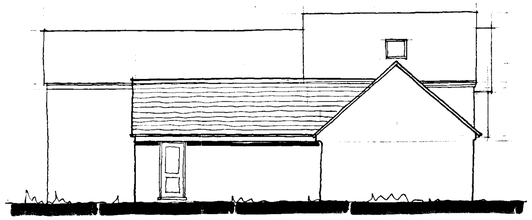
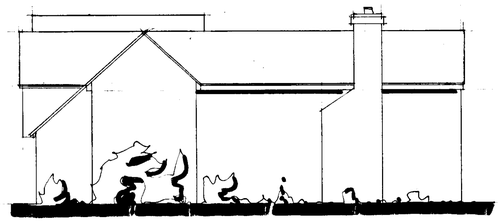
FRONT ELEVATION.



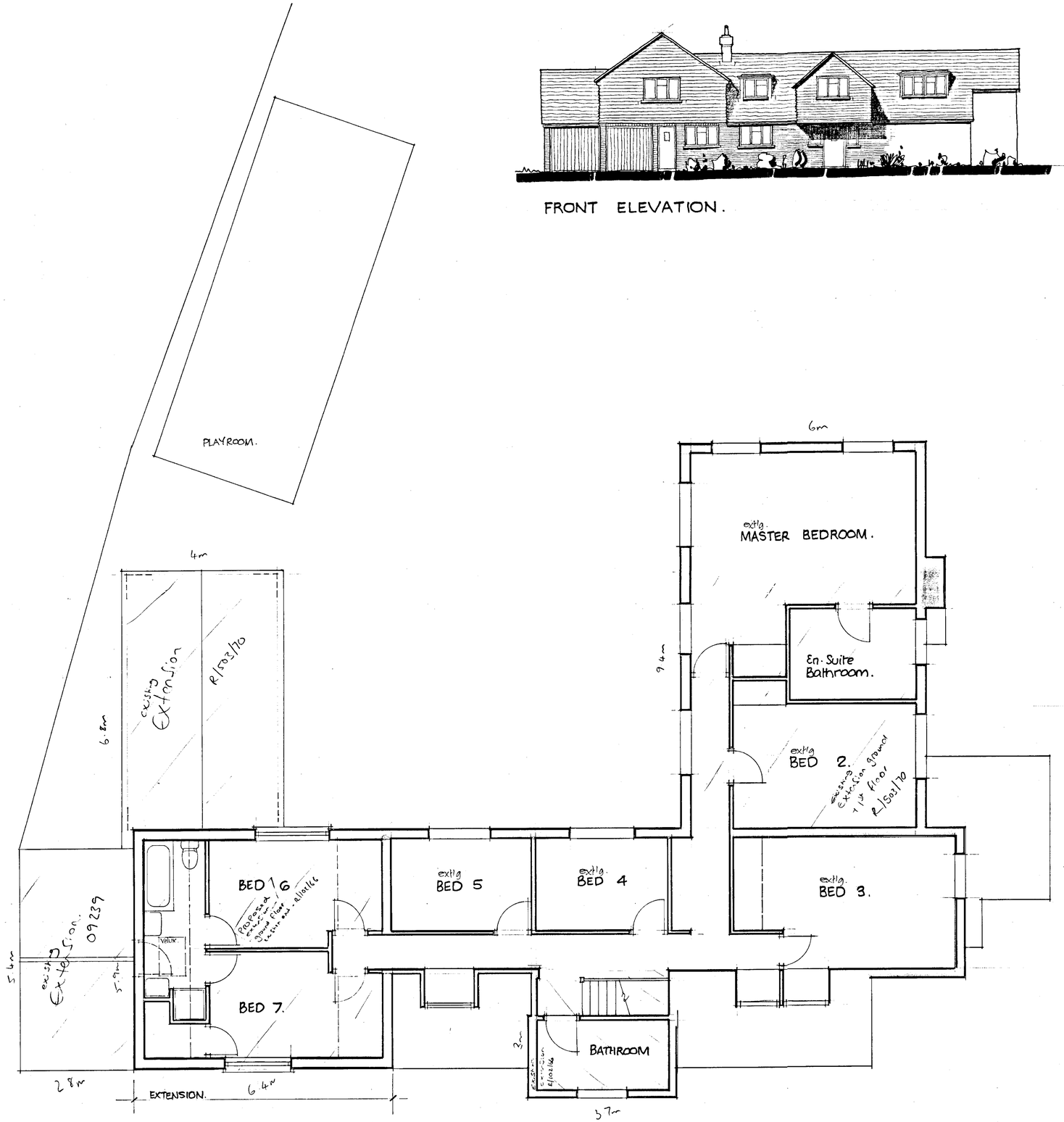
REAR ELEVATION.



SIDE ELEVATION. east



SIDE ELEVATION. west



FIRST FLOOR PLAN.

ADDITIONAL PLAN

5279

PLANNING REFERENCES	
POL	
DC	
APP	
CS	
30 NOV 2001	
COPIES TO:	ACK:
	FILE:

rev. B. 27.11.01 West elevation added.

rev A. 25-10.01 scheme amended

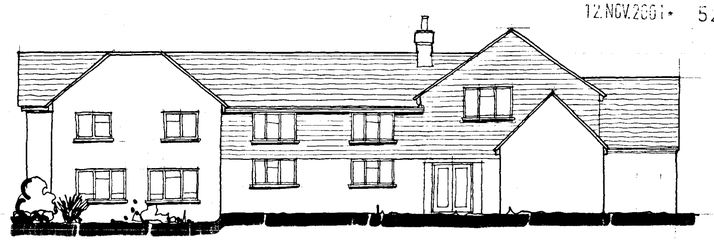
R. G. BUTLER & ASSOCIATES
11 STRATHMORE DRIVE. CHARVIL. READING.
RG10 9QT Tel/fax 0118 934 3040.

PROPOSED EXTENSION AT
HAZELDELL COTTAGE.
SCARLETTS LANE.
HARE HATCH.

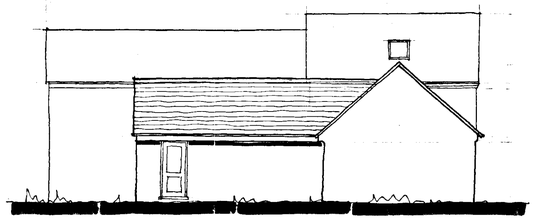
Scale 1:50	drg no 524/2 B
date Oct 2001	

12.NOV.2001 5279

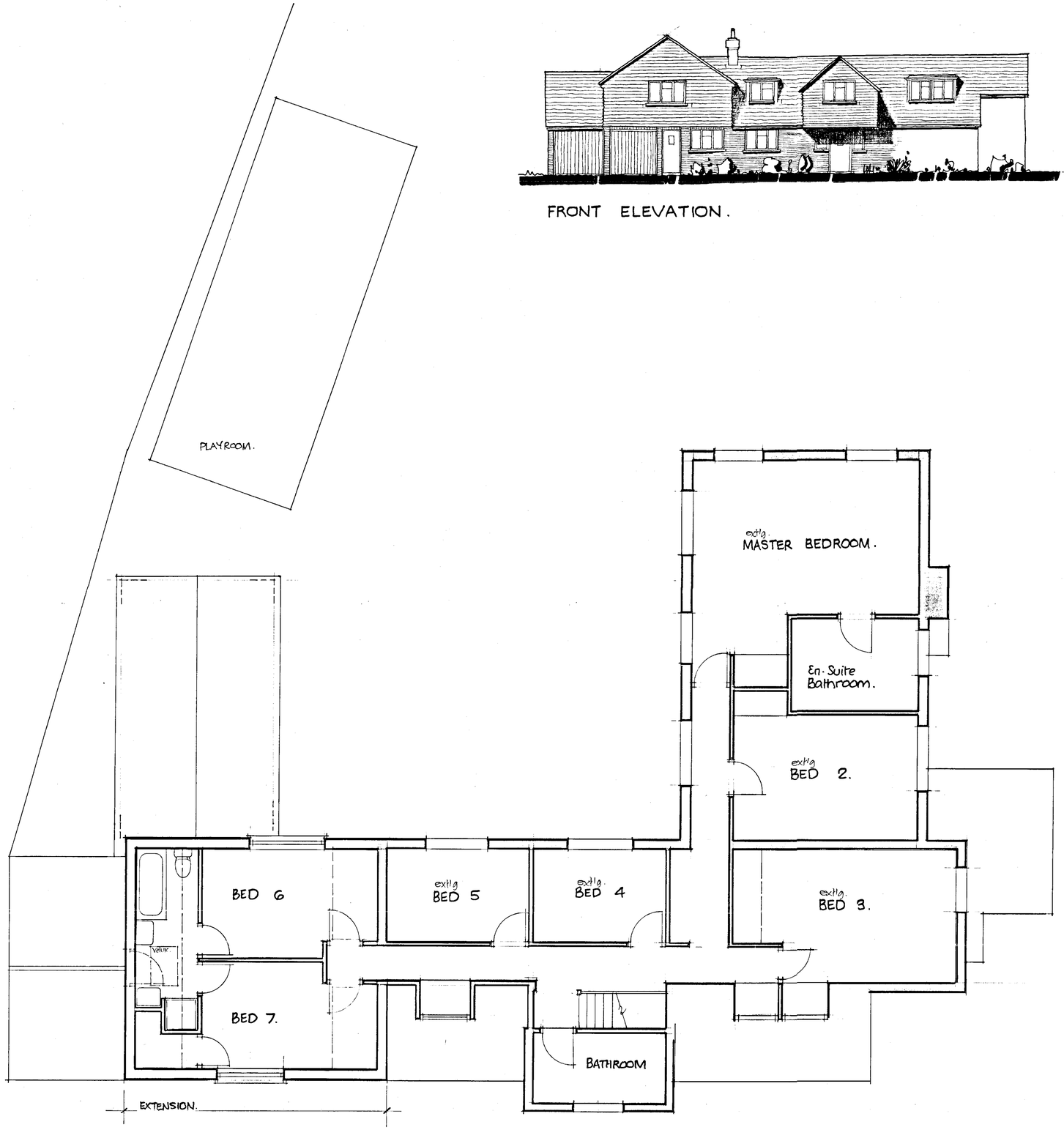
FRONT ELEVATION.



REAR ELEVATION.



SIDE ELEVATION.



FIRST FLOOR PLAN.



rev A. 25-10-01 scheme amended

R. G. BUTLER & ASSOCIATES
11 STRATHMORE DRIVE. CHARVIL. READING.
RG10 9QT Tel/fax 0118 934 3040.

PROPOSED EXTENSION AT
HAZELDELL COTTAGE.
SCARLETTS LANE.
HARE HATCH.

Scale 1:50	drg no 524/2 A
date Oct 2001	

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

STEMS LTD

APPLICATION NO.5279

Name of appellant:
Mr & Mrs W Alley

Site address:
Hazeldell Cottage, Scarletts Lane, Kilr Green

Proposal:Proposed 1st floor side extension tc dwelling

Case Officer: LS

390

DO

Appeal Decision

Site visit made on 29 October 2002

by Philip Major BA(Hons) DipTP MRTPI

an Inspector appointed by the First Secretary of State

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

Date

13 NOV 2002

Appeal Ref: APP/X0360/A/02/1093297
Hazeldell Cottage, Scarletts Lane, Kiln Green.

- 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 & Mrs W Alley against the decision of Wokingham District Council.
- The application (Ref. F/2001/5279), dated 9 November 2001, was refused by notice dated 25 February 2002.
- The development proposed is a first floor extension.

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

Preliminary Matter

1. Although not specifically mentioned in the application, I note that the appeal statement indicates that the demolition of an outbuilding forms an integral part of the proposal before me.

Main Issues

2. I consider that there are 2 main issues in this appeal. These are:
   (a) Whether the proposed development would amount to inappropriate development in the Green Belt and if so whether there are any very special circumstances sufficient to outweigh the harm by inappropriateness and any other harm.
   (b) The effect of the proposed development on the character and appearance of the locality.

Planning Policy

3. The development plan for the area comprises the Berkshire Structure Plan 1991 – 2006 of 1997, and the Green Belt Local Plan for Berkshire of 1985. Policy C4 of the Structure Plan indicates that there will be a presumption against inappropriate development in the Metropolitan Green Belt. Development should not compromise the purposes of the Green Belt, the fundamental aim of which is to keep land permanently open. The policy goes on to state that limited extension of existing dwellings is, in principle, an acceptable form of development in the Green Belt. This policy generally conforms with the advice in Planning Policy Guidance Note 2 – *Green Belts* (PPG2).

4. Policy 9 of the Green Belt Local Plan indicates that there is a presumption against extensions to dwellings unless 3 criteria are satisfied. These relate to scale and character of the dwelling, scale of development on site and the effect on the open or rural character of the area. However, the Green Belt Local Plan is of considerable age, and its policies have been overtaken by the provisions of the Structure Plan and by PPG2.

5. The emerging Wokingham District Local Plan was published in deposit draft form in February 2000. Policy WGB1 presumes against inappropriate development in the Metropolitan Green Belt, but sets out those types of development which are not inappropriate, and this includes the limited extension of existing dwellings. Any proposed extension will be required to ensure that it does not conflict with the openness of the Green Belt or its purposes, and must be acceptable in its surroundings. Policy WGB3 states that there will be a presumption against allowing more than limited extensions to existing dwellings in the Green Belt. In all cases the extension proposed must have no adverse physical, visual or ecological impact upon the open or rural character of the surrounding countryside, and must not result in disproportionate additions to the original building. The original building is defined as the building as first built or as existing in 1948. The emerging Local Plan is proceeding towards adoption but the weight which can be afforded to its policies is limited at present.

Reasons

Green Belt

6. The appeal property has been extended on occasions in the past, though I am informed that it was originally built as a pair of semi detached cottages. Nevertheless it is undisputed that the size of the original building has been increased. PPG2 and the emerging Local Plan both refer to additions being seen in the context of the original building. Although reference has been made to the base date for calculating the scale of extensions being different in a neighbouring authority, the policies of that Council do not apply to this case.

7. There appears to be no dispute that the original building has been extended by a substantial amount, and by a figure beyond the 40% increase rule of thumb which is mentioned in representations. Even if the Council's calculation that there has been a 107% increase in floorspace already is discounted, it is clear that the original building has been added to significantly. In my judgement the further addition of the proposed extension would, when added to the previous extensions, amount to disproportionate additions. These extensions, in total, would reduce the openness of the Green Belt. As a result I find that the proposal would be inappropriate development in the Green Belt and, by definition, harmful to it.

Very Special Circumstances

8. I turn now to consider whether any very special circumstances exist sufficient to outweigh the harm by inappropriateness. In this case it is apparent that the main reason advanced is the effect of the proposed removal of the outbuilding in the rear garden, which is currently used as a playroom. I observed this building at my site inspection and noted that it is an uninteresting timber built structure which covers a significant part of the garden area. In my view it reduces the openness of the Green Belt in the locality and detracts from the setting of the main dwelling. I consider that its removal would be positively beneficial to the character of the dwelling, and the area in general. Additionally the removal of the outbuilding would counter any loss of openness which would result from the proposed extension. It therefore seems to me that the benefits which would result from the removal of the outbuilding are sufficient, in this case, to amount to the very special circumstances required to clearly outweigh the harm by inappropriateness.

Character and Appearance

9. The area in general is mainly rural, though with pockets of sporadic and loose knit development between more compact settlements. The locality of the appeal site is one such area. The site itself is inconspicuous, being located in a well wooded locality, open views into the site being restricted to those from the roadside and a small area to the rear.

10. The proposed extension would be in the style of the existing dwelling and would be finished in matching materials, a matter which could be controlled by condition. The perception of an increase in size would be limited, since much of the volume of the extension already exists within the roof space of the dwelling. Although the extension would increase the ridge height of the property, the increase would be such that it is my opinion that it would not result in the extension being a dominant feature or unduly massive. It would be a relatively modest part of the whole building. In addition the extension would be seen with a backdrop of mature trees, so reducing its impact. Overall I consider that the character of the building would be little changed, and that the effect on the character and appearance of the locality would also be so small as to be relatively insignificant. I therefore find that there would be no material harm to the character and appearance of the area.

Summary

11. Drawing together my conclusions, I find that the proposal would amount to inappropriate development in the Green Belt, in conflict with Local and National Green Belt Policy. However I also find that very special circumstances exist sufficient to clearly outweigh the harm by inappropriateness. On the second issue I find that the proposal would not be harmful to the character and appearance of the area, and not in conflict with the development plan or emerging Local Plan.

Conditions

12. The proposal includes the intention to demolish the outbuilding mentioned above. In order to ensure that this occurs I consider a condition requiring its removal prior to occupation of the extension to be reasonable and necessary. The Council has suggested that a condition be imposed requiring works to match those of the existing building and I find this to be necessary in the interests of the appearance of the area. The appellant has suggested that a restriction be placed on permitted development rights, to preclude the provision of outbuildings. Although Circular 11/95 advises against such restriction unless there are exceptional circumstances, I consider this to be a case where, in order to maintain openness, such a condition is reasonable. I do not consider that the condition suggested which would require the provision of parking and turning areas to be necessary since these areas already exist and the condition is insufficiently related to the development proposed.

Conclusions

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

Formal Decision

14. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for a first floor extension at Hazeldell Cottage, Scarletts Lane, Kiln Green in

accordance with the terms of the application [Ref. F/2001/5279] dated 9 November 2001, and the plans submitted therewith, subject to the following conditions:

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

2) The extension hereby permitted shall not be occupied until the outbuilding to the rear of the dwelling, noted on the application drawing as a playroom, has been demolished and removed from the premises.

3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no development within Schedule 2, Class E of the Order shall be undertaken within the curtilage of the dwellinghouse.

Information

15. 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.

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

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

INSPECTOR

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: ~~BS~~ LS

APPLICATION NUMBER: 5279

APPELLANT: Mr & Mrs W Alley

SITE: Hazeldell Cottage, Scarletts Lane, Kiln Green, Wargrave

APPEAL REF: APP/X0360/A/02/1093297

START DATE: 26/06/02

DATE OF SITE VISIT

Progress Record	Date Actioned	Initials
Appeal Logged:	27/06/02	
Entered on Access:	04/07/02	DG
Notification Letters Due:	**10/07/02**	
Notification Letters Sent:	08/07/02	DG
Questionnaire Due:	**10/07/02**	
Questionnaire Sent:	08/07/02	DG
Statement Due:	~~05/08/02~~ 07/08/02	
Statement Sent:	02/08/02	DG
Comments on Statement Due	28/08/02	
Comments on Statement Sent	/	
Decision letter circulated:	13/11/02	DG
Decision entered on Access:	13/11/02	DG

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

HOUSING SERVICES HP 63218
POL TLS
DC DG ENF
CP
CS
14 NOV 2002

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

Your Ref: F/2001/5279

Our Ref: APP/X0360/A/02/1093297

Date: 13 November 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS W ALLEY
SITE AT HAZELDELL COTTAGE, SCARLETTS LANE, KILN GREEN, READING, BERKSHIRE

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

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

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

Phone No. 0117 372 8252

Fax No. 0117 372 8139

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

Yours faithfully

KF

((Mrs Margaret Pocock

COVERDL1

Tel. (0118) 974 6448 (Direct Line)
Date: August 2, 2002
My ref: F/2001/5279
Your ref: APP/X0360/A/02/1093297

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

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

Dear Mrs Pocock

APPEAL BY: Mr & Mrs W Alley
SITE: Hazeldell Cottage, Scarletts Lane, Kiln Green

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: July 8, 2002
My ref: F/2001/5279
Your ref: APP/X0360/A/02/1093297

WOKINGHAM UNITARY
Aiming for Excellence

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

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

Dear Mrs Pocock

APPEAL BY: Mr & Mrs W Alley
SITE: Hazeldell Cottage, Scarletts Lane, Kiln Green

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. July 8, 2002
My ref: F/2001/5279
Your ref:

WOKINGHAM UNITARY
Aiming for Excellence

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

Richard Knight Associates
81 Reading Rd
Woodley
Reading
RG5 3AE

Dear Sirs

APPEAL BY: **Mr & Mrs W Alley**
SITE: **Hazeldell Cottage, Scarletts Lane, Kiln Green**

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

HP.
10/7

The Planning Inspectorate

57965

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

DG

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

Your Ref: F/2001/5279

Our Ref: APP/X0360/A/02/1093297

Date: 26 June 2002

(H)

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS W ALLEY
SITE AT HAZELDELL COTTAGE, SCARLETTS LANE, KILN GREEN, READING, BERKSHIRE

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

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

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

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

Within 2 weeks from the starting date -

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

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

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

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

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

Within 6 weeks from the starting date -

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

Within 9 weeks from the starting date -

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

Site visit arrangements

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

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

Planning obligations - Section 106 agreements

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

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

Yours faithfully

Mrs Margaret Pocock
102(BPR)

The Planning Inspectorate

PLANNING APPEAL

The appeal must reach the Inspectorate within 6 months of [illegible] Planning Authority's decision, or within 6 months of the date by which [illegible]

FOR OFFICIAL USE ONLY
Date received 57708
SERVICES HPT
TLS
ENF
COPIES TO ACK
FILE

A. INFORMATION ABOUT THE APPELLANT(S)

Full Name: MR & MRS W. ALLEY

Address: HAZELDELL COTTAGE, SCARLETTS LANE,
KILN GREEN, BERKSHIRE

Postcode: ..... Reference: .....
Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: ..... Fax No: .....

