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APPLICATION NO:
F/2000/0576

LOCATION:
Chung Yu Heath Ride, Finchampstead Wokingham.

APPLICANT:
Mr & Mrs J Stean C/O Robin Bradbeer Ltd

PROPOSAL:
Proposed demolition of existing dwelling and ancillary building and erection of replacement dwelling.

EARLIEST DATE FOR DECISION: **13/03/2000**

APPLICATION EXPIRY DATE: **07/04/2000**

CASE OFFICER: **Angela Odell**

Appeal Decision

Site visit made on 1 August 2000

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

by Andrew S Freeman BSc(Hons) DipTP DipEM
FRTPI FIHT MIEnvSc

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

Date
10 AUG 2000

Appeal Ref: APP/X0360/A/00/1042893
Chung Yu, Heath Ride, Finchampstead

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs J Stean against the decision of Wokingham District Council.
- The application (ref: F/2000/0576), dated 11 February 2000, was refused by notice dated 6 April 2000.
- The development proposed is demolition of existing dwelling and ancillary buildings; erection of replacement dwelling.

Summary of Decision: The appeal is dismissed.

Main Issue

1. In my opinion, the main issue is the effect of the proposal on the character and appearance of the rural area.

Planning Policy

2. The development plan includes the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan. Local Plan Policy STV2 indicates that development in rural areas will not normally be allowed. However, under Policy SC18, the replacement of existing dwellings in rural areas may be permitted provided that, amongst other things, the size of the new development will not significantly exceed that of the existing property both in height and floor area. Policy SC1 seeks to maintain a clear separation of settlements. In the defined areas development will not be permitted which would either detract from the undeveloped appearance or intensify existing sporadic development.

3. My attention has also been drawn to the Wokingham District Local Plan Deposit Draft. The relevant part of this emerging development plan has not yet been the subject of an Inspector's report. Although the draft plan sets out current policies of the Council, it does not have the statutory weight of the development plan. Under draft Policy WCC2, development will not be permitted in the Green Gaps and Wedges that would affect or detract from their open or countryside appearance and character. Draft Policy WCC7, referred to in the reason for refusal, relates to extensions to dwellings in the countryside.

Reasons

4. I would describe the existing dwelling on the appeal site as a modestly sized bungalow. It is on a large backland site, not intensively developed, and generally surrounded by trees and land open in character. A large detached two-storey four-bedroom house would replace the

bungalow. It is stated that the proposed dwelling would be approximately two-and-a-half times the floorspace of the existing bungalow and some 2.5m higher.

5. In my view, the size of the new development would significantly exceed that of the existing property in terms of both height and floor area, contrary to the provisions of Local Plan Policy SC18. The proposed house would be very different in type and size from the existing bungalow. Further, the visual presence of the house would be considerably greater than the modest single-storey dwelling presently on the site. To my mind, the development would represent a significant move away from the rural character of this sylvan backland site and its surroundings. There would be an urbanising effect with the site become more built-up and less open.

6. I appreciate that, to all intents and purposes, the property would not be visible to the public; also that, viewed in isolation, the proposed house could be considered to be in keeping with other properties in the area including Brunsden Farm. However, I do not regard these as good arguments. Developments of the type and form proposed could be repeated too often. The character and appearance of the rural area would be unacceptably changed by replacement properties of excessive size. The separation of existing settlements would be eroded. The range of house types and sizes would also be changed.

7. I have considered the matter of "comparable developments" and other appeal decisions. I saw some of the examples on my site visit including Deers Leap/La Vallette. This particular property is within a built-up frontage of more sub-urban character, a factor which the Council indicates distinguishes that case from the present appeal. With regard to Audere Pines, I do not consider that the extension is comparable in terms of either visual impact or policy. I have no relevant information on the background to the replacement dwelling on this site.

8. The Wick Vale Cottage decision would appear to be anomalous although I note that the site is not within a Green Wedge. With regard to Kings Mere, I acknowledge that the planning officer judged the proposals to be acceptable. However, I do not consider that the comments undermine a concern to discourage replacement dwellings of a size significantly exceeding that of existing property.

9. In my opinion, none of examples quoted would justify the erection of a large replacement dwelling that would be clearly contrary to Policy SC18 and significantly harmful to the character and appearance of the rural area.

10. I recognise that the demolition of certain outbuildings would assist in a general tidying-up of the site; also that there is support for the proposal from local residents and councillors. However, in these and all other respects, I have found no evidence that would outweigh the considerations that have lead me to my decision.

Conclusion

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

Formal Decision

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

Information

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

INSPECTOR

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs J Stean
C/O Robin Bradbeer Ltd
20 Lansdown Parade
CHELTENHAM
Glos.
GL50 2LH

Application Number: F/2000/0576

Parish: **FINCHAMPSTEAD**

Location: **Chung Yu, Heath Ride, Finchampstead, Wokingham**

Proposal: **Proposed demolition of existing dwelling and ancillary buildings and erection of replacement dwelling**

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

Reason

1. The site is outside a settlement boundary. Due to its size, scale and height, the proposed dwelling would be excessive in size for a replacement dwelling and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to South East Area Local Plan Policy SC18 and to Wokingham District Local Plan (Deposit Draft) Policy WCC7.

Head of Planning and Transportation
Date: 06 April 2000

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

11.FEB.2000* 0576

CLIENT MR & MRS J STEAN

SITE: CHUNG YU HEATH RIDE FINCHAMPSTEAD BERKSHIRE

PROPOSAL: REPLACEMENT DWELLING

Robin Bradbeer Limited
Planning & Development Consultancy
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Gloucestershire
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Tel: 01242 577151
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Our Ref. : RWB/321
11 February 2000

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D. BRACKENRIDGE HEATH RIDE - ADDITION OF FIRST FLOOR

Professional qualifications and experience of ROBIN WYATT BRADBEER

I am a Member of the Royal Town Planning Institute and hold a Bachelor of Arts Degree with First Class Honours in Urban and Regional Planning.

My professional experience since graduating in 1978 has been in both the public and private sector. I have operated my own Consultancy practice since January 1994. Prior to that time I was in private practice for 10 years with a firm of Chartered Surveyors in Wokingham, latterly as partner in charge of planning consultancy. I am familiar with the site and with the prevailing planning policy framework.

1.0 INTRODUCTION

1.1 This statement forms part of a full planning application submitted on behalf of Mr & Mrs J Stean who are the owners of the property.

1.2 The application seeks full permission for the erection of a replacement dwelling following demolition of the existing dwelling together with all of the existing ancillary buildings on the.

2.0 THE SITE AND SURROUNDINGS

2.1 The site lies on the north side of Heath Ride mid-way between its junction with Nine Mile Ride to the NW and Hollybush Ride to the SE.

2.2 The site is located in a backland position 105m from the road behind the frontage property The Birches. The site is served by a private drive 4.2m in width which broadens to 7.3m at its junction with Heath Ride.

2.3 The plot is presently developed by an unoccupied single storey dwelling in poor condition, by three ancillary buildings and by redundant piggery buildings.

2.4 The existing built development on the site has a footprint and gross floor area of 238m^2. The low height piggery buildings have been excluded from these calculations **Appendix A.**

2.5 These existing buildings are located upon the western end of the site. The eastern part of the site comprises dense, naturalised mixed woodland.

2.6 The site boundaries in the vicinity of the existing buildings are marked by substantial mature trees of various species.

2.8 This part of Heath Ride is characterised by continuous frontage housing development and by frequently occurring instances of backland development. The pattern of existing development nearby is evident from the ordnance survey and from site inspection.

2.9 Housing development in the locality exhibits a wide variety of building styles and materials.

3.0 THE PROPOSAL

3.1 It is proposed to demolish all existing built development on the site and to erect a new dwelling in replacement.

3.2 The proposal will have a foot print of 175 m^2 and a gross floor area 288 m^2. By comparison with the existing built development to be replaced the proposal will cause a reduction in building footprint of 63m^2 (-26%) and an increase in gross floor area of 50m^2(+21%) **Appendix A.**

3.3 The replacement dwelling has been individually designed to meet the applicant's family requirements. The dwelling is on two levels and provides family sized accommodation as befits the effective utilisation of a site of this size.

3.4 The design has considerable visual interest deriving from the gabled front elevation, the variety of roof heights and planes and traditional chimney stacks.

3.5 The elevations will be finished externally using good quality tiles and bricks, subject to the approval of the Authority.

3.6 The proposed dwelling will be sited in a similar position as the existing dwelling with the front elevation facing south west, towards Heath Ride.

3.7 The dwelling will be offset from the NW boundary by approximately 4m and from the SE boundary by approximately 4.5m.

3.8 All existing boundary trees are intended to remain. Supplementary planting and landscaping will be carried out.

4.0 PLANNING POLICY FRAMEWORK

4.1 The prevailing development plan has three elements:

(i) The statutorily approved Berkshire Structure Plan adopted on 4 November 1995 (Policy C2, C6).

(ii) The statutorily approved South East Area Local Plan adopted on 15 April 1994 which is now time expired but continues in use for development control purposes (Policies STV2, SC18, SC1, SC2, SBE1, SBE2).

(iii) The emerging Deposit Draft Wokingham District Local Plan published in October 1997 with subsequent amendments (Policies WCC1, WCC2, WBE1, WBE2).

4.2 Further material policy considerations which are relevant to the proposal comprise the LPA's Planning Guideline B1 "Housing Development: General Principles" and Planning Policy Guidance notes 1 and 7.

BERKSHIRE STRUCTURE PLAN 1991-2000 (BSP)

4.3 This is the most up to date statutorily approved element of the development plan and therefore carries most weight in decision making.

4.4 ***Policy C2 Development Outside Built-Up Areas and Settlements.***

The objective of this policy is to limit development within the countryside *"...to that which is both appropriate (in type and form) and sensitive to its location"* (explanatory text paragraph 5.8). Category (ii) of the policy specifically enables permission to be granted for *"redevelopment of existing buildings"*. In all cases development is required to be appropriate in scale, form, impact, character and siting to its location in the countryside. The explanatory text at paragraph 5.9 states that the acceptability of a proposal will depend upon its suitability for the proposed site, the impact of any related activity and the adequacy of measures to integrate the proposal into the surroundings.

4.5 ***Policy C6 Green Wedges and Gaps***

This policy requires LPA's to identify *"green wedges"* and *"green gaps"* upon those areas considered essential to the separation of settlements and communities. The explanatory text at paragraphs 5.30 defines *"green wedges"* as *"areas of open space penetrating, partly enclosed by, or separating built up-areas or communities"*. *"Gaps"* are defined as *"open land which provide physical or visual separation of distinct settlements or communities"*. The Policy provides that development will not be permitted where it threatens such areas

SOUTH EAST AREA LOCAL PLAN (SEALP)

4.6 This plan was prepared in the context of the previous Structure Plan , the Replacement Structure Plan Berkshire, which had an end date of 31 March 1996.

4.7 The proposals map shows the site within an area important to the *setting* and *separation of settlements*.

4.8 The purpose and content of each of the relevant policies is summarised below:

STV2 Limiting the spread of development

The purpose of the policy is to maintain a clear distinction between built up areas and the countryside by limiting development to that provided by the policy or dealt with by other policies in the plan.

SC18 Replacement buildings in rural areas

This permissive policy enables replacement dwellings to be permitted within rural areas. Three qualifying criteria are specified:

a) the existing building is not of architectural or historic interest

b) the siting and design has the minimum impact on the rural environment

c) the size will not significantly exceed that of the existing property both in height and floor area.

SC1 ***Separation of Settlements***

The purpose of the policy is to maintain a clear separation of settlements by not permitting development which would detract from an undeveloped appearance or intensify existing sporadic development.

SC2 ***Setting of Settlements***

Protects the open or visual appearance of such areas by not permitting development which would detract.

SBE1 ***Design of New Development***

This policy promotes a high standard of design for new development appropriate to the character of the area which should fulfil the following objectives:

a) make a positive contribution to the setting and character of the area.

b) contribute to the creation of a safe and attractive environment

c) retain important natural, man-made or landscape features

SBE2 ***Inappropriate design***

Proposals for development which are inappropriate in terms of the relationship with adjoining sites and buildings, or which would adversely affect the character of an area will not normally be permitted.

WOKINGHAM DISTRICT LOCAL PLAN (WDLP)

4.9 This emerging plan was placed on deposit on 21 October 1997 and has been used for development control purposes since that time. Proposed amendments to the deposit draft plan were published in April and September 1999. The Local Plan Inquiry (Part 2) will begin on 1 February 2000.

4.10 The proposals map shows the site within a *green gap*.

4.11 The purpose and content of the relevant policies is summarised below:

WCC1 Development in the Countryside (outside the metropolitan green belt)

The policy applies strict control over development in the countryside by limiting acceptable development in principle to certain categories, including at category f) *redevelopment proposal in the countryside*. In all cases development will only be permitted if it is appropriate in scale, form, materials, design and character to its location in the countryside. The explanatory text at paragraph 2.23 states that rural areas can accommodate some forms of development without detriment if *"the type, form and design are sensitive to the location"*. It is relevant to note that the proposed amended to WCC1 by inclusion of category h) development can permit infilling of one or two dwellings in the countryside in addition to redevelopment.

WCC2 Green gaps and wedges

Provides that development will not be permitted within such areas that would affect or detract from their open or countryside appearance. The policy seeks to retain and, where possible, enhance existing settlement boundary features such as woodlands, copses and hedgerows.

WBE1 Development in it's local context

This policy promotes good contemporary design in new development which respects its local context and contributes to the sense of place. The policy identifies a range of considerations to be taken into account including visual impact.

WBE2 Improving on the local context

This policy acknowledges that new development should be used as an opportunity to create added visual interest to realise environmental improvement. The explanatory text at paragraph 4.10 acknowledges that this may be achievable through redevelopment opportunities.

SUPPLEMENTARY PLANNING GUIDANCE

4.12 The Council's Planning Guideline B1 - "Housing Development : General Principles" outlines acceptable development solutions for housing within the District. This was adopted as supplementary planning guidance on 26 January 1999 and supersedes the 1987 Development Control Handbook. The Guideline promotes "sustainability" and "quality" as the cornerstones of good housing. The stated attributes of "sustainability" include "effective use of land" and "buildings built to last". The attributes of "quality" include "high standard of design" and "sits well within the wider context" (Page 1).

4.13 Effective use of land is promoted in the Guideline since land is in short supply and at a premium in the District (Page 2).

4.14 The Guideline promotes the expression of "character and distinctiveness" in new development (Page 4). Developments offering individual housing which is characteristic of the local context "will be looked on favourably" (Page 11).

4.15 The Guideline makes no reference to a rigid formulaic approach to the assessment of redevelopment proposals.

NATIONAL PLANNING GUIDANCE

4.16 Relevant guidance appears in PPG1 and PPG7.

4.17 In relation to planning in rural areas PPG1 promotes a cautious, but not a negative approach.

> *"Rural areas can accommodate many forms of development without detriment, if the location and design of development are handled with sensitivity. Building in the open countryside, away from existing settlements or from areas allocated for development in development plans, should be strictly controlled".* (paragraph 28)

4.18 PPG7 reiterates the above advice at paragraph 3.21 and acknowledges also that sensitive infilling or minor extensions to groups of houses in rural areas may be acceptable.

5.0 THE PLANNING CASE FOR THE PROPOSAL

5.1 The planning case for the proposal has been analysed against the development plan and further material policy considerations. The proposal has also been considered in relation to comparable instances where planning permission has been granted under the prevailing development plan.

THE PRINCIPLE OF THE DEVELOPMENT

5.2 This proposal to redevelop existing buildings is, in principle, permissible under BSP policy C2. This permissive approach is also enshrined in SEALP Policy SC18 and WDLP Policy WCC1.

THE APPROPRIATENESS OF THE PROPOSAL

5.3 BSP Policy C2 requires such development to be appropriate to its location in the countryside in terms of scale, form, impact, character and siting. These provisions are mirrored in WDLP Policy WCC1. The proposal complies with each of the specified considerations:

- ***scale*** - the scale of the proposal relates well to the existing adjoining development and results in less extensive building coverage on the site.
- ***form*** - due to the extent of the site and its well screened woodland character, the proposal will be satisfactorily integrated into the surroundings without causing any harmful impacts. The building form will not be dissimilar to many other dwellings nearby. Separating distances to adjoining properties are such that no adverse amenity/privacy impact will arise.
- ***character*** - the proposal will enhance the local character by replacing the existing nondescript development by a building of considerable visual interest and quality

- ***siting*** - the siting is appropriate being similar to the existing buildings and set within an extensive plot.

5.4 SEALP policy SC18 applies three criteria to replacement dwelling proposals. The proposal complies with each of the specified considerations:

- ***architectural interest*** - the existing building has no architectural or historic interest
- ***siting and design*** - the siting is broadly similar to the existing. The design provides an enhancement. No harmful impact on the rural environment will arise due to the well contained woodland setting.
- ***size*** - the proposal will not significantly exceed the size of the existing property both in height and floor area. The reduction in building footprint together with the contained character of the site will adequately mitigate the increase in height.

GREEN GAP

5.5 Due to the existing residential use of the site and the extent of existing tree cover, which will remain, the proposal will not present a threat to either the physical or visual sense of separation between surrounding settlements. Accordingly, the proposed does not conflict with those development plan policies which safeguard green gaps from inappropriate development.

DESIGN CONSIDERATIONS

5.5 Both the SEALP and WDLP contain policies which promote good standards of design which respect the local context, and, where appropriate, realise environmental improvements. A positive approach to individual housing design which is characteristic of the local context is encouraged in supplementary planning guidance.

5.6 The design of this proposed replacement dwelling will make a positive contribution to the setting and character of the area and retain important landscape features. The proposal has taken care to respect its local context and will create added visual interest in accordance with WDLP Policies WBE1 and WBE2 and supplementary policy guidance.

COMPARABLE DEVELOPMENT

5.7 The scale of this proposal compares favourably with recent examples of replacement dwellings which have been permitted. The proposal is more modest than any of the three cases shown at **Appendix B** all of which have been approved within the past 2 years under the current developed plan.

5.8 Of particular note amongst those examples is the case of Deers Leap **Appendix C**. By comparison the permitted replacement is not only larger than this proposal (in terms of footprint, gross floor area and height) but was permitted from a lower base line of pre-existing built development. Furthermore, whereas Chung Yu is largely hidden from public view Deers Leap is fully in view from the public highway.

5.9 Of further relevance is the recently permitted addition of a first floor to Brackenridge, Heath Ride which is situated on the opposite side of Heath Ride to Chung Yu and is in full view from the public highway. The permitted extension entailed conversion of the dwelling from a single storey to 2 storey by raising the ridge height from 5m to 8m and constructing a mansard roof with dormers across the full property width of 13.5m. In recommending approval the Planning Officer's report included the following statement:

> *"It is considered that these proposals will not increase the built form on site, such as to jeopardise the designation of this area, but will rather improve the appearance of the property".* **Appendix D**.

5.10 By comparison with Brackenridge the proposal at Chung Yu will be of superior design and yet more discreetly situated.

6.0 CONCLUSION

6.1 The principle of this proposal is in accordance with the development plan with particular reference to BSP Policy C2, SEALP Policy SC18 and WDLP Policy WCC1.

6.2 The proposal is both appropriate in type and form and sensitive to its location in the countryside such that is does not conflict with the fundamental aim of BSP Policy C2 which concerns protection of the countryside.

6.3 The scale, form and impact of the proposal is appropriate having regard to the characteristics of the site and surrounding development. The size of the proposal does not significantly or unacceptably exceed that of the existing property taking into account the relevant site specific considerations and comparable instances where acceptable redevelopment and additional development has been permitted. The proposal is therefore in accordance with the criteria set out in SEALP Policy SC18 and WDLP Policy WCC1.

6.4 The proposal does not present a threat to the function of physical or visual separation between surrounding settlements which is protected by the green gap designation.

6.5 The design quality of the proposal improves on the local context in accordance with SEALP Policies SBE1 and SBE2, WDLP Policies WBE1 and WBE2 and Planning Guideline B1.

6.6 The proposal is in accordance with relevant policies set out in the development plan, national planning guidance and supplementary planning guidance. There are no material considerations in this case which outweigh the requirement under Section 54A to determine this application favourably in accordance with the development plan.

