

The Property Address is - North Court, The Ridges, Finchampstead, RG40 3SJ

Submitted by - Directors of North Court Management Company (on behalf of Freeholders and Leaseholders)

email address - [REDACTED]

**The following are the collective views of The North Court Management Company who are both owners of properties on North Court and who represent the Freeholders and Leaseholders.**

**Introduction: Brief history of North Court Estate and direct links with Finchampstead and Wokingham heritage**

- Part 1:** **Lists our specific objections to the build No. 252407 Wokingham Borough Council.**
- Part 2:** **As most of the application is contained in the submission from ET Planning we should like to further comment on inconsistencies, assumptions and inaccuracies used to support the application.**
- Part 3:** **Relevant Restrictive Covenants – While we recognise Covenants are not considered as part of the Planning process we feel these should be highlighted**

## **Introduction**

### **The History of North Court**

North Court has played a significant part in the history of both Finchampstead and Wokingham.

The original North Court was built in the 1850's by the grandson of John Walter founder of the Times, a family with more than a little association with Wokingham.

The next owner was General Sir John Watson, who won a Victoria Cross and his banner hangs in Finchampstead Church.

During the Second World War, North Court was a secret outpost of the RAF and had police guarding the gates at all times.

In 1948, Catherine Bramwell-Booth, granddaughter of General William Booth founder of the Salvation Army, moved to North Court (which consisted then as it does now, of a main house and two cottages) until her death in 1987. She and her sisters (who also lived in North Court) are now buried in Finchampstead Churchyard.

The North Court estate therefore has a valuable heritage that lends itself to being worth protecting and we consider that the proposed build is highly detrimental to that.

## **Part 1**

### **Objections to the build**

We object to the planning application from Mr John Jones on the following bases:

#### **1: The Proposed Build is not in line with Finchampstead and Wokingham development plans**

The Planning application is inconsistent with both the Finchampstead Neighbourhood Development Plan (FNDP) and the Wokingham Borough Core Strategy Development Plan Document.

In relation to the FNDP, at LPU/H/14 Development of Private Residential Gardens, the document states that development proposals for new residential development will only be supported in certain circumstances. The document stresses that a development must make a positive contribution to the character of the area in terms of build forms and space and that it integrates well.

In relation to Wokingham's core strategy CP11 which covers Proposals outside Development Limits (including countryside) the policy states that proposals outside development limits will not normally be permitted except where certain criteria are met. These criteria are primarily focussed on restricting development, except for –

- Sustainable rural enterprise or countryside recreation
- Residential extensions
- Replacement dwellings
- Essential community facilities

We do not believe the proposed development meets the requirements of either of these documents. Both draw a clear difference between redevelopment of existing properties (which is more acceptable) and new developments (which is not).

#### **2: The Proposed Build is not in keeping with the North Court Estate**

The North Court estate consists of three properties, the main house (now a development of 12 exclusive apartments), the Coach House and the Lodge (or Gate House).

Paragraph 4.4 of the Planning Design and Access Statement states that the build is a modern contemporary design. This is not in keeping with the other properties on the North Court Estate and as such does not meet the requirements of Paragraph 131 of the National Planning Policy Framework (NPPT) which encourages innovative designs 'so long as they fit in with the overall form and layout of their surroundings'.

The two previous development projects within the North Court boundary have been **redevelopments** rather than new developments. All have followed strict planning conditions based on the character and history of the existing buildings.

Indeed, we understand that when the developers built the 'main house' in 2004 planning dictated they had not only to ensure it was built on the same footprint of the original manor

house, but in a similar style to the original historical building vs the more contemporary style they initially proposed.

Planning permission was only granted after satisfying both the footprint and style conditions.

The Lodge was redeveloped over several years between 2015 and 2019. Prior to this it was a virtually derelict building and its redevelopment therefore was approved providing its footprint related to the original building, original features were re-used and it retained a design appropriate to the North Court Estate.