Agent's Name (if appropriate): RICHARD KNIGHT ASSOCIATES

Agent's Address: 81 READING ROAD, WOODLEY,
BERKSHIRE

Postcode: RG5 3AE Reference: RK/MEK/1202/APP
Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: 0118 969 1131 Fax No: 0118 969 1131

B. DETAILS OF THE APPEAL

Name of the Local Planning Authority (LPA): Wokingham District Council

Description of the Development: Demolition of outbuilding and erection of first floor extension.

Address of the Site: Hazeldell Cottage
Scarletts Lane
Kiln Green
Berkshire

Postcode:
Failure to provide the postcode may cause delay in processing your appeal.

National Grid Reference (see key on OS map for Instructions).
Grid Letters: Grid Numbers
eg TQ:298407

SU:815784

Date and LPA reference number of the application you made and which is now the subject of this appeal: 9 November 2001. Ref.F/2001/15279

Date of LPA notice of decision (if any): 25 February 2002

Are there any outstanding appeals for this site eg Enforcement, Lawful Development Certificate etc? If so please give details and any Planning Inspectorate reference number here: .....

C. REASON FOR THE APPEAL

THIS APPEAL IS AGAINST the decision of the LPA:- **(*Delete as appropriate)** **(✓)**

1. to *refuse/~~grant subject to conditions~~, planning permission for the development described in Section B. ☑

2. to *refuse/grant subject to conditions, approval of the matters reserved under an outline planning permission. ☐

3. to refuse to approve any matter (other than those mentioned in 2 above) required by a condition on a planning permission. ☐

Or the failure of the LPA:-

4. to give notice of its decision within the appropriate period on an application for permission or approval. ☐

D. CHOICE OF PROCEDURE

CHOOSE ONE OF THE FOLLOWING TYPES OF PROCEDURES - Appeals decided by written representations are normally decided much quicker than by the hearing/inquiry method. For further information see the booklet "Making your planning appeal" which accompanied this form.

1. WRITTEN REPRESENTATIONS ☑

If you have chosen the written representations procedure, please tick if the whole site can clearly be seen from a road or other public land. (An unaccompanied site visit will be arranged if the Inspector can adequately view the site from public land.) ☐

2. LOCAL INQUIRY Please give reasons why an inquiry is necessary ..... ☐

.....

3. HEARING Although you may prefer a hearing, the Inspectorate must consider your appeal suitable. ☐

E. ESSENTIAL SUPPORTING DOCUMENTS

A copy of each of the following should be enclosed with this form.

1. The application submitted to the LPA; ☑

2. The site ownership details (Article 7 certificate) submitted to the LPA at application stage; ☑

3. Plans, drawings and documents forming part of the application submitted to the LPA; ☑

4. The LPA's decision notice (if any); ☑

5. Other relevant correspondence with the LPA; please identify the correspondence by date or otherwise: ....SEE APPENDIX III..... ☑

6. A plan showing the site in red, in relation to two named roads (preferably on an extract from the relevant 1:10,000 OS map). **(Failure to submit this can delay your appeal).** ☑

Copies of the following should also be enclosed, if appropriate:

7. If the appeal concerns reserved matters, the relevant outline application, plans submitted and the permission; ☐

8. Any plans, drawings and documents sent to LPA but which do not form part of the submitted application (eg drawings for illustrative purposes); ☑

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

F. APPEAL SITE OWNERSHIP DETAILS

IMPORTANT: THE ACCOMPANYING NOTES SHOULD BE READ BEFORE THE APPROPRIATE CERTIFICATE IS COMPLETED. CERTIFICATES A AND B ARE GIVEN BELOW. IF NEEDED, CERTIFICATES C AND D ARE ATTACHED TO THE GUIDANCE NOTES

SITE OWNERSHIP CERTIFICATES

PLEASE DELETE INAPPROPRIATE WORDING WHERE INDICATED (*) AND STRIKE OUT INAPPLICABLE CERTIFICATE

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) of any part of the land to which the appeal relates.

OR

CERTIFICATE B

I certify that:

I have/the appellant 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) of any part of the land to which the appeal relates, as listed below.

Owner's Name	Address at which notice was served	Date on which notice was served

I further certify that:

AGRICULTURAL HOLDINGS CERTIFICATE (TO BE COMPLETED IN ALL CASES WHERE A, B, C OR D OWNERSHIP CERTIFICATE HAS BEEN COMPLETED)

*• None of the land to which the appeal relates is, or is part of, an agricultural holding.

OR

*• I have/the appellant has *given the requisite notice to every person other than my/him/her*self 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 follows:

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

*** Delete as appropriate. If the appellant is the sole agricultural tenant the first alternative should be deleted and "not applicable" should be inserted below the second alternative.**

Signed ..... (on behalf of) Mr. & Mrs. W. Alley

Name (in capitals) RICHARD KNIGHT Date 19 June 2002

G. GROUNDS OF APPEAL If the written procedure is requested, the appellant's FULL STATEMENT OF CASE **MUST** be made - otherwise the appeal may be invalid. If the written procedure has not been requested, a brief outline of the appellant's case should be made here.

See separate statement enclosed.

PLEASE SIGN BELOW

I confirm that a copy of this appeal form and any supporting documents relating to the application not previously sent to the LPA has been sent to them. I undertake that any future documents submitted in connection with this appeal will also be copied to the local planning authority at the same time.

Signed R. Knight (on behalf of) Mr. & Mrs. W. Alley

Name (in capitals) RICHARD KNIGHT Date 19 June 2002

The Planning Inspectorate is registered under the Data Protection Act 1984, so that we may hold information supplied by you on our computer system for the purpose of processing this appeal.

CHECKLIST - Please check this list thoroughly to avoid delay in the processing of your appeal.

- This form signed and fully completed.
- Any relevant documents listed at Section E enclosed.
- Full grounds of appeal/outline of case set out at Section G.
- Relevant ownership certificate A, B, C or D completed and signed.
- Agricultural Holdings Certificate completed and signed.

♦ **1ST COPY: Send one copy of the appeal form** with all the supporting documents to

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

♦ **2ND COPY: Send one copy to the LPA,** at the address from which the decision on the application (or any acknowledgments, etc) was received, enclosing any supporting documents not previously submitted to them as part of the application.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: **Mr & Mrs W Alley**
SITE: **Hazeldell Cottage, Scarletts Lane, Kiln Green, Wargrave**
APPLICATION NO.: **5279**
PROPOSAL: **Proposed 1st floor side extension to dwelling**

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Remenham & Wargrave

Mr F D Browne

Mr R Haacke

Clerk(s) of Parish / Town Council of Wargrave

Mr S Hedges, 47 Halifax Rd, Pinkneys Green, Maidenhead SL6 5ES

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

The Owner / Occupiers of the following addresses in Hare Hatch:

Scarletts Lane: Hampton, Kestrels, Hazeldell Cottage & Copsemead

St John's House

The Owner / Occupiers of the following addresses in Kil Green:

Scarletts Lane: Little Scarletts

Bath Road: Old Post House, Coach House, The Forge, Copper Beeches & Forge Cottage

Recd 10.15 AM 23.8.02 5279 filing

Richard Knight Associates

Telephone & Fax
0118 9691131
Mobile
07778 787970

TOWN PLANNING AND DEVELOPMENT CONSULTANT

81, Reading Road
Woodley, Reading,
Berks.RG5 3AE

60189

25 AUG 2002

The Planning Inspectorate
3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol, BS1 6PN

14 August 2002

Your Ref.
APP/XO360/A/02/1093297

My Ref.
RK/MEK/1202/APP

Dear Sir,

Town and Country Planning Act 1990
Appeal By Mr & Mrs W Alley
Site at Hazeldell Cottage, Scarletts Lane
Kiln Green, Reading, Berks.

I am in receipt of the local planning authority's case in respect of the above-mentioned appeal. Whilst most of the points have already been covered in the appellants' original case it is requested that the following also be taken into consideration.

1. In paragraph 4.03 reference is made to the percentage increase in the dwelling since 1948. This is however misleading in that until 1966 the building was a pair of semi-detached cottages and the local authority accepts that the figures are approximate.

   It is also out of concert with the more updated interpretation of PPG2, which has recently been approved by the Secretary of State in the adjoining Bracknell Forest Borough Local Plan. Both districts were originally covered by The Proposed East Berks Green Belt, which was not formally approved as part of the Metropolitan Green Belt until 1974. The Central Berkshire section was not approved until 1982 at which point the first Green Belt Local Plan was issued. The 1985 version is an update of that earlier Plan.

   Consequently Bracknell Council took the view that 1982 should be the base date of the original dwelling for the purposes of calculating permissible 40% extensions and this has been accepted through the Local Plan process.

   It may be that Local Authorities can justify different policies to their neighbours in other respects because the circumstances may vary. With regard to the Green Belt, however this is not the case. The same policies should operate unilaterally across this section of the Green Belt otherwise it would demonstrate inconsistency in the

interpretation of PPG2 regarding extensions to dwellings to the disadvantage of a large number of residents.

Using the criteria referred to it can be seen from the planning history that the appeal proposal will be well within the 40% limits specified. The fact that this is quoted as a guideline means that larger or smaller percentages could be allowed, depending on circumstances.

2. Reference is made in paragraph 4.04 to the spreading of development across the site. This is clearly not the case because there will be no addition to the footprint.

3. In paragraph 5.02 the local authority indicates that the only site-specific considerations are history and cumulative impact. It is submitted that this is not the case. Topography, character of the area, location, plot size, building-to-building relationships and visibility are also material issues.

4. The volume issue is understated in paragraph 5.03 in that **most** of the volume is contained in the existing roof.

5. With regard to paragraph 5.04 there is no doubt that the demolition of the outbuilding was an integral part of the proposal. It was realised at the outset that without it the proposal would be unacceptable. The pre-application correspondence already submitted and discussions revolved around this issue. It is unfortunate that the same planning officer has not dealt with the appeal, otherwise this issue would have been dealt with by way of suggested conditions. Had the application been approved it was fully expected that conditions would be imposed requiring demolition of this building and removal of permitted development rights and it is still open to the Inspector to impose them.

6. With regard to the gap referred to in paragraph 5.06 this is no different to the majority of dwellings in the area evidenced by the site plan. There is no question of overdevelopment of the site due to the size of the plot. In addition there is a large gap on the western boundary and a large gap between the dwelling and its neighbour to the east. It cannot be said therefore that development would be spread across the site.

7. Finally it should be taken into account that, in accordance with the Local Plan, the Green Belt is of regional rather than local significance and the determining issue is whether the proposal will interfere with its open character or the reasons for its designation. In this case it is submitted that the proposal will have no detrimental effect on the green Belt for the reasons given and it requested that the appeal be allowed subject to any reasonable conditions.

For ease of reference a copy of the history of the metropolitan Green Belt extracted from the Green Belt local Plan is enclosed. It is also confirmed that a copy of this letter has been sent direct to the Local Planning Authority.

Yours Faithfully,

Richard Knight

Posted, after final checking, to DETR on 19/08/02.

5279 filing

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 60362
TLS
DG ENF
APP
CS
29 AUG 2002

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

Your Ref: F/2001/5279

Our Ref: APP/X0360/A/02/1093297

Date: 28 August 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS W ALLEY
SITE AT HAZELDELL COTTAGE, SCARLETTS LANE, KILN GREEN, READING, BERKSHIRE

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)

Richard Knight Associates

Telephone & Fax
0118 9691131
Mobile
07778 787970

TOWN PLANNING AND DEVELOPMENT CONSULTANT

81, Reading Road
Woodley, Reading,
Berks. RG5 3AE

The Planning Inspectorate
3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol, BS1 6PN

RECEIVED
21 AUG 2002
PINS AA PEP

14 August 2002

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APP/XO360/A/02/1093297

My Ref.
RK/MEK/1202/APP

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Town and Country Planning Act 1990
Appeal By Mr & Mrs W Alley
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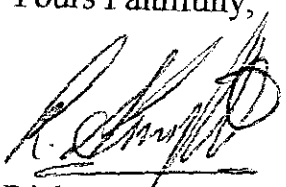
Yours Faithfully,



Richard Knight

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT :	**Mr & Mrs W Alley**
APPEAL SITE :	**Hazeldell Cottage, Scarletts Lane, Kiln Green**
REASON FOR APPEAL :	**Refusal of planning permission for first floor side extension to provide two additional en-suite bedrooms.**

LOCAL PLANNING AUTHORITY REFERENCE:	**F/2001/5279**
DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE:	**APP/XO360/A/02/1093297**

1.00 LOCATION AND SITE DESCRIPTION

1.01 The application site is located within the Metropolitan Green Belt (see appendix 1).

1.02 The dwelling is detached and situated within a large plot with access from Scarletts Lane, which runs to the North of the site.

2.00 RELEVANT PLANNING HISTORY

2.01 The dwelling as originally constructed was of modest scale, previous extensions have magnified development on site. Planning consent R/102/66 raised the roofline and agreed additions to the property. R/503/70 added a bulky two storey rear extension, 09239 a single storey extension and 17209 granted the development of a large outbuilding on site.

2.02 In February 2002, planning permission (F/2001/5279) for a first floor side extension was refused under delegated powers for the following reason:

"The proposed development together with previous development would cumulatively result in a disproportionate addition to the scale of the building and scale of development on site, to the detriment of the character of openness of the Metropolitan Green Belt. As such the proposed development would be contrary to policy C4 of the Berkshire Structure Plan, policies WGB1 and WGB3 of the Wokingham District Local Plan (Deposit Draft) and to the Green Belt Local Plan policy 9."

2.03 The above refusal forms the subject of this appeal.

3.0 POLICY BACKGROUND

3.01 Berkshire Structure Plan 1991-2006

The relevant policy is contained within the Berkshire Structure Plan, which was adopted in November 1995.

3.02 The relevant policy is (see appendix 2)

C4 – Control of Development within the Green Belt

3.03 Green Belt Local Plan for Berkshire

The relevant policy is contained within the Green Belt Local Plan for Berkshire, which was adopted in April 1985.

3.04 The relevant policy is (see appendix 4)

Policy 9 – Residential Development outside Recognised Settlement

3.05 Wokingham District Local Plan (Deposit Draft)

There is an emerging plan, the Wokingham District Local Plan that will replace the Green Belt Local Plan for Berkshire. The Wokingham District Local Plan was placed on deposit on 21 October 1997 to December 1997 and has been used for development control purposes since 21 October 1997. The local plan inquiry commenced in October 1998 and the Inspector's report was published in October 2001.

3.06 The relevant policies are (see appendix 3)

WGB1 – Development in the Metropolitan Green Belt

WGB3 – Residential extensions and ancillary buildings in the Metropolitan Green Belt

4.00 THE CASE FOR THE LOCAL AUTHORITY

4.01 As stated in section 1.00, the appeal site lies within the Metropolitan Green Belt.

4.02 Policy C4 of the Berkshire *structure* Plan states that development must be acceptable in terms of scale, and Policy 9 of the Green Belt Local Plan for Berkshire asserts that when considering the impact of an extension, the cumulative effect of proposed and previous extensions will be taken into account.

4.03 Hazeldell Cottage has undergone extensive additions in the past (see section 2.01) amounting to c.161.66m² increase in floorspace to the *original* dwelling (c.151.6m²) which represents an existing 107% cumulative increase, which is itself an excessive amount of additional development for this sensitive setting. Thus, any further extensions would be likely to be seen as an over-development of the site, out of scale with the *original* dwelling. The proposal in question (a first floor side extension above the existing integral garage)

would represent a 132% cumulative increase in floorspace, presenting an undesirable increase in massing on site, detrimental to the open character and amenity of the Metropolitan Green Belt. These figures are an approximation, as there are no original plans for the property by Wokingham District Council, hence some parts of the dwelling that may have been additions may have been counted as original.

4.04 The proposed extension would form a dominant feature on site, with the ridge height exceeding the existing original dwelling and a large gable formed flush with the ground floor wall below, projecting out from the main roof slope. The proposal would enclose the gap between the eastern site boundary (fringed by mature vegetation) and the dwelling itself, spreading development across the site, detrimental to the open character of the Metropolitan Green Belt.

4.05 Policy WGB3 of the Wokingham District Local Plan (Deposit Draft) lists criteria, which must be taken into account when assessing extensions in the Metropolitan Green Belt. Point (B) states that extensions should not result in disproportionate additions to the *original* dwelling. As stated in 4.02, the original dwelling has already been increased by over 100% and 4.04 explains the prominence and massing of the proposed development. The current proposed development would further increase the cumulative additions of development on site from 107% to 132%. This when considered together with the increase in visual bulk and massing that the proposed extension would add to the first floor level, would result in the formation of an unacceptable and obtrusive addition to the dwelling that would have a harmful effect upon the appearance of the open character of the Metropolitan Green Belt.

4.06 The applicant submitted a proposal outline (of larger scale than that designed under the application itself) prior to entering the application itself. Negative pre-application advice was given (letter ref: 1859) which explained the authority's concern over the increase in scale of development on site and its unacceptable impact on the open charcter of the Metropolitan Green Belt.

5.0 COMMENTS ON THE APPELLANTS STATEMENT

5.01 The appellant refers to the 40% cumulative increase in floor-space figure that was quoted in the pre-application advice letter referred to under section 4.06. This figure is not an absolute determinant; it is given for illustrative purposes only to explain what would be considered as a *limited* extension to a dwelling within the Green Belt as set out in Development Policies.

5.02 The appellant draws attention to para. 3.19 of the Wokingham District Local Plan (Deposit Draft), which specifies that extensions need to be considered on a site-specific basis. The application was determined on this basis with the history of the site and cumulative impact of the extension having already been addressed above.

5.03 The appellant discusses the increase in volume on site. Although some of the volume may utilise the existing roof void above the garage there would still a significant increase in bulk and massing on site by this proposed prominent feature projecting forward of the existing roof slope on this part of the dwelling (see section 4.04). It is agreed that the proposal was reduced from that initially proposed at pre-application stage, however, the resultant design and scale is still considered detrimental to the site and contrary to policy.

5.04 The appellant claims that it was the intention to demolish the outbuilding as a 'trade-off' for the proposed first floor extension. This was referred to in the applicant's pre-application submission; however, this was not addressed on the application itself. The outbuilding is sited close to the dwelling and has bulk and massing at ground level, however, if this mass was to be transferred to the first floor location as proposed then the impact would be significantly more harmful. As explained earlier, the extension would form a dominant feature by virtue of its design and scale, and would enclose the gap between the dwelling and the eastern boundary of the site. This relocation of floorspace was addressed in the officer's pre-application advice, wherein the transfer of mass to this more prominent location was discouraged.

5.05 The appellant claims that the proposal would not be detrimental to the open character of the Metropolitan Green Belt due to the screening of the site. As has already been discussed, the extension would enclose the gap between the development and the eastern site boundary, spreading development

across the site, and would result in an unacceptable change in scale of development on the site.

6.00 CONCLUSION

6.01 The proposed first floor side extension to form two en-suite bedrooms would cumulatively result in a disproportionate addition to the scale of the building and scale of development on site, to the detriment of the open character and amenity of the Metropolitan Green Belt.

