REFUSED

APPLICATION NO:
F/2000/1781

LOCATION:
Byeways Charvil Lane, Sonning Reading.

APPLICANT:
Mr J Brar C/O Keen Partnership

PROPOSAL:
Proposed first floor side extension to dwelling

EARLIEST DATE FOR DECISION: **21/07/2000**

APPLICATION WILL HAVE EXPIRED ON:
14/08/2000

CASE OFFICER: **Joss Miller**

RAILEX
Marbleboard

EASIFILE EP7

Appeal Decision

Site visit made on 15 May 2001

by Jane V Stiles BSc(Hons)Arch DipArch RIBA DipLA MLI PhD MRTPI

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

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

Date
13 JUN 2001

Appeal Ref: APP X0360/A/01/1059345
"Byways", Charvil Lane, Sonning Village

- 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 J S Brar against the decision of Wokingham District Council.
- The application (Ref.F/2000/1781), dated 14 June 2000, was refused by notice dated 25 October 2000.
- The development proposed is first floor extension creating bedroom with en-suite.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The appeal site lies within a policy Green Gap and countryside area in the Parish of Sonning.

Main Issues

2. The effect of the proposal on the character and appearance of its host environment.

Planning Policy

3. The most relevant policies to this appeal are policies OS1 and EN1 of the Berkshire Structure Plan (BSP), and Policies LC19, LBE1, and LBE2 of the Loddon Area Local Plan (LALP).

4. BSP Policy OS1 sets out the overall strategy of the Plan which seeks sustainable development and improvement to the quality of life in Berkshire while Policy EN1 aims to protect and enhance the environment of built up areas. Within the rural areas, only minor extensions to existing dwellings will normally be permitted by LALP Policy LC19. The design of new development is controlled by Policy LBE1 while Policy LBE2 will not normally permit inappropriate development.

5. The Wokingham District Local Plan is at an advanced stage of preparation. I have therefore attached considerable weight to Policies WOS3, WCC2, and WCC7. Policy WOS3 sets out the requirements for all development proposals. Green Gaps and Wedges are identified on the Proposals Map. Development will not be permitted within them by Policy WCC2 which seeks to maintain a clear separation of settlements within the Plan area. Policy WCC7 seeks to control the extensions to dwellings in the countryside.

Reasons

6. Byways is one of 4 properties at the east end of Charvil Lane which itself lies within the designated Green Gap between Charvil and Sonning. It comprises a large house in a spacious setting with extensive open countryside to the rear. Over the years, it has been the subject of a number of extensions. Some of these extensions were carried out prior to 1947, and some were granted planning permission because they were single storey and were considered not to have a detrimental impact on their surroundings. From the evidence before me, the cumulative effect of these extensions has been to increase the overall floor area by more than 50%.

7. The footprints of Byways and the neighbouring property Charfield both come close to the common boundary between them. Nevertheless, there is a gap between them at first floor level which I consider to be important to the open and rural character of the area. At present, this gap can be seen in wider views from the A4 to the south.

8. The proposed first floor extension would not only create a significant increase in floor area but it would also close the visible gap between the appeal property and the neighbouring property Charfield Cottage. As a result, I consider that the proposal would result in an inappropriate relationship with the adjoining property contrary to LALP Policy LBE2. And, that its scale, bulk, mass and location would harm the open and rural character of its host environment contrary to BSP Policies OS1 and EN1, and LALP Policies LC19 and LBE1.

Conclusions

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

Formal Decision

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

Information

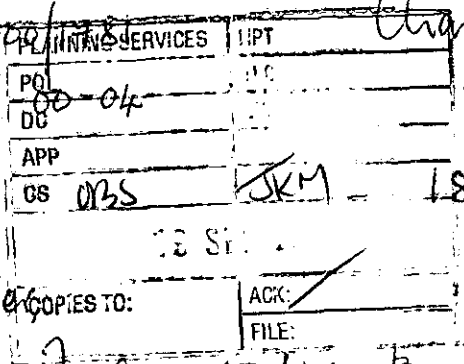
11. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.

Jane Stiles

INSPECTOR

Charfield Cottage,
Charvil Lane,
Sonning.
Berks
18-9-00

Application no: F/2000/1781
Drawing no: 7219-00-04



Dear Joss Mullen,

I am writing to tell you that I have now seen the above drawing which you kindly requested that the agent supply for me.

I am reasonably happy that the proposed extension at Byways will not affect Charfield Cottage unduly and therefore I will not be objecting to the planning application F/2000/1781.

Thankyou for your time & help.

Yours sincerely.

Pat Shearing.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr J Brar
C/O Keen Partnership
Culham House
122 Castle Street
Reading
Berkshire
RG1 7RJ

Application Number: F/2000/1781

Parish: **SONNING**

Location: **Byeways, Charvil Lane, Sonning.**

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

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

Reason
1. This proposal, if permitted, would, as a result of its bulk, massing and location result in the erosion of the gap and landscape views between this development and that of the neighbouring property (Charfield Cottage). Therefore the development would be detrimental to the character and appearance of the countryside and Green Gap. This proposal would be contrary to policies OS1 and EN1 of the Berkshire Structure Plan; LC19, LBE1 and LBE2 of the Loddon Area Local Plan and WCC2, WCC7, WOS2 and WOS3 of the Wokingham District Local Plan (Deposit Draft).

Reason
2. This proposal, if permitted, would, by virtue of its bulk and massing along with the cumulative effect of previous extensions, have a detrimental impact on the surrounding countryside and green gap. Therefore the proposal would be contrary to policies OS1 and EN1 of the Berkshire Structure Plan; policies LC19, LBE1 and LBE2 of the Loddon Area Local Plan and WCC2, WCC7, WOS2 and WOS3 of the Wokingham District Local Plan (Deposit Draft).

John Mitchell
Development Control Manager
Date: 25/10/2000

E

① ADDRESS Byways PARISH Sonning

PLOT No. Church Lane ORD. SHEET No.

BUILDER 246/56

Plan No.	Applicant	Description of Development	Date of Decision	Decision
246/56	DR Fox	GARAGE	8.5.56	APP APP
BR24993	MR R. BRADLEY	"	5.7.65	APP W/D
23995	"	TRIPLE "	14.8.85	W/D CIA
26916	" O/L	DET HOUSE & GARAGE	21.1.87	R
31444 APPEAL	" O/L	BUNGALOW "	31.8.88	R
33978			22.11.89	R
BRA 7611	"	BOATHOUSE/GARAGE	17.7.89	APP
36121			14.8.90	CIA
BRA 9177	"	S/St. Ext	27.6.90	APP
37912	"	NEW ACCESS FROM CHURCH LANE	12.8.91	CIA
97/65130/E	MR & MRS J. BRAR	S/St. EXTENSION	25.3.97	CIA

DATE OF COMPLETION

MINISTRY DECISION 26916 - APPEAL DISMISSED - 26-8-87 31444 - APPEAL DISMISSED - 16.2.89

SPECIAL ORDERS ~~BUNGALOW APPEAL DISMISSED~~ 33978 APPEAL DISMISSED - 11.7.90

DRAINAGE

091074
97/66131/E MR & MRS J. BRAR S/St. EXTENSION 9.10.97 CIA

1933

② ADDRESS Byways House Church Lane PARISH Sonning

PLOT No. ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
97/66328/E	Mr & Mrs J. S. Brar	S/St. Dat. Pool Rm	24.10.97	C/A
FP97/6435	MR & MRS J. BRAR	S/St. EXTENSION	15.7.97	C/APP
98/66925/F		S/St. Swim. Pool & C. Rms	24.2.98	C/A
BN97/0566	"	WOODEN BLDG. OVER SWIMMING POOL		

MINISTRY DECISION

SPECIAL ORDERS

WORK SHEET FOR : Joss Miller

Application Number : F/2000/1781

Applicant : Mr J Brar C/O Keen Partnership.

Location : Byeways, Charvil Lane, Sonning, Reading.
Proposal : Proposed first floor side extension to dwelling

Site Notice Displayed ? :

YES	NO	DATE
✓		

Date of Neighbour Notifications : 27/6

Date of Site Visit : 3/7/00

Date Registered : 19/06/2000

***Earliest Date for Decision* : 21/07/2000**

Latest Consultation Date/Site Notice Expiry Date : 21/07/2000

This application will have expired on: 14/08/2000. You need to make a *decision 1 day prior to this date for this application to count* as determined in less than 8 weeks.

Consultation Responses :

Highways - conditions.
Charfield Cottage - No objection.

Planning Issues :

Effect on street scene & neighbouring properties LBE1.
Rural Area.
Green Gap.

Application Number: F/2000/1781

Appraisal :

This application is for a first floor side extension.
Neighbours:
The extension will be situated on the west side of the boundary adjacent to Charfield Cottage. There are already single storey extensions running along the boundary for 28m. The first floor proposal has a width of 5.3m, a depth of 10.2mm eaves height of 5.4m and a ridge height of 9.2m. The extension will be set at an angle to Charfield Cottage. The nearest point will be 1m from the boundary and the furthest point will be 7m. There is some trees and shrubbery on the boundary and Charfield Cottage is approx. 5m from the boundary. There are no windows on the side elevation and the windows to the rear would overlook the rear of the neighbours garden and would also be partially screened by trees. Therefore any impact regarding overbearing, overshadowing and privacy issues will be minimised. All other neighbours are a sufficient distance for any impact to be minimised.
Street Scene.
Although the extension would be obscured from the street scene in places, it would still be visible from the access. The design would be in keeping with the existing house and the character of the area. The dwelling is situated in a designated Green Gap and Rural Area. A rule of thumb used for extensions in these areas is 50% increase. Over the years there have been various extensions, some of which were carried out before 1947 (& therefore, cannot be included in the calculations.) The single storey front ensuite cabin & the swimming pool and changing room have all been constructed after 1947. These extensions would cumulatively result in over a 70% increase in the dwelling. In addition to this the siting of the extension would close the gap between this property and the next which would be of detriment to the character & appearance of the countryside & green gap.

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

Application Number F/2000/1781
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
1.			This proposal, if permitted, would, due to its bulk, massing and location, result in the erosion of the gap, and, between this development and the Charfield Cottage. Therefore, the development would be detrimental to the character and appearance of the countryside and green gap. This proposal would be contrary to OS1 & EN1 of the BSP, LC19, LBE1 & 2 of the LALP & WCC2, WCC7, WOS2, WOS3 of the WDLP.
2.			This proposal, if permitted, would, by virtue of its bulk & massing, along with the cumulative effect of previous extensions, have a detrimental impact on the surrounding countryside and green gap. Therefore the proposal would be contrary to OS1 & EN1 of the BSP, LC19, LBE1, LBE2 of the LALP & WCC2, WCC7, WOS2, WOS3 of the WDLP

? consequently, the ~~break~~ neighbouring property

Wot's rong with my Inglish?!

I believe it's meant to read:

- in the erosion of the gap and landscape views between this development and that of the neighbouring property, Charfield Cottage.

(Hope this makes more sense) Thanks Joss.

A Crouni
25/10/00

RECORD OF SITE VISIT

SITE ADDRESS: Byeways Charvil Lane Sonning Reading.

APPLICATION NUMBER: F/2000/1781

OFFICER: Joss Miller

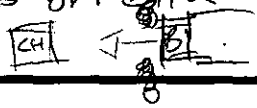
DATE OF SITE VISIT: 3/7/00

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes on gate.

2. DESCRIPTION OF SURROUNDINGS
Several detached houses on one side of road.

3. DESCRIPTION OF SITE/BUILDING
Large detached house of render & tile.

4. RELATIONSHIP TO ADJOINING PROPERTIES
Charfield House - Approx 3m shrubery & some trees on either side of extn.



5. SITE CONSTRAINTS

TREES ~ All round boundary.

ACCESS/PARKING 5 bed houses - plenty of parking.

LEVELS ~

BOUNDARY TREATMENT trees all round.

OTHERS ~

Applicationo	Name & Address
F/2000/1781	P Sheering Charfield Cottage Charvil Lane Sonning RG40 3QS

App. refused
Letter sent 30/10/00

HIGHWAYS CONSULTATION SHEET

From: Joss Miller **Date:** 27 June 2000

Application Number: F/2000/1781

Proposal: Proposed first floor side extension to dwelling

Parish: SONNING PARISH

Site Address:
Byeways, Charvil Lane, Sonning, Reading.

Applicant:
Mr J Brar C/O Keen Partnership.

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

✓ below as applicable;

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

SC: 23 (Parking & Turning).

SR: 06.

Signed: _____ **Print name:** Stephanie Knowles.

10/07/00.

