SOUTHPORT U.K.
LONDON OFFICE

SYSTEMS LTD

APPLICATION NO:
F/2000/0401

LOCATION:
22 Sandy Lane Wokingham.

APPLICANT:
Mr & Mrs Beech C/O 4th Dimension Architectural Design

PROPOSAL:
Proposed first floor rear extension to dwelling.

EARLIEST DATE FOR DECISION: **20/02/2000**

APPLICATION EXPIRY DATE: **15/03/2000**

CASE OFFICER: ~~**Bhavash Vashi**~~
Emy Curcuit

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs Beech
C/O 4th Dimension Architectural Design
95 High Street
CROWTHORNE
Berkshire
RG45 7AD

Application Number: F/2000/0401

Parish: **BARKHAM**

Location: **22 Sandy Lane, Wokingham**

Proposal: **Proposed first floor rear 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 subject to compliance with the following conditions, the reasons for which are specified hereunder.

Reason

1. Due to the height of the proposed first floor extension and its proximity to the dining room window of the neighbouring property, the proposals would be overbearing. The proposals are, therefore, contrary to Policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) and Policy SBE2 of the South East Area Local Plan.

Head of Planning and Transportation
Date: 28 March 2000

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

Appeal Decision

Site visit made on 07 November 2000

by J R Collyer FRICS

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

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

PLANNING SERVICES
POL
DC
APP
CS
COPIES TO:
Date 28 NOV 2000

Appeal Ref: APP/X0360/A/00/1048478
Jacks Cottage, Sandy Lane, Wokingham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Beech against the decision of Wokingham District Council.
- The application (ref: F/2000/0401), dated 17 January 2000, was refused by notice dated 28 March 2000.
- The development proposed is the erection of a first-floor rear extension.

Summary of Decision: The appeal is dismissed.

Main Issues

1. From the evidence before me I consider that the main issue in this case is the likely effect that this proposal would, by reason of its size, height and location, have on the amenities of the adjoining residents, taking into account the Council's policies concerning the safeguarding of such interests.

Planning Policy

2. The aims of the adopted South East Area Local Plan (1994) are, among other things, to ensure that development proposals are appropriate in terms of their relationship with adjoining sites and buildings (Policy SBE2). The more up-to-date Deposit Draft Wokingham District Local Plan is part way through its formal adoption procedures. Policy WOS3, in its latest form, basically says in the first of a number of criteria that development proposals must be appropriate in scale and character to their surroundings and be integrated into their local context without detriment to the amenities of adjoining land uses and occupiers. Policy WBE1 confirms in effect that the design of new development should respect its local context and that proposals will be judged in terms of several considerations including their environmental impact and the privacy and amenity of the existing environment.

Reasons

3. Jacks Cottage is one of a small group of residential properties in a rural location just beyond the settlement of Barkham Hill. It is a 2-storey house with a single-storey extension at the rear, very close to the boundary with the adjoining bungalow to the west, No 24. This boundary is marked for part of its length, including alongside the rearmost section of the single-storey extension, by a 1.8m timber fence; however forward of that, and beside the

house itself, there is only a hedge which varies in height and density.

4. This proposal involves building a first floor over the existing extension, raising the height to the eaves to almost 4m according to the submitted drawings; it would be finished with a roof which would be more steeply pitched than is the present one. This extension stands just over 1m from the boundary and is at a higher ground level than No 24. This adjoining bungalow is itself barely 1m from the boundary and its flank wall extends back beyond the line of the rear wall of the Appellants' extension. It has a number of windows this side, including the main one to a dining-room which directly faces towards the said extension. Furthermore there is a pathway along this side of the bungalow.

5. I formed the opinion at my inspection that this particular window already receives only limited natural light due to the relative height and proximity of the boundary fence and the single-storey extension just behind it. Yet it remains the primary source of such light to this habitable room. The outlook from this window is also poor although there is at least an open view skywards above the nearby structures. In my judgement the appeal proposal would worsen significantly even this modest level of amenity. The new building would, by reason of its overall height in relation to the window and pathway level of No 24 and its length (almost 8.5m on this side), have a severe dominating impact on the outlook from the neighbours' property and reduce still more the amount of natural light which it would receive. This is unacceptable.

6. The other windows on this side of No 24 would also be affected but not with such serious consequences in planning terms. Either they do not directly face the proposed extension or they are not the sole or main windows to habitable rooms.

7. Given the foregoing considerations, it is clear to me that this proposal is inconsistent with the aims and terms of the Council's specified policies.

Conclusions

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

Formal Decision

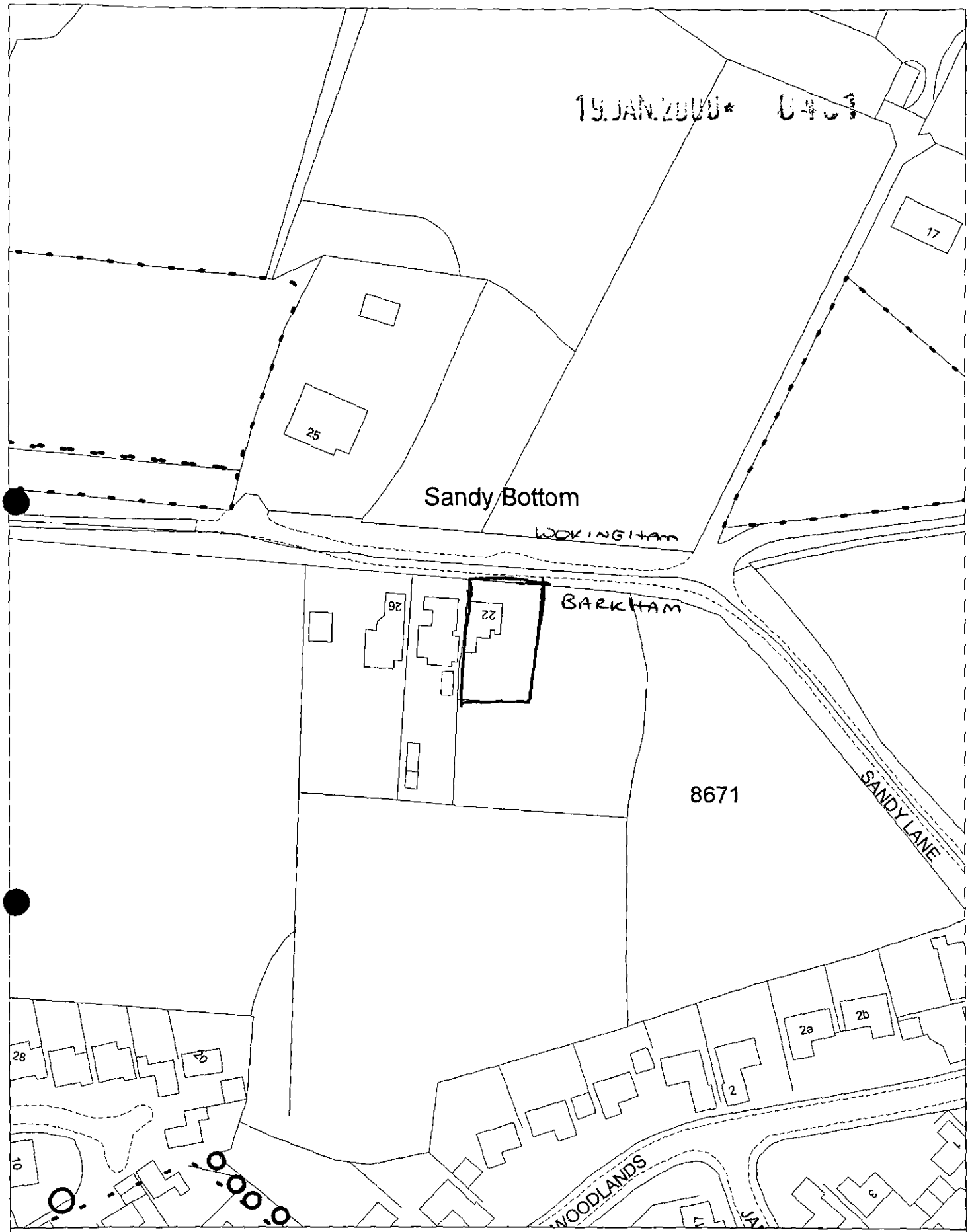
9. In exercise of the powers transferred to me, I dismiss the appeal.

Information

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

John R. Cotgrave

INSPECTOR



Site Plan, Scale: 1 to 1250

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Date: 21 January 2000

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WORCESTER 19/01/00

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NOTE: AREAS ON THIS PLAN ARE EXPRESSED IN ACRES AND HECTARES.

SCALE 1:2500

The boundaries shown by dotted lines have been plotted from the plans on the deeds. The title plan may be updated from later survey information.

5 JAN 2000 * 0401

CONSISTING OF THE PART OR
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HE TITLE.

Sandy Bottom

FILED PLAN
H.M. LAND REGISTRY
586

Application Number F/2000/0401
~~Conditions~~/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal

Due to the height of the proposed first-floor extension and its proximity to the dining room window of the neighbouring property, the proposals would be overbearing. The proposals are, therefore, contrary to policies WOS3 and WEB1 of the WDLPDD and policy SBE2 of the SEALP.
BE

RECORD OF SITE VISIT

SITE ADDRESS: 22 Sandy Lane Wokingham.

APPLICATION NUMBER: F/2000/0401

OFFICER: ~~Bhavash Vashi~~ Emy Circuit

DATE OF SITE VISIT: 29 feb 2000

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes - front fence

2. DESCRIPTION OF SURROUNDINGS group of dwellings in rural, woodland setting

3. DESCRIPTION OF SITE/BUILDING 2 storey detached dwelling with several outbuildings including a large garage. White rendered

4. RELATIONSHIP TO ADJOINING PROPERTIES
No 24 has several windows on this side including the main dining room window. + is about 40cm lower - bungalow (end of window ≃ to end of next door)
living room at front has 2 secondary windows at the side - of some importance for lighting due to depth of room.