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

7.00 CONDITIONS IN THE EVENT OF PLANNING PERMISSION BEING GRANTED

7.01 see appendix 5

Louise Smith

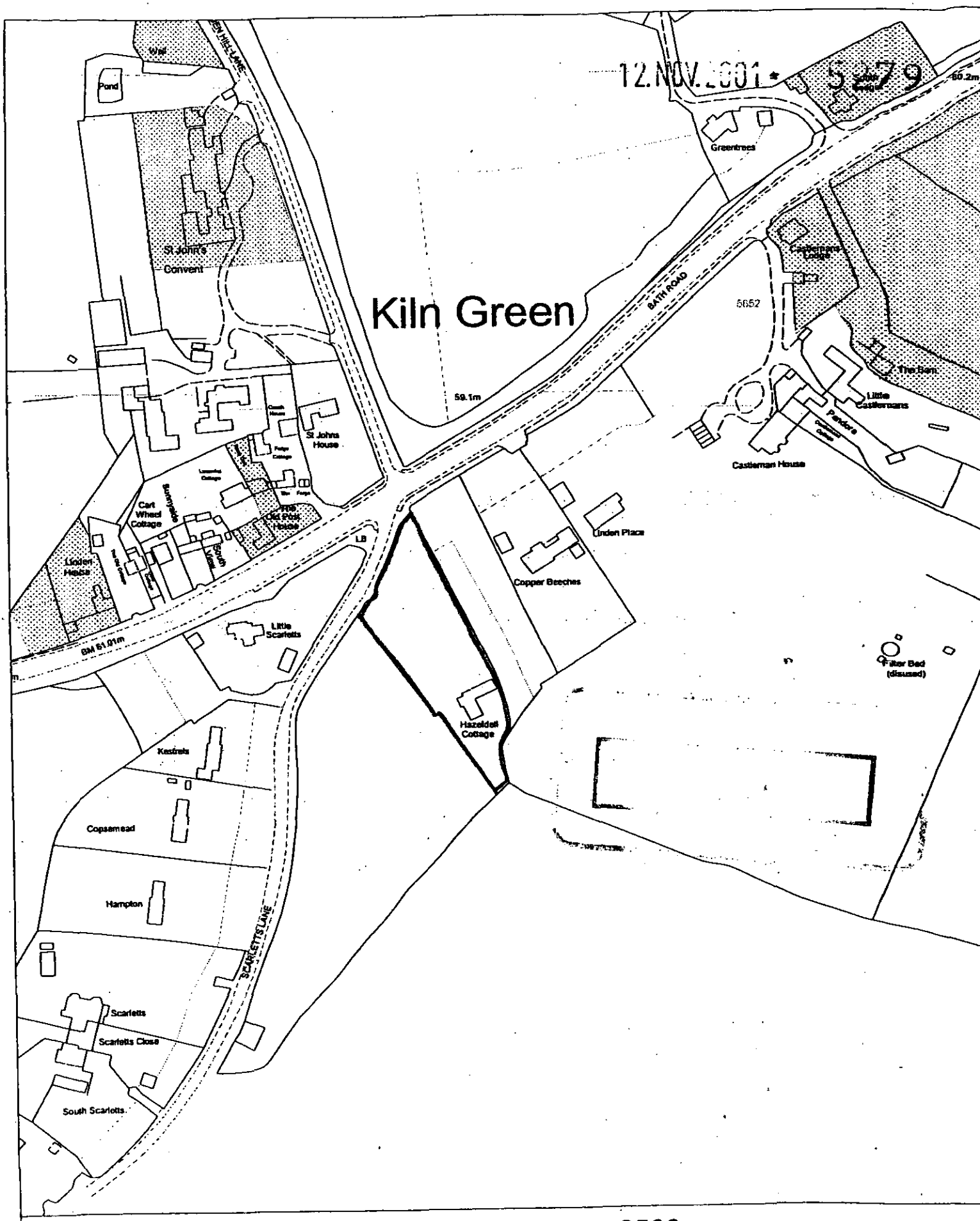
Planning Officer

Appendices

1. **Site Location Plan**
2. **Extracts from the Berkshire Structure Plan**
3. **Extracts from the Wokingham District Local Plan Deposit Draft**
4. **Extracts from the Green Belt Local Plan for Berkshire**
5. **Conditions in the Event of Planning Permission Being Granted**

Appendices

Appendix1



Site Plan, Scale: 1 to 2500

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Date: 6 November 2001

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Appendix2

ROYAL COUNTY OF BERKSHIRE



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie

Public Services Division

- *where possible, avoid taking the best and most versatile farmland (Policy C10);*

- *take account of environmental constraints referred to in Policies EN2 - EN10 and the Colne Valley Regional Park Strategy;*

- *seek an appropriate provision of low cost housing of various tenures to meet local housing needs (Policy H7) and a range of residential densities, dwelling types and sizes related to local needs (Policy H9);*

- *be satisfied that infrastructure, services and amenities made necessary by proposed development are provided or will be provided at the appropriate time (Policy LD6).*

Development in the Green Belt

5.20 The purpose of the Metropolitan Green Belt in Berkshire is to help to limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intensive activity. Restraints on development in the Green Belt may also encourage the recycling of derelict and other urban land excluded from the Green Belt. Planning Policy Guidance Note 2 (PPG2) states that "general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them".

Control of Development in the Green Belt

Policy C4 **There will be a presumption against inappropriate development in the Metropolitan Green Belt. Development must be acceptable in scale, form, impact, character and siting to its location in the Green Belt and should not compromise the purposes of the Green Belt and the fundamental aim of keeping land permanently open.**

Approval will not be given, save in very special circumstances, for new buildings for any purpose, other than :

(i) agriculture and forestry;

(ii) essential facilities for outdoor sport and recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;

(iii) limited extension, alteration and replacement of existing dwellings;

(iv) limited infill in Recognised Settlements defined in local plans;

(v) small-scale low-cost housing on other sites in Recognised Settlements to meet proven local needs in accordance with Policy H8;

(vi) limited infilling in, or redevelopment of, major existing developed sites identified in adopted local plans.

5.21 In implementing the provisions of Policy C4, it should be noted that development includes the change of use of land and existing buildings and the carrying out of engineering or other operations. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purpose of including land in the Green Belt.

5.22 Within the Green Belt, the erection of new dwellings is normally restricted to infilling in Recognised Settlements (those villages and other locations within the Green Belt where, because of the local concentration of development, it is considered that the overall character of the Green Belt would not be harmed by permitting such development). The boundaries of these settlements are currently defined in the Green Belt Local Plan, which also indicates that "infilling" in the Green Belt should normally be limited to single plots. As local plans are prepared for areas in the Green Belt, their policies will supersede those in the Green Belt Local Plan. Until that time, policies in the Green Belt Local Plan will apply.

5.23 Planning Policy Guidance Note 2 'Green Belts' does not refer to park and ride sites as being appropriate development in the Green Belt. However, if such schemes are to be provided in the eastern part of the County in accordance with the integrated transport strategy, it is most likely that sites will have to be found in the Green Belt. Proposals for sites in the Green Belt would have to be treated as exceptional cases and as departures from the development plan which would have to be referred to the Secretary of State.

5.24 By maintaining the separation of settlements, the Green Belt plays an important role in protecting the rural character of much of the eastern part of Berkshire. However, in some areas, pressures for change and fragmentation of ownership are leading to degradation of the landscape. To help combat such changes (and thereby improve the effectiveness of Green Belt policy), the County Council will work in partnership with other agencies to develop appropriate landscape conservation and enhancement measures.

Settlements, Buildings and the Countryside

5.25 Areas on and near the edge of settlements, where built-up areas meet the countryside, are especially vulnerable to insensitive development within settlement boundaries which:

(i) increases the visual intrusion by buildings in the surrounding countryside;

(ii) causes the loss of tree and hedgerow cover which helps to soften and screen a settlement edge;

(iii) extends beyond a feature (like a ridge or tree belt) which forms a visual barrier to the edge of a settlement;

(iv) adds to, or fills gaps in, an area of dispersed settlement or sporadic development;

(v) prejudices the continued satisfactory conduct and management of a land-use wholly appropriate to a rural area, either on land adjoining a settlement or in an area of sporadic or dispersed development.

Appendix3



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

3.11 The Government's policy for the Green Belt is contained within PPG 2, which explains the fundamental aims and purposes of including land within the Metropolitan Green Belt.

Strategic Policy

3.12 The *Berkshire Structure Plan 1991 - 2006* states that the purpose of the Metropolitan Green Belt in Berkshire is to help limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intense activity. It states also that restraints on development in the Green Belt may encourage the recycling of derelict and other urban land excluded from the Green Belt.

3.13 The Structure Plan envisages that the Green Belt boundaries, as originally set out in the Green Belt Local Plan for Berkshire, will be retained except to correct very minor local inconsistencies. Further guidance on this is set out paragraph 5.12 of the Berkshire Structure Plan.

Supplementary Planning Guidance

3.14 Future supplementary guidance will be produced by this Council in respect of a District wide *Landscape Assessment*, which in turn will be used to produce a *Countryside Design Summary*. Also, there will be the production of *Village Design Statements* in conjunction with the parishes within this District. They will all be based on Countryside Commission methodology and advice set out in Planning Policy Guidance Note 7 (PPG 7) *The Countryside - Environmental Quality and Economic and Social Development*.

3.15 A background paper on recognised Major Existing Developed Sites in the Metropolitan Green Belt will be published concurrently with this Plan. It will provide an explanation of the selection criteria that form the basis of Policy WGB7. As supplementary planning guidance it defines the extent of the area within which the Council could accept possible future development (the defined development envelope). Further supplementary planning guidance in the form of a development brief could be necessary on these sites.

THE CONTROL OF DEVELOPMENT IN THE METROPOLITAN GREEN BELT

3.16 In the Metropolitan Green Belt there is a presumption against inappropriate development, which by definition, is harmful to the Green Belt, though there are some categories of development which may be appropriate and these are set out in Policy WGB1 below:

POLICY WGB1: DEVELOPMENT IN THE METROPOLITAN GREEN BELT

THERE WILL BE A PRESUMPTION AGAINST INAPPROPRIATE DEVELOPMENT IN THE METROPOLITAN GREEN BELT, ~~DEVELOPMENT MUST BE ACCEPTABLE TO ITS LOCATION WITHIN THE GREEN BELT~~, **(PA 3/1)** AS DEFINED ON THE PROPOSALS MAP. ~~APPROVAL WILL NOT BE GIVEN,~~ *DEVELOPMENT WILL NOT BE PERMITTED*, **(PA 3/1)** SAVE IN VERY SPECIAL CIRCUMSTANCES, ~~FOR THE CONSTRUCTION OF NEW BUILDINGS OR THE CHANGE OF USE OF LAND~~: FOR ANY PURPOSE OTHER THAN: **(PA 3/1)**

Cont.

~~A) DEVELOPMENT THAT DOES NOT CONFLICT WITH THE FUNDAMENTAL AIM OF KEEPING LAND PERMANENTLY OPEN AND ANY OTHER PURPOSE FOR WHICH GREEN BELTS ARE DEFINED~~ **(PA 3/1)**

~~B)~~ *A)* DEVELOPMENT FOR AGRICULTURE OR FORESTRY **(PA 3/1)**

~~C)~~ *B)* DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT DOES NOT CONFLICT WITH POLICIES IN THE GREEN BELT **(PA 3/1)**

~~D)~~ *C)* ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION, ~~AND~~ FOR CEMETERIES, *AND FOR OTHER USES OF LAND THAT PRESERVE THE OPENNESS OF THE GREEN BELT, AND WHICH DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN IT* **(PA 3/1)**

~~E)~~ *D)* LIMITED EXTENSION, ALTERATION AND REPLACEMENT OF EXISTING DWELLINGS **(PA 3/1)**

~~F)~~ *E)* LIMITED INFILLING OR REDEVELOPMENT OF *MAJOR* EXISTING DEVELOPED SITES IN ACCORDANCE WITH ~~POLICIES WGB5 OR~~ *POLICY* WGB7 **(PA 3/1)**

~~G)~~ *F)* THE RE-USE AND ADAPTATION OF EXISTING BUILDINGS IN ACCORDANCE WITH POLICY WGB4. **(PA 3/1)**

G) ESSENTIAL FACILITIES FOR PUBLIC UTILITIES WHICH IT HAS BEEN CONCLUSIVELY DEMONSTRATED CANNOT BE LOCATED ELSEWHERE **(PA 3/1)**

IN ALL CASES, DEVELOPMENT WILL NEED TO ~~RESPECT ITS CONTEXT~~ *RETAIN THE OPEN CHARACTER OF THE GREEN BELT,* **(PA 3/1)** AND NOT CAUSE DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS. DEVELOPMENT MUST BE APPROPRIATE IN TERMS OF:

SCALE, FORM, SITING, DESIGN, MATERIALS, CHARACTER, TYPE AND LEVEL OF USE, AND OTHER VISUAL, PHYSICAL AND ECOLOGICAL ASPECTS.

Implementation: Through development control process.

Monitoring: Impact of planning applications determined.

Extensions to Existing Dwellings in the Metropolitan Green Belt

3.19 Extensions to existing dwellings in the Metropolitan Green Belt need to be considered on a site-specific basis. Generally any extension proposal will have to ensure that it does not conflict with the openness of the Green Belt and the purposes of including land in it set out in PPG 2, Green Belts. Furthermore it must not adversely impact the surrounding countryside or significantly increase the scale of built development on the site. It should also respect regional or local building designs, traditions and materials.

POLICY WGB3: RESIDENTIAL EXTENSIONS AND ANCILLARY BUILDINGS IN THE METROPOLITAN GREEN BELT

THERE WILL BE A PRESUMPTION AGAINST ALLOWING MORE THAN LIMITED EXTENSIONS TO EXISTING DWELLINGS OR THE ERECTION OF ANCILLARY BUILDINGS IN THE GREEN BELT.

IN ALL CASES THE EXTENSION OR ANCILLARY BUILDING PROPOSED MUST:

A) HAVE NO ADVERSE PHYSICAL, VISUAL OR ECOLOGICAL IMPACT UPON THE OPEN OR RURAL CHARACTER OF THE SURROUNDING COUNTRYSIDE

B) NOT RESULT IN DISPROPORTIONATE ADDITIONS TO THE ORIGINAL BUILDING* NOR CAUSE A DETRIMENTAL ALTERATION TO THE SCALE OF THE DWELLING AND TO THE SCALE OF THE DEVELOPMENT ON SITE

C) RESPECT REGIONAL OR LOCAL BUILDING DESIGNS AND MATERIALS.

** Original building means the building as it was first built or as it stood on 1st July 1948.*

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Re-use and Adaptation of Existing Buildings in the Metropolitan Green Belt

3.20 The re-use and adaptation of existing buildings in the Green Belt recognises that changing agricultural trends are not limited to non-Green Belt countryside. The re-use of buildings should not prejudice the openness of the Metropolitan Green Belt because the buildings are already there. The policy does provide a number of safeguards to ensure that the 'openness' is retained. Notes are also given below on non-residential and residential re-uses and adaptations of existing buildings. Further guidance on the consideration of re-use and adaptation of existing building proposals in the Metropolitan Green Belt is given in PPG 2 Green Belts, paras. 3.7 to 3.10 and Annex D.

3.21 The Government's policy as set out in PPG 7 is that the re-use of rural buildings for new commercial, industrial and recreational uses can help to reduce the demand for new building and encourage a healthy rural economy. Generally re-use and adaptation should not prejudice the openness of Green Belts. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises, and may contribute to the objectives for the use of land in the Metropolitan Green Belt. The alternative to re-use may be a building that is left vacant and prone to vandalism. However, it is accepted that not all proposals will be acceptable as there may be legitimate objections, based on local circumstances, that may override these advantages of re-use and adaptation.

3.22 Residential conversions can often have a detrimental effect on the fabric and character of farm buildings. Further, the creation of a residential curtilage can undermine the rural nature of the area. The rural economy is not, usually, boosted by such conversions, whereas conversion to holiday use may be of benefit. For these reasons a generally more cautious approach is proposed than for non-residential uses.

Appendix4

GREEN BELT LOCAL PLAN FOR BERKSHIRE

Royal County of Berkshire

April 1985

ISBN 0 903321 94 7

or more dwellings and which may involve the construction of new means of access) as well as of infilling. To avoid doubt, it is here confirmed that such rounding-off on the edges of the main urban areas may only take place **within** the boundaries of the Excluded Settlements, and thus may **not** take place by means of the development of land which is included in the Green Belt by virtue of this Local Plan. To allow such rounding-off on Green Belt land would conflict with Structure Plan Policy H 7 (see paragraph 2.3.3 above). Similarly, the rounding-off of villages which are included in the Green Belt (whether they are Recognised Settlements or not) is not acceptable in terms of the policies either of the Structure Plans or of this Local Plan.

8.3 Extensions

8.3.1 Policy 9 OUTSIDE RECOGNISED SETTLEMENTS THERE WILL BE A PRESUMPTION AGAINST ALLOWING PROPOSALS FOR THE EXTENSION OF EXISTING DWELLINGS, UNLESS THE PLANNING AUTHORITIES ARE SATISFIED THAT THE EXTENSION PROPOSED

A WILL NOT CAUSE OR CONTRIBUTE TO A CHANGE IN THE SCALE OR CHARACTER OF THE DWELLING CONCERNED; AND

B WILL NOT CAUSE A MATERIAL ALTERATION TO THE SCALE OF DEVELOPMENT ON THE SITE; AND

C WILL HAVE NO ADVERSE EFFECT ON THE OPEN OR RURAL CHARACTER OF THE AREA IN GENERAL

Reason

8.3.2 Extensions other than those which are very modest in scale would normally contribute to an increase in the built character of the Green Belt in general, contrary to the aims of basic Green Belt policy.

Implementation

8.3.3 The erection of an extension which is large relative to the existing dwelling, or of a series of a small extensions which together would result in a large increase in the size of the original dwelling, will normally create a material intensification in the scale of development or a change in the character of the dwelling. Developments of these types will therefore normally be resisted.

8.3.4 In considering the effect of a proposed extension on the scale or character of the dwelling, the planning authorities will take into account the cumulative effect of the proposed extension taken together with past extensions to the property concerned, in order to prevent the scale or character of a dwelling being gradually changed by the construction of a series of small extensions.

8.3.5 Examples of cases in which criterion B of Policy 9 would fall for consideration would be proposals for extensions which would lead to the overdevelopment of a small site, or which would develop a site frontage in such a way as to change the site's character by giving it a fully built-up impression. Such proposals would not satisfy this criterion, since the increase of built character which they would create would conflict with the aim of maintaining the generally open character of the Green Belt.

8.3.6 The planning authorities will not operate a rigid policy of refusing all extensions which increase the volume of a dwelling by a certain fixed percentage; such a policy has proved impracticable in the past. On the other hand, neither will they operate a policy of automatically approving all extensions of less than a certain percentage volume increase, as this could result in the erection of unsatisfactorily designed extensions contrived merely to keep the overall volume down. Policy 9 requires a more flexible approach by the planning authorities to each proposal submitted, allowing each to be considered on its individual merits in terms of its overall effect on the existing dwelling, and on the site and area in general.

8.3.7 The general principle of not allowing extensions which are large relative to the existing dwelling may be relaxed in the case of very small cottages for which a relatively large extension is needed to allow the provision of basic amenities, or to bring room sizes up to a standard suitable for comfortable single-family occupation. Such proposals may still be resisted, however, if they would alter the character of the dwelling away from that of a small cottage.

8.3.8 Proposals to erect or extend small non-habitable buildings separate from a main house - eg a separate garage, or stables for private use - will in general be considered on their merits principally of siting, design and location in relation to the existing house and its surroundings rather than on specific Green Belt considerations.

8.4 Rebuildings and Replacements

8.4.1 Policy 10 OUTSIDE RECOGNISED SETTLEMENTS THERE WILL BE A PRESUMPTION AGAINST ALLOWING THE REBUILDING OR REPLACEMENT OF AN EXISTING DWELLING UNLESS THE PLANNING AUTHORITIES ARE SATISFIED THAT:

A THERE IS AN EXISTING HABITABLE DWELLING OF PERMANENT CONSTRUCTION ON THE SITE IN QUESTION, WHOSE RESIDENTIAL USE HAS NOT BEEN ABANDONED; AND

B THE EXISTING RESIDENTIAL USE OF THE SITE IS PERMANENT RATHER THAN SEASONAL OR OCCASIONAL; AND

C THE PROPOSAL WOULD NOT PERPETUATE THE RESIDENTIAL USE OF AN ISOLATED OR PROMINENT SITE; AND

D ANY PROPOSAL FOR THE REPLACEMENT OF AN EXISTING DWELLING IS ON A ONE-FOR-ONE BASIS ONLY; AND

E THE DETAILS OF THE PROPOSAL WOULD NOT HARM THE RURAL OR OPEN CHARACTER OF THE AREA.

Reason

8.4.2 The stage-by-stage rebuilding of a dwelling which is of permanent construction and still in permanent occupation can in certain circumstances be carried out without planning permission, provided (amongst other things) that the structure remains a recognisable and habitable dwelling throughout the rebuilding process. On the other hand planning permission is always needed if the original building is to be wholly or largely demolished and replaced. (The question of whether or not a particular rebuilding proposal requires planning permission depends entirely on the facts of the particular case, and is a matter to be decided in the first instance by the planning authority guided by its legal advisers.) Rebuilding carried out on a piecemeal basis purely to allow it to be regarded as 'permitted development' can sometimes be a second-best alternative, both to the occupier who might prefer to rebuild on a slightly different site, or to carry out the operation as a comprehensive exercise rather than piecemeal; and to the planning authorities in their efforts to secure the most satisfactory appearance of the site concerned. To avoid such second-best solutions, the planning authorities will be prepared to allow those rebuildings or replacements which do require planning permission so long as all the criteria in Policy 10, together with any relevant detailed site considerations, are met.

Implementation

8.4.3 The criteria contained in Policy 10 have been drawn up to ensure so far as possible the safeguarding of the open, rural or quiet character of the Green Belt. It is for this reason that the planning authorities will normally resist proposals which would resurrect a residential use which has been abandoned; proposals which would involve the intensification of a site's residential use by turning an intermittent residential use into a permanent one; proposals which would perpetuate a site's residential use by replacing

Appendix5

APPENDIX 5. Conditions in the event of Planning Permission being granted

Conditions

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

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

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

Reasons

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

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

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

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78
APPEAL BY
MR & MRS W. ALLEY

Against the REFUSAL of
Wokingham District Council
To permit the Erection of a First Floor Extension

At Hazeldell Cottage, Scarletts Lane, Kiln Green
Berkshire

Written Representations on behalf of the Appellant

My Ref: RK/MEK/202/APP
LA Ref: F/2001/5279
Date: 14 June 2002

Richard Knight Associates
81, Reading Road, Woodley
Reading, Berkshire. RG5 3AE.

1) Introduction.

1.1. This appeal relates to a full application for the demolition of an outbuilding and the erection of a first floor extension above an existing garage.

1.2. The proposal would provide two additional bedrooms with much of the accommodation being provided within the existing roof.

1.3. The application was submitted on 19 November 2001 and Refused on 25 February 2002 for the following reason.

1. *The proposed development together with previous development would cumulatively result in a disproportionate addition to the scale of the building and scale of the development on site, to the detriment of the character and openness of the Metropolitan Green Belt. As such the proposed development would be contrary to policy C4 of the Berkshire Structure Plan, policies WGB1 and WGB3 of the Wokingham District Local Plan (Deposit Draft) and to Green Belt Local Plan policy 9.*

2) Description of Appeal Site and Surroundings.