APPENDIX B

EXAMPLES OF RECENTLY PERMITTED REPLACEMENT DWELLINGS

1. Deers Leap (formerly La Vallette) Hollybush Ride Finchampstead

	footprint m^2	GFA m^2	ridge ht. m
Pre-existing bungalow	119	119	4.9
permitted replacement	199	346	9.6 (front)
(98/66959/F 04/03/98)			10.2 (rear)

2. Norton Park Lane Finchampstead

	footprint m^2	GFA m^2	ridge ht m
Pre-existing bungalow	92	92	n/a
permitted replacement	213	344	7.1
(98/67604/F 26/06/98)			

3. Caldwell Nursery Barkham Road Barkham

	footprint m^2	GFA m^2	ridge ht m
Pre-existing bungalow	190	190	n/a
permitted replacement	269	438	8.9 (front)
(99/7006/F 09/08/99)			9.5 (rear)



DEERS LEAP HOLLYBUSH RIDE

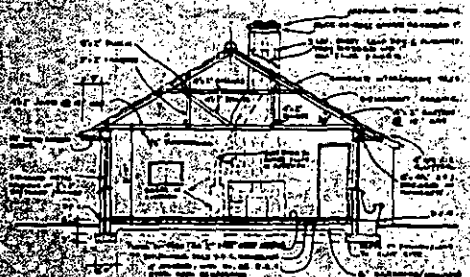
PLANS OF PREVIOUS DWELLING - NOW REDEVELOPED



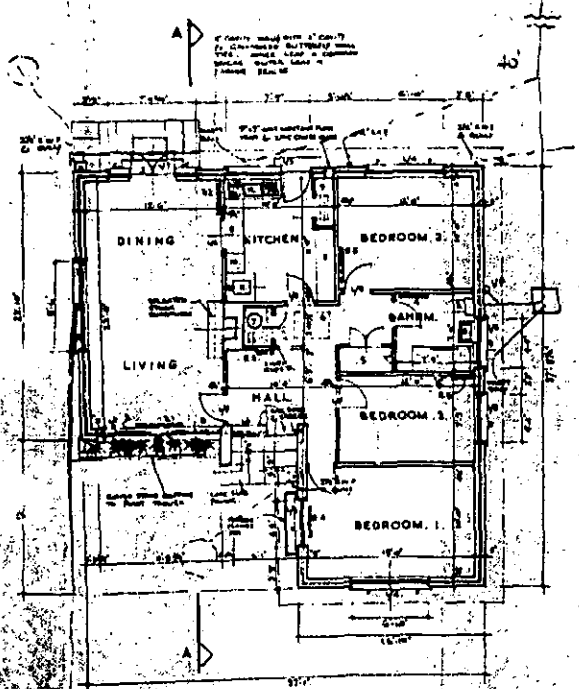
REAR ELEVATION



FRONT ELEVATION



SECTION A-A



GROUND FLOOR PLAN

FLOOR AREA 980. SQ. FT.

KEY TO FITTINGS & SCHEDULE ON PLAN

SCHEDULE OF "STELRAD" RADIATORS

SCHEDULE OF STANDARD STEEL WINDOWS

SCHEDULE OF REINFORCED CONCRETE LINTELS

134/6

ROOM BUNGALOW TO BE BUILT

DRAWING NO. GP.235.R

PLAN A H C

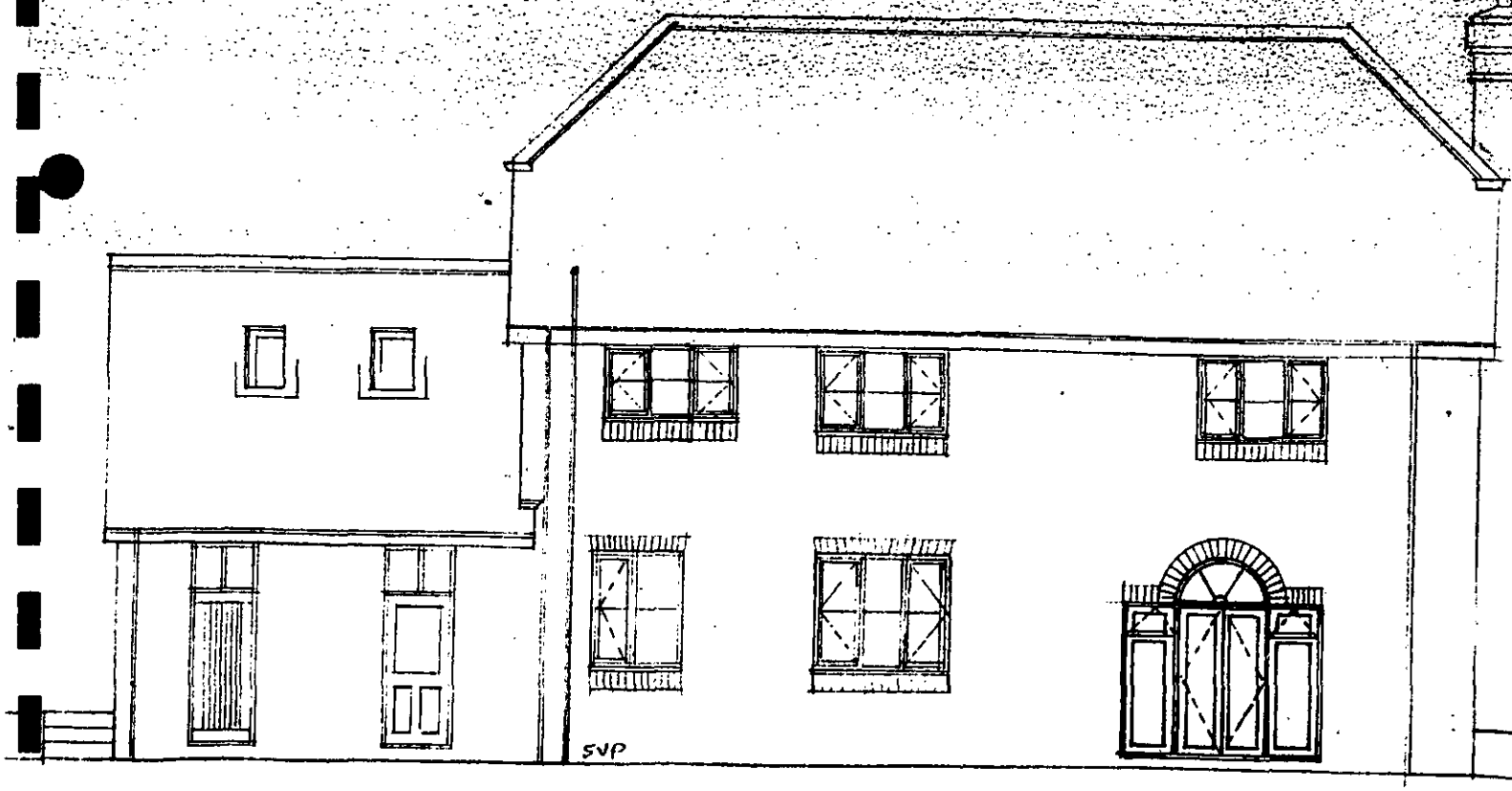
LLOYDS BANK CHA
KING ST. RICHMOND

Proposed REPLACEMENT DWELLING f

STEPPED LEAD FLA
DPC'S TO ALL ROOF/WA



FRONT ELEVATION SCALE 1:100



REAR ELEVATION

NOT SCALE FROM THIS DRAWING. REFER TO PRINTED DIMENSIONS ONLY.



BRACKENRIDGE HEATH RIDE

LPA PLANNING OFFICER'S APPRAISAL - PLANNING APPLICATION 98/68804/F

Application Number98/68804/F

PROP: ALT. TO ROOF TO FORM MORE ROOMS @ 1st FL. & FR. PORCH

Appraisal : EXT.

IMPACT UPON SURROUNDING AREA:

SETTING OF SETTLEMENT (WLL2; WLL3)

The area of Heath Ride on which 'Brackenridge' is located, is designated as an area of Special L'scape importance. Policies WLL2 & WLL3 state that development that would have a detrimental impact on the open c'side character, or special L'scape qualities of the area should not be permitted. The application currently under consideration proposes to replace the current flat roof with a new Mansard roof to provide more space at 1st floor level, conversion of the existing integral garage & a new front door and porch. It is considered that these proposals will not increase the built form on site, such as to jeopardise the designation of this area, but will rather improve the appearance of the property.

IMPACT UPON NEIGHB. PROPS:

It is not considered that the proposed develop. will have an adverse impact upon any of the neighbouring properties given that the site is maturely landscaped.

Recomendation :

C/A.

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL SUB-COMMITTEE HELD ON WEDNESDAY 5th APRIL 2000 FROM 7:30 TO 9:45PM

Present:- Mrs A N C Drake (Chairman), Mr A J Ross (Vice-Chairman), Mrs D C Beatty, Mr M J Bryant, Mr R F N Eke, Mr J L Earnshaw, Mrs J A Lissaman, Mrs M A Long, Mrs M Robertson and Fiona Rolls.

Also present under Standing Order 38: Tim Charlesworth, Mr R Cundy

195. MINUTES

Subject to the amendment of Minute 189 to reflect that a local Member attended the meeting and spoke against the proposal and that Mrs J Lissaman declared an interest in this item and left the meeting, taking no part in the discussion or voting thereon, the Minutes of the meeting of the Sub-Committee held on 15th March 2000 were confirmed as a correct record and signed by the Chairman

196. ORDER OF BUSINESS

RESOLVED: That the order of business be altered to that on the agenda to enable the following application to be considered first:

199. APPLICATION NO F/2000/0576 - PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING - 'CHUNG YU', HEATH RIDE, FINCHAMPSTEAD FOR MR & MRS J STEAN

The Sub-Committee considered a report about this application set out on Agenda pages 1557 to 1564. The Head of Planning and Transportation advised that a letter had been received from the Agents expressing concern that the agenda contained a number of errors and omissions, a response to which was circulated at the meeting.

Two local Members attended the meeting and spoke in support of the Application.

Members considered details of the Application and it was

RESOLVED: That Application No F/2000/0576 be refused as the site is outside a settlement boundary. Due to its size, scale and height, the proposed dwelling would be excessive in size for a replacement dwelling and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to South East Area Local Plan Policy SC18 and to the aims of Wokingham District Local Plan (Deposit Draft) Policy WCC7.

Application No.	Received	Finchampstead	Listed by
F/2000/0576	11.02.00		Cllr Charlesworth and Cllr Cundy

Applicant : Mr and Mrs J Stean
Location : 'Chung Yu', Heath Ride, Finchampstead
Proposal : Demolition of existing dwelling and erection of replacement dwelling

1. **Planning History** - This 0.77 ha site is in an area of sporadic development on a backland site behind Heath Ride. There is an existing bungalow in poor condition estimated to be 5.2 m high, and also outbuildings and derelict piggery buildings. (The existing bungalow has not been extended). The site is screened from public views from outside the site.

   The application has been listed by Cllr Charlesworth because:

   * The site is derelict, and to build a new house, remove the derelict outbuildings and tidy up the surrounding land would be a clear improvement to the site and the surrounding environment.
   * The proposed house is unobtrusive and completely in character with other houses in the area (in fact it is more modest than most of the surrounding houses).
   * The new house would take considerably less space than the existing house and the derelict outbuildings.
   * All the responses from consultees are in favour of the application, including the Parish Council and the occupier of the property in front.
   * I have visited the site myself, and I am in agreement that the proposed development will be a considerable improvement to the site and the surrounding environment.

   The application has been listed by Cllr Cundy because the square footage of the proposed property is less than the total existing building on the plot, would tidy the site of the old piggeries and would be better for the environment and general street scene.

2. **Proposal** - is to demolish all the existing buildings on the site and erect a chalet style two-storey dwelling 7.8 m high. The agent refers to other replacement dwellings outside settlements which have been permitted where he considers substantial increases in floorspace have been allowed, including in some cases increases in height also. He considers the proposal would comply with South East Area Local Plan Policy SC18 as the design would be an enhancement and there would be a reduction in footprint and floorspace compared with the existing buildings on the site.

3. **Consultations** -
   - ***Finchampstead Parish Council*** - "Councillors supported the proposal under this application since it is considered that it will effect the cleaning up of a currently very messy site."

- ***5 letters of support*** - Will remove decaying buildings and enhance the area. Neighbour in front has no concerns about impact on their privacy or amenity due to distance between.
- ***Highway Officer*** - No objection subject to a condition.
- ***Landscape Officer*** - No objection in principle, but recommends landscaping plan, which shows trees to be retained.

4. **Appraisal** -

A. Effect on Character and Appearance of the Area (South East Area Local Plan Policy SC18; Wokingham District Local Plan (Deposit Draft) Policy WCC7).
B. Effect on Neighbouring Properties.
C. Comments of the Parish Council.

A. Effect on Character and Appearance of the Area

The site is in an area of sporadic development in the countryside outside a settlement boundary and in the gap between Nine Mile Ride and Heath Ride. South East Area Local Plan Policy SC18 states that the replacement of existing dwellings in rural areas may be permitted provided that: "(c) The size of the new development will not significantly exceed that of the existing property both in height and floor area." The purposes of the policy are to protect rural amenities by preventing a significant visual impact and to maintain a range of house types and sizes in the rural area.

Footprint/Floorspace comparisons

	Floorspace
Existing bungalow	115 m²
Proposed dwelling (footprint 175 m²)	288 m²
Proposed net increase in floorspace on existing bungalow	173 m²
Proposed net increase as % existing	150%
Outbuildings to be demolished (A, B & C - excluding low height piggery buildings).	181 m²
Bungalow & outbuildings A, B & C	296 m²

Of the outbuildings to be demolished, Building A (66 m²) is a corrugated metal shed. Building B (66 m²) is breeze block sheds with corrugated metal roofs. Building C (49 m²) is also sheds of breeze block with corrugated metal roofs.

As the proposed dwelling would be two and a half times the floorspace of the existing bungalow and there would be an increase in height of an estimated 2.6 m, it is considered the proposal would be clearly contrary to criteria (c) of Policy SC18, as it would significantly exceed that of the existing bungalow both in height and floor area. The issue arises as to whether the removal of the existing outbuildings overcomes this objection. The proposal would result in an overall reduction in footprint and slight reduction in floorspace. However, as none of the outbuildings are attached to the existing bungalow, and none are of a type, materials and construction which could be habitable, it is considered that no significant allowance should be made for their removal.

In addition, no garage is proposed, and it could be reasonably expected that a double garage would be required for a proposed dwelling of this type and in this location. Whilst the design of the proposed dwelling is attractive, it would be significantly larger in footprint, floorspace and height than the existing and would have a significantly increased impact. Whilst the dwelling would not be readily visible from public views from Heath Ride, this is not of itself a reason for allowing the proposal. The character of the backland area behind Heath Ride is one of very dispersed buildings in woodland compared with the largely continuously built-up frontage along Heath Ride, which has a more suburban and less rural character.

Other Permissions
The agent has referred to other permissions in the area. The most relevant of these is recently allowed first floor extension to 'Brackenridge' (Application No. 98/68804/F). Whilst the height of this dwelling has been increased, it already had a first floor. Whilst this property is outside the settlement boundary it is very close to Farthing Lodge on the south side of Heath Ride. As can be seen from the appeal decision summary at the end of the agenda, the proposed extension to Farthing Lodge was allowed primarily because the Inspector considered that the character of this section of Heath Ride was that of suburban housing, and that it was not reasonable to enforce policies intended for areas whose character is at least partly that of countryside. The character of the 'Chung Yu' site, however, is at least partly that of countryside, being a backland site in an area of very dispersed development among woodland.

B. Effect on Neighbouring Properties
The only neighbouring property affected is 'The Birches'. It is considered that the proposal would not have a significant adverse effect, and the occupants have written in support.

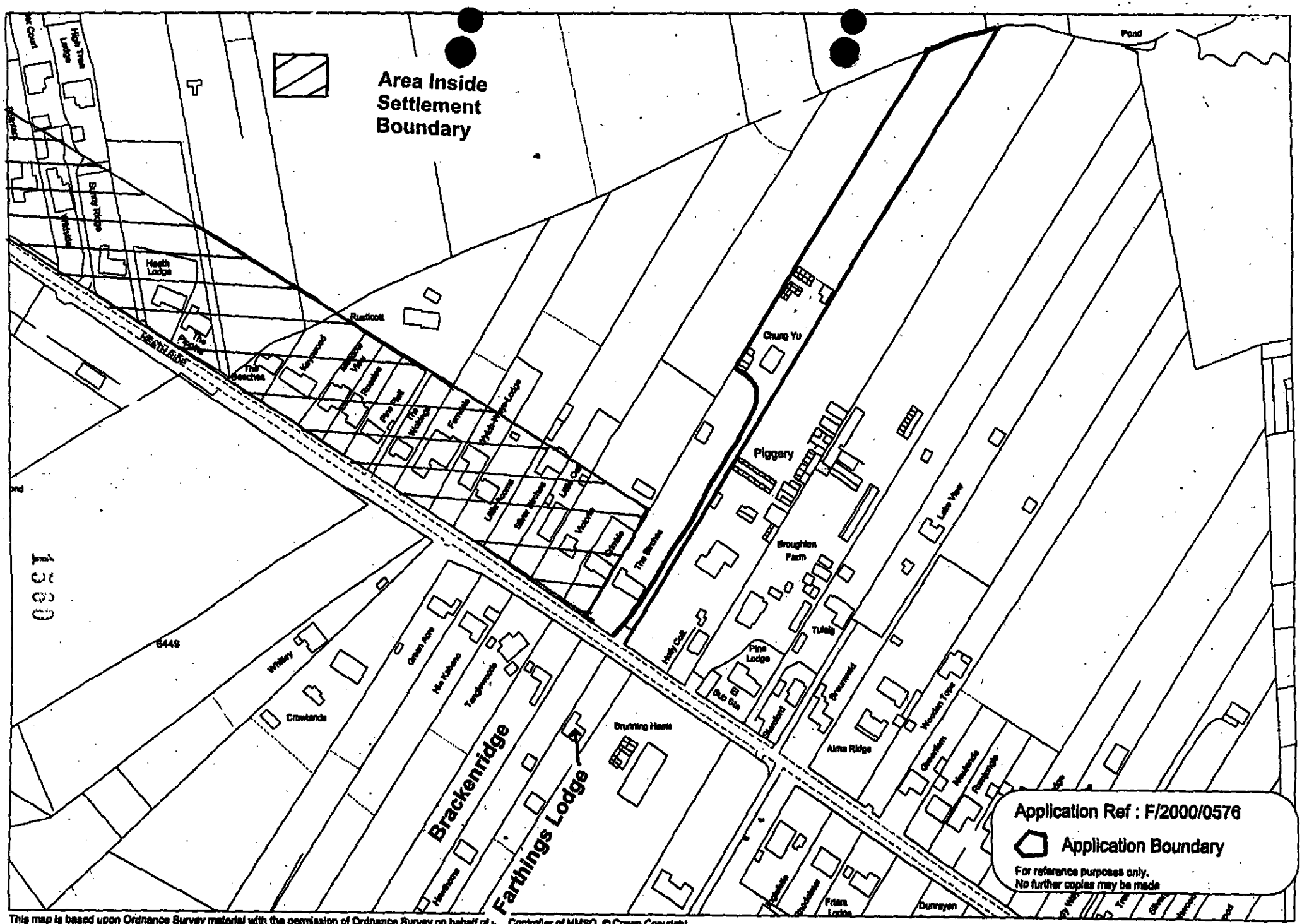
C. Comments of the Parish Council
Whilst the proposal would 'clear up' the site through removal of outbuildings and derelict pigsties, this is not considered a sufficient reason to allow the application.

5. **Conclusion** - Due to its size, scale and height the proposed dwelling would be excessive in size for a replacement dwelling, contrary to Policy SC18 and the aims of Policy WCC7.

6. **Recommendation** - REFUSE permission for the following reason:

1. The site is outside a settlement boundary. Due to its size, scale and height, the proposed dwelling would be excessive in size for a replacement dwelling and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to South East Area Local Plan Policy SC18 and to the aims of Wokingham District Local Plan (Deposit Draft) Policy WCC7.

Angela Odell



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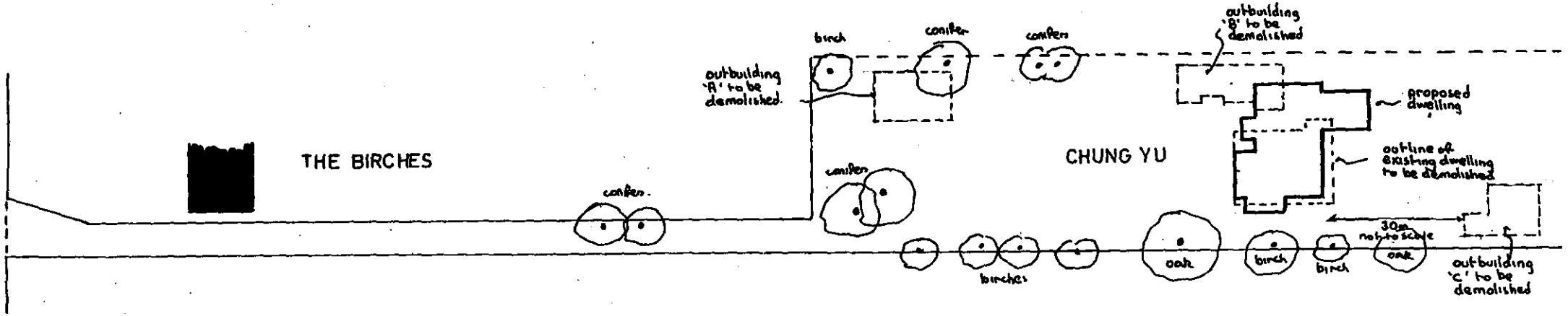
Development Control Section, Environmental Services, Wokingham District Council.