5. SITE CONSTRAINTS

TREES /

ACCESS/PARKING as existing

LEVELS parts of rear garden raised + No 24 lower

BOUNDARY TREATMENT - rear 1 + 1.8m fences, front 1.8m + picket fence

OTHERS /

WORK SHEET FOR : ~~Bhavash Vashi~~ Exc

Application Number : F/2000/0401

Applicant : Mr & Mrs Beech C/O 4th Dimension Architectural Design.

Location : 22 Sandy Lane .
Proposal : Proposed first floor rear extension to dwelling.

Site Notice Displayed ? :	YES	NO	DATE
	✓		7/2/00

Date of Neighbour Notifications : .....

Date of Site Visit : 29 February 2000

Date Registered : 19/01/2000

Earliest Date for Decision : 20/02/2000

Latest Consultation Date/Site Notice Expiry Date : 20/02/2000

Application Expiry Date: 15/03/2000

Consultation Responses :

Highways - Conditions
Wokingham T.C. - "no objection"
Neighbours - light to side windows + outlook, levels + distance between
Landscape - no objection in principal - request detailed tree survey.

Planning Issues :

Countryside / Gap
ASLI
Neighbours / streetscene

Application Number: F/2000/0401
Jacks Cottage, 22 Sandy Lane, Barkham

Appraisal: The proposal is for a first-floor extension to the rear of a dwelling located in the countryside.

The history card for the property indicates that two-storey and first-floor extensions were permitted in 1993 (41674). Prior to this the floorspace of the property was approximately 109 m^2 and the extensions increased the area of the property by around 25 m^2 (23%). The current proposals would increase the area by a further 22 m^2 (20%). The proposed extension would not increase the footprint of the property and the scale of increase is considered acceptable in the countryside.

The existing single storey wing is less than one metre from the boundary with 24 Sandy Lane and has a pitched roof. The proposed extension would be 8.2 metres long and would have a pitched roof with the ridgeline 0.6 metres lower than the roof of the existing first-floor and a hipped end.

There is an area of woodland to the rear of the property so views of the extension from outside the site would be limited. The scale of the proposals is acceptable in the countryside and their design is in keeping with the existing house.

The neighbouring property, 24 Sandy Lane is a bungalow and is approximately 0.4 metres lower than No 22. There are several windows in the side elevation of the property including the main window to the dining area. This window looks onto the side of the neighbouring property, which is only 1.8 metres distant and is already quite overbearing, particularly due to the difference in levels. It is considered that an additional storey would be unacceptably overbearing.

Three skylights are proposed on the side adjacent to 24 Sandy Lane but their lower sill height would be about 2.3 metres so overlooking of the neighbouring property would not arise.

Recommendation: refusal

Received by Wokingham District Council

Application No: F/2000/0401

Proposal:

Proposed first floor rear extension to dwelling.

Location:

22 Sandy Lane .

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

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

WOODLEY LIBRARY HEADLEY ROAD WOODLEY (9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday. closed all day Wednesday)

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Bhavash Vashi P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 20/02/2000. Written comments submitted will become available for public inspection.

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

Head Planning and Transportation

Tel: (0118) 974 6480

Date: 14·3·00

My ref: F/2000/0401

CONFIDENTIAL

Councillor A Miller
12 Silver Birches
Elizabeth Park
Barkham
RG41 4YZ

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: 33505 – Wokingham

Dear Councillor

Application Number: F/2000/0401
22 Sandy Lane .
Proposed first floor rear extension to dwelling.

I write to let you know that the above mentioned application has been recommended for

APPROVAL: ☐ REFUSAL: ☑ under delegated powers.

If you have any questions please do not hesitate to contact ~~Bhavash Vashi~~ Emy Circuit on (0118) 974 ~~6480~~ 6479.
If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please fill in the form below.
This form must be received no later than 24·3·00

Yours faithfully

Head of Planning and Transportation

LISTING FORM Emy Circuit
Case officer: ~~Bhavash Vashi~~ Application Number: **F/2000/0401**
22 Sandy Lane Wokingham.
Proposed first floor rear extension to dwelling.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

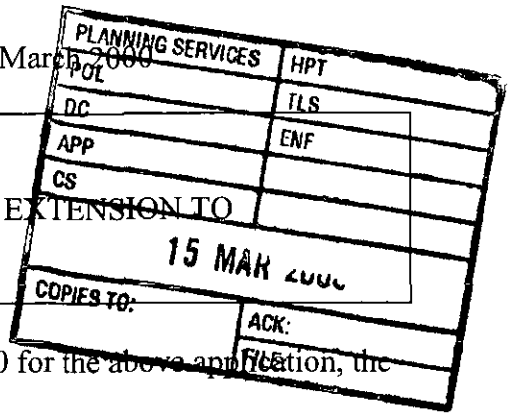
Print Name: _____

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

TO: DEVELOPMENT CONTROL
Bhavash Vashi EXC.

FROM: Environmental Design

DATE: 8th March 2000



Location:	22 Sandy Lane, Barkham
Proposal:	PROPOSED FIRST FLOOR EXTENSION TO DWELLING
Application Number:	F/2000/0401

In response to your consultation dated 27th January 2000 for the above application, the tree and landscape comments are as follows:

I have no objections to the proposal in principle.

A number of mature trees and conifers exist on site which are not shown on site plan (no drawing number).

A detailed tree survey should be submitted to BS 5837, showing trees to be retained, removed any tree surgery works and protective fencing for those trees to be retained..

ROBERT PETROW
Consultant Landscape Architect

PLANNING
POL
DC
0855

14 February 2000

Chris Wood,
Environmental Services Department,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham,
Berks,
RG40 1WR.

Dear Sir,

Application Number: F/2000/0401

Site Address: 22 Sandy Lane

Proposal: Proposed first floor rear extension to dwelling

We have strong objections to the above proposed first floor rear extension to the above dwelling.

We have seen the plans of the proposed extension and note that the addition of an extra floor to the building extends immediately adjacent to the eastern side of our bungalow and will considerably restrict light and vision from four of our windows along that side.

Our bungalow is on a lower level (18ins) than that of No. 22 and there is only 7ft between the buildings along this side.

Looking out of our windows along this side at the moment, we can see blue sky and trees over the existing single storey building next door. Should this application be passed and the extension completed, we will only see a continuous tall blank wall.

We have lived here at No. 24 for 23 years and have survived and accepted considerable extensions and alterations to the properties each side of us by new occupants but this latest proposal does seem to be one too many.

When your planning officer comes to inspect the proposed extension would he please contact us beforehand as we would like to be here to speak to him ourselves about this matter.

Yours faithfully,

Jackie Walters
Peter Walters.

Peter and Jackie Walters, 24 Sandy Lane, Wokingham.

To:
Highways

From: Bhavash Vashi

Date: 27 January 2000

Application Number: F/2000/0401

Proposal: Proposed first floor rear extension to dwelling..

Site Address:
22, Sandy Lane, .

Applicant:
Mr & Mrs Beech C/O 4th Dimension Architectural Design.

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

CONDITION

SC23 - Parking - insert "Parking + garaging"

SR06

[signature]

4.2.00

WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Bhavash Vashi

Application Number: F/2000/0401

Proposal: Proposed first floor rear extension to dwelling

Site Address: 22 Sandy Lane, Wokingham

Applicant: Mr & Mrs Beech

Your observations are required in respect of this application by **00/02/2000**

ADJOINING PARISH CONSULTATION

Objections:

No objections

SIGNED: _____ **DATE:** 2/2/2000

CLERK TO Wokingham Town Council

applicationo	Name and address
F/2000/0401	Mr & Mrs Walters 24 Sandy lane Wokingham Berks

App refused
letter sent
30/03/00

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date:	19 JAN 2000
Officer: BV	Application No. F/2000/0401

Map No. 82 Site 0:06

Easting: ..... Flood Pln .....

Northing: ..... Mineral .....

Level: ☐ **Sub Committee** ☑ **Delegated** ☐ **Sec. State**

☐ **Incorrect Fee** ☐ **Invalid** ☐ **PD**

Description:

(F) PROPOSED FIRST FLOOR REAR EXTENSION TO DWELLING

Location: JACKS COTTAGE SANDY LANE

Parish: ~~WOKINGHAM~~ BARKHAM Ward: Barkham. 27.1.2000

Applicant: MR/MRS BEECH

Fee Received 95-00 (6) Required ..... Additional ..... Refund .....

Enforcement Section to be notified ☐ tick if required

Additional information required for validation

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

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 27.1.2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

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

EXTERNAL CONSULTATIONS

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

HERITAGE BODIES

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

OTHERS:

..... (Rural Area) .....

.....

..... No pre-apps .....

NEIGHBOURS:

..... S/N + 24 Sandy Lane ✓ .....

.....

.....

.....

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Fourth Dimension

ARCHITECTURAL DESIGN

Sydenham House, 95 High Street
Crowthorne, Berkshire RG45 7AD
Telephone: 01344 761727
E.Mail: richard@4thdimension.freeserve.co.uk

Ref: RTH/5106

17 January, 2000

Planning Department,
Wokingham District Council,
Shute End,
Wokingham,
Berks.

Dear Sir,

RE: EXTENSION: 'Jacks Cottage', Sandy Lane, Wokingham.

Please find enclosed six copies of our drawings 5106/ 02 & 03 illustrating proposals for the above project together with copies of relevant forms and certificates to comply with our application for Planning Approval

Also enclosed is a cheque to the value of £95.00 to cover planning charges.