This redevelopment of an existing building is in keeping with the historical value of North Court as a prestigious Victorian estate.

The proposed build is not a redevelopment of an existing structure. It is a completely separate dwelling. The separate dwelling will mean that the character of the old Victorian estate will be lost forever.

Mr Jones, the current planning applicant, set out his own concerns about meeting the character of North Court very well in his own objection to the redevelopment of the Lodge in 2015 before his conversion to property developer “the proposed building is not subservient to the location; the application is for a property of a very different character. It is completely at odds with the location.... The grounds of North Court were laid out in the 1850s and are genuinely beautiful with open vistas across immaculate lawns interspersed with mature specimen trees and shrubs. The buildings and gardens of North court were designed to compliment each other..... Previous developments within the estate have been previously handled with sensitivity by the developers and planners alike. As a result North Court is very much as it was designed to be, a beautiful Victorian estate.”

### **3: The Planning application documents contains inconsistencies and incomplete information**

The ‘Planning, Design and Access Statement’ document produced by ET Planning contains a number of errors of fact and includes many misleading statements. We have addressed these individually in Part 2, however there are a number of common themes that come from the document:

- It mentions they acknowledge there would be some reliance on a private car, where in reality a private car is a necessity at North Court.
- The original planning application states there will be a net increase of 1 private car if the proposed build is completed, however, the plans show a double garage and parking for at least 3 cars together with a large storage area which could be converted into garages at a later date. The assumption that a property of this size with a double garage and a minimum of a further 3 parking spaces will only lead to one additional car on the premises is fanciful.
- The bus services highlighted as options to the use of a car amount to one service per day to Farnborough during school days (406), with the other service (145) operating only once a week on a Tuesday. Neither can therefore be cited as viable options for public transport.
- Misleading statements continue with regard to the proximity of local services. It mentions day to day needs can be met in Finchampstead village and makes the point this is only a ten min walk away. In reality the village has a public house, a social club and a primary

school, with the nearest services and shops available at California Crossroads involving a 30 minute walk potentially on roads without a pavement.

- There are comments which suggest that a couple of traditional lampposts, a simple black metal fence, and tended grass along the sides of the drive give an impression of leaving the countryside and entering an area with strong urban features. We see absolutely no credibility in this 'opinion'.
- The document mentions the proposed development would contribute to the supply of new homes in a situation where there is a shortfall and says this attracts significant weight in favour of the proposal – In reality there have been many houses in the c. £1.7m+ price bracket (approximation of proposed builds current value on market) available for sale locally over the last few years. The trend seems to be they do not sell quickly. Indeed, as well as three or four on The Ridges there is currently a house in this price band directly across the road from North Court which has been on the market for over two years. The house immediately adjacent to Mr Jones current home has also been on the market for some time, while another on Jubilee Road (across the road from North Court) has failed to sell over a similar period and has had no success either on the rental market. In relation to four bedroom stock for sale within 1 mile of North Court, there are currently 20+ houses available on Right Move. This suggests there is no shortfall in the market for these houses in this area.
- There are Subjective opinions of the builds potential contribution to North Court and very selective examples of Planning appeal approvals which seem to have little in common with a 4 bed new build on North Court e.g. relating to developments of 240 and 23 houses vs a single large house proposal on an established countryside estate.

