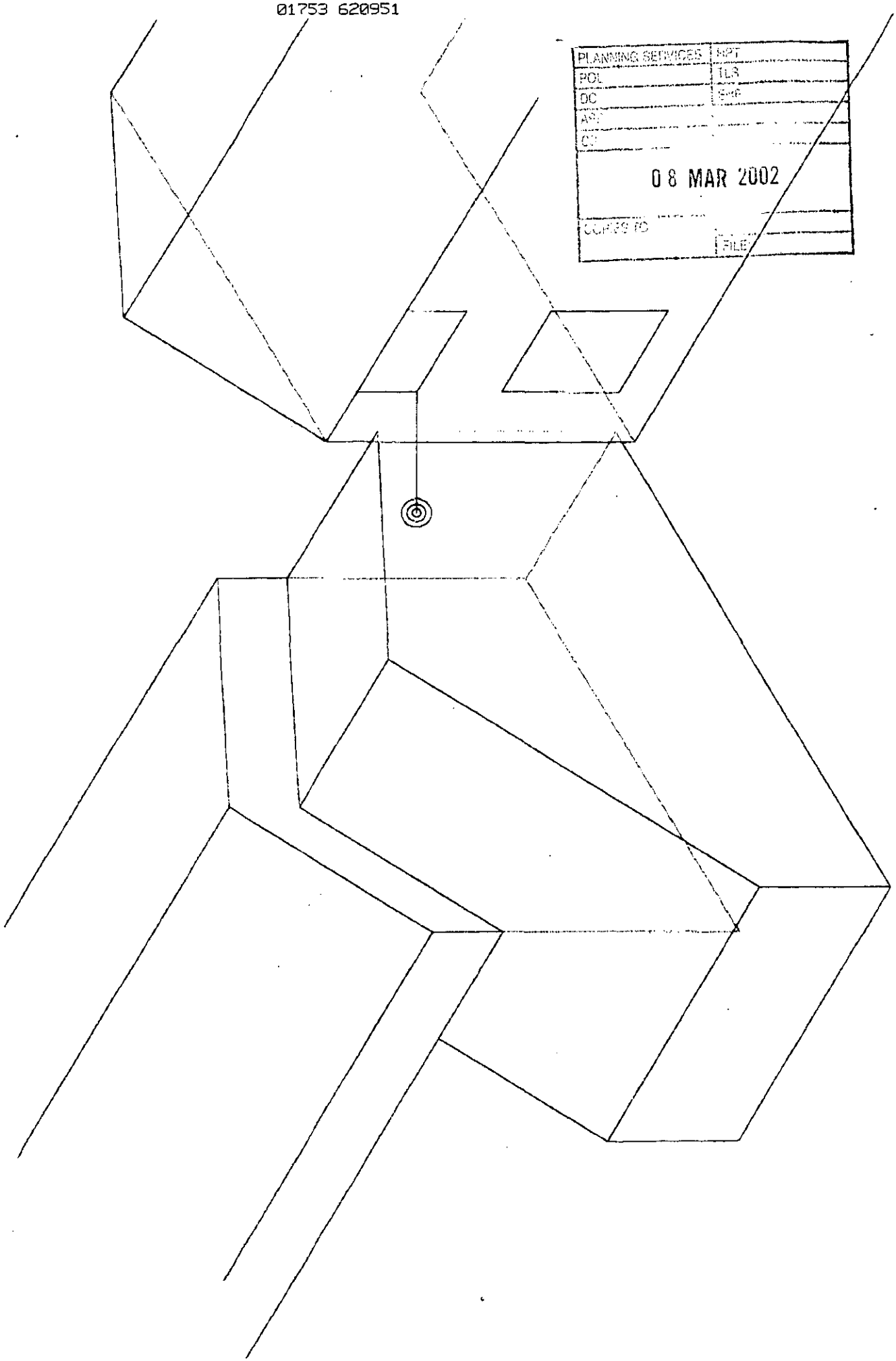

HIGHWAYS CONSULTATION SHEET

From: Francis Leo **Date:** 18 February 2002

Application Number: F/2002/5877

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

Parish: WOKINGHAM TOWN

Site Address:
86, Clifton Road, , Wokingham.

Applicant:
Mr M Guilfoyle C/O Peter Holmes.

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).

Comment

Please could Highways have an additional plan (at least 1:200 scale) showing the parking layout for 3 vehicles within the curtilage of the property. The outline of the spaces is to be marked on the plan accurately with minimum dimensions:

4.8m x 2.4m (standard space)
5.5m x 2.4m (in front of a garage)

The extent of the existing driveway must be clearly shown, along with details of any widening or alterations as a result of the proposal.

Signed: _____ **Print name:** Adam 20/02/02.

Received by Wokingham District Council

Application No: F/2002/5877

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

Location:
86, Clifton Road, , Wokingham.

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

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

WOODLEY LIBRARY HEADLEY ROAD WOODLEY 9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday and 1.00pm - 4.00pm Sunday. Library closed all day Wednesday. If you intend to view this application at Woodley Library please allow 4 days from the date of this letter for delivery of plans and remember to quote application number F/2002/5877 to enable the library staff to locate the correct information.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Francis Leo P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 14/03/2002. Written comments submitted will become available for public inspection.

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

Head Planning and Transportation

18 February 2002

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

Tel: 0118 974 6502

Date: **18 February 2002**

My ref: F/2002/5877

WOKINGHAM UNITARY
Aiming for Excellence

CONFIDENTIAL

Councillor Malvern
98 Woosehill Lane
Wokingham
RG41 2TS

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

Dear Councillor

Application Number: F/2002/5877
86, Clifton Road, , Wokingham.
Proposed first floor side extension to dwelling and two storey rear extension.

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

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

If you have any questions please do not hesitate to contact **Francis Leo** on **0118 974 6502**.

Yours faithfully,

Francis Leo

Development Control Officer

LISTING FORM

Case officer: **Francis Leo** Application Number: **F/2002/5877**
86, Clifton Road, , Wokingham.
Proposed first floor side extension to dwelling and two storey rear extension.
I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Malvern

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

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

Tel: 0118 974 6502

Date: **18 February 2002**

My ref: F/2002/5877

WOKINGHAM UNITARY
Aiming for Excellence

CONFIDENTIAL

Councillor Eke
55 Lowther Road
Wokingham
RG41 1JB

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

Dear Councillor

Application Number: F/2002/5877
86, Clifton Road, , Wokingham.
Proposed first floor side extension to dwelling and two storey rear extension.

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

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

If you have any questions please do not hesitate to contact **Francis Leo** on **0118 974 6502**.

Yours faithfully,

Francis Leo

Development Control Officer

LISTING FORM

Case officer: **Francis Leo** Application Number: **F/2002/5877**
86, Clifton Road, , Wokingham.
Proposed first floor side extension to dwelling and two storey rear extension.
I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Eke

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

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

Tel: 0118 974 6502

Date: **18 February 2002**

My ref: F/2002/5877

WOKINGHAM UNITARY
Aiming for Excellence

CONFIDENTIAL

Councillor Earnshaw
30 Copse Drive
Wokingham
RG41 1LX

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

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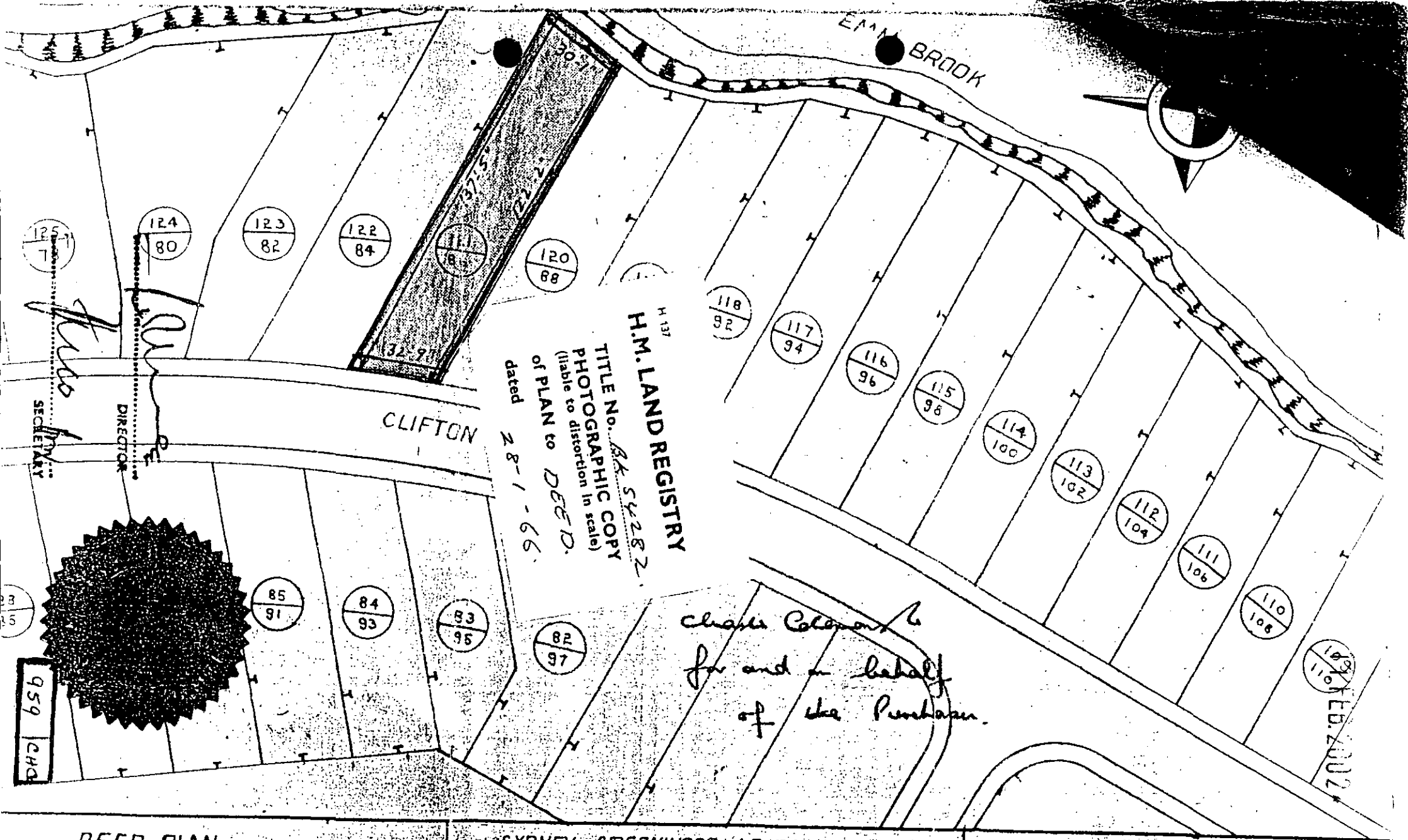
LISTING FORM

Case officer: **Francis Leo** Application Number: **F/2002/5877**
86, Clifton Road, , Wokingham.
Proposed first floor side extension to dwelling and two storey rear extension.
I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Earnshaw

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



DEED PLAN
Nº 86 CLIFTON ROAD
WOKINGHAM. BERKSHIRE

SYDNEY GREENWOOD ARIBA.
33 BUNNS LANE, MILL HILL. N.W.7.
SCALE 1:500 DWG. Nº 5268
DATE 8-6-65 DRAWN BY BHD.

5877

Application Number : F/2002/5877	Map No : 68A.
Case Officer : FL	Site Area : 0.04.
Valid Date : 11 FEB 2002.	Received Date: 11/02/2002

Level : Delegated Application

Description : Proposed first floor side extension to dwelling and two storey rear extension.

Location : 86, Clifton Road, , Wokingham.

Parish : WK **Ward : EMM** 18/2/02 JB.

Applicant : Mr M Guilfoyle C/O Peter Holmes.

Fee Required: £95 **Fee Received: £95** (4)

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

Enforcement Section to be notified ☐ (tick if required)

Additional information required for validation;

REASON	NOTES	DATE REQ	DATE RECD
LOCATION PLANS			
BLOCK PLANS	Show parking layout	18/2.	
FORMS UNSIGNED			
S.66 MISSING/INCORRECT/ UNSIGNED			
ELEVATION PLANS			
FLOOR PLANS			
NO SCALE OR SCALE IS IMPERIAL			
ENCROACHMENT LETTER REQUIRED	Confirm no encroachment at boundaries.	18/2.	
OTHER	(will party wall be formed at rear boundary with 88?		

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

Is the site a Listed Building: ☐ Yes ☐ No

Is a Statutory Advertisement required: ☐ Yes ☐ No

INTERNAL CONSULTATIONS 18/2/02. JB

Building Control

Heritage (Harold Sanders)

Landscape

Trees

Environmental Health

Housing

Leisure & Cultural Services

Public Rights of Way Officer

Property

Policy & Plans

Joint Strategic Planning Unit

Archaeological Officer (BABTIE)

Education

Social Services

Highways ✓

EXTERNAL CONSULTATIONS

Adjacent DPA : _____

Adjacent Parish : _____

SEB

British Gas

Oil pipeline

Transco

Environment Agency – Part of site is in flood zone ✓ Groundwater Protection Zone

Railtrack

Police Arch Officer

HERITAGE BODIES

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

OTHERS

.....

.....

.....

.....

.....

.....

NEIGHBOURS

.....

S/N + see map

.....

No pre-apps.

Environmental Services

For office use only.
Application number:

11.FEB.2002* 5877

Householder planning application form

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

1	Your name Address and postcode Phone number	MARK GUILFOYLE 86 CLIFTON ROAD, EMBROOK, WOKINGHAM, BERKS. RG41 1NE 01189 791789
2	Agent's Name Address and postcode Phone number	PETER HOLMES 24 PEEL CLOSE WINDSOR BERKS. SL4 3NP. 01753 620951
3	Site We need you to send in six copies of the 1:2500 scale location plan and six copies of the 1:500 scale block plan, with the site outlined in red. You can buy these maps from the Environmental Services reception or order them by phoning 0118 974 6485.	86 CLIFTON ROAD, EMBROOK, WOKINGHAM, BERKSHIRE. RG41 1NE
4	Give brief details of the proposal for example, two storey side extension. About the application	ADDITION OF A 1ST FLOOR BEDROOM OVER THE EXISTING GARAGE.
5	Are there any trees on the site? If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down.	Yes ☐ No ☑
6	Please list the external materials you will use for example, red brick to match any existing bricks and dark stained timber.	COMMON LONDON BRICKWORK TO MATCH EXISTING. ROOF TILES ALSO TO MATCH EXG.
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐ No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐ No ☑

Crystal Mark
Clarity approved by Plain English Campaign

Please turn over

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

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

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

Certificate A

I certify that

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

Certificate B

I certify that

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

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

None of the land forms part of an agricultural holding.

Your signature: P.W. Holl

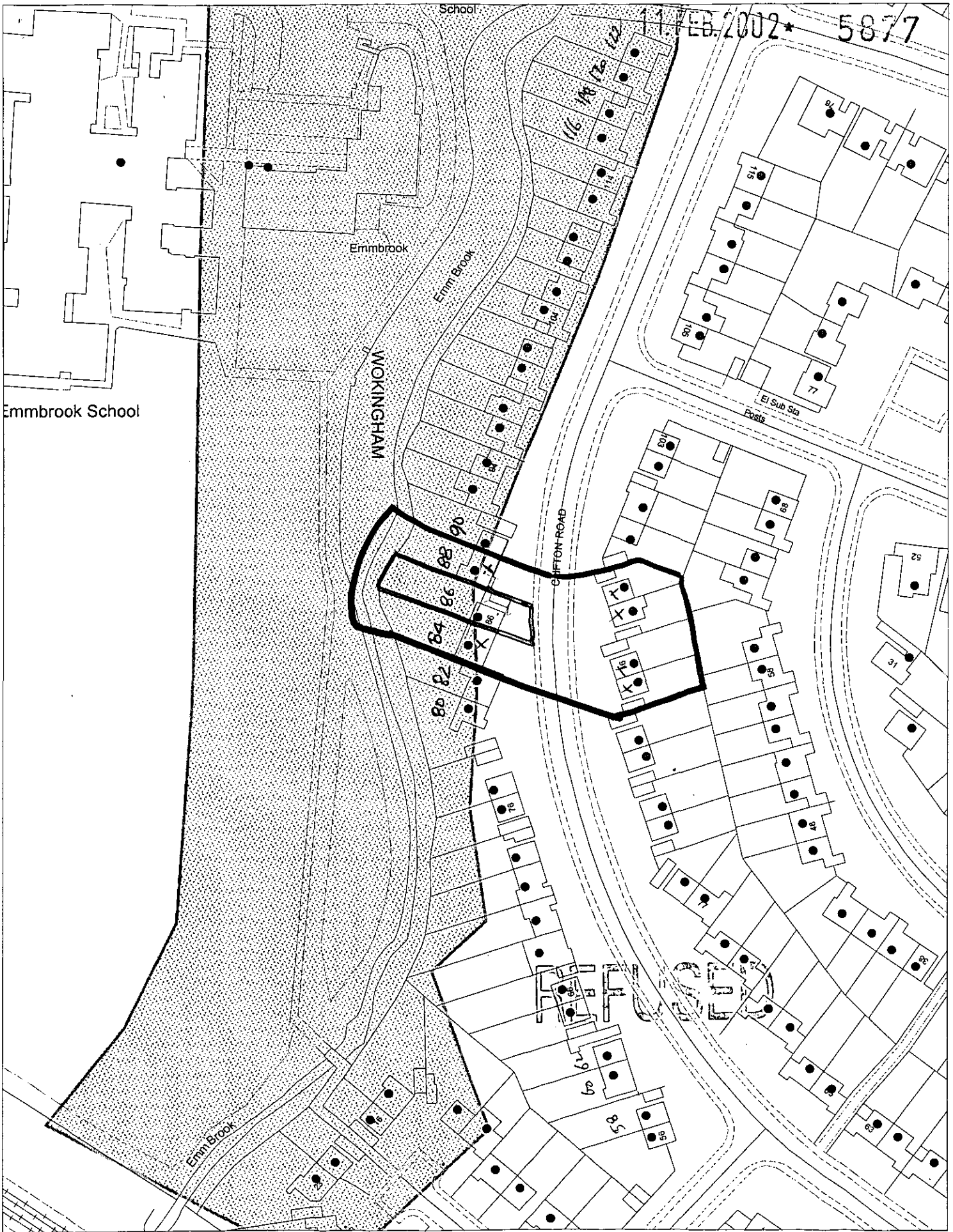
on behalf of MR M. GUILFOYLE

Date 1-2-2

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

86 CLIFTON ROAD Plot 121

PLAN NUMBERS PLANNING	PLAN NUMBERS BUILDING	DATE REC.	BRIEF DESCRIPTIONS AND REMARKS	DECISIONS PLANNING	DECISIONS BUILDING	DATE STARTED	DATE COMP.
0/16/58			Res Dev	10/7/58C			
B/41/63			Dwelling	19/12/63C			
–	BR5943		Conservatory (Mrs M Robertson	[illegible]	25.1.77		
99/69781/F			(Mr M. Guilfoyle) s/st/r extn + fr. porch ext'n.	14/7/99 C/A			
F/2000/2002			" S/St R/Ext & conservatory Amend to 69781 (Retro)	11/09/00 C/A			