We trust this is to your satisfaction and look forward to hearing from you in due course.

Yours faithfully

Richard T.Hart.
4th Dimension Architectural Design.

1305 **ENVIRONMENTAL SERVICES**

19 JAN 2000* 0401

WOKINGHAM DISTRICT COUNCIL

PLANNING APPLICATION FORM

Please answer all questions in CAPITAL letters. If any question is not applicable, put N/A in the space.
Please submit six copies of the completed form and your plans to the address below.
Guidance notes are provided to help you complete the form, but if you have any questions please call Planning Support on 0118 974 6428 or 0118 974 6429.

		For office use only. Application No.:
1	YOUR NAME	MR + MRS BEECH
	ADDRESS	JACKS COTTAGE
		SANDY LANE
		WOKINGHAM
		BERKS
	POST CODE	TEL NO
2	AGENT'S NAME	4th DIMENSION ARCHITECTURAL DESIGN
	ADDRESS	95 HIGH STREET
		CROWTHORNE
		BERKS
	POST CODE	RG 45 7AD TEL NO 01344 762727
3	SITE LOCATION We require you to submit 6 copies of the 1:2500 scale location plan and 6 copies of the 1:500 scale block plan, with the site outlined in red. You can purchase these maps from the Environmental Services reception or order them by telephoning 0118 974 6485	JACKS COTTAGE SANDY LANE WOKINGHAM BERKS
4	Give brief details of the proposal e.g. two storey side extension. ABOUT THE APPLICATION	FIRST FLOOR REAR EXTENSION
5	ARE THERE ANY TREES ON THE SITE? If YES, please show their positions, spread and species of the trees on the plans. Indicate any which are to be felled.	YES / NO
6	PLEASE LIST THE EXTERNAL MATERIALS TO BE USED e.g. Red brick to match existing, Dark stained timber	RENDER TO MATCH EXIST. PLAIN TILES TO MATCH EXIST.
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

Please turn over

9	HOW MANY BEDROOMS DOES THE PROPERTY HAVE?	Existing: 4	Proposed: 5
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 ensure that you enclose the following:-		
	(a) 6 copies of this form signed and dated		
	(b) The fee (current scale of fees is attached) If no fee is payable please say why below		
	(c) 6 copies of each set of plans and drawings listed below:		
	(i) 1:2500 scale location plan with site outlined in red		✓
	(ii) 1:500 scale site layout plan		✓
	(iii) 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 complete a full certificate obtainable from Environmental Services

(a) Owner means a person having a freehold interest in the unexpired term of which is not less than 7 years.

CERTIFICATE A

I certify that:

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

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

CERTIFICATE B

I certify that:

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

Owner's (a) name	Address at which notice was served	Date on which notice was served

* None of the land forms part of an agricultural holding

SIGNED 4th DIMENSION ARCHITECTURAL DESIGN ON BEHALF OF MR + MRS BEECH

DATE 17/1/2000

Please tick this box if you or your spouse/partner are employed by Wokingham District Council ☐

WOKINGHAM

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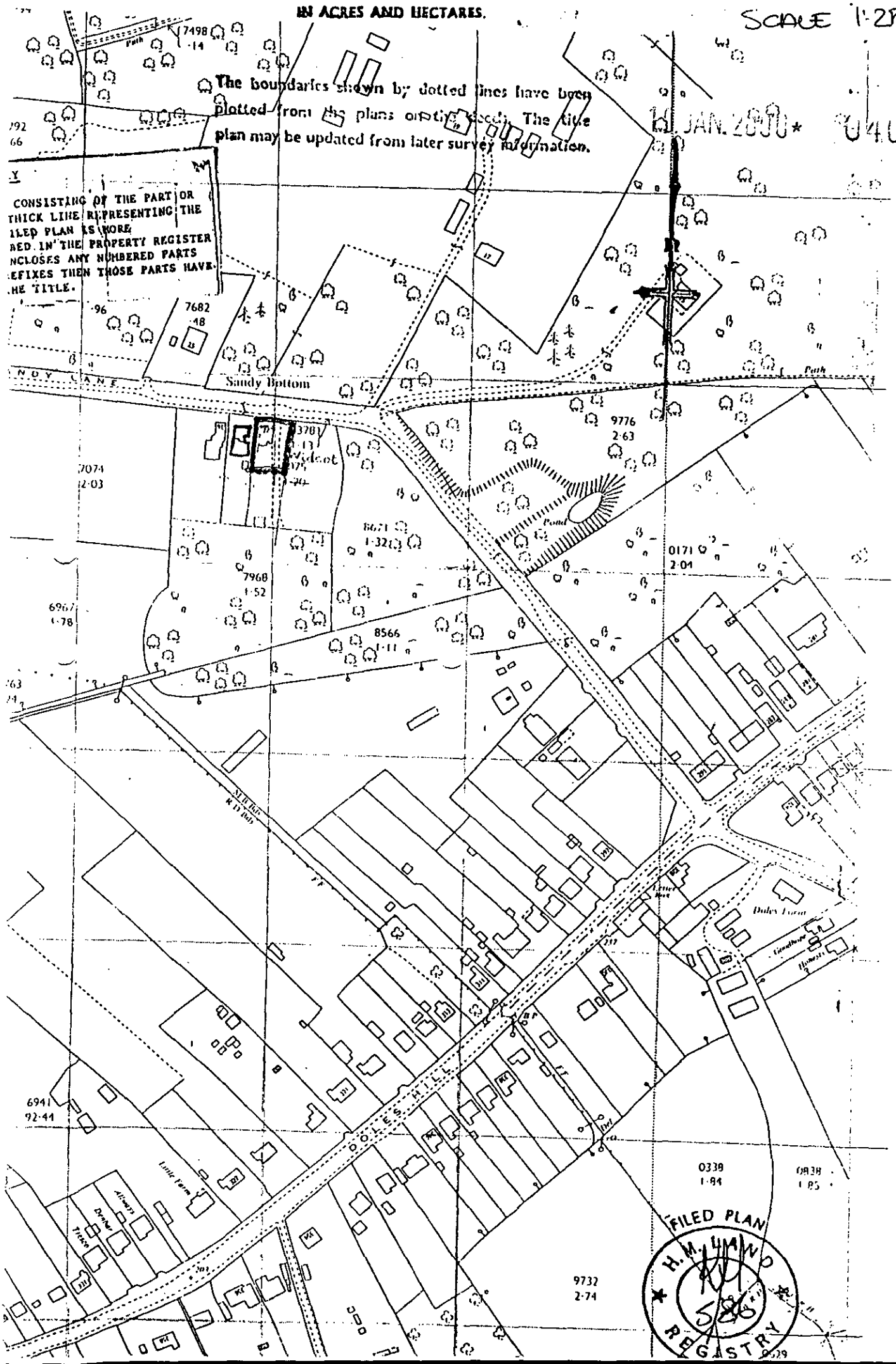
NOTE: AREAS ON THIS PLAN ARE EXPRESSED IN ACRES AND HECTARES.

SCALE 1:2500

The boundaries shown by dotted lines have been plotted from the plans on the deeds. The title plan may be updated from later survey information.

10 JAN 2000 * 0401

CONSISTING OF THE PART OR THICK LINE REPRESENTING THE ILED PLAN IS MORE BED IN THE PROPERTY REGISTER NCLOSES ANY NUMBERED PARTS EFIXES THEN THOSE PARTS HAVE HE TITLE.



NORTH

PROPOSED F.F. EXTENSION

GARAGE

'JACKS COTTAGE'

EXTG. 4 No. CAR PARKING SPACES.

SANDY LANE

ADJACENT PROPERTY

proposed F.F. extension

15 JAN 2000 0401

REFUSED

EXTENSION - JACKS COTTAGE SANDY LANE, WOKINGHAM SCALE 1:100 JANUARY 2000

NORTH

PROPOSED F.F. EXTENSION

GARAGE

'JACKS COTTAGE'

PROPOSED F.F. EXTENSION

EXTG. & NEW CAR PARKING SPACES.

SANDY LANE

EXTENSION - 'JACKS COTTAGE' SANDY LANE, WOKINGHAM SCALE 1:100 JANUARY 2000

REFUSED

SOUTHPORT U.K.
LONDON OFFICE
X SYSTEMS LTD

APPLICATION NO.0401

Name of appellant:
Mr & Mrs Beech

Site address:
22 Sandy Lane

Proposal:1st floor rear extension

Case Officer:EXC

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Date Commenced

Date Completed

CONFIDENTIAL

Appeal Decision

Site visit made on 07 November 2000

by J R Collyer FRICS

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

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

Date 28 NOV 2000

PLANNING SERVICES
POL
DC
APP
CS
COPIES TO:
NPT
FILE
ENG
28 NOV 2000
AUG
FILE

Appeal Ref: APP/X0360/A/00/1048478
Jacks Cottage, Sandy Lane, Wokingham

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
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- The development proposed is the erection of a first-floor rear extension.

Summary of Decision: The appeal is dismissed.

Main Issues

1. From the evidence before me I consider that the main issue in this case is the likely effect that this proposal would, by reason of its size, height and location, have on the amenities of the adjoining residents, taking into account the Council's policies concerning the safeguarding of such interests.

Planning Policy

2. The aims of the adopted South East Area Local Plan (1994) are, among other things, to ensure that development proposals are appropriate in terms of their relationship with adjoining sites and buildings (Policy SBE2). The more up-to-date Deposit Draft Wokingham District Local Plan is part way through its formal adoption procedures. Policy WOS3, in its latest form, basically says in the first of a number of criteria that development proposals must be appropriate in scale and character to their surroundings and be integrated into their local context without detriment to the amenities of adjoining land uses and occupiers. Policy WBE1 confirms in effect that the design of new development should respect its local context and that proposals will be judged in terms of several considerations including their environmental impact and the privacy and amenity of the existing environment.