11.FEB.2000* 0576

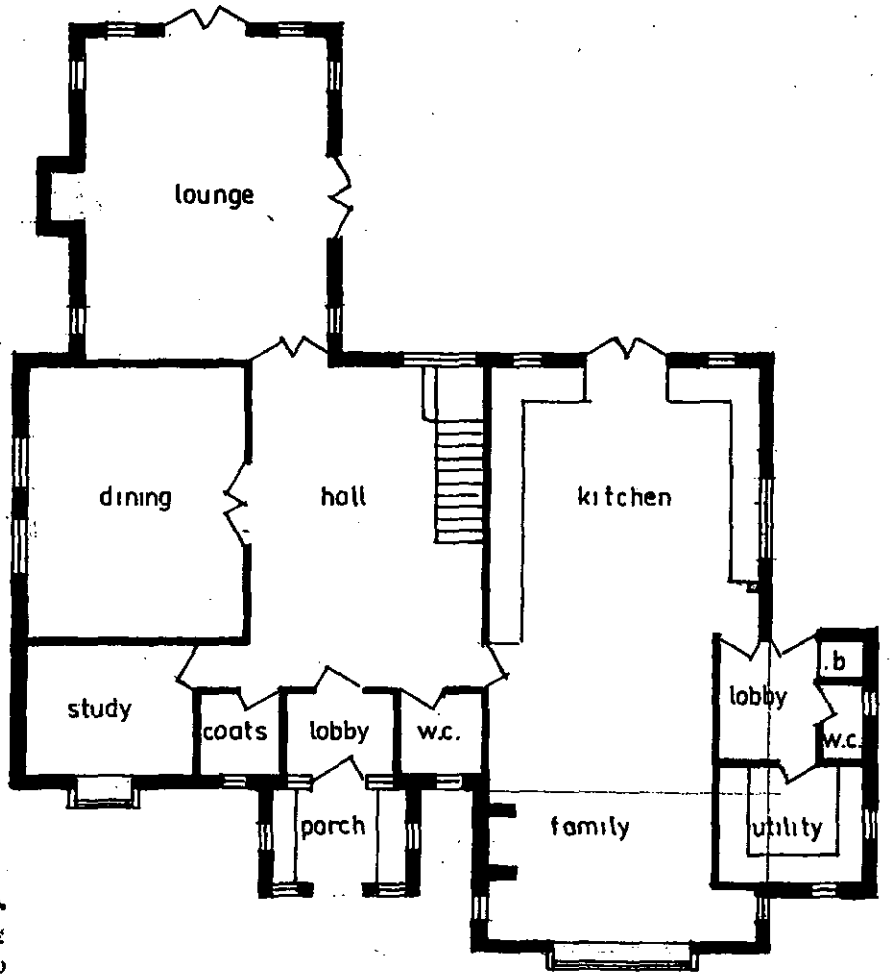


PROPOSED DWELLING - CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, BERKSHIRE

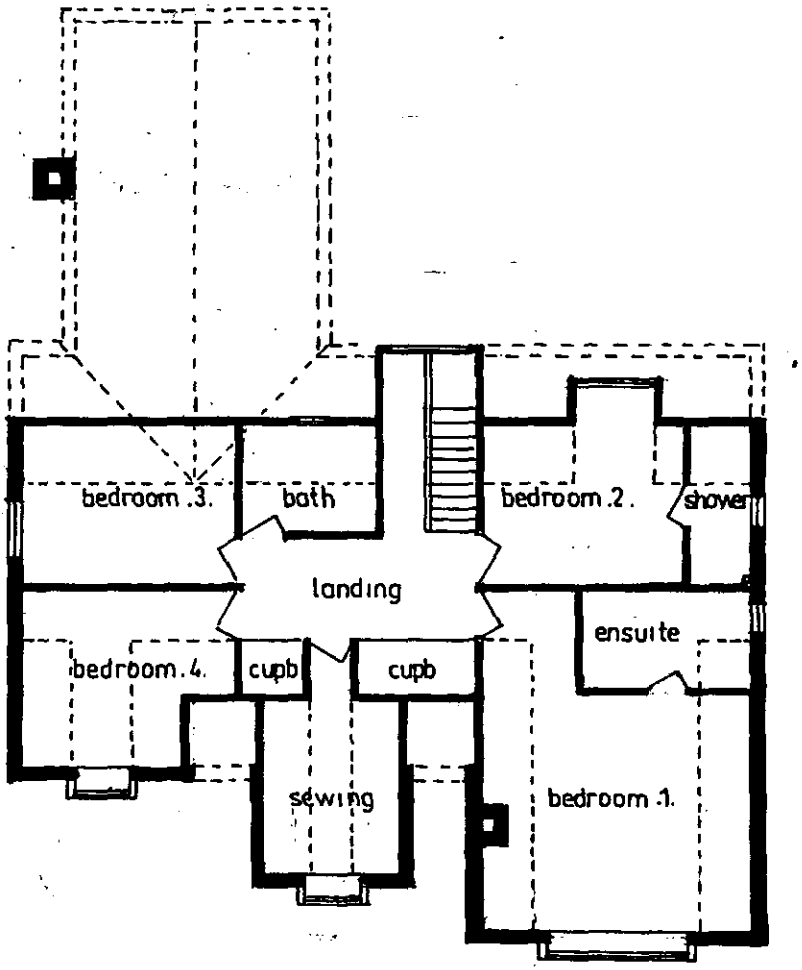
Drawing nº AH/S/628[A] Date JAN 2000 Scale 1:500 Drawn ANDESIGN Clients MR & MRS J. STEAN Consultant ROBIN BRADBEER

rev 'A' Treasure outbuildings added based on information provided by client (8/2/2000)

11.FEB.2000* 0576



GROUND FLOOR PLAN

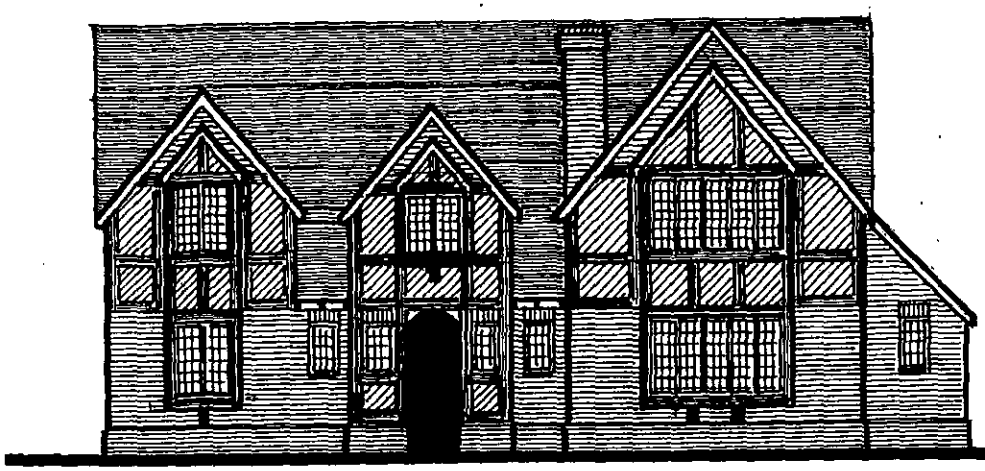


FIRST FLOOR PLAN

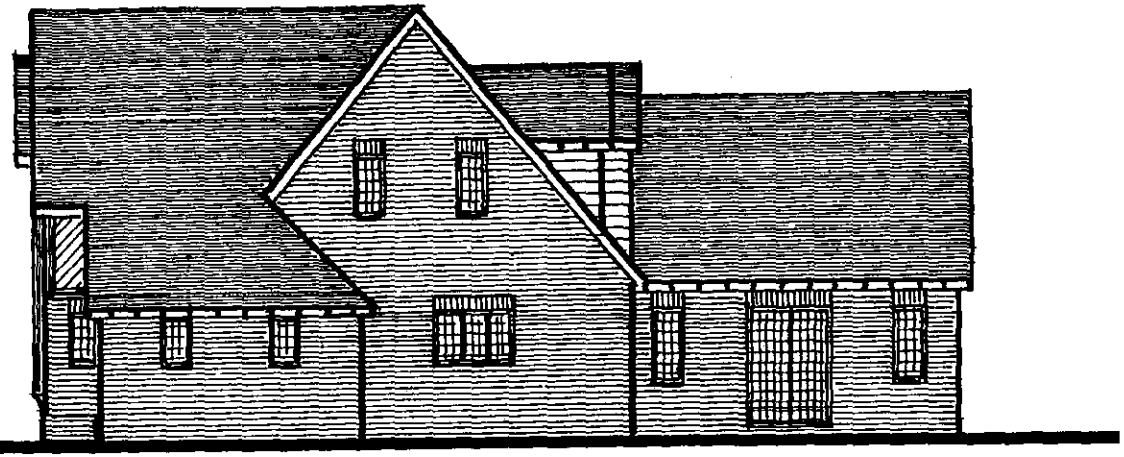
PROPOSED DWELLING – CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, BERKSHIRE

Drawing nº AH/S/626 Date JAN 2000 Scale 1:100 Drawn ANDESIGN Clients MR & MRS. J. STEAN Consultant ROBIN · BRADBEER

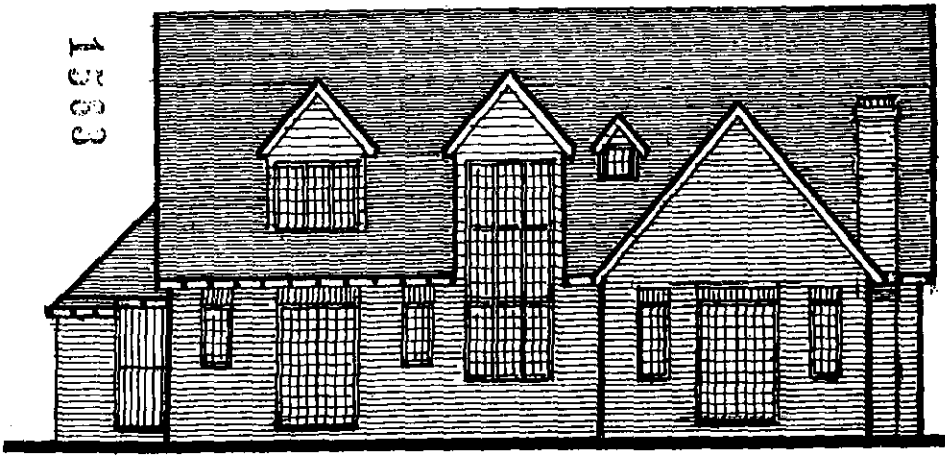
11.FEB.2000* 0576



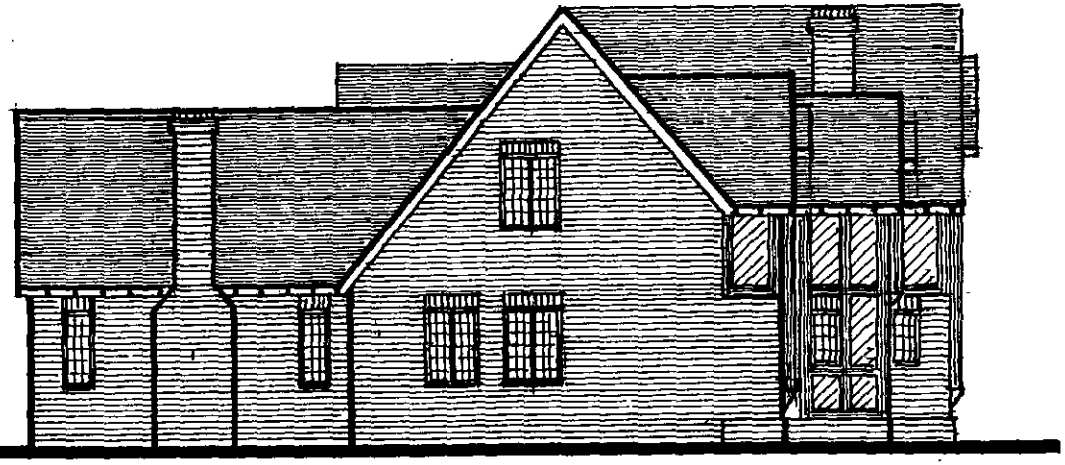
SOUTHWEST ELEVATION



SOUTHEAST ELEVATION



NORTHEAST ELEVATION

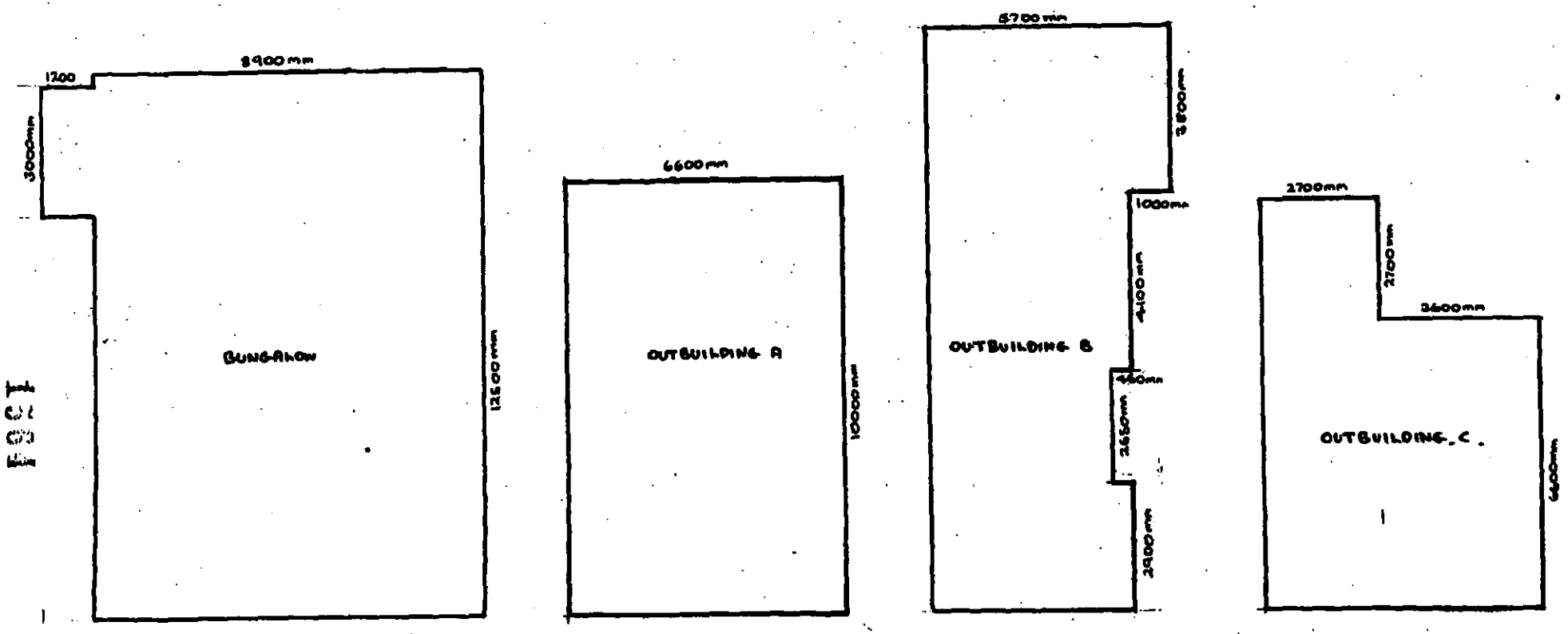


NORTHWEST ELEVATION

PROPOSED DWELLING - CHUNG YU, HEATH RIDE, FI[redacted]AMPSTEAD, BERKSHIRE

Drawing nº AH/S/627 Date JAN 2000 Scale 1:1[redacted] Drawn ANDESIGN Clients MR & MR[redacted].STEAN Consultant ROBIN BRADBEER

11.FEB.2008* 0576



PROPOSED DEMOLITION - CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, BERKSHIRE

FOR INFORMATION ONLY

Application Number F/2000/0576
Conditions/Reasons for Refusal

N.B. Title – ensure buildings

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
1			The site is outside a settlement boundary. Due to its size ~~and~~, scale and height, the proposed dwelling would be excessive in size for a replacement dwelling and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to ~~SDLP~~ Policy SC18 and to WDLP(DD) Policy WCC7.

RECORD OF SITE VISIT

SITE ADDRESS: Chung Yu Heath Ride Finchampstead Wokingham.

APPLICATION NUMBER: F/2000/0576

OFFICER: Angela Odell

DATE OF SITE VISIT: 3.3.00

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes 3.3.00

2. DESCRIPTION OF SURROUNDINGS Sporadic/ribbon dev. outside settlement.

3. DESCRIPTION OF SITE/BUILDING Existing low bungalow. Also various outbuildings - see plan attached.

4. RELATIONSHIP TO ADJOINING PROPERTIES Fronts Heath Ride is The Butts - a dormer bungalow. derelict piggery Lyst to east

5. SITE CONSTRAINTS

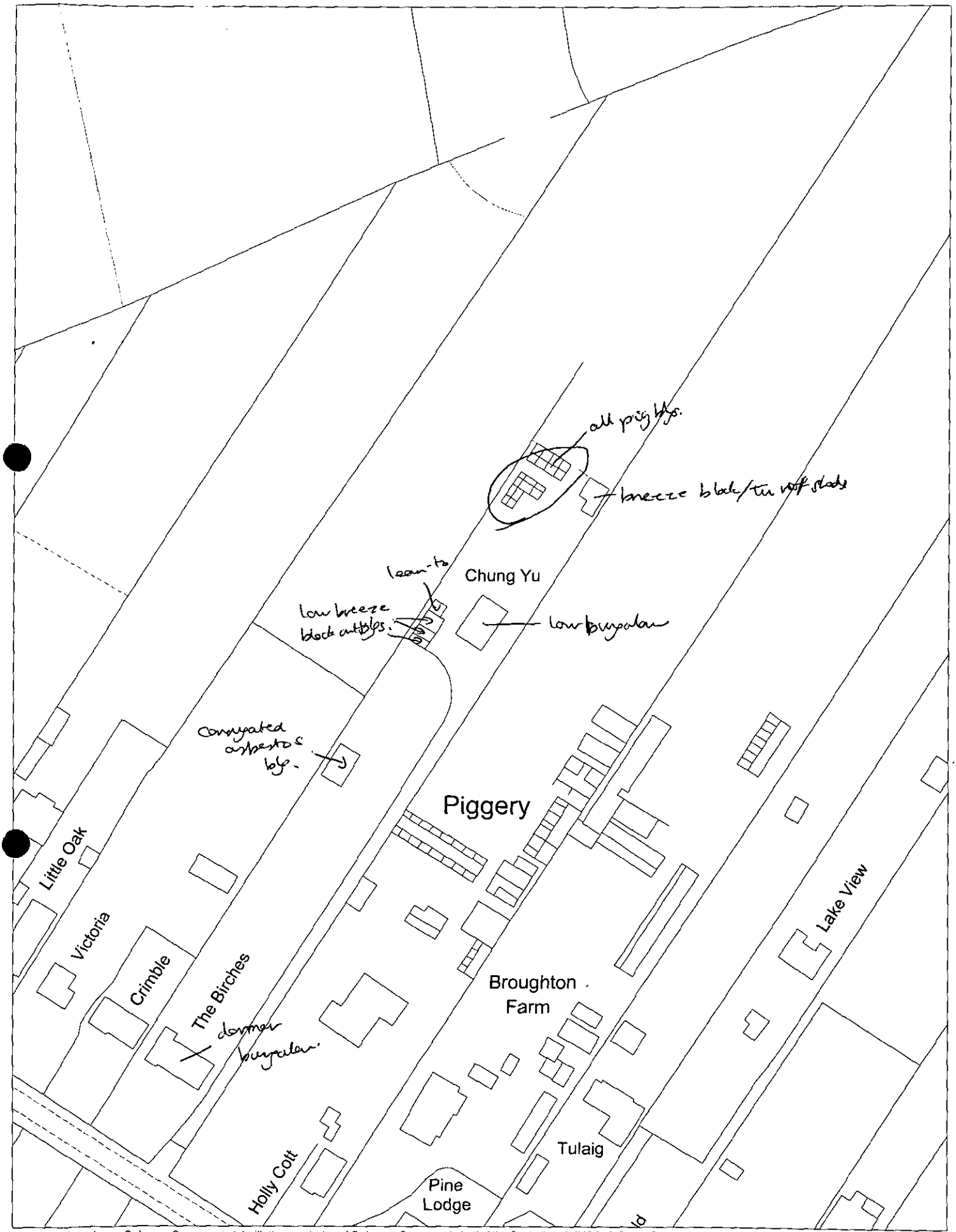
TREES To west side & rear & also rear east.

ACCESS/PARKING via track on RHS of The Butts.

LEVELS Flat.

BOUNDARY TREATMENT

OTHERS



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Development Control Section, Environmental Services, Wokingham District Council.

7 March 2000

Scale: 1 : 1250

N W E S

WORK SHEET FOR : Angela Odell

Application Number : F/2000/0576

Applicant : Mr & Mrs J Stean C/O Robin Bradbeer Ltd.

Location : Chung Yu, Heath Ride, Finchampstead, Wokingham.

Proposal : Proposed demolition of existing dwelling and ancillary buildings and erection of replacement dwelling.

Site Notice Displayed ? :	YES	NO	DATE
	✓		3.3.00

Date of Neighbour Notifications : .....

Date of Site Visit : 3.3.00

Date Registered : 11/02/2000

Earliest Date for Decision : 13/03/2000

Latest Consultation Date/Site Notice Expiry Date : 13/03/2000

Application Expiry Date: 07/04/2000

Consultation Responses : 2 letters of support from The Bunches (in front of site) [illegible] neighbour - will enhance the visual quality of the area - no privacy concerns

CHO : No comments to make.

P.C. : Support as would clean up a messy site

HWS. No obj. subj. to cond.

Planning Issues :

Application Number: F/2000/0576

Appraisal :

Site is outside a settlement boundary & in gap. Key policies are SEALP SC18 & WDLP(DD) WCC7(aims of)
Existing bungalow is: 115 m2.
Proposed chalet dwelling: = 290 m2. (175 on gr floor & 115 on first fl.)
Height of existing bungalow estimated at 5.2 m. Proposed dwelling: 7.8 m.

Consider contrary to SC18 & aims of WCC7 as proposed dwelling will be approx. 2.5 times the floorspace of the existing & therefore significantly exceeds the floor area of the existing. No garage proposed and it could be reasonably expected that a double garage would be wanted at some point. This could be done under p.d. if such rights not removed, if proposal allowed.