Date: 04 September 2000

To: Case Officer

We have received Additional Plans for the following planning application:

Application Number: F/2000/1781

Location: Byeways, Charvil Lane, Sonning, Reading.

Proposal: Proposed first floor side extension to dwelling

Applicant: Mr J Brar C/O Keen Partnership.

Case Officer: Joss Miller

The new plans show the following: Plans to show side elevation. Drawing no 7219-00-04.

Comments are required by 25/09/2000.

Should you have any queries regarding this application please contact the case officer Joss Miller on (0118) 974 6463.

Culham House 122 Castle Street
Reading Berkshire RG1 7RJ
Telephone 0118 951 0855
Fax 0118 951 0866
email info@keenpartnership.co.uk

THE KEEN PARTNERSHIP

Joss

With compliments

P. Tuin.

PLANNING SERVICES
JM
33174

***Architectural* design**

***Building* surveyors**

***Project* managers**

***Building* engineers**

constructionline

The Association of BUILDING ENGINEERS

CONSTRUCTION MONITORING

PARTY WALL MATTERS

SAP CALCULATIONS

CONDITION & MEASURED SURVEYS

PLANNING SUPERVISORS

COMPUTER AIDED DESIGN

PLANNING APPEALS

PRESENTATION DRAWINGS

(RING ONE)

REVISED PLANS | ADDITIONAL PLANS | MINOR AMENDMENTS | ADDITIONAL / REVISED PLANS TO COMPLY WITH CONDITIONS

App No. 1781 (Planaps) / (Ludhouse) Date Rec. 17/8/00

Location: 'BYEWAYS', CHARVIL LANE

Parish SONNING.

Applicant: Do MR J BRAR

Description of attached plans PLANS TO SHOW SIDE ELEVATION

Drawing No's: 7219-00-04

CONSULTEES

Copies of plans will automatically be sent to Woodley Library, Part 1 Reg., Parish Council, Ward Councillors and the Case Officer unless specified.

Please tick which of the following you wish consulted.

OTHERS:

Drawing No's

1. NK (Landscape & Trees) ☐
2. NK (Env. Design) ☐
3. XA (Highways) ☐
4. NF (Building Control) ☐
5. BC/DC Liaison ☐

A full set of plans will be sent to all consultees unless particular drawing No's are specified in the spaces above.

NEIGHBOURS: Mrs Shearing, Charfield Cottage, Charvil Lane

Date for Responses 3 weeks

FURTHER ACTION

Re-advertise App. Y / N (Delete as required)

Redate Application Y / N From

New Site Notice Y / N

New Description

CASE OFFICER JM.

Consultations Sent by Admin. on 04.09.PS

Yellow - Part One Copy
Green - Officer's Copy

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

Tel: (0118) 974 6463

Date: **27 June 2000**

My ref: F/2000/1781

CONFIDENTIAL

Councillor Rose
Spinney Side
Holme Park Farm Lane
Sonning
Berks
RG4 6SX

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

Dear Councillor

Application Number: F/2000/1781
Byeways, Charvil Lane, Sonning, Reading.
Proposed first floor side extension to dwelling

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

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

If you have any questions please do not hesitate to contact **Joss Miller** on **(0118) 974 6463**.

Yours faithfully,

John Mitchell

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Joss Miller** Application Number: **F/2000/1781**
Byeways, Charvil Lane, Sonning, Reading.
Proposed first floor side extension to dwelling
I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Rose

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

Received by Wokingham District Council

Application No: F/2000/1781

Proposal:
Proposed first floor side extension to dwelling

Location:
Byeways, Charvil Lane, Sonning, Reading.

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

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Joss Miller P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 21/07/2000. 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

27 June 2000

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date:	19 JUN 2000
Officer: JM	Application No. F/2000/1781

Map No. 32 Site 04

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

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

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

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

Description:
(F) PROPOSED FIRST FLOOR SIDE EXTENSION TO DWELLING

Location: BYWAYS CHARVIL LANE

Parish: SONNING Ward: Sonning
27.6.2000

Applicant: MR J BRAR

Fee Received 95-00 (2) 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	Side elevation ?		
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 : 27.6.2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control .....
Landscape .....
Trees .....
Conservation Officer .....
Environmental Health .....
Housing .....
Leisure & Cultural services .....
Public Rights of Way .....
Property .....
District Secretary (only if called in by SOS) .....
Policy & Plans .....
Strategic Planning (JSPU) .....
Minerals (BABTIE) .....
Archaeological Site (BABTIE) : .....
Education .....
Social Services .....
Highways .....

EXTERNAL CONSULTATIONS

Adjacent D P A : .....
Adjacent Parish : .....
Southern Electricity Board .....
British Gas .....
PSA Oil Pipeline .....
Transco : .....
Environment Agency .....

Rail Track .....
Police Arch. Liaison Officer .....

HERITAGE BODIES

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

OTHERS:

.....
.....
* RURAL AREA .....

NEIGHBOURS:

..... S/N + CHARFIELD COTTAGE } .....
..... GOWAN LEA } CHARVIL LANE .....
..... MEDWYN } .....
.....
.....
.....
.....
.....
.....

① ADDRESS BYWAYS PARISH SONNING E

PLOT No. CHARVIL LANE ORD. SHEET No.

BUILDER 246/56

Plan No.	Applicant	Description of Development	Date of Decision	Decision
246/56	DR. FOX	GARAGE	8.5.56	APP APP
BR24993	MR. R. BRADLEY	"	5.7.85	APP N/A
23995	"	TRIPLE "	14.8.85	N/A C/A
26916	" O/L	DET. HOUSE & GARAGE	21.1.87	R
31444 APPEAL	" O/L	BUNGALOW "	31.8.88	R
33978			22.11.89	R
BRA 7611	"	BOATHOUSE/GARAGE	17.7.89	APP
36121			14.8.90	C/A
BRA 9177	"	S/ST. EXT	27.6.90	APP
37912	"	NEW ACCESS FROM CHARVIL LANE	12.8.91	C/A
97/65130/F	MR & MRS J. BRAR	S/ST. EXTENSION	25.3.97	C/A

DATE OF COMPLETION

MINISTRY DECISION 26916 - APPEAL DISMISSED - 26-8-87 31444 - APPEAL DISMISSED - 16.2.89

SPECIAL ORDERS ~~31444 - APPEAL DISMISSED - 6~~ 33978 - APPEAL DISMISSED - 11.7.90

DRAINAGE

091074

97/66131/F MR & MRS J. BRAR S/ST. EXTENSION 9.10.97 C/A

1933

② BYWAYS HOUSE

ADDRESS CHARVIL LANE PARISH SONNING

PLOT No. ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
97/66328/F	Mr & Mrs J. S. Brar	S/St. Det. Pool Rm	24.10.97	C/A
A 97/6435	MR & MRS J. BRAR	S/ST. EXTENSION	15.7.97	C/APP
98/66925/F	"	S/St. Swim. Pool + C. Rms	24.2.98	C/A
BN97/0566	"	WOODEN BLDG. OVER SWIMMING POOL		

MINISTRY DECISION

SPECIAL ORDERS

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

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

Please answer **ALL QUESTIONS** in **BLOCK LETTERS.** If a question is not applicable, answer **N/A** in space. Please submit **SIX** copies of this form and plans to:-

THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P O Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY

19 JUN 2002 3/02/1781

1. **APPLICANT'S NAME** MR. J. S. BRAR.
ADDRESS "BYWAYS"
CHARVIL LANE, SONNING VILLAGE,
POST CODE OXON. **PHONE**

2. If the applicant has an agent, all correspondence will be sent to the agent
AGENT'S NAME KEEN PARTNERSHIP.
ADDRESS CULHAM HSE, 122 CASTLE STREET,
READING, BERKSHIRE.
POST CODE RG1 7RJ. **PHONE** 0118-9-510855.

3. On the plans show the SITE outlined in RED Show also OTHER land in the applicant's ownership or control in BLUE.
SITE LOCATION "BYWAYS" CHARVIL LANE,
SONNING VILLAGE, OXON.

4. **WHAT IS THE APPLICATION FOR ?**
Give brief details and state for what purpose this site and any buildings will be used.
PROPOSED FIRST FLOOR EXTENSION
CREATING BEDROOM WITH
EN-SUITE.

5. Give the area in hectares or part of a hectare
AREA OF SITE 0.6 HECTARES.

6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee
OWNERSHIP OWNER.

List all the plans and drawings submitted with the application
PLANS/DRAWINGS PROP + EXIG. PLANS + ELEVATIONS.
SITE LAYOUT AND BLOCK PLAN.

8. **DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?**
Tick the boxes(x)

CHANGE OF USE	☐	REDEVELOPMENT	☐
ERECTION OF NEW BUILDING	☐	ALTERATION or EXTENSION	☑

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

OUTLINE PERMISSION	☐	See question 10
FULL PERMISSION	☑	
APPROVAL OF DETAILS/RESERVED MATTERS	☐	State relevant outline permission number Also complete Question 10
TEMPORARY PERMISSION	☐	State period required
RELAXATION OF CONDITIONS	☐	State relevant application number Conditions to be relaxed

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

EXTERNAL APPEARANCE	☐	SITING	☐
MEANS OF ACCESS	☐	DESIGN	☐
		LANDSCAPING	☐

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDING(S) e.g. residential, industrial, etc. If the site is vacant say so, and also state its previous use and when that ceased.

RESIDENTIAL.

12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS? ~~YES~~/NO — If yes, show existing route(s) and any proposed alternatives on the plans

13. ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED? ~~YES~~/NO — If yes, please show their positions, spread and species on the plans and which, if any, are to be felled.

14. STATE EXTERNAL MATERIALS TO BE USED.

WALLS = TILE HANGING AS EXTG.

ROOF = PLAIN CLAY TILES AS EXTG.

15. HOW WILL THE SITE BE ENCLOSED? Say whether walls, fences or hedges, and give height, colour and materials. If the site is divided into plots, say how each is to be enclosed.

EXTG. BOUNDARIES UNALTERED.

16. HOW WILL SURFACE WATER BE DISPOSED OF?

VIA. NEW SOAKAWAYS.

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/~~NO~~

If no, please give details N/A.

18. WHAT ARE THE ACCESS ARRANGEMENTS?
AS EXISTING
AS PROPOSED
Give details of pedestrian and vehicular access

AS EXISTING.

19. HAS PROVISION BEEN MADE FOR THE DISABLED? See notes for applicants

NO.

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

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED		TO BE RETAINED		TO BE LOST	
HOUSE	/	*	/	*	/	*
BUNGALOW	/	*	/	*	/	*
FLAT/MAISONETTE	/	*	/	*	/	*
OTHER	11	*	11	*	0 /	*

* STATE No. OF HABITABLE ROOMS

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE? ~~YES~~/NO — If YES, complete Part 2 of the form

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS; THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS? ~~YES~~/NO — If YES, please ask for and complete Part 3 of the form

23. STATE THE FEE ENCLOSED WITH THIS APPLICATION The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.

£95.00

NINETY FIVE POUNDS.

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

SIGNED P. Tarry. ON BEHALF OF MR. J.S. BRAR DATE 14-06-00.

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

1789/a

SECTION 66 CERTIFICATE

Application No.

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

CERTIFICATE A

I certify that:

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

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

OR

CERTIFICATE B

I certify that:

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

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

+ See Note (a) to Certificate A

OR

CERTIFICATE C

I certify that

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

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

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

(b) Insert description of steps taken.

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

(b) . . . . . .

. . . . . .

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

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

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

the (c) . . . . . .

on (d) . . . . . .

1789/b

CERTIFICATE D

I certify that

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

OR

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

(b) . . . . . .

. . . . . .

(b) Insert description of steps taken

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

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

● Notice of the application as attached to this Certificate, has been published in the (c) . . . . . .

on (d) . . . . . .

ALL APPLICANTS MUST COMPLETE THIS SECTION

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

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable.