Reasons

3. Jacks Cottage is one of a small group of residential properties in a rural location just beyond the settlement of Barkham Hill. It is a 2-storey house with a single-storey extension at the rear, very close to the boundary with the adjoining bungalow to the west, No 24. This boundary is marked for part of its length, including alongside the rearmost section of the single-storey extension, by a 1.8m timber fence; however forward of that, and beside the

house itself, there is only a hedge which varies in height and density.

4. This proposal involves building a first floor over the existing extension, raising the height to the eaves to almost 4m according to the submitted drawings; it would be finished with a roof which would be more steeply pitched than is the present one. This extension stands just over 1m from the boundary and is at a higher ground level than No 24. This adjoining bungalow is itself barely 1m from the boundary and its flank wall extends back beyond the line of the rear wall of the Appellants' extension. It has a number of windows this side, including the main one to a dining-room which directly faces towards the said extension. Furthermore there is a pathway along this side of the bungalow.

5. I formed the opinion at my inspection that this particular window already receives only limited natural light due to the relative height and proximity of the boundary fence and the single-storey extension just behind it. Yet it remains the primary source of such light to this habitable room. The outlook from this window is also poor although there is at least an open view skywards above the nearby structures. In my judgement the appeal proposal would worsen significantly even this modest level of amenity. The new building would, by reason of its overall height in relation to the window and pathway level of No 24 and its length (almost 8.5m on this side), have a severe dominating impact on the outlook from the neighbours' property and reduce still more the amount of natural light which it would receive. This is unacceptable.

6. The other windows on this side of No 24 would also be affected but not with such serious consequences in planning terms. Either they do not directly face the proposed extension or they are not the sole or main windows to habitable rooms.

7. Given the foregoing considerations, it is clear to me that this proposal is inconsistent with the aims and terms of the Council's specified policies.

Conclusions

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

Formal Decision

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

Information

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

John R. Collyer

INSPECTOR

To:
Highways

From: Bhavash Vashi

Date: 27 January 2000

Application Number: F/2000/0401

Proposal: Proposed first floor rear extension to dwelling..

Site Address:
22, Sandy Lane, .

Applicant:
Mr & Mrs Beech C/O 4th Dimension Architectural Design.

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

CONDITION

SC 23 - Parking - insert "Parking + garaging"

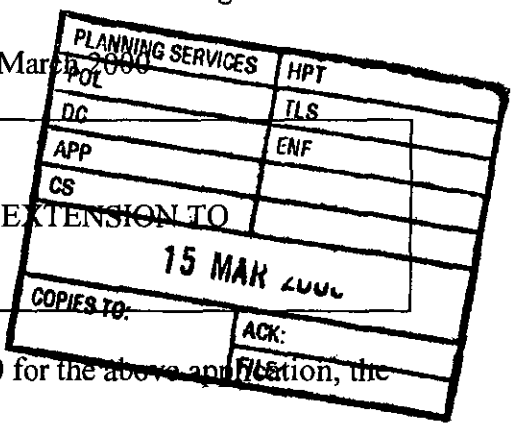
SR06

[signature]

4.2.00

TO: DEVELOPMENT CONTROL FROM: Environmental Design
Bhavash Vashi EXC.

DATE: 8th March 2000



Location:	22 Sandy Lane, Barkham
Proposal:	PROPOSED FIRST FLOOR EXTENSION TO DWELLING
Application Number:	F/2000/0401

In response to your consultation dated 27th January 2000 for the above application, the tree and landscape comments are as follows:

I have no objections to the proposal in principle.

A number of mature trees and conifers exist on site which are not shown on site plan (no drawing number).

A detailed tree survey should be submitted to BS 5837, showing trees to be retained, removed any tree surgery works and protective fencing for those trees to be retained..

ROBERT PETROW
Consultant Landscape Architect

WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Bhavash Vashi

Application Number: F/2000/0401

Proposal: Proposed first floor rear extension to dwelling

Site Address: 22 Sandy Lane, Wokingham

Applicant: Mr & Mrs Beech

Your observations are required in respect of this application by **00/02/2000**

ADJOINING PARISH CONSULTATION

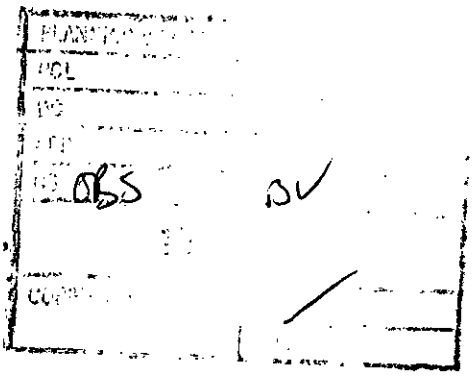
Objections:

No objections

SIGNED: _____ **DATE:** 2/2/2000

CLERK TO Wokingham Town Council

14 February 2000



Chris Wood,
Environmental Services Department,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham,
Berks,
RG40 1WR.

Dear Sir,

Application Number: F/2000/0401

Site Address: 22 Sandy Lane

Proposal: Proposed first floor rear extension to dwelling

We have strong objections to the above proposed first floor rear extension to the above dwelling.

We have seen the plans of the proposed extension and note that the addition of an extra floor to the building extends immediately adjacent to the eastern side of our bungalow and will considerably restrict light and vision from four of our windows along that side.

Our bungalow is on a lower level (18ins) than that of No. 22 and there is only 7ft between the buildings along this side.

Looking out of our windows along this side at the moment, we can see blue sky and trees over the existing single storey building next door. Should this application be passed and the extension completed, we will only see a continuous tall blank wall.

We have lived here at No. 24 for 23 years and have survived and accepted considerable extensions and alterations to the properties each side of us by new occupants but this latest proposal does seem to be one too many.

When your planning officer comes to inspect the proposed extension would he please contact us beforehand as we would like to be here to speak to him ourselves about this matter.

Yours faithfully,

Jackie Walters

Peter Walters.

Peter and Jackie Walters, 24 Sandy Lane, Wokingham.

applicationo	Name and address
F/2000/0401	Mr & Mrs Walters 24 Sandy lane Wokingham Berks

App refused
letter sent
30/03/00

file copy

Tel. (0118) 974 6448 (Direct Line)
Date. August 29, 2000
My ref: F/2000/0401
Your ref:

Mr & Mrs Walters
24 Sandy lane
Wokingham
Berks

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,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY: Mr & Mrs Beech
SITE: 22 Sandy Lane, Wokingham

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

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

As your interests may be affected, you can give your views on the appeal in writing to Miss A Bibi, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ. You should send three copies quoting reference APP/X0360/A/00/1048478. Comments received after 2/10/00 may be disregarded.

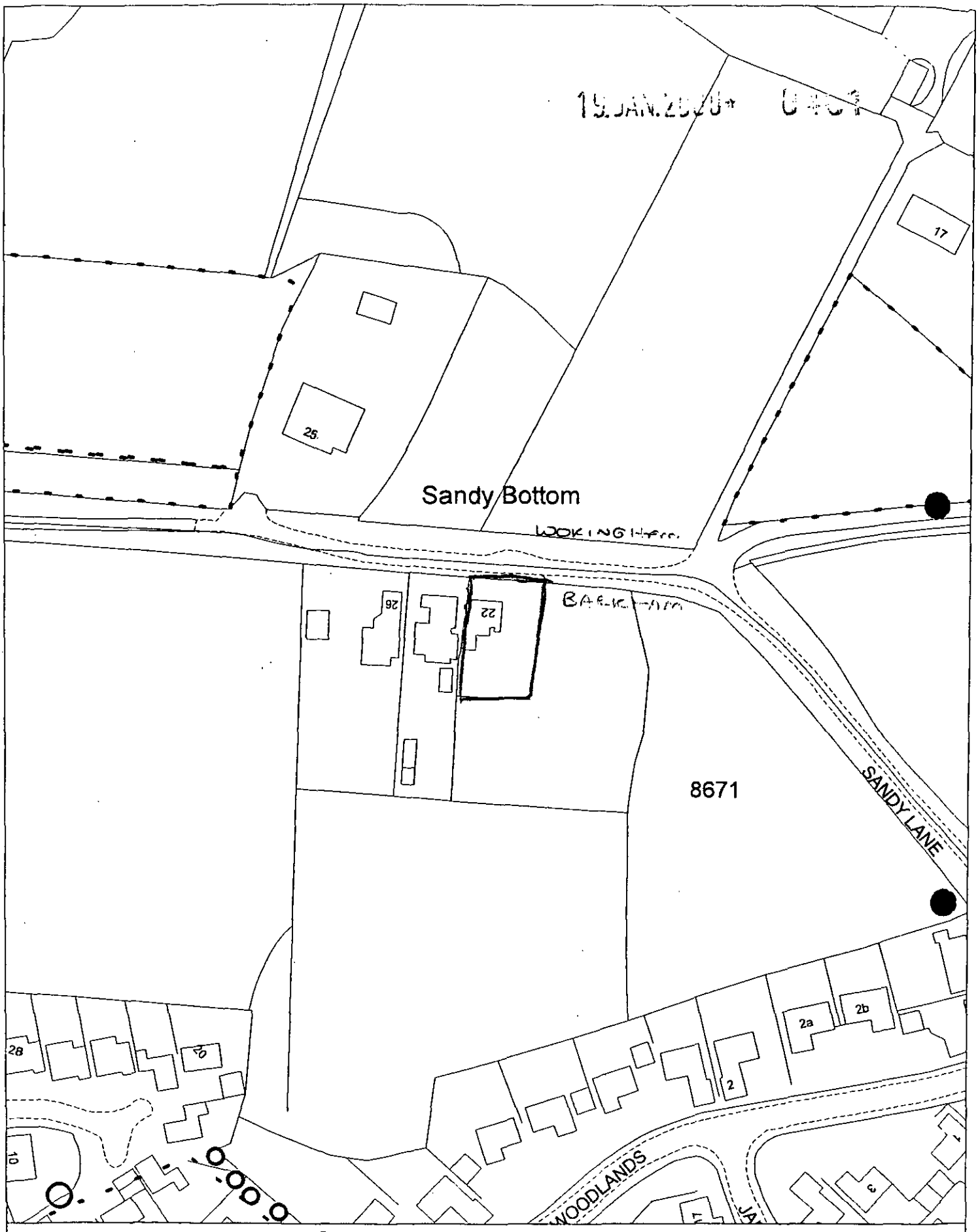
The application, decision notice, and the appellant's grounds of appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 16.00 on Fridays).