## Other considerations

### **The North Court entrance drive does not have the capacity to cater for additional traffic**

- North Court freeholders in the main house (apartments) own the drive. The Lodge and the Coach House have a right of access.
- The owners of the main house apartments maintain the gravel drive which needs regular raking and fixing.
- Currently the Coach House and Gate House contribute more than their 'fair share' of traffic from residents and deliveries. Adding another four bed house will accentuate this – skewing to those who have simply a right of way whilst the overall responsibility for maintaining it rests with North Court main house.
- It is important to emphasise that while we believe the new build is planned to cater for at least 3+ motor vehicles, the gate and drive at North Court are used many times a day by delivery companies such as Amazon, Royal Mail/Parcel Force and DPD etc. Another 4 bed house will increase this traffic significantly.
- The access gate too is owned and maintained by the 12 North Court apartment owners at significant expense. As with the drive the maintenance required is increasing all the time and extra use and wear and tear will create further expense currently borne by apartment owners in North Court.
- During the potential build, there would be no turning room for construction vehicles on the drive. There is every likelihood the frontal area of the North Court main house would be used as a turning area. The Coach House has no right of way over this part of the estate and any attempts to use this by construction vehicles is likely to cause unnecessary disturbance, possible damage and danger to residents, in particular young children and the elderly.

## **Incomplete information**

- It is unclear from the available documents how essential services will be supplied to the property including the handling of waste and foul water. This seems to be a critical missing piece in the planning document. There is a shortage of formal drainage in the surrounding local area and properties rely on private sewage facilities. Until the planning application includes this detail it is not possible to fully assess the impact on the other residents of the North Court estate or other premises around the boundary such as North Court Farm.

If the applicant has thoughts of digging up the North Court driveway to supply services then further consideration is required. The driveway is on the freehold owned by the main house apartments and the Coach House has a right of access along the driveway.

To put supply services along the driveway would cause drastic inconvenience to the other residents on the estate including the 12 apartment owners and the residents in the Lodge. The drive is single lane, the only access to the main North Court building and in constant use. Laying mains supplies along the drive (and potential ongoing maintenance of same) would risk the drive being out of use which would be unacceptable. Some of the residents of North Court are elderly and have health conditions and access for emergency vehicles as well as day to day access needs to be maintained.

To our knowledge no services currently run under the driveway. On the redevelopment of the Lodge the owner laid services across their own land to limit disruption for the other residents and also to limit the risk of disruption if leaks or other issues occur in the future.

We note there is already a gated entrance from Mr Jones land in Wick Hill Lane, which would give virtually direct access to the proposed build, but see no mention of this in the application.

- The Preliminary Ecological Appraisal report includes large portions that have been redacted. We believe these sections may relate to badgers. We do not understand why the report has been redacted, nor do we understand the place of redacted documents in what is supposed to be an open and transparent consultation process. We believe it would be wrong to allow the planning application whilst elements of the ecological impact report are being withheld meaning that the full ecological impact of the new build cannot be properly assessed.

## **Part 2**

### **Issues with inconsistencies, assumptions and inaccurate information used to support the application**

As the bulk of the application is contained in the submission from ET Planning Design and Access Statement, we should like to comment on some of the points they use to support the application –

4.4 *'Layout and Scale: The proposed dwelling will be two storey in scale and utilises a modern contemporary design'*

4.6 *'Appearance: The proposed property will be modern and contemporary in design'*

Both of these points are at complete odds with the rest of the North Court Estate, which currently features a main block of 12x apartments, a Lodge (Gate House) and Mr Jones current property (The Coach House), all of which have been redeveloped on previous building footprints with sympathy to original design.

5.5 *'The National Design Guide builds on the above and clarifies .....New development reinforces existing places by enhancing local transport, facilities and community services and maximises their potential use'.*

There are no local transport, facilities nor community services local to this build and as such the build is unlikely to maximise their use.

5.12 *'....the relevant test is whether it detracts from the quality of the environment.....the proposed development is considered to be a sensitive residential development that assimilates well with the design language of the surrounding area'.*

A new 'modern contemporary design' does not fit in with the design language of the surrounding area so we do not consider it to be a sensitive residential development.

5.14 *'Whilst it does introduce new built form, the scheme is within the wider residential envelope of the North Court Estate which is very much residential in nature'.*

North Court main building sits in six acres. Mr Jones current house is in an area away from this and the Lodge sits on its own parcel of land near the entrance. The total area of the estate is c.10 acres, but much of this is left wild with no maintenance and there is also significant woodland. We would therefore consider the area to be more of an established country estate than 'very much residential in nature'.