11 FEB 2002* 5877

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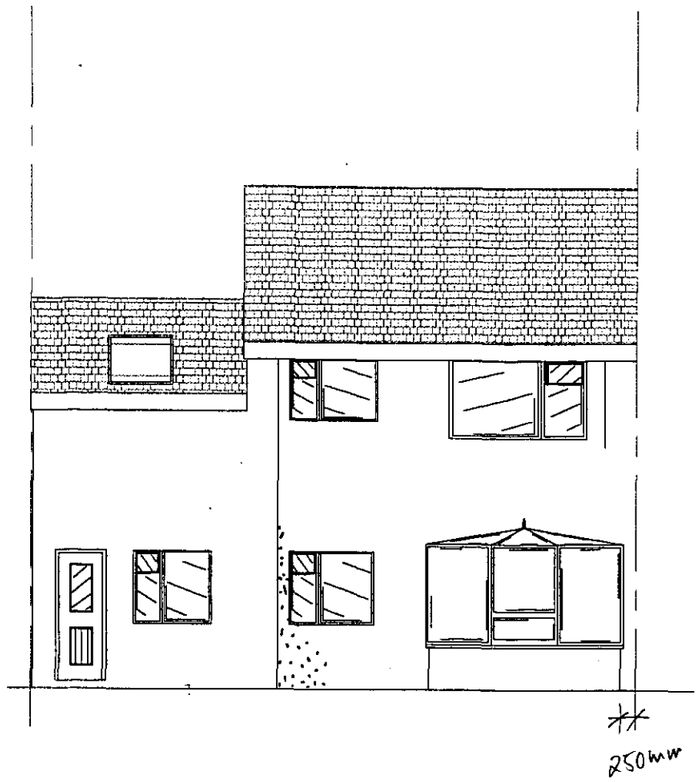
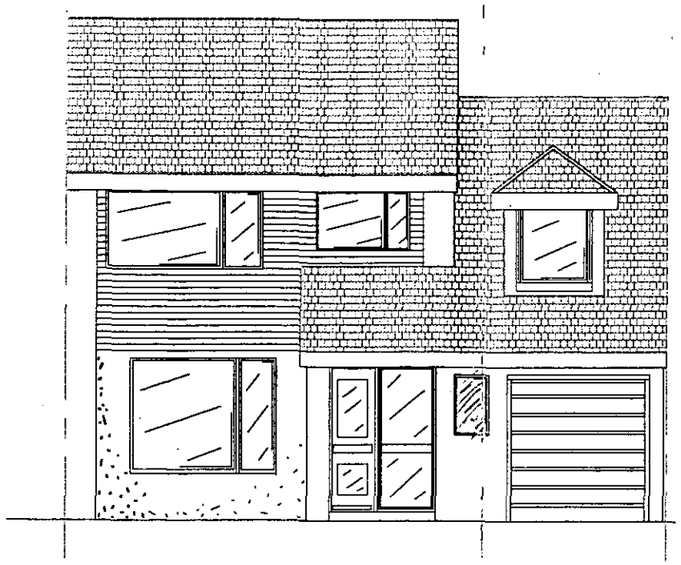
Development Control Section, Environmental Services, Wokingham District Council.
14 February 2002

Scale: 1 : 1250

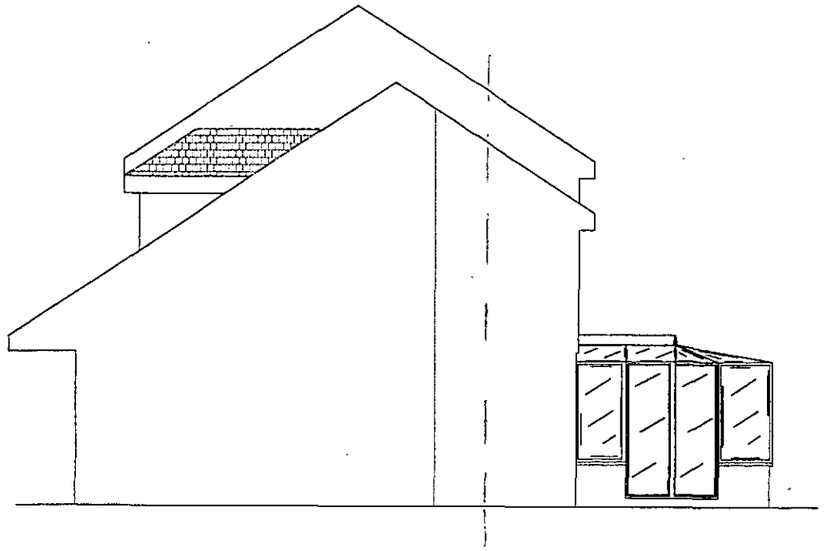
N
W E
S



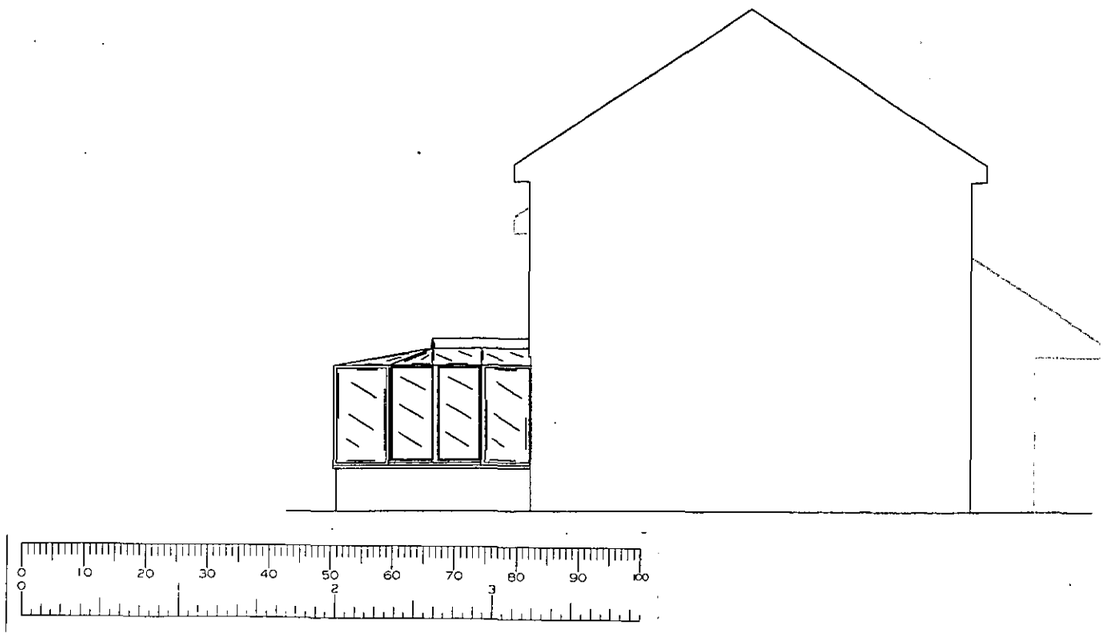
Rear Elevation - Proposed Amendment - 2002



Front Elevation - Proposed Amendment - 2002



Side Elevation - Proposed Amendment - 2002



Side Elevation - Proposed Amendment - 2002

11.FEB.2002* 5877

REFUSED

NOTES

REV	DESCRIPTION	DATE
-	-	-

Client:
Mr & Mrs M. Guilfoyle

Project
86 Clifton Road,
Wokingham,
Berkshire. RG40 1SL.

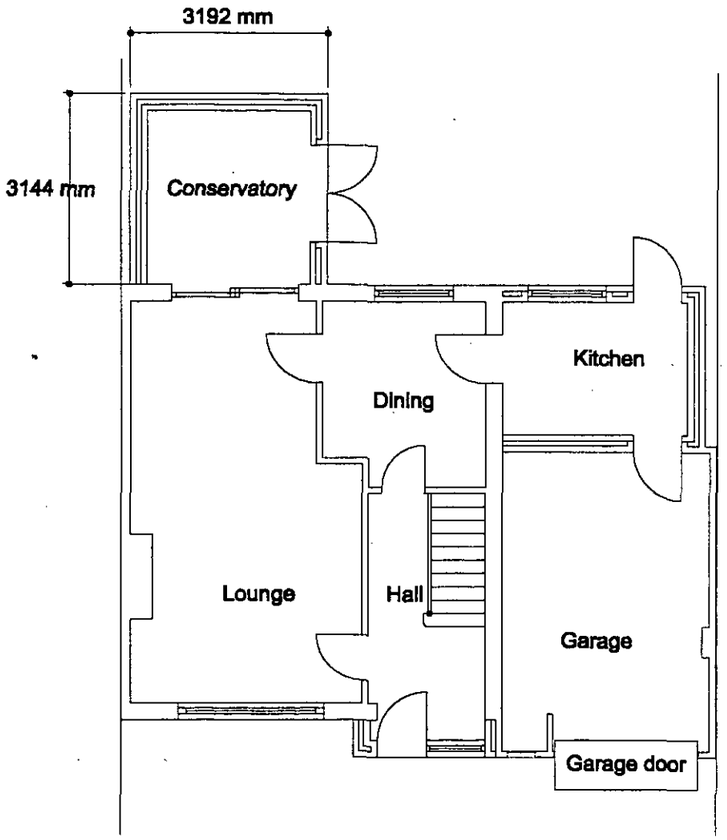
Drawing Title:
Proposed Property Elevations

Date: Dec 2001 | Drawn by: HF

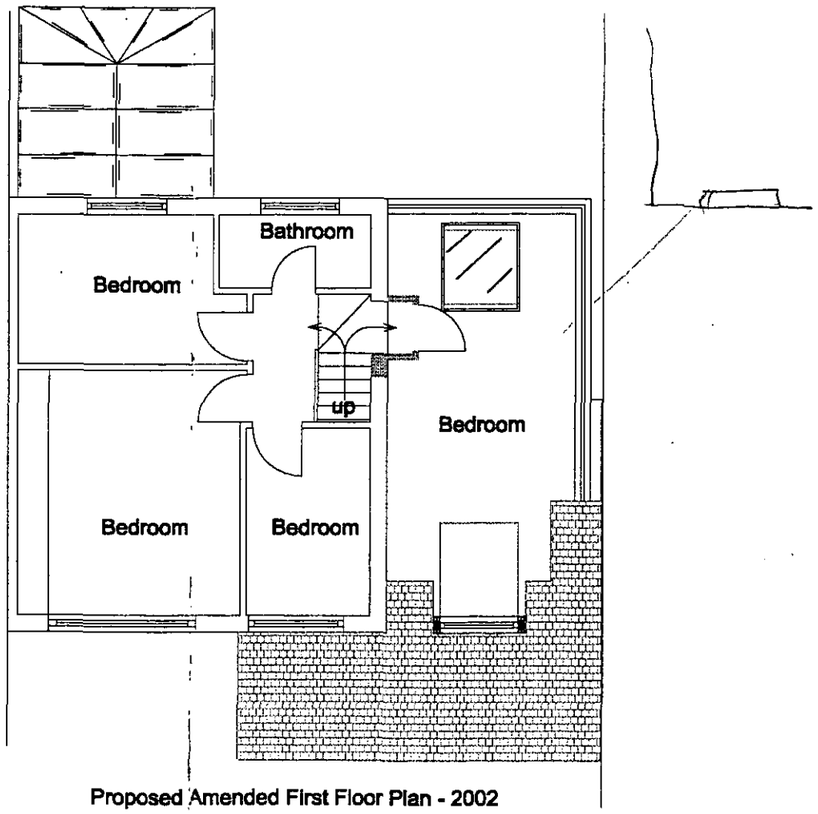
Scale: 1:100

Drg.No. 04 —

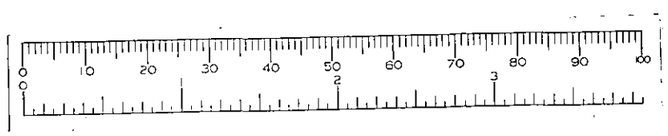
11.FEB.2002* 5877



Proposed Amended Ground Floor Plan - 2002



Proposed Amended First Floor Plan - 2002



REFUSED

NOTES

REV	DESCRIPTION	DATE
-	-	-

Client:
Mr & Mrs M. Guilfoyle

Project
86 Clifton Road,
Wokingham,
Berkshire. RG40 1SL.

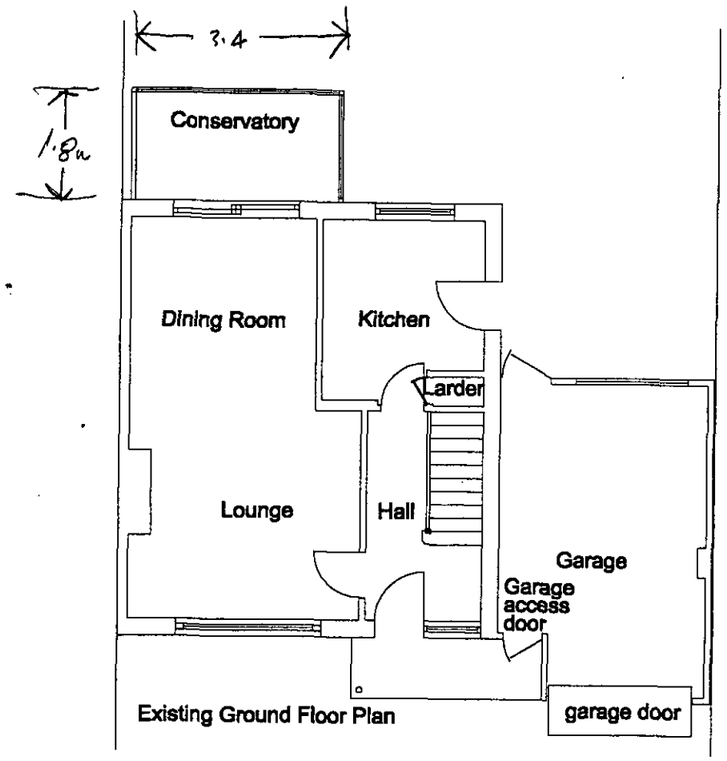
Drawing Title:
Proposed Ground & First Floor Layouts

Date: Dec 2001 | Drawn by: HF

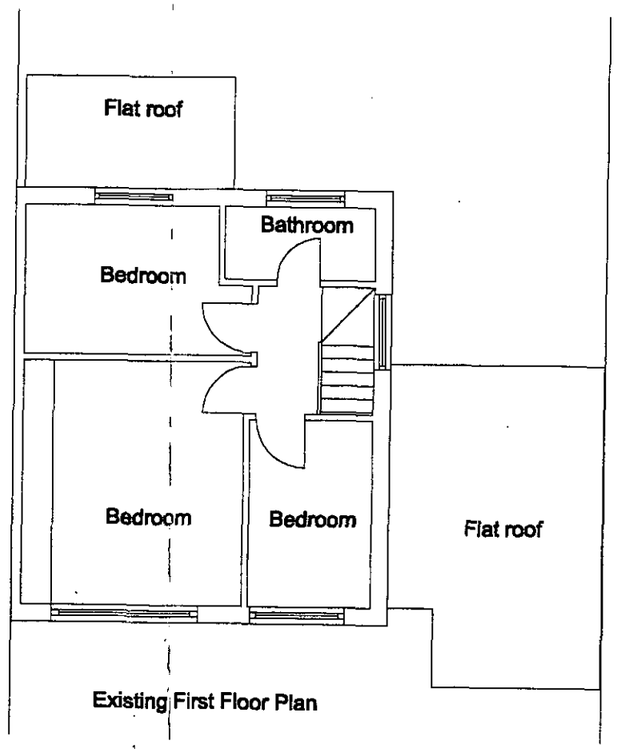
Scale: 1:100

Drg.No. 03 –

11.FEB.2002* 5877

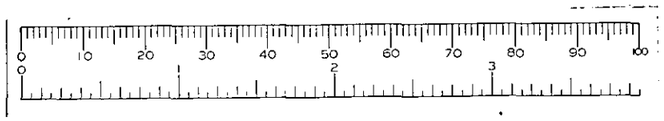


Existing Ground Floor Plan



Existing First Floor Plan

REFUSED



NOTES

REV	DESCRIPTION	DATE
-	-	-

Client:
Mr & Mrs M. Guilfoyle

Project
86 Clifton Road,
Wokingham,
Berkshire. RG40 1SL.

Drawing Title:
Existing Ground & First Floor Layouts

Date: Dec 2001 | Drawn by: HF

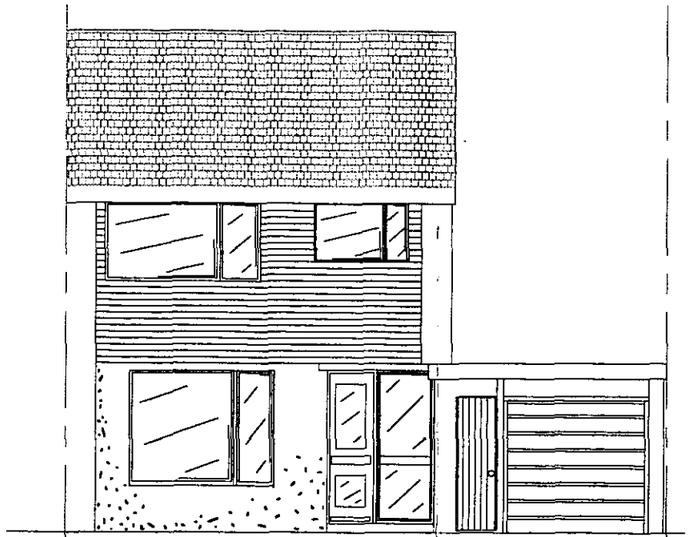
Scale: 1:100

Drg.No. 01 –

11.FEB.2002* 5877



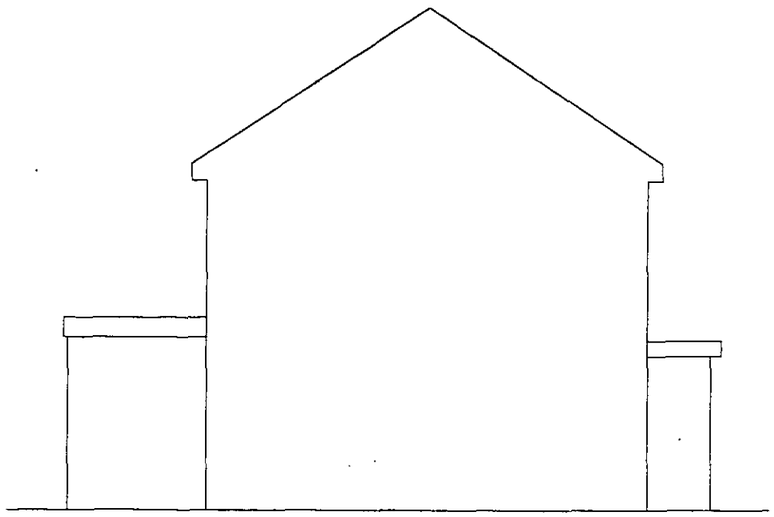
Rear Elevation - As Existing

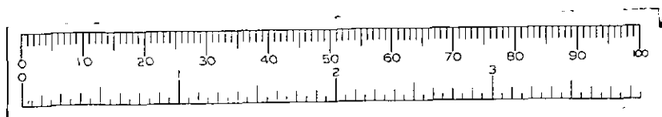


Front Elevation - As Existing



Side Elevation - As Existing





REFUSED

NOTES

REV	DESCRIPTION	DATE
-	-	-

Client:
Mr & Mrs M. Guilfoyle

Project
86 Clifton Road,
Wokingham,
Berkshire. RG40 1SL.