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

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

OR

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

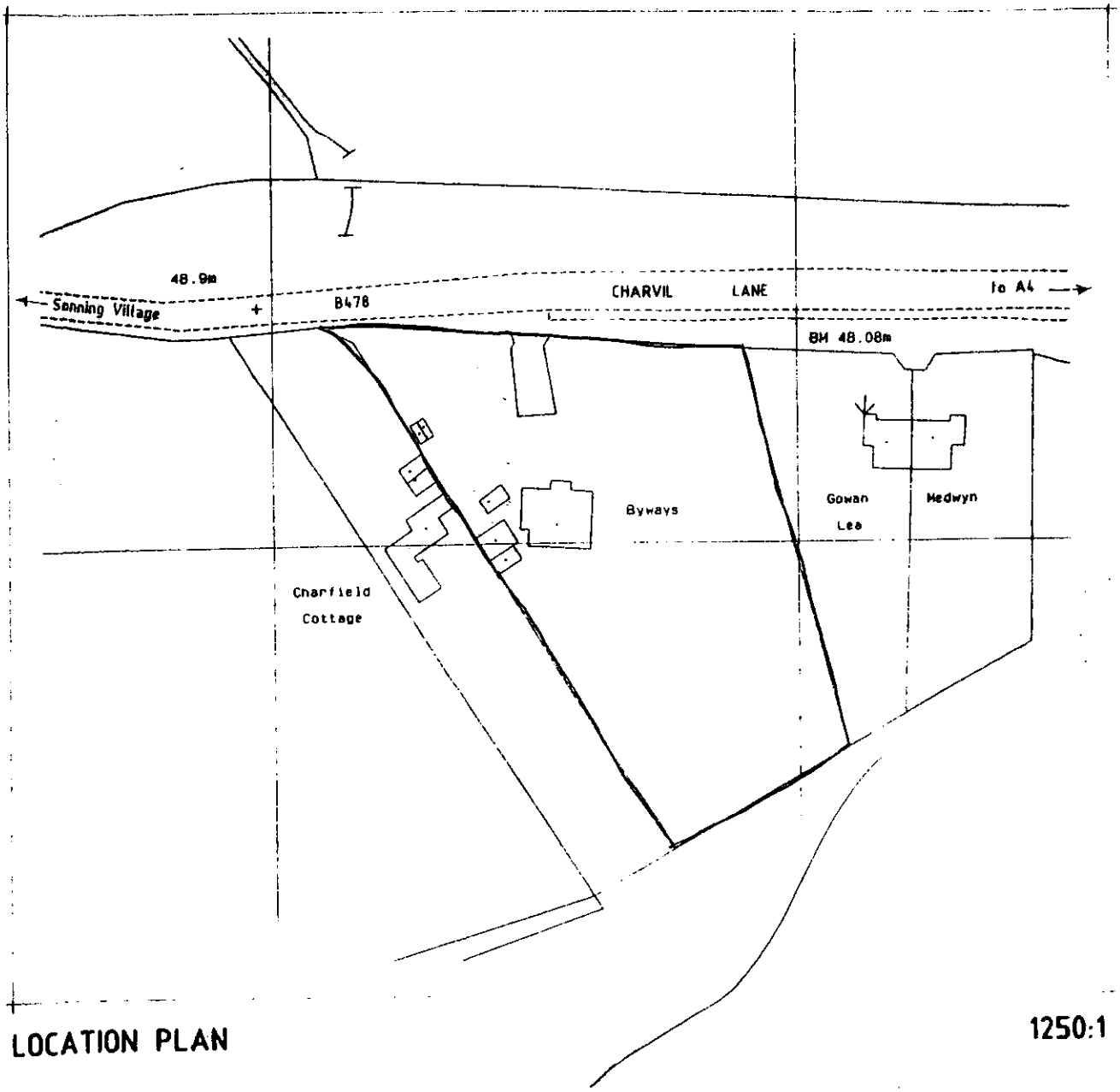
Tenant's name	Address at which notice was served	Date on which notice was served

Signed . . . . . .

On behalf of . . MR. J. S. BRAR . . . . . .

Date . . . 14-06-00 . . . . . .

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



LOCATION PLAN

1250:1

REFUSED

SYSTEMS LTD
SOUTHPORT U.K.
LONDON OFFICE

APPLICATION NO.1781

Name of appellant:
Mr J S Brar

Site address:
Byways Charvil Lane

Proposal:Proposed 1st floor extension to dwelling

Case Officer:JKM

Dismissed

CONDITIONAL APPROVAL

App
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Dec
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Date Completed
J:\LABELPRODS - VER2 - 03/04/95

WRITTEN REPRESENTATION APPEAL

DISMISSED

CASE OFFICER: JKM

APPLICATION NUMBER: 1781

APPELLANT: Mr J S Brar

SITE: Byways Charvil Lane, Sonning

APPEAL REF: APP/X0360/A/01/1059345

START DATE: 02/03/01

DATE OF SITE VISIT 15/05/01

Progress Record	Date Actioned	Initials
Appeal Logged:	05/03/01	
Entered on Access:	08/03/01	DG
Notification Letters Due:	**16/03/01**	
Notification Letters Sent:	08/03/01	DG
Questionnaire Due:	**16/03/01**	
Questionnaire Sent:	16/03/01	DG
Statement Due:	**13/04/01**	
Statement Sent:	03/04/01	DG
Comments on Statement Due	04/05/01	
Comments on Statement Sent	/	
Decision letter circulated:	14/06/01	DG
Decision entered on Access:	14/06/01	DG

Appeal Decision

Site visit made on 15 May 2001

by Jane V Stiles BSc(Hons)Arch DipArch RIBA DipLA MLI PhD MRTPI

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

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

Date
13 JUN 2001

Appeal Ref: APP X0360/A/01/1059345
"Byways", Charvil Lane, Sonning Village

- 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 J S Brar against the decision of Wokingham District Council.
- The application (Ref.F/2000/1781), dated 14 June 2000, was refused by notice dated 25 October 2000.
- The development proposed is first floor extension creating bedroom with en-suite.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The appeal site lies within a policy Green Gap and countryside area in the Parish of Sonning.

Main Issues

2. The effect of the proposal on the character and appearance of its host environment.

Planning Policy

3. The most relevant policies to this appeal are policies OS1 and EN1 of the Berkshire Structure Plan (BSP), and Policies LC19, LBE1, and LBE2 of the Loddon Area Local Plan (LALP).

4. BSP Policy OS1 sets out the overall strategy of the Plan which seeks sustainable development and improvement to the quality of life in Berkshire while Policy EN1 aims to protect and enhance the environment of built up areas. Within the rural areas, only minor extensions to existing dwellings will normally be permitted by LALP Policy LC19. The design of new development is controlled by Policy LBE1 while Policy LBE2 will not normally permit inappropriate development.

5. The Wokingham District Local Plan is at an advanced stage of preparation. I have therefore attached considerable weight to Policies WOS3, WCC2, and WCC7. Policy WOS3 sets out the requirements for all development proposals. Green Gaps and Wedges are identified on the Proposals Map. Development will not be permitted within them by Policy WCC2 which seeks to maintain a clear separation of settlements within the Plan area. Policy WCC7 seeks to control the extensions to dwellings in the countryside.

Reasons

6. Byways is one of 4 properties at the east end of Charvil Lane which itself lies within the designated Green Gap between Charvil and Sonning. It comprises a large house in a spacious setting with extensive open countryside to the rear. Over the years, it has been the subject of a number of extensions. Some of these extensions were carried out prior to 1947, and some were granted planning permission because they were single storey and were considered not to have a detrimental impact on their surroundings. From the evidence before me, the cumulative effect of these extensions has been to increase the overall floor area by more than 50%.

7. The footprints of Byways and the neighbouring property Charfield both come close to the common boundary between them. Nevertheless, there is a gap between them at first floor level which I consider to be important to the open and rural character of the area. At present, this gap can be seen in wider views from the A4 to the south.

8. The proposed first floor extension would not only create a significant increase in floor area but it would also close the visible gap between the appeal property and the neighbouring property Charfield Cottage. As a result, I consider that the proposal would result in an inappropriate relationship with the adjoining property contrary to LALP Policy LBE2. And, that its scale, bulk, mass and location would harm the open and rural character of its host environment contrary to BSP Policies OS1 and EN1, and LALP Policies LC19 and LBE1.

Conclusions

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

Formal Decision

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

Information

11. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.

Jane Stiles

INSPECTOR

The Planning Inspectorate

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

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728443

GTN 1371-6079

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

Your Ref: F/2000/1781

Our Ref: APP/X0360/A/01/1059345

Date: 13 June 2001

DA 44532

COPIES TO: D.C.:
FILE:

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR J S BRAR
SITE AT BYWAYS, CHARVIL LANE, SONNING, NR READING

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
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Phone No. 0117 372 8252 Fax No. 0117 372 6219

E-mail: Complaints@planning-inspectorate.gsi.gov.uk

Yours faithfully

Miss A Groves

COVERDL1

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr J Brar
C/O Keen Partnership
Culham House
122 Castle Street
Reading
Berkshire
RG1 7RJ

Application Number: F/2000/1781

Parish: **SONNING**

Location: **Byeways, Charvil Lane, Sonning.**

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

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

Reason
1. This proposal, if permitted, would, as a result of its bulk, massing and location result in the erosion of the gap and landscape views between this development and that of the neighbouring property (Charfield Cottage). Therefore the development would be detrimental to the character and appearance of the countryside and Green Gap. This proposal would be contrary to policies OS1 and EN1 of the Berkshire Structure Plan; LC19, LBE1 and LBE2 of the Loddon Area Local Plan and WCC2, WCC7, WOS2 and WOS3 of the Wokingham District Local Plan (Deposit Draft).

Reason
2. This proposal, if permitted, would, by virtue of its bulk and massing along with the cumulative effect of previous extensions, have a detrimental impact on the surrounding countryside and green gap. Therefore the proposal would be contrary to policies OS1 and EN1 of the Berkshire Structure Plan; policies LC19, LBE1 and LBE2 of the Loddon Area Local Plan and WCC2, WCC7, WOS2 and WOS3 of the Wokingham District Local Plan (Deposit Draft).

John Mitchell
Development Control Manager
Date: 25/10/2000

CLIFF WALSINGHAM & Company

Specialist Planning & Development Consultants

Bourne House, Cores End Road, Bourne End, Bucks SL8 5AR Tel: 01628 532244 Fax: 01628 532255 email: bourne.end@walsingplan.co.uk

Brandon House, King Street, Knutsford, Cheshire WA16 6DX Tel: 01565 757500 Fax: 01565 757501 email: knutsford@walsingplan.co.uk

www.walsingplan.co.uk

FOL	TLS 40016
DC	ENF
APP	
CS DC	
16 FEB 2001	
COPIES TO:	ACK:
	FILE:

With Compliments

CLIFF WALSINGHAM & Company

Specialist Planning & Development Consultants

Bourne House, Cores End Road, Bourne End, Bucks SL8 5AR Tel: 01628 532244 Fax: 01628 532255 email: bourne.end@walsingplan.co.uk

Brandon House, King Street, Knutsford, Cheshire WA16 6DX Tel: 01565 757500 Fax: 01565 757501 email: knutsford@walsingplan.co.uk

www.walsingplan.co.uk

Our Ref: MT/LB/B73/00
14th February 2001

Planning Inspectorate
Appeals Registry
Tollgate House
Houlton Street
Bristol BS2 9DJ

Dear Sirs

Appeal by Mr J S Brar
"Byways House", Sonning, Berkshire

On behalf of Mr J S Brar I enclose a written appeal in respect of the above property. A copy of the papers has been sent to the LPA.

Yours faithfully

Mark Thackeray
BSc (Hons) DipTP MRTPI
BOURNE END OFFICE

Encl.

cc. Wokingham District Council

HIGHWAYS CONSULTATION SHEET

From: Joss Miller **Date:** 27 June 2000

Application Number: F/2000/1781

Proposal: Proposed first floor side extension to dwelling

Parish: SONNING PARISH

Site Address:
Byeways, Charvil Lane, Sonning, Reading.

Applicant:
Mr J Brar C/O Keen Partnership.

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

✓ below as applicable;

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

SC: 23 (Parking & Turning).

SR: 06.

Signed: _____ **Print name:** Stephanie Knowles.

10/07/00

CONDITIONS IN THE EVENT OF THE APPEAL BEING ALLOWED

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

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

2. All new external work shall be carried out in materials that match in size, colour and texture, those of the existing building.

   Reason: To ensure a satisfactory external appearance.

4. No work of any sort shall take place between the hours of 18.00 and 08.00 Mondays to Fridays and 13.30 to 08.00 Saturdays and no work shall take place on Sundays or Bank Holidays.

   Reason: In the interests of the amenities of the occupants of this property and other properties nearby.