The proposal will result in removal of existing buildings. These are mainly ex pigs sties & sheds in poor condition which for example, would not be expected to fall within the criteria for conversion to commercial use (under WRE2). There is one larger building well in front of the existing bungalow which is rather more substantial in its construction, but do not consider that this overcomes the above policy objection.

Although site is in gap, it is well screened from public views, and in view of proposal to also remove existing outbuildings, do not consider that gap policies should be included in refusal.

Whilst design is generally attractive of proposed dwelling, do not consider this overcomes the objection under SC18/WCC7. The grant refusal to other permission: Brackenridge – but this did not involve such a large increase in floorspace + Brackenridge is on ribbon frontage, not sporadic dev. to rear.

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

Listed.

Refused at Sub 5.4.00

Applicationo	Name & Address
F/2000/0576	Mr & Mrs M A Dorrington The Birches Heath Ride Wokingham RG40 3QJ
F/2000/0576	D G Auret Edenderry Heath Ride Wokingham Berks RG40 3QJ
F/2000/0576	Mr J W Dowell "Foxdale" Heath Ride Finchampstead Berks RG40 3QJ
F/2000/0576	Gary Green "Trudos" Heath Ride Finchampstead Berks RG40 3QJ
F/2000/0576	Mrs Helen Brooke "Birchwood" Heath Ride Finchampstead Berks RG40 3QJ
App refused, letter sent 07/04/00	

Application F/2000/0576 - Chung-Yu, Heath Ride, Finchampstead

A letter has been received from the agent expressing concern that the agenda report contains a number of errors and omissions.

1. Description of proposal

The agent considers that the description has been abbreviated in such a way as to be prejudicial. He considers the description should be altered to read as follows:

"Proposed demolition of existing dwelling and ancillary buildings and erection of replacement dwelling".

- We consider the proposed alteration to the description should be agreed.

2. Site plan

The agent considers the site plan on p. 1560 is incorrect, as the SW boundary lies approximately 46m. further away.

- Agreed. Revised site plan attached.

3. Outbuildings

The agent states that the agenda report, section 4A, final para. on page 1558 states, *"It is considered that no significant allowance should be made for their (the outbuildings) removal".* This interpretation is not consistent with Berkshire Structure Plan Policy C2 which permits the redevelopment of 'existing buildings'. There is no consideration of the proposal under Policy C2. The explanatory text para. 5.9 to Policy C2 suggests that it will be relevant to consider whether proposals have any greater impact than the *existing development.* The outbuildings are part of the *existing development.* These outbuildings are more dispersed than the proposal and occupy both a larger floorspace and a larger footprint (refer to table in agenda report). The proposed dwelling would have a footprint of 121 m^2 less than the total footprint of existing development: a reduction of 41%, and a floorspace of 12 m^2 less than the total floorspace of existing development: a reduction of 4 %.

- Whilst Policy C2 does permit the redevelopment of existing buildings in principle, PPG7 and Wokingham District Local Plan (Deposit Draft) Policy WCC5 state that conversion of buildings for residential use in the countryside will not be permitted unless every attempt has been made to secure suitable business (or mainly business) re-use, and Policy WCC5 requires that the building is suitable for residential use without major rebuilding. As the outbuildings to be removed are of an insubstantial nature, and could not reasonably and realistically be converted to employment (or living accommodation) use, it is considered that no significant allowance should be made for their removal. The proposal has been assessed under South East Area Local Plan Policy SC18, which is the Development Plan policy which is directly relevant to the proposal.

4. Garage

The agent states that there is no reasonably basis for criticizing the proposal for the absence of a garage because the Local Planning Authority has approved dwellings without garages elsewhere, and garages are often underused for parking.

- The reference in the agenda report is not a criticism, but an observation that in practice occupants of such properties often do propose a garage.

5. Design

The agent states that the report acknowledges that the design of the dwelling is attractive, but makes no allowance for the benefit of *'improving upon the local context'* in accordance with Wokingham District Local Plan (Deposit Draft) policies WBE1 & 2.

- No reference is specifically made to these policies because this is not the main issue. Nevertheless, the report does state '*Whilst the design of the proposed dwelling is attractive...'* thereby noting and commenting positively on the proposed design.

6. Scale of the proposal

The agent refers to the statement in the report that the dwelling would be *'significantly larger'* that the existing. However, the table demonstrates that this is not so. Although the dwelling will be taller this should be traded off against the more compact form, positive design and general site enhancement.

- The reference in the report is to the existing dwelling not the existing development (which includes the outbuildings).

7. Other Permissions

The agent states that the report deals selectively with only one of the 4 cases he referred to, and the proposal is more modest than each of the other 3. He also refers to the appeal summary at the end of the agenda on Farthing Lodge, and contends that the same conclusion of the inspector should be reached with the current application at Chung-Yu, i.e. that *'the proposal would not visibly increase the urbanization of Heath Ride, and thus would not affect the character or appearance of the locality.'*

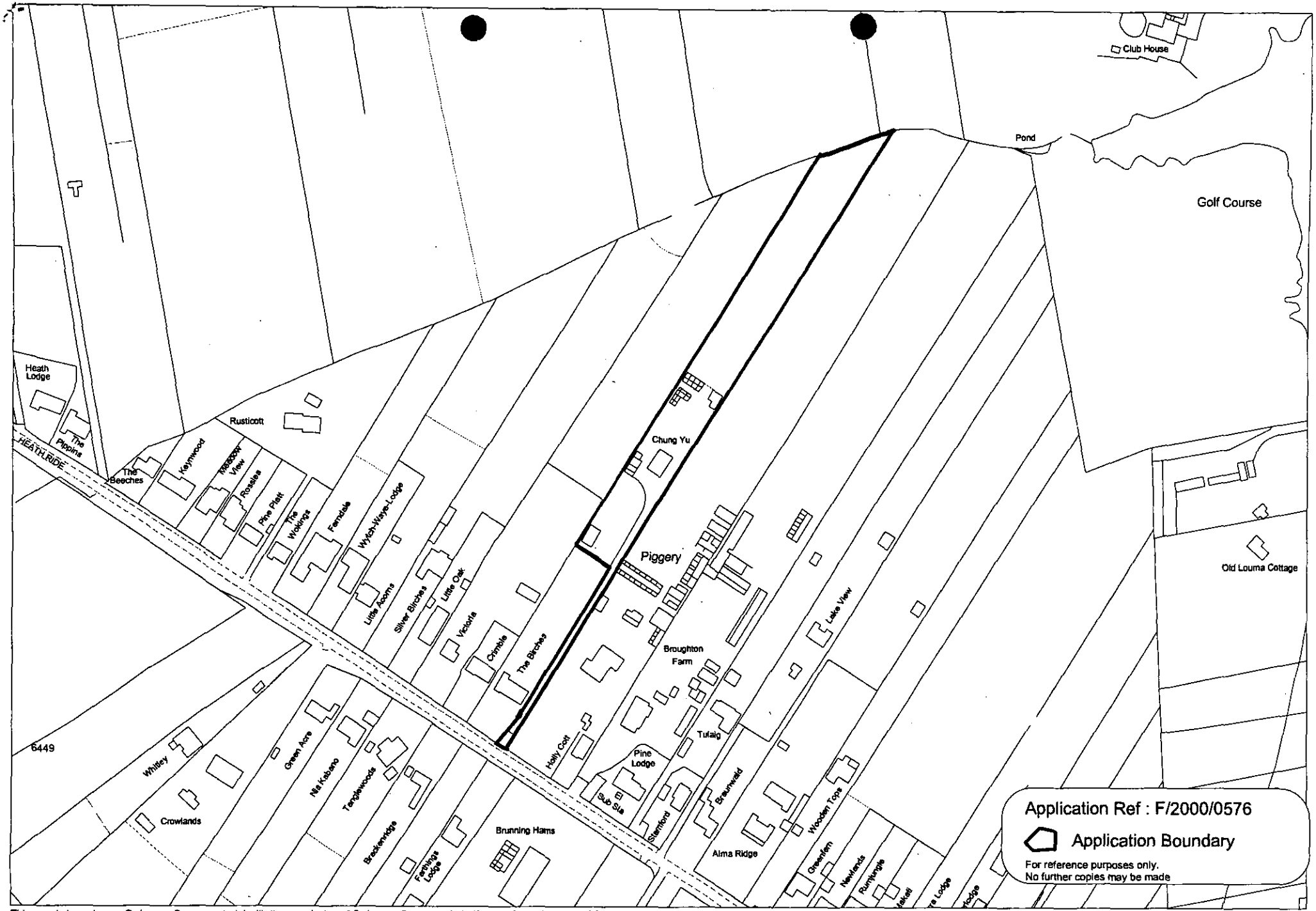
- The report refers to the other case which is nearest to the proposal. Regarding the comment on Farthing Lodge, this point has been already addressed in the report.

8. PPG3 Housing

The agent states that the updated PPG 3 promotes *'making more efficient use of land by maximizing the re-use of previously developed land...'*

- As the proposal is for a replacement dwelling and does not propose any additional dwellings, this is not relevant.

- N.B. Two appeal decisions were received at the end of last week on sites nearby (land to rear of 278 Nine Mile Ride and Alma Ridge, Heath Ride). Both proposals involved replacement dwellings outside a settlement boundary and the appeals were dismissed. Summaries of the inspectors' letters will be reported to the next Sub-Committee.



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Development Control Section, Environmental Services, Wokingham District Council.

5 April 2000

Scale: 1 : 2500

N W E S

Robin Bradbeer Limited
Planning & Development Consultancy

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Environmental Services Department
Planning Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

My Ref. RWB/321
Your Ref. F/2000/0576
3 April 2000

For the attention of Mrs A Odell
Development Control

Fax to 0118 974 6484

Dear Mrs Odell

SITE : CHUNG YU HEATH RIDE FINCHAMPSTEAD
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND ANCILLARY BUILDINGS AND ERECTION OF REPLACEMENT DWELLING

Having seen your report which appears on the agenda for the meeting of the Development Control Sub-Committee to be held on 5 April 2000 I am concerned that it contains a number of errors and omissions.

1. ***Description of proposal***
   The description is incorrect and has been abbreviated in such a way as to present the proposal in a prejudicial light. Members should be informed of the correct description which was given in your acknowledgement letter dated 1 March 2000:

   "Proposed demolition of existing dwelling and ancillary buildings and erection of replacement dwelling".

2. ***Site Plan***
   The site plan you produce on p. 1560 is incorrect. The SW boundary lies approx. 46m further away. Please refer to the submitted site plan and inform Members accordingly.

321cyhr.12

Registered in England Number: 3372202

3. *Outbuildings*

You state in your report (Section 4A, final paragraph p.1558) that *"it is considered that no significant allowance should be made for their removal"*.

This interpretation is not consistent with Structure Plan Policy C2 which permits the redevelopment of "existing buildings". It is noted that your report omits to consider Policy C2. The explanatory text at paragraph 5.9 suggests that it will be relevant to consider whether proposals have any greater impact than the existing development. (My emphasis).

The outbuildings on this site clearly form part of the existing development. Those outbuildings are more dispersed than the proposal and occupy both a larger floorspace and a larger footprint.

	FOOTPRINT m²	GFA m²
EXISTING DWELLING	296	296
PROPOSED DWELLING	175	288
DIFFERENCE ±	-121 (-41%)	-12 (-4%)

4. *Garage*

You refer to the fact that no garage is proposed but suggest that a garage may be required (Section 4A, first paragraph p.1559). There is presently no garage on the site. The need or otherwise for a garage is a matter of personal choice. The LPA has approved detached dwellings elsewhere without garages and therefore there is no reasonable basis to criticise the proposal because of the absence of a garage. The Council's Planning Guideline B1 acknowledges that garages are often underused and cars

are parked in front of rather than in garages for convenience (p.10).

5. ***Design***

You accept that the design of the proposed dwelling is attractive. Nowhere in your report do you make allowance for the benefit of "improving upon the local context" in accordance with Deposit Draft Local Plan policies WBE1 and WBE2

6. ***Scale of the proposal***

You state that the dwelling would be "significantly larger" in footprint, floorspace and height than the existing. The table at 3 above disproves the assertion that either the footprint or floorspace would be larger than the "existing development". The reverse would be true. The proposal will though be higher than the existing. The trade-off for the height increase will be the more compact form, positive design benefit and general site enhancement resulting from the proposal.

7. ***Other Permissions***

Your analysis deals selectively with only one of the four cases referred to in my supporting statement. The proposal is more modest than each of the 3 cases you have ignored.
As regards the recent appeal decision at Farthing Lodge, which was allowed, I have not yet had the opportunity to see the Inspector's decision letter. According to the summary reported in the agenda the Inspector took into consideration the fact that *"the proposal would not visibly increase the urbanisation of Heath Ride, and thus would not affect the character or appearance of the locality"*. You acknowledge in your report that the proposed dwelling at Chung Yu would also not be readily visible from public views from Heath Ride. Accordingly, it would be reasonable to reach the same conclusion as the Inspector that it would not affect the character or appearance of the locality nor be at odds with the relevant policies.

8. ***PPG3 Housing***

The updated national planning guidance published earlier this month sets out ways in which the government is promoting more sustainable patterns of development one of those means is by:

> *"making more efficient use of land by maximising the re-use of previously developed land....."*

Since this site falls within the definition of *"previously developed land"* given in Annex C this guidance is a material consideration which lends further weight in favour of this appropriate redevelopment proposal.

I would be grateful if you would consider these points prior to presenting this application to Committee. If you wish to discuss the contents of this letter please do not hesitate to contact me directly.

Yours sincerely

ROBIN BRADBEER

Enc.

Robin Bradbeer Limited

Planning & Development Consultancy

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Cheltenham
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GL50 2LH

Telephone
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01242 527151

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27473

22 MAR 2000

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Environmental Services Department
Planning Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

My Ref. RWB/321
Your Ref. F/2000/0576
21 March 2000

For the attention of Mrs A Odell
Development Control

Dear Mrs Odell

SITE : CHUNG YU HEATH RIDE FINCHAMPSTEAD
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND ANCILLARY BUILDINGS AND ERECTION OF REPLACEMENT DWELLING

Further to our conversation on 20 March I have reworked the floorspace figures provide in Appendix A of my report. Due to calculation errors the size of outbuildings B and C is significantly greater than shown. My revised Appendix A is attached. As a consequence of this correction you will note that the proposal represents a 41% reduction in building footprint upon the site and a 4 % reduction in gross floor area. These calculations reinforce my earlier conclusion that this proposal represents an appropriate and acceptable redevelopment of this site.

Thank you for forwarding to me a copy of the memo from your Consultant Landscape Architect. As you will appreciate the proposal will occupy the same site as the existing dwelling and for this reason no trees are directly affected and thus there is no reasonable basis to require a BS tree survey. A landscaping scheme for the site could of course be made a conditional requirement.

If you wish to discuss any further matters relating to this proposal please contact me directly.

Yours sincerely

Enc.

APPENDIX A

CHUNG YU HEATH RIDE

EXISTING/PROPOSED BUILT DEVELOPMENT

FOOTPRINT/FLOORPRINT COMPARISONS

PROPOSAL	**FOOTPRINT m²**	**GFA m²**
dwelling	115	115
outbuilding A	66	66
outbuilding B	66	66
outbuilding C	49	49
Total	296	296

PROPOSED	**FOOTPRINT m²**	**GFA m²**
dwelling	175	288
Difference ±	-121	-12
	(-41%)	(-4%)

Angela Odell

From: Tim Charlesworth [TCharlesworth@metronetuk.com]
Sent: 20 March 2000 10:40
To: 'angela.odell@wokingham.gov.uk'
Cc: 'roland.cundy@wokingham.gov.uk'
Subject: Planning Application, Chung Yu, Heath Ride

Dear Angela

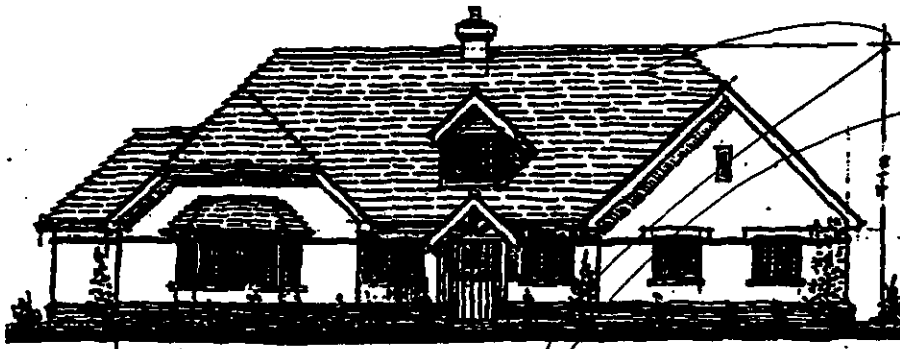
This note is to confirm that I wish to list the above application for the next DC meeting. I would like to see the proposed development go ahead. My reasons are as follows:

* The site is derelict, and to build a new house, remove the derelict outbuildings and tidy up the surrounding land would be a clear improvement to the site and the surrounding environment.
* The proposed house is unobtrusive and completely in character with other houses in the area (in fact it is more modest than most of the surrounding houses)
* The new house would take considerably less space than the existing house and the derelict outbuildings.
* All the responses from consultees are in favour of the application, including the parish council and the occupier of the property in front.
* I have visited the site myself, and I am in agreement that the proposed development will be a considerable improvement to the site and the surrounding environment.

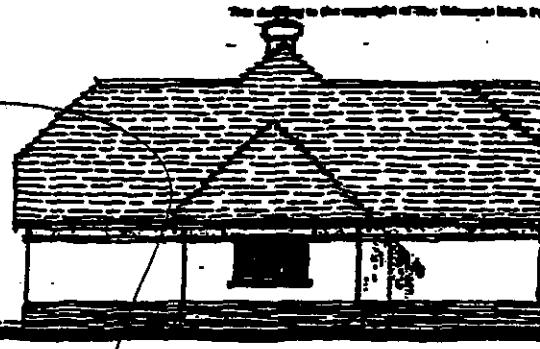
Best Regards

Tim Charlesworth

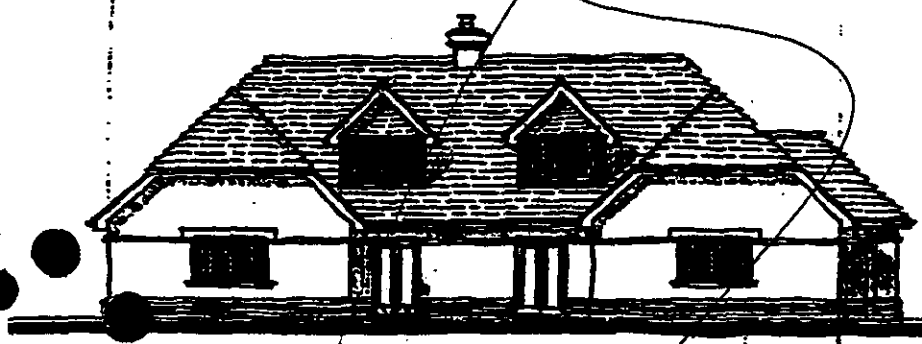
Notes



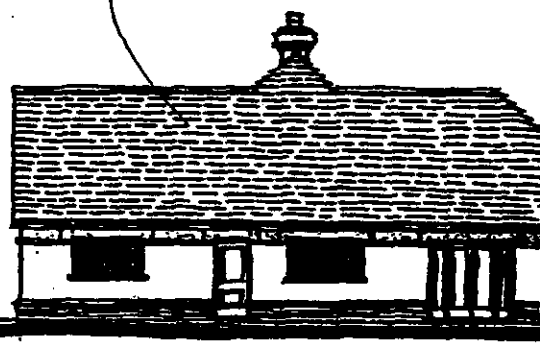
FRONT ELEVATION



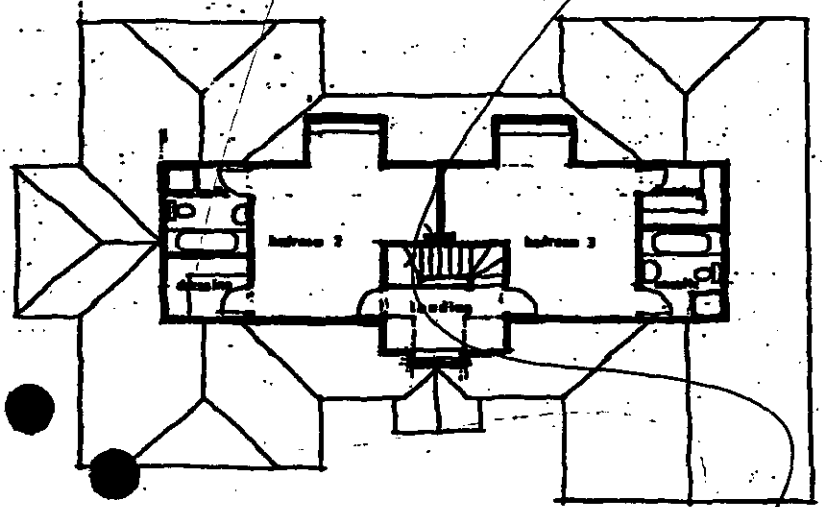
SIDE ELEVATION



REAR ELEVATION



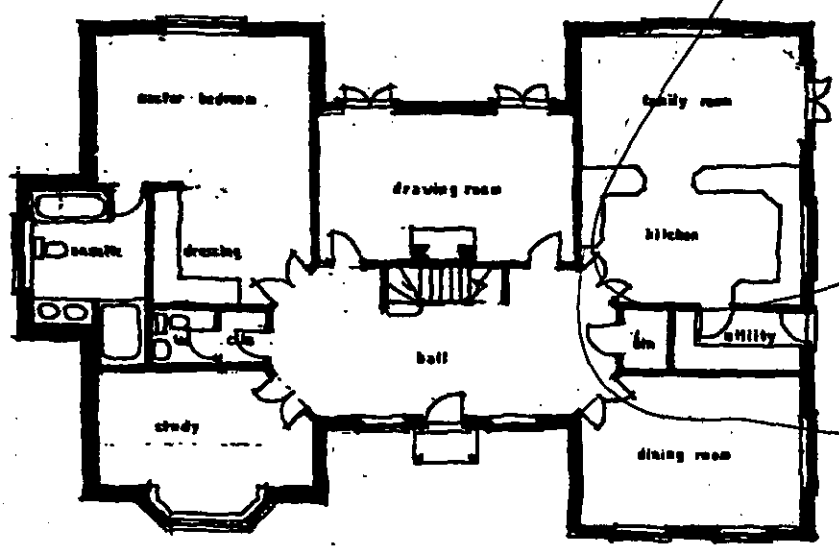
SIDE ELEVATION



FIRST FLOOR

MATERIALS

PREVIOUS APPROVAL.