Drawing Title:
Existing Property
Elevations

Date: Dec 2001 | Drawn by: HF

Scale: 1:100

Drg.No. 02 –

LEX SYSTEMS LTD
SOUTHPORT U.K. Tel.01704-25856 Fax.01704-25814
LONDON OFFICE Tel.0171-377-1777 Fax.0171-247-6181

APPLICATION NO.5877

Name of appellant:
Mr M Guilfoyle

Site address:
86 Clifton Rd, Emmbrook

Proposal:Proposed 1st floor side extension to dwelling & 2 storey rear extension

Case Officer:LS

DISMISSED
12/02/03

962

DO

Appeal Decision

Site visit made on 14 January 2003

by T J Morgan LLB(Hons) Solicitor

an Inspector appointed by the First Secretary of State

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

Date
12 FEB 2003

Appeal Ref: APP/X0360/A/02/1099593
86 Clifton Road, Wokingham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr M Guilfoyle against the decision of Wokingham District Council.
- The application (Ref.F/2002/5877), dated 1 February 2002, was refused by notice dated 5 April 2002.
- The development proposed is addition of first floor bedroom over the existing garage.

Summary of Decision:

Procedural Matters

1. The refusal notice refers to a two storey rear extension as well as a first floor side extension, but it is clear from the plans and my site inspection that the proposal does not include any form of rear extension. The proposal is to build on top of the existing garage and an already approved ground floor side extension, which was partly built at the time of my inspection. It is on this basis that I deal with the appeal.

Main Issues

2. The main issue in the appeal is the impact of the extension on the living conditions of neighbouring occupiers in terms of outlook, overshadowing and daylight levels.

Planning Policy

3. Section 54A of the 1990 Act requires planning applications and appeals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the area consists of the adopted Berkshire Structure Plan 1991-2006 ["the BSP"] and the adopted South East Area Local Plan ["the SEALP"]. Policy EN1 of the former and Policies SBE1 and SBE2 of the latter are relevant to the appeal. The Wokingham District Local Plan Deposit Draft is at an advanced stage in its evolution and contains Policies WBE1 and WOS3, which are also of relevance.

Reasons

The Development Plan

4. The proposed extension would be built on top of the existing garage and partially built side extension. The garage runs along the boundary between the appeal property and 88 Clifton Road. This property has already been extended by building above its garage and the resultant bedroom has a south east facing window in its front elevation close to the boundary with 86. The flank wall and roof of the proposed extension would present a built

feature in the view from this window of significant massing and length. This would be so close and high, and project so far that it would convey an undue sense of enclosure and be overbearing on the outlook from that window.

5. The orientation of the extension in relation to the neighbouring window and the track of the sun means that the extension would cause overshadowing of the window and a loss of natural daylight to the room it serves. I realise that the room is served by another window at the rear, but this does not outweigh the unacceptable impact that I envisage the extension would cause. I consider the impact of the extension on living conditions within the room in terms of outlook, overshadowing and daylight levels would be unneighbourly and in conflict with Policy EN1 of the BSP, Policies SBE1 and SBE2 of the SEALP and Policies WBE1 and WOS3 of the emerging WDLP.

Other material considerations

6. I appreciate that the present occupier of 88 has not objected to the proposal, but I have to consider the amenities of future occupiers and consider they would be unduly harmed. I can understand the appellant's concern that his plans to provide for his personal needs seem to have been prejudiced by the fact that the neighbouring property has been extended in a similar fashion to his project. However, even though the draft planning guidelines warn against such situations, their status is not clear and, in any event, the extension was permitted and I have to deal with the situation as it presently exists.

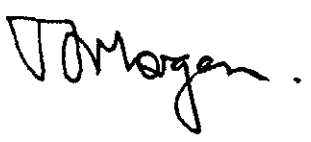
7. I looked at other extensions in the street, but found them to differ, either in design or separation from their neighbours at first floor level, and they do not assist in reaching a conclusion on this appeal. Every planning application has to be judged on its own merits and circumstances, and I am convinced that the appeal proposal would cause unacceptable harm to the living conditions of neighbouring residents in the terms I have identified. I note the comments about a compromise made by the appellant's advisor, but I have to deal with the application that was refused and any modified proposal needs to be addressed to the Council. The proposal conflicts with the existing and emerging development plan and should be refused permission, as there are no material considerations that indicate otherwise.

Conclusions

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

Information

9. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.



INSPECTOR

The Planning Inspectorate

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

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

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

Your Ref: F/2002/5877
Our Ref: APP/X0360/A/02/1099593
Date: 12 February 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M GUILFOYLE
SITE AT 86 CLIFTON ROAD, WOKINGHAM, BERKSHIRE, RG41 1NE

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

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

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

Phone No. 0117 372 8252

Fax No. 0117 372 8139

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

Yours faithfully

G. Nall

pp Mrs Margaret Pocock

COVERDL1

5877 file

The Planning Inspectorate

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

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

GTN 1371-6079

PLANNING SERVICES | HPT 63682
TLS
DC ENF
APP
CS
27 NOV 2002
COPIES TO | ACK:
FILE:

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

Your Ref: F/2002/5877

Our Ref: APP/X0360/A/02/1099593

Date: 26 November 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M GUILFOYLE
SITE AT 86 CLIFTON ROAD, WOKINGHAM, BERKSHIRE, RG41 1NE

I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours faithfully

Mrs M Pocock

217L(BPR)

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: LS

APPLICATION NUMBER: 5877

APPELLANT: Mr M Guilfoyle

SITE: 86 Clifton Rd, Emmbrook, Wokingham

APPEAL REF: APP/X0360/A/02/1099593

START DATE: 20/09/02

DATE OF SITE VISIT 14/01/03

DISMISSED 12/02/03

Progress Record	Date Actioned	Initials
Appeal Logged:	23/09/02	
Entered on Access:	26/09/02	DG
Notification Letters Due:	**04/10/02**	
Notification Letters Sent:	26/09/02	DG
Questionnaire Due:	**04/10/02**	
Questionnaire Sent:	26/09/02	DG.
Statement Due:	**01/11/02**	
Statement Sent:	17/10/02	DG
Comments on Statement Due	22/11/02	
Comments on Statement Sent	/	
Decision letter circulated:	13/02/03	DG
Decision entered on Access:	13/02/03	DG

RECEIVED
12 NOV 2002
PINS AA PEP

Mr & Mrs M. Guilfoyle
86 Clifton Road
Emmbrook,
Wokingham.
RG41 1NE

Tel 01189 791789

10th November 2002

The Planning Inspectorate
Temple Quay House
Bristol
BS1 6PN
Your Ref. APP/X0360/A.02/1099593

Dear Madam,

Final Comments on LPA Statement

Thank you for forwarding comments received from Wokingham Planning Authority which we have now reviewed. Enclosed are our final comments and a restatement of the grounds for appeal that have not necessarily been addressed by the LPA.

The proposed extension is modest, sympathetic to the street scene, avoiding a terracing effect and based a on genuine personal need. The initial application was made following consultation with neighbours and the fact that many of the properties in the area are extended in a similar manner.

Acknowledging comments of the planning officer we have proposed alternatives and made further representations. It should not therefore have been necessary to proceed to appeal.

The LPA decision appears inconsistent with other approvals, prejudiced by past decisions and on the whole unfair. Further, the grounds for refusal not appear stated specifically in any policy or guidelines.

We have taken advise, given the matter much consideration and believe we have a genuine case. Thank you for your attention to this matter and we trust that the enclosed information is satisfactory.

Yours sincerely

M. L

Mr and Mrs M. Guilfoyle

Cc P.Holmes

Comments on LPA Statement October 2002-11-10

Comment on Referenced Policies EN1,SBE1&2,WOS3 and WBE1

Policies EN1,SBE1&2,WOS3 and WBE1 that are in effect guidelines and non specific.

Notwithstanding the LPA application of these policies is inconsistent. The attached drawing shows where similar extensions have been approved for numbers 58 and 82 Clifton Road. These have exactly the same relationship with neighbouring properties.

Comment on relationship with Neighbouring Property (Number 88 Clifton Road)

The neighbouring property has been extended onto the border. In approving this extension the planning authority appear to have prejudiced our application which is contrary to their own guidelines for extensions to dwellings. Draft Guideline B2 accompanied the original appeal and states:

"In designing a two story or first floor side extension consideration needs to be given to the street scene and that it would not prejudice the possibility of the adjacent property being extended in a similar manner."

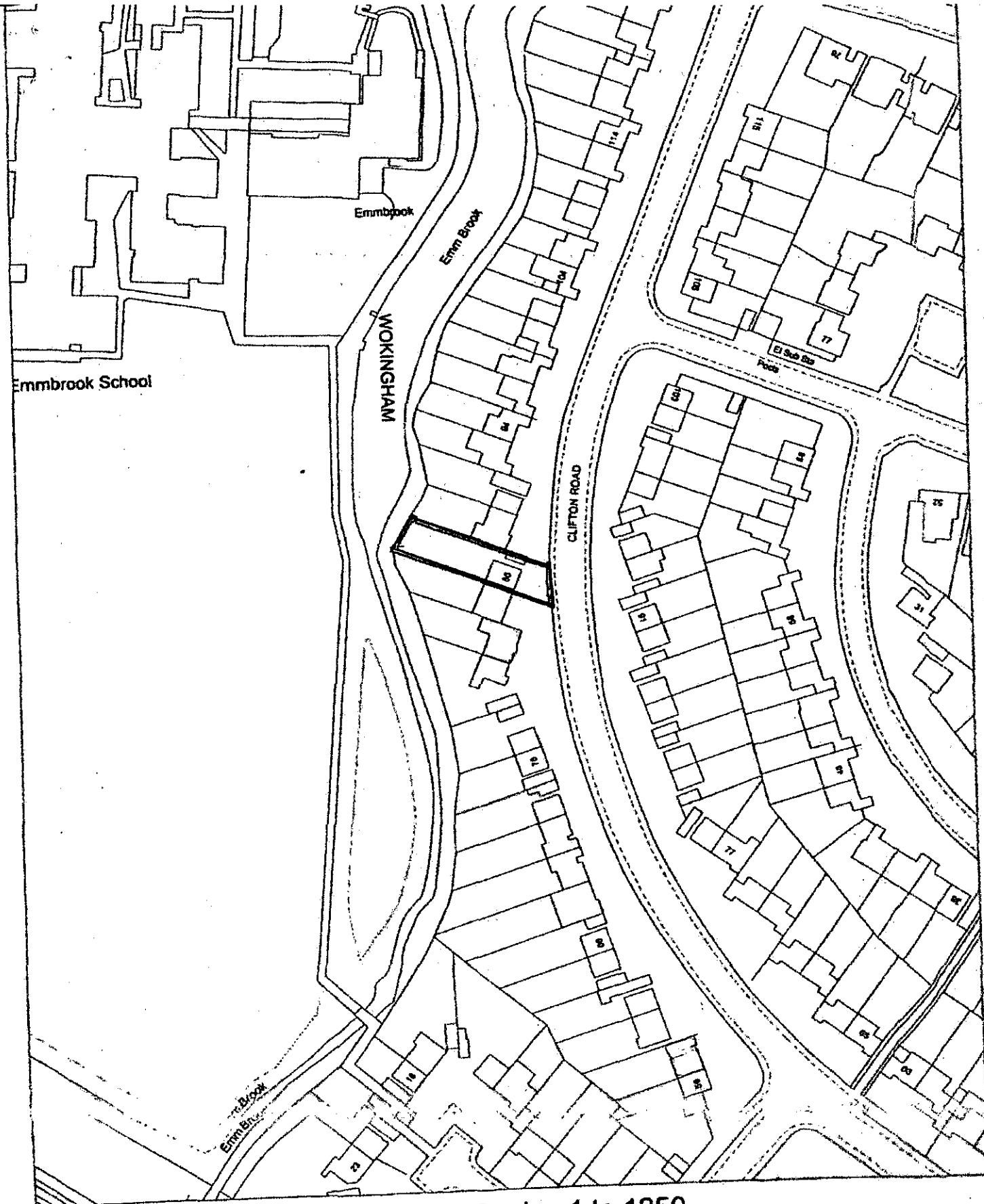
The window in question is one of two within a single room that forms the extension and receives light from both aspects. Notwithstanding it would be reasonably expected that any reference be taken in relation to the position originally occupied by the property.

General Comments based on Grounds for appeal:

The proposal is modest and based on a personal need. The design has minimal impact, achieved by placing an additional bedroom within a pitched roof. Alterations that include lowering roofline, adding hip and removing dorma have also been volunteered.

Given the growing need for affordable housing in the South East it is questionable why the addition of a single room in an area needing more housing would be refused.

This issue is highlighted in the inspectors report on the local plan which was published in October 2001 and as stated by the LPA not yet formally considered.



Site Plan, Scale: 1 to 1250

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Date: 26 September 2002

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr M Guilfoyle
SITE: 86 Clifton Rd, Emmbrook, Wokingham
APPLICATION NO.: 5877
PROPOSAL: Proposed 1st floor side extension to dwelling & 2 storey rear extension

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Emmbrook

Mr J L Earnshaw

Mr R Eke

Mr K A Malvern

Clerk(s) of Parish / Town Council of Wokingham

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

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

Environment Agency, Swift House, Frimley Business Park, Camberley GU16 7SQ

The Owner/Occupiers :- 84, 88, 91, 93 & 95 Clifton Rd Wokingham.

5877 filing

The Planning Inspectorate

3/03 Kite Wing 62869
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

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

GTN 1371-6079

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

Your Ref: F/2002/5877

Our Ref: APP/X0360/A/02/1099593

Date: 4 November 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M GUILFOYLE
SITE AT 86 CLIFTON ROAD, WOKINGHAM, BERKSHIRE, RG41 1NE

I enclose a copy of the appellant's statement relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. You should comment solely on the representations enclosed with this letter. - 22/11/02

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

Comments submitted after the 9-week deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours faithfully

Mrs M Pocock

211AL(BPR)

The Planning Inspectorate

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

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

GTN 1371-6079

Mr M Guilfoyle
86 Clifton Road
Embrook
Wokingham
RG41 1NE

Your Ref:

Our Ref: APP/X0360/A/02/1099593

Date: 25 October 2002

Dear Sir

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M GUILFOYLE
SITE AT 86 CLIFTON ROAD, WOKINGHAM, BERKSHIRE, RG41 1NE

Thank you for your letter dated 22 October concerning your appeal.

Both yourself, on the appeal form section D, and the LPA, on their questionnaire section 2, have indicated an accompanied site visit is necessary as the Inspector would not be able to see the whole of the appeal site from a public right of way. The sole purpose of the site visit is to allow our Inspector to see the site before deciding the appeal. The inspector can be asked to note particular physical features of the site, or of the proposed development itself, but will **not** be able to discuss the merits of the case with anyone during the visit.

As it appears necessary for the Inspector to enter the site to determine the appeal we will continue to arrange an accompanied site visit.

Copies of your letter and this reply will be sent to the LPA.

Yours faithfully

Mrs M Pocock

211B(BPR)

RECEIVED
24 OCT 2002
BRISTOL

86 Clifton Road
Emmbrook,
Wokingham.
RG41 1NE

Tel 01189 791789

22nd October 2002

Ref APP/X0360/a/02/1099593

The Planning Inspectorate
3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6NP
FAO Margaret Pocock

Dear Margaret,

Additional Statement Further to LPA Questionnaire Response

Further to receipt of a copy of the LPA questionnaire we note the following.

The LPA have suggested that the site visit is accompanied. We do not believe that this is necessary and may unduly influence any consideration.

An important aspect of our appeal relates to the inconsistencies in LPA decisions The site visit would also allow for an opportunity to view neighbouring properties (e.g No 58 and 82 Clifton Road) that have already or are being extended in a similar manner to our proposal.

We also note that further statement may be forthcoming from LPA and acknowledge that we must await this prior to the next stage of the appeal process.

I trust that this is satisfactory and thank you for your attention to this matter.

Yours sincerely

M. L

Mark Guilfoyle

Cc Peter Holmes

Tel. (0118) 974 6448 (Direct Line)
Date: October 17, 2002
My ref: f/2002/5877
Your ref: APP/X0360/A/02/1099593

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

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

Dear Mrs Pocock

APPEAL BY: Mr M Guilefoyle
SITE: 86 Clifton Rd, Wokingham

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: September 26, 2002
My ref: F/2002/5877
Your ref: APP/X0360/A/02/1099593

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

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

Dear Mrs Pocock

APPEAL BY: Mr M Guilfoyle
SITE: 86 Clifton Rd, Emmbrook, Wokingham

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. September 26, 2002
My ref: F/2002/5877
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

Mr P Holmes
86 Clifton Rd
Emmbrook
Wokingham
RG41 1NE

Dear Sir

APPEAL BY: **Mr M Guilfoyle**
SITE: **86 Clifton Rd**

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

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel: (0118) 974 6448 (Direct Line)
Email: Denise.Gumbrell@wokingham.gov.uk
Date: 26 September 2002
My ref: **F/2002/5877**

WOKINGHAM UNITARY
Aiming for Excellence

The Owner / Occupier
84
CLIFTON ROAD

WOKINGHAM
BERKSHIRE
RG41 1NE

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

Dear Sir/Madam

APPLICATION No: F/2002/5877
APPEAL BY: Mr M Guilfoyle
SITE: 86 Clifton Road Wokingham
PROPOSAL: Proposed first floor side extension to dwelling and two storey rear extension.

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

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

If you wish to make further representations, you should, if possible, send three copies to Mrs M Pocock, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference **APP/X0360/A/02/1099593**. Comments received after **01/11/2002** will not normally be seen by the Inspector & will be returned.