The Planning Inspectorate

For official use only Date received

QUESTIONNAIRE

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

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/01/1059345 **GRID REF:** SU767756

APPEAL BY: Mr J S Bras

SITE: Byways, Charvil Lane, Sonning

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

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

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

1.	Do you agree to the written representations procedure?	YES / NO
OR	Do the you wish to be heard by an Inspector at: a. a local inquiry?	YES / NO
	or 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 our Inspector need to enter the site for any reason e.g. 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 to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	YES / NO

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

15.	Copies of the following documents must, if appropriate, be enclosed with this questionnaire:	
a	Is the development in Schedule 1 or column one of Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	~~YES~~ / NO Sch 1 Sch 2 col 1
b.	Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~ / NO
c.	Has a screening opinion been placed on Part 1of the planning register? If YES, please send a copy to us.	~~YES~~ / NO

		Number of Documents Enclosed	N/A
d.	Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	1	
e.	Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f.	A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g.	Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h.	Details of any other applications or matters you are currently considering relating to the same site;		✓
i.	For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.*	3	
j.	Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k.	A list of any conditions or limitations you would agree to if the appeal were to be allowed;	1	
l.	Any other relevant information or correspondence you consider we should be aware of.		✓

16.a. What is the date you told those you notified about the appeal that we must receive any further comments by? — 13.04.01

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

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

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

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

a. In non-determination cases:

i) what the decision notice would have said;

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

b. In all cases:

i) the relevant planning history;

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

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

18. THE MAYOR OF LONDON CASES ONLY

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

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

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

Signature: _____ on behalf of Wokingham District Council

Date sent to us and the appellant 16/03/01 Our Ref: F/2000/1781

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Norwich NR3 1BQ

The Planning Inspectorate

3/23 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
http://www.planning-inspectorate.gov.uk

Direct Line 0117-3728644
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8644

42923

DG

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

04 MAY 2001
COPIED TO: ACK: FILE:

Your Ref: F/2000/1781

Our Ref: APP/X0360/A/01/1059345

Date: 2 May 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR J S BRAR
SITE AT BYWAYS, CHARVIL LANE, SONNING, NR READING

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:

Dr J V Stiles BSC(Hons)Arch, Dip Arch, RIBA, DipLA, MLI, MRTPI

The Secretary of State has arranged for the inspector to visit the appeal site at 12:00 on Tuesday 15/5/2001. You are requested to arrange for the inspector to be met at the site 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. This 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, we will let you know.

Yours faithfully

Mr A Godfrey

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



209D

The Planning Inspectorate

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

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728443

GTN 1371-6079

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

Your Ref: F/2000/1781

Our Ref: APP/X0360/A/01/1059345

Date: 19 April 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR J S BRAR
SITE AT BYWAYS, CHARVIL LANE, SONNING, NR READING

I enclose a copy of the appellants statement relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. Comments submitted after that deadline may not be seen by the Inspector.

PLANNING SERVICES	HPT 42391
POL	TLS
DC	ENF
APP	
CS DG	
20 APR 2001	
COPIES TO:	ACK:
	FILE:

Yours faithfully

Miss A Groves

211AL(BPR)

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With Compliments

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Our Ref: MT/LB/B73/00
12th April 2001

The Planning Inspectorate
Room 303
Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Dear Sirs

Appeal by J S Brar
"Byways", Charvil Lane, Sonning
APP/X0360/A/01/1059345

I write on behalf of the appellant, further to the local authority's questionnaire and papers, to consider some of the policies cited in the reasons for refusal. It might be considered unusual for a house extension to be contrary to two structure plan policies and seven policies from two different local plans, so it is appropriate to see if this list might not be reduced to manageable proportions, prior to my formal response when I have seen the LPA's evidence.

BERKSHIRE STRUCTURE PLAN

Structure Plan OS1:- this deals with the overall strategy of a plan for what was Berkshire. That a house extension should conflict with the overall guiding principles set out in the very first Structure Plan policy surely overstates the case. It seeks sustainable development and an improvement to the quality of life, neither of which would be prejudiced by the proposal. It seeks to protect the character and quality of the County's landscape, environment and heritage, and again these aims would not be compromised by a house extension.

Structure Plan EN1:- this deals with the protection and enhancement of the environment of built-up areas, defined as "towns, villages and other built-up areas". A group of four houses in an otherwise undeveloped agricultural setting would not fall to be considered within the context of this policy. If they were held to be an "other built-up area", then the issues of the Green Gap would not apply. EN1 either does not apply or else the proposal does not conflict with it.

LODDON AREA LOCAL PLAN

Loddon Area LP LC19:- this deals with extensions to existing dwellings in rural areas and is clearly applicable. It distinguishes between minor and major extensions but does not explain how the two are defined. "Byways" is a large house (520 sq.m. including garages) and the proposed extension would increase it by 60 sq.m. or 11.5%. Notwithstanding that the house has been extended previously, 60 sq.m. or 11.5% is in this context a minor extension.

Cont/d.....

"Appropriately designed and sited minor extensions to existing dwellings in rural areas will normally be acceptable", so the presumption is in favour of the proposal. Its siting is wholly appropriate, located as it is to be above a previous extension permitted by Wokingham District Council (WDC).

The reason for refusal (No.1) refers to "the erosion of the gap and landscape views between this development and that of the neighbouring properties". The appellants can see no significance in the gap between these two properties, provided the amenities of both are not diminished, which they are not. The LPA's evidence of landscape views, (from where to where and enjoyed by whom?) which would be eroded by a first floor extension on an existing single storey building, is eagerly awaited.

In dealing with any extension the cumulative impact of previous additions needs to be considered. This is a large site, 0.51 hectares, predominantly open, with the developed area, including access, forecourt and open parking areas, restricted to the front right corner (0.15 hectares or 29% of the site area). Further, cumulative development should properly be directed to this area to protect the open character of the remaining 71% of the site.

Loddon Area LP LBE1:- this policy deals with design. Although it is cited in the reason for refusal, the reason itself it not critical of the design of the extension. It extends an existing hipped roof using matching materials, fenestration and detailing. It is appropriate to the scale and character of the building to which it would be attached and is therefore appropriate to the area. It would make a positive contribution to the house and to its setting and would not detract from the wider views of the site. It would create a safe and attractive environment, and, being for bedroom use, it is appropriately located at first floor level. The landscape features of the sites, notably the open garden area and the vegetation which encloses the site, are not affected.

There is, therefore, no conflict with LBE1.

Loddon Area LP LBE2:- this too deals with design. The character of the area is at issue. The wider area is clearly characterised by its open, rural appearance and agricultural use. This is not disputed. What is contested is the assertion that this extension would so impinge upon that open, rural character that it should not be permitted. The more immediate and, therefore, the more relevant character is formed by two large houses, close to one another and both with numerous outbuildings/extensions and large plots. The character is repeated further along Charvil Lane by the two other houses, "Gowan Lea" and "Medwyn". In terms of the character of the areas, the gap between "Byways" and "Gowan Lea" might be significant, but the gap between "Byways" and "Charfield Cottage", such as it is, does not contribute to the character of the area. The relationship between the two sites and the two buildings is not affected by the proposal. The siting, scale, form, massing, materials, colours and texture of the extension would be detrimental to neither of the two houses, nor would it adversely affect the character of the area.

WOKINGHAM DISTRICT LOCAL PLAN (WDLP): - this is not an adopted local plan, hence the continued reliance on the Loddon Area plan. Its policies therefore carry less weight.

Cont/d.....

WDLP –WOS2: this is a general principle policy which states that development outside defined settlements will only be allowed in exceptional circumstances. The relevance of this policy depends upon what it means by "development". As will be seen later, policy WCC7 allows that extensions to dwellings outside settlements will be allowed. WOS2 is clearly not intended to preclude development in the form of domestic extensions. Its relevance to this appeal is therefore questioned.

WDLP – WOS3: this policy establishes development control principles. The appeal proposal satisfies each of the six criteria

a) it is appropriate in scale and activity to the residential character of the area in which it is situated and it is integrated into its local, domestic context without detriment to the adjoining land use, also domestic, and its occupiers;

b) it has no significant detrimental impact on any important man-made, landscape or nature conservation features;

c) the question of mode of transport does not arise in this context;

d) there is no impact on road safety or traffic related issues;

e) the question of use by disabled persons does not arise;

f) the design is of high quality and its local context, repeated from policy LBE2, is not affected.

WDLP – WCC2:- this policy deals with Green Gaps and is therefore pertinent to the appeal, as the site lies within one such gap, between Sonning/Woodley and Charvil. The relevant extract from the Proposals Map is attached.

The purpose of the Green Gap is to "maintain a clear separation of settlements within the plan area". The suggestion that a house extension would undermine this purpose is wholly refuted. Domestic extensions of 60 sq.m. would generally be permitted in the Green Belt where control is more rigorously asserted. It is not the purpose of this policy to prevent the extension of existing houses. The gap between two existing houses is not "essential to the maintenance of a physical and visual separation between distinct settlements" and the extension of one of those houses would not undermine the one mile of countryside between Sonning and Charvil.

WDLP-WCC7:- as noted above, this policy presumes in favour of extensions in the countryside, even in Green Gaps. There are three provisos, none of which apply in this case.

a) No adverse impact on the undeveloped character of the surrounding countryside – the extension would be above an existing building, in a built-up, domestic envelope adjacent to another residential property which in turn lies between it and the open countryside. It can have no possible effect upon the character of the area.

Cont/d.....

b) Scale of development: - a large house on a large plot exists and, by comparison, a modest extension in the already developed part of the site is proposed. The change in the scale of the dwelling, in respect of the property itself and of the overall plot, will not be significant.

c) Content of development: - the development takes the form of an appropriately scaled, designed and detailed extension.

CONCLUSIONS

To cite seven policies in refusing to permit the extension of a domestic house is excessive and devalues the development plan led planning process. When some of the those policies are not relevant and when those that are are not breached by the proposal, the system is discredited. While LPAs are encouraged to put their decisions into a policy context, these policies represent a gross overstatement of the case and the Inspector is asked to conclude that their limited relevance should not prevent the proper grant of planning permission in this instance.

I look forward to receiving the LPA's statement in the next few days and will respond to it in due course.

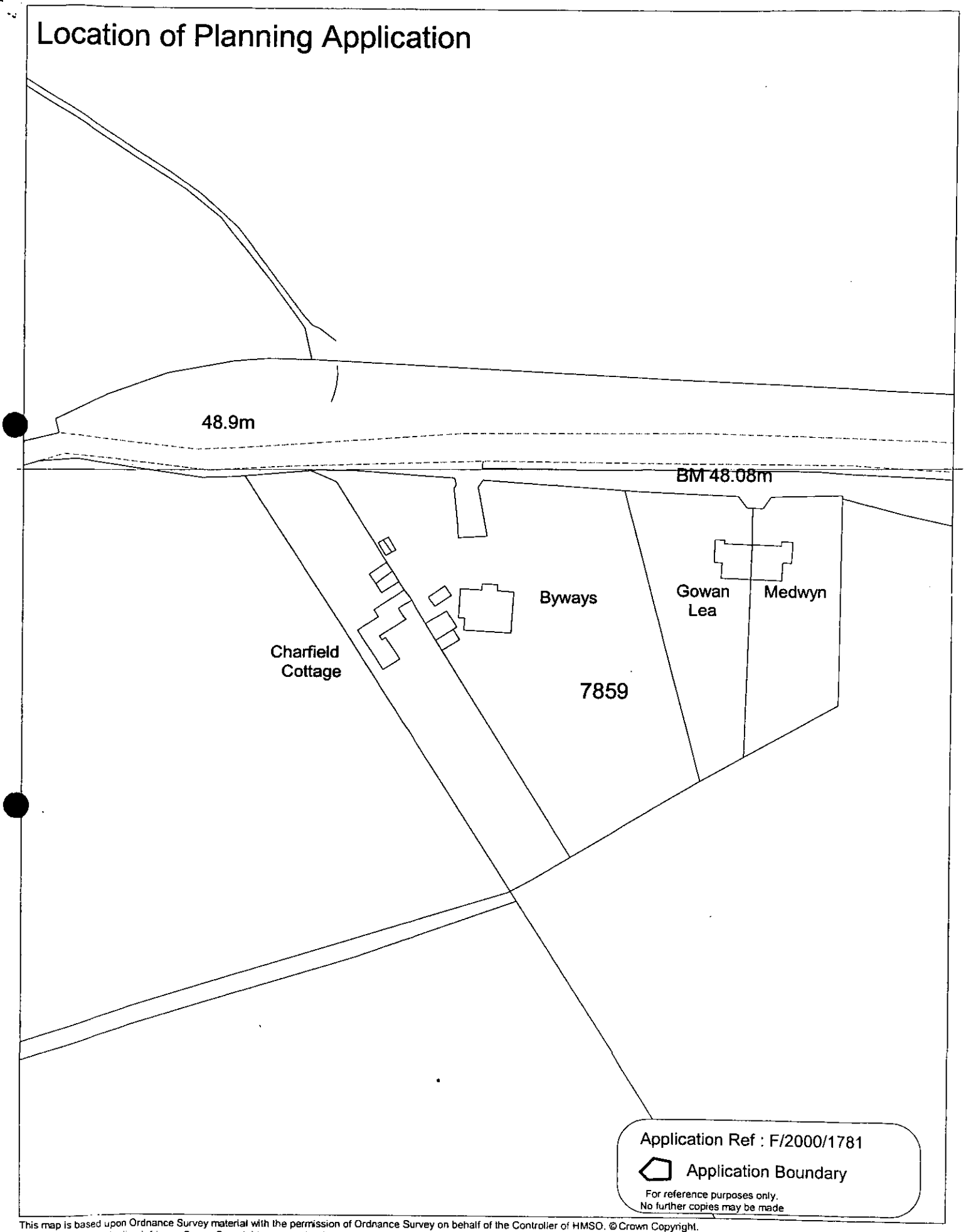
Yours faithfully

Mark Thackeray
BSc (Hons) DipTP MRTPI
BOURNE END OFFICE

Encl.