GROUND FLOOR

Proposed detached. hous
Rear of Mumbery Field
Fairwi
School Hill
WARGRAVE

Millgate Homes

THE RUSCOMBE plot

1:100

Septemb

1556

1482

The Edwards Irish Partnersh
Architects & Surveyors

Application No.	Received	Finchampstead	Listed by
F/2000/0576	11.02.00		Cllr Charlesworth and Cllr Cundy

Applicant : Mr and Mrs J Stean
Location : 'Chung Yu', Heath Ride, Finchampstead
Proposal : Demolition of existing dwelling and erection of replacement dwelling

1. **Planning History** - This 0.77 ha site is in an area of sporadic development on a backland site behind Heath Ride. There is an existing bungalow in poor condition estimated to be 5.2 m high, and also outbuildings and derelict piggery buildings. (The existing bungalow has not been extended). The site is screened from public views from outside the site.

   The application has been listed by Cllr Charlesworth because:

   * The site is derelict, and to build a new house, remove the derelict outbuildings and tidy up the surrounding land would be a clear improvement to the site and the surrounding environment.
   * The proposed house is unobtrusive and completely in character with other houses in the area (in fact it is more modest than most of the surrounding houses).
   * The new house would take considerably less space than the existing house and the derelict outbuildings.
   * All the responses from consultees are in favour of the application, including the Parish Council and the occupier of the property in front.
   * I have visited the site myself, and I am in agreement that the proposed development will be a considerable improvement to the site and the surrounding environment.

   The application has been listed by Cllr Cundy because the square footage of the proposed property is less than the total existing building on the plot, would tidy the site of the old piggeries and would be better for the environment and general street scene.

2. **Proposal** - is to demolish all the existing buildings on the site and erect a chalet style two-storey dwelling 7.8 m high. The agent refers to other replacement dwellings outside settlements which have been permitted where he considers substantial increases in floorspace have been allowed, including in some cases increases in height also. He considers the proposal would comply with South East Area Local Plan Policy SC18 as the design would be an enhancement and there would be a reduction in footprint and floorspace compared with the existing buildings on the site.

3. **Consultations** -
   - ***Finchampstead Parish Council*** - "Councillors supported the proposal under this application since it is considered that it will effect the cleaning up of a currently very messy site."

- ***5 letters of support*** - Will remove decaying buildings and enhance the area. Neighbour in front has no concerns about impact on their privacy or amenity due to distance between.
- ***Highway Officer*** - No objection subject to a condition.
- ***Landscape Officer*** - No objection in principle, but recommends landscaping plan, which shows trees to be retained.

4. **Appraisal** -

   A. Effect on Character and Appearance of the Area (South East Area Local Plan Policy SC18; Wokingham District Local Plan (Deposit Draft) Policy WCC7).
   B. Effect on Neighbouring Properties.
   C. Comments of the Parish Council.

A. Effect on Character and Appearance of the Area

The site is in an area of sporadic development in the countryside outside a settlement boundary and in the gap between Nine Mile Ride and Heath Ride. South East Area Local Plan Policy SC18 states that the replacement of existing dwellings in rural areas may be permitted provided that: "(c) The size of the new development will not significantly exceed that of the existing property both in height and floor area." The purposes of the policy are to protect rural amenities by preventing a significant visual impact and to maintain a range of house types and sizes in the rural area.

Footprint/Floorspace comparisons

	Floorspace
Existing bungalow	115 m²
Proposed dwelling (footprint 175 m²)	288 m²
Proposed net increase in floorspace on existing bungalow	173 m²
Proposed net increase as % existing	150%
Outbuildings to be demolished (A, B & C - excluding low height piggery buildings).	181 m²
Bungalow & outbuildings A, B & C	296 m²

Of the outbuildings to be demolished, Building A (66 m²) is a corrugated metal shed. Building B (66 m²) is breeze block sheds with corrugated metal roofs. Building C (49 m²) is also sheds of breeze block with corrugated metal roofs.

As the proposed dwelling would be two and a half times the floorspace of the existing bungalow and there would be an increase in height of an estimated 2.6 m, it is considered the proposal would be clearly contrary to criteria (c) of Policy SC18, as it would significantly exceed that of the existing bungalow both in height and floor area. The issue arises as to whether the removal of the existing outbuildings overcomes this objection. The proposal would result in an overall reduction in footprint and slight reduction in floorspace. However, as none of the outbuildings are attached to the existing bungalow, and none are of a type, materials and construction which could be habitable, it is considered that no significant allowance should be made for their removal.

In addition, no garage is proposed, and it could be reasonably expected that a double garage would be required for a proposed dwelling of this type and in this location. Whilst the design of the proposed dwelling is attractive, it would be significantly larger in footprint, floorspace and height than the existing and would have a significantly increased impact. Whilst the dwelling would not be readily visible from public views from Heath Ride, this is not of itself a reason for allowing the proposal. The character of the backland area behind Heath Ride is one of very dispersed buildings in woodland compared with the largely continuously built-up frontage along Heath Ride, which has a more suburban and less rural character.

Other Permissions
The agent has referred to other permissions in the area. The most relevant of these is recently allowed first floor extension to 'Brackenridge' (Application No. 98/68804/F). Whilst the height of this dwelling has been increased, it already had a first floor. Whilst this property is outside the settlement boundary it is very close to Farthing Lodge on the south side of Heath Ride. As can be seen from the appeal decision summary at the end of the agenda, the proposed extension to Farthing Lodge was allowed primarily because the Inspector considered that the character of this section of Heath Ride was that of suburban housing, and that it was not reasonable to enforce policies intended for areas whose character is at least partly that of countryside. The character of the 'Chung Yu' site, however, is at least partly that of countryside, being a backland site in an area of very dispersed development among woodland.

B. Effect on Neighbouring Properties
The only neighbouring property affected is 'The Birches'. It is considered that the proposal would not have a significant adverse effect, and the occupants have written in support.

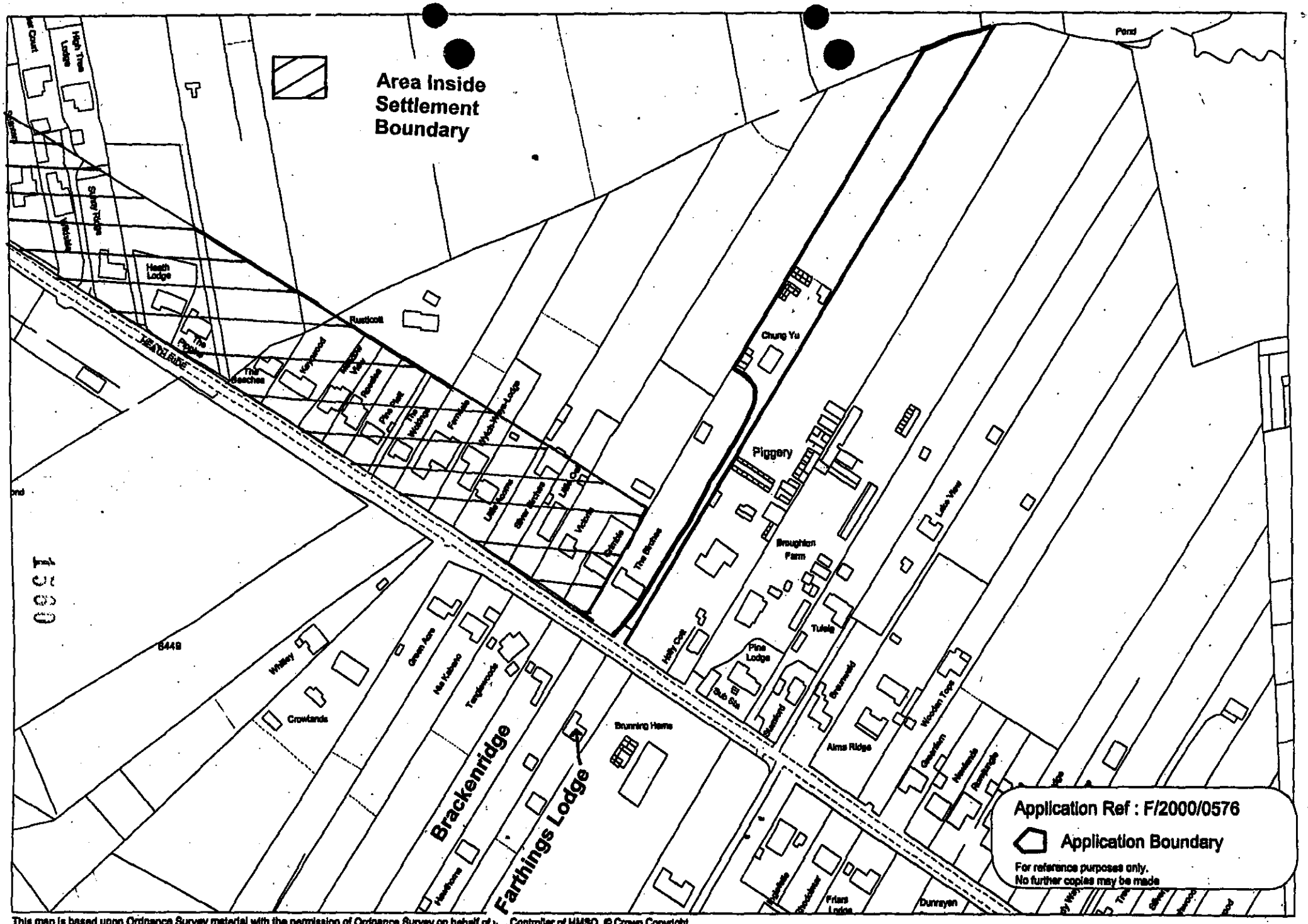
C. Comments of the Parish Council
Whilst the proposal would 'clear up' the site through removal of outbuildings and derelict pigsties, this is not considered a sufficient reason to allow the application.

5. **Conclusion** - Due to its size, scale and height the proposed dwelling would be excessive in size for a replacement dwelling, contrary to Policy SC18 and the aims of Policy WCC7.

6. **Recommendation** - REFUSE permission for the following reason:

1. The site is outside a settlement boundary. Due to its size, scale and height, the proposed dwelling would be excessive in size for a replacement dwelling and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to South East Area Local Plan Policy SC18 and to the aims of Wokingham District Local Plan (Deposit Draft) Policy WCC7.

Angela Odell



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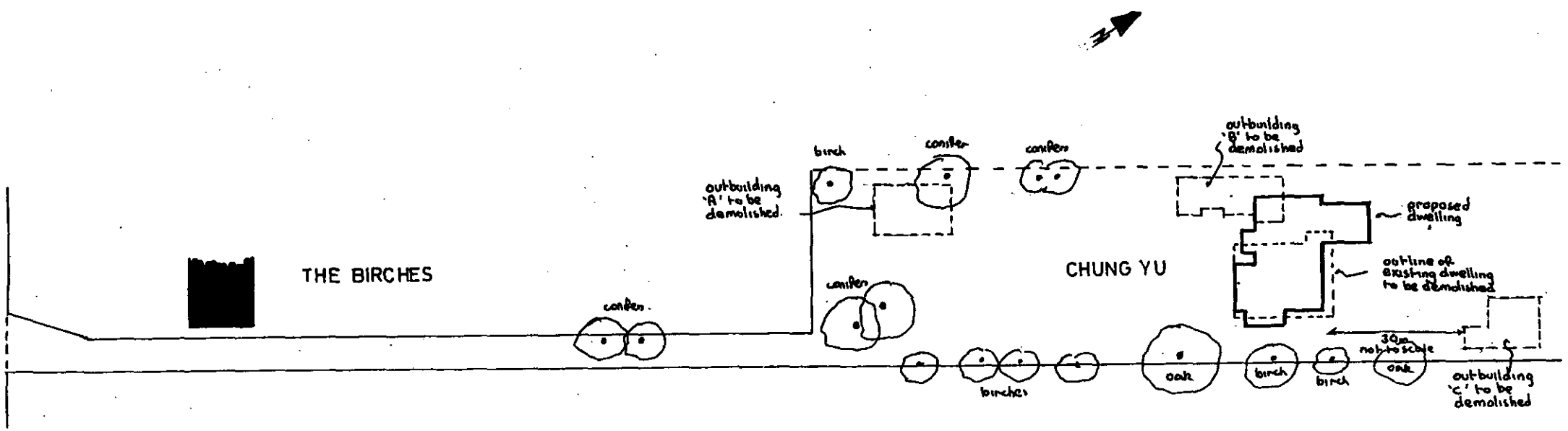
Development Control Section, Environmental Services, Wokingham District Council.

11.FEB.2000* 0576

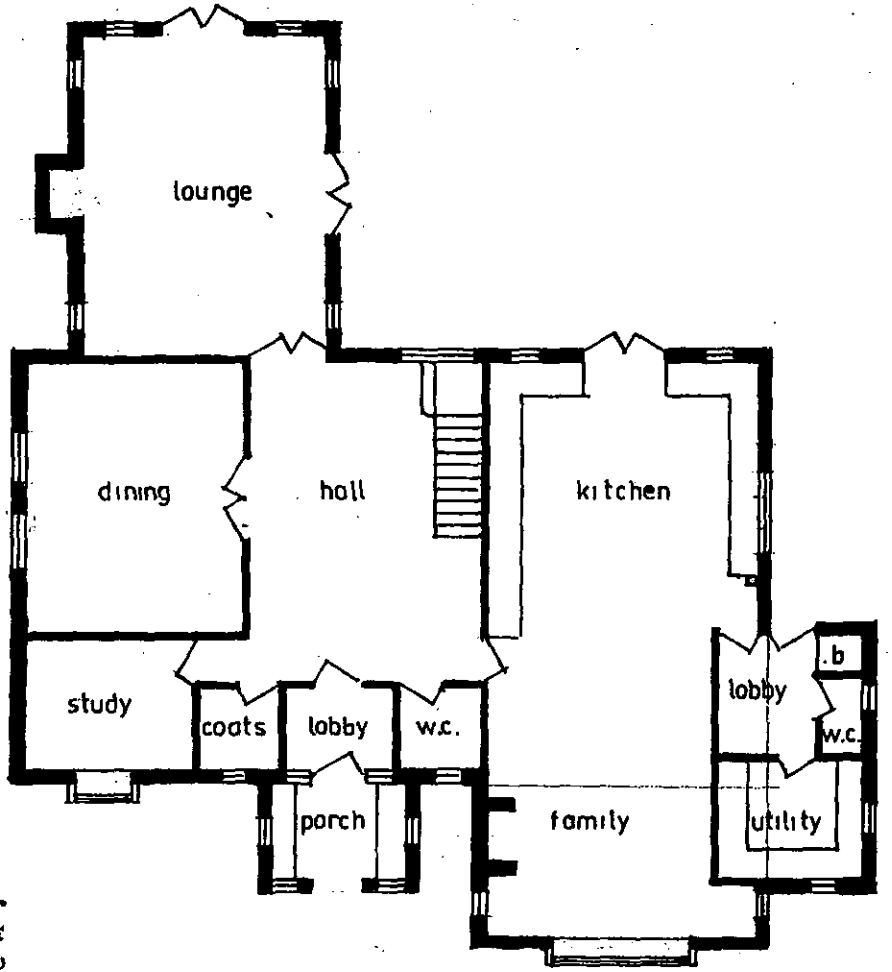


PROPOSED DWELLING - CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, BERKSHIRE

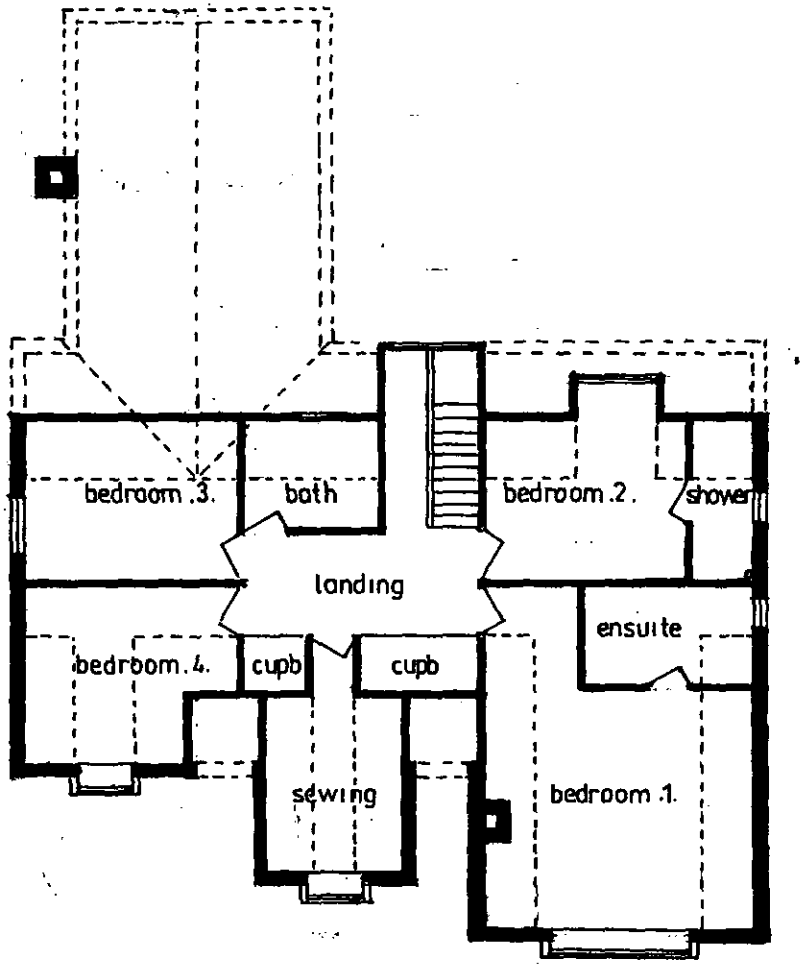
Drawing no AH/S/628[A] Date JAN 2000 Scale 1:500 Drawn ANDESIGN Clients MR & MRS J. STEAN Consultant ROBIN BRADBEER

rev 'A' Treated outbuildings added based on information provided by client (8/2/2000)

11.FEB.2000* 0576



GROUND FLOOR PLAN



FIRST FLOOR PLAN

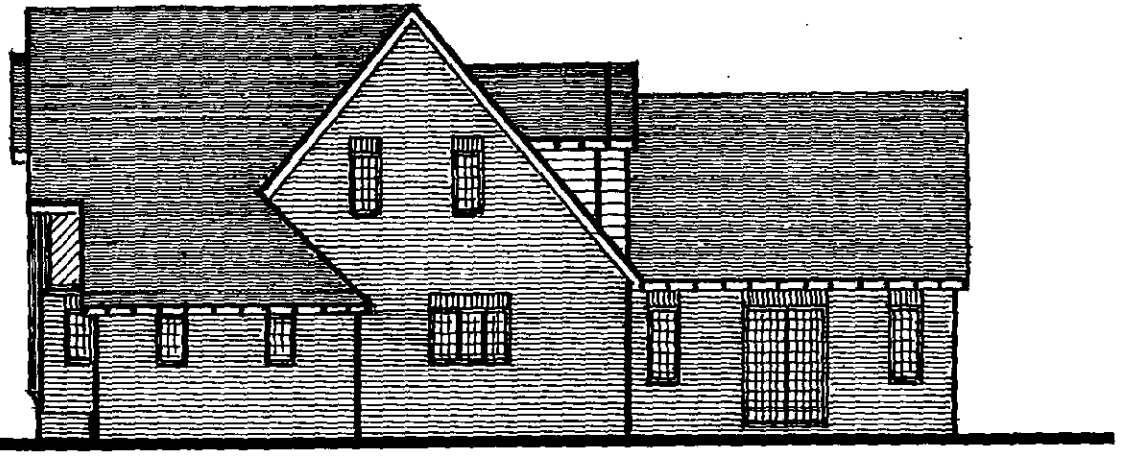
PROPOSED DWELLING - CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, BERKSHIRE

Drawing nº AH/S/626 Date JAN 2000 Scale 1:100 Drawn ANDESIGN Clients MR & MRS. J. STEAN Consultant ROBIN · BRADBEER