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

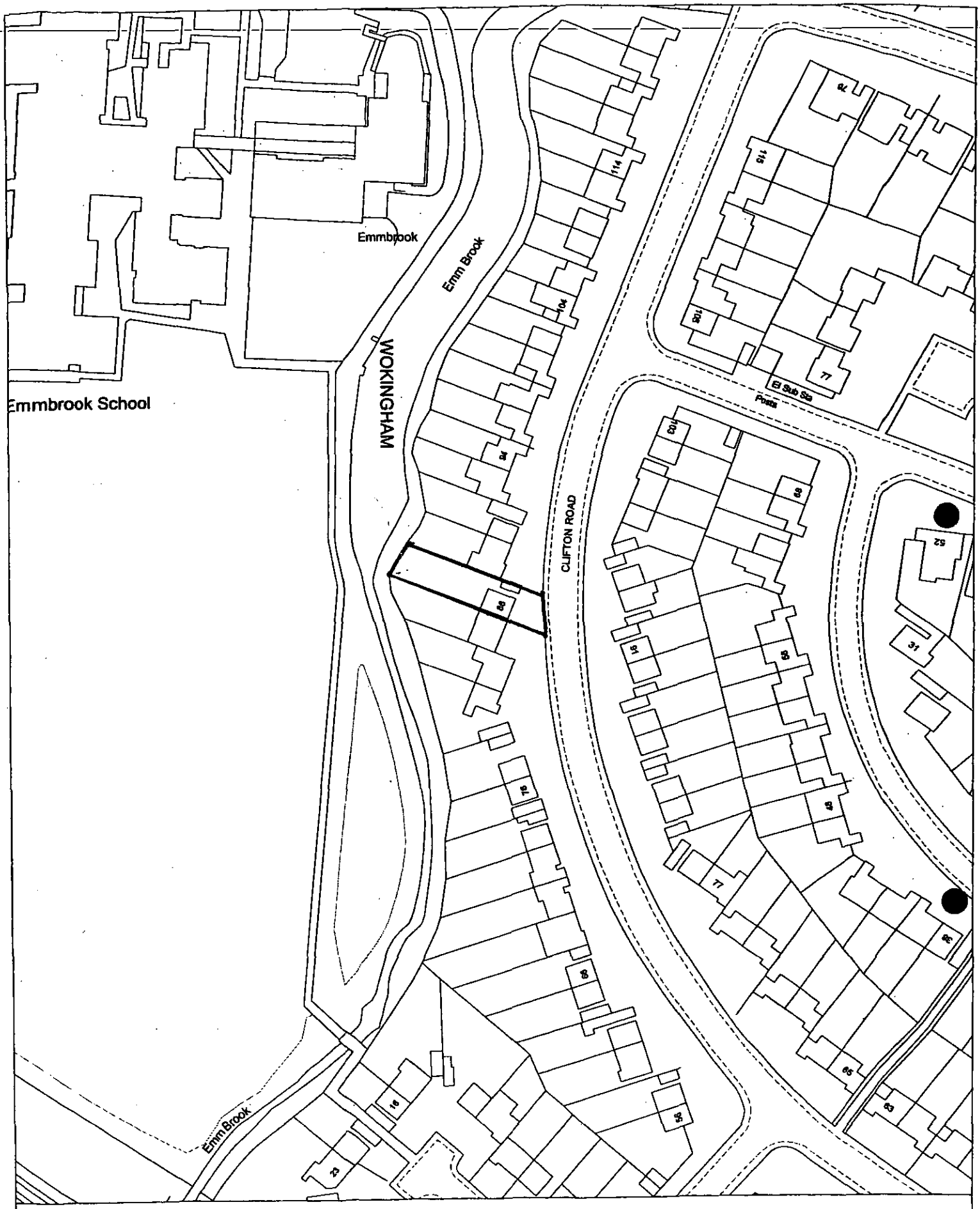
A free booklet, "Guide to taking part in planning appeals" is available from this office.

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

Yours faithfully

Denise Gumbrell

Appeals Assistant



Site Plan, Scale: 1 to 1250

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Date: 26 September 2002

N
W E
S

HIGHWAYS CONSULTATION SHEET

From: Francis Leo **Date:** 18 February 2002

Application Number: F/2002/5877

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

Parish: WOKINGHAM TOWN

Site Address:
86, Clifton Road, , Wokingham.

Applicant:
Mr M Guilfoyle C/O Peter Holmes.

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).

Comment

Please could Highways have an additional plan (at least 1:200 scale) showing the parking layout for 3 vehicles within the curtilage of the property. The outline of the spaces is to be marked on the plan accurately with minimum dimensions:

4.8m x 2.4m (standard space)
5.5m x 2.4m (in front of a garage)

The extent of the existing driveway must be clearly shown, along with details of any widening or alterations as a result of the proposal.

Signed: _____ **Print name:** Adam 20/02/02.

5877

ENVIRONMENT AGENCY

PLANNING SERVICES	FRD 12/4
POL	TLS
DC	ENF
APP	
CS	
10 APR 2002	
COPIES TO	ACK:
	FILE:

Our Ref : SP/2002/005354-1/1
Your Ref : F/2002/5877

Date : 05 April 2002

District Planning Officer
Wokingham District Council
Council Offices
PO Box 157 Shute End
Wokingham
Berkshire
RG40 1WR

Dear Sir/Madam

FAO: Francis Leo

FIRST FLOOR EXTENSION TO DWELLING & TWO STOREY REAR EXTENSION
86 CLIFTON ROAD, WOKINGHAM, BERKSHIRE

Thank you for your letter dated 18 February 2002, received on 20 February 2002. Please quote the following reference in any correspondence: SU86NW/21/2. The Environment Agency has the following comments:

The Environment Agency has no objection, in principle, to the proposed development provided that the following conditions are imposed on any planning permission granted:

PLANNING CONDITIONS:

CONDITION: No soakaways shall be constructed such that they penetrate the water table, and they shall not in any event exceed 3 metres in depth below existing ground level.
REASON: To prevent pollution of groundwater.

CONDITION: No building or raising of ground levels shall take place on that part of the site lying within the area of land liable to flood.
REASON: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity.

CONDITION: There shall be no new development including hardstanding and fences within a buffer zone *8* metres wide alongside the watercourse.
REASON: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor.

ADVICE TO PLANNING AUTHORITY

Flooding

Environment Agency
Swift House, Frimley Business Park, Camberley, Surrey, GU16 7SQ, Tel no:01276 454300, Fax no:01276 454301

The house lies on the edge of and possibly just outside the recorded 1968 flood plain of the Emm Brook. I am unsure of the exact extent of flooding across this site, however it appears that the house itself is situated outside the floodplain. There is a likelihood of the rear garden being flooded, and it is quite likely the rear garden flooded during the Autum 2000 flood.

The development is also greater than 8m from the Emm Bk, hence no Land Drainge Consent is required.

Environment Protection

Surface water from hard surfaced areas should discharge via deep seal trapped gullies incorporating a minimum water seal of 85mm or similar.

Roof water downpipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

Water Conservation

Household Use
Water is one of our most precious natural resources, and the Environment Agency is keen to ensure it is used wisely:
* Water use for WC flushing can represent 35% of all household use. The applicant should consider installing low (6 litres or less) or dual flush toilets.
* 10% of household water use comes through wash hand basin taps. The installation of water-efficient taps such as spray taps can reduce consumption from this source by up to a half.
* A shower uses less than half the water used for a bath. Power showers on the other hand can use as much water as a bath in just 5 minutes. Shower units using a maximum of 9 litres of water a minute should be fitted.

Domestic Appliances
If domestic appliances are to be provided in the new property, the applicant is asked to consider installing water and energy efficient models. Most products such as washing machines and dishwashers are now advertised with energy and water use information.

DECISION NOTICE

Please forward a copy of the decision notice to this office quoting our reference. A copy of this letter has been sent to the agent. If you have any further queries, please contact me, quoting the reference at the beginning of this letter.

Yours faithfully

Environment Agency
Swift House, Frimley Business Park, Camberley, Surrey, GU16 7SQ, Tel no:01276 454300, Fax no:01276 454301

JO MARSHALL
Development Planning Officer

Direct dial: 01276 454323
Direct fax: 01276 454352
Email: joanna.marshall@environment-agency.gov.uk

CC: Mr Peter Holmes

WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

PLANNING
POL
DC
APP
CS
21 MAR 2002
COPIES TO

Case officer: Francis Leo

Application Number: F/2002/5877

Proposal: Proposed first floor side extension to dwelling and two storey rear extension

Site Address: 86 Clifton Road, Wokingham

Applicant: Mr M Guilfoyle C/O Peter Holmes

Your observations are required in respect of this application **by 14/03/02**

At its meeting on 19 March 2002, the Planning & Transportation Committee resolved to make the following observation:

Object because the proposed extension will block off access to the rear garden.

SIGNED: _____ **DATE:** 20/03/02

CLERK TO Wokingham Town Council

The Planning Inspectorate

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

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

LS.

4/10

(4)

PLANNING SERVICES | HPT 61296 | YES | DC | EMF | APP | CS | 20 SEP 2002 | COPIES TO | ACK: | FILE:

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

Your Ref: F/2002/5877

Our Ref: APP/X0360/A/02/1099593

Date: 20 September 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M GUILFOYLE
SITE AT 86 CLIFTON ROAD, WOKINGHAM, BERKSHIRE, RG41 1NE

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

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

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

The following documents must be **submitted** within this timetable:

Within 2 weeks from the starting date -

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

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

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

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

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

Within 6 weeks from the starting date -

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

Within 9 weeks from the starting date -

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

Site visit arrangements

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

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

Planning obligations - Section 106 agreements

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

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

Yours faithfully

Mrs Margaret Pocock

102(BPR)

The Planning Inspectorate

For offical use only Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/02/1099593 **GRID REF:** _____

APPEAL BY: Mr M Gwilfoyle

SITE: 56 Clifton Rd, Emmbrook, Wokingham.

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant within 1 week from the starting date given in our letter. You must finalise details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan. Please send our copy to the case officer. Their address is shown on our letter.

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

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

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

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

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

	Number of Documents Enclosed	N/A
d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	2	
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h. Details of any other applications or matters you are currently considering relating to the same site;		✓
i. **For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.***	3	
j. Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k. Any other relevant information or correspondence you consider we should be aware of.		✓

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?	01/11/02	
b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	1	
ii) the planning officer's report to committee		✓
iii) any relevant committee minute		✓
17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY		
Do you intend to send another statement about this appeal? If NO, please send the following information:-	YES / ~~NO~~	
a. In non-determination cases:		
i) what the decision notice would have said;		
ii) how the relevant development plan policies relate to the issues of this appeal.		
b. In all cases:		
i) the relevant planning history;		
ii) any supplementary reasons for the decision on the application;		
iii) matters which you want our Inspector to note at the site visit.		
18. THE MAYOR OF LONDON CASES ONLY		
a. Was it necessary to notify the Mayor of London about the application? If YES, please attach a copy of that notification.	YES / NO	
b. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction.	YES / NO	

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

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

Date sent to us and the appellant 26/09/02 Our Ref: F/7002/[redacted]5877

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

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TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT :	**Mr M Guilefoyle**
APPEAL SITE :	**86 Clifton Road, Wokingham**
REASON FOR APPEAL :	**REFUSAL TO GRANT PLANNING PERMISSION FOR PROPOSED FIRST FLOOR SIDE EXTENSION AND TWO STOREY REAR EXTENSION.**

LOCAL PLANNING AUTHORITY REFERENCE:	**F/2002/58[illegible]7**
DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE:	**APP/X0360/A/02/1099593**

1.00 LOCATION AND SITE DESCRIPTION

1.01 The application site is a semi-detached dwelling with integral side garage, situated within the identified settlement boundary of Wokingham. There is a staggered building line of semi-detached dwellings in the immediate street scene. (see appendix 1)

2.00 RELEVANT PLANNING HISTORY

2.01 The original dwelling was granted planning consent in December 1963 under application B/41/63. In July 1999 a single storey rear extension and front porch was approved under application 99/69781/F. In 2000 a retrospective application (amendment to the previous consent) was received for a single storey rear extension and conservatory, which was subsequently approved (ref:F/2000/2002).

2.02 In April 2002 planning permission F/2002/5877 was refused for a first floor side extension and two storey rear extension for the following reason:

"The proposed development because of its size, height and closeness would seriously obstruct light and would create an enclosed effect detrimental to the amenities of the adjoining property at No. 88 Clifton Road. As such the proposal would be contrary to policies SBE1 and SBE2 of the South East Area Local Plan, policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) and to policy EN1 of the Berkshire Structure Plan"

3.00 POLICY BACKGROUND

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

Berkshire Structure Plan (1996-2006)

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

South East Area Local Plan (Adopted 5th May 1995)

The South East Area Local Plan forms the statutory basis for the operation of planning policy in this part of the District. The Planning and Transportation Committee at their meeting on 21st Novemeber 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted plans and to note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision".

Wokingham District Local Plan (Deposit Draft 1997)

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

3.02 The relevant Berkshire Structure Plan policy is (see Appendix 2):

EN1 - Protection and Enhancement of the Environment of Built-up Areas.

3.03 The relevant South East Area Local Plan policies are (see Appendix 3):

SBE1 - Design of New Development.
SBE2 - Inappropriate Design.

3.04 The relevant Wokingham District Local Plan (Deposit Draft) policies are (see Appendix 4):

WBE1 - Development in its Local Context.
WOS3 - Developing Control Principles.

4.00 THE CASE FOR THE LOCAL AUTHORITY

4.01 The layout of properties along Clifton Road between numbers 80-90 is such that they are located in a staggered form. Accordingly No.88, the adjacent

dwelling to the north, is set back some 7 metres behind the front face of the application site.

4.02 No. 88 has undergone a two storey side extension which runs along the shared side boundary with No. 86. There are front and rear windows to a habitable room in this first floor level of this extension. The front window faces south-east and therefore receives maximum sunlight for part of the day. The proposed first floor side extension, by reason of its design, depth and height, would obstruct light to the habitable room in this adjacent property and create an un-neighbourly outlook. The extension would be visually intrusive and create an impression of enclosure. This would be contrary to local policies, which seek to protect the amenities of neighbouring sites.

5.00 CONCLUSION

5.01 The proposed development by virtue of its siting, mass and design would seriously obstruct light and would create and enclosed effect detrimental to the amenities of the adjoining property at No. 88 Clifton Road.

5.02 It is therefore respectfully requested that the present appeal be dismissed.

6.00 CONDITIONS IN THE EVENT OF PLANNING PERMISSION BEING GRANTED

6.01 See appendix 5.

Louise Smith

Planning Officer

7. There shall be no new development including hard standing and fences within a buffer zone 8 metres wide alongside the watercourse.

Reason: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor.

APPENDICIES

1. Site location plan

2. Policy EN1 from the Berkshire Structure Plan

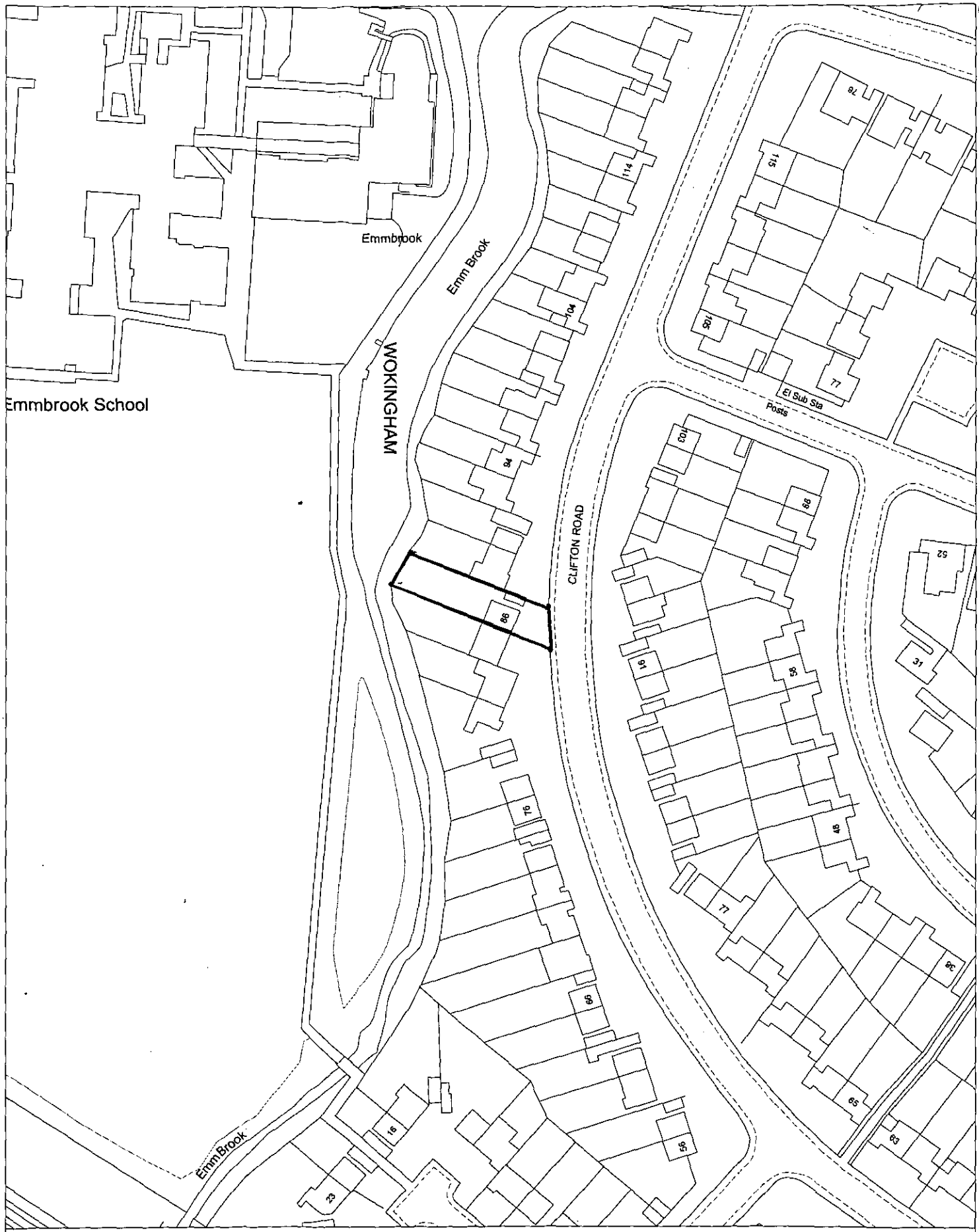
3. Policies SBE1 and SBE2 of the South East Area Local Plan

4. Policies WBE1 and WOS3 of the Wokingham District Local Plan (Deposit Draft)

5. Conditions in the event of planning permission being granted

Appendices

Appendix 1



Site Plan, Scale: 1 to 1250

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Date: 26 September 2002

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Appendix 2



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie
Public Services Division

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

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

The Environment of the Built-up Areas

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

Protection and Enhancement of the Environment of Built-Up Areas

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

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

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

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

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

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

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

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

Environmental Nuisance

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

Protection from Environmental Nuisance

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

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

Flooding

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

Appendix 3

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

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ *SBE1 DESIGN OF NEW DEVELOPMENT*

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

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

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

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

❖ *SBE2 INAPPROPRIATE DESIGN*

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

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

ENVIRONMENTAL IMPROVEMENT

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

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

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



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

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

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

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

SUNLIGHT, DAYLIGHT AND NOISE

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

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

Appendix 4



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

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

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.

Appendix 5

APPENDIX 5 – Conditions in the event of planning permission being granted

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

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

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

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

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

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

4. No development shall take place until there has been submitted to and approved in writing by the Loacl Planning Authority a car parking plan, which shows the layout for 2 vehicles within the curtilage of the property, and shall be implimented prior to the occupation of any of the building(s) hereby approved and retained.

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

5. Nothwithstanding the provisions of the Town and Country Planning, (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no additional windows or similar openings shall be constructed in the side elevation of the first floor side extension hereby permitted except for any which may be shown on the approved drawing(s).

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

6. No building or raising of ground levels shall take place on that part of the site lying within the area of land liable to flood.