5.15 *'....when discussing the wider site that 'whilst being located within the countryside, the area surrounding the appeal site is very much a 'man' made landscape, containing a number of strong urban features, including railings which line the access road, lamp posts, and managed and maintained landscaped areas. From passing through the entrance gate to the Estate, the presence of these features gives a sense of leaving the countryside and entering a more semi-rural developed area'*

*'The presence of these features means that the appeal site does not display typical characteristics of the surrounding countryside'*

This is subjective at best! North Court sits in an area designated as countryside. A couple of traditional metal lampposts (in keeping with the estate), plain, simple metal fencing and maintained grassy areas alongside a private narrow gravel drive does not change that fact.

*5.17 'the site is located within the countryside. Despite this, and as a previous inspector found, the situation on the ground does not fully reflect this designation. Instead the site is located between development and is physically separated from the open countryside'.*

We would strongly disagree with this and highlight that as well as an adjacent bridleway and other open land, the area directly to the north of North Court is farmland and to most of the south of the estate is a fruit farm.

*5.19 'NPPF Paragraph 70 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area.....'*

We question whether small to medium applies to a 5000sqm site with a 4 bed new build

*5.20 'This states the Council should seek opportunities, through policies and decisions, to support small sites.....'*

See comment on 5.19 above

*5.21 'Housing Supply and Mix: .....deliverable supply of 2,321 dwellings over next 5 years'.*

We very much doubt this was intended to apply to a house that will likely be worth/sell for £1.7m+.

*5.29 'A significant number of dwellings have been allowed at appeal within designated countryside.....Supply shortfall of the council is a major factor....'*

Currently within a mile of North Court there are 20+ four bedroom houses available for sale. These include many in the £1.5m+ category, including, but not limited to one directly adjacent to the current Coach House, one directly across the road from North Court (which has been for sale for more than two years), several more further along The Ridges and another opposite North Court on Jubilee Road. This suggests the comment made that there is a supply shortage of these high value homes is not correct and that the point being highlighted in 5.29 likely refers to more affordable housing, thus making its relevance questionable.

*5.31 'It is presented that the same applies to this application site – the proposal would not in any material way affect the separate identity of settlements nor diminish the quality of the environment'*

The short answer is – yes it would, by ignoring the historical importance of the site and the need to maintain its integrity as a Victorian estate.

**5.33 Refers to an Appeal decision regarding 240 dwellings**

Does not sit on all fours with the North Court situation and so we challenge its value as a precedent.

**5.34 Talks of immediate housing needs....**

Locally there seems little in the way of immediate housing needs in the 4+ bedroom market as there are currently 20+ four bedroom properties within a mile of North Court available on Right Move.

**5.36 ‘The proposed development would contribute to the supply of new homes in a situation where there is a shortfall. This attracts significant weight in favour of the proposed development’.**

As above, in reality there have been many large houses available for sale locally over the last few years. The trend seems to be they do not sell quickly, so this suggests there is no shortfall in this type of housing in the area.

**5.38 ‘..... general need for housing within Wokingham Borough’**

Again, for the same reasons as above, this proposed build does not fall within the housing stock that may be required.

**5.40 ‘For the reasons detailed above, the proposed development is considered acceptable in principle’**

This comment is subjective, and for our reasons stated above we consider the proposed development is not acceptable in principle.

**5.44 ‘Character and Appearance of Area ..... ‘the site is different from the wider countryside and is clearly more residential.....’’**

The complete area of the North Court estate is likely to be c.10 acres with a main building and two cottages within that. It is incorrect to give the c.10 acres a label of residential when large parts are unmaintained and grow wild providing home to families of roe and muntjac deer, foxes, rabbits and many species of birds.

**5.45 ‘The proposed dwelling utilises a modern style design. It is noted that the properties in North Court itself are more traditional in style’**

We agree the proposed dwelling is out of alignment with the existing buildings.