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

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

Yours faithfully

Denise Gumbrell
Appeals Assistant



Site Plan, Scale: 1 to 1250

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Date: 21 January 2000

N
W E
S

04/09/00

To ....Emy.....

Under the new rules for appeals, we apparently have to send the list of conditions or limitations which would be agreed if the appeal were to be allowed WITH the questionnaire. We may no longer include it with the statement.

Could you let me have a list in relation to Appeal ...0401...,
...22 Sandy Lane..., ...WOKINGHAM

Thanks.

Den.

time C001/R001

materials C014/R014
C044/R044 in the 1st floor level or above in the west side elevation
~~no~~ windows at 1st floor in side

parking C122/R122



Wokingham District Local Plan

Deposit Draft 1997

Consolidated Document
November 1999

November 1999

1.9 For the purposes of this plan the identified settlements are:

ARBORFIELD CROSS
BARKHAM HILL
CHARVIL
EARLEY/SONNING/WOODLEY
FINCHAMPSTEAD
FINCHAMPSTEAD NORTH
HURST
PINEWOOD
RISELEY
SHINFIELD
SINDLESHAM
SPENCERS WOOD
SWALLOWFIELD
THREE MILE CROSS
TWYFORD
WARGRAVE
WINNERSH
WOKINGHAM.

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.

OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

1.12 The Council is particularly concerned to promote a high standard of design in new buildings, to ensure that new buildings are responsive to their location and to their potential occupants' and/or users' needs. New development needs to be appropriate in terms of function, siting, scale, form, massing, materials, colour and texture in its relationship with adjoining buildings and sites. Accordingly, new development will be expected to make an acceptable and positive contribution to the built environment. In addition new development should be appropriately located so as to reduce the need to travel and to encourage alternative modes of transport to the car.

1.12a Landscaping schemes should be comprised predominantly, if not wholly, of locally native species.

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

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

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ *SBE1 DESIGN OF NEW DEVELOPMENT*

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

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

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

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

❖ *SBE2 INAPPROPRIATE DESIGN*

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

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

ENVIRONMENTAL IMPROVEMENT

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

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

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



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

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

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

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

SUNLIGHT, DAYLIGHT AND NOISE

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

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs Beech
C/O 4th Dimension Architectural Design
95 High Street
CROWTHORNE
Berkshire
RG45 7AD

Application Number: F/2000/0401

Parish: **BARKHAM**

Location: **22 Sandy Lane, Wokingham**

Proposal: **Proposed first floor rear 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 subject to compliance with the following conditions, the reasons for which are specified hereunder.

Reason

1. Due to the height of the proposed first floor extension and its proximity to the dining room window of the neighbouring property, the proposals would be overbearing. The proposals are, therefore, contrary to Policies WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft) and Policy SBE2 of the South East Area Local Plan.

Head of Planning and Transportation
Date: 28 March 2000

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

APPEAL QUESTIONNAIRE

To be used for all appeals relating to applications made on or after 16 March 1992

APPEAL REF: APP/X0360/A/00/1048478 **GRID REF:** _____

APPEAL BY: MR & MRS BEECH

SITE: 22 Sandy Lane, Wokingham

PLEASE SEND THE COMPLETED QUESTIONNAIRE (TOGETHER WITH ANY ENCLOSURES) TO THE INSPECTORATE AND TO THE APPELLANT OR AGENT WITHIN 14 DAYS OF THE DATE ON WHICH YOU RECEIVED THE APPEAL FORM.

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 the Inspectorate within 28 days of the date you received the appeal form.

1. Do the Council agree to the written representations procedure?	YES / NO
OR Do the Council wish to appear before and be heard by an Inspector at: a. a local inquiry?	YES / NO
b. a hearing?	YES / NO
2. a If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land?	YES / NO
b From your knowledge of the issues, would the Inspector need to enter the site for any reason eg to view/measure any 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 for the Council 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 ANOB? Please specify which _____	YES / NO
7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	YES / NO
8. a Are there any other appeals or matters relating to the same site or neighbourhood still before the Secretary of State? If YES, please attach details and, where necessary, give the Inspectorate's reference numbers.	YES / NO
b Where the development would affect a public right of way, 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? (Delete as appropriate.)	YES / NO
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. Would the proposals affect an Ancient Monument (whether scheduled or not)?	YES / NO
14. a Is the appeal site in or adjacent to or likely to affect an SSSI? If so, please attach the comments of English Nature.	YES / NO
b Are any protected species likely to be affected by the proposals? If so, please give details.	YES / NO

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

		Number of Documents Enclosed
a. Is the development in Schedule 1 or column one of Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If so, please indicate which Schedule.	~~YES~~/ NO Sch 1 Sch 2 col 1	N/A
b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~/NO	
c. Has a screening opinion been placed on Part 1of the planning register? If yes, please attach a copy.	~~YES~~/NO	
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. Copy of any notice published under Article 8 and/ Buildings and Conservation Areas) Act 1990 and/or Regulation 5;or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990 and/or Regulation 5;		✓
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 currently before the Council relating to the same site;		✓
i. In the case of appeals against non-determination, details of considerations likely to have been relevant to the Council's decision;		✓
j. A list of any conditions or limitations the Council would favour if the appeal were to be allowed; TO follow with Statement		
k. Any other relevant information or correspondence the Council consider the Inspectorate should be aware of.		✓

FOR APPEALS BEING DECIDED BY THE WRITTEN REPRESENTATIONS PROCEDURE

16. a Please confirm that, in accordance with Regulation 5(1), you have notified details of the appeal to authorities and other persons who made representations to you about the application. ~~YES~~/NO

b On what date did you give those notified at 16a for the submission of their representations? 21/10/00

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

		Number of documents enclosed	N/A
i	representations received from interested parties about the original application	3	
ii	the planning officer's report to committee		✓
iii	any relevant committee minute		✓

17. Relevant plans and policies - please enclose extracts of relevant policies and plans and explanations of these. Each extract should include the front page, showing the title of the plan and date of approval or adoption. Where plans and policies have not been approved or adopted, the stage and status of the plan should be given. 2

18. Do the documents listed above comprise the Council's full statement of case? ~~YES~~ / NO

Council's reference: F/2000/0401

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

Signature: _____ on behalf of WOKINGHAM Council

Date of despatch: 29/08/00

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

Revised May 1999

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT : **Mr and Mrs Beech**

APPEAL SITE : **22 Sandy Lane, Wokingham**

REASON FOR APPEAL : Refusal of planning permission for a first-floor rear extension to the dwelling.

1.00 SITE DESCRIPTION

1.01 The appeal site is a 0.06 hectare piece of land. It is located in the rural area between the Identified Settlements of Wokingham and Barkham Hill and has a woodland setting. The area lies within the Countryside and is also designated as a Green Gap, important to the physical and visual separation of settlements, and an Area Of Special Landscape Importance.

A site location plan at scale 1:1250 is contained in Appendix 1.

2.00 RELEVANT PLANNING HISTORY

2.01 Construction of 22 Sandy Lane predates planning records. In 1993 planning permission was granted for two-storey and first-floor extensions to the property.

2.02 On 28 March 2000 an application for a first-floor extension was refused for the reason that

"due to the height of the proposed first-floor extension and its proximity to the dining room window of the neighbouring property, the proposals would be overbearing .The proposals are, therefore, contrary to Policies WOS3 and WBE1 of the Wokingham District Local Plan and Policy SBE2 of the South East Area Local Plan."

3.00 POLICY BACKGROUND

3.01 The development plan for the area comprises of the Berkshire Structure Plan and the South East Area Local Plan. There is also an emerging district wide local plan.

3.02 The South East Area Local Plan was adopted on 15 April 1994 and, on 26 November 1996, the Planing and Transportation Committee resolved that it should continue to carry weight as the most up to date adopted plan, except in relation to housing provision. The following South East Area Local Plan policies are relevant to this appeal.

SBE2 Inappropriate Design

A copy of this policy is contained in Appendix 2.

3.03 The emerging local plan is the Wokingham District Local Plan Deposit Draft. Berkshire County Council issued a statement of general conformity with the structure plan in May 1997 and the plan was placed on deposit in 21 October 1997. The first phase of the Public Local Inquiry into the emerging plan took place between October 1998 and October 1999 and the second phase commenced in February 2000 and is ongoing. The following policy is relevant to this appeal:

WOS3 Development Control Principles
WBE1 Development in its local context.

At Deposit three reposes were received in relation to policy WBE1, two objections and one in support. Six responses were received relating to policy WOS3, one in support and five objections. An amendments to policy WOS3 has been proposed.

A copy of these policies is contained in Appendix 3.