2.1. Kiln Green is an area of dispersed development located between Twyford and Knowl Hill to the west of Maidenhead.

2.2. Most of the development consists of detached dwellings in large plots situated on the Bath Road (A4) and Scarletts Lane.

2.3. The Lane lies on the south side of the A4 and takes a south easterly direction to the village of Ruscombe.

2.4. The appeal site is located at the junction of the two roads with access from Scarletts Lane. It is rectilinear in shape and extends to approx. 0.5 of a hectare.

2.5. The land drops away from the Bath Road and there is a difference in level between it and the dwelling of 3.39 metres.

2.6. Hazeldell Cottage is located at the southern end of the site approx. 100 metres from Bath Road frontage. It is a 'U' shaped chalet style dwelling, which was formerly a pair of cottages. On the eastern end is an attached double garage with a pitched roof slightly lower than the main part of the dwelling.

2.7. To the front of the dwelling is a parking and turning area and, nearer the road, is an area of mature trees. To the rear is a single storey building used as a playroom.

2.8. The site is well screened from the surrounding area.

2.9. Adjoining to the east are two detached dwellings. To the west there are no dwellings adjoining, the nearest being located on the west side of Scarletts Lane.

3) Planning History and Background

3.1. According to the planning history the current dwelling was converted from two cottages in 1966, since when the property has been extended.

3.2. In February 2001 the appellants' agent consulted with the planning authority on the possibility of a further extension. A reply was sent on 30 March 2001 referring to the increase in floorspace relating to Green Belt policies.

3.3. On 7 June 2001 the agent wrote again, enclosing a sketch plan of the proposal . This showed the creation of two bedrooms and a breakfast room.

3.4. This was replied to on 21 June 2001. Concerns were expressed regarding the amount of additional floorspace and the increase in the ridge height above the existing dwelling.

3.5. As a result the scheme was modified by reducing the floorspace and ridge height, and the application submitted on the basis that it would result in a decrease in volume and nominal increase in floorspace.

4) Relevant Planning Policies

4.1. These are contained in Planning Policy Guidance Notes, The Berkshire Structure Plan, The Green Belt Local Plan and The Wokingham District Local Plan.

4.2. Concerning National policies **PPG 1.** Deals with general policies, principles, and sets out how the planning system is to operate in practice with regard to sustainable development.

4.3. In paragraph one it is explained that the purpose is to balance the aims of promoting competition while protecting the environment and amenity. Paragraph 5 considers the system has an important role to play in

regulating development in the public interest. It must make adequate provision for development whilst respecting environmental objectives.

4.4 Paragraphs 13-20 deal with design. In essence, new buildings and their curtilages are important to the character and quality of an area. Good design can help promote sustainable development and applicants should be able to demonstrate how they have taken account of relevant policies. Particular weight should be given to the impact of development in areas recognised for their value including Areas of Outstanding Natural Beauty.

4.5. Whilst local authorities should reject poor designs, including those out of scale or incompatible with their surroundings, they should not attempt to impose a particular architectural or style arbitrarily. Local planning authorities should not concern themselves with matters of detailed design except where they have a significant effect on the character or quality of the area.

4.6. Further advice is given in Annex A, which requires plan policies to avoid unnecessary prescription or detail in favour of guiding the overall scale, density, massing, height etc. in relation to neighbouring buildings and the local area generally.

4.7. Applicants are encouraged to consult at an early stage and local authorities are expected to respond positively, giving clear indications of their design expectations.

4.8. The theme of sustainable development is reinforced in Para.21, which makes it clear that a key aim is to encourage economic development in a way that is compatible with environmental objectives.

4.9. Paras.37-38 allow the imposition of suitable conditions to control development where it might otherwise be refused.

4.10. Paras.39-46 deal with development plans and determination of applications. The former should provide for choice and competition, with an inbuilt degree of flexibility, and take account of national policies. The latter requires determination in accordance with the plan, unless material considerations indicate otherwise. In all cases, it will be necessary to decide whether the development would cause demonstrable harm to interests of acknowledged importance.

4.11. Paras.50-56 explain the correct approach to decision making. In summary, the development plan prevails if it contains material policies

and there are no other material considerations. Where there are other material considerations, the plan should be taken as a starting point and the other considerations weighed in reaching a decision. Where the plan is not relevant determination should be on the merits of the case in the light of material considerations.

4.12 **PPG2** relates to Green Belts, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open. (Para. 1.4.)

4.13. The five purposes contained in para.1.5 and the objectives in para.1.6. include the prevention of neighbouring towns from merging, to check the unrestricted sprawl of large built-up areas and to assist in safeguarding the countryside from encroachment.

4.14. Paras.3.1- 3.3 presume against inappropriate development. Appropriate development is described in para.3.4, which includes limited extension, alteration or replacement of existing dwellings. The proviso for extensions is that they should not result in disproportionate additions over and above the size of the original dwelling.

Relevant extracts are attached at **Appendix IV**.

4.15. The relevant strategic plan is The Berkshire Structure Plan 1991-2006.

4.16. Policy C4 concerns development in the Metropolitan Green Belt. It presumes against inappropriate development but provides a list of exceptions, which includes limited extensions to existing dwellings.

4.17. Development must be acceptable in scale, form, impact, character and siting to its location in the Green Belt.

4.18. The Wokingham District Local Plan 1996-2006 contains policies relevant to development in the Green Belt.

4.19. Policy WGB1. Presumes against inappropriate development but provides a list of exceptions, which includes limited extensions to existing dwellings.

4.20. Policy WGB1 is specific to residential extensions. In order to comply these must have no adverse physical, visual or ecological impact, nor result in disproportionate addition to the original dwelling or be detrimental to the scale of the dwelling and the scale of the development on the site.

4.21. Para. 3.19 of the Plan accepts that extensions need to be considered on a site-specific basis.

4.22. The Green Belt Local Plan for Berkshire was approved in 1985. Policy 9 is directed specifically at extensions to dwellings. These are permitted if they meet the criteria laid down which relate to scale and character of the dwelling, scale of development on the site and effect on the open or rural character of the area.

Relevant extracts are attached at **Appendix V**.

5) Consideration of Material Issues.

5.1. The determining issues in this case according to the relevant policies and the reason for refusal are:-

a) would the proposal result in a disproportionate addition to the scale of the building

b) would it result in a disproportionate addition to the scale of development on the appeal site

c) would the proposal be detrimental to the character and openness of the Green Belt.

5.2. With regard to the first issue, PPG2 does not refer to a specific percentage of increase, either in relation to floorspace or volume.

5.3. This is followed through to the policies contained in the Structure Plan, the Local Plan and the Green Belt Local Plan. The Local Authority has, however, indicated in its pre-application correspondence that it operates a 'rule of thumb' figure of 40% increase in floorspace.

5.4. It is clear from para. 3.19 of the Local Plan that this is only a guideline, since all extensions need to be considered on a site-specific basis.

5.5. In this case there have been extensions to the property prior to the appellants' occupation and it is likely that the 'rule of thumb' figure has been exceeded.

5.6. The current proposal results in a nominal increase in floorspace of $0.82m^2$. Apart from being insignificant it is somewhat misleading because much of the space already exists within the roofspace above the garage and dwelling.

5.7. A comparison of volume is of more relevance. The building to be demolished is 81.97m³ and the volume of the proposal above that of the existing roof is 55m³. There is, therefore, an overall reduction of 27m³ compared with the existing.

5.8. It is clear from correspondence from the Local Authority at **Appendix III** that the main concern, apart from floorspace, was the increase above the existing ridge height and the fact that the projecting 'front gable' appeared to be unsupported.

5.9. These matters were addressed by the architect, and modifications made before the application was submitted. The alteration meant a reduction in bulk and floorspace. The roof shape was altered to provide a supported 'gable', as requested, although the original gable mirrored the existing.

5.10. The centre of the apex to the new roof is only one metre higher than the existing roof. This height rapidly diminishes on either side because of the angle of the roof.

5.11. It is submitted that the resultant extension will not appear disproportionate, particularly as the dwelling is set 3 .. metres below the Bath Road frontage, and given the distance factor, intervening vegetation and the extent of the site.

5.12. With regard to the second issue, there will be no increase in the scale of the building in relation to the site.

5.13. The footprint of the dwelling will not be increased and the overall footprint on the site will be reduced by the removal of the outbuilding, i.e. by 33.12m².

5.14. This will result in the reduction of the building to plot ratio, which will represent a planning gain in the Green Belt by providing more undeveloped land. The appeal proposal complies, therefore, with this aspect of the relevant policies.

5.15. It might be argued that the appellant could subsequently construct other outbuildings within the curtilage of the dwelling under permitted development rights. This possibility could simply be met by the imposition of a condition removing permitted development rights under Schedule 2 Part 1 and Class E of the General Permitted Development Order 1995.

5.16. With regard to the third issue, the Local Authority alleges that the proposal would be detrimental to the character and openness of the Metropolitan Green Belt.

5.17. The area of the Green Belt in the vicinity of the appeal site is characterised by large dwellings set in large plots where, in general, the spatial separation is generous and there is a good deal of vegetation.

5.18. This character will not be changed by the appeal proposal because it will be hardly noticeable. In addition the Local Authority accepts that extensions must be considered on a site-specific basis.

5.19. In this case the site is very generous in relation to the amount of built form. The small addition proposed will be at first floor level in a location that is significantly lower than the main vantage point. In addition there will be a discernible reduction of built form on the site.

5.20. This will have the effect of increasing the openness of the Green Belt at this point and the proposal would not, therefore, conflict with the relevant policies.

5.21. The Metropolitan Green Belt has a specific purpose not relevant to other Green Belts. It is "to limit the Greater London built-up areas and prevent its spread". (Para. 2.1.6. of the Green Belt Local Plan.)

5.22. It is accepted in the Plan at para. 2.1.9. that the other purposes relating to Green Belts in general provide incidental benefits rather than the achievement of a primary aim of the Metropolitan Green Belt.

5.23. The appeal proposal must, therefore, be measured against the primary aim, coupled with the relevant parts of the other policies referred to and site-specific consideration. In addition, all proposals must still be considered in relation to the 'demonstrable harm' test in PPG1.

5.24. Given the history of the site, the location of the dwelling, the topography, the character of the area, the building-to-plot ratio, the removal of the outbuilding and existing screening, it cannot be said that the proposal would have any detrimental effect.

5.25. It will not be a disproportionate addition, nor will it have any adverse impact on the character of openness of the area. It will have only a minor effect, which will be more than offset by the removal of the outbuilding.

5.26. As such the proposal complies with the relevant policies and is in compliance with the Development Plan.

5.27. It is requested, therefore, that the appeal be allowed, subject to suitable conditions in accordance with Section 54A of the 1990 Act.

6) Conclusions.

6.1. Green Belt policies limit development but permit residential extensions that are proportional to the original building.

6.2. The primary purpose of the Metropolitan Green Belt is to prevent the spread of Greater London.

6.3. The appellants' architect consulted with the Local Authority and modified the scheme to meet with its comments.

6.4. The dwelling is set well below surrounding ground levels, has the benefit of significant screening, a large plot and good location.

6.5. The dwelling and proposal will have less impact on the Green Belt than would have been the case if the location and topography had been different.

6.6. There will only be a marginal increase in actual floorspace but a significant reduction in volume. The footprint of buildings on the site will also be reduced. Most of the extension will be confined within the existing roofspace.

6.7. A condition can be imposed to remove the relevant permitted development rights.

6.8. Consequently the proposal will not have a detrimental impact on the character and openness of the Green Belt. It will not conflict with the primary purpose of the Metropolitan Green Belt, nor will it cause any demonstrable harm.

6.9. It is submitted, therefore, that in the circumstances of this particular case the proposal does not conflict with the Development Plan and should be allowed, subject to suitable conditions.

7) Appendicies Attached.

I. Location Plan.

II. Application Documentation.

III. Correspondence.

IV. Extracts from National Planning Policies.

V. Extracts from Strategic and Local Policies

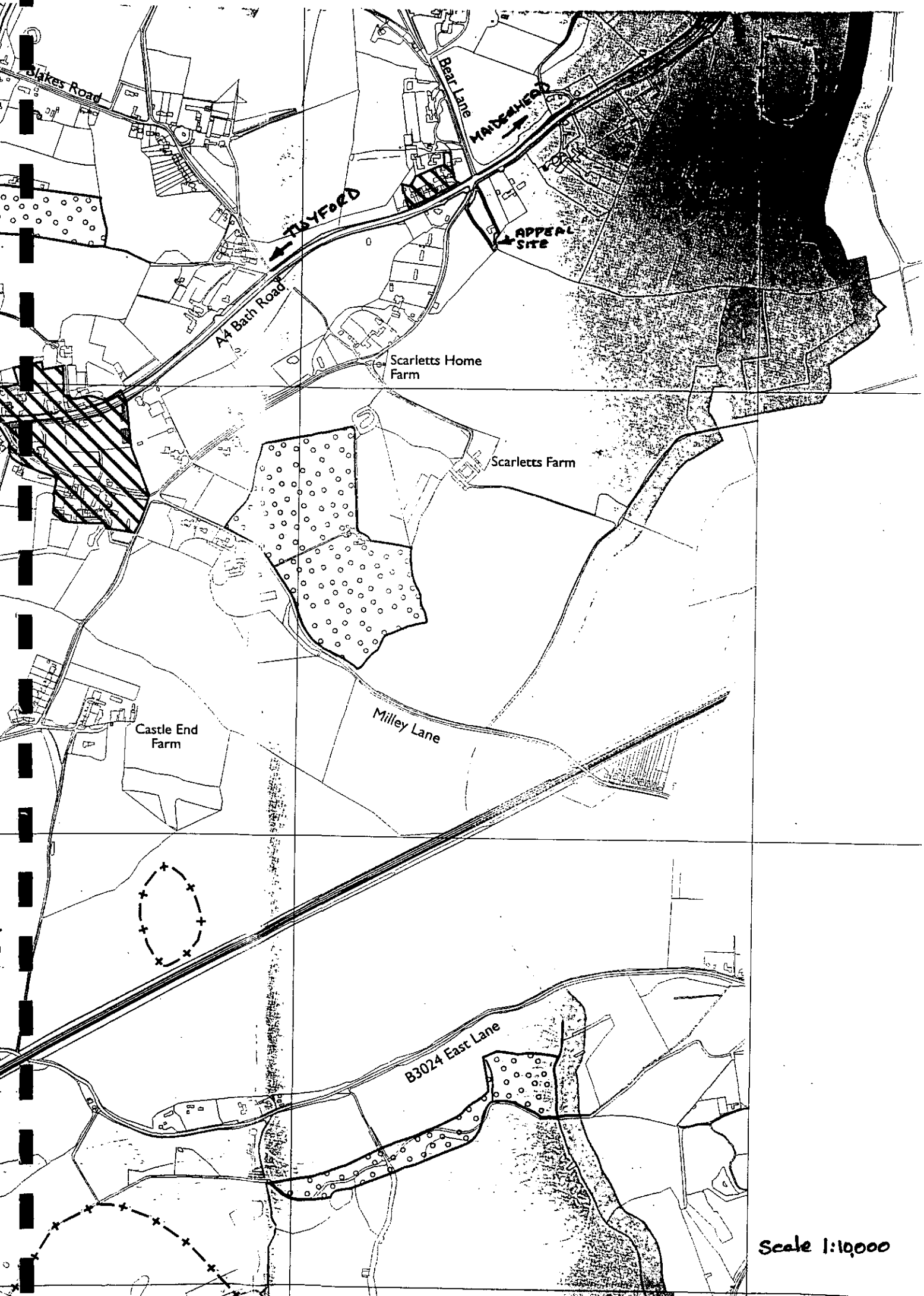
8) Documents Enclosed.

1. Appeal Form.

2. Application and Pre-Application Plans.

LOCATION PLAN

APPENDIX I



Scale 1:10,000

APPENDIX II

1305A

Environmental Services

For office use only.
Application number:

Householder planning application form

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

1	Your name	MR & MRS W. ALLEY
	Address and postcode	HAZELDELL COTTAGE SCARLETTS LANE KILN GREEN READING
	Phone number	
2	Agent's Name	R.G. BUTLER & ASSOCIATES
	Address and postcode	11 STRATHMORE DRIVE CHARVIL READING RG10 9QT
	Phone number	0118 934 3040.
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.	HAZELDELL COTTAGE SCARLETTS LANE KILN GREEN.
4	Give brief details of the proposal for example, two storey side extension. About the application	FIRST FLOOR EXTENSION.
5	Are there any trees on the site? If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down.	Yes ☑ No ☐ NONE AFFECTED BY PROPOSAL.
6	Please list the external materials you will use for example, red brick to match any existing bricks and dark stained timber.	TO MATCH EXISTING.
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐ No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐ No ☑

Crystal Mark
Clarity approved by Plain English Campaign

Please turn over

1305B

9	How many bedrooms does the property have?	Existing: 5	Proposed: 7
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: R C Butler on behalf of MR & MRS W. ALLEY.

Date 9-11-01

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

9 November 2001

Wokingham District Council
Planning Department
PO Box 157
Shute End
WOKINGHAM
RG40 1WR

Dear Sir/Madam

Re: Hazeldell Cottage Kiln Green

Further to previous meetings and correspondence we now enclose a formal planning application to build two new bedrooms at first floor level at the above address.

The applicants, Mr & Mrs Alley, have six children all living at home and naturally bedroom space is high on their priority list. In addition, Mr Alley works for an international company and is expected to host visitors from overseas. Apart from this they have relatives living abroad who are accommodated fairly regularly, hence their need for a total of seven bedrooms.

Yours faithfully

R G Butler

Application No: F/2001/5279 HP

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs W Alley
C/O R G Butler and Associates
11 Strathmore Drive
Charvil
Berkshire
RG10 9QT

Application Number: F/2001/5279

Parish: **WARGRAVE**

Location: **Hazeldell Cottage, Scarletts Lane, Kiln Green, Reading.**

Proposal: **Proposed first floor side extension to dwelling.**

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

Reason

1. The proposed development together with previous development would cumulatively result in a disproportionate addition to the scale of the building and scale of development on site, to the detriment of the character and openness of the Metropolitan Green Belt. As such the proposed development would be contrary to policy C4 of the Berkshire Structure Plan, policies WGB1 and WGB3 of the Wokingham District Local Plan (Deposit Draft) and to Green Belt Local Plan policy 9.

Anna Cronin
Head of Planning & Transportation
Date: 25/02/2002

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.

R. G. Butler & Associates
architectural designers

11 Strathmore Drive
Charvil Reading
Berkshire RG10 9QT
Tel/Fax. 0118 934 3040

Joss Mayer
40250 ref.
Tel. 974 6430.

20th February 2001

Wokingham District Council
Planning Department
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Sir/Madam

Re: Hazeldell Cottage, Scarletts Lane, Kiln Green

I have met with the owners of the above property and who would like to extend to create more bedroom space.

I have viewed the property and inspected the Local Authority files and discovered that since the conversion in 1966 from two cottages to a single dwelling, there have been other extensions.

Since the property is within the Green Belt, I would welcome your comments as to whether there is still scope to extend again. If you consider this is a possibility, it may also be possible to trade-off the large outbuilding which at present is used as an amenity to the house.

I would welcome your reply.

Yours faithfully

R. G. Butler

R. G. Butler & Associates
architectural designers

11 Strathmore Drive
Charvil
READING
Berkshire RG10 9QT

Ph/Fax: 0118 934 3040

FACSIMILE TRANSMISSION

DATE : 28.03.01 AND 03-04-01
TO : Mrs Miller
COMPANY : W.D.C. DEVELOPMENT CONTROL
FAX NUMBER :
FROM : DICK BUTLER
COMPANY : R. G. BUTLER & ASSOCIATES
FAX NUMBER : 0118 934 3040
TOTAL NO. OF PAGES (INCL. PREFACE) :

MESSAGE/COMMENT

re Hazeldell Cottage Scarletts Lane
Kiln Green.

I have STILL had no response to my letter dated 20th Feb. 01. When we met at the planning desk you said you had written a reply — perhaps it went astray.

RGB

ANY PROBLEMS WITH THIS TRANSMISSION PLEASE TELEPHONE 0118 934 3040

Tel. 0118 974 6463 (Direct Line)

Date. 30 March, 2001

My ref. JM/MLT/PREAPP/WARGRAVE

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) 977 8909
DX: 33506 – Wokingham
E-mail:

Mr R G Butler
11 Strathmore Drive
Charvil
Reading
Berkshire
RG10 9QT

Dear Mr Butler,

RE: PROPOSED EXTENSION TO HAZELDELL COTTAGE, SCARLETTS LANE, WARGRAVE.

Thankyou for your letter which was received on 22 February 2001.

I can inform you that without drawings, it is difficult to give meaningful advice on the extension you describe. However, as the dwelling has already been extended, I would advise you to follow the 'rule of thumb' of ensuring that the combined additions, both past and proposed, amount to no more than a 40% increase in the floor area in 1948 or when built, whichever is the sooner. If this percentage would be exceeded, then a further extension would be unlikely to be looked upon favourably.

I hope this advice is of use to you, however, it is given without prejudice to the determination of any application received. If you have any further questions relating to this matter the case officer, Joss Miller, can be contacted on the above telephone number.

Yours sincerely

M L THORP

Principal Development Control Officer

File:
PREAPP40250

7th. June 2001

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

Dear Sir/Madam

Re: Hazeldell Cottage, Scarletts Lane, Wargrave.