Reason: To prevent the increased risk of flooding due to im pedance of flood flows and reduction of flood storage capacity.

Planning Appeal

Submitted

M. Guilfoyle 16th September 2002

Relating to 86 Clifton Road, Wokingham

Contents

1. Appeal Form
2. Original Application
3. Land Registry
4. LPA Decision Notice
5. Site Map outlined
6. Original Application Documents
7. Additional Plans proposed
8. List of Documents /Correspondence Relating
9. Miscellaneous references

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The Planning Inspectorate

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PLANNING APPEAL FORM

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

Please use a separate form for each appeal

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

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

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

A. APPELLANT DETAILS

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

Name MR MARK GUILFOYLE

Address 86 CLIFTON ROAD
EMMBROOK, WOKINGHAM

Postcode RG41 1NE

Daytime phone no 07968 117790

Fax no

E-mail address MARK.GUILFOYLE@TALK21.COM

B. AGENT DETAILS FOR THE APPEAL (if any)

Name MR PETER HOLMES. PLEASE CORRESPOND AS PER ABOVE APPLICANT/ADDRESS

Address

Postcode

Your reference

Daytime phone no

Fax no

E-mail address

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM D.C.

Date of the planning application 7/2/2002

LPA's application reference no F/2002/5877

Date of LPA's decision notice (if issued) 5/4/02

D. APPEAL SITE ADDRESS

Address 86 CLIFTON ROAD, EMMBROOK, WOKINGHAM, BERKSHIRE

Postcode RG41 1NE

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

E. DESCRIPTION OF THE DEVELOPMENT

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

PROPOSAL FOR A FIRST FLOOR SIDE EXTENSION ABOVE GARAGE.

Size of the whole appeal site (in hectares)

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

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

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

or

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

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

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

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

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

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

2. HEARING ☐

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

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

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

3. INQUIRY ☐

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

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

Please turn over

H. GROUNDS OF APPEAL

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

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

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

Please continue on a separate sheet if necessary.

APPLICATION SPECIFIC.

REFUSAL REFERS TO POLICIES (EN1, SBE1, SBE2, WOS3 AND WBE1) THAT ARE IN FACT GUIDELINES AND NON SPECIFIC. NO MENTION IS MADE TO A 45° REFERENCE TO BE TAKEN FROM NEIGHBOURING PROPERTY.

THE NEIGHBOURING PROPERTY (88) HAS BEEN EXTENDED SIGNIFICANTLY ONTO THE BORDER. IN APPROVING/ALLOWING THIS NEIGHBOURING EXTENSION TO GO AHEAD, THE LPA HAVE PREJUDICED THIS APPLICATION. THIS INDEED IS CONTRARY TO ISSUED GUIDELINES BY LPA SECTIONS 2.2 + 6.2 ACCOMPANYING THIS APPEAL.

SPECIFICALLY THE ROOM TO WHICH THIS UNDOCUMENTED "POLICY" IS BEING APPLIED FORMS PART OF NEIGHBOURING EXTENSION AND HAS WINDOWS TO FRONT AND REAR.

IF INDEED THE 45° "RULE" EXISTED, IT WOULD BE REASONABLE THAT THIS WAS APPLIED TO ORIGINAL BUILDING AS OPPOSED TO THE EXTENDED PART!

NO OBJECTIONS UNDERSTOOD TO HAVE BEEN RAISED, INDEED APPLICATION ONLY SUBMITTED AFTER CONSULTATION WITH NEIGHBOURS.

H. GROUNDS OF APPEAL (continued)

A NUMBER OF SIMILAR EXTENSIONS HAVE BEEN APPROVED AND CARRIED OUT IN THE VICINITY (SEE ADDITIONAL CORRESPONDANCE). PLANNING DECISIONS WOULD APPEAR INCONSISTENT, AND IN THIS CASE, UNFAIR.

A NUMBER OF ALTERNATIVE PROPOSALS HAVE BEEN SUBMITTED ALTHOUGH THESE DO~~S~~ NOT APPEAR TO HAVE BEEN CONSIDERED PRIOR TO REFUSAL NOTICE BEING ISSUED. (A SUBSEQUENT MEETING SUGGESTED GROUND FLOOR ONLY EXTENSION AND THAT THE MATTER WAS UNABLE TO BE CONSIDERED FOR A PITCHED ROOF.)

GENERAL / PERSONAL,

THE ADDITION OF A SINGLE BEDROOM IS MODEST AND HAS BEEN PLANNED TO MINIMISE IMPACT / TERRACING EFFECT.

THE APPLICATION AND THIS APPEAL IS BASED ON PERSONAL NEED - TO REMAIN CLOSE TO CHILDRENS SCHOOL, MAINTAIN ACCESS TO PUBLIC TRANSPORT VIA CLIFTON ROAD. BOTH OF WHICH ARE ESSENTIAL AS APPLICANT HAS BEEN DIAGNOSED WITH DISEASE THAT MAKES THESE ASPECTS IMPORTANT TO "QUALITY OF LIFE".

WOULD BE GRATEFUL IF OUR APPEAL CAN BE CONSIDERED IN RELATION TO THE AFOREMENTIONED POINTS.

M. GULLIFOYLE 16/9/2002.

Please turn over

I. APPEAL SITE OWNERSHIP DETAILS

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

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

CERTIFICATE A

☑

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

OR

CERTIFICATE B

☐

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

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

CERTIFICATES C and D

☐

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

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

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

✔

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

OR

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

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

J. ESSENTIAL SUPPORTING DOCUMENTS

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

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

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

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

_____

_____

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

_____

_____

_____

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

K. PLEASE SIGN BELOW

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

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

Signature M. Guilfoyle (on behalf of) _____

Name (in capitals) M. GUILFOYLE Date 16TH SEPT. 2002

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

NOW SEND:

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

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

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

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid and who is dealing with it.
2) Tell you and the LPA the procedure for your appeal.
3) Tell you the timetable for sending further information or representations.

   YOU MUST KEEP TO THE TIMETABLE
   If information or representations are sent late we may disregard them. They will not be seen by the Inspector but will be sent back to you.

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

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

Published by the Planning Inspectorate April 2002

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

Environmental Services

For office use only.
Application number:

11.FEB.2002* 5877

Householder planning application form

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

1	Your name	MARK GUILFOYLE
	Address and postcode	86 CLIFTON ROAD, EMBROOK, WOKINGHAM, BERKS. RG41 1NE
	Phone number	01189 791789
2	Agent's Name	PETER HOLMES
	Address and postcode	24 PEEL CLOSE, WINDSOR, BERKS. SL4 3NP.
	Phone number	01753 620951
3	Site We need you to send in six copies of the 1:2500 scale location plan and six copies of the 1:500 scale block plan, with the site outlined in red. You can buy these maps from the Environmental Services reception or order them by phoning 0118 974 6485.	86 CLIFTON ROAD, EMBROOK, WOKINGHAM, BERKSHIRE. RG41 1NE
4	Give brief details of the proposal for example, two storey side extension. About the application	ADDITION OF A 1ST FLOOR BEDROOM OVER THE EXISTING GARAGE.
5	Are there any trees on the site? If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down.	Yes ☐ No ☑
6	Please list the external materials you will use for example, red brick to match any existing bricks and dark stained timber.	COMMON LONDON BRICKWORK TO MATCH EXISTING. ROOF TILES ALSO TO MATCH EXG.
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐ No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐ No ☑

Crystal Mark
Clarity approved by Plain English Campaign

Please turn over

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

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

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

Certificate A

I certify that

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

Certificate B

I certify that

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

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

None of the land forms part of an agricultural holding.

Your signature: P. W. Hole

on behalf of MR M. GUILFOYLE

Date 1-2-2

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

)FFICE COPY OF REGISTER ENTRIES

This office copy shows the entries subsisting in the register on **7 February 2002** at **09:12:48.** This date **must be quoted as the 'search from date' in any official search** application based on this copy.
Under s.113 of the Land Registration Act 1925, this copy is admissible in evidence to the same extent as the original.
Issued on 7 February 2002.
This title is dealt with by the **Gloucester District Land Registry.**

HM Land Registry

Title Number : BK54282

Edition Date : 7 October 1997

A: Property Register

This register describes the land and estate comprised in the title.

COUNTY	DISTRICT
BERKSHIRE	WOKINGHAM

1. (10 January 1960) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being 86 Clifton Road, Wokingham, (RG11 1NE).

2. The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 28 January 1966 referred to in the Charges Register.

3. The land is affected by the local government changes on 1 April 1998.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (7 October 1997) **PROPRIETOR:** MARK KIERAN GUILFOYLE and MAXINE GUILFOYLE of 86 Clifton Road, Wokingham, Berkshire RG11 1NE.

2. (7 October 1997) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

This register contains any charges and other matters that affect the land

1. A Transfer of the land in this title dated 28 January 1966 made between (1) The Laing Housing Company Limited and (2) Marjorie Emily Robertson contains restrictive covenants.

   NOTE: Copy in Certificate.

2. (7 October 1997) **REGISTERED CHARGE** dated 26 March 1997 to secure the moneys including the further advances therein mentioned.

3. **PROPRIETOR:** BRISTOL & WEST PLC (Co. Regn. No. 2124201) of The Bristol & West Building, Broad Quay, Bristol BS99 7AX.

END OF REGISTER

NOTE: A date at the beginning of an entry is the date on which the entry was made in the Register.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr M Guilfoyle
C/O Peter Holmes
24 Peel Close
Windsor
Berkshire
SL4 3NP

Application Number: F/2002/5877

Parish: **WOKINGHAM**

Location: **86, Clifton Road, Wokingham.**

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

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

Reason

1. The proposed development because of its size, height and closeness would seriously obstruct light and would create an enclosed effect detrimental to the amenities of the adjoining property at No. 88 Clifton Road. As such the proposal would be contrary to policies SBE1 and SBE2 of the South East Area Local Plan, policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) and to policy EN1 of the Berkshire Structure Plan.

Informative

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

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

Anna Cronin
Head of Planning & Transportation
Date: 05/04/2002

Notice checked by: _____

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

APPEALS TO THE SECRETARY OF STATE

PLANNING & ADVERTISEMENT APPEALS

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

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

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

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

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

PURCHASE NOTICES

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

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

COMPENSATION

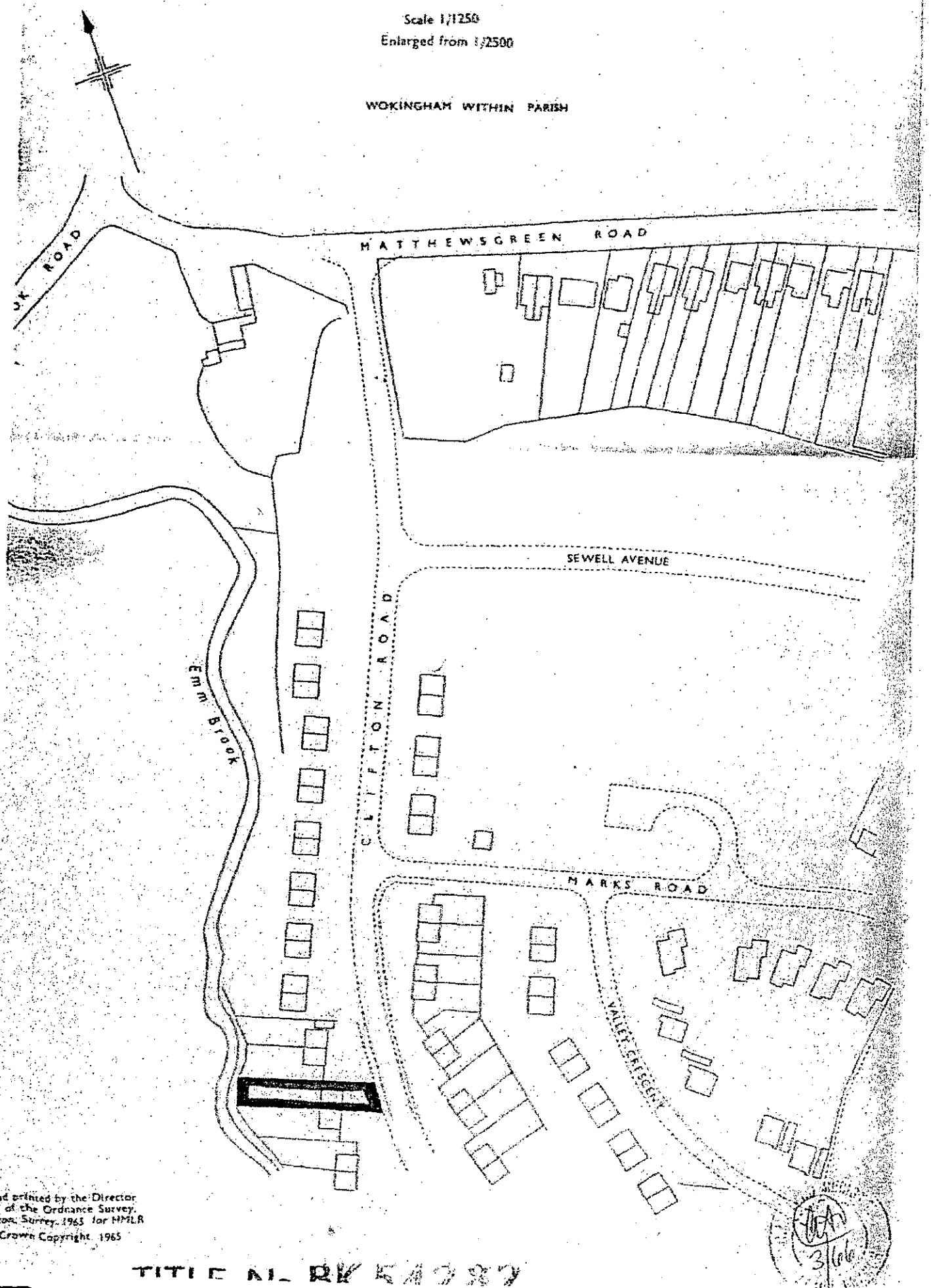
1) In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or is granted subject to certain conditions by the Secretary of State for the Environment, Transport and the Regions on appeal or on reference of the application to him. These circumstances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

H. M. LAND REGISTRY

BERKSHIRE SHEET XXXVIII 11 SECTION H

Scale 1/1250
Enlarged from 1/2500

WOKINGHAM WITHIN PARISH



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TITLE NO. BK 54282

3/66

Environmental Services

For office use only.
Application number:

11.FEB.2002* 5877

Householder planning application form

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

1	Your name	MARK GUILFOILE
	Address and postcode	86 CLIFTON ROAD, EMBROOK, WOKINGHAM, BERKS. RG41 1NE
	Phone number	01189 791789
2	Agent's Name	PETER HOLMES
	Address and postcode	24 PEEL CLOSE WINDSOR BERKS. SL4 3NP.
	Phone number	01753 620951
3	Site We need you to send in six copies of the 1:2500 scale location plan and six copies of the 1:500 scale block plan, with the site outlined in red. You can buy these maps from the Environmental Services reception or order them by phoning 0118 974 6485.	86 CLIFTON ROAD, EMBROOK, WOKINGHAM, BERKSHIRE. RG41 1NE
4	Give brief details of the proposal for example, two storey side extension. About the application	ADDITION OF A 1ST FLOOR BEDROOM OVER THE EXISTING GARAGE.
5	Are there any trees on the site? If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down.	Yes ☐ No ☑
6	Please list the external materials you will use for example, red brick to match any existing bricks and dark stained timber.	COMMON LONDON BRICKWORK TO MATCH EXISTING. ROOF TILES ALSO TO MATCH EXG.
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐ No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐ No ☑

Crystal Mark
Clarity approved by Plain English Campaign

Please turn over

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

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

a Six copies of this form signed and dated.

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

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

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

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

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

Certificate A

I certify that

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

Certificate B

I certify that

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

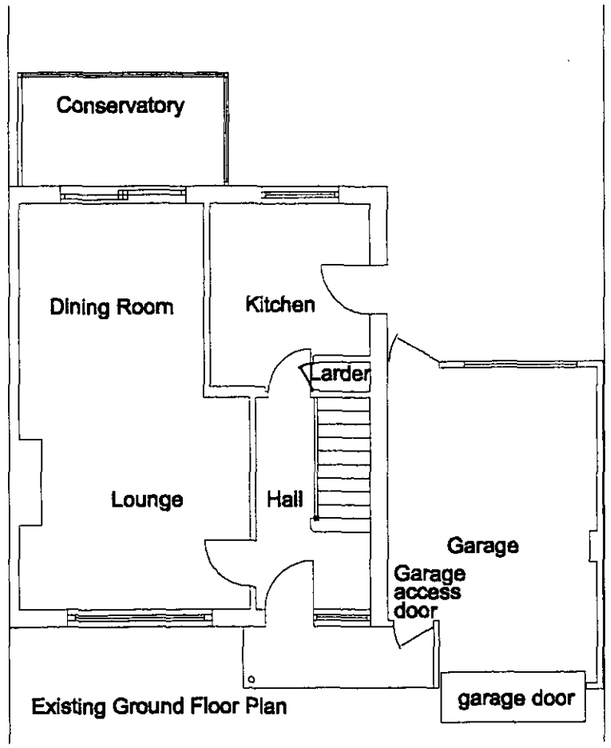
Owner's name	Address at which the notice was served	Date on which the notice was served

None of the land forms part of an agricultural holding.