Appendix 1

Location of Planning Application



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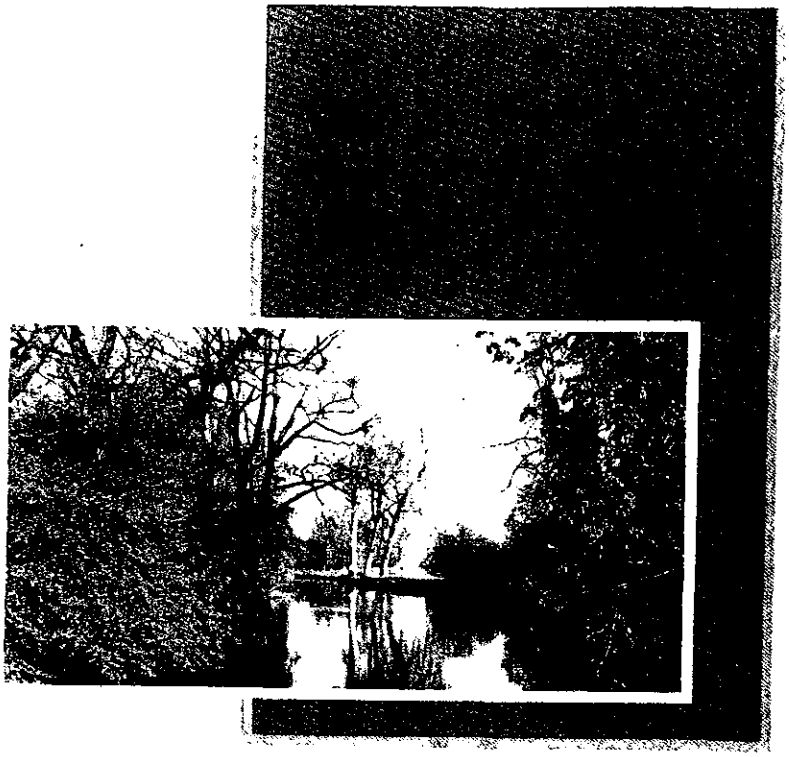
Development Control Section, Environmental Services, Wokingham District Council.
19 March 2001

Scale: 1 : 1250

N W E S

Appendix 2



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





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3.7 Sustainable levels, forms and locations for development are therefore sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within the environmental and other limits described in Chapter 2.

3.8 This approach is considered appropriate in view of :

- the limited capacity of the County to absorb further development;
- the need to husband land so that there is scope for development beyond 2006;
- the cumulative impact of development on existing communities, on the transport network and on pollution;
- the extent of existing commitments;
- uncertainties as to the timing and extent of recovery from the recent recession;
- changing economic factors which may affect people's aspirations and ability to form new households in separate accommodation;
- emphasis in the Regional Guidance on sustainable development, respecting environmental constraints and reducing rates of development in the west of the region.

3.9 Wthin this framework it is intended that scope and flexibility should be provided for helping to meet local housing needs, to secure and maintain a balanced local economy and to allow the provision of a wide range of job opportunities.

The Overall Strategy

Policy OS1 **The overall strategy of the Plan is to seek sustainable development and improvement to the quality of life in Berkshire by pursuing the following objectives :**

(i) to restrain development to levels that respect the limits set by environmental, infrastructure and other constraints upon the development of land;

(ii) to give priority within (i) to meeting Berkshire's economic and social needs, including the provision of low-cost housing and wider employment opportunities;

(iii) to protect and enhance the character and quality of Berkshire's landscape, environment and heritage;

(iv) to steer development to locations which minimise the need for travel and can be well served by public transport;

(v) **to conserve natural resources;**

(vi) **to minimise pollution;**

(vii) **to seek improvements to infrastructure, services and amenities;**

(viii) **to promote an appropriate balance between all forms of transport by continuing to develop an integrated transport strategy.**

MAIN THEMES OF THE STRATEGY

3.10 The main themes of the Structure Plan strategy are outlined below and developed in more detail in subsequent chapters. Environmental concerns are reflected in policies in all sections of the Plan. References to policies in the Plan of particular relevance are listed under each sub-heading.

Restraining Levels of Growth

3.11 The Plan seeks to keep growth down to levels which can be accommodated within the limits set by environmental, infrastructure and other considerations (Policies OS1; LD1, LD3, LD6, LD7; H1, H2; BU1; TC1; R1; M1, M3).

3.12 A restrained level of growth will generally take less open land for development, generate less traffic and waste and help towards reducing pollution, energy consumption, the depletion of water resources and the demand for minerals and aggregates. It will also allow more scope for catching up in the provision of social and physical infrastructure (subject to the environmental acceptability of proposals and availability of the necessary resources).

3.13 This approach is in line with key objectives in the regional planning guidance for the South East, in which it is suggested that levels of development should respect the region's valuable environmental features and avoid the wasteful use of land and other natural resources. The regional guidance also states that a reducing rate of growth is appropriate in the west of the region to enable infrastructure and services to catch up with rapid rates of development in the recent past.

3.14 The overall housing provision for the period 1991-2006 was increased by the County Council from 37,000 to 40,000 dwellings in response to a direction issued by the Secretary of State for the Environment on 29 June 1995. While the Council has welcomed the fact that the Secretary of State has not pressed it to accept the total of 48,000 dwellings recommended by the Panel which conducted the Examination in Public in 1993, it remains concerned that increasing the provision above 37,000 dwellings could have serious environmental consequences contrary to the overall objectives of the Structure Plan.

Oxfordshire Strategy

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

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

The Environment of the Built-up Areas

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

Protection and Enhancement of the Environment of Built-Up Areas

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

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

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

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

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

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

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

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

Environmental Nuisance

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

Protection from Environmental Nuisance

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

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

Flooding

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

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire
RG40 1WR

REDEVELOPMENT AND EXTENSIONS IN RURAL AREAS

1.3.46 Within rural areas existing buildings will be the subject of proposals for redevelopment or extension. In some cases these will be large residential properties set in extensive grounds. There will be a presumption in favour of a continuation of residential use, in accordance with policy LH3, especially where the buildings are of architectural and historical importance. In some cases larger properties may be converted into smaller self-contained units in accordance with policy LH4. This will provide for the growing number of smaller households.

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

❖ LC18 REPLACEMENT DWELLINGS IN RURAL AREAS

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

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

B) THE SITING AND DESIGN OF THE NEW DEVELOPMENT HAS THE MINIMUM IMPACT ON THE RURAL ENVIRONMENT AS REQUIRED BY POLICY LC15;

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

1.3.48 Within the rural areas only minor extensions to existing dwellings will normally be permitted, consistent with Policy EN1 of the Replacement Structure Plan for Berkshire. The cumulative effect of large extensions to existing dwellings would lead to an increasingly urbanised appearance of the countryside, and reduce the range of house types available in the rural areas. Extensions to buildings in other uses will be treated on their merits, but generally the District Council will adopt a similar approach, and will be particularly concerned to see that the requirements of policy LC15 are observed.

❖ LC19 EXTENSIONS TO EXISTING DWELLINGS IN RURAL AREAS

APPROPRIATELY DESIGNED AND SITED MINOR EXTENSIONS TO EXISTING DWELLINGS IN RURAL AREAS WILL NORMALLY BE ACCEPTABLE. MAJOR EXTENSIONS OR ANY PROPOSAL WHICH HAS AN ADVERSE IMPACT ON THE RURAL ENVIRONMENT WILL GENERALLY NOT BE APPROVED. WHERE A DWELLING HAS ALREADY BEEN EXTENDED THE CUMULATIVE EFFECT OF ALL OF THE EXTENSIONS TO THE ORIGINAL BUILDING WILL BE TAKEN INTO ACCOUNT.

1.4 QUALITY AND 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 development, 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. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers. 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 the 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 proposing 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 or required to establish the wider context within which applications will be considered.

❖ LBE1 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.

❖ LBE2 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 ING, 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 also to seek opportunities to nhance the quality of the built environment.

1.4.05 Often the more attractive and successful an 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, district and local shopping centres in particular, where large scale redevelopment 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.

❖ LBE3 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.

❖ LBE4 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.

❖ LBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND REFURBISHMENT THE DISTRICT COUNCIL WILL

Appendix 3

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

Published by: Wokingham District Council
Planning Department
Shute End
Wokingham
Berkshire

REDEVELOPMENT AND EXTENSIONS IN RURAL AREAS

1.3.46 Within rural areas existing buildings will be the subject of proposals for redevelopment or extension. In some cases these will be large residential properties set in extensive grounds. There will be a presumption in favour of a continuation of residential use, in accordance with policy LH3, especially where the buildings are of architectural and historical importance. In some cases larger properties may be converted into smaller self-contained units in accordance with policy LH4. This will provide for the growing number of smaller households.

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

❖ LC18 REPLACEMENT DWELLINGS IN RURAL AREAS

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

A) THE EXISTING BUILDING IS NOT C ARCHITECTURAL OR HISTORIC INTEREST;

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1.4 QUALITY AND 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 development, 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. For particularly sensitive areas, design briefs will be prepared to provide a framework for design to guide prospective developers. 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 the 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 proposing 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 or required to establish the wider context within which applications will be considered.

❖ *LBE1 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.

❖ LBE2 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 ING, 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 also to seek opportunities to enhance the quality of the built environment.

1.4.05 Often the more attractive and successful an 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, district and local shopping centres in particular, where large scale redevelopment 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.

❖ LBE3 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.

❖ LBE4 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.

❖ LBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND REFURBISHMENT THE DISTRICT COUNCIL WILL

Appendix 4



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

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

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. **(PA 1/5)**

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.

2.29 Major development in the wider tracts of open countryside could create further development pressures leading to the coalescence of settlements. The open land between Wokingham and Crowthorne to the east of the Reading/Guildford railway line is subject to particular pressures and is therefore identified in the Structure Plan supporting text (para. 5.28) to Policy C6. The Council will continue to protect the wider tracts of open countryside between other settlements, such as between Wokingham, Hurst and Twyford *AND THE LODDON VALLEY BETWEEN ABORFIELD CROSS AND SHINFIELD.* **(PA 2/10)**

POLICY WCC2: GREEN GAPS AND WEDGES (OUTSIDE THE METROPOLITAN GREEN BELT)

IN SEEKING TO MAINTAIN A CLEAR SEPARATION OF SETTLEMENTS WITHIN THE PLAN AREA, DEVELOPMENT WILL NOT BE PERMITTED IN THE GREEN GAPS AND WEDGES THAT WOULD AFFECT OR DETRACT FROM THEIR OPEN OR COUNTRYSIDE APPEARANCE AND CHARACTER. THESE AREAS ARE OF SPECIAL SIGNIFICANCE BECAUSE THEY ARE ESSENTIAL TO THE MAINTENANCE OF A PHYSICAL AND VISUAL SEPARATION BETWEEN DISTINCT SETTLEMENTS AND THE COUNTRYSIDE SETTING THEY PROVIDE FOR THEM.

EXISTING SETTLEMENT BOUNDARY FEATURES SUCH AS WOODLANDS, COPSES AND HEDGEROWS SHOULD BE RETAINED AND, WHERE POSSIBLE, ENHANCED. POSITIVE MANAGEMENT OF LANDSCAPE FEATURES THAT CONTRIBUTE TO THE SEPARATION OF SETTLEMENTS WILL BE ENCOURAGED.

ANY DEVELOPMENT ADJOINING AREAS IMPORTANT TO THE SEPARATION OF SETTLEMENTS MUST NOT UNDERMINE THOSE BOUNDARY FEATURES IMPORTANT TO THE LANDSCAPE.

THE GREEN GAPS AND WEDGES ARE IDENTIFIED ON THE PROPOSALS MAP.

Implementation: The development control process, encouragement and advice to landowners.