Further to my letter dated 20th. February 2001, your subsequent reply dated 30th. March 2001, and my meeting with Angela Odell on 5th. June 2001, I am now seeking a more detailed response.

I enclose a sketch showing a proposal to build over the existing garages and breakfast room to create two extra bedrooms for Mr. And Mrs. Alley and their six children. As I explained to Mrs. Odell, the proposal is to trade off the existing substantial wooden building used as a childrens playroom.

The playroom is within two metres of the house and despite being used by the family on a regular basis, two extra bedrooms would be more useful. The owners would be agreeable to demolishing the playroom if they were to receive planning permission to build two extra bedrooms.

I need to know if you would consider a trade off. It is something I have agreed with a couple of other authorities, where properties have been located in Green Belt.

I would be grateful if you could give me an answer in the next week or two, so that I can proceed with a formal application if you feel this could form the basis of a reasonable compromise.

Yours Faithfully

R.G. Butler

Tel: (0118) 974 6481 (Direct Line)
E-mail: Nicola.Lake@wokingham.gov.uk
Date: 21 June 2001
My ref: NL/Wargrave/Pre-apps.
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 R G Butler
11 Strathmore Drive
Charvil
Reading
Berks
RG10 9QT

Dear Mr Butler,

PROPOSED ERECTION OF A FIRST FLOOR SIDE EXTENSION AT HAZELDELL, SCARLETTS LANE, WARGRAVE.

Thank you for your letter of the 11 June 2001, regarding the above stated development.

I have considered the proposed development as outlined in your letter and the accompanying drawing. Unfortunately, the information which accompanied your letter does not allow for a full and comprehensive, pre-application appraisal of the proposed development. However, I am very concerned over the proposed increase in the ridge height of the first floor extension, over that of the original dwelling. This would give the extension a more prominent appearance within the elevation. The projecting front gable appears to be un-supported, which would increase the emphasis upon the first floor element of the dwelling and away from the simple roof pattern of the original dwelling. Therefore it is considered that the proposed development would result in the formation of an obtrusive an incongruous feature to the detriment of the character and appearance of the original structure.

Similarly, I am concerned that the proposed increase in the ridge height of the dwelling would increase the prominence and bulk of the built development on the site, to the detriment of the open character and amenity of the Green Belt.

Our records show that the dwelling has been extended on what appears to be a number of occasions. From the information submitted I have not been able to calculate the existing percentage increase in the floorspace of the dwelling. However I am concerned about the proposed transfer of the existing floorspace of the outbuilding to the extension of the house. It appears from the drawings that the proposed extension would have a floorspace area of around 44m², whereas the existing structure has an area of around 33m². Policy WGB3 of the Wokingham District Local Plan, states that there will be a presumption against allowing more than limited extensions to existing dwellings within the Green Belt. To help illustration what is considered as 'limited', we tend to use a figure of around 40%. Therefore, should the proposed extension result in an increase in floorspace, over that of the existing outbuilding, I would be concerned about the

potential change in the scale of development upon the site, to the detriment of the open character and amenity of the Green Belt.

I hope this information is of assistance to you. However, it is given without prejudice to the Council's position in the determination of any application, which maybe submitted. Should you wish to discuss this matter further please do not hesitate to contact me on the above direct line.

Yours sincerely,

NICOLA LAKE.
Senior Planning Officer.

5th. April 2001

Mr. & Mrs. Alley
Hazeldell Cottage
Scarletts Lane
Kiln Green
Wargrave

Dear Mr. & Mrs. Alley

Re: Extension to Hazeldell Cottage

You will see from the correspondence, that I wrote to Wokingham District Council on 20th. February 2001 . After several phone calls and faxes to Wokingham District Council chasing them for an answer, I have today, received the enclosed letter.

It would appear that you have little or no scope to extend and hope to be within the 35% that they are quoting.We may, however, be able to trade the area of the existing playroom outbuilding, but whether that would be enough to give you the accommodation you are looking for, I have my doubts.

Perhaps you could think about this and we could meet at some time when it's convenient to both of you.

Yours Sincerely

R.G. Butler

APPENDIX IV

may also be material to decisions on individual planning applications and appeals.

5–002 This Planning Policy Guidance Note is a revision of PPG1 published in March 1992 that it supersedes. Its content has been refocused to provide a more strategic commentary on planning policy. It does not attempt to summarise policies set out elsewhere in regional planning guidance, other PPGs, mineral planning guidance and circulars. A full list of such guidance was published in the index of Planning Guidance in June.[1] This PPG:

- reaffirms the role of the planning system in meeting the needs of a growing and competitive economy, providing for new development such as housing, and in protecting the natural and built environment;
- emphasises the contribution of the planning system to achieving sustainable development;
- identifies ways in which mixed use development can be promoted;
- updates the guidance on the role of design considerations in planning particularly in the light of the Government's Quality in Town and Country Initiative;
- restates the limited circumstances in which it is appropriate to use planning obligations to secure development;
- gives guidance on the operation of the plan-led system: and
- contains new sections on the Citizens Charter and propriety.

References throughout this document to "the 1990 Act" are to the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.

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INTRODUCTION

5–003 1. A key role of the planning system is to enable the provision of homes and buildings, investment and jobs in a way which is consistent with the principles of sustainable development. It needs to be positive in promoting competitiveness while being protective towards the environment and amenity. The policies which underpin the system, summarised in the Note, seek to balance these aims. It will frequently be the case, in relation to a particular development proposal, that several economic, environmental, social or other factors need to be taken into account. This requires a framework which promotes consistent, predictable and prompt decision-making.

2. At the heart of this framework are development plans which aim to give a measure of certainty and predictability to the system. Section 54A requires

[1] Editorial Note: reproduced in the *Encyclopedia* at the front of Volume 5.

that, where the development plan contains relevant policies, applications for development which are in accordance with the plan shall be allowed unless material considerations indicate otherwise. For the planning system to be effective, comprehensive coverage of up-to-date development plans is essential. **5–003**

3. This Note begins by discussing sustainable development, mixed use and design, three themes which underpin the Government's approach to the planning system. It then provides a number of policy messages in relation to various particular land uses. More detailed guidance is given in the other Government planning policy notes and good practice guides listed in Annex B. Finally, it sets out the operational principles to be observed in the planning system.

THE GOVERNMENT'S APPROACH TO PLANNING

Sustainable development

4. Sustainable development seeks to deliver the objective of achieving, now and in the future, economic development to secure higher living standards while protecting and enhancing the environment. The most commonly used definition is "development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (World Commission on Environment and Development, 1987). The Government is committed to the principles of sustainable development set out in *Sustainable Development: The UK Strategy* (1994). **5–004**

5. The *Strategy* recognises the important role of the planning system in regulating the development and use of land in the public interest. A sustainable framework should:

- provide for the nation's needs for commercial and industrial development, food production, minerals extraction, new homes and other buildings, while respecting environmental objectives;
- use already developed areas in the most efficient way, while making them more attractive places in which to live and work;
- conserve both the cultural heritage and natural resources (including wildlife, landscape, water, soil and air quality) taking particular care to safeguard designations of national and international importance;
- shape new development patterns in a way which minimises the need to travel.

6. The Government's planning guidance notes set out the planning framework within which local planning authorities are required to draw up their development plans and take decisions on individual applications to secure these objectives.

7. Urban regeneration and re-use of previously-developed land are important supporting objectives for creating a more sustainable pattern of development. The Government is committed to:

- concentrating development for uses which generate a large number of trips in places well served by public transport, especially in town centres, rather than in out of centre locations[2]; and
- preferring the development of land within urban areas, particularly on previously-developed sites, provided that this creates or maintains a good living environment, before considering the development of greenfield sites.[3]

[2] Editorial Note: policy on this theme is developed in PPG6, *Town Centres and Retail Developments* (1996).

[3] Editorial Note: this paragraph extends the sequential test, currently applied in PPG6 to retail development, to all development proposed for out-of-town sites: the theme is developed further in para. 27 below.

Design[4]

13. New buildings and their curtilages have a significant effect on the character and quality of an area. They define public spaces, streets and vistas and inevitably the new context for future development. These effects will often be to the benefit of an area but they can be detrimental. They are matters of proper public interest. The appearance of proposed development and its relationship to its surroundings are therefore material considerations in determining planning applications and appeals. Such considerations relate to the design of buildings and to urban design. These are distinct, albeit closely interrelated subjects. Both are important. Both require an understanding of the context in which development takes place, whether in urban or rural areas. **5-006**

14. For the purposes of this Guidance, urban design should be taken to mean the relationship between different buildings; the relationship between buildings and the streets, squares, parks waterways and other spaces which make up the public domain; the nature and quality of the public domain itself; the relationship of one part of a village, town or city with other parts; and the patterns of movement and activity which are thereby established: in short, the complex relationships between all the elements of the built and unbuilt space. As the appearance and treatment of the spaces between and around buildings is often of comparable importance to the design of the buildings themselves, landscape design, whether hard or soft, should be considered as an integral part of urban design.

15. Good design should be the aim of all those involved in the development process and should be encouraged everywhere. Good design can help promote sustainable development; improve the quality of the existing environment; attract business and investment; and reinforce civic pride and a sense of place. It can help to secure continued public acceptance of necessary new development.

16. Applicants for planning permission should be able to demonstrate how they have taken account of urban design in their development proposals and that they have had regard to relevant development plan policies and supplementary design guidance. This should be done in a manner appropriate to the nature and scale of the proposals.

17. Local planning authorities should reject poor designs, particularly where their decisions are supported by clear plan policies or supplementary design guidance which has been subjected to public consultation and adopted by the local planning authority. Poor designs may include those inappropriate to their context, for example those clearly out of scale or incompatible with their surroundings.

18. Local planning authorities should not attempt to impose a particular architectural taste or style arbitrarily. It is, however, proper to seek to promote or reinforce local distinctiveness particularly where this is supported by clear plan policies or supplementary design guidance. Local planning authorities should not concern themselves with matters of detailed design except where such matters have a significant effect on the character or quality of the area, including neighbouring buildings. Particular weight should be given to the impact of development on existing buildings and on the character of areas recognised for their landscape or townscape value, such as National Parks, Areas of Outstanding Natural Beauty and Conservation Areas.

19. Where the design of a proposed development is consistent with relevant design policies and supplementary design guidance, planning permission should not be refused on design grounds unless there are exceptional

[4] Editorial Note: design issues are accorded greater weight in this PPG than in its predecessor, where all discussion of design was consigned to Annex A. These paragraphs reassert the importance of design, especially civic design, as a matter of proper public interest.

circumstances. Design policies and guidance should focus on encouraging good design and should avoid stifling responsible innovation, originality or
5–006 initiative. Such policies and guidance should recognise that the qualities of an outstanding scheme may exceptionally justify departing from them.

20. Further guidance on the expression of design policies in development plans and supplementary design guidance, and on the information relating to design which should be submitted with planning applications, is contained in Annex A.

KEY POLICY OBJECTIVES

Planning for industry and commerce

5–007 21. One of the Government's key aims is to encourage continued economic development in a way which is compatible with its stated environmental objectives. Industry and commerce have always sought locational advantage in response to various external factors. It is therefore important that the locational demands of businesses are taken into account in the preparation of development plans. In defining suitable locations for development, plan policies should take into account:

- the contribution to regenerating existing urban areas;
- access to customers;
- access to raw materials and suppliers;
- links with other businesses and the special needs of small businesses;
- the workforce catchment area;
- the availability of adequate infrastructure; and
- various transport considerations including the particular needs of the freight industry.

22. Development plans should also:

- encourage new enterprise and investment by setting out clear land-use policies for industrial and commercial development;
- provide for new development which will be consistent with the goals for transport policy outlined below; and
- ensure that new development is compatible with the objectives of sustainable development including the re-use of previously developed land and clean air.

Land use and transport

5–008 23. In order to achieve sustainable patterns of development and to help reduce the environmental impacts of transport, local authorities should integrate their transport programmes and land-use policies in ways which help to:

- reduce growth in the length and number of motorised journeys;
- encourage alternative means of travel which have less environmental impact; and hence
- reduce reliance on the private car.

The key objectives for the planning system are to:

- influence the location of different types of development relative to transport (and vice versa); and
- foster forms of development which encourage walking, cycling and public transport use.

Planning for housing

5–009 24. In preparing their development plans, local planning authorities should consider the land-use requirements of various types of social provision. For housing, the key objectives for the location of development and the allocation of land are:

ning authorities. It gives advice on the need to follow proper procedures when dealing with planning applications and contains a summary of the sanc-
5–018/1 tions available to the Secretary of State and others where national policy guidance is ignored.

63. All councillors agree to be guided by the National Code of Local Government Conduct when signing their declaration of acceptance of office. The Code sets out recommended standards of conduct in the performance of their duties. In an investigation, the Local Government Ombudsman may find that a breach of the Code by a councillor constitutes maladministration, and he has powers to name the councillor concerned in his report of the investigation.

Private interests

5–018/2 64.[25] The planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. In fact "the public interest . . . may require that the interests of individual occupiers should be considered. The protection of individual interests is one aspect, and an important one, of the public interest as a whole" (*Stringer v. MHLG 1971*). It can be difficult to distinguish between public and private interests, but this may be necessary on occasion. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest. Good neighbourliness and fairness are among the yardsticks against which development proposals can be measured; for example, it might be material to consider the question of "overlooking" or loss of privacy experienced by a particular resident.

CANCELLATION OF ADVICE

65. The following advice is hereby cancelled:
PPG1 (March 1992)
DCPN 16 Access for the disabled (1985)
Annex A of PPG12 (see paragraph [2 of Annex B] to this Guidance Note).

ANNEX A

HANDLING OF DESIGN ISSUES

5–018/3 A1. Development plans should set out design policies against which development proposals are to be considered. Policies should be based on a proper assessment of the character of the surrounding built and natural environment, and should take account of the defining characteristics of each local area, for example local or regional building traditions and materials. The fact that a design or layout is appropriate for one area does not mean it is appropriate everywhere. Plan policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout and access of new development in relation to neighbouring buildings and the local area more generally.

[25] Editorial Note: this paragraph contains advice previously in paras. 39 and 40 of the 1992 edition. Other advice that accompanied it in that version is now either omitted altogether or assigned to the Annexes of this edition, including that on replication of controls in other legislation (1992, paras. 35 to 37: see now para. C3 of this edition); personal circumstances (1992, para. 38; 1997, para. D4 instead refers the reader to DOE Circular 11/95); environmental assessment (1992, paras. 43 to 45; 1997, para. D6); planning conditions (1992, paras. 46 and 47, but see para. 37 of this edition); listed building control (1992, para. 49); crime prevention (1992, para. 51; but see para. A7 of this version); hazardous substances (1992, paras. 52 and 53) and noise (1992, para. 54).

A2. Development plans may refer to supplementary design guidance, including local design guides and site specific development briefs, which can usefully elucidate and exemplify plan policies, thereby giving greater certainty to all those involved in the design and development process. Where appropriate, such guidance should also explain how relevant general advice, including that relating to the design of roads and footways, is to be interpreted and applied at a local level in order to take account of the character of each area. Supplementary design guidance may usefully include advice about matters such as lighting and materials, where these are likely to have a significant impact on the character or quality of the existing environment.

A3. The weight accorded to supplementary design guidance in planning decisions will be expected to increase where it has been prepared in consultation with the public and with those whose work it may affect, and has been formally adopted by the local planning authority. Local planning authorities should include with such guidance a statement of the consultation undertaken and their response to representations made.

A4. Applicants for planning permission should, as a minimum, provide a short written statement setting out the design principles adopted as well as illustrative material in plan and elevation. This material should show the wider context, and not just the development site and its immediately adjacent buildings. Inclusion of relevant perspective views can also be of value. Such material will be particularly important in relation to complex or large-scale development proposals, and those involving sensitive sites. For straightforward or small-scale proposals, this level of detail is unlikely to be necessary. Instead, illustrative material might simply comprise photographs of the development site and its surroundings, drawings of the proposed design itself and, where appropriate, plans of the proposed layout in relation to neighbouring development and uses.

A5. Applicants are encouraged to consult at an early stage with those, including local planning authorities, who may be expected to have a relevant and legitimate interest in the design aspects of their development proposals. Where applicants do so, local planning authorities should respond constructively by giving clear indications of their design expectations. Careful and early consideration of design issues can speed up the planning process by helping to make proposals for development acceptable to local planning authorities and local communities, thereby helping to avoid costly delay later.

A6. The use of conditions or planning obligations can be helpful in securing a high quality of design. Where design aspects of an approved development proposal are subject to conditions consistent with the advice in DOE Circular 11/95, or are subject to planning obligations consistent with the advice in DOE Circular 1/97, development which results from the grant of planning permission must comply with the approved design, unless subsequent changes to the design are justified, and are authorised by the local planning authority.

A7. In considering the design of proposed new development, local planning authorities, developers and designers should take into account advice contained in DOE Circular 5/94, *Planning out Crime*. In doing so, the approach adopted should be sufficiently flexible to allow solutions to remain sensitive to local circumstances.

ANNEX B

GOVERNMENT STATEMENTS OF PLANNING POLICY

B1. The Government's statements of planning policy may be found in White Papers; Planning Policy Guidance Notes (PPGs), Minerals Planning Guidance Notes (MPGs); Regional Planning Guidance Notes (RPGs); **5–018/4**

Building Regulations 1991 imposes requirements on how non-domestic buildings should be designed and constructed to secure specific objectives for people with disabilities. It would be inappropriate to use planning legislation to impose separate requirements in these areas. The Department is assessing the practicality of extending Part M to cover new dwellings.

34. When a new building is proposed, or when planning permission is required for the alteration or change of use of an existing building, the developer and local planning authority should consider the needs of people with disabilities at an early stage in the design process. They should be flexible and imaginative in seeking solutions, taking account of the particular circumstances of each case. Resolving problems by negotiation will always be preferable, but where appropriate the planning authority may impose conditions requiring access provision for people with disabilities.[1] Such conditions should fulfil the tests set out in Circular 11/95.

OPERATIONAL PRINCIPLES

Introduction

35. This section of the document looks at various detailed aspects of the way the planning system operates to deliver its overall objectives. The main planning legislation is summarised in Annex C and more detailed advice on a number of procedural issues is set out in Annex D. **5–014**

Planning obligations and conditions

36. The Government recognises and upholds the rights of property and the privileges of ownership. Owners of land and property properly expect to be able to use or develop their land as they judge best unless the consequences for the environment or the community would be unacceptable. The Government therefore sees control of the right to develop land as a significant power which should be exercised in such a way that individual property owners are encouraged to enhance and improve their use of land and buildings. Planning obligations are useful instruments, where they are necessary to the development and fairly and reasonably related in scale and kind, as they can enable a property owner to overcome obstacles which would otherwise prevent planning permission from being granted. Planning obligations should be directly related to the proposed development.[2] Planning permission may not be bought and sold; local planning authorities should not allow their decisions to be affected by the offer of extra inducements; conversely, local planning authorities should not allow their development control powers to be used to require benefits from property owners which do not have land-use planning justification, or are unrelated to the development under consideration. **5–014/1**

37. In exercising control over development, conditions can be imposed on planning permissions only where there is a clear land-use planning justification for doing so. Generally, conditions should be used in preference to planning obligations, and in a way which is clearly seen to be fair, reasonable and practicable. One key test is whether a particular condition is necessary is if planning permission would have to be refused if the condition were not

[1] EDITORIAL NOTE: the advice in these two paragraphs mirrors that contained in the 1992 edition, paras. 55 and 56, but goes significantly further in encouraging local planning authorities to make use of planning conditions to resolve access problems. The 1992 edition observed that "The sphere of planning control is limited in this respect. Conditions attached to planning permissions which have no relevance to planning matters, will be *ultra vires*". But this view has changed. DOE Circular 11/95, *The Use of Conditions in Planning Permissions*, now has a model *Grampian* condition (no. 37) requiring that, before development is commenced, a scheme indicating access arrangements for disabled people should have been agreed with the local planning authority, and should have been implemented before the development is brought into use. The new PPG1 also cancels DCPN16, *Access for the Disabled*, and hence these paragraphs now become the principal source of planning policy advice on access for disabled persons.

[2] EDITORIAL NOTE: fresh advice on planning obligations, which is reflected in this paragraph, was issued in DOE Circular 1/97, *Planning Obligations*.

imposed. Otherwise, such a condition would need special and precise justification. Further advice on the proper use of conditions and planning obligations is contained in DOE Circulars 11/95 and 1/97.

38. Unless otherwise specified, a planning permission runs with the land and it is seldom desirable to provide for any other arrangement. Exceptionally, however, the personal circumstances of an occupier, or the difficulties of businesses which are of value to the character of the local community, may be material to the consideration of a planning application.[1] In such circumstances a permission may be made subject to a condition that it is personal to the applicant. Such arguments will seldom outweigh the more general planning considerations. If the proposed development entails works of a permanent nature, they will remain long after the personal circumstances of the applicant have ceased to be material.

[THE NEXT PARAGRAPH IS 5–015.]

The plan led system

Development plans and the determination of planning applications and appeals

5–015 39. The town and country planning system regulates the development and use of land in the public interest. The planning system, and the preparation of development plans in particular, is the most effective way of striking the right balance between the demand for development and the protection of the environment. Thus it has a key role to play in contributing to the Government's strategy for sustainable development by helping to provide for necessary development in locations which do not compromise the ability of future generations to meet their needs.