5.46 ‘However, just because a design is the first instance of its type does not mean that it is automatically unacceptable. The relevant test is of design quality and whether it provides a positive contribution to the overall character of the area. Given the ‘man-made landscape’ of the wider residential community that pre-exists, the development of 1 no. new house is considered acceptable in keeping with the wider design language of the surrounding area’.

We would once again dispute the attempts to describe North Court as ‘man made’. The character of the estate has remained very similar for 175 years, with the main building on the original footprint, and two cottages, with significant open areas, woodland, and various grassy areas. The addition of fencing and traditional lampposts at the entrance does not detract from this, but merely brings the first impressions up to acceptable standards. The proposed dwelling therefore is not in keeping with the wider design language.

5.49 ..... ‘it is not considered that the proposed development will harmfully impact residential amenity’.

Although there is clear and separate access to the site from Wick Hill Lane, it would seem the main North Court drive is being suggested for access for both construction and once built. This is a one way in, one way out single lane gravel track for all properties in North Court. As well as increasing traffic on an already heavily utilised and as such regularly damaged drive, by potentially another 4+ cars, additional delivery vehicles and associated traffic, the build will likely lead to issues of access for other residents, together with the potential for the one way in, one way out drive being blocked for emergency services vehicles. To say this will not impact residential amenity is wrong.

5.51 ‘Transport and Parking: When considering the site’s location, it is noted that the site is located within the countryside. However, it is located within close proximity to the defined settlement of Finchampstead’.

This is subjective, with its use of ‘close proximity’ .... Finchampstead village may be 10+ minutes walk away however the village is now just a small housing settlement with few facilities and it is clearly separated from North Court by a fruit farm on one side and well-spaced large properties on the other.

5.52 Mentions ‘walkable neighbourhoods are typically characterised by having a range of facilities within 10 mins (up to about 800m) walking distance’.

The context of this clause is unclear however we would highlight that walking up to 800m from the North Court Estate in any direction will generally involve you walking in the road in 40 & 50mph areas and will still leave you well short of ‘a range of facilities’ and indeed you will still be in the countryside which means that virtually any journey to any services will require the use of a car or cars

5.53 ‘Google maps imagery shows the site is approximately a 10 minute walk to Finchampstead’

The only service available at the end of this 10 min walk is a public house and beyond that is a settlement more in line with a small village than anything else. There is no shop. The nearest Services such as doctors, shops, restaurants, garage, chemist etc. are to the north of the development at California Crossroads approx. a 30 minute walk away which can involve using roads with no pavements nor lighting.

5.54 ..... 'as a result of all these factors occupants of the proposed application site may be discouraged from walking or cycling ..... Consequently access to services is likely to rely more heavily on use of a private car.... '

There is no question that any development in this area will be totally dependent on a car to access basic services. Walking in the area is virtually exclusively a recreational pastime using the likes of bridleways and National Trust property rather than a viable means to access services.

5.55 ..... 'this does not acknowledge the site's close proximity to Finchampstead...'

&

5.56 'Prospective occupants would only need to cross the road once ....and then walk along continuous pavement to the settlement of Finchampstead.

*The settlement itself would provide prospective occupants with basic needs and services allowing occupants to fulfil their general day to day living, no different than other occupants of Finchampstead village and the surrounding area'.*

The only needs and services offered in Finchampstead Village are a Social and Recreation Club, a Public House and a Primary School, .... This falls somewhat short of the 'basic needs and services allowing occupants to fulfil their day to day living.'

5.57 'The site is also located in close proximity to 2 no. bus stops that are located on Jubilee Road. These bus stops are served by the 145 and the 406 which provide onward connections to the surrounding area'.

This is misleading.

The 406 bus operates on school days only (not on weekends nor school holidays).

When it does operate, it is a once a day service. Unless you are going somewhere on the route to Farnborough College first thing in the morning and not returning until the school day ends, it has little or no value.

The 145 service operates once a week on a Tuesday!