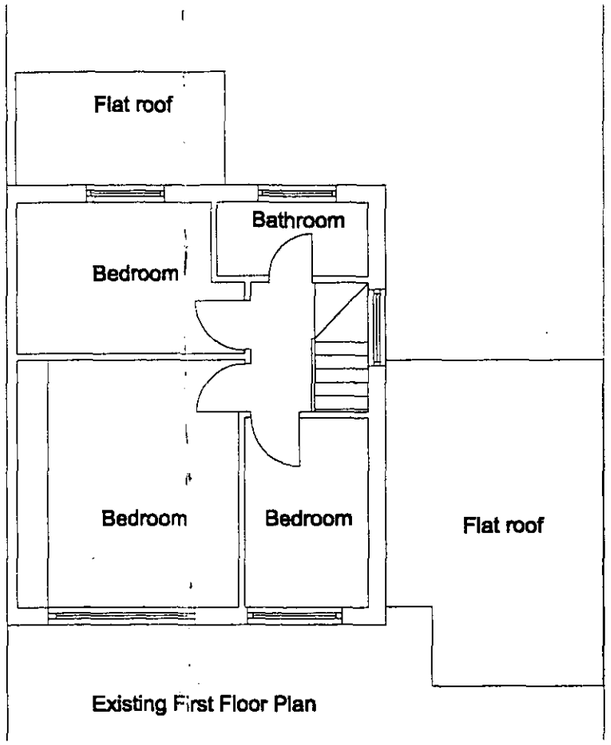
Your signature: P. W. Hol[illegible] on behalf of Mr M. Guilfoyle

Date 1-2-2

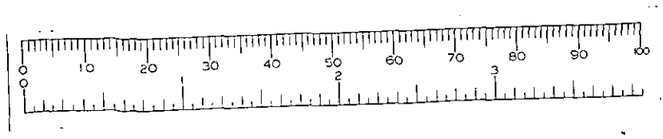
Please tick this box if you or your husband, wife or partner are employed by Wokingham District Council ☐



Existing Ground Floor Plan



Existing First Floor Plan



NOTES

REV	DESCRIPTION	DATE
-	-	-

Client:
Mr & Mrs M. Guilfoyle

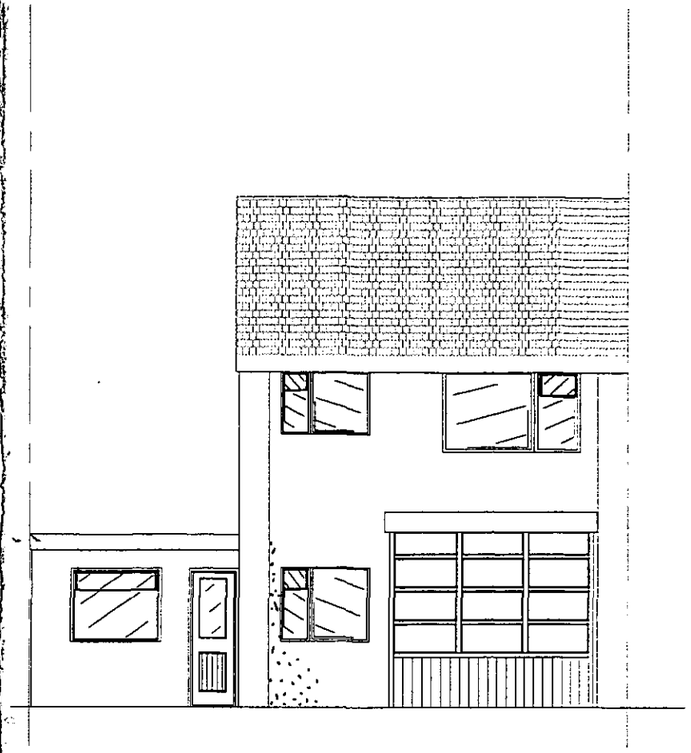
Project
86 Clifton Road,
Wokingham,
Berkshire. RG40 1SL.

Drawing Title:
Existing Ground & First Floor Layouts

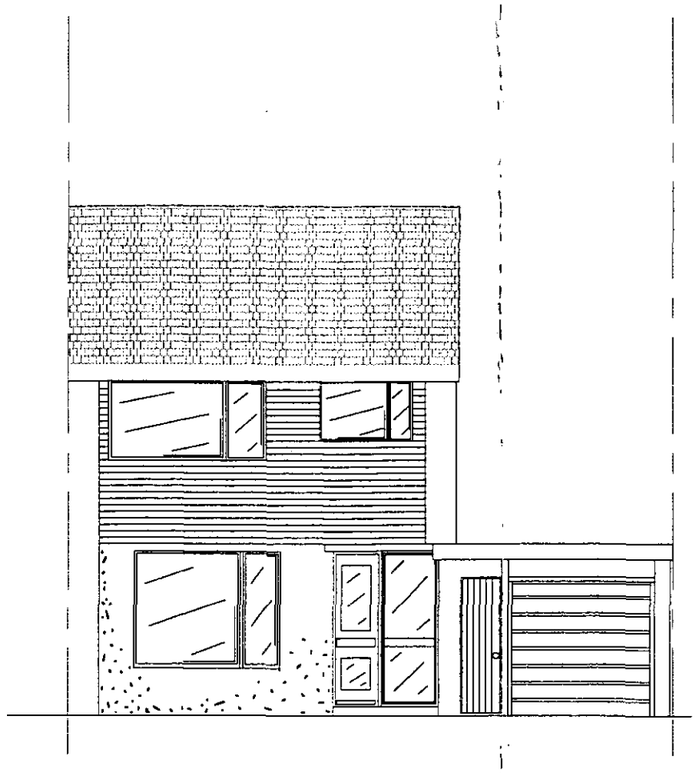
Date: Dec 2001 | Drawn by: HF

Scale: 1:100

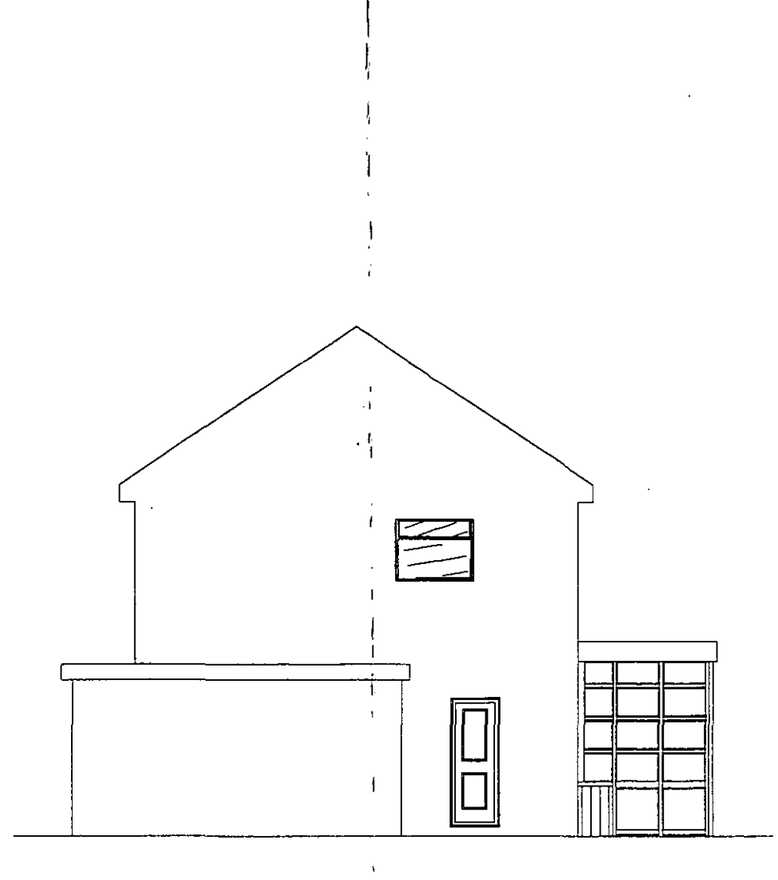
Drg.No. 01 –



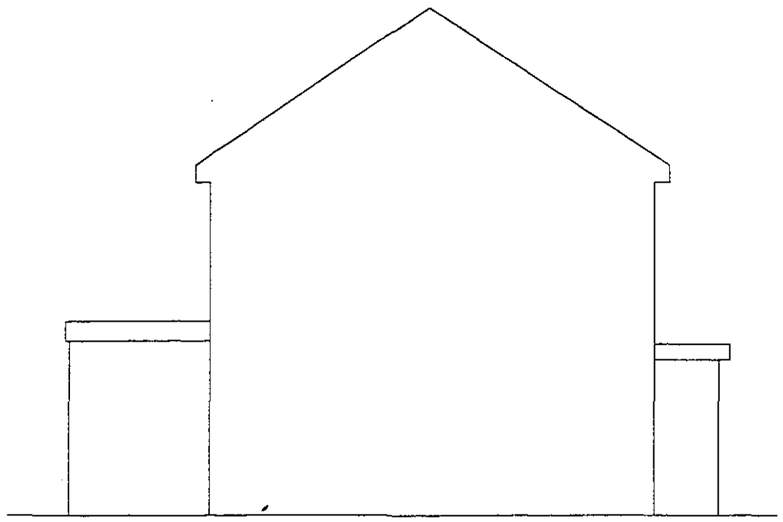
Rear Elevation - As Existing



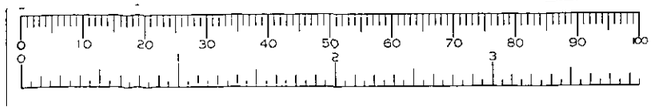
Front Elevation - As Existing



Side Elevation - As Existing



Side Elevation - As Existing



NOTES

REV	DESCRIPTION	DATE
–	–	–

Client:
Mr & Mrs M. Guilfoyle

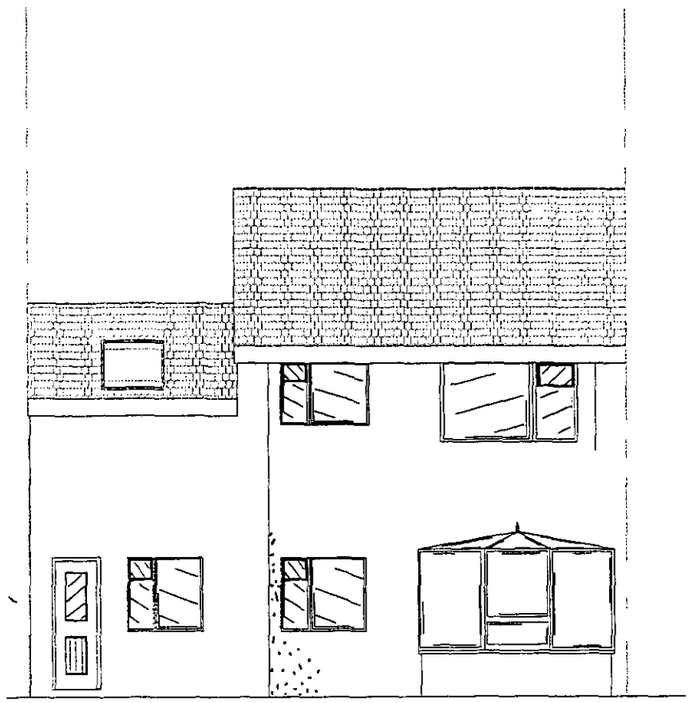
Project
86 Clifton Road,
Wokingham,
Berkshire. RG40 1SL.

Drawing Title:
Existing Property
Elevations

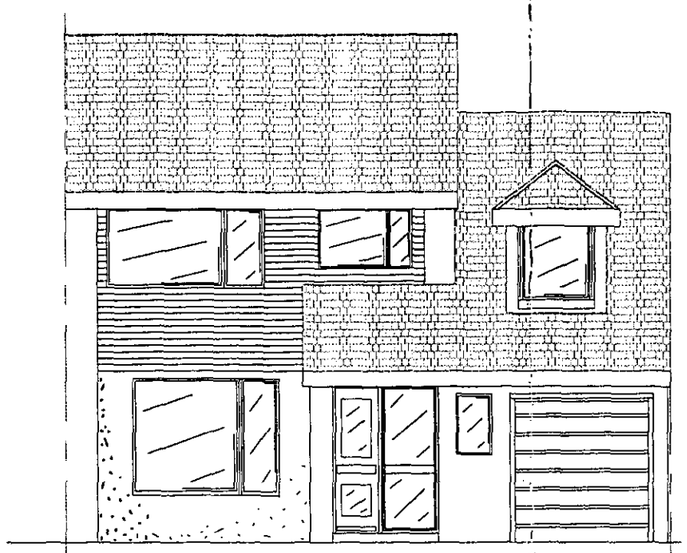
Date: Dec 2001 | Drawn by: HF

Scale: 1:100

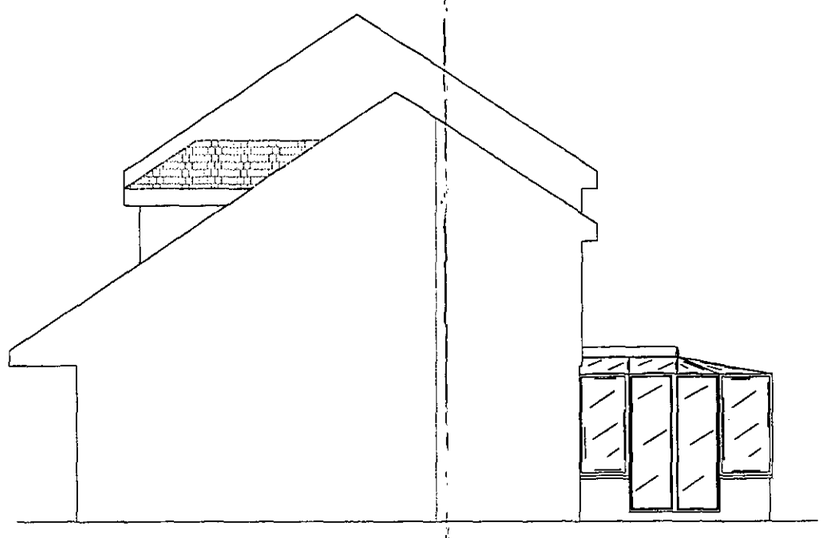
Drg.No. 02 –



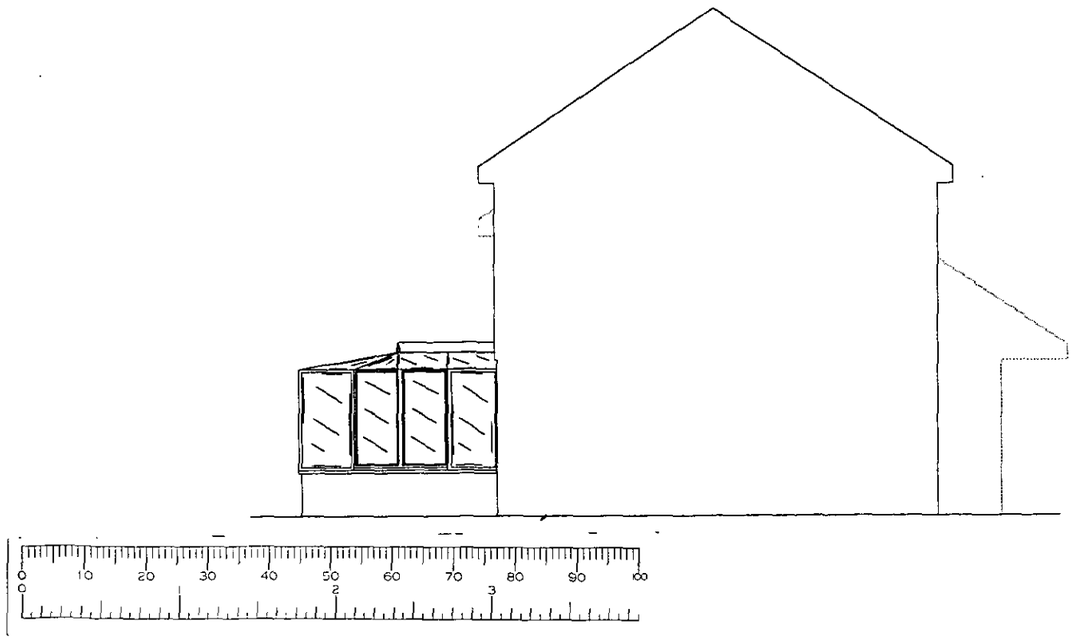
Rear Elevation - Proposed Amendment - 2002



Front Elevation - Proposed Amendment - 2002



Side Elevation - Proposed Amendment - 2002



Side Elevation - Proposed Amendment - 2002

NOTES

REV	DESCRIPTION	DATE
-	-	-

Client:
Mr & Mrs M. Guilfoyle

Project
86 Clifton Road,
Wokingham,
Berkshire. RG40 1SL.

Drawing Title:
Proposed Property Elevations

Date: Dec 2001 | Drawn by: HF

Scale: 1:100

Drg.No. 04 --

Peter Holmes.

T/A Harlson Fantasy,
24 Peel Close,
Windsor,
Berkshire. SL4 3NP.

Tel/Fax : + 44 (0) 1753 620951 Mobile : 07721 422554
E-mail : Pete@harlson-fantasy.freeserve.co.uk
Web Site : www.harlson-fantasy.co.uk

Fax

To:	Mr Leo	**From:**	Pete Holmes
Fax:		**Date:**	08.03.02
Phone:		**Pages:**	3 inc. cover sheet
Re:	86 Clifton Road, Wokingham	**CC:**	

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

•Comments:

Dear Mr Leo,

Thank you for your call earlier this week to discuss the problems with the above application. As requested I have visited site and taken details of the neighbouring property, and attach a revised plan, elevation plus the added benefit of an Isometric interpretation to help assist in any compromise that could hopefully be met between my client and the current planning guidelines.

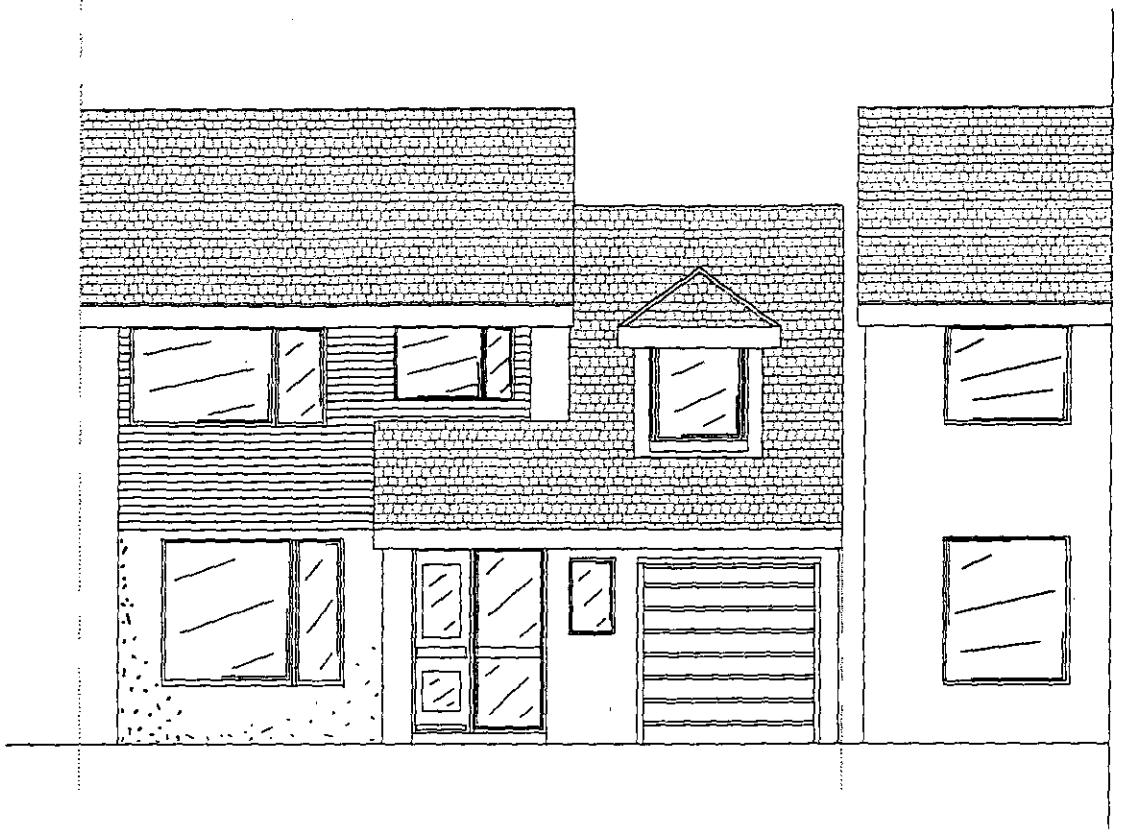
I have spoken at great length with my client, and they are willing to offer either of both of the following:

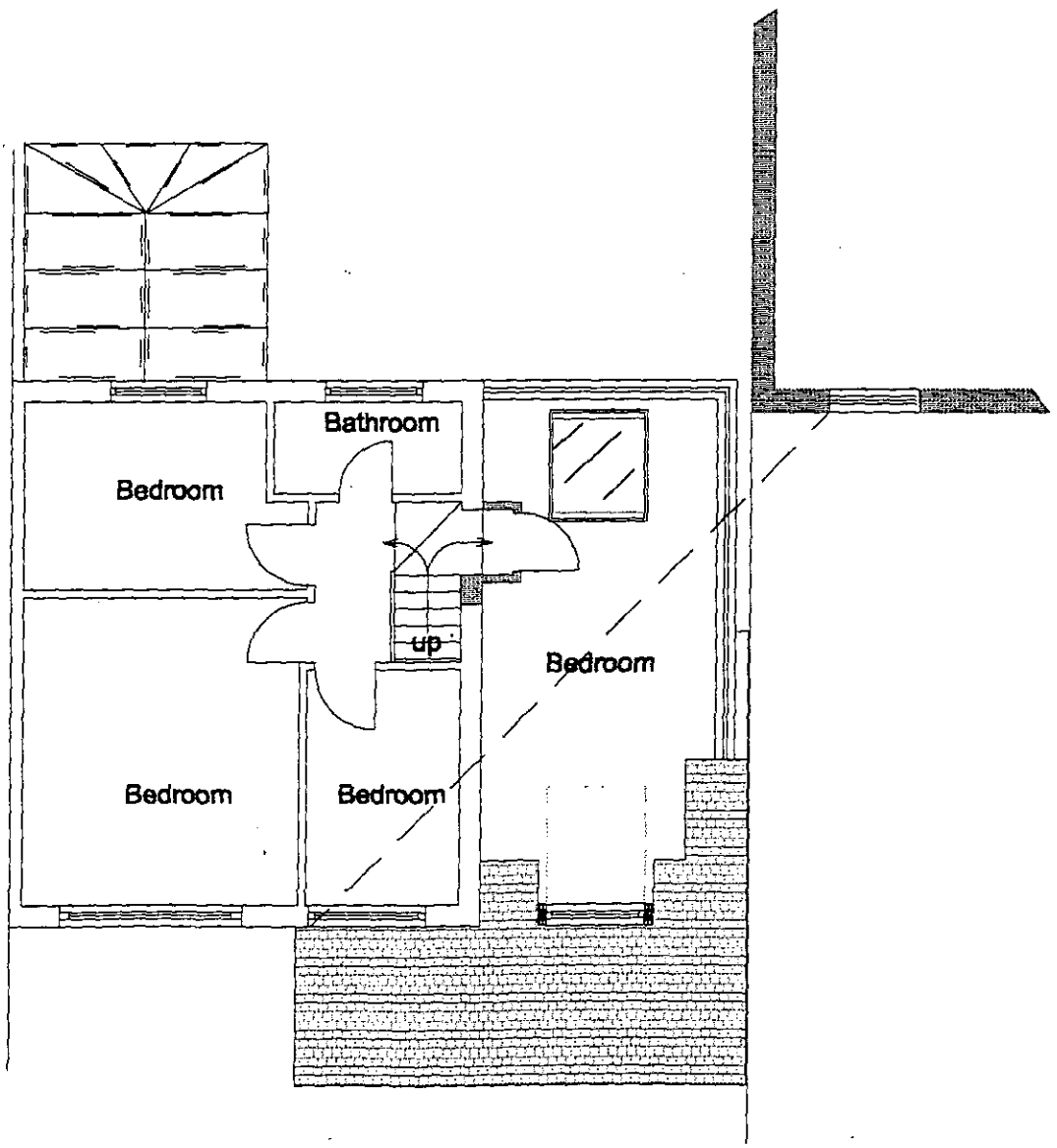
1. A height reduction of the proposed first floor bedroom
2. To hip the roof to the side of the new proposal.

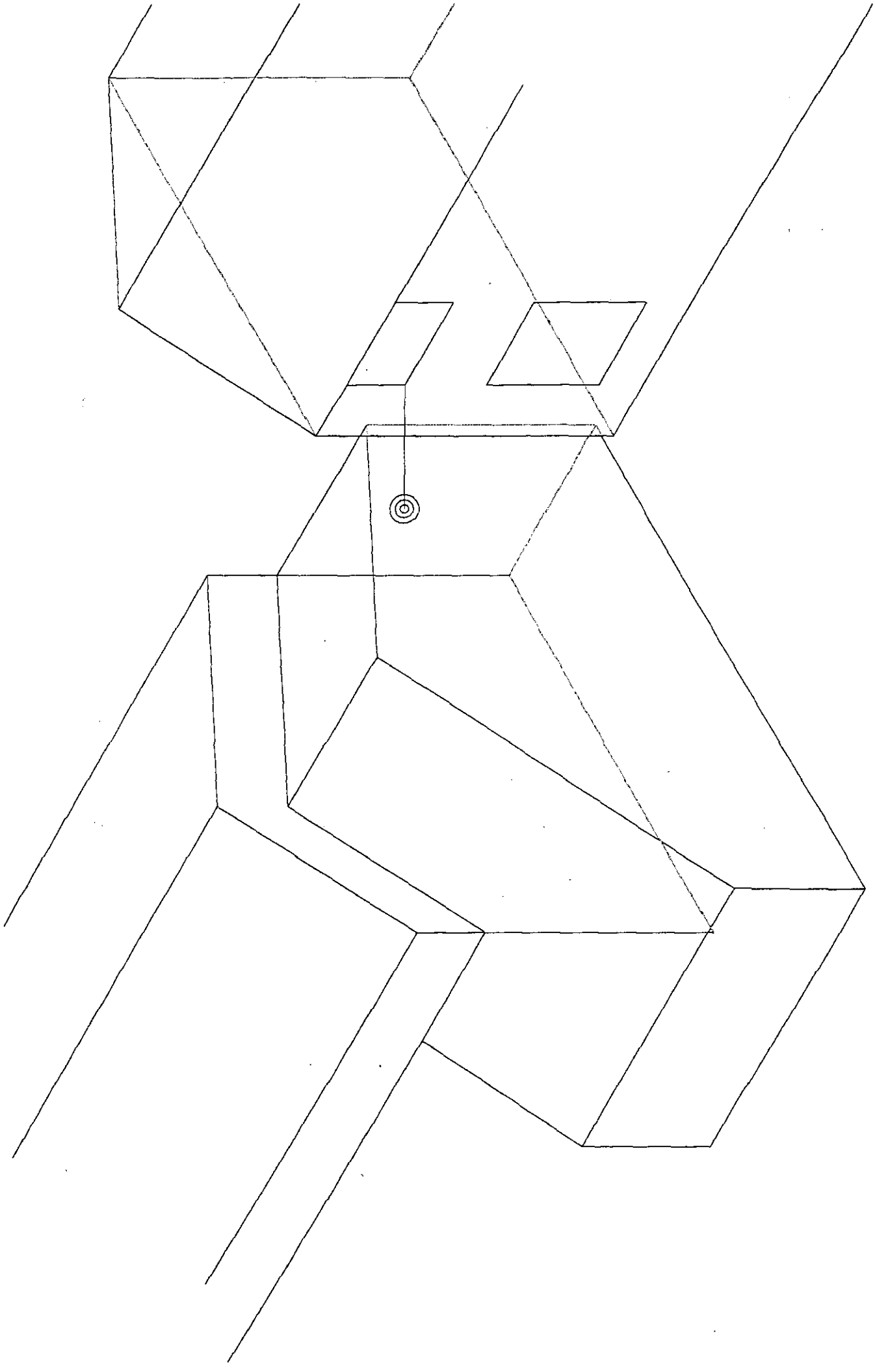
I would hope that a compromise could be reached, as my client has expressed to me their need for an additional bedroom due to current family commitments, plus the convenience of their location for schooling needs of their children; and to be blunt, the additional cost of finding a house within the area to give them an additional bedroom, plus associated moving costs is just not viable for them.

Regards,

Pete Holmes.




Bathroom
Bedroom
up
Bedroom
Bedroom
Bedroom



LIST OF DOCUMENTS / PLANS RELATING TO APPLICATION

#	Description	Number/Ref	Date
1.	Original Application inc. drawings /plans	F/2002/5877	7th February 2002
2.	Letter from P.Holmes outlining proposals to verbal concerns expressed br Francis.Leo. inc drawing amendment proposals.		8th March 2002
3.	Letter from M. Guilfoyle to Francis Leo		14th April 2002
4.	Fax from M. Guilfoyle to WDC following no response to Letter (3)		1st May 2002
5.	Letter to Mrs Polnik (WDC) outlining inconsistencies.		20th June 2002
6.	Response from WDC / Mrs Polnik		19th august 2002

Peter Holmes.

T/A Harlson Fantasy,
24 Peel Close,
Windsor,
Berkshire. SL4 3NP.

Tel/Fax : + 44 (0) 1753 620951 Mobile : 07721 422554
E-mail : Pete@harlson-fantasy.freeserve.co.uk
Web Site : www.harlson-fantasy.co.uk

Fax

To:	Mr Leo	**From:**	Pete Holmes
Fax:		**Date:**	08.03.02
Phone:		**Pages:**	3 inc. cover sheet
Re:	86 Clifton Road, Wokingham	**CC:**	

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

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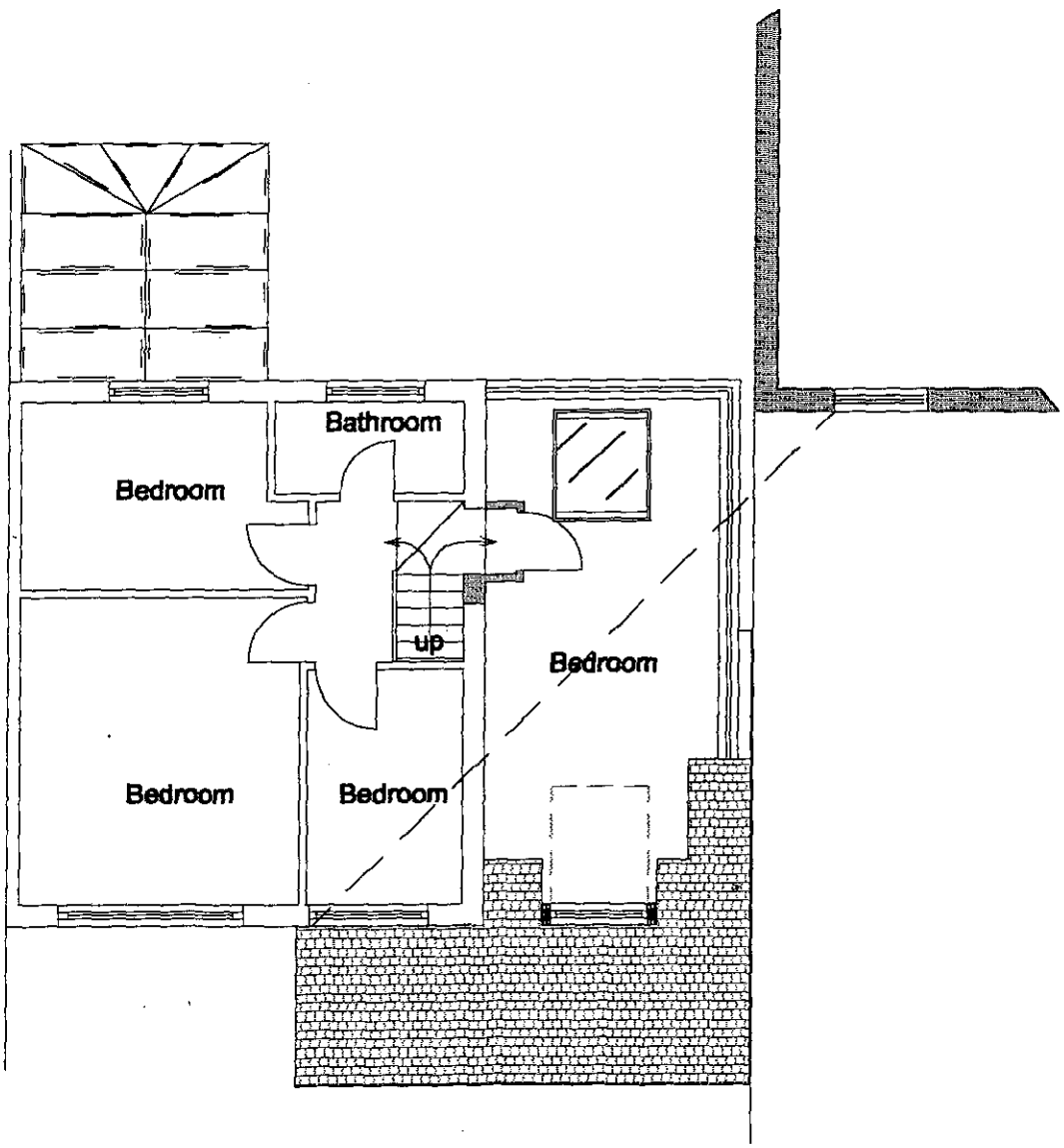
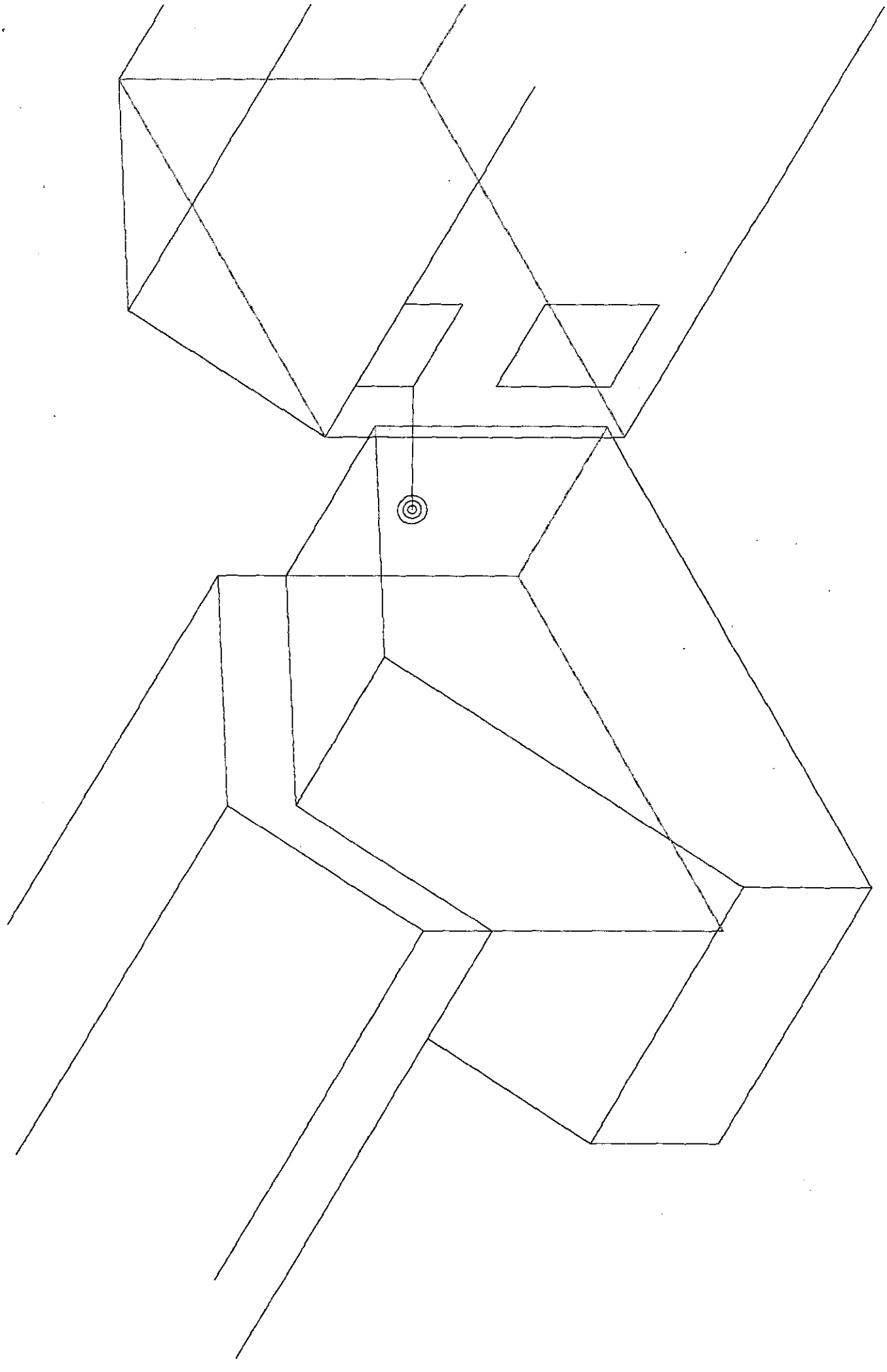
Regards,

P. Holmes

Pete Holmes,




Bathroom
Bedroom
up
Bedroom
Bedroom
Bedroom



Peter Holmes.

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Tel/Fax : + 44 (0) 1753 620951 Mobile : 07721 422554
E-mail : Pete@harlson-fantasy.freeserve.co.uk
Web Site : www.harlson-fantasy.co.uk

Fax

To:	Mark Guilfoyle	**From:**	Pete Holmes
Fax:	01454 203330	**Date:**	07.03.02
Phone:		**Pages:**	3 inc. cover sheet
Re:	86 Clifton Road, Wokingham	**CC:**	

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

•Comments:

Mark,

Please find attached the results from my site visit yesterday.

If you agree, I will forward this information to the planning officer and also maybe promote a couple of options, which are:

1. To hip the roof back at the side, as shown on a sketch to me by Maxine
2. To offer to reduce the height of the first floor roof line altogether, if you recall, we increased it by atleast 600mm in height, I therefore wondered if you would agree to dropping it by approx. 300mm ?

Let me know what you feel, and I will fax the information this evening to the council, ready for Mr Leo who is in the office on Friday.

I am on my mobile all day today.

Regards,

Pete Holmes, P Holmes

Environmental Services

For office use only.
Application number:

11.FEB.2002* 5877

Householder planning application form

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

1	Your name	MARK GUILFOILE
	Address and postcode	86 CLIFTON ROAD, EMBROOK, WOKINGHAM, BERKS. RG41 1NE
	Phone number	01189 791789
2	Agent's Name	PETER HOLMES
	Address and postcode	24 PEEL CLOSE WINDSOR BERKS. SL4 3NP.
	Phone number	01753 620951
3	Site We need you to send in six copies of the 1:2500 scale location plan and six copies of the 1:500 scale block plan, with the site outlined in red. You can buy these maps from the Environmental Services reception or order them by phoning 0118 974 6485.	86 CLIFTON ROAD, EMBROOK, WOKINGHAM, BERKSHIRE. RG41 1NE
4	Give brief details of the proposal for example, two storey side extension. About the application	ADDITION OF A 1ST FLOOR BEDROOM OVER THE EXISTING GARAGE.
5	Are there any trees on the site? If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down.	Yes ☐ No ☑
6	Please list the external materials you will use for example, red brick to match any existing bricks and dark stained timber.	COMMON LONDON BRICKWORK TO MATCH EXISTING. ROOF TILES ALSO TO MATCH EXG.
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐ No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐ No ☑

Crystal Mark
Clarity approved by Plain English Campaign

Please turn over

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

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

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

Certificate A

I certify that

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

Certificate B

I certify that

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

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

None of the land forms part of an agricultural holding.