40. The Government is committed to a plan-led system of development control. This is given statutory force by section 54A of the 1990 Act. Where an adopted or approved development plan contains relevant policies, section 54A requires that an application for planning permission or an appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify granting a planning permission. Those deciding such planning applications or appeals should always take into account whether the proposed development would cause demonstrable harm to interests of acknowledged importance.[2] In all cases where the development plan is relevant, it will be necessary to decide whether the proposal is in accordance with the plan and then to take into account other material considerations. The status of plans which are not yet adopted or approved is covered on paragraph 48.

5–015/1 41. The objectives of the plan-led system can be summarised as:

- ensuring rational and consistent decisions;
- achieving greater certainty;
- securing public involvement in shaping local planning policies;
- facilitating quicker planning decisions; and
- reducing the number of misconceived planning applications and appeals.

[1] Editorial Note: the language of this sentence is lifted from the speech of Lord Scarman in *Great Portland Estates plc v. Westminster City Council* [1985] A.C. 661.

[2] Editorial Note: this expression comes originally from Ministry Circular 61/53, which stated: "Where there is no clear and specific reason for refusing permission or attaching conditions, the applicant should be given the 'benefit of the doubt'. . . . Development should always be encouraged unless it will cause demonstrable harm to an interest of acknowledged importance."

Because of the role of the development plan in determining the future location of development, it is important that anyone with an interest in the future pattern of development in the plan area should participate in its preparation and help to influence its emerging policies. Anyone has the right to object to plan proposals prior to their adoption or approval.

42. It is essential that plan policies and proposals are realistic and provide for choice and competition. The plan should focus on essential land-use issues and build in a degree of flexibility. Highly detailed policies which provide no flexibility may become outdated very quickly as circumstances change. Such policies may then delay or prevent necessary development. In some cases, the preparation of Supplementary Planning Guidance may be a more appropriate means of covering detailed issues to supplement the policies in plans. Such guidance should be consistent with the policies to which it relates. Supplementary Planning Guidance does not have the same status as an adopted development plan policy and should only be referred to in the reasoned justification for a policy.[1] However, it may be a material consideration in determining planning applications.

43. Under the 1990 Act, local planning authorities are required, in formulating the general policies in a structure plan or Part I of a unitary development plan, to have regard to any regional and strategic planning guidance, and to current national policies. The latter include Planning Policy Guidance notes (see Annex B) and Mineral Planning Guidance Notes. The 1990 Act requires a local plan to be in general conformity with the structure plan. **5–015/2**

44. Since the commencement of section 54A, the Secretary of State has been examining development plans carefully to identify whether their scope reflects national and regional planning guidance and whether there are conflicts with the guidance which do not appear to be justified by local circumstances. The Secretary of State is a statutory consultee in the preparation of development plans and can make objections to plan proposals prior to their adoption. He also has powers of intervention to direct that plan proposals shall be modified before adoption, altered or replaced after adoption, or that all or part of a plan shall be called-in for his own determination.

45. Whilst the Secretary of State expects to use his powers of direction sparingly, he will, if necessary, make a formal intervention.[2] Wherever possible, this will be done in time for changes to be made to the plan before adoption. However, where development plans are very close to adoption at the time new information (including guidance) becomes available, it may be preferable to adopt the plan and then to start a review.[3] This would avoid delaying the implementation of proposals not affected by the new information. The authority will then be expected to bring forward early proposals

[1] Editorial Note: this paragraph heralds a return to respectability for Supplementary Planning Guidance, which was not mentioned in the 1992 edition, but appears in this edition not only here but also, in the guise of Supplementary Design Guidance, in Annex A. Supplementary planning guidance is recognised in PPG12, *Development Plans* (1999), para. 3.15, which stresses that it should be consistent with the development plan and clearly cross-referenced to the relevant plan policy or proposal. The weight to be accorded to it will increase if it has been prepared in consultation with the public and has been the subject of a council resolution. But PPG12 stresses that such guidance "must not be used to avoid subjecting to public scrutiny, in accordance with the statutory procedures, policies and proposals which should be included in the plan. Plan policies should not attempt to delegate decisions to SPG or to development briefs". This latter practice was explicitly outlawed by the House of Lords in the *Great Portland Estates* case [1985] A.C. 661. Similar advice is given as to Supplementary Design Guidance in para. 3 of this Guidance.

[2] Editorial Note: it is noteworthy that the following reassurance, which appeared in para. 29 of the 1992 version, has been omitted from the 1997 edition: "if no such intervention is made, local authorities may take it that the Secretary of State is content with the plan at the time of adoption and will, according to the appropriate circumstances of each case, attach commensurate weight to it in decisions he makes on appeals or called-in applications".

[3] Editorial Note: this advice follows advice given to local planning authorities in January 1997, following confusion over the application of policies introduced by DOE Circular 13/96, *Planning and Affordable Housing*: see the Minister's statement of October 29, 1996, reproduced in the *Monthly Bulletin* for January 1997. See now DETR Circular 06/98, *Planning and Affordable Housing*.

for alteration of the policies concerned. If necessary, the Secretary of State has powers to direct the preparation of proposals for alterations within a specified period. Where he decides not to intervene before adoption and the plan is allowed to proceed on the basis of earlier information, the Secretary of State will nevertheless have regard to more recent planning guidance in determining called-in applications or appeals.

5–015/3 46. It is important that, once plans are adopted or approved, they are kept up-to-date. Authorities need to have monitoring arrangements in place in order to decide when they need to bring forward proposals to alter or replace their existing plan. Positive steps should be taken on review to remove policies and proposals which, for varying reasons, have become out-of-date. The choice of locations and sites designated in local plans should be realistic. Sites in existing plans should be reviewed as part of the monitoring process and those which are no longer considered appropriate for their existing or proposed use should be reallocated to other, more realistic uses.

5–015/4 Economic considerations in development plans

In preparing development plans, authorities should take account of economic considerations, such as revitalising and broadening the local economy and stimulating employment opportunities. Planning authorities should have regard to the importance of encouraging industrial and commercial development if the national economy is to prosper, particularly when technological and other requirements of modern business are changing rapidly. All local economies are subject to change and the planning system should make adequate provision for this. Local authorities need to take into account the future needs of local business. A flexible approach with a range of sites available to business should be provided in plans, and authorities will want to ensure that in allocating sites there is a reasonable expectation of development proceeding. In rural areas, many small-scale activities can be accommodated without detriment to the environment and farm buildings may be suitable for adaptation to business use. It is important that planning policies with primarily economic priorities should provide for choice, flexibility and competition. Otherwise the market is unlikely to work efficiently.

[THE NEXT PARAGRAPH IS 5–016.]

Prematurity

5–016 47. Questions of prematurity may arise where a development plan is in preparation or under review, and proposals have been issued for consultation, but the plan has not yet been adopted or approved. In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity. This may be appropriate in respect of development proposals which are individually so substantial, or whose cumulative effect would be so significant, that to grant permission would prejudice the outcome of the plan process by predetermining decisions about the scale, location or phasing of new development which ought properly to be taken in the development plan context. A proposal for development which has an impact on only a small area would rarely come into this category; but a refusal might be justifiable where a proposal would have a significant impact on an important settlement, or a substantial area, with an identifiable character. Where there is a phasing policy in the development plan,[1] it may be necessary to refuse planning permission on grounds of prematurity if the policy is to have effect.

48. Other than in the circumstances described above, refusal of planning permission on grounds of prematurity will not usually be justified. Planning applications should continue to be considered in the light of current policies. However, account can also be taken of policies in emerging development plans which are going through the statutory procedures towards adoption (or approval). The weight to be attached to such policies depends upon the stage of plan preparation or review, increasing as successive stages are reached.

[1] EDITORIAL NOTE: on this, see PPG12, *Development Plans* (1999).

For example:

- where a plan is at the consultation stage, with no early prospect of reaching deposit, then refusal on prematurity grounds would seldom be justified because of the lengthy delay which this would impose in determining the future use of the land in question;
- where a plan has been deposited but no objections have been lodged to relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted (or approved) and replace those in the existing plan. The converse may apply if there have been objections to relevant policies. However, much will depend on the nature of those objections and also whether there are representations in support of particular policies;
- where an Inspector has recommended in favour of relevant policies to which objection has been raised, refusal on prematurity grounds is unlikely to be justified for an application which is consistent with these policies.

49. Where planning permission is refused on grounds of prematurity, the planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the development plan process.

Other material considerations

50. "In principle . . . any consideration which relates to the use and development of land is capable of being a planning consideration. Whether a particular consideration falling within that broad class is material in any given case will depend on the circumstances" (*Stringer v. MHLG 1971*). Material considerations must be genuine planning considerations, *i.e.* they must be related to the purpose of planning legislation, which is to regulate the development and use of land in the public interest. The considerations must also fairly and reasonably relate to the application concerned (*R v. Westminster CC ex parte Monahan* 1989). Much will depend on the nature of the application under consideration, the relevant policies in the development plan and the surrounding circumstances. **5–017**

51. The Courts are the arbiters of what constitutes a material consideration. Over the years the scope of what can be regarded as material has been clarified by judicial authority. All the fundamental factors involved in land-use planning are included, such as the number, size, layout, siting, design and external appearance of buildings and the proposed means of access, together with landscaping, impact on the neighbourhood and the availability of infrastructure.

52. The Courts have also held that the Government's statements of planning policy are material considerations which must be taken into account, where relevant, in decisions on planning applications. These policy statements cannot make irrelevant any matter which is a material consideration in a particular case. But, where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them. If they elect not to follow relevant statements of the Government's planning policy they must give clear and convincing reasons (*E C Grandsen and Co Ltd v. SSE and Gillingham BC* 1985).

53. Emerging policies, in the form of draft Departmental Circulars and policy guidance, can be regarded as material considerations, depending on the context. Their very existence may indicate that a relevant policy is under review; and the circumstances which have led to that review may need to be taken into account.

54.[1] If the development plan contains material policies or proposals and

[1] Editorial Note: this paragraph draws together, without significant amendment, material in paras. 25 to 27 of the 1992 edition.

there are no other material considerations, the application or appeal should be determined in accordance with the development plan. Where there are other material considerations, the development plan should be the starting point, and the other material considerations weighed in reaching a decision. One such consideration will be whether the plan policies are relevant and up-to-date (the age of the plan is not in itself material). The plan may, for example, have been superseded by more recent planning policy guidance issued by the Government.

55.[1] In those cases where the development plan is not relevant, for example because there are material policies in the plan which pull in opposite directions so that the plan does not provide a clear guide for a particular proposal, the planning application should be determined in the light of all material considerations. Where a proposal is not acceptable, decision-makers should state clearly and precisely the full reasons for refusal.

56.[2] Local planning authorities may sometimes decide to grant planning permission for development which departs from a development plan if other material considerations indicate that it should proceed. Significant departures must be notified to the Secretary of State so that he can decide whether he wishes to intervene—see the Town and Country Planning (Development Plans and Consultation) Directions 1992 (Annex 3 to Circular 19/92) [see now DETR Circular 07/99, *Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999*]. However, the Secretary of State's general approach is not to interfere with the jurisdiction of local planning authorities unless it is necessary to do so. He will be very selective about calling in applications and will in general only take this step if planning issues of more than local importance are involved (see Annex D, paragraph D7).

Standards in the planning system

The Citizen's Charter

5–018 57. The Citizen's Charter was launched by the Government in 1991 as a ten year programme to raise the standard of public services and make them more responsive to the wishes and needs of their users. The Charter has six principles which apply to all public services:

- standards;
- information and openness;
- choice and consultation;
- courtesy and helpfulness;
- putting things right; and
- giving value for money.

58. The planning system has embodied the Charter's principles to a considerable extent for many years allowing, as it does, for public involvement in the process at every level. All planning applications must be publicised by the local planning authority and registers of all planning applications must be available for public inspection. Local inquiries and hearings into planning appeals and called-in applications are held in public and members of the public have an opportunity to express views on the proposed development. Similarly, when appeals are decided on the basis of written representations, planning authorities notify those who made representations to them about the application and it is open to these parties to express their views in writing.

[1] Editorial Note: this paragraph reproduces para. 28 of the 1992 edition, except for the last sentence, which is new.

[2] Editorial Note: this paragraph is a revised version of para. 30 of the 1992 edition, but no longer provides, as an example, the case of "compelling argument by the applicant or appellant that a particular proposal should be allowed to proceed because of the contribution it will make to fulfilling an international commitment, or to some other particular objective which the plan did not foresee or address".

1. Introduction

1.1 The Government attaches great importance to Green Belts, which have been an essential element of planning policy for some four decades. The purposes of Green Belt policy and the related development control policies set out in 1955 remain valid today with remarkably little alteration. **5–019/2**

History

1.2 The first official proposal "to provide a reserve supply of public open spaces and of recreational areas and to establish a green belt or girdle of open space" was made by the Greater London Regional Planning Committee in 1935. New provisions for compensation in the 1947 Town and Country Planning Act allowed local authorities to incorporate green belt proposals in their first development plans. The codification of Green Belt policy and its extension to areas other than London came in 1955 with an historic Circular inviting local planning authorities to consider the establishment of Green Belts. **5–019/3**

Extent

1.3 The Green Belts approved through structure plans now cover approximately 1,556,000 hectares, about 12 per cent of England. There are 14 separate Green Belts, varying in size from 486,000 hectares around London to just 700 hectares at Burton-on-Trent. The general extent and location of the designated areas are given in the table and map overleaf. **5–019/4**

Intentions of policy

1.4 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belts can shape patterns of urban development at sub-regional and regional scale, and help to ensure that development occurs in locations allocated in development plans. They help to protect the countryside, be it in agricultural, forestry or other use. They can assist in moving towards more sustainable patterns of urban development (see paragraph 2.10). **5–019/5**

Purposes of including land in Green Belts

1.5 There are five purposes in Green Belts: **5–019/6**
—to check the unrestricted sprawl of large built-up areas;
—to prevent neighbouring towns from merging into one another;
—to assist in safeguarding the countryside from encroachment;
—to preserve the setting and special character of historic towns; and
—to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

EDITORIAL NOTE

The five purposes set out "have an obvious bearing on what is and what is not appropriate to a green belt": *Pehrsson v. Secretary of State for the Environment* [1990] 3 P.L.R. 66, *per* Lord Donaldson of Lymington M.R. at 69G. (Also reported at (1990) 61 P. & C.R. 266 and [1990] J.P.L. 764.) **5–019/7**

The use of land in Green Belts

1.6 Once Green Belts have been defined, the use of land in them has a positive role to play in fulfilling the following objectives: **5–019/8**

—to provide opportunities for access to the open countryside for the urban population;
—to provide opportunities for outdoor sport and outdoor recreation near urban areas;
—to retain attractive landscapes, and enhance landscapes, near to where people live;
—to improve damaged and derelict land around towns;
—to secure nature conservation interest; and
—to retain land in agricultural, forestry and related uses.

1.7 The extent to which the use of land fulfils these objectives is however not itself a material factor in the inclusion of land within a Green Belt, or in its continued protection. For example, although Green Belts often contain areas of attractive landscape, the quality of the landscape is not relevant to the inclusion of land within a Green Belt or to its continued protection. The purposes of including land in Green Belts are of paramount importance to their continued protection, and should take precedence over the land use objectives.

[THE NEXT PARAGRAPH IS 5–020.]

2. Designation of Green Belts

5–020 2.1 The essential characteristic of Green Belts is their permanence. Their protection must be maintained as far as can be seen ahead.

Regional guidance and development plans

5–020/1 2.2 Regional and strategic planning guidance set the framework for Green Belt policy and settlement policy, including the direction of long-term development. Regional guidance focuses on issues which are of regional importance or which need to be considered on a wider geographical basis than that of individual structure plans. Strategic guidance performs a similar role in metropolitan areas.

2.3 Green Belts are established through development plans. Structure plans provide the strategic policy context for planning at local level. The general extent of Green Belts has been fixed through the approval of structure plans.

2.4 Many detailed Green Belt boundaries have been set in local plans and in old development plans, but in some areas detailed boundaries have not yet been defined. Up-to-date approved boundaries are essential, to provide certainty as to where Green Belt policies do and do not apply and to enable the proper consideration of future development options. The mandatory requirement for district-wide local plans, introduced by the Planning and Compensation Act 1991, will ensure that the definition of detailed boundaries is completed.

2.5 In metropolitan areas, unitary development plans (UDPs) perform the functions of structure and local plans.

implications for sustainable development. In non-metropolitan areas these questions should in the first instance be addressed in the structure plan, which should where necessary indicate a general area where local plans should identify safeguarded land.

2.13 Annex B gives further advice on safeguarded land, which is sometimes known as "white land".

New Green Belts

5–020/6 2.14 Proposals for new Green Belts should be considered through the Regional/Strategic Guidance or Structure Plan process in the first instance. If a local planning authority proposes to establish a new Green Belt, it should demonstrate why normal planning and development control policies would not be adequate, and whether any major changes in circumstances have made the adoption of this exceptional measure necessary. It should also show what the consequences of the proposal would be for sustainable development.

[THE NEXT PARAGRAPH IS 5–021.]

3. Control over development

Presumption against inappropriate development

5–021 3.1 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved, except in very special circumstances. See paragraphs 3.4, 3.8, 3.11 and 3.12 below as to development which is inappropriate.

3.2 Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development.

3.3 Green Belt policies in development plans should ensure that any planning applications for inappropriate development would not be in accord with the plan. These exceptional cases would thus be treated as departures from the development plan, to be referred to the Secretary of State under the Town and Country Planning (Development Plans and Consultation) Directions 1992 (see DOE Circular 19/92) [see now DETR Circular 07/99, *Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999*].

Editorial note

Paragraph 3.2: Inappropriate developments

5–021/1 This paragraph confirms the Court of Appeal's interpretation of PPG2 (1988) given in *Pehrsson* (*supra* fn. 1) in relation to the two-stage test and the onus of persuasion. The decision in *Pehrsson* has been overtaken following the enactment of the statutory presumption in favour of the development plan (s.54A of the 1990 Act) to the extent that the "first consideration" is no longer whether the development is appropriate for the green belt, but whether it is in accordance with the plan: see *Tandridge District Council v. Secretary of State for the Environment and the Church of Jesus Christ of Latter Day Saints* (1997) 74 P. & C.R. 159; [1997] J.P.L. 132 and *Houghton v. Secretary of State for the Environment* [1996] 1 P.L.R. 6; [1996] J.P.L. 396.

However, this may be of little practical effect as development plans incorporate the green belt policies set out in PPG2 and so the policies must be taken into account in determining whether the development is or is not in accordance with the plan.

Paragraph 3.2: "substantial weight"

In *Tesco Stores Ltd v. Secretary of State for the Environment* [1992] J.P.L. 268, Auld J. quashed the Secretary of State's decision that there were no very special circumstances on the ground that he did not appear to have considered any potential harm, other than the further diminution of the green belt, or how much weight if any should be attributed to it. It was necessary to conduct a balancing exercise, weighing against the harm by reason of inappropriateness, and any other harm, other circumstances (which might include claimed advantages) in order to form a view whether the other circumstances amounted to very special circumstances. **5–021/2**

New buildings

3.4 The construction of new buildings inside a Green Belt is inappropriate unless it is for the following purposes: **5–021/3**

- —agriculture and forestry (unless permitted development rights have been withdrawn—see paragraph D2 of Annex D);
- —essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it (see paragraph 3.5 below);
- —limited extension, alteration or replacement of existing dwellings (subject to paragraph 3.6 below);
- —limited infilling in existing villages (under the circumstances described in the box following paragraph 2.11), and limited affordable housing for local community needs under development plan policies according with PPG3 (see Annex E, and the box following paragraph 2.11); or
- —limited infilling or redevelopment of major existing developed sites identified in adopted local plans, which meets the criteria in paragraph C3 or C4 of Annex C1.[1]

3.5 Essential facilities (see second indent of paragraph 3.4) should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and outdoor recreation.

3.6 Provided that it does not result in disproportionate additions over and above the size of the *original* building, the extension or alteration of dwellings is not inappropriate in Green Belts. The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable.

EDITORIAL NOTE

Paragraph 3.4: "outdoor sport"

Malcolm Spence, Q.C. held, in *Houghton v. Secretary of State for the Environment* **5–021/4**

[1] See also the transitional provision of paragraph C14 regarding redundant hospital sites and paragraph C17 regarding higher and further education establishments not identified in adopted local plans.

APPENDIX II

Royal County of BERKSHIRE

BERKSHIRE STRUCTURE PLAN 1991-2006

Revised Explanatory Memorandum and Policies as Proposed to be Adopted

March 1995

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5.16 The release of land from the Green Belt in Slough may be needed to meet the housing provision for the Borough in Policy H2 if sufficient land cannot be found within the built-up area without problems related to town cramming. Because of its location, entirely surrounded by Green Belt, it is becoming increasingly difficult to identify sufficient land to meet local housing needs without the release of land from the Green Belt. If reliance is put on development beyond the Green Belt for meeting Slough's needs, it would add to the length of journeys to work and create particular problems for those requiring low-cost housing.

5.17 Should information become available as part of the Slough Local Plan Review process which clearly demonstrates that the urban area does not have sufficient capacity to meet the Borough's Structure Plan housing provision, then either a Structure Plan alteration may be required to consider the principle of releasing land from the Green Belt or limited Green Belt releases made through the Slough Local Plan, depending upon the scale and nature of land releases involved.