11.FEB.2000* 0576



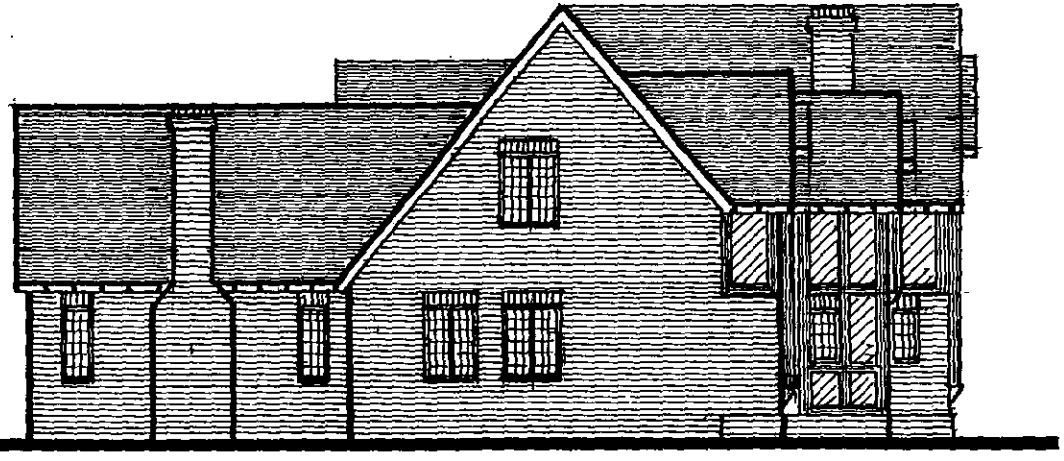
SOUTHWEST ELEVATION



SOUTHEAST ELEVATION



NORTHEAST ELEVATION



NORTHWEST ELEVATION

PROPOSED DWELLING - CHUNG YU, HEATH RIDE, FI[illegible]HAMPSTEAD, BERKSHIRE

Drawing nº AH/S/627 Date JAN 2000 Scale 1:100 Drawn ANDESIGN Clients MR & MRS. J. STEAN Consultant ROBIN BRADBEER

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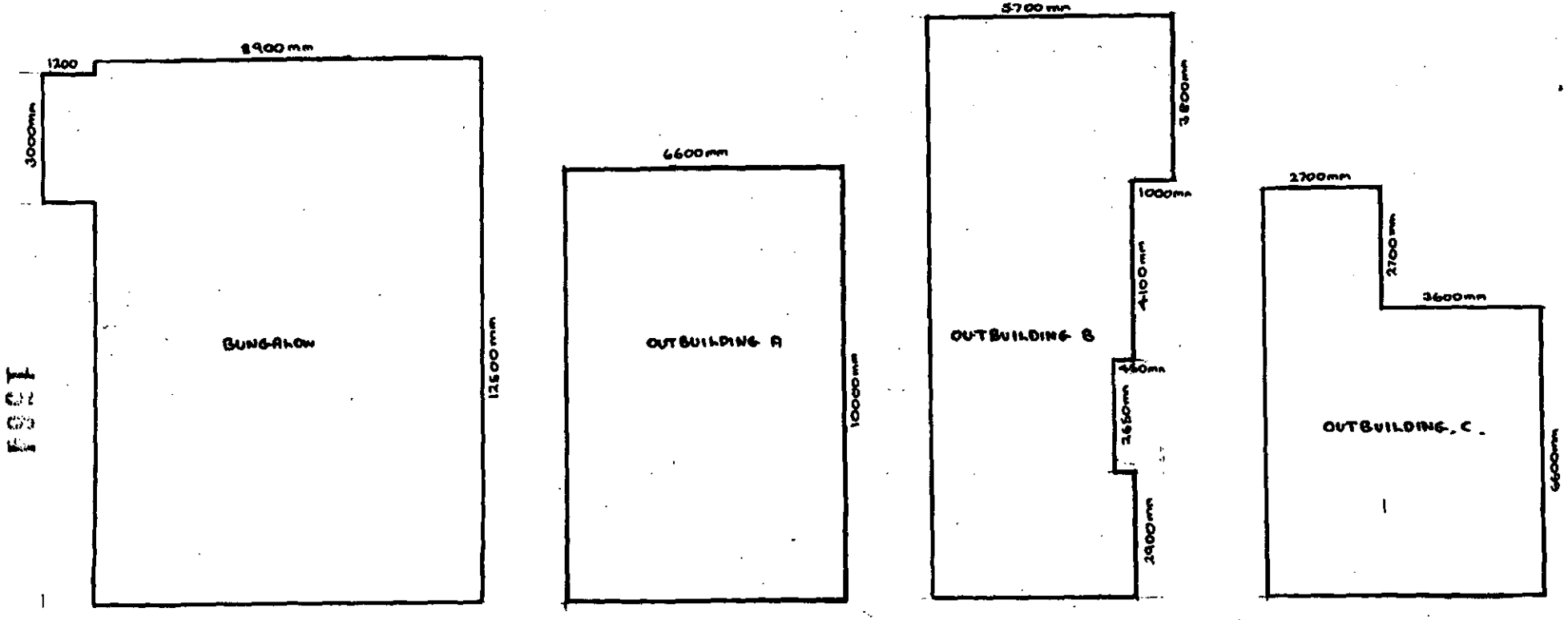

PROPOSED DEMOLITION - CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, BERKSHIRE

FOR INFORMATION ONLY

Application No.F/2000/0456	Received 27.01.00	Arborfield	Listed By Cllr Cowan

Applicant: Queensgate Homes Ltd
Location : Hillside, Church Lane, Arborfield
Proposal : Demolition of Existing Dwelling and Erection of Replacement Dwelling and Garage

1. **Planning History** - This 0.23ha. site is in an area of sporadic development on Church Lane, and is about half a mile from the nearest settlement of Arborfield Cross. There is an existing bungalow on the site which has already been extended. There is also a dilapidated timber outbuilding at the rear of the bungalow which is attached to it by polythene roof sheeting with a timber underside. There is also an adjacent corrugated metal shed. The existing bungalow is pre-war and was extended at the side by Permission No. 07393 granted in 1977.

   The application has been listed because the "floorspace increase of only 21% if taken into consideration if existing building had a loft extension. Other precedents on similar applications".

2. **Proposal** - Is to demolish all the existing buildings on the site and erect a chalet style two-storey dwelling and detached double garage.

   The agent has submitted a report in support of the proposal which gives the following information and analysis: The existing buildings comprise a footprint of 216.75m² and have a site coverage of 9.4%. The floorspace available for residential use including structures attached to the principal building comprises 183.53m². The potential to convert the roof space would add a further 31.5m², to produce a total floorspace of 215.03m² within the existing building. The existing ridge height is 5.9m. The agent's report then states that Church Lane is a country lane with frontage housing development throughout most of its length.

   The agent states that the proposed dwelling and garage will have a footprint of 197.16m² and site coverage of 8.5%, representing a net reduction in footprint. The dwelling will be on two levels and have a residential floorspace of 260.81m². This represents a net increase of 45.78m² (21.29%) upon the existing, assuming permitted development roof conversion, and a net increase of 77.28m² (42.1%) without that assumption. The ridge height will be 7.7m. Comprehensive landscaping is also proposed.

   The agent refers to other replacement dwellings outside settlements which have been permitted where he considers substantial increases in floorspace have been allowed, including in some cases increases in height also. He considers the proposal would comply with Loddon Area Local Plan Policy LC18 as the design would be an enhancement, there would be a reduction in footprint and the proposal would not significantly exceed the size of the existing property.

3. **Consultations** -
   - *Arborfield Parish Council :* "Has no objections to the above application. If this application were granted by Wokingham District Council we would like to

LISTING FORM

Case officer: **Angela Odell** Application Number: **F/2000/0576**

Chung Yu , Heath Ride, Finchampstead, Wokingham.

Proposed demolition of existing dwelling and ancillary building and erection of replacement dwelling.

Transfer: Yes ☑ No ☐

Reason for Transfer:

THE SQUARE FOOTAGE OF PROPOSED PROPERTY IS LESS THAN THE TOTAL EXISTING BUILDING ON PLOT. UNTIDY SITE OLD PIGGERY. BETTER FOR ENVIRONMENT AND GENERAL STREET SCENE.

Signed: [signature] Date: 20/3/00.

Councillor R Cundy

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

PLANNING SERVICES	HPT
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21 MAR 2000	
COPIES TO:	ACK:

The Buches
Heath Ride
Wokingham.
Be[illegible] RG40 3QJ.

PLANNING SERVICES	RG 40 3QJ.
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02 MAR 2000	
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FAO.
Mrs. A. Odell.
Development Control.
Wokingham DC.

Dear Mrs Odell.

Your reference F/2000/0576
Re Chung Yu. - Heath Ride.

My wife + I occupy the adjoining property 'The Buches' where we have lived for the past 15 years.

We welcome this proposal to remove the ramshackle range of buildings on the site and replace the existing poor quality bungalow with a well designed dwelling.

The proposals can only enhance the visual quality of the surrounding area. and therefore they have our unqualified support.

We note that the replacement dwelling will be built in a similar position to the existing bungalow and in view of the

separating distance from our dwelling, we have no concerns regarding impact upon our privacy or amenity.

We hope that you will be able to reach a positive decision with minimum delay so facilitating implementation of this project in the Spring.

Yours sincerely,
M. Dorrington

MR + MRS M.A. DORRINGTON

A0.

0505

Mrs Helen Brooke MCOptom
Birchwood
Heath Ride
Finchampstead
Berks
RG40 3QJ

Tel 0118 9734493

PLANNING SERVICES	HPT
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17 MAR 2000	
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	FILE:

16 March 2000

Application Number : F/2000/0576

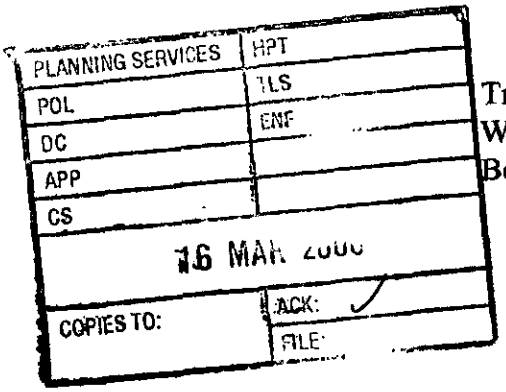
Dear Mr Wood,

I am writing in support of the planning application for Chung Yu, Heath Ride. To get rid of the piggery and to have a house built in keeping with the rest of the road can only be a positive thing as far as the other residents of Heath Ride are concerned.

Yours sincerely

Helen Brooke

SM S



10/03/2000

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Trudos, Heath Ride
Wokingham
Berks RG40 3QJ

Angela Odell
Planning Officer,
P.O. Box 157
Council Offices
Shute End
Wokingham
Berks. RG40 1WR

Dear Angela

RE: "Chung Yu", Heath Ride. Ref: F/2000/0576

I have been a resident of Heath Ride for nearly 20 years now and have been made aware of the planning concerns at Chung Yu.

The property does not affect me directly since I live about 350 yards from the proposed development but I know the property and would like to point out that although a short distance from the ride, it is a disgrace to Heath Ride. There is no place for a pig farm in Heath Ride now it has become a residential road. I think the current constructions should be demolished and replaced.

I have known the builder, John Stean, since I moved to Heath Ride and have seen many of the houses and bungalows he has constructed. I have never known him to build anything other than a desirable house and his constructions always enhance the quality of the environment (and hence the desirability of the area). Unlike some of the things that have been slung up down Heath Ride, especially where one small bungalow has been demolished to make way for two large houses, shoe horned in and with only enough room for a cat to walk between them. As a concerned resident of Heath Ride I can only hope that some property developer doesn't get hold of this site with the intention of building ten houses as has also happened in the general locality. I think a one for one replacement would be in the best interest of all the residents of Heath Ride.

I hope you find my comments of some value.

Yours sincerely

Gary Green

Eh 5

J.W.Dowell. 'Foxdale' Heath Ride Finchampstead RG 40 3QJ

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16 MAR 2000	
COPIES TO:	ACK: ✓
	FILE:

Mrs Angela Odell.
Wokingham District Council
Environmental Services Department
Planning Services
P.O. Box157
Shute End
Wokingham
Berkshire RG.40 1WR.

Dear Mrs Odell

Re Planning Application No F/2000/0576
Chung Yu Heath Ride Finchampstead Wokingham.

I wish to register my support for the above application.

Having lived in Heath Ride for many years I welcome the proposal that another derelict and untidy plot is to be redeveloped with what can only be described as a building far superior to that which exists.

Many properties in Heath Ride have been either extended or completely rebuilt. I take this opportunity to thank the Planning Department for their forsight in allowing housing in Hollybush and Heath Ride to be renovated and extended to a degree that has improved the whole environment of the area making it a pleasure to walk these roads.

The property in question was used as a piggery, together with all of the associated buildings, which are still standing to this day in various states of disrepair. In fact the bungalow can hardly be described as habitable and has no architectural merit whatsoever, surely this proposal represents an immense overall benefit to the neighbourhood.

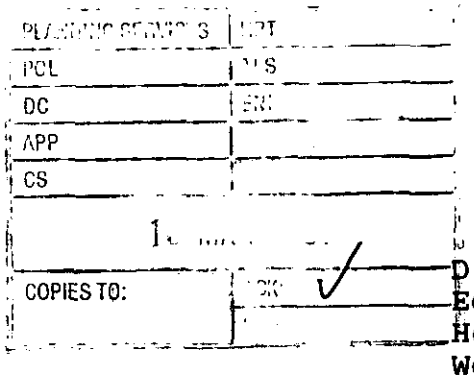
In view of the above I sincerely hope that you are able to approve this application.

Yours sincerely,

J W Dowell

Mr J. W. DOWELL.

805



D G Auret
Edenderry
Heath Ride
Wokingham RG40 3QJ

6th March 2000

Angela Odell
Ref. No. F/2000/0576
Environmental Services Department
Wokingham District Council
P O Box 157
Wokingham RG40 1WR

Dear Madam

Re. Application Number F/2000/0576

I write in support of Mr & Mrs J Stean and their application for development of Chung Yu in Heath Ride, Finchampstead, Wokingham.

As a resident owning a property in Heath Ride myself I would favour the improvement that Mr Stean proposes for Chung Yu. The demolition of decaying buildings to be replaced by a suitable house can only enhance the ride and neighbourhood.

Yours faithfully

D G AURET

FROM Angela Odell

DATE 01 March 2000

PLANNING SERVICES
POL
DC
SS
13 MAR 2000
COPIES TO:

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/0576

Proposal: Proposed demolition of existing dwelling and ancillary buildings and erection of replacement dwelling..

Site Address: Chung Yu, Heath Ride, Finchampstead, Wokingham.

Applicant: Mr & Mrs J Stean C/O Robin Bradbeer Ltd.

Your observations are required in respect of this application **by 13/03/2000** .

NB amendment to description

Councillors supported the proposal under this application since it is considered that it will effect the cleaning up of a currently very messy site.

SIGNED: C.S. Clerk To Finchampstead Parish/Town Council.

DATE: 10-3-00

TO: DEVELOPMENT CONTROL FROM: Environmental Design
Angela Odell

DATE: 15th March 2000

Location:	Chung Yu, Heath Ride, Finchampstead, Wokingham
Proposal:	PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELING
Application Number:	F/2000/0576

In response to your consultation dated 18th February 2000 for the above application, the tree and landscape comments are as follows:

I have on objections to the proposal in principle.

The Proposed Dwelling Plan (drawing AH/S/628 A), correctly identifies a number of existing trees along the existing property boundaries. However, this contains insufficient information and the applicant should submit a detailed tree survey to BS 5837. This should also include protective fence details to ensure the successful retention of all the existing trees within the site.

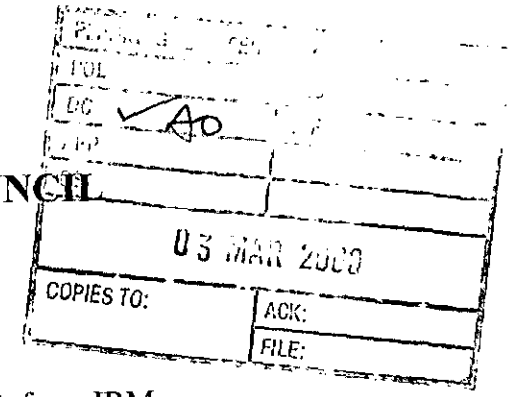
A detailed landscaping scheme should also be submitted. This should propose significant areas of tree and shrub planting along the boundaries to reinforce the existing sparse planting in order to provide a visual buffer between the proposed and existing built form.

All new planting should be identified separately on the plan giving full details of species name, location of each species, size of plants at time of planting and planting densities.

ROBERT PETROW
Consultant Landscape Architect

01262

527151



WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: John Mullaney
Environmental Health

My Ref: JRM

To: Angela Odell
Planning Department

Date: 2/03/2000

CHUNG YU, HEATH RIDE, FINCHAMPSTEAD

Having considered the environmental health implications of the above development I have no objections or comments to make.

J Mullaney

John Mullaney
Environmental Health Officer

HIGHWAYS CONSULTATION SHEET

From: Angela Odell

Date: 18 February 2000

Application Number: F/2000/0576

Proposal: Proposed demolition of existing dwelling and ancillary building and erection of replacement dwelling..

Site Address:
Chung Yu , Heath Ride, Finchampstead, Wokingham.

Applicant:
Mr & Mrs J Stean C/O Robin Bradbeer Ltd.

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 (SR06)

Signed: N.S. Trotter **Print name:** N TROTTER

24-02-00

Robin Bradbeer Limited

Planning & Development Consultancy

20 Lansdown Parade
Cheltenham
Gloucestershire
GL50 2LH

Telephone
01242 577151

Fax
01242 527151

E-Mail
planning@bradbeer.co.uk

26316

Environmental Services Department
Planning Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

My Ref. RWB/321
Your Ref. F/2000/0576
23 February 2000

For the attention of Mrs A Odell
Development Control

Dear Mrs Odell

SITE : CHUNG YU HEATH RIDE FINCHAMPSTEAD
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND ANCILLARY BUILDINGS AND ERECTION OF REPLACEMENT DWELLING

I have today received your letter of acknowledgement dated 18 February with enclosures.

Will you please note that the description of the proposal you have shown contains an error. The word "building" should have appeared in the plural form as "**buildings**" to correspond with the description given at box 5 on the application form.

Failure to remedy this error could adversely prejudice my client's application. Please confirm when you have corrected the description.

Yours sincerely

ROBIN BRADBEER

Carol
please alter & return
(new notices + to sign etc)
Thanks. JCH 29/2
Any:

321cyhr.7.

Received by Wokingham District Council

Application No: F/2000/0576

Proposal:
Proposed demolition of existing dwelling and ancillary buildings and erection of replacement dwelling.

Location:
Chung Yu, Heath Ride, Finchampstead, Wokingham.

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

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

WOODLEY LIBRARY HEADLEY ROAD WOODLEY (9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday. 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 letter for delivery of plans.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Angela Odell P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 13/03/2000. 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

Received by Wokingham District Council

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Head Planning and Transportation

Recd 3.45 25.2.00

AO

1792

I have today displayed the site notice(s) in a prominent position on the land/ buildings to which the application number F/2000/0576 relates.

Address of site GHUNG YU'

HEATH RIDE FINCHAMPSTEAD

Signed [signature]

Date 25-2-00

Postage
will be paid
by licensee

Do not affix Postage Stamps if posted in Gt. Britian, Channel Islands, N Ireland or the Isle of Man

Business reply service
License no. RG147

Planning Services
Environmental Services Department
Wokingham District Council
Council Offices
Shute End
Wokingham
Berkshire RG40 1BR

(*) PRE-APP (*)
ATTACHED

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date: 11 FEB 2000	Map No. 107 Site 0.77
Officer: AO	Application No. F/2000/0576
	Easting: ..... Flood Pln .....
	Northing: ..... Mineral .....

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State
☐ Incorrect Fee ☐ Invalid ☐ PD

11.FEB.2000* 0576

Description:
(F) PROPOSED DEMOLITION OF EXISTING DWELLING AND ANCILLARY BUILDINGS AND ERECTION OF REPLACEMENT DWELLING

Location: CHUNG YU HEATH RIDE

Parish: FINCHAMPSTEAD Ward: Finch North.
18-2-2000

Applicant: MR | MRS STEAN

Fee Received 190-00 Required ..... Additional ..... Refund .....

(4)
Enforcement Section to be notified ☐ tick if required

Additional information required for validation

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

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 18-2-2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

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

EXTERNAL CONSULTATIONS

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

HERITAGE BODIES

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

OTHERS:

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

.....

.....Pre-app attached.....

NEIGHBOURS:

S/N + Piggery, Heath Ride ✓

Rec'd 8·30AM 11.2.00

11.FEB.2000* 0576

Robin Bradbeer Limited

Planning & Development Consultancy

20 Lansdown Parade
Cheltenham
Gloucestershire
GL50 2LH

Telephone
01242 577151

Fax
01242 527151

E-Mail
planning@bradbeer.co.uk

Environmental Services Department
Planning Services
Wokingham District Council
Shute End
Wokingham
Berkshire RG40 1WR

Ref. No. RWB/321
11 February 2000

For the attention of Mrs A Odell
Development Control

Dear Mrs Odell

SITE : CHUNG YU HEATH RIDE FINCHAMPSTEAD
PROPOSAL : DEMOLITION OF EXISTING DWELLING AND ANCILLARY BUILDINGS AND ERECTION OF REPLACEMENT DWELLING

I attach a completed application for full permission for the above proposal comprising the following documentation:

- Six copies of the completed Part 1 application form
- The completed Ownership Certificate and Agricultural Holdings Certificate.
- Six copies of each of the following plans:
  - ordnance survey location plan scale 1:2500
  - drg. no. AH/S/628A - site plan 1:500
  - drg. no. AH/S/626 - floor plans 1:100
  - drg. no. AH/S/627 - elevations 1:100
  - plan showing footprint of existing buildings to be demolished (unnumbered)
- Six copies of my Planning Statement

You will recall that this proposal has been subject to pre-application discussions under your reference 547. Initial discussions took place in October 1999 between yourself and Mr Stean on the basis of a

Registered in England Number: 3372202

5 bedroom dwelling having a ridge height of 9m., a two storey width of 17.5m and a footprint of 202m².