4.00 THE COUNCIL'S CASE

4.01 The aim of policy LBE2 and of the adopted local plan and policies WOS3 and WBE1 of the emerging local plan is to promote a high standard of design which respects its local context. Development that is inappropriate in terms of its relationship with adjoining sites, by virtue of its siting, scale, form or massing will be resisted.

4.02 22 Sandy Lane is a two-storey dwelling. The neighbouring dwelling, 24 Sandy Lane is a bungalow. There is about two metres between the flank walls of the two properties and their levels differ by about 0.4 metres, with No 24 being at a lower level. The front elevations of the two dwellings are level but No 24 has a deeper footprint and there are a number of windows in the side elevation, including the main window to the dining area.

4.03 The proposal is for a first-floor extension above the dining room, which currently forms a single storey projection to the rear of the property, adjacent to the boundary with 24 Sandy Lane. The extension would have a pitched roof with a hipped end and a 5.6 metre ridge line. This would represent a 2.3 metre increase in the height of this part of the building.

4.04 The dining area window at No 24 Sandy Lane faces onto the side wall of the part of the neighbouring dwelling which it is proposed to extend. This room already feels quite enclosed, due to the proximity of the neighbouring dwelling and its relatively elevated position. Due to the increase in the height of the structure opposite this window, the appeal proposal would increase this feeling of enclosure to the extent that it would be overbearing and, hence, be detrimental to the amenity of occupants of the neighbouring property.

5.00 COMMENTS ON THE APPELLANT'S GROUNDS OF APPEAL

5.01 With regard to the first point raised by the appellants, the Council's view, as set out in paragraphs 4.03 and 4.04 above is that the appeal proposal would have an overbearing impact on the neighbouring property.

5.02 In relation to the second point raised, the reason for refusal relates to the overbearing impact of the appeal proposal, rather than to overshadowing or reduction in daylight.

5.03 While a reduction in the height of the boundary fence may be have some benefit, in terms of the amenity of neighbouring occupants, it would not overcome the harm caused by the extension and could result in loss of privacy.

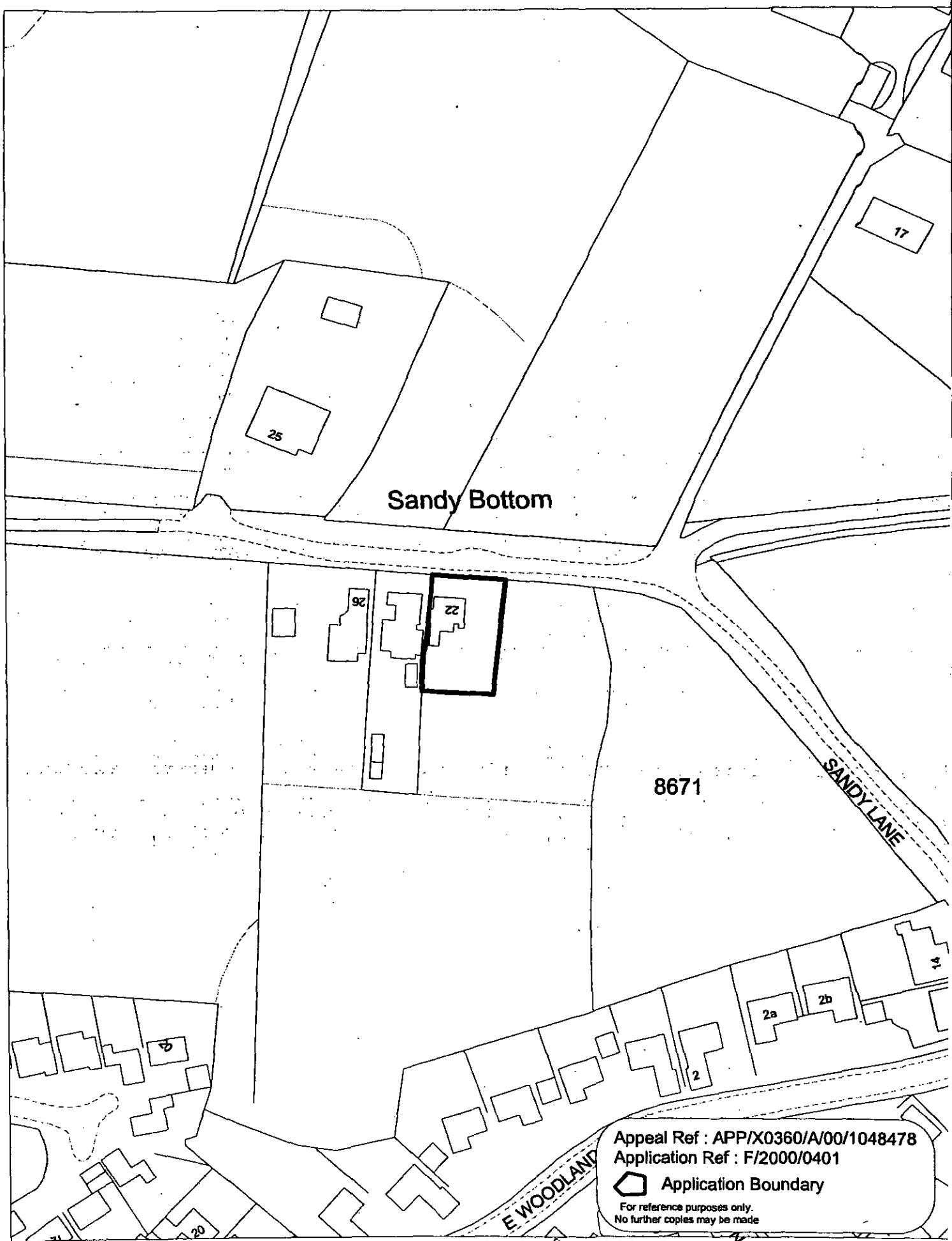
6.00 CONCLUSION

6.01 Due to the scale and location of the proposed first-floor extension, it would have an overbearing impact, detrimental to the amenity of occupants of the neighbouring dwelling, 24 Sandy Lane. As such it would be contrary to the policies cited and for this reason, the Inspector is respectfully requested to dismiss the appeal.

LIST OF APPENDICES

1. Location plan at 1:1250.
2. Extracts from the South East Area Local Plan.
3. Extracts from the Wokingham District Local Plan Deposit Draft.
4. Conditions for appeal if allowed.

APPENDIX 1 -
Location plan at 1:1250.



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Development Control Section, Environmental Services, Wokingham District Council.

13 September 2000

Scale: 1 : 1250

N
W
S

APPENDIX 2 -
Extracts from the South East Area Local Plan.

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

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

1.4 QUALITY & CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ SBE1 DESIGN OF NEW DEVELOPMENT

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

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

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

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

❖ SBE2 INAPPROPRIATE DESIGN

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

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

ENVIRONMENTAL IMPROVEMENT

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

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

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



❖ SBE3 REFURBISHMENT AND REDEVELOPMENT

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

❖ SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

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

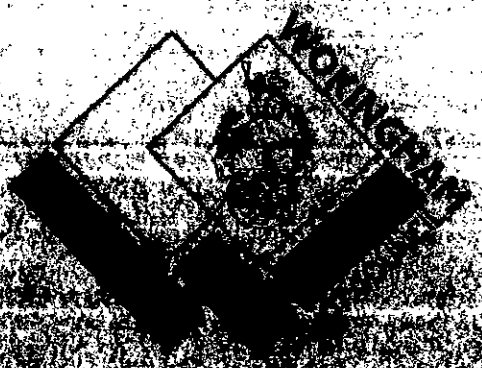
SUNLIGHT, DAYLIGHT AND NOISE

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

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

APPENDIX 3 -
Extracts from the Wokingham District Local Plan Deposit Draft.



Wokingham District Local Plan

Deposit Draft 1997

Consolidated Document

November 1999

1.9 For the purposes of this plan the identified settlements are:

ARBORFIELD CROSS
BARKHAM HILL
CHARVIL
EARLEY/SONNING/WOODLEY
FINCHAMPSTEAD
FINCHAMPSTEAD NORTH
HURST
PINEWOOD
RISELEY
SHINFIELD
SINDLESHAM
SPENCERS WOOD
SWALLOWFIELD
THREE MILE CROSS
TWYFORD
WARGRAVE
WINNERSH
WOKINGHAM.

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.

OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

1.12 The Council is particularly concerned to promote a high standard of design in new buildings, to ensure that new buildings are responsive to their location and to their potential occupants' and/or users' needs. New development needs to be appropriate in terms of function, siting, scale, form, massing, materials, colour and texture in its relationship with adjoining buildings and sites. Accordingly, new development will be expected to make an acceptable and positive contribution to the built environment. In addition new development should be appropriately located so as to reduce the need to travel and to encourage alternative modes of transport to the car.

1.12a Landscaping schemes should be comprised predominantly, if not wholly, of locally native species.

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.

APPENDIX 4 -
Conditions for Appeal if Allowed.