5.58 'It is acknowledged that despite this, there would still be some reliance on the private car'.

See above ....there is no question that rather than having 'some reliance' on the private car, virtually every journey made from North Court will be by private car or similar motor vehicle.

5.61 'Whilst acknowledging that there would be some reliance on the private car, the level of harm would be slight...'

As mentioned above, far from there being some reliance on the private car, there would likely be complete reliance on the private car or cars, which would suggest the 'level of harm' should be upgraded from 'slight'.

5.62 ‘For the reasons detailed above, the proposed development is considered acceptable in highway and parking terms’.

Many of the points made in support of this subjective view seem flawed

It is also worth highlighting the proposed development has facilities for upwards of 4 cars, by way of a double garage, and three defined parking spaces despite the initial application advising there would only be a net increase of one car.

It is unclear what the large store area on the ground floor may be used for but it would appear to be suitable for conversion at a later date to further garaging, or residential room(s). The main entrance to North Court is currently within a 50mph limit and requires extreme care accessing and departing due to the speed of passing vehicles.

It is also within c.100m of the old war memorial junction which is a well-known accident blackspot (there were three more significant accidents requiring emergency services attendance recently 10Nov, 18Nov and 19Nov).

More local traffic whether construction, residential or deliveries is likely to have a further detrimental effect.

#### 5.65 ‘Drainage and Suds’

The details on drainage and wet waste seem incomplete

### ‘Conclusion’

6.1 ‘This statement has demonstrated that the proposed development is acceptable in principle and makes efficient use of the land’

We disagree, on the basis of our responses above, the fact it is a new build rather than a redevelopment and also based on the fact that the North Court Estate has a historical significance in Finchampstead which would be lost with the erection of an additional building in a modern style.

6.2 ‘It is considered the proposed development would contribute an appropriate windfall site to the Borough’s housing supply without adverse effect on the character of the area or the amenity of neighbouring residents’.

As detailed above, we do not consider a modern build on this established site to be ‘appropriate’. As we were advised by the developers it would be occupied by their elderly parents for the foreseeable future and they would be retaining ownership of the Coach House it would not a ‘windfall’ to the Boroughs housing supply, but more of a ‘windfall’ for the applicant, should it be approved.

Contrary to what is mentioned in 6.2 it will obviously have an adverse effect on the character of the area and there are 12 owners of the other properties who question the claim it will not have an adverse effect on the amenity of neighbouring residents.

## **Part 3:**

### **Relevant Restrictive Covenants**

We believe Mr Jones may have already broken relevant restrictive covenants on the plot by felling trees within 100 feet of the driveway and that the build itself is likely to be contrary to the covenants over the relevant land.

The covenants being in favour of North Court.

### **Additionally**

We also believe it is appropriate to highlight some comments made by the current applicant Mr Jones when the Lodge at North Court was to be redeveloped

- *“There are many large houses built on The Ridges however the context of their setting is entirely different to what has been proposed for the Lodge replacement in North Court, indeed the majority of large houses built on the Ridges are smaller than this excessive proposal. The developer’s application to build a three floor 5000 sq/ft house in this location is completely at odds with all planning guidelines. The application should be rejected on the basis of the proposal not being subservient to the location”.*

Also from Mr Jones,

- *“A significant point to note, all developments in the last 20 years have been built on existing footprint”.*

In a letter to the Planning Committee dated 7 November 2015, Mr Jones also stated,

- *“There have been several changes to North Court over the past 160 years, notably the rebuilding of North Court Mansion after a fire, and more recently the improvements to the Coach House. A significant point to note is both these developments were placed on the existing footprint of the original properties and the original ridgelines not exceeded in line with Wokingham Planning Guidelines for this sensitive site”.*

We agree with the applicant regarding these comments, North Court is a sensitive site,

### **We strongly object to this planning proposal.**

The Directors of North Court Management Co Ltd

On behalf of the Leasehold and Freehold owners of North Court