Development in the Green Belt

5.18 The purpose of the Metropolitan Green Belt in Berkshire is to help to limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intensive activity. Restraints on development in the Green Belt may also encourage the recycling of derelict and other urban land excluded from the Green Belt. Planning Policy Guidance Note 2 (PPG2) states that "general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them".

Policy C4 **There will be a presumption against inappropriate development in the Metropolitan Green Belt. Development must be acceptable in scale, form, impact, character and siting to its location in the Green Belt and should not compromise the purposes and fundamental aim of including land in the Green Belt.**

Approval will not be given, save in very special circumstances, for new buildings for any purpose, other than :

(i) agriculture and forestry;

(ii) essential facilities for outdoor sport and recreation, for cemeteries, for other uses of land which do not compromise the purposes of including land in the Green Belt, nor prejudice the fundamental aim of Green Belt policy, and for park and ride sites identified in local plans;

(iii) limited extension, alteration and replacement of existing dwellings;

(iv) limited infill in Recognised Settlements;

(v) limited infill in, or redevelopment of, existing employment sites identified in local plans;

Wokingham **District Local Plan**

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Published by: Wokingham District Council
Planning Department
PO Box 157
Shute End
Wokingham
Berkshire
RG40 1WR
Telephone 0118 9778798
Fax 0118 9778735

POLICY FRAMEWORK

National Policy

3.11 The Government's policy for the Green Belt is contained within PPG 2, which explains the fundamental aims and purposes of including land within the Metropolitan Green Belt.

Strategic Policy

3.12 The *Berkshire Structure Plan 1991 - 2006* states that the purpose of the Metropolitan Green Belt in Berkshire is to help limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intense activity. It states also that restraints on development in the Green Belt may encourage the recycling of derelict and other urban land excluded from the Green Belt.

3.13 The Structure Plan envisages that the Green Belt boundaries, as originally set out in the Green Belt Local Plan for Berkshire, will be retained except to correct very minor local inconsistencies. Further guidance on this is set out paragraph 5.12 of the Berkshire Structure Plan.

Supplementary Planning Guidance

3.14 Future supplementary guidance will be produced by this Council in respect of a District wide *Landscape Assessment* which in turn will be used to produce a *Countryside Design Summary.* Also, there will be the production of *Village Design Statements* in conjunction with the parishes within this District. They will all be based on Countryside Commission methodology and advice set out in Planning Policy Guidance Note 7 (PPG 7) *The Countryside - Environmental Quality and Economic and Social Development.*

3.15 A background paper on recognised Major Existing Developed Sites in the Metropolitan Green Belt will be published concurrently with this Plan. It will provide an explanation of the selection criteria that form the basis of Policy WGB7. As supplementary planning guidance it defines the extent of the area within which the Council could accept possible future development (the defined development envelope). Further supplementary planning guidance in the form of a development brief could be necessary on these sites.

THE CONTROL OF DEVELOPMENT IN THE METROPOLITAN GREEN BELT

3.16 In the Metropolitan Green Belt there is a presumption against inappropriate development, which by definition, is harmful to the Green Belt, though there are some categories of development which may be appropriate and these are set out in Policy WGB1 below:

POLICY WGB1: DEVELOPMENT IN THE METROPOLITAN GREEN BELT

THERE WILL BE A PRESUMPTION AGAINST INAPPROPRIATE DEVELOPMENT IN THE METROPOLITAN GREEN BELT. DEVELOPMENT MUST BE ACCEPTABLE TO ITS LOCATION WITHIN THE GREEN BELT, AS DEFINED ON THE PROPOSALS MAP.

APPROVAL WILL NOT BE GIVEN, SAVE IN VERY SPECIAL CIRCUMSTANCES, FOR THE CONSTRUCTION OF NEW BUILDINGS OR THE CHANGE OF USE OF

Cont.

LAND FOR ANY PURPOSE OTHER THAN:

a) DEVELOPMENT THAT DOES NOT CONFLICT WITH THE FUNDAMENTAL AIM OF KEEPING LAND PERMANENTLY OPEN AND ANY OTHER PURPOSE FOR WHICH GREEN BELTS ARE DEFINED

b) DEVELOPMENT FOR AGRICULTURE OR FORESTRY

c) DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT DOES NOT CONFLICT WITH POLICIES IN THE GREEN BELT

d) ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION AND FOR CEMETERIES

e) LIMITED EXTENSION, ALTERATION AND REPLACEMENT OF EXISTING DWELLINGS

f) LIMITED INFILLING OR REDEVELOPMENT OF EXISTING DEVELOPED SITES IN ACCORDANCE WITH POLICIES WGB5 OR WGB7

g) THE RE-USE AND ADAPTATION OF EXISTING BUILDINGS IN ACCORDANCE WITH POLICY WGB4.

DEVELOPMENT WILL NEED TO RESPECT ITS CONTEXT AND NOT CAUSE DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS. DEVELOPMENT MUST BE APPROPRIATE IN TERMS OF:

SCALE, FORM, SITING, DESIGN, MATERIALS, CHARACTER, TYPE AND LEVEL OF USE, AND OTHER VISUAL, PHYSICAL AND ECOLOGICAL ASPECTS.

Implementation: Through development control process.

Monitoring: Impact of planning applications determined

Policy affecting Residential Development in the Metropolitan Green Belt

3.17 There are no recognised settlements within the Metropolitan Green Belt in the area covered by the District Local Plan. The primary aim of development control in the Metropolitan Green Belt is to maintain the appearance of an area as open countryside. For this reason the range of acceptable forms of residential development is considerably narrower than elsewhere in the plan area.

3.18 The principle of allowing new dwellings in the countryside where they are essential to a viable agricultural enterprise is established in the adopted local plans. Because of the trend towards diversification there may in future be other uses in rural areas that may require a continuous presence on the site, for operational or security reasons, e.g. equestrian establishments. In such instances, as for agricultural dwellings, the need for accommodation needs to be firmly proved by way of functional and financial tests set out in current notes for the countryside. Government Guidance on this issue at present is contained in Annex I of PPG 7.

POLICY WGB2: NEW DWELLINGS IN THE METROPOLITAN GREEN BELT

FURTHER TO LOCAL PLAN POLICY WGB1 ANY PROPOSALS FOR THE ERECTION OF NEW DWELLINGS IN THE GREEN BELT MUST COMPLY WITH THE FOLLOWING REQUIREMENTS:

a) THERE IS A NEED FOR THE NEW DWELLING TO BE PROVIDED IN THE INTERESTS OF AN EXISTING, APPROPRIATE AND VIABLE ADJOINING LAND USE WHERE THERE IS A PROVEN NEED FOR A WORKER TO BE AVAILABLE ON THE SITE AT ALL TIMES AND WHERE IT CAN BE DEMONSTRATED THAT THE DWELLING HAS TO BE LOCATED ON THE SITE, AND THAT NO SUITABLE EXISTING BUILDINGS COULD BE CONVERTED FOR THIS PURPOSE,
OR

b) THE PROPOSAL RELATES TO THE REBUILDING, ON A ONE-FOR-ONE REPLACEMENT BASIS, OF AN EXISTING HABITABLE DWELLING OF PERMANENT CONSTRUCTION, PROVIDED THAT THE REPLACEMENT DWELLING DOES NOT RESULT IN A MATERIAL ALTERATION IN THE SCALE OF DEVELOPMENT ON THE SITE.

WHERE THE PRINCIPLE OF A NEW DWELLING IS JUSTIFIED THE COUNCIL WILL ENSURE:

I. THAT THE SIZE OF THE DWELLING IS CONSISTENT WITH THE HOUSING NEEDS OF THE WORKER AND HIS/HER IMMEDIATE FAMILY OR THAT ANY REBUILDING IS ON A ONE-FOR-ONE REPLACEMENT BASIS SPECIFIED ABOVE

II. THAT THE OTHER REQUIREMENTS OF POLICY WGB 6 (NEW BUILDINGS WITHIN THE METROPOLITAN GREEN BELT) ARE COMPLIED WITH

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

IV. THE FORM, SITING, DESIGN AND MATERIALS WILL NOT HARM THE OPEN, RURAL OR COUNTRYSIDE CHARACTER OF THE GREEN BELT.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Extensions to Existing Dwellings in the Metropolitan Green Belt

3.19 Extensions to existing dwellings in the Metropolitan Green Belt need to be considered on a site-specific basis. Generally any extension proposal will have to ensure that it does not conflict with the openness of the Green Belt and the purposes of including land in it set out in PPG 2, Green Belts. Furthermore it must not adversely impact the surrounding countryside or significantly increase the scale of built development on the site. It should also respect regional or local building designs, traditions and materials.

GREEN BELT LOCAL PLAN FOR BERKSHIRE

Royal County of Berkshire

April 1985

ISBN 0 903321 94 7

2 The Green Belt - Background

2.1 *History and Functions*

2.1.1 The Green Belt in Berkshire forms part of the Metropolitan Green Belt, one of a number of Green Belts which have been established around the major towns and cities of Great Britain. The reasons for designating a Green Belt were first officially set out by the Ministry of Housing and Local Government in 1955, when they were stated to be:

a to check the further growth of a large built-up area;

b to prevent neighbouring towns from merging into one another; or

c to preserve the special character of a town[1].

2.1.2 The Metropolitan Green Belt - the Green Belt surrounding Greater London - was established in the 1950s and 1960s to cover an area extending as far as Royston in the north, Southend in the east, Tunbridge Wells in the south, and Wokingham in the west. Not all of this was 'Approved Green Belt' - Green Belt formally approved in Development Plans by the Minister of Housing and Local Government; much of it, including almost all of the areas of Green Belt in Berkshire, was designated 'Proposed Green Belt' - not formally approved, but treated (with the agreement of Whitehall) as if it **had** been approved, pending a final decision by the Minister.

2.1.3 The area of Proposed Green Belt in East Berkshire and in small parts of Central Berkshire received the formal approval of the Secretary of State for the Environment (successor to the Minister of Housing) in 1974, along with other long-proposed extensions in Buckinghamshire and Surrey. Most of the Proposed Green Belt in Central Berkshire, however, remained subject to Green Belt controls on an interim basis only, pending consideration by the Secretary of State of the proposals to be contained in the then-forthcoming Structure and Local Plans.

2.1.4 The Central Berkshire Structure Plan as submitted to the Secretary of State proposed a further westward extension of the Green Belt as far as Reading[2]. However, when he approved this Structure Plan in April 1980, the Secretary of State decided not only not to confirm this newly-proposed extension, but also not to give his formal approval to the inclusion in the Metropolitan Green Belt of those areas of Central Berkshire which had been treated as Proposed Green Belt since the late 1950s.

2.1.5 Similar proposals to confirm the status of long-standing but never formally-approved Green Belt areas, or to extend the Metropolitan Green Belt further from Greater London, were contained in the submitted Structure Plans of many of the other counties surrounding London. As in Berkshire, however, these proposals were not in general approved in their entirety by the Secretary of State. As a result, not only Berkshire but also many other counties now have a considerably reduced area of de facto Green Belt following approval of their Structure Plans (Figure 2).

2.1.6 The reason for the Secretary of State's treating Green Belt extension proposals in this way is to be found in the Government Statement on the Review of the Strategic Plan for the South East, published by the former Labour Government in December 1978 but supported - at least as far as its Green Belt content is concerned - by the new Government elected in May 1979. This Statement contains the following paragraph:

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1 Ministry of Housing & Local Government Circular 42/55: Green Belts, Paragraph 3. See also paragraph 2.1.11. That Circular 42/55's policy advice remains valid was confirmed in DoE Circular 14/84 (Green Belts), issued in July 1984. This Circular stated the broad and positive planning role of Green Belts as being "checking the unrestricted sprawl of built-up areas, safeguarding the surrounding countryside from further encroachment, and assisting in urban regeneration."

2 CBSP paragraph 7.13 (as originally submitted to the Secretary of State for the Environment, June 1978).

> "When considering [Structure] Plans the Government will start from the broad acceptance that for the specific purpose of the Metropolitan Green Belt a depth of 12-15 miles is usually adequate . . . restraint of development outside the approved Metropolitan Green Belt may of course prove desirable for other purposes and can be incorporated in structure and local plans by way of specific policies."[1]

The "specific purpose of the Metropolitan Green Belt" was stated to be "to limit the Greater London built-up area and prevent its spread".[2]

2.1.7 The Secretary of State formally confirmed the Government's views on the Metropolitan Green Belt in August 1980 when he stated that:

> "There should continue to be the strongest restraint on development in the Metropolitan Green Belt, for which a depth of 12-15 miles is usually adequate. Outside the already approved Metropolitan Green Belt I would require special justification before approving its extension to a greater depth than this."[3]

2.1.8 In his decisions on the Green Belt proposals of the Home Counties' Structure Plans, the Secretary of State accordingly restricted the Green Belt to a depth generally of around 12-15 miles, though at the same time he retained the 'Approved' status of areas of previously Approved Green Belt which were of greater depth. In approving the Central Berkshire Structure Plan, the Secretary of State wrote that he did not rule out the possibility, following further study by the County Council of the development potential of Central Berkshire, of "some further modest extension of the green belt within the general presumption of 12-15 miles depth"[4].

2.1.9 By his recent statements on regional policy for the South East, and by the nature of the recent Structure Plan approvals, the Secretary of State has made it clear that the function of the Metropolitan Green Belt, as distinct from other Green Belts around the country, is above all to limit the spread of the conurbation which it surrounds (ie Greater London). Reasons (b) and (c) in paragraph 2.1.1 do not therefore contain the raison d'etre of the Metropolitan Green Belt, and to the extent that the Green Belt fulfils these functions in the area around Greater London, this must be seen as an incidental benefit of local significance rather than as the achievement of a primary aim of the Green Belt in this area.

2.1.10 The existence of the Metropolitan Green Belt also brings with it a number of other incidental benefits; for example, it helps to protect productive farmland, to provide space for recreation, and to assist in the protection of areas of attractive countryside. Again however, although desirable objectives in themselves (and hence in most cases the subject of separate policies in the approved Structure Plans), these are not fundamental aims of Green Belt policy as such.

2.1.11 It should be noted that three reasons set out in the main text of paragraph 2.1.1 above are the reasons for the overall designation of a Green Belt around a city such as London. It is not necessary that each individual parcel of land within the Green Belt should serve one of these purposes to justify its inclusion in the Green Belt. It is inevitable that within an area as extensive as the Metropolitan Green Belt some individual parcels of land can be claimed not to make any obvious contribution in terms of checking the growth of a large built-up area, or of preventing neighbouring towns from merging, or of preserving the special character of a town. But that is not why they were included in the Green Belt in the first place. They were so included because they form part of a greater whole -the largely undeveloped area beyond Greater London, whose generally

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1 Government Statement on the Review of the Strategic Plan for the South East, December 1978, paragraph 60.

2 *Ibid*, paragraph 59.

3 Letter "South East Regional Strategic Guidance" dated 7 August 1980, sent by the Secretary of State for the Environment to the Chairman of the Standing Conference on London and South East Regional Planning.

4 Secretary of State's letter (14 April 1980) approving the Central Berkshire Structure Plan, paragraph 8.2. See also paragraph 3.2.22 below.

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or more dwellings and which may involve the construction of new means of access) as well as of infilling. To avoid doubt, it is here confirmed that such rounding-off on the edges of the main urban areas may only take place **within** the boundaries of the Excluded Settlements, and thus may **not** take place by means of the development of land which is included in the Green Belt by virtue of this Local Plan. To allow such rounding-off on Green Belt land would conflict with Structure Plan Policy H 7 (see paragraph 2.3.3 above). Similarly, the rounding-off of villages which are included in the Green Belt (whether they are Recognised Settlements or not) is not acceptable in terms of the policies either of the Structure Plans or of this Local Plan.

8.3 Extensions

8.3.1 Policy 9 OUTSIDE RECOGNISED SETTLEMENTS THERE WILL BE A PRESUMPTION AGAINST ALLOWING PROPOSALS FOR THE EXTENSION OF EXISTING DWELLINGS, UNLESS THE PLANNING AUTHORITIES ARE SATISFIED THAT THE EXTENSION PROPOSED

A WILL NOT CAUSE OR CONTRIBUTE TO A CHANGE IN THE SCALE OR CHARACTER OF THE DWELLING CONCERNED; AND

B WILL NOT CAUSE A MATERIAL ALTERATION TO THE SCALE OF DEVELOPMENT ON THE SITE; AND

C WILL HAVE NO ADVERSE EFFECT ON THE OPEN OR RURAL CHARACTER OF THE AREA IN GENERAL

Reason

8.3.2 Extensions other than those which are very modest in scale would normally contribute to an increase in the built character of the Green Belt in general, contrary to the aims of basic Green Belt policy.

Implementation

8.3.3 The erection of an extension which is large relative to the existing dwelling, or of a series of small extensions which together would result in a large increase in the size of the original dwelling, will normally create a material intensification in the scale of development or a change in the character of the dwelling. Developments of these types will therefore normally be resisted.

8.3.4 In considering the effect of a proposed extension on the scale or character of the dwelling, the planning authorities will take into account the cumulative effect of the proposed extension taken together with past extensions to the property concerned, in order to prevent the scale or character of a dwelling being gradually changed by the construction of a series of small extensions.

8.3.5 Examples of cases in which criterion B of Policy 9 would fall for consideration would be proposals for extensions which would lead to the overdevelopment of a small site, or which would develop a site frontage in such a way as to change the site's character by giving it a fully built-up impression. Such proposals would not satisfy this criterion, since the increase of built character which they would create would conflict with the aim of maintaining the generally open character of the Green Belt.

8.3.6 The planning authorities will not operate a rigid policy of refusing all extensions which increase the volume of a dwelling by a certain fixed percentage; such a policy has proved impracticable in the past. On the other hand, neither will they operate a policy of automatically approving all extensions of less than a certain percentage volume increase, as this could result in the erection of unsatisfactorily designed extensions contrived merely to keep the overall volume down. Policy 9 requires a more flexible approach by the planning authorities to each proposal submitted, allowing each to be considered on its individual merits in terms of its overall effect on the existing dwelling, and on the site and area in general.

8.3.7 The general principle of not allowing extensions which are large relative to the existing dwelling may be relaxed in the case of very small cottages for which a relatively large extension is needed to allow the provision of basic amenities, or to bring room sizes up to a standard suitable for comfortable single-family occupation. Such proposals may still be resisted, however, if they would alter the character of the dwelling away from that of a small cottage.

8.3.8 Proposals to erect or extend small non-habitable buildings separate from a main house - eg a separate garage, or stables for private use - will in general be considered on their merits principally of siting, design and location in relation to the existing house and its surroundings rather than on specific Green Belt considerations.

8.4 Rebuildings and Replacements

8.4.1 Policy 10 OUTSIDE RECOGNISED SETTLEMENTS THERE WILL BE A PRESUMPTION AGAINST ALLOWING THE REBUILDING OR REPLACEMENT OF AN EXISTING DWELLING UNLESS THE PLANNING AUTHORITIES ARE SATISFIED THAT:

A THERE IS AN EXISTING HABITABLE DWELLING OF PERMANENT CONSTRUCTION ON THE SITE IN QUESTION, WHOSE RESIDENTIAL USE HAS NOT BEEN ABANDONED; AND

B THE EXISTING RESIDENTIAL USE OF THE SITE IS PERMANENT RATHER THAN SEASONAL OR OCCASIONAL; AND

C THE PROPOSAL WOULD NOT PERPETUATE THE RESIDENTIAL USE OF AN ISOLATED OR PROMINENT SITE; AND

D ANY PROPOSAL FOR THE REPLACEMENT OF AN EXISTING DWELLING IS ON A ONE-FOR-ONE BASIS ONLY; AND

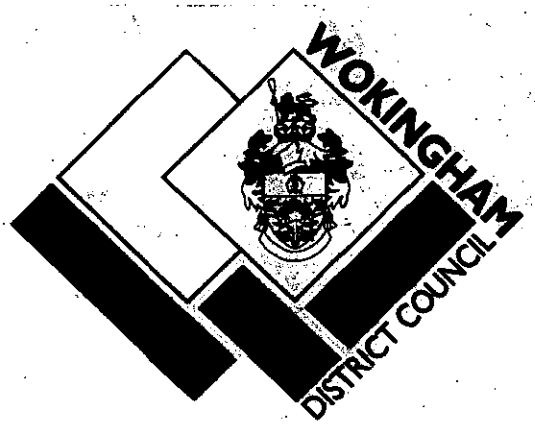
E THE DETAILS OF THE PROPOSAL WOULD NOT HARM THE RURAL OR OPEN CHARACTER OF THE AREA.

Reason

8.4.2 The stage-by-stage rebuilding of a dwelling which is of permanent construction and still in permanent occupation can in certain circumstances be carried out without planning permission, provided (amongst other things) that the structure remains a recognisable and habitable dwelling throughout the rebuilding process. On the other hand planning permission is always needed if the original building is to be wholly or largely demolished and replaced. (The question of whether or not a particular rebuilding proposal requires planning permission depends entirely on the facts of the particular case, and is a matter to be decided in the first instance by the planning authority guided by its legal advisers.) Rebuilding carried out on a piecemeal basis purely to allow it to be regarded as 'permitted development' can sometimes be a second-best alternative, both to the occupier who might prefer to rebuild on a slightly different site, or to carry out the operation as a comprehensive exercise rather than piecemeal; and to the planning authorities in their efforts to secure the most satisfactory appearance of the site concerned. To avoid such second-best solutions, the planning authorities will be prepared to allow those rebuildings or replacements which do require planning permission so long as all the criteria in Policy 10, together with any relevant detailed site considerations, are met.