Having considered the comments you expressed verbally my client commissioned a new proposal of reduced size and massing. My subsequent discussion with you on 2 February was on the basis of the proposal which is now submitted. My client's decision to now proceed with this application took into account your statement that you would not be able to offer a fully considered response in writing before the end of March. In the meantime you told me that you would not encourage a proposal which enlarged the floorspace of the existing dwelling by more than 50%. You were not able to point me to any policy, supplementary planning guidance, or indeed any resolution of the Council, which supported this mathematical basis for controlling development.

Should you wish to discuss any aspect of this proposal please contact me directly.

Yours sincerely

ROBIN BRADBEER

Enc.

1789/a

SECTION 66 CERTIFICATE

Application No.

11.FEB.2000* 0576

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

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

OR

+ See Note (a) to Certificate A

OR

(b) Insert description of steps taken.

(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).

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.

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

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

- 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) .....

  .....

- 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

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

on (d) . . . . . ●

(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).

ALL APPLICANTS MUST COMPLETE THIS SECTION

Agricultural Holdings Certificate

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

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.

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 & MRS J STEAN** . . . . . .

Date . . . **11/02/00** . . . . . .

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

1769A

11.FEB.2000* 0576

PLANNING APPLICATION PART I

Please answer all questions in CAPITAL letters. If any question is not applicable, put N/A in the space.

Please submit 6 copies of the completed form and your plans to:- Planning Dept., Wokingham District Council, PO Box No. 157, Shute End, Wokingham, Berkshire, RG40 1WR.

If you are a new applicant, notes to help you fill in the form are attached.

If you still have any questions about the form, please call Ian Jordan on 0118 974 6428.

WOKINGHAM DISTRICT COUNCIL

For office use only
Application No.

1.	YOUR NAME	MR & MRS J STEAN
	ADDRESS	SPLINTERS HEATH RIDE
		FINCHAMPSTEAD
	POST CODE	Tel. No. 01242 577151
2. If you have an agent and want all correspondence to be sent to them.	AGENT'S NAME	ROBIN BRADBEER LIMITED
	ADDRESS	20 LANSDOWN PARADE
		CHELTENHAM GLOS.
	POST CODE	GL50 2LH Tel. No.
3. On the plans outline the whole site in RED. Any OTHER land in your ownership or control outline in BLUE.	SITE LOCATION	CHUNG YU HEATH RIDE
		FINCHAMPSTEAD
4. Give the area of the application site in hectares, if appropriate, or part of a hectare	SITE AREA	0.77 ha
5. Give brief details of the proposal.	ABOUT THE APPLICATION	DEMOLITION OF EXISTING DWELLING AND ANCILLARY BUILDINGS, ERECTION OF REPLACEMENT DWELLING
6. What is your interest in the application site, e.g. owner, prospective purchaser, a tenant with a lease.	OWNERSHIP	OWNER
7. We need plans to be able to assess the application. Please list the plans and drawings you have submitted.	PLANS/DRAWINGS	1:25000 Location Plan ✓ · 1:100 Floor Plan ✓ · 1:500 Block Plan ✓ · Other ✓ · 1:100 Elevations ✓
8. Does the application involve any of the following Please tick relevant boxes. If you tick OTHER, please explain on this form.	CHANGE OF USE ☐ · ALTERATION or EXTENSION ☐ · CONSTRUCTION OF NEW BUILDING ✓ · DEMOLITION ✓ · OTHER	
9. What type of Planning application are you applying for?	RESERVED MATTERS ☐	Go to Question 10.
	OUTLINE PERMISSION ☐	State relevant outline permission No. Go to Question 10.
	FULL PERMISSION ✓	Go to Question 11.
	TEMPORARY PERMISSION ☐	State period required. Go to Question 11.
	RENEWAL OF TEMPORARY PERMISSION ☐	State previous permission No. Go to Question 11.
	VARIATION/RELAXATION OF CONDITIONS ☐	State relevant application No. Details of conditions to be relaxed. Go to Question 11.
10. IF THIS IS AN OUTLINE APPLICATION OR FOR THE APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of your application.	EXTERNAL APPEARANCE ☐ · MEANS OF ACCESS ☐ · SITING ☐ · DESIGN ☐ · LANDSCAPING ☐	

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDINGS ON THE APPLICATION SITE, e.g. residential, industrial, etc. If the site is vacant say so, and if possible give last known use.

RESIDENTIAL

12. ARE THERE ANY TREES ON THE SITE?
If YES, please show their positions, spread, and species of the trees on the plans. Indicate any which are to be felled.

YES / ~~NO~~

13. PLEASE LIST THE EXTERNAL MATERIALS TO BE USED.

BRICK & TILES SAMPLES TO BE AGREED

14. WILL SURFACE WATER BE DRAINED INTO THE EXISTING DRAINAGE SYSTEM?
If NO, please give details of any new system to be constructed.

~~YES~~ / NO

SOAKAWAYS

15. WILL FOUL SEWAGE BE DISPOSED OF INTO THE EXISTING SEWAGE SYSTEM?
If NO, please give details of any new system to be constructed.

~~YES~~ / NO

SEPTIC TANK

16. WILL PEDESTRIANS/VEHICLES ACCESS THE SITE?
Please show details of the existing access and any proposed changes on the plans.

YES / ~~NO~~

17. WILL THE CAR PARKING PROVISION AT THIS SITE BE CHANGED?
If, YES, please show details of any changes on the plans.

YES / ~~NO~~

18. DOES A PUBLIC RIGHT OF WAY TOUCH OR CROSS THE SITE?
If YES, please show the route and any proposed alternative on the plans.

~~YES~~ / NO

19. DOES THE PROPOSAL INVOLVE NEW RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS? If YES, please complete the following table.

YES / ~~NO~~

	No. of Bedrooms	Dwellings
Proposed new development	1	
	2	
	3	
	4	ONE
	5 or more	
	TOTAL	ONE
Nos. of residential units lost through demolition or conversion		
	NET CHANGE	NONE

20. HAS PROVISION BEEN MADE FOR THE DISABLED?
If YES, please show on the submitted plans what is to be provided.

~~YES~~ / NO

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL DEVELOPMENT?
If YES, please complete PART 2 of the form.

~~YES~~ / NO

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 (INCLUDING SCRAP YARDS)?
If YES, complete PART 3 of the form and submit whole application to Wokingham District Council.

~~YES~~ / NO

23. THE FEE ENCLOSED IS £ 190

The current scale of fees is attached. If you believe a reduced fee or no fee is payable please say why below.

SIGNED [signature] ON BEHALF OF MR & MRS J STEAN DATE 11/02/00

Before submitting this application check that you have answered all the relevant questions 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.



Site Plan, Scale: 1 to 2500

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Date: 11 February 2000

N
W E
S



Site Plan, Scale: 1 to 2500

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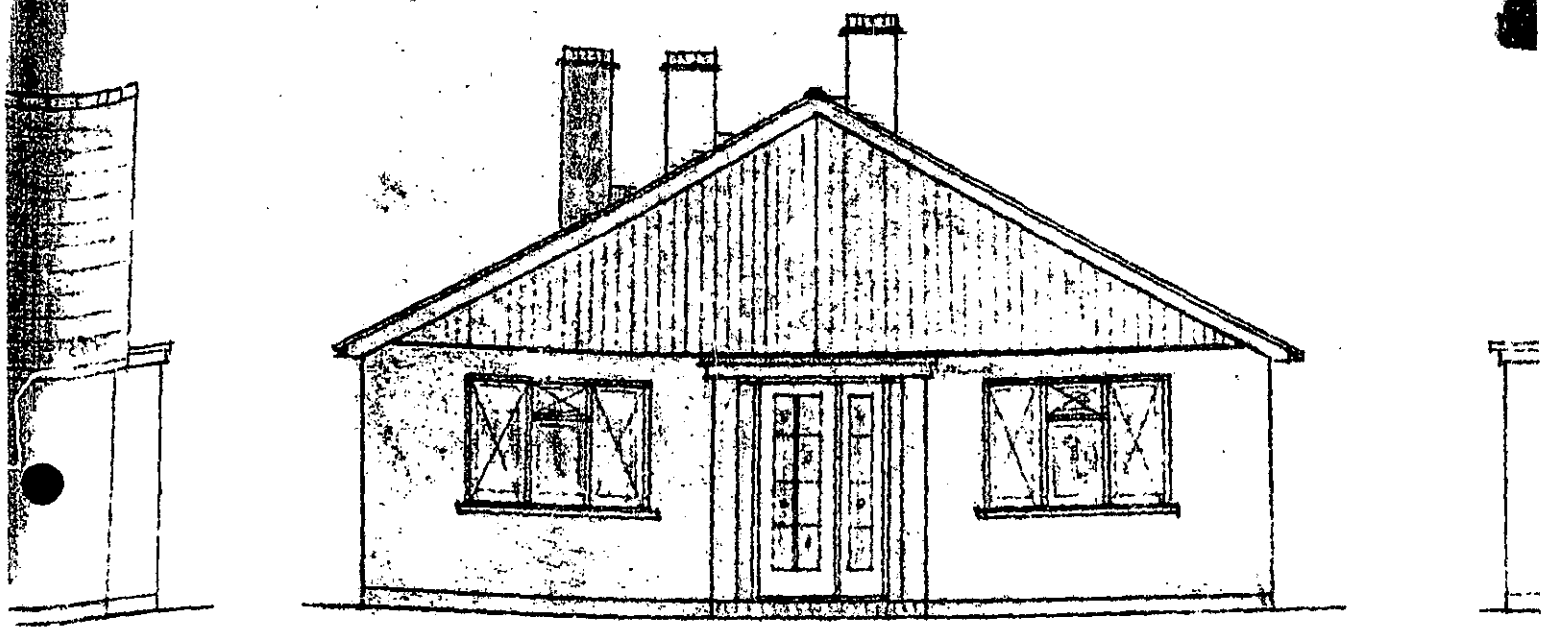
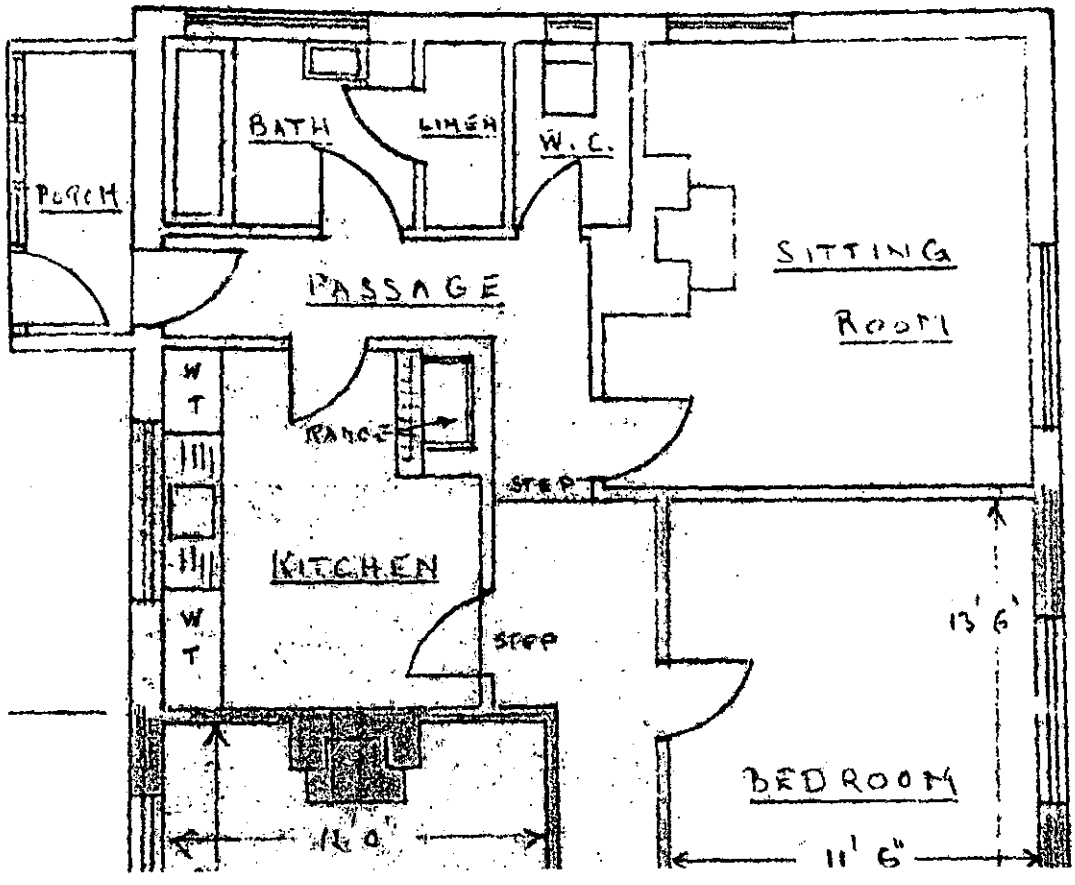
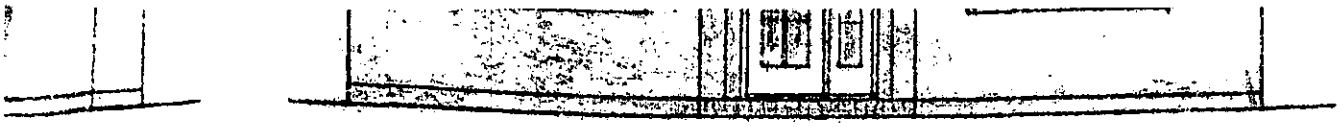
Date: 5 May 2000

N
W E
S

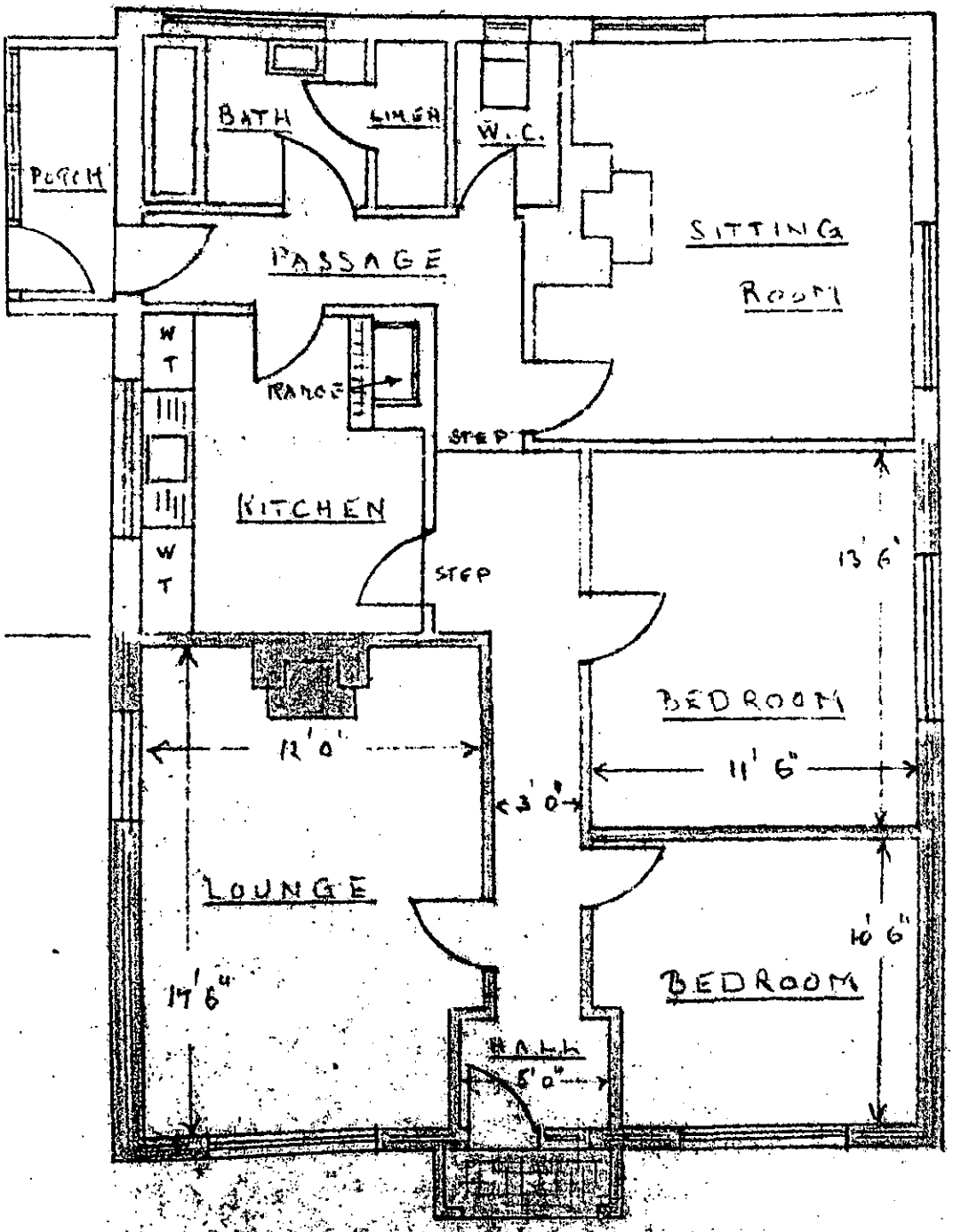


FRONT ELEVATION





FRONT ELEVATION



PROPOSED PLAN

BUILDING OF BUNGALOW AT "CHUNG YU

MR. A. J. DORRIN

SOUTHPORT U.K.
LONDON OFFICE
SYSTEMS LTD

APPLICATION NO.0576

Name of appellant:
Mr & Mrs J Stean

Site address:
Chung Yu, Heath Ride, Finchampstead

Proposal:Demolition of existing dwelling & ancillary buildings & erection of replacemen dwelling.

Case Officer:A O

Appeal Decision

Site visit made on 1 August 2000

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

by Andrew S Freeman BSc(Hons) DipTP DipEM FRTPI FIHT MIEnvSc

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

Date
10 AUG 2000

Appeal Ref: APP/X0360/A/00/1042893
Chung Yu, Heath Ride, Finchampstead

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs J Stean against the decision of Wokingham District Council.
- The application (ref: F/2000/0576), dated 11 February 2000, was refused by notice dated 6 April 2000.
- The development proposed is demolition of existing dwelling and ancillary buildings; erection of replacement dwelling.

Summary of Decision: The appeal is dismissed.

Main Issue

1. In my opinion, the main issue is the effect of the proposal on the character and appearance of the rural area.

Planning Policy

2. The development plan includes the Berkshire Structure Plan 1991-2006 and the South East Area Local Plan. Local Plan Policy STV2 indicates that development in rural areas will not normally be allowed. However, under Policy SC18, the replacement of existing dwellings in rural areas may be permitted provided that, amongst other things, the size of the new development will not significantly exceed that of the existing property both in height and floor area. Policy SC1 seeks to maintain a clear separation of settlements. In the defined areas development will not be permitted which would either detract from the undeveloped appearance or intensify existing sporadic development.

3. My attention has also been drawn to the Wokingham District Local Plan Deposit Draft. The relevant part of this emerging development plan has not yet been the subject of an Inspector's report. Although the draft plan sets out current policies of the Council, it does not have the statutory weight of the development plan. Under draft Policy WCC2, development will not be permitted in the Green Gaps and Wedges that would affect or detract from their open or countryside appearance and character. Draft Policy WCC7, referred to in the reason for refusal, relates to extensions to dwellings in the countryside.

Reasons

4. I would describe the existing dwelling on the appeal site as a modestly sized bungalow. It is on a large backland site, not intensively developed, and generally surrounded by trees and land open in character. A large detached two-storey four-bedroom house would replace the

Information

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

INSPECTOR

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT: **MR & MRS J STEAN**

APPEAL SITE: **CHUNG YU, HEATH RIDE**

REASON FOR APPEAL: **REFUSAL TO GRANT PLANNING PERMISSION FOR THE PROPOSED DEMOLITION OF EXISTING DWELLING AND ANCILLARY BUILDINGS AND ERECTION OF REPLACEMENT DWELLING**

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/0576

DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE : APP/XO360/A/00/1042893

1.00 INTRODUCTION

1.01 The main issue is the effect of the proposal on the character and appearance of the area.

1.02 There is no relevant planning history of the appeal site. The relevant planning history of other sites within the area is detailed in Appendix 2.

2.00 DESCRIPTION OF SITE AND SURROUNDINGS

2.01 A location plan to scale 1:2500 is in Appendix 1.

2.02 The appeal site is 0.77 ha in size and is in a 'backland' position behind the row of dwellings which front onto the north east side of Heath Ride. There is an existing bungalow on the site together with various outbuildings (the site was once used as a piggery).

2.03 The dwelling in front of the appeal site, 'The Birches' is a chalet bungalow. On the south-east side of the site are some derelict ex-piggery buildings.