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. Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development Order) 1995 (or any Order revoking and re-enacting that Order) no windows or similar openings shall be constructed in the first floor level or above in the west, side elevation of the extension hereby permitted except for any which may be shown on the approved drawings.
4. No part of the extension hereby permitted shall be occupied or used until the vehicle parking space herein approved has been provided. The vehicle parking 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 the external appearance of the building is satisfactory.
3. To safeguard the residential amenities of the occupiers of neighbouring properties.
4. to ensure a satisfactory form of development and to avoid adverse impact on the public highway in the interests of highway safety.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr & Mrs Beech
SITE: 22 Sandy Lane, Wokingham
APPLICATION NO.: 0401
PROPOSAL: 1st floor rear extension

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Barkham

Mr A Miller

Clerk(s) of Parish / Town Councils of Wokingham & Barkham

Mr M A Taylor, Town Hall, Market Place, Wokingham RG40 1AS

Mrs Judith Neuhofer, Small Oaks, Doles Lane, Wokingham RG41 4EB

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

Environmental Design WDC-Landscape

The Planning Inspectorate

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

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

PLANNING SERVICES HPT TLS PCL DC APP S 2 2000

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

Your Ref: F/2000/0401

Our Ref: APP/X0360/A/00/1048478

Date: 28 November 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS BEECH
SITE AT 22 SANDY LANE, WOKINGHAM

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:

The Complaints Officer
The Planning Inspectorate
Room 14/04
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Phone No. 0117 987 8927 Fax No. 0117 987 6219

Yours faithfully

Miss A Groves

COVERDL1

The Planning Inspectorate

Room 1202E
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9878701
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8701

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

Your Ref: F/2000/0401

Our Ref: APP/X0360/A/00/1048478

Date: 26 October 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS BEECH
SITE AT 22 SANDY LANE, WOKINGHAM

I am writing to inform you that the inspector appointed by the Secretary of State to determine the above appeal in accordance with the provisions of Schedule 6 of the Act is

Mr J R Collyer FRICS.

As notified by telephone recently, the inspector will visit the appeal site at 13:30 on Tuesday 7/11/2000. It is understood that you will arrange for the inspector to be met at the site at 13:30 to enable the inspection to be made.

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

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

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

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

Yours faithfully



Miss C Clements
PLEASE NOTE THE CHANGE OF INSPECTOR & TIME.
NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

209C

The Planning Inspectorate

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

PLANNING SERVICES	HPT
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DC	ENF
APP	
CS	

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

24 OCT 2000

COPIES TO:

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

Your Ref: F/2000/0401

Our Ref: APP/X0360/A/00/1048478

Date: 23 October 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS BEECH
SITE AT 22 SANDY LANE, WOKINGHAM

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

Miss A Bibi

217L(BPR)

16 OCT 2000

Mr. & Mrs. Beech
Jacks Cottage,
22, Sandy Lane,
Wokingham,
Berkshire.
RG41 4DB

OUR REF. PLANINS.DOC **12th October 2000**
TEL. (0117) 9876079
FAX. (0117) 9878443
YOUR REF: APP/X0360/A/00/1048478

Dear Miss Bibi,

RE: TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS BEECH
SITE AT 22 SANDY LANE, WOKINGHAM.

Thank you for your letter of the 2nd October 2000 and attached copies of the LPA's statement and interested persons correspondence relating to the above appeal. Having studied the documents we would like to comment on the following points.

Letter from Mr. & Mrs Walters No.24

i. Opening pre-amble suggests that proposed extension affects Lounge & Laundry room windows in addition to dinning room.

It is our contention that neither of these additional rooms are relevant to this appeal since they are not mentioned in the "notice of refusal"and should therefore be disregarded.
Furthermore the lounge is dual aspect making the side windows a secondary source of light *(to which no one has a right).*

ii. Item 2. suggests that they **will not** benefit from reflected afternoon sunlight because of the shadow created by their own roof.
This is not the case. A shadow is cast over the whole property in late afternoon by the mature Oak trees on the west skyline long before the sun is low enough to cast a shadow of the bungalow roof on our flank wall.

In any case the proposed development would have no bearing on the current level of light from that direction. *The suggested benefit would have resulted from our willingness to reduce the height of the boundary fence in this area.*

The comment therefore, has no basis and should be disregarded.

cont.

iii. Paragraph 3. clearly states that they would prefer the existing boundary fence covered in evergreen climbing plants to remain, in preference to its reduction to a height of approximately 1000mm. , which would benefit them in terms of direct and reflected sunlight.

Their decision in this respect proves beyond doubt that the issue here is not about light but simply a reluctance to allow us to extend our property.

iv. Mr & Mrs Walters state that they have already survived and accepted development on each side of them, but make no mention of the extensive alterations (without objection) which have been made to their own property over many years.
In one instance extending to within 600mm of our boundary fence, exacerbating the very problems with light that they are now using to thwart our plans.

It should also be noted that No.22 Sandy Lane pre-dates No.24 by more than 150 years.

v. We have only two small windows in the West elevations of our house (one obscure glazed), as a result of restrictions imposed due to the proximity of No. 24 to our boundary fence.
This deprives us of almost all afternoon and evening sunshine and any outlook to the West.
There is a path to the side of our property but it is rarely used other than for occasional maintenance access.

The issue of loss of privacy if the fence height were to be reduced is therefore not relevant and should be disregarded.

cont.

Local Planning Authority Statement (Section 78 Appeal)

i. Paragraph **2.02** states that proposals are contrary to Policies WOS3 & WBE1 of the Wokingham District Local Plan and Policy SBE2 of the South East Area Local Plan.

SBE2 refers to "Inappropriate Design" yet the proposal was passed by W.D.C. Environmental design on the 15/03/2000 copy enclosed.

The only relevant section of **WBE1** refers to Form, Scale & Massing but the proposals are not large scale and have been carefully designed to rule out any detrimental effect to adjoining properties.
The overall increase in ridge height proposed is only some 2.3m

There were no objections to the proposals from the Parish Council , W.D.C Highways or any other interested parties.

WOS3 States that the development must be " without detriment to the amenities of adjoining land uses and occupiers."
In our opinion there would be no detriment to the amenities of the neighbouring property should the proposals be implemented.

ii. Paragraph **5.02** States that the reason for refusal relates to **"the overbearing impact of the appeal proposal rather than to overshadowing or reduction in daylight"**

Presumably this means that all references such as "Decreased amounts of light to our windows" and "Restricted light and vision from four of our windows along that side" **should be disregarded as they are no longer relevant to this appeal.**

cont.

Conclusion

We feel that we have done everything possible at the design stage to consider and minimise any detrimental effect on neighbouring property.

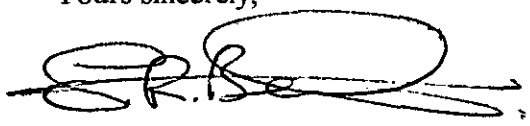
We do not consider that the proposals will be significantly detrimental to the amenity of the occupants of No.24.

Our offer to reduce the boundary fence height between the properties has been effectively refused, leaving only the issue of **"Overbearing Impact"** to be judged by you.

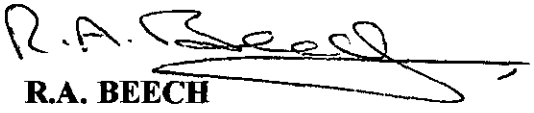
We therefore respectfully request the Inspector to recommend that the appeal be allowed.

In the meantime if you have any questions or we can be of further assistance in these matters please do not hesitate to contact us.

Yours sincerely,



S.R. BEECH.



R.A. BEECH

Miss A. Bibi,
The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
Bristol.

BS2 9DB

The Planning Inspectorate

Room 1202E
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876253
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-6253

PLANNING SERVICES | HPT
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20 OCT 2000
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FILE:

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

Your Ref: F/2000/0401

Our Ref: APP/X0360/A/00/1048478

Date: 19 October 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS BEECH
SITE AT 22 SANDY LANE, WOKINGHAM

I am writing to inform you that the inspector appointed by the Secretary of State to determine the above appeal in accordance with the provisions of Schedule 6 of the act is

Ms S A Morgan LLB(Hons) MA SOLICITOR

With reference to the above appeal the Secretary of State has arranged for the inspector to visit the appeal site at 11:30 on Tuesday 7 November 2000 and you are requested to arrange for the inspector to be met at the site at 11:30 to enable the inspection to be made.

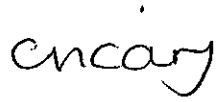
The inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the inspector will determine the most suitable course of action, which could mean that she will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

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

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

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

Yours faithfully



Miss C Vicary

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

209D

The Planning Inspectorate

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

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

COPIES TO: MGK
FILE:

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

Your Ref: ~~F/2000/0401~~

Our Ref: APP/X0360/A/00/1048478

Date: 2 October 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS BEECH
SITE AT 22 SANDY LANE, WOKINGHAM

I enclose third party correspondence relating to the above appeal.

If you have any comments on the points raised, please send them to me no later than 9 weeks from the starting date. Comments received after that deadline may not be seen by the Inspector.

Yours faithfully

pp

Miss A Bibi

211AL(BPR)

The Planning Inspectorate

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

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

Mr & Mrs Walters
24 Sandy Lane
Wokingham
Berks
RG41 4DB

Your Ref:

Our Ref: APP/X0360/A/00/1048478

Date: 2 October 2000

Dear

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS BEECH
SITE AT 22 SANDY LANE, WOKINGHAM

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

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

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

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

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

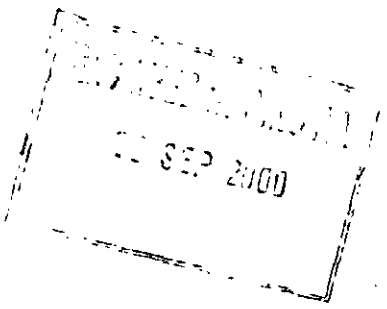
Yours

Miss A Bibi

105

12 September 2000

Miss A Bibi,
The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
Bristol,
BS2 9DJ.



Dear Madam,

APPEAL REF: **APP/X0360/A/00/1048478**
APPEAL BY: **Mr and Mrs Beech**
SITE: **Jacks Cottage, 22 Sandy Lane, Wokingham, Berks**

We have been notified by the Planning Services Department of Wokingham District Council that the above appeal has been lodged with the Planning Inspectorate.

Our views against the proposed extension remain the same as those given in our letter dated 14 February 2000 to Wokingham District Council, copy of which is attached.