Monitoring: Impact of planning consents and number of positive management actions achieved.

Central Berkshire Forest

2.30 This Council has been developing the principles of landscape enhancement on the edges of the built-up areas through its Community Woodland programme in the Loddon Valley. The Berkshire Structure Plan 1991 - 2006 includes a proposal for a 'new forest' in the central part of Berkshire. *THIS WILL INVOLVE INCREASED TREE COVER AND SHOULD ALSO INCLUDE A RICH VARIETY OF OTHER USES SUCH AS FARMLAND, HEATH AND MEADOWS. THE FOREST SHOULD AFFORD OPPORTUNITIES FOR RECREATION, WILDLIFE AND THE DIVERSIFICATION OF FARMING ACTIVITIES.* **[A3]**

2.31 A study has been undertaken of how and where the Community Woodland concept can be expanded into other areas where there would be a positive benefit from an increase in tree cover and thereby contribute to the concept of the new forest. The study has established a search area, outside the Metropolitan Green Belt, which includes:

a) the Earley sectors of the Community Woodland
b) the critical gaps between Woodley, Earley and Winnersh
c) the mineral degraded landscapes of the middle Loddon Valley
d) the Lower Loddon, between the A4 and the Thames
e) weak settlement edges and areas important to the setting and separation of settlements
f) the A329(M) and M4 corridors.

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

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

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

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

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

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

WHERE SUCH A DWELLING IS JUSTIFIED THE COUNCIL WILL ENSURE:

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

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

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

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Extensions to Existing Dwellings in the Countryside

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

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

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

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

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

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

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

Implementation: The development control process.

Monitoring: Planning applications determined.

PROTECTING AND MANAGING THE LANDSCAPE

INTRODUCTION

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

2.44 Landscape is important because it is:

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

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

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

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

Appendix 5

CONDITIONS IN THE EVENT OF THE APPEAL BEING ALLOWED

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

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

2. All new external work shall be carried out in materials that match in size, colour and texture, those of the existing building.

   Reason: To ensure a satisfactory external appearance.

4. No work of any sort shall take place between the hours of 18.00 and 08.00 Mondays to Fridays and 13.30 to 08.00 Saturdays and no work shall take place on Sundays or Bank Holidays.

   Reason: In the interests of the amenities of the occupants of this property and other properties nearby.

5. The bathroom windows in the south elevation of the development hereby permitted, shall not at any time be glazed other than with obscure glass. Any openings should be restricted to top hung fanlights only.

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

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

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

The Planning Inspectorate

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

Your Ref: F/2000/1781

Our Ref: APP/X0360/A/01/1059345

Date: 4 May 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR J S BRAR
SITE AT BYWAYS, CHARVIL LANE, SONNING, NR READING

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 Groves

217L(BPR)

PLANNING SERVICES RPT 42998
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CS DG
08 MAY 2001
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CLIFF WALSINGHAM & Company

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Our Ref: MT/LB/B73/00
3rd May 2001

Planning Inspectorate
3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
Attn: Miss A Groves

RECORDED DELIVERY

Your Ref: APP/X0360/A/01/1059345

Dear Sirs

Appeal by J S Brar
"Byways", Charvil Lane, Sonning, Nr Reading

I refer to the LPA's evidence received on 20 April and to my letter of 12 April which referred to the policies originally cited by Wokingham D.C. I should like to make the following further points on behalf of the appellant.

The listed planning history (para 2.1) though correct, might be misleading inasmuch as not all of these permissions were implemented. From the list the garage approved in 1956 has gone, if indeed it was ever built, and was replaced by the triple garage approved in 1985. The single storey extension from 1990 was never built. The first of the 1997 permissions (97/65130/F) was not built as it was an alternative to 97/66131/F which was built. Similarly, the pool room approved in October 1997 (97/66326/F) was not built but its successor was (98/66925/F).

The description of the proposal in para 4.2 might be misleading in respect of the heights identified. While these are correct as totals, the extension does not account for all of these because the ground floor (3.2 metres high) already exists. The proposal therefore increases the height of an existing structure by 2.2 metres to the eaves. The major part of the additional overall height will be in the form of the roof, which replaces the existing flat roofed element.

The suggestion that the house has already been extended by 60% is misleading for a number of reasons. Firstly, the triple garage should not be counted. At the time that it was built it was more than 5 metres from the dwellinghouse and would normally have been permitted development. It only required permission because the set back of the house from the road meant that the garage was between it and the road and therefore excluded from rights normally obtained under the General Development Order. As it is in fact more than 20 metres from the highway, it may well still have been permitted development, making the application unnecessary. This building (60 sq.m) should not be classed as an extension for this reason and because it is ancillary to the enjoyment of the dwellinghouse and not a part of the living accommodation. Secondly, the single storey extension (about 70 sq.m) replaced an older pre-1947 structure (34 sq.m.), a net increase of only 36 sq.m. Lastly, the pool room required permission by reason of its height and proximity to the house, but a slightly lower building more than five metres from the house would have been permitted development. It is detached from the house and incidental rather than integral to its use as a family dwellinghouse.

Cont/d.....

The previous enlargement of this house has therefore been overplayed by the LPA. Even if this were not the case, we now have a development plan-led planning system and not one that is "rule of thumb" – led, as suggested in para 4.2. The LPA is correct in describing "Byways" as a large house located in a spacious setting. The proposed extension would have no adverse impact on either the character/appearance of the house or on its spacious setting.

From the above it can be deduced that the house that existed when planning records began has not been appreciably enlarged. Excluding the garages and the swimming pool, ignoring the extensions that were not built and taking into account the structure that were replaced by the family room the net increase in living space over this period has only been about 40 sq.m. or 10% of the 1947 dwelling. The original house would have been about 390 sq.m, the gross increase in the family room was 70 sq.m. (as noted above) and the garages are 60 sq.m, making the 520 sq.m. referred to in my last letter. The proposed extension (60 sq.m.) and the net gain in the 1997 addition (40 sq.m.) therefore increases the original house by only 26%.

The LPA has submitted no evidence, not even a photograph, to support its claim that the proposed extension would have a detrimental impact on the Green Gap. On the contrary the house cannot be seen from Charvil Lane, except as a fleeting glimpse through the driveway and it cannot be seen at all from outside the site from any other public vantage point. The extensive tree cover precludes views of the property in all directions, even from the privately owned fields to the rear of the property. The Inspector will see on the site visit that this is a secluded property the presence of which is not readily apparent from outside its curtilage.

The gap between "Byways" and "Charfield Cottage" is not significant in the context of the Green Gap identified in the Draft Local Plan. The LPA have not alleged a loss of visual or residential amenity to either property and there has been no objection from "Charfield Cottage". These houses benefit from their longstanding location in what has become known as a Green Gap, but the extension of either property, at ground or first floor level, does not in any way detract from the appearance, character, significance or status of the Gap.

The LPA has produced no evidence to support its contention that this proposal would be in breach of two structure plan and six local plan policies. Their "rule of thumb" has no status in policy and no basis in fact. The interpretation of the site's planning history and the calculations regarding the prior enlargement of the house are at best misleading and at worst beset by factual and mathematical inaccuracies. There were and are no grounds for withholding planning permission.

As regards the suggested conditions, I see no compelling reason for any of them apart from the statutory one, though I have no objection to them. The application form stipulated materials to match the existing so this would surely be implicit in any unconditional consent. Bathroom windows invariably have obscured glass, so a condition is probably superfluous. The extent and nature of the capacity of this window to be opened is not significant, given that the outlook from the window is away from "Charfield Cottage" itself. There is no proposal and no need to insert a window in the west elevation of the extension though if their was it would probably not develop at all. If the Inspector finds that these conditions meet the tests in Circular 11/95, then the appellant has no problem in accepting them.

Cont/d.....

A second copy of this letter is enclosed for the LPA. I hope that the Inspector finds the comments helpful.

Yours faithfully

pp

Mark Thackeray
BSc Dip TP MRTPI
BOURNE END OFFICE

cc. J S Brar

The Planning Inspectorate

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

Your Ref: F/2000/1781

Our Ref: APP/X0360/A/01/1059345

Date: 8 May 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR J S BRAR
SITE AT BYWAYS, CHARVIL LANE, SONNING, NR READING

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PLANNING SERVICES RPT 43043
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CS DC
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Yours faithfully

Miss A Groves

217L(BPR)

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With Compliments

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Our Ref: MT/LB/B73/00
3rd May 2001

Planning Inspectorate
3/03 Kite Wing
Temple Quay House
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Attn: Miss A Groves

RECORDED DELIVERY

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The listed planning history (para 2.1) though correct, might be misleading inasmuch as not all of these permissions were implemented. From the list the garage approved in 1956 has gone, if indeed it was ever built, and was replaced by the triple garage approved in 1985. The single storey extension from 1990 was never built. The first of the 1997 permissions (97/65130/F) was not built as it was an alternative to 97/66131/F which was built. Similarly, the pool room approved in October 1997 (97/66328/F) was not built but its successor was (98/66925/F).

The description of the proposal in para 4.2 might be misleading in respect of the heights identified. While these are correct as totals, the extension does not account for all of these because the ground floor (3.2 metres high) already exists. The proposal therefore increases the height of an existing structure by 2.2 metres to the eaves. The major part of the additional overall height will be in the form of the roof, which replaces the existing flat roofed element.

The suggestion that the house has already been extended by 60% is misleading for a number of reasons. Firstly, the triple garage should not be counted. At the time that it was built it was more than 5 metres from the dwellinghouse and would normally have been permitted development. It only required permission because the set back of the house from the road meant that the garage was between it and the road and therefore excluded from rights normally obtained under the General Development Order. As it is in fact more than 20 metres from the highway, it may well still have been permitted development, making the application unnecessary. This building (60 sq.m) should not be classed as an extension for this reason and because it is ancillary to the enjoyment of the dwellinghouse and not a part of the living accommodation. Secondly, the single storey extension (about 70 sq.m) replaced an older pre-1947 structure (34 sq.m.), a net increase of only 36 sq.m. Lastly, the pool room required permission by reason of its height and proximity to the house, but a slightly lower building more than five metres from the house would have been permitted development. It is detached from the house and incidental rather than integral to its use as a family dwellinghouse.

Cont/d.....

The previous enlargement of this house has therefore been overplayed by the LPA. Even if this were not the case, we now have a development plan-led planning system and not one that is "rule of thumb" – led, as suggested in para 4.2. The LPA is correct in describing "Byways" as a large house located in a spacious setting. The proposed extension would have no adverse impact on either the character/appearance of the house or on its spacious setting.

From the above it can be deduced that the house that existed when planning records began has not been appreciably enlarged. Excluding the garages and the swimming pool, ignoring the extensions that were not built and taking into account the structure that were replaced by the family room the net increase in living space over this period has only been about 40 sq.m. or 10% of the 1947 dwelling. The original house would have been about 390 sq.m, the gross increase in the family room was 70 sq.m. (as noted above) and the garages are 60 sq.m, making the 520 sq.m. referred to in my last letter. The proposed extension (60 sq.m.) and the net gain in the 1997 addition (40 sq.m.) therefore increases the original house by only 26%.

The LPA has submitted no evidence, not even a photograph, to support its claim that the proposed extension would have a detrimental impact on the Green Gap. On the contrary the house cannot be seen from Charvil Lane, except as a fleeting glimpse through the driveway and it cannot be seen at all from outside the site from any other public vantage point. The extensive tree cover precludes views of the property in all directions, even from the privately owned fields to the rear of the property. The Inspector will see on the site visit that this is a secluded property the presence of which is not readily apparent from outside its curtilage.

The gap between "Byways" and "Charfield Cottage" is not significant in the context of the Green Gap identified in the Draft Local Plan. The LPA have not alleged a loss of visual or residential amenity to either property and there has been no objection from "Charfield Cottage". These houses benefit from their longstanding location in what has become known as a Green Gap, but the extension of either property, at ground or first floor level, does not in any way detract from the appearance, character, significance or status of the Gap.

The LPA has produced no evidence to support its contention that this proposal would be in breach of two structure plan and six local plan policies. Their "rule of thumb" has no status in policy and no basis in fact. The interpretation of the site's planning history and the calculations regarding the prior enlargement of the house are at best misleading and at worst beset by factual and mathematical inaccuracies. There were and are no grounds for withholding planning permission.

As regards the suggested conditions, I see no compelling reason for any of them apart from the statutory one, though I have no objection to them. The application form stipulated materials to match the existing so this would surely be implicit in any unconditional consent. Bathroom windows invariably have obscured glass, so a condition is probably superfluous. The extent and nature of the capacity of this window to be opened is not significant, given that the outlook from the window is away from "Charfield Cottage" itself. There is no proposal and no need to insert a window in the west elevation of the extension though if their was it would probably not be development at all. If the Inspector finds that these conditions meet the tests in Circular 11/95, then the appellant has no problem in accepting them.