Implementation

8.4.3 The criteria contained in Policy 10 have been drawn up to ensure so far as possible the safeguarding of the open, rural or quiet character of the Green Belt. It is for this reason that the planning authorities will normally resist proposals which would resurrect a residential use which has been abandoned; proposals which would involve the intensification of a site's residential use by turning an intermittent residential use into a permanent one; proposals which would perpetuate a site's residential use by replacing



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

3.11 The Government's policy for the Green Belt is contained within PPG 2, which explains the fundamental aims and purposes of including land within the Metropolitan Green Belt.

Strategic Policy

3.12 The *Berkshire Structure Plan 1991 - 2006* states that the purpose of the Metropolitan Green Belt in Berkshire is to help limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intense activity. It states also that restraints on development in the Green Belt may encourage the recycling of derelict and other urban land excluded from the Green Belt.

3.13 The Structure Plan envisages that the Green Belt boundaries, as originally set out in the Green Belt Local Plan for Berkshire, will be retained except to correct very minor local inconsistencies. Further guidance on this is set out paragraph 5.12 of the Berkshire Structure Plan.

Supplementary Planning Guidance

3.14 Future supplementary guidance will be produced by this Council in respect of a District wide *Landscape Assessment*, which in turn will be used to produce a *Countryside Design Summary*. Also, there will be the production of *Village Design Statements* in conjunction with the parishes within this District. They will all be based on Countryside Commission methodology and advice set out in Planning Policy Guidance Note 7 (PPG 7) *The Countryside - Environmental Quality and Economic and Social Development.*

3.15 A background paper on recognised Major Existing Developed Sites in the Metropolitan Green Belt will be published concurrently with this Plan. It will provide an explanation of the selection criteria that form the basis of Policy WGB7. As supplementary planning guidance it defines the extent of the area within which the Council could accept possible future development (the defined development envelope). Further supplementary planning guidance in the form of a development brief could be necessary on these sites.

THE CONTROL OF DEVELOPMENT IN THE METROPOLITAN GREEN BELT

3.16 In the Metropolitan Green Belt there is a presumption against inappropriate development, which by definition, is harmful to the Green Belt, though there are some categories of development which may be appropriate and these are set out in Policy WGB1 below:

POLICY WGB1: DEVELOPMENT IN THE METROPOLITAN GREEN BELT

THERE WILL BE A PRESUMPTION AGAINST INAPPROPRIATE DEVELOPMENT IN THE METROPOLITAN GREEN BELT, ~~DEVELOPMENT MUST BE ACCEPTABLE TO ITS LOCATION WITHIN THE GREEN BELT~~, **(PA 3/1)** AS DEFINED ON THE PROPOSALS MAP. ~~APPROVAL WILL NOT BE GIVEN,~~ *DEVELOPMENT WILL NOT BE PERMITTED,* **(PA 3/1)** SAVE IN VERY SPECIAL CIRCUMSTANCES, ~~FOR THE CONSTRUCTION OF NEW BUILDINGS OR THE CHANGE OF USE OF LAND~~: FOR ANY PURPOSE OTHER THAN: **(PA 3/1)**

Cont.

~~A) DEVELOPMENT THAT DOES NOT CONFLICT WITH THE FUNDAMENTAL AIM OF KEEPING LAND PERMANENTLY OPEN AND ANY OTHER PURPOSE FOR WHICH GREEN BELTS ARE DEFINED~~ **(PA 3/1)**

~~B)~~ *A)* DEVELOPMENT FOR AGRICULTURE OR FORESTRY **(PA 3/1)**

~~C)~~ *B)* DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT DOES NOT CONFLICT WITH POLICIES IN THE GREEN BELT **(PA 3/1)**

~~D)~~ *C)* ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION, ~~AND~~ FOR CEMETERIES, *AND FOR OTHER USES OF LAND THAT PRESERVE THE OPENNESS OF THE GREEN BELT, AND WHICH DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN IT* **(PA 3/1)**

~~E)~~ *D)* LIMITED EXTENSION, ALTERATION AND REPLACEMENT OF EXISTING DWELLINGS **(PA 3/1)**

~~F)~~ *E)* LIMITED INFILLING OR REDEVELOPMENT OF *MAJOR* EXISTING DEVELOPED SITES IN ACCORDANCE WITH ~~POLICIES WGB5 OR~~ *POLICY* WGB7 **(PA 3/1)**

~~G)~~ *F)* THE RE-USE AND ADAPTATION OF EXISTING BUILDINGS IN ACCORDANCE WITH POLICY WGB4. **(PA 3/1)**

G) ESSENTIAL FACILITIES FOR PUBLIC UTILITIES WHICH IT HAS BEEN CONCLUSIVELY DEMONSTRATED CANNOT BE LOCATED ELSEWHERE **(PA 3/1)**

IN ALL CASES, DEVELOPMENT WILL NEED TO ~~RESPECT ITS CONTEXT~~ *RETAIN THE OPEN CHARACTER OF THE GREEN BELT,* **(PA 3/1)** AND NOT CAUSE DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS. DEVELOPMENT MUST BE APPROPRIATE IN TERMS OF:

SCALE, FORM, SITING, DESIGN, MATERIALS, CHARACTER, TYPE AND LEVEL OF USE, AND OTHER VISUAL, PHYSICAL AND ECOLOGICAL ASPECTS.

Implementation: Through development control process.

Monitoring: Impact of planning applications determined.

Extensions to Existing Dwellings in the Metropolitan Green Belt

3.19 Extensions to existing dwellings in the Metropolitan Green Belt need to be considered on a site-specific basis. Generally any extension proposal will have to ensure that it does not conflict with the openness of the Green Belt and the purposes of including land in it set out in PPG 2, Green Belts. Furthermore it must not adversely impact the surrounding countryside or significantly increase the scale of built development on the site. It should also respect regional or local building designs, traditions and materials.

POLICY WGB3: RESIDENTIAL EXTENSIONS AND ANCILLARY BUILDINGS IN THE METROPOLITAN GREEN BELT

THERE WILL BE A PRESUMPTION AGAINST ALLOWING MORE THAN LIMITED EXTENSIONS TO EXISTING DWELLINGS OR THE ERECTION OF ANCILLARY BUILDINGS IN THE GREEN BELT.

IN ALL CASES THE EXTENSION OR ANCILLARY BUILDING PROPOSED MUST:

A) HAVE NO ADVERSE PHYSICAL, VISUAL OR ECOLOGICAL IMPACT UPON THE OPEN OR RURAL CHARACTER OF THE SURROUNDING COUNTRYSIDE

B) NOT RESULT IN DISPROPORTIONATE ADDITIONS TO THE ORIGINAL BUILDING* NOR CAUSE A DETRIMENTAL ALTERATION TO THE SCALE OF THE DWELLING AND TO THE SCALE OF THE DEVELOPMENT ON SITE

C) RESPECT REGIONAL OR LOCAL BUILDING DESIGNS AND MATERIALS.

** Original building means the building as it was first built or as it stood on 1st July 1948.*

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Re-use and Adaptation of Existing Buildings in the Metropolitan Green Belt

3.20 The re-use and adaptation of existing buildings in the Green Belt recognises that changing agricultural trends are not limited to non-Green Belt countryside. The re-use of buildings should not prejudice the openness of the Metropolitan Green Belt because the buildings are already there. The policy does provide a number of safeguards to ensure that the 'openness' is retained. Notes are also given below on non-residential and residential re-uses and adaptations of existing buildings. Further guidance on the consideration of re-use and adaptation of existing building proposals in the Metropolitan Green Belt is given in PPG 2 Green Belts, paras. 3.7 to 3.10 and Annex D.

3.21 The Government's policy as set out in PPG 7 is that the re-use of rural buildings for new commercial, industrial and recreational uses can help to reduce the demand for new building and encourage a healthy rural economy. Generally re-use and adaptation should not prejudice the openness of Green Belts. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises, and may contribute to the objectives for the use of land in the Metropolitan Green Belt. The alternative to re-use may be a building that is left vacant and prone to vandalism. However, it is accepted that not all proposals will be acceptable as there may be legitimate objections, based on local circumstances, that may override these advantages of re-use and adaptation.

3.22 Residential conversions can often have a detrimental effect on the fabric and character of farm buildings. Further, the creation of a residential curtilage can undermine the rural nature of the area. The rural economy is not, usually, boosted by such conversions, whereas conversion to holiday use may be of benefit. For these reasons a generally more cautious approach is proposed than for non-residential uses.

The Planning Inspectorate

For offical use only
Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/02/1093297 **GRID REF:**

APPEAL BY: MR & MRS W ALLEY

SITE: Hazeldell Cottage Scarletts Lane Kih Green

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

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

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

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

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

a	Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	YES / NO Sch1 Sch 2 col 1	
b.	Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~ / NO	
c.	Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.	YES / NO	
		Number of Documents Enclosed	N/A
d.	Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	1	
e.	Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f.	A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g.	Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h.	Details of any other applications or matters you are currently considering relating to the same site;		✓
i.	**For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.***	3	
j.	Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k.	Any other relevant information or correspondence you consider we should be aware of.		✓

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?	07/08/02	
b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	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: Dpnell on behalf of Wokingham Unitary Council

Date sent to us and the appellant 08/07/02 Our Ref: F/2001/5279

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

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HIGHWAYS CONSULTATION SHEET

From: Helen Pollock **Date:** 23 November 2001

Application Number: F/2001/5279

Proposal: Proposed first floor side extension to dwelling.

Parish: WARGRAVE PARISH

Site Address:
Hazeldell Cottage, Scarletts Lane, Kiln Green, Reading.

Applicant:
Mr & Mrs W Alley C/O R G Butler And Associates.

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).

C122, R122

Signed: _____ **Print name:** AC 23/11/01

MG

FROM: Helen Pollock

DATE: 23 November 2001

DELEGATED

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	

0 3 JAN 2002

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WARGRAVE PARISH CONSULTATION SHEET

Application Number: F/2001/5279

Proposal: Proposed first floor side extension to dwelling..

Site Address: Hazeldell Cottage, Scarletts Lane, Kiln Green, Reading.

Applicant: Mr & Mrs W Alley C/O R G Butler And Associates.

Your observations are required in respect of this application **by 17/12/2001** .

No comment.

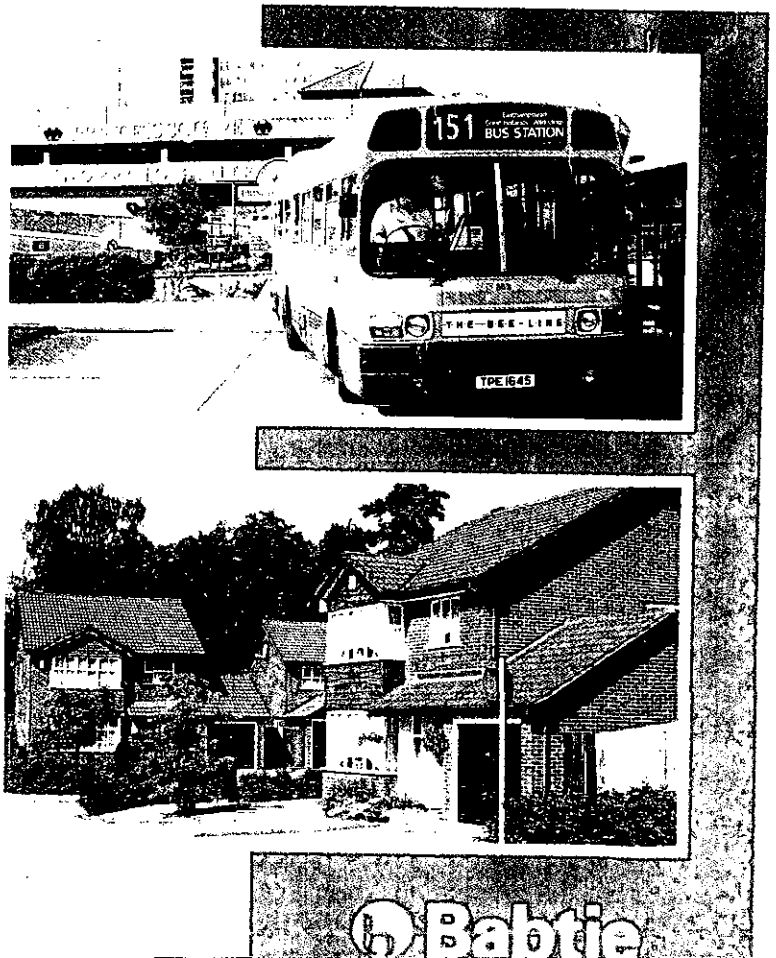
SIGNED: S Hedges DATE: 10/12/01

Clerk To Wargrave Parish/Town Council.



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997



- *where possible, avoid taking the best and most versatile farmland (Policy C10);*

- *take account of environmental constraints referred to in Policies EN2 - EN10 and the Colne Valley Regional Park Strategy;*

- *seek an appropriate provision of low cost housing of various tenures to meet local housing needs (Policy H7) and a range of residential densities, dwelling types and sizes related to local needs (Policy H9);*

- *be satisfied that infrastructure, services and amenities made necessary by proposed development are provided or will be provided at the appropriate time (Policy LD6).*

Development in the Green Belt

5.20 The purpose of the Metropolitan Green Belt in Berkshire is to help to limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intensive activity. Restraints on development in the Green Belt may also encourage the recycling of derelict and other urban land excluded from the Green Belt. Planning Policy Guidance Note 2 (PPG2) states that "general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them".

Control of Development in the Green Belt

Policy C4 **There will be a presumption against inappropriate development in the Metropolitan Green Belt. *Development must be acceptable in scale, form,* impact, character and siting to its location in the Green Belt and should not compromise the purposes of the Green Belt and the fundamental aim of keeping land permanently open.**

Approval will not be given, save in very special circumstances, for new buildings for any purpose, other than :

(i) agriculture and forestry;

(ii) essential facilities for outdoor sport and recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;

(iii) limited extension, alteration and replacement of existing dwellings;

(iv) limited infill in Recognised Settlements defined in local plans;

(v) small-scale low-cost housing on other sites in Recognised Settlements *to meet proven* local needs in accordance with Policy H8;

(vi) limited infilling in, or redevelopment of, major existing developed sites identified in adopted local plans.

5.21 In implementing the provisions of Policy C4, it should be noted that development includes the change of use of land and existing buildings and the carrying out of engineering or other operations. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purpose of including land in the Green Belt.

5.22 Within the Green Belt, the erection of new dwellings is normally restricted to infilling in Recognised Settlements (those villages and other locations within the Green Belt where, because of the local concentration of development, it is considered that the overall character of the Green Belt would not be harmed by permitting such development). The boundaries of these settlements are currently defined in the Green Belt Local Plan, which also indicates that "infilling" in the Green Belt should normally be limited to single plots. As local plans are prepared for areas in the Green Belt, their policies will supersede those in the Green Belt Local Plan. Until that time, policies in the Green Belt Local Plan will apply.

5.23 Planning Policy Guidance Note 2 'Green Belts' does not refer to park and ride sites as being appropriate development in the Green Belt. However, if such schemes are to be provided in the eastern part of the County in accordance with the integrated transport strategy, it is most likely that sites will have to be found in the Green Belt. Proposals for sites in the Green Belt would have to be treated as exceptional cases and as departures from the development plan which would have to be referred to the Secretary of State.

5.24 By maintaining the separation of settlements, the Green Belt plays an important role in protecting the rural character of much of the eastern part of Berkshire. However, in some areas, pressures for change and fragmentation of ownership are leading to degradation of the landscape. To help combat such changes (and thereby improve the effectiveness of Green Belt policy), the County Council will work in partnership with other agencies to develop appropriate landscape conservation and enhancement measures.

Settlements, Buildings and the Countryside

5.25 Areas on and near the edge of settlements, where built-up areas meet the countryside, are especially vulnerable to insensitive development within settlement boundaries which:

(i) increases the visual intrusion by buildings in the surrounding countryside;

(ii) causes the loss of tree and hedgerow cover which helps to soften and screen a settlement edge;

(iii) extends beyond a feature (like a ridge or tree belt) which forms a visual barrier to the edge of a settlement;

(iv) adds to, or fills gaps in, an area of dispersed settlement or sporadic development;

(v) prejudices the continued satisfactory conduct and management of a land-use wholly appropriate to a rural area, either on land adjoining a settlement or in an area of sporadic or dispersed development.

Tel: (0118) 974 6448 (Direct Line)
Email: Denise.Gumbrell@wokingham.gov.uk
Date: 8th July, 2002
My ref: **F/2001/5279**

The Owner / Occupier
ST. JOHNS HOUSE
HARE HATCH
READING
RG109XR

WOKINGHAM UNITARY
Aiming for Excellence

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

Dear Sir/Madam

APPLICATION No: F/2001/5279
APPEAL BY: Mr & Mrs W Alley
SITE: Hazeldell Cottage Scarletts Lane Kiln Green Reading
PROPOSAL: Proposed first floor side extension to dwelling.

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

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

If you wish to make further representations, you should, if possible, send three copies to Mrs M Pocock, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference **APP/X0360/A/02/1093297**. Comments received after **07/08/2002** will not normally be seen by the Inspector & will be returned.

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

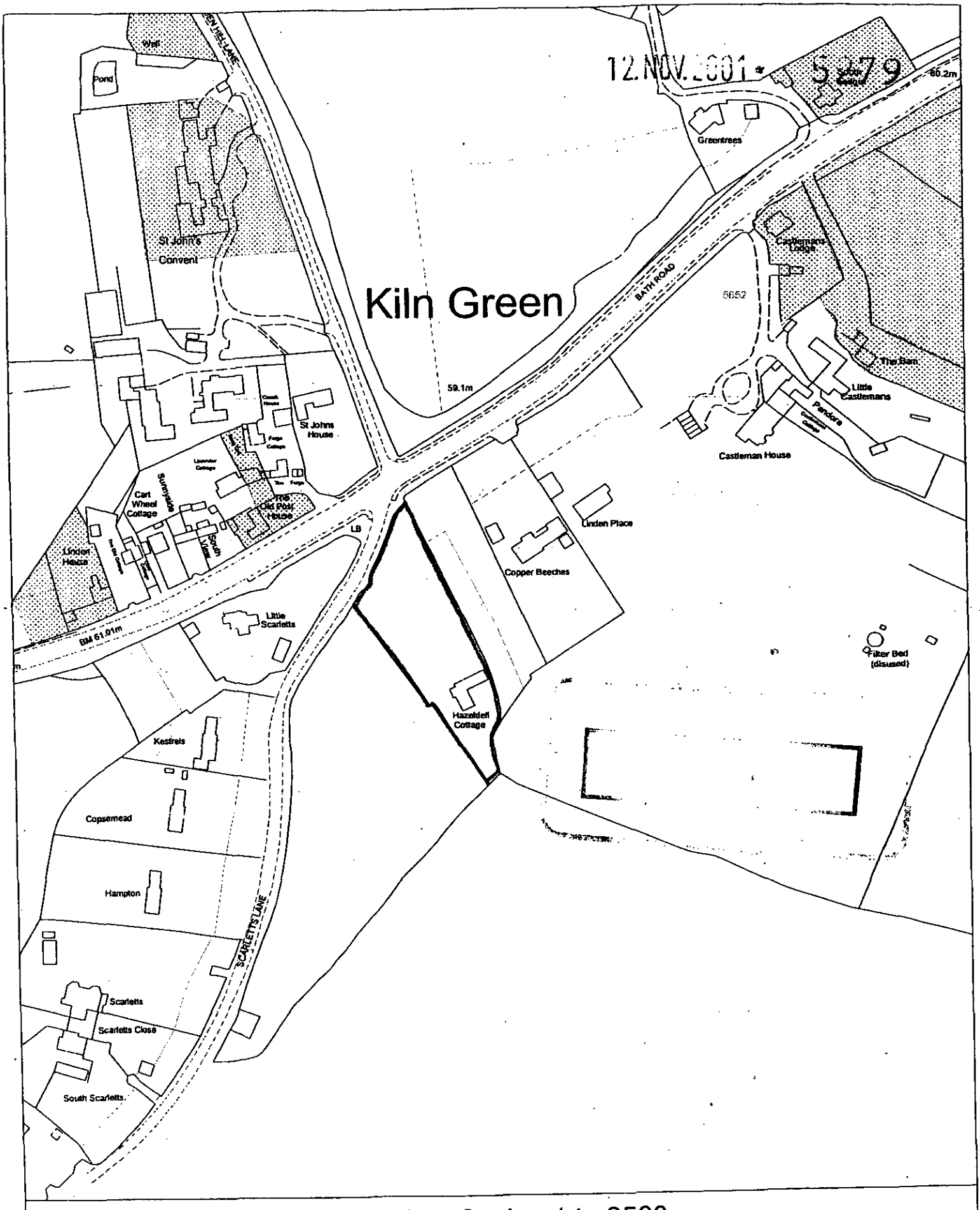
A free booklet, "Guide to taking part in planning appeals" is available from this office.

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

Yours faithfully

Denise Gumbrell

Appeals Assistant



Site Plan, Scale: 1 to 2500

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Date: 6 November 2001

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