Regarding the appellants letter of grounds for appeal, we would make the following comments.

The opening paragraph of the statement suggests that the Local Authoritys refusal to the proposed extension is the effect it would have on our dining room window. In fact it would effect one of our lounge windows, our laundry room window as well as the dining room window all of which are on the east side of our bungalow facing the proposed extension.

The appellants statement goes on to list their comments on the effect they envisage the extension will have on our property.

1. Although the first floor extension has been designed so as to reduce the height of the flank wall adjacent to our property, this flank wall would still be 4.3 metres above our floor level. Our property is 450mm lower than No. 22. The light ommission would still be considerable.

2. The appellants are correct in stating that at midday the sun would still shine parallel to the side walls of both properties.
Before that time at present the morning sun shines over the single storey building into our windows for some time. This would cease with the extension. The appellants suggest that we would benefit from afternoon sunlight reflected off of the proposed white painted extension wall. The shadow cast by the roof of our bungalow would mercifully end that pleasure.

3. We have colourful, evergreen climbing plants growing up our side of the present 1800mm high close boarded fence and would find that more attractive than looking out at a tall blank white wall.

Despite the appellants claims we are still firmly convinced that this proposed first floor rear extension would decrease the amount of light available to our windows and would certainly be a most unattractive outlook for us on that side.

We trust you will take our views into consideration when making a decision on the appeal and we would appreciate notification of the result. We are on holiday until 1 October should anyone require viewing the site from inside our property.

Yours faithfully,

Peter Walters.

J. Walters

Peter and Jackie Walters,
24 Sandy Lane,
Wokingham,
Berks,
RG41 4DB.

14 February 2000

Chris Wood,
Environmental Services Department,
Planning Services,
P.O. Box 157,
Shute End,
Wokingham,
Berks,
RG40 1WR.

Dear Sir,

Application Number: F/2000/0401

Site Address: 22 Sandy Lane

Proposal: Proposed first floor rear extension to dwelling

We have strong objections to the above proposed first floor rear extension to the above dwelling.

We have seen the plans of the proposed extension and note that the addition of an extra floor to the building extends immediately adjacent to the eastern side of our bungalow and will considerably restrict light and vision from four of our windows along that side.

Our bungalow is on a lower level (18ins) than that of No. 22 and there is only 7ft between the buildings along this side.

Looking out of our windows along this side at the moment, we can see blue sky and trees over the existing single storey building next door. Should this application be passed and the extension completed, we will only see a continuous tall blank wall.

We have lived here at No. 24 for 23 years and have survived and accepted considerable extensions and alterations to the properties each side of us by new occupants but this latest proposal does seem to be one too many.

When your planning officer comes to inspect the proposed extension would he please contact us beforehand as we would like to be here to speak to him ourselves about this matter.

Yours faithfully,

Jackie Walters

Peter Walters.

Peter and Jackie Walters, 24 Sandy Lane, Wokingham.

Tel. (0118) 974 6448 (Direct Line)
Date: September 15, 2000
My ref: F/2000/0401
Your ref: APP/X0360/A/00/1048478

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

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 Miss Bibi

APPEAL BY: Mr & Mrs Beech
SITE: 22 Sandy Lane, Wokingham

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. August 29, 2000
My ref: F/2000/0401
Your ref:

File copy

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

4th Dimension Architectural Design
95 High Street
Crowthorne
Berks
RG45 7AD

Dear Sirs

APPEAL BY: **Mr & Mrs Beech**
SITE: **22 Sandy Lane, Wokingham**

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

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: August 29, 2000
My ref: F/2000/01401
Your ref: APP/X0360/A/00/1048478

File copy

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

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

Dear Miss Bibi

APPEAL BY: Mr & Mrs Beech
SITE: 22 Sandy Lane, Wokingham
With reference to this appeal, I enclose a copy of the completed questionnaire & associated documents.
I have also sent a copy to the appellant's agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Ref RTH/ 5106

14 August 2000

Planning Department,
Wokingham District Council,
Shute End,
Wokingham,
Berks.

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Fourth Dimension

ARCHITECTURAL DESIGN

Sydenham House, 95 High Street
Crowthorne, Berkshire RG45 7AD
Telephone: 01344 761727
E.Mail: richard@4thdimension.freeserve.co.uk

Dear Sir,

RE: EXTENSION: 'Jacks Cottage', Sandy Lane, Wokingham

Enclosed for your attention is a copy of the appeal application form and Appeal Statement for the above project as requested by the Department of the Environment.

We trust this is to your satisfaction.

Yours faithfully,

Richard Hart.
4th Dimension Architectural Design.

The Planning Inspectorate

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

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

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24 AUG 2000
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FILE:

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

Your Ref: F/2000/0401

Our Ref: APP/X0360/A/00/1048478

Date: 21 August 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS BEECH
SITE AT 22 SANDY LANE, WOKINGHAM

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

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

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

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

Within the next 2 weeks

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

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

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

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

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

Within the next 6 weeks

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

Within the next 9 weeks

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

Site visit arrangements

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

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

Planning obligations - Section 106 agreements

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

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

Yours faithfully

Miss A Bibi

102(BPR)

PLANNING SERVICES UNIT
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APPEAL STATEMENT

'Jacks Cottage'
Sandy Lane,
Wokingham,
Berkshire.

It would appear from the refusal document that the only objection the Local Authority has regarding this application is the effect the proposed extension will have on the dining room window of the adjacent property. If this is the case, as it appears, only Policy WOS3 of the Wokingham District Local Plan is relevant together with Policy SBE2 of the South East Area Local Plan.

With regard to the affect the extension will have on the neighbouring property, we have the following comments to make:

1. The first floor extension has been designed to reduce the impact on the neighbours by lowering the eaves below those of the existing property by 500mm, thus reducing the height of the flank wall which is some 2.0metres from the neighbouring property.

2. From the site plan you will see the extension faces due south to the rear. In sunlight terms this means that at mid-day the sunlight will still shine in a direction parallel to the side wall of the extension and the neighbouring property, thus, no direct sunlight will be blocked out by the extension. In addition, the afternoon sun will be from a direction of the neighbouring property and will in fact reflect off the proposed white painted extension wall, probably enhancing the light into the dining room window of the neighbouring property.

3. Finally- at present there is a 1800mm high close boarded fence directly outside the neighbours dining room window some 930mm horizontally from their wall. Also the neighbouring property is set down slightly so the fence appears to be 2200mm high outside their window. Our client has expressed a willingness to remove the 1800mm high fence and replace it with a 1000mm high fence (This could easily be covered by a condition attached to any planning approval). This amendment would greatly increase light into the neighbouring properties dining room window, regardless of the increase in wall height of the appellants building.

For these reasons we believe the proposal will not have a detrimental effect on the neighbouring property and urge you to approve this appeal.

Richard Hart 14th August 2000

The Planning Inspectorate

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ADP	
CS	

PLANNING APPEAL

The appeal must reach the Inspectorate within 6 months of the date of the notice of the Local Planning Authority's decision, or within 6 months of the date by which they should have decided the application.

FILE:

A. INFORMATION ABOUT THE APPELLANT(S)

Full Name: MR + MR BEECH.

Address: 'JACKS COTTAGE' SANDY LANE, WOKINGHAM, BERKS.

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

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

Agent's Name (if appropriate): 4th DIMENSION ARCHITECTURAL DESIGN

Agent's Address: 95 HIGH STREET, CROWTHORNE, BERKSHIRE

Postcode: RG45 7AD Reference: .....
Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: 01344 761727. Fax No: 01344 773110.

B. DETAILS OF THE APPEAL

Name of the Local Planning Authority (LPA): WOKINGHAM DISTRICT COUNCIL

Description of the Development:

FIRST FLOOR REAR EXTENSION.

Address of the Site:	National Grid Reference (see key on OS map for Instructions). Grid Letters: Grid Numbers eg TQ:298407
'JACKS COTTAGE' 22 SANDY LANE WOKINGHAM BERKS. Postcode: *Failure to provide the postcode may cause delay in processing your appeal*	
Date and LPA reference number of the application you made and which is now the subject of this appeal: APP N°. F/2000/0401 27 JANUARY 2000	Date of LPA notice of decision (if any): 28 MARCH 2000

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: NO.

C. REASON FOR THE APPEAL

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

1. to *~~refuse/grant~~ STET 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: ..... ☑
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 BEECH

Name (in capitals) 4TH DIMENSION ARCHITECTURAL DESIGN Date 14/8/00

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 ATTACHED STATEMENT

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 ..... (on behalf of) MR + MRS BEECH

Name (in capitals) 4TH DIMENSION ARCHITECTURAL DESIGN Date 14/8/08

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.

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: EXC

APPLICATION NUMBER: 0401

APPELLANT: Mr & Mrs Beech

SITE: 22 Sandy Lane, Wokingham

APPEAL REF: APP/X0360/A/00/1048478

START DATE: 21/08/00

DATE OF SITE VISIT 7.11.00 (1.30 - Mr Collyer)

Progress Record	Date Actioned	Initials	Time Hours : Mins.
Appeal Logged:	24/08/00	DG	
Entered on Access:	29/08/00	DG	
Notification Letters Due:	**04/09/00**		
Notification Letters Sent:	29/8/00	DG	
Questionnaire Due:	**04/09/00**		
Questionnaire Sent:	29/8/00	DG	
File received by Officer:	30/8/00	DG	
Statement Due:	**02/10/00**		
Checked by Team Leader:			
Statement Sent: X2 (Don't forget to inform Den)	18/9/00	DG	
Comments on Statement Due	23/10/00		
Comments on Statement Sent X2			
Decision letter circulated:	28.11.00	DG	
Decision entered on Access.	28.11.00	DG	