Cont/d.....

A second copy of this letter is enclosed for the LPA. I hope that the Inspector finds the comments helpful.

Yours faithfully

Mark Thackeray
BSc Dip TP MRTPI
BOURNE END OFFICE

cc. J S Brar

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr J S Brar
SITE: Byways Charvil Lane, Sonning
APPLICATION NO.: 1781
PROPOSAL: Proposed 1st floor extension to dwelling

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Sonning

Mr N D Rose

Clerk(s) of Parish / Town Council of Sonning

Mrs L Bates, Council Office, Pearson Rd, Sonning, RG4 6UL

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

CPRE, c/o Dr Wilford, 17 Copse Drive, WOKINGHAM, Berkshire, RG41 1NA

Applicationo	Name & Address
F/2000/1781	P Sheering Charfield Cottage Charvil Lane Sonning RG40 3QS

App. refused
Letter sent 30/10/00

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT: **Mr J Brar**

APPEAL SITE: **Byeways, Charvil Lane, Sonning**

REASON FOR APPEAL: **Refusal of planning permission for first floor side extension.**

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/1781

DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE: APP/X0360/A/00/1059345

1.0 LOCATION AND SITE DESCRIPTION

1.1 The site is located on Charvil Lane, Sonning. (See appendix 1 for location plan, scale 1:1250). The surrounding dwellings in the area consist of detached houses and garages and semi-detached houses.

1.2 The appeal site is located within a designated policy Green Gap and countryside area in the Parish of Sonning. The site consists of a detached house of brick, render and tile. There have been several previous applications relating to this site as shown below. This particular application consists of a first floor side extension.

2.0 RELEVANT PLANNING HISTORY

2.1 The relevant planning history consists of:

Appl.	Description of development	Decision
246/56	Garage	Approve 08.05.56
23998	Triple garage	Approve 14.08.85
36121	Single storey extension	Approve 14.08.90
97/65130/F	Single storey extension	Approve 25.03.97
97/66131/F	Single storey extension	Approve 09.10.97
97/66328/F	S/storey detached pool room	Approve 24.10.97
98/66925/F	Single storey swimming pool & changing rooms	Approve 24.02.98
F/2000/1781	First floor side extension	Refuse 25.10.00

2.2 On the 25 October 2000, planning permission was refused for the following reasons:

> ***The proposal, if permitted, would, as a result of its bulk, massing and location, result in the erosion of the gap and landscape views between this development and that of the neighbouring property, Charfield Cottage. Therefore, the development would be detrimental to the character and appearance of the Green Gap and countryside. This proposal would be contrary to policies OS1 and EN1 of the Berkshire Structure Plan, LC19, LBE1 and LBE2 of the Loddon Area Local Plan and WCC2, WCC7 and WOS3 of the Wokingham District Local Plan.***
>
> ***This proposal, if permitted, would, by virtue of its bulk and massing along with the cumulative effect of previous extensions, have a detrimental impact on the surrounding countryside and Green Gap. Therefore, the proposal would be contrary to policies OS1 and EN1 of the Berkshire Structure Plan, policies LC19, LBE1 and LBE2 of the Loddon Area Local Plan and WCC2, WCC7 and WOS3 of the Wokingham District Local Plan.***

2.3 This refusal of planning permission forms the subject of the present appeal.

3.0 POLICY BACKGROUND

3.1 Berkshire Structure Plan 1991 – 2006

3.2 OS1 – *The Overall Strategy* (See appendix 2) and EN1 – *The protection and enhancement of the Environment of built up areas*, are relevant in the consideration of this appeal.

3.3 Loddon Area Local Plan (Adopted 5 May 1995)

The Loddon Area Local Plan forms the statutory basis for the operation of planning policy in this part of the District. The planning and Transportation Committee at their meeting on the 21 November 1996 resolved to reaffirm the decisions of the committee and the Council in relation to the current adopted Local Plans and to note that they will

continue to carry weight as the most up-to-date adopted policies, except in relation to housing provision.

3.4 LBE2 - *Inappropriate design,* LC19 – *Extensions to existing dwellings in rural areas* and LBE1 – *Design of new development* (See appendix 3) are relevant in the consideration of this appeal.

3.5 Wokingham District Local Plan (Deposit Draft 1997)
The draft Wokingham District Local Plan (WDLP) was placed on deposit from 21 October to 2 December 1997 and has formed the basis for the development control decisions since 21 October 1997. The County Council issued a statement of general conformity with the structure plan in May 1997. The public Local Inquiry into the plan commenced in October 1998.

3.6 WCC2 – *Green Gaps and wedges (outside the metropolitan Green Belt),* WCC7 – *Extensions to dwellings in the countryside (outside the metropolitan Green Belt), and* WOS3 – Development Control Principles, (See appendix 4) are relevant in consideration to this appeal.

4.0 THE CASE FOR THE LOCAL PLANNING AUTHORITY

4.1 It is submitted that the appeal proposal is unacceptable by virtue of its detrimental impact on the character and appearance of the Green Gap and the countryside.

4.2 The proposed side extension has a width of 5.5 metres, a depth of 10.2 metres, and a height of 5.4 metres to the eaves and 9.2 metres to the ridge, some 1.2 metres lower than the roof of the original dwelling.
The dwelling is situated within the Green Gap and countryside in the Parish of Sonning. It is a large house located in a spacious setting. A rule of thumb used for extensions in such designated areas allows for an overall increase in floor area of not more than 50%. Over the years, there have been various extensions to this property, some of which have been carried out before 1947 and, therefore, are exempt from such calculations. The additions resulted in an increase of 60% over the years, but planning permission was granted for these as they were single storey, thereby reducing their impact on the surrounding area. However, the first floor proposal, which is located over part of the

recent extensions, would create an additional 10% increase in the floor area. It would also close the gap between this dwelling and that of the neighbouring property, Charfield Cottage. It is, therefore, considered to be of detriment to the character of the Green Gap and surrounding countryside.

4.3 In summary, the proposal, due to its bulk, massing and location, is inappropriate and detrimental to, the character of the Green Gap and surrounding countryside.

4.4 For the above reasons, the proposals are contrary to policies OS1 and EN1 of the Berkshire Structure Plan, policies LC19, LBE1 and LBE2 of the Loddon Area Local Plan and WCC2, WCC7 and WOS3 of the Wokingham District Local Plan.

5.0 CONCLUSION

5.1 In conclusion, it is considered that the proposed development, as a result of its bulk, massing and location, would have an adverse impact detrimental to, and out of character with, the Green Gap and surrounding countryside.

5.2 For the above reasons, the Inspector is respectfully requested to dismiss this appeal. (See appendix 5 for suggested conditions.)

Joss Miller
Assistant Planning Officer
Wokingham District Council

LIST OF APPENDICES

1. Location Plan
2. Berkshire Structure Plan Extracts
3. Loddon Area Local Plan Extracts
4. Wokingham District Local Plan Extracts
5. List of Conditions to be Imposed should the Appeal be Allowed

Tel. (0118) 974 6448 (Direct Line)
Date: April 3, 2001
My ref: F/2000/1781
Your ref: APP/X0360/A/01/1059345

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

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

Dear Miss Groves

APPEAL BY: Mr J Brar
SITE: Byways, Charvil Lane, Sonning

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: March 16, 2001
My ref: F/2000/1781
Your ref: APP/X0360/A/01/1059345

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

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

Dear Miss Groves

APPEAL BY: Mr J Brar
SITE: Byways, Charvil Lane, Sonning

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. March 16, 2001
My ref: F/2000/1781
Your ref:MT/LB/B73/00

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

Cliff Walsingham & Co
Bourne House
Cores End Road
Bourne End
Bucks
SL8 5AR

Dear Sirs

APPEAL BY: **Mr J Brar**
SITE: **Byways, Charvil Lane, Sonning**

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

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. March 8, 2001
My ref. F/2000/1781
Your ref.

«Name__Address»

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 S Brar
SITE: Byways, Charvil Lane, Sonning
PROPOSAL: Proposed first floor extension to dwelling

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

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

As your interests may be affected, you can give your views on the appeal in writing to Miss A Groves The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ. You should, if possible, send three copies quoting reference APP/X0360/A/01/1059345. Comments received after 13/04/01 will not normally be seen by the Inspector & will be returned.

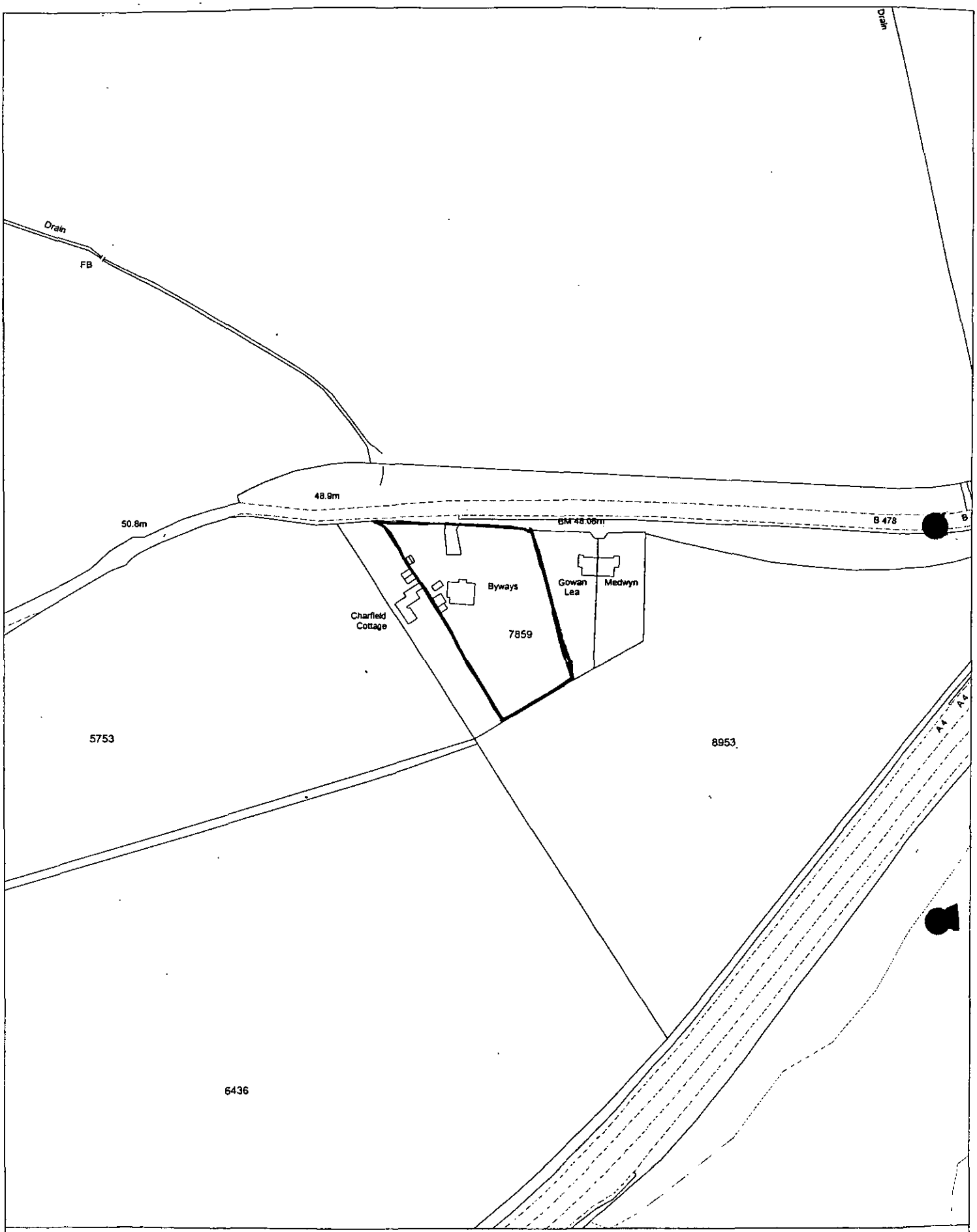
The application, decision notice, and the appellant's grounds of appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 16.00 on Fridays).

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 Miss Groves at the Planning Inspectorate requesting a copy of the decision. Please quote reference APP/X0360/A/01/1059345.