Your signature: P.W. Hall

on behalf of MR M. GUILFOYLE

Date 1-2-2

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

Confirmation Report – Memory Send

Date & Time: 01-May-2002 09:56
Tel line : +441483305710
Machine ID : Ericsson Network Solutions

Job number	:	854
Date & Time	:	01-May 09:54
To	:	901189746484
Number of pages	:	004
Start time	:	01-May 09:54
End time	:	01-May 09:56
Pages sent	:	004
Status	:	OK

Job number : 854 *** SEND SUCCESSFUL ***

Mark Guilfoyle
86 Clifton Road
Emmbrook,
Wokingham
RG41 1NE

Tel: +44 1189791788

Fax Message

To:	Ms Emy Circuit	**Pages incl cover:**	4
Company:	Wokingham Planning	**Date:**	
Copy to:		**From:**	Mark Guilfoyle
Fax Number:	0118974684	**Our ref:**	F/2002/5877

Message:

Dear Ms Circuit,

I write concerning our application to extend our home which, having been submitted in February has now entered it's 4th month.

We believe our application is being prejudiced for reasons outlined in the enclosed letter and the manner in which it is being handled far from satisfactory.

Our calls and correspondence are going unanswered, we have never been able to review the file and also unable to explain the personal reasons behind our request.

In the absence of any response we have no alternative to follow the appeals procedure, which, should we have been able to discuss would not be necessary.

This appeal will be based on the application of common sense when considering our application but also highlight the inconsistencies of planning decisions and the manner in which our application has been handled.

We would welcome your thoughts on this matter.

Yours sincerely

Mark Guilfoyle

Mark Guilfoyle
86 Clifton Road
Emmbrook,
Wokingham
RG41 1NE

Tel: +44 1189791789

Fax Message

To:	Ms Emy Circuit	**Pages incl cover:**	4
Company:	Wokingham Planning	**Date:**	
Copy to:		**From:**	Mark Guilfoyle
Fax Number:	0118974~~6961~~ 6484	**Our ref:**	F/2002/5877

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We would welcome your thoughts on this matter.

Yours sincerely

Mark Guilfoyle

86 Clifton Road
Emmbrook,
Wokingham.
RG41 1NE
Mark Guilfoyle

Tel 01189 791789

Ref F/2002/5877

14th April 2002

Planning Services

PO Box 157

Shute End

Wokingham

FAO Mr Francis Leo

Dear Sir

Proposed First Floor side extension to home

Further to our telephone conversation, 5th April in which you indicated that our proposed plans are to be rejected for reasons relating to the proximity of a neighbouring window.

As we did not complete our conversation, you were to raise the matters with your supervisor and come back. The following points we believe need to be taken into consideration when reviewing our application:

- The extension is modest consisting of a pitched roof incorporating a first floor bedroom which is needed for our family.
- The window in question forms part of the neighbouring property (88 Clifton Road) that has an overbearing extension on to the border. The Original property would have been unaffected by our plans.
- Notwithstanding the window also belongs to a single first floor room with windows to the front and also to the rear.
- We have suggested further changes to the plan (hipped roof and further height reduction) it is unclear if these have been considered

In summary we believe that although our needs are being prejudiced by previous planning decisions, the proposed changes are modest and should be considered in a more open manner.

We would be grateful for your consideration and can be contacted as above should you wish to discuss or perhaps advise a suitable way forward.

Yours Sincerely

M. L

Mark Guilfoyle

cc:

MEETING WITH MRS POLNIK, PETER HOLMES ARRANGED FOR 4.30PM MONDAY 27TH MAY.

NOTES

REQUESTED MATTER BE RECONSIDERED

INVITED ALTERNATIVE SUGGESTIONS

ALTHOUGH CONSIDERATE NO ALTERNATIVES WERE DEEMED ACCEPTABLE.



Picture showing 86 & 88 Clifton Road viewed from Front.

86 Clifton Road
Emmbrook,
Wokingham.
RG41 1NE
Mark Guilfoyle

Tel 01189 791789

Ref F/2002/5877

20th June 2002

Planning Services
PO Box 157
Shute End
Wokingham

FAO Mrs Polnik

Dear Mrs Polnik

Proposed First Floor side extension to home

Further to our meeting on the 27th May, I thank you for taking the time to review our application and suggestions made as to our options.

After careful consideration we do not believe it is practical (or affordable) to extend our home at ground level. We have also considered the proposed first floor extension further, taking into consideration similar properties.

Enclosed is a picture showing numbers 56 & 58 Clifton Road which have a similar relationship as ours to our neighbours. It is unclear as to why permission here has been granted whilst ours remains unapproved despite several alternatives being proposed.

It would appear that these decisions are inconsistent and this matter together with other considerations in my letter 14th April may be worth further consideration

We would be grateful for your consideration and can be contacted as above should you wish to discuss or perhaps advise a suitable way forward.

Yours Sincerely

Mark Guilfoyle

cc: Peter Holmes



Picture showing Numbers 58 (Left) and Number 60 Clifton Road.

(8)

Tel. (0118) 974 6450 (Direct Line)
Fax. (0118) 974 6484
Email. Basia.Polnik@wokingham.gov.uk
Date August 19, 2002
My ref. BP/F/2002/5877

WOKINGHAM UNITARY
Aiming for Excellence

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

Mr M Guilfoyle
86 Clifton Road
Emmbrook
Wokingham
RG41 1NE

WITHOUT PREJUDICE

Dear Mr Guilfoyle

RE: PROPOSED SIDE EXTENSION AT 86 CLIFTON ROAD, WOKINGHAM

I refer to your letter dated 20th June 2002 and apologise for the delay in replying.

I would agree that the relationship between 58 and 60 Clifton Road appears to be similar to that between 86 and 88 Clifton Road. However, from the site plan number 60 is set further in from the boundary whereas the extension at number 88 is built nearer the boundary and the first floor of number 88 is set further back and therefore the impact of an extension at your property could be greater.

The first planning application (44110) for a first floor extension at number 58 Clifton Road was in fact refused on grounds of being overbearing to number 60 Clifton Road. The second planning application (44437) was set back further from the original application and did not include a dormer and a pitched roof over the garage and as such differs from your scheme, recently refused under application F/2002/5877.

As discussed at our meeting on 27 May 2002 I would recommend that any first floor side extension should not encroach beyond a 45° line taken from the edge of the bedroom window above the garage at number 88 Clifton Road.

(this is not the case for #58 + #60)

I hope this clarifies the situation.

Finally, you should be aware that this advice is given without prejudice to the Council's normal decision-making process.

Yours sincerely

B. Polnik

MRS B POLNIK
Senior Planning Officer

Notes 21/8.
44110 Refused due to Neighbour compliant.

Draft Planning Guideline B2

WOKINGHAM UNITARY
Aiming for Excellence

Consultation On New Guideline On Extensions to Dwellings In The Wokingham District.

This guidance seeks your views or those of your company and/or organisation, on the attached consultation draft of the new planning guideline on extensions to dwellings. The public consultation period will commence on 6th March 2002 and runs until 17th April 2002.

On 23rd November 2001 the Portfolio Holder for Transport, Planning and Transportation Services agreed the publication of draft supplementary planning guidance for public consultation.

The purpose of this supplementary planning guidance is to set out criteria for the design of extensions to most dwellings to give an idea of what might be acceptable in the majority of cases. This would give a degree of confidence to applicants, their agents and architects when submitting planning applications. It will also aid occupiers of neighbouring properties, and other interested parties, who may be affected by such a proposal. The guidance includes advice on garages in front gardens, granny annexes and boundary treatment.

Written replies should be sent to Diane McGloin, Policy & Plans Team, Environmental Services Dept, Wokingham District Council, P.O. Box 157, Shute End, Wokingham, Berkshire RG40 1WR or by fax to (0118) 974 6385.

E-mail responses should be sent to Diane.McGloin@wokingham.gov.uk. This consultation draft is also being placed on the Council's website at www.wokingham.gov.uk via "Planning".

This public consultation is in accordance with the advice in PPG12 and Circular 1/97 in order that the guidance can be accorded full weight as Supplementary Planning Guidance.

The consultation includes a direct mailing of Town and Parish Councils, District Councillors, the main agents, a selection of applicants, GOSE, and amenity bodies, supported by press advertising and use of the Council's website.

The responses and any subsequent amendments will be reported to the Cabinet for consideration. A report of consultation will be published and sent to respondents. Then the Council will be able to adopt the guidance as Supplementary Planning Guidance. Eventually the guidance will be published in the form of a leaflet and the final version will also contain illustrations.

Draft Planning Guideline B2

WOKINGHAM UNITARY
Aiming for Excellence

GUIDELINES FOR EXTENSIONS TO DWELLINGS

1.0 Introduction

1.1 The policies contained in existing adopted development plans (Structure Plan policy EN1, Green Belt Plan policy 6, Loddon Area Local Plan policies LBE1 and LBE2; and South East Area Local Plan policies SBE1 and SBE2) and the emerging Wokingham District Local Plan policies WOS3 and WBE1 relating to design of extensions to existing dwellings are very general and do not give specific advice.

1.2 This Guide explains how the Council will assess the design of extensions to most dwellings. Its purpose is to give a degree of confidence to applicants, their agents and architects, as to what is likely to be acceptable to the Council in the vast majority of cases. It will also aid the occupiers of neighbouring properties, and other interested parties, who may be affected by a planning application. These criteria also apply to flats, maisonettes and houses in multiple occupation.

1.3 Whilst the guidelines are an aid to good design they must also be applied with an understanding of the particular circumstances of each case. Individual cases do not always fit easily into a particular category. The advice does not apply to Listed Buildings or to buildings in Conservation Areas, where more strict criteria may apply. Other criteria also apply in rural areas and areas liable to flooding. In such cases further advice should be sought from the Council's Development Control Service.

2.0 General Issues

2.1 The acceptability of a residential extension depends upon:

(i) Its effect on the general street scene and

(ii) Its effect on the amenity of the occupiers of nearby properties.

2.2 An extension should be designed to be sympathetic in character and appearance to the original building and to the general neighbourhood in which it is located. The scale and proportions of the extension should respect the form of the original building and appear visually subservient in bulk and siting. It should not dominate or unreasonably overshadow adjoining buildings or garden areas or result in undue loss of privacy.

2.3 In most cases an extension should appear to be an integral part of the original building. Extensions should not collectively be detrimental to the character of a street eg. by converting regular semi-detached pairs of houses into apparent terraces.

construction or for maintenance. Finally there may also be covenants which may restrict the type of development on a property. Although again these are not planning matters.

4.0 Front extensions and porches

4.1 The impact on the streetscene is of paramount importance when determining applications for front extensions due to their prominence, together with its relationship with neighbouring properties, depth of front gardens and amount of frontage vegetation. Generally two storey front extensions are not acceptable and single storey extensions, other than porches, should not project significantly from the main wall of the dwelling.

4.2 Porches may be constructed to a greater depth provided this would not result in an unreasonable affect on neighbours or streetscene but in any event should not normally exceed 2m in depth.

4.3 Larger front extensions may be acceptable where one or more of the following applies:

(i) a detached dwelling is set well back from a road in a good-sized plot

(ii) there are a number of similar extensions in the immediate vicinity

(iii) an adjoining dwelling or garage already projects to the front

5.0 Rear extensions

5.1 The main considerations for the Council in determining proposals for rear extensions will be to protect the amenity of the occupiers of dwellings immediately adjoining the proposal, and to safeguard the overall appearance of the area. Particular attention will be given to the protection of privacy, the reasonable maintenance of daylight and sunlight and that the extension is not unduly overbearing. An extension should not prejudice the opportunity for the neighbouring properties to be extended similarly.

Single storey rear extensions:

5.2 In normal circumstances rear extensions on or close to a flank boundary should not project more than 3 metres from the main rear wall. Any greater depth required should be within an angle of 45° from the 3m dimension on the boundary to ensure that there is no adverse impact on neighbours in terms of loss of light and the extension being overbearing.

5.3 Windows and other openings should be avoided in flank elevations of extensions to prevent overlooking and therefore loss of privacy.

5.4 The eaves height should not exceed 3m, whether a flat or pitched roof is proposed and where possible it should be lower than this. Pitched roofs

not project more than 1m forward of the main wall of the property. Windows and other openings in the flank elevations should be avoided.

Two storey or first floor side extensions:

6.2 In designing a two storey or first floor side extension consideration needs to be given to the streetscene and that it would not prejudice the possibility of the adjacent property being extended in a similar manner.

6.3 Side extensions to properties at road junctions or other prominent features should not project beyond the building line of houses in the road to the rear of the property, so as to protect the spacing and character of the road.

6.4 *End of terrace properties*: Side extensions to end-of-terrace properties can continue the existing built form and roof line of the terrace.

6.5 *Semi-detached properties*: Side extensions to semi-detached houses should be designed so that cumulatively they do not create a terracing effect. Therefore they should be set back at first floor level, by a minimum of 1m from the main front wall of the house, and should include a drop in the ridge line, thus creating a break in the roof line and ensuring that side extensions do not entirely fill the gap between neighbouring pairs of semi-detached houses when viewed obliquely. They should also not be so large as to upset the overall balance of the pair of semi-detached houses as a building unit.

6.6 *Detached properties*: Side extensions to detached dwellings may be constructed to the full height of the existing building provided the extension appears as an integral part of the whole building and not an unrelated addition and does not result in an overly bulky building. Hence it is often good practice to include a setback from the front and a drop in the ridge line, as for semi-detached properties. Furthermore detached dwellings should not normally be extended up to both flank boundaries to prevent undue loss of the characteristic gap between properties.

7.0 Roof Alterations, Loft Conversions and Dormer Windows

7.1 Inappropriate roof alterations can have an adverse effect on the appearance of whole streets, especially where the development is fairly rhythmic and regular. They therefore need to be designed with care. In order to create first floor accommodation in single storey properties eaves and ridge heights should not normally be raised by more than 0.75m unless the dwelling is adjoined by taller buildings or ground conditions make it reasonable. In raising the ridge height consideration needs to be given to any habitable room windows in adjoining properties which may be affected. Conversions of hipped roofs of two storey and higher dwellings to gabled roofs should be avoided as they can close

Amenity Areas

8.4 Many "open plan" housing developments contain green, planted amenity areas which adjoin the highway but are in the ownership of the occupier of the adjacent dwelling. These contribute to the openness of the street scene. Due to restrictive conditions planning permission is often required for the relocation of fences at the side of dwellings. The enclosure of these spaces into private gardens by bringing forward boundary walls, fences or hedges is seldom acceptable because of the impact on the openness of the street scene.

Boundary treatment to front gardens

8.5 Except for "open plan" estates where there is a general presumption against the enclosure of a front garden by walls, fences etc., planning permission is not normally required for walls and fences not exceeding more than 1m in height where the site adjoins a highway. Any fence or wall in such a location exceeding this height would require planning permission and this will only be granted where the boundary treatment is acceptable in terms of its impact on the streetscene and vehicle visibility splays.

Chapter

5Environment

Context

5.01 Berkshire is a relatively small county and, by the standards of the south-east, one of the most intensively developed and economically buoyant. At the same time, it contains large areas of landscape of national importance, as well as a wide variety of fauna and flora. These merit protection in their own right. In addition, the area has a rich built heritage, ranging from places of world importance, such as Windsor Castle, down to more locally important buildings of historic and architectural interest.

5.02 The balance between maintaining a thriving economy and meeting the housing and other needs of local people on the one hand, and protecting the area's heritage and natural resources on the other, is particularly difficult to manage in an area of development pressure such as Berkshire. But the two should not necessarily be seen as being in conflict. Maintaining and enhancing the diversity and attractiveness of the environment is also an important factor in retaining business investment and long-term economic prosperity.

5.03 It does, however, mean that development needs to be accommodated in a way which is different to that of the past. It means strict control of the use of greenfield land and making the most of previously-developed land; care in the choice of locations for development and steps to minimise people's need to travel. With regard to the form of development itself, it will require measures for waste prevention and minimisation; pollution control; management of surface water drainage and water efficiency measures; energy efficiency and the use of renewable energy; and the use of renewable and recycled materials. This chapter sets the context for the more detailed application of these policies in local plans and other strategies.

Policy EN1: Landscape (general)

1. The distinctiveness of county- and district-level Landscape Character Types and Areas will be maintained in line with the strategy option developed for each area.

2. Within the North Wessex Downs Area of Outstanding Natural Beauty the conservation of the natural beauty of the landscape will be given priority over other considerations. Development which affects the AONB will only be permitted where it would support the conservation or enhancement of the AONB or would foster the economic and social well being of the area, provided also that such development is compatible with its conservation. Development inconsistent with these aims will only be permitted:

(i) if it has been demonstrated to be of national importance; and



(ii) a clear need has been demonstrated that outweighs the need to protect the area for its landscape value; and

(iii) there is no alternative site.

3. If development is permitted in these circumstances, it will be designed and to a scale that will have the minimum possible impact on the environment of the AONB.

Reason for the Policy

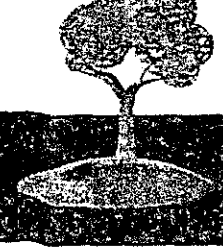
5.04 The Berkshire landscape contains a wide variety of natural and man-made landscapes. Much of the west of the County is designated as part of the North Wessex Downs AONB. In conserving the AONB and its setting it is important to consider the impact of development, both inside and adjacent to it. Although the AONB is of nationally recognised landscape importance and commands the highest status of protection in relation to landscape and scenic beauty, it is important that the qualities of the whole of the County's landscape are recognised, so that all the features that give it its historical or local character can be identified, protected or enhanced. In addition to the North Wessex Downs AONB, Berkshire has other well-known landscapes of regional or national significance. These include the river valleys of the Thames, Kennet, Lambourn, Loddon and Pang, the Colne Valley Regional Park, Windsor Great Park and the lowland sandy heaths along the borders with Hampshire and Surrey.

How it will be carried out

5.05 At a strategic level a Landscape Character Assessment is being carried out. It will highlight different character areas and identify general strategy options for each area. This document will act as the context for the development of district-level assessments, where required, which will identify the landscape character in more detail and allow the Councils to develop management strategies that best suit the condition and quality of each area. They will also act as a guide to local plans and development control by indicating the particular local qualities of the landscape which development proposals should respect. Development proposals should be informed by and fully justified in terms of the Landscape Character Assessment.

Policy EN2: Agricultural Land

In cases where development on greenfield land is proposed, local planning authorities will seek to use areas of poorer quality agricultural land in preference to those of a higher quality, except where other sustainability considerations suggest otherwise.



SOUTH EAST POLICIES.

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ SBE1 DESIGN OF NEW DEVELOPMENT (General)

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

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

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

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

❖ SBE2 INAPPROPRIATE DESIGN

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

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

ENVIRONMENTAL IMPROVEMENT

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

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

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



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

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

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

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

SUNLIGHT, DAYLIGHT AND NOISE

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

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

DRAFT W'HAM DISTRICT POLICIES REFERENCED

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.