Yours faithfully

Denise Gumbrell
Appeals Assistant



Site Plan, Scale: 1 to 2500

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Date: 8 March 2001

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

40640

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

Your Ref: F/2000/1781

Our Ref: APP/X0360/A/01/1059345

Date: 2 March 2001

COPIES TO:

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR J S BRAR
SITE AT BYWAYS, CHARVIL LANE, SONNING, NR READING

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

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

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

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

Within 2 weeks from the starting date -

You must notify any statutory parties and 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, wherever possible, they must submit 3 copies within **6 weeks of the starting date.** If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.
ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must submit a copy of a completed appeal questionnaire and supporting documents to the appellant and me (including relevant development plan policies when appeals are against non-determination).

Within 6 weeks from the starting date -

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

Within 9 weeks from the starting date -

You and the appellant must submit 2 copies of any final comments on each other's statement and any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement. I will forward the appellant's final comments to you at the appropriate time.

Site visit arrangements

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

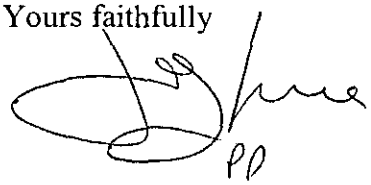
You **must keep to the timetable** set out above and ensure your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. Inspectors will not accept representations at the site visit, nor will they delay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

Planning obligations - Section 106 agreements

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

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

Yours faithfully



Miss A Groves

102(BPR)

The Planning Inspectorate

PLANNING APPEAL FORM

For official use only
Date received

Please send each appeal on a separate form

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

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

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

A. APPELLANT DETAILS

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

Name MR. J.S. BRAR

Address "BYWAYS"
CHARVIL LANE, SONNING
NR READING

Postcode

Your reference

Daytime phone no

Fax no

E-mail address

B. AGENT DETAILS (if any)

Name CLIFF WALSINGHAM + COMPANY

Address BOURNE HOUSE
CORES END ROAD
BOURNE END, BUCKS

Postcode SL8 5AR

Your reference MT/LB/B73/00

Daytime phone no 01628 532244

Fax no 01628 532255

E-mail address mark.thackeray@walsingplan.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM D.C.

Date of the planning application 14-06-00

LPA's application reference no F2000/1781

Date of LPA's decision notice (if issued) 25-10-00

D. APPEAL SITE ADDRESS

Address "BYWAYS" CHARVIL LANE, SONNING

Postcode

National grid reference SU767756

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

DESCRIPTION OF THE DEVELOPMENT

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

FIRST FLOOR EXTENSION CREATING BEDROOM WITH ENSUITE

Size of the whole appeal site (*in hectares*) 0.6

Area of floor space of proposed development *(in square metres)* 58

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

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

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

G. GROUNDS OF APPEAL

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

SEE ATTACHED STATEMENT

G. GROUNDS OF APPEAL (continued)

H. CHOICE OF PROCEDURE

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

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

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

2. HEARING ☐

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

3. INQUIRY ☐

Please give reasons why you think an inquiry is necessary.

APPEAL SITE OWNERSHIP DETAILS

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

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

CERTIFICATE A ☑

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

OR

CERTIFICATE B ☐

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

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

CERTIFICATES C and D ☐

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

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

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

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

OR

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

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

PLEASE SIGN BELOW

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

Signed [signature] (on behalf of) J. S. BRAR

Name (in capitals) M.A. HACKERAY Date 14-2-01

Please turn over

J. ESSENTIAL SUPPORTING DOCUMENTS

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

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

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

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

K. PLEASE SIGN BELOW

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

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

Signed MMac (on behalf of) J.S. BRAR

Name (in capitals) M.A. MACMURRAY Date 14-02-01

Please turn over

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

NOW SEND:

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

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

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid.

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

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

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

5) Tell you our Inspector's decision.

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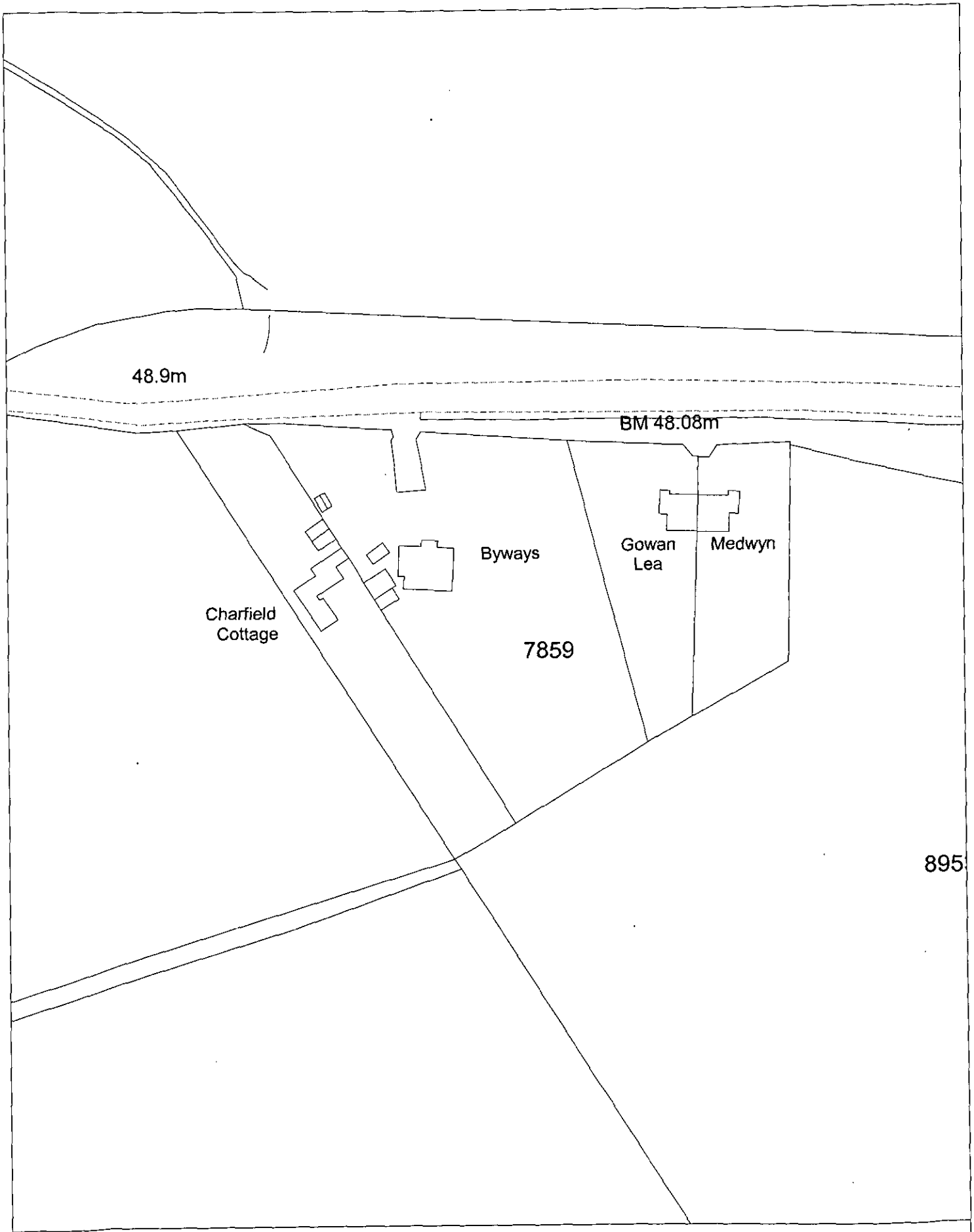
St Clements House
2-16 Colegate
Norwich NR3 1BQ

STATEMENT OF CASE

1. The proposed development is a first floor extension over an existing flat roofed extension. This part of the site is already developed so that there is no significant gap or landscape view between this property and its neighbour. Such open aspect as exists is on the opposite side of the house in the form of an extensive landscaped garden. This space, itself not readily visible from outside the site, is not affected by the proposal.

2. The appeal site is one of four secluded properties on Charvil Lane which itself lies within the designated Green Gap between Charvil and Sonning. It is not Green Belt so there is no presumption against development per se. The purpose of the Green Gap is to maintain a clear separation of settlements. The proposed extension of a domestic property, on land already developed, would not intrude into the Gap, would not detract from the rural character of the area and would not impinge upon the open nature of the area.

3. The gap between "Byways" and "Charfield Cottage" is not significant in strategic terms. Both houses are set back from the road and enclosed by vegetation. For two large houses on two large plots, they are unusually close together, but they are so aligned that their proximity does not detract from their setting or the amenities of the residents. The objection from the LPA does not suggest an adverse impact upon the adjacent house or its occupants. The extension has been so designed as to avoid overlooking and so aligned that any bulk is absorbed into the existing structure. Within the context of its curtilage the house, extended, would not be unduly large and the extension would not dominate the original dwelling. The fact that the house has been extended previously is of no relevance, except to say that the LPA has permitted its extension within the Green Gap.



Site Plan, Scale: 1 to 1250

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Date: 8 March 2001

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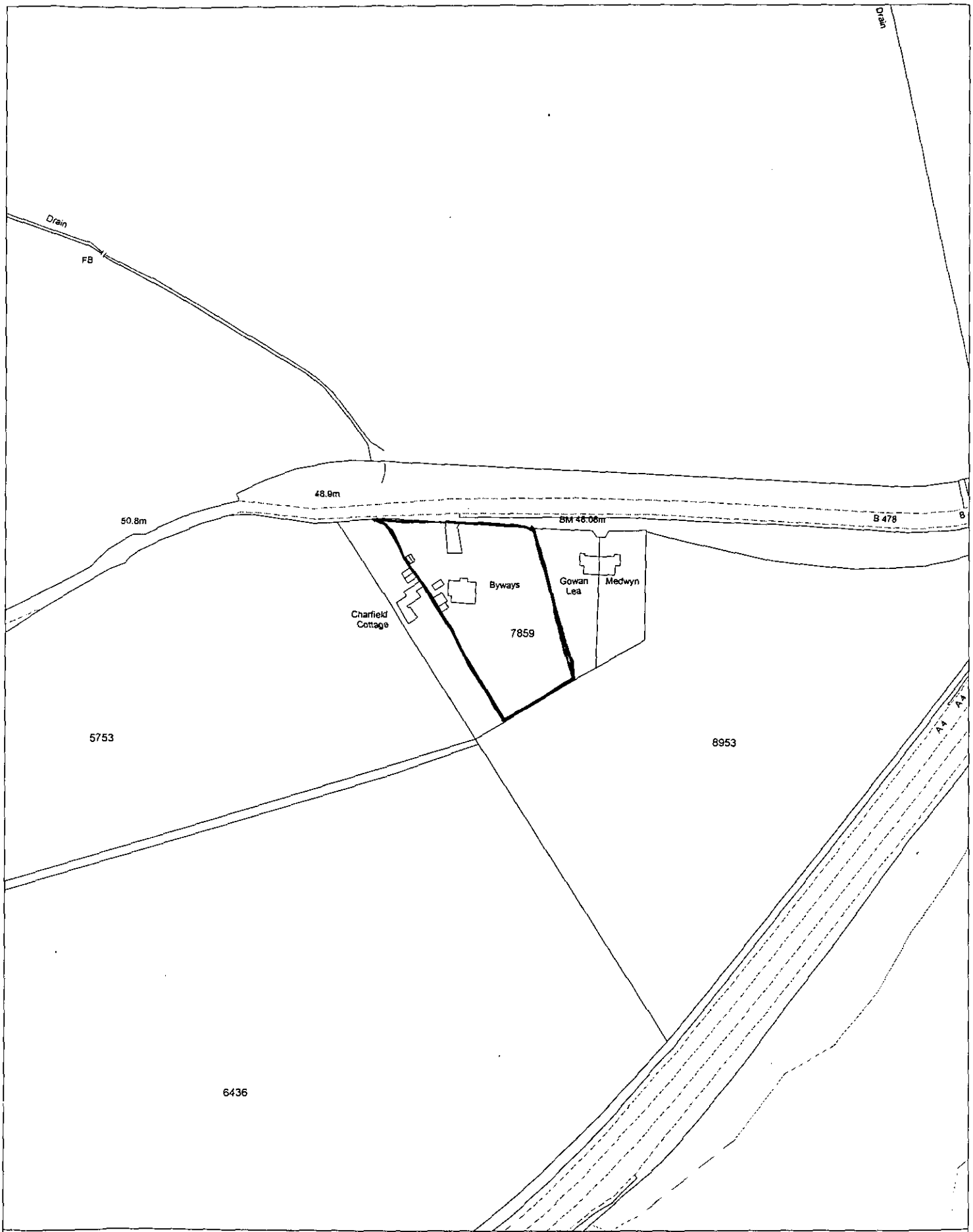

Site Plan, Scale: 1 to 2500

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