2.04 The site is a gap/green wedge of predominantly undeveloped land, which is largely woodland.

3.00 POLICIES

3.01 The Development Plan comprises the Berkshire Structure Plan and South East Area Local Plan. The Berkshire Structure Plan was adopted in November 1995 and therefore carries full statutory weight.

3.02 The South East Area Local Plan was adopted by Wokingham District Council in April 1994 and together with the Structure Plan comprises the development plan for the area.

The relevant policies in this plan are;

STV2 Development in rural areas
SC1 Separation of settlements
SC18 Replacement Dwellings in Rural Areas

Copies of the above policies are contained in Appendix 3.

3.03 There is an emerging local plan, the Wokingham District Local Plan, which will replace the South East Area Local Plan. The Wokingham District Local Plan was placed on deposit from 21 October 1997 to 2 December and has been used for Development Control purposes since 21 October 1997. The Public Local Inquiry into the Wokingham District Local Plan started in October 1998, and is in two phases. Phase I is into Chapter 6 of the plan. This Chapter proposed a new settlement of between 2,000 and 2,500 houses south of the M4 (in conformity with Berkshire Structure Plan Policy H3); Wokingham District Local Plan (Deposit Draft) Policy WSM1 identifies Grazeley as the proposed location. Two alternative sites for the proposed new settlements were also considered at the inquiry (Shinfield and Spencers Wood). The Local Plan Inspector's report is expected on Phase I in mid 2000. The inquiry re-opened for Phase II in February 2000 to consider the remaining policies and proposals in the plan. The County Council issued a statement of general conformity of the Wokingham District Local Plan (Deposit Draft) with the Structure Plan in May 1997.

3.04 The relevant policies in this plan are:

WCC1	Development in the Countryside (outside the Metropolitan Green Belt)
WCC2	Green Gaps and Wedges (outside the Metropolitan Green Belt)
WCC7	Extensions to Dwellings in the Countryside (outside the Metropolitan Green Belt)

Copies of the above policies are contained in Appendix 4.

4.00 THE COUNCIL'S CASE

4.01 South East Area Local Plan Policy SC18 allows replacement dwellings in principle, but requires that they have the minimum impact on the rural environment and that the size of the new dwelling does not exceed that of the existing property, both in height and floor area. The text to Policy SC18 explains that this is in order to prevent replacement dwellings having a significant impact on the open or rural character of the area by increased visual presence etc and to maintain a range of dwelling types and sizes in rural areas. Wokingham District Local Plan (Deposit Draft) Policy WCC7 similarly aims to ensure that extensions to dwellings in the countryside do not significantly increase the scale of built development on the site nor impact on the surrounding countryside.

4.02 Footprint/Floorspace comparisons

	Floorspace
Existing bungalow	115 m²
Proposed dwelling (footprint 175 m²)	288 m²
Proposed net increase in floorspace on existing bungalow	173 m²
Proposed net increase as % existing	150%
Outbuildings to be demolished (A, B & C – excluding low height piggery buildings).	181 m²
Bungalow & outbuildings A, B & C	296 m²

4.03 Of the outbuildings to be demolished, Building A (66 m^2) is a corrugated metal shed. Building B (66 m^2) is breeze block sheds with corrugated metal roofs. Building C (49 m^2) is also sheds of breeze block with corrugated metal roofs. The height of the existing bungalow is estimated to be 5.2 m, the proposed dwelling will be 7-8m high; an increase of 2.6 m.

4.04 As the proposed dwelling would be two and a half times the floorspace of the existing bungalow and there would be an increase in height of an estimated 2.6m, it is considered the proposal would be clearly contrary to criteria (c) of Policy SC18, as it would significantly exceed that of the existing bungalow both in height and floor area.

4.05 The proposed dwelling would also be 14m wide, much wider than the existing bungalow which is 9m wide, and significantly bulkier in appearance with large first floor gables. The issues arises as to whether the removal of the existing outbuildings overcomes this objection. The proposal would result in an overall reduction in footprint and slight reduction in floorspace. However, as none of the outbuildings are attached to the existing bungalow and none are of a type, materials and construction which could be habitable, it is considered that no significant allowance should be made for their removal. In addition, no garage is proposed and it could be reasonably expected that a double garage would be required for a proposed dwelling of this type and in this location. Whilst such a garage could possibly be constructed under permitted development rights, it would be a new 'outbuilding'.

4.06 Whilst the design of the proposed dwelling is more attractive than the existing dwelling, it would be significantly larger in footprint, floorspace and height than the existing and would have a significantly increased impact. Whilst the dwelling would not be readily visible from public views from Heath Ride, this is not of itself a reason for allowing the proposal. The character of the backland area behind Heath Ride is one of very dispersed buildings in woodland compared with the largely continuously built-up frontage along Heath Ride, which has a more suburban and less rural character.

Other applications and appeals in the area

4.07 The appellant refers to other applications in the area.

4.08 Deers Leap/La Vallette – App No. 98/66959/F (subsequently amended by App No. 99/68889/F). This site is within a built-up frontage along the west side of Hollybush Ride, with a similar row of dwellings opposite. The character and appearance of the site and its surroundings is therefore more suburban and not comparable to the appeal site.

4.09 Audere Pines – App No. 98/67235/F. this application was allowed because the proposed extension was largely within the volume of extensions already approved. The site is also in a built-up frontage.

4.10 Wick Vale Cottage – App No. 97/66335/F. This decision was taken at a time of re-organisation and upheaval and there are no case notes on the file which justify it. However, this decision should not be allowed to set a precedent for the current appeal, particularly as the current appeal site is in a gap between settlements, whereas Wick Vale Cottage is not.

4.11 The council draws attention to two recent appeal decision on sites close to the appeal site:

4.12 268 Nine Mile Ride – App No. 98/70394/F (copy of inspector's decision letter in Appendix 5). This application proposed demolishing the existing chalet bungalow and erecting two houses. As well as dismissing the appeal on grounds of the additional dwelling, in his paragraph 16, the inspector considered that although the overall height and width would be similar to the existing dwelling, each proposed dwelling would have a significantly greater floorspace and be bulkier and so contrary to Policy SC18.

4.13 Alma Ridge, Heath Ride – App No 99/69746/F (copy of inspector's decision letter in Appendix 6). This application proposed demolition of the two existing bungalows and erection of two replacement chalet bungalows. The inspector dismissed this appeal because she considered the proposed chalet bungalows would significantly exceed the existing and alternative allowed replacements in height and floor areas and would be bulkier and so contrary to Policy SC18.

4.14 These two sites are close to the appeal site and also involve at least one replacement dwelling in a backland position in the gap between settlements. If the current appeal were allowed it would be likely to encourage similar proposals for replacement dwellings in the area of such an increase in size and/or height such as to be contrary to Policy SC18 that the council could find difficult to resist them. This could lead to increasing urbanisation of the character and appearance of the area and significant erosion of the effectiveness of the gap between settlements.

5.00 CONCLUSION

5.01 Due to its size, scale and height the proposed dwelling would be excessive in size for a replacement dwelling, contrary to policy SC18 and the aims of Policy WCC7, and would have an urbanising and harmful effect on the character and appearance of the area.

5.02 In accordance with Section 54A of the 1990 Town and Country Planning Act, applications should be determined in accordance with development plan unless material considerations indicate otherwise. In this case the proposal clearly conflicts with the development plan policy contained in the South East Area Local Plan (which is the development plan for the purpose of Section 54A) for the reasons given above. The appeal should therefore be DISMISSED.

AO.

LIST OF APPENDICES

1. Location plan of the appeal site, Scale 1:2500.

2. Relevant planning history of other sites in the area.

3. Extracts from the South East Area Local Plan.

4. Extracts from the Wokingham District Local Plan (Deposit Draft 1997) Consolidated Document November 1999.

5. Decision letter dismissing appeal at 268 Nine Mile Ride – Application No. 99/70394/F.

6. Decision letter dismissing appeal at Alma Ridge, Heath Ride – Application No. 99/69746/F.

7. Condition for appeal if allowed.

APPENDIX 1



Site Plan, Scale: 1 to 2500

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Date: 5 May 2000

Appendix 2 - Relevant Planning History of other sites in the area

Site	App. No	Description of Development	Decision	Date
Peers Leap/La Vallette, Hollybush Ride	98/66959/F	Replacement dwelling	Allowed	4.3.98
Audere Pines, Heath Ride	98/67235/F	2 storey side extension	Allowed	27.4.98
Wick Vale Cottage	97/66335/F	Replacement dwelling and garage	Allowed	7.12.97
268 Nine Mile Ride	99/70394/F	Demolition of existing dwelling and erection of 2 dwellings	Refused	18.10.99
Alma Ridge, Heath Ride	99/69746/F	Demolition of existing dwellings and erection of 2 replacement dwellings with garages Appeal	Refused Allowed	3.8.99 29.3.00

APPENDIX. 3

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

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

❖ STV1 'IDENTIFIED SETTLEMENTS'

WITHIN THE IDENTIFIED SETTLEMENTS AS LISTED BELOW AND AS SHOWN ON THE PROPOSALS MAP, DEVELOPMENT WILL NORMALLY BE ALLOWED, SUBJECT TO THE PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN. THE 'IDENTIFIED' SETTLEMENTS ARE:-

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies SH1 and SE2 of this plan.

❖ STV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE REPLACEMENT STRUCTURE PLAN EXCEPTIONS MAY BE MADE FOR DEVELOPMENT IN THE FOLLOWING CATEGORIES WHICH ARE NOT SPECIFICALLY DEALT WITH BY OTHER POLICIES IN THIS LOCAL PLAN.

(A) DEVELOPMENT FOR HOUSING PURPOSES OF SITES NOT EXCEEDING 0.4 HECTARE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(B) DEVELOPMENT FOR EMPLOYMENT USES NOT EXCEEDING 300 SQUARE METRES OF FLOORSPACE ON THE EDGE OF SETTLEMENTS IN THE FORM OF ROUNDING OFF OR REDEVELOPMENT,

(C) DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY,

(D) MINERAL EXTRACTION,

(E) PLANT FOR RECEIVING IMPORTED AGGREGATES, OR FOR THE PROCESSING OR DISTRIBUTION OF AGGREGATES,

(F) THE DISPOSAL OF WASTE BY CONTROLLED TIPPING WITHIN EXISTING OR FORMER MINERAL WORKINGS OR ON OTHER DESPOILED LAND,

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

(H) ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA,

THE ACCEPTABILITY OF ALL PROPOSALS WILL ALSO BE JUDGED AGAINST THE PROVISIONS OF THE OTHER RELEVANT POLICIES CONTAINED IN THIS PLAN . FOR THE AVOIDANCE OF DOUBT THE AREAS OF SPORADIC DEVELOPMENT IDENTIFIED ON THE PROPOSALS MAPS ARE INCLUDED WITHIN THE RURAL AREAS.

1.3.05 The countryside policies and proposals of this plan are therefore primarily concerned with the needs for and the effects of non- agricultural development in the rural parts of the plan area. There have often been competing claims for the use of land besides agriculture in this part of Berkshire in the past, and they will be strengthened by the reduced role of agricultural production. The plan has a central role to play in achieving a rational balance between those claims.

1.3.06 Many of the policies are protective of the countryside and restrict new built development in accordance with the overall policy STV1 and Policy EN1 of the Replacement Structure Plan. The policies also seek to enhance the countryside in those areas where a land use plan is able to do so.

EXPANSION OF EXISTING SETTLEMENTS

1.3.07 Some of the Housing and Employment policies allow for limited development of sites outside the identified settlements shown on the Proposals Maps. It is important that where these are otherwise acceptable they should not prejudice the maintenance of the rural areas and the countryside in general terms. In addition to the general restriction of development in rural areas embodied in Policy STV2 there are, therefore, policies which apply to land on or close to the boundaries of the identified settlements and to land between settlements. The aims of these policies are:

a) to maintain, and where possible reinforce, a clear distinction between built-up areas and rural areas,

b) to ensure that new development either within or on the boundaries of built-up areas does not detract from the surrounding countryside,

c) to ensure that a physical and visual separation is maintained between distinct settlements.

1.3.08 The policies are based upon and complementary to Policies EN4, EN5 and EN6 of the Replacement Structure Plan and do not seek to repeat them. Particular consideration will be given to Policy EN4 which deals with the need to prevent development impinging unsatisfactorily on the surrounding countryside regardless of whether or not it is within one of the special categories outlined below.

1.3.09 Where there are distinct settlements, development on their boundaries or between them could, either visually or physically, damage their individual identities. Policy SC1 identifies the areas which are essential to the maintenance of physical and visual separation and makes it clear that development will not be permitted which would detract from that essential function. In some cases this will not include all of the intervening land between settlements but there may be other policies in the plan, in addition to STV2, which make development equally unacceptable. In some areas the gap which already exists between settlements falls below that ideally required to maintain physical and visual separation. It is particularly important that what remains is fully protected and, where possible, made more effective.

1.3.10 In considering what areas should be included in Policy SC1 only gaps between identified settlements or between identified settlements and areas of dispersed settlement have been identified. At the smaller scale, development between areas of dispersed settlement would be equally unacceptable and on the larger scale, major developments in the wider tracts of open countryside between settlements such as between Wokingham and Crowthorne could create new pressures for coalescence and be objectionable on that basis. The criteria used to identify these areas are contained in Working Paper Two which is available separately from this Plan.

AGRICULTURAL BUILDINGS AND OTHER STRUCTURES IN RURAL AREAS

1.3.49 As has already been described, many agricultural operations and developments are outside of planning control. However, in certain circumstances planning permission is required, (e.g. for the erection of very large farm buildings or those close to main roads). Modern agricultural buildings are often starkly different from their historic predecessors, and can have a major impact upon the rural landscape. The District Council would urge that whether or not such development requires planning permission, care should be taken to ensure the scale, appearance and siting of such structures is sympathetic to the character and appearance of their surroundings in accordance with policy SC15 above. In considering such applications the District Council will consult, as necessary, with the Ministry of Agriculture, Fisheries and Food or agricultural consultants. Notice will also be taken of leaflets published by MAFF giving advice on the siting and planning of farm buildings.

REDEVELOPMENT AND EXTENSIONS IN RURAL AREAS

1.3.50 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 SH3, 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 SH4. This will provide for the growing number of smaller households.

1.3.51 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 of dwellings that have reached the end of their useful life (generally by larger buildings) 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.

❖ SC18 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 SC15.

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.

APPENDIX L

Wokingham District Local Plan

Deposit Draft 1997

Consolidated Document November 1999

November 1999

THE COUNTRYSIDE

Development in the Countryside

2.21 It is important to note the distinction between the 'countryside' and 'rural areas'. These are quite separate in technical terms. 'Countryside' is all land beyond identified settlement boundaries. Note that the countryside within the Metropolitan Green Belt is subject to specific Green Belt policies that form part of a separate chapter in this plan. The 'rural areas' definition is set out in the Berkshire Structure Plan 1991 - 2006, para. 5.5 where it is defined as:

"...those places which lie beyond towns (and adjoining built-up areas) with populations of 10,000 or more. This definition accords with that used by the Rural Development Commission...Using this approach the following settlements fall outside the remit of Policy C1: Reading Urban Area (Woodley and Earley); Wokingham/Winnersh"

2.22 Using just the 'rural areas' definition would mean that much of the plan area is rural and includes settlements such as Finchampstead North and Twyford. Therefore the 'countryside' definition is considered more appropriate and will apply in this plan.

2.23 The guiding principle in the countryside is that development should both benefit economic activity and maintain or enhance the environment. Rural areas can accommodate some forms of development without detriment, if the type, form and design are sensitive to the location. New development should be carefully located having regard to existing settlement patterns and to historic, wildlife and landscape resources. Certain categories of development, e.g. agriculture and telecommunications, are classed as permitted development under the General Development Order 1995 and prior notification to the council of the exercise of these rights is required. Development in the open countryside, away from existing settlements or areas allocated for development in this local plan will be strictly controlled. Some categories of development that may be appropriate, are set out in Policy WCC1 below.

2.23A Infill development is defined as one or two dwellings in a small gap in an otherwise built-up frontage. For the purpose of this policy small is defined as no larger than necessary to accommodate two houses having regard to the widths of the existing residential frontages in the immediate vicinity. The new dwelling(s) should have a similar road frontage and similar curtilage to adjoining dwellings. It is essential that the development does not adversely affect the character of the area and in particular not lead to any urbanisation of the area. Such development should provide adequate garden or amenity open space for the private enjoyment of residents appropriate to the character and general layout of the area. The protection of trees in accordance with policy WBE11 will be another important consideration.

2.23B The development will be subject to the provisions of policy WCC4 on new buildings outside settlement boundaries. Where applicable, proposals for development will be considered against policy WCC2 and policies WLL2 to WLL8 of this plan and the relevant policies of the Structure Plan.

POLICY WCC1: DEVELOPMENT IN THE COUNTRYSIDE (OUTSIDE THE METROPOLITAN GREEN BELT)

DEVELOPMENT OUTSIDE SETTLEMENT BOUNDARIES DEFINED IN THIS PLAN (AND NOT WITHIN THE METROPOLITAN GREEN BELT) WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF DETAILED POLICIES AND PROVISIONS OF THIS PLAN.

CONT.

DEVELOPMENT WILL ONLY BE ACCEPTABLE IN PRINCIPLE WHERE THE PROPOSAL FALLS WITHIN AT LEAST ONE OF THE FOLLOWING CATEGORIES:

A) DEVELOPMENT FOR AGRICULTURE/FORESTRY

B) OUTDOOR SPORT/COUNTRYSIDE RECREATION

C) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

D) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

E) DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT COMPLIES WITH POLICY WRE1

Cont.

F) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE

G) OTHER DEVELOPMENT APPROPRIATE TO THE COUNTRYSIDE WHICH CANNOT BE ACCOMMODATED WITHIN A SETTLEMENT

H) SENSITIVE INFILLING OF ONE OR TWO DWELLINGS IN A SMALL GAP IN AN OTHERWISE BUILT-UP FRONTAGE WHERE THE DEVELOPMENT WOULD NOT ADVERSELY AFFECT THE CHARACTER AND APPEARANCE OF THE AREA.

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, IT WILL ONLY BE PERMITTED IF IT IS APPROPRIATE IN SCALE, FORM, MATERIALS, DESIGN, CHARACTER, TO ITS LOCATION IN THE COUNTRYSIDE AND BE CONSISTENT WITH OTHER POLICIES IN THIS PLAN (SUCH AS THOSE RELATING TO GREEN GAPS, LANDSCAPE AND NATURE CONSERVATION) AND ANY SUPPLEMENTARY PLANNING GUIDANCE.

THE CLOSING OF GAPS OR THE ENCLOSURE OF OPEN AREAS THAT ARE IMPORTANT COMPONENTS IN THE CHARACTER OF AN AREA WILL NOT BE PERMITTED.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

2.24 As a result of the density of development and the variety of settlements that characterise the plan area, it is essential that the separate identity of these settlements is maintained by keeping real 'green wedges' and 'gaps' between them. Policy C6 of the Berkshire Structure Plan 1991 - 2006 states that the 'green wedges' and 'gaps' will be defined in local plans. The areas in question are set out on the proposals map supporting this plan. Some of these gaps are more vulnerable than others and any built development could undermine their importance. Where specific landscape features such as trees or hedgerows may be compromised measures for positive landscape management will be sought, where possible.

2.25 For the avoidance of doubt, 'green wedges' are areas of open space penetrating, partly enclosed by, or separating identified settlements. Existing permitted uses will continue in these areas, but intensification of these uses will not be allowed where the existing open and undeveloped character of the land is adversely affected. 'Gaps' comprise open land which provides physical or visual separation between distinct identified settlements.

2.26 The areas included in the green wedges and gaps policy have been identified previously in the adopted local plans as areas important to the separation of settlements. These are retained except where specific proposals require a change, e.g. the new settlement identified at Grazeley, south of the M4.

2.27 The green wedges and gaps can also be important because of the character and sense of place that they can contribute to the settlements. In the adopted local plans the separation of, and setting of, settlements issues were kept distinct in policy terms. This could lead to confusion arising from a multiplicity of designations on areas shown on the current proposals map. As a result this has been reviewed and a need to simplify the proposals map recognised.

2.28 The green wedges and gaps designation is now shown on those areas that had either a dual settings and separation of settlements function, or the separation of settlements designation only, in the adopted local plans. Where an area was only important to the setting of settlements, these areas will remain subject to a separate policy found in the Landscape section of this chapter (Policy WLL6).

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.

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.

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 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.

Appeal Decision

The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ.
☎ 0117 987 8927

hearing held on Wednesday, 19 January, 2000

by Gerry Hollington MA, BPhil, MRTPI

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

30 MAR 2000

Appeal: T/APP/X0360/A/99/1031109/P9

- 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 brought by TAE Builders against Wokingham District Council.
- The site is located at 268 Nine Mile Ride, Wokingham.
- The application (ref: 99/70394/F), dated 26 August 1999, was refused on 18 October 1999.
- The development proposed is the demolition of an existing dwelling, the erection of 2 no. dwellings and minor access works.

Decision: The appeal is dismissed.

Procedural matters

1. The planning application form gives the site's location as Wokingham but it is clear from the other documents and from the geography of the area that the site is located in Finchampstead.

The main issues

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, in the light of prevailing planning policies.

The development plan and other policy considerations

3. The development plan includes the Berkshire Structure Plan 1991-2006 (1995) and the South East Area Local Plan (1994). Structure Plan Policy C2 states that new development outside built-up area and settlement boundaries will be permitted only where it is required for agriculture, for the redevelopment of existing buildings or for other essentially rural development. Its aims are carried forward by Local Plan Policy STV2, which defines the categories of possible exceptions to the strict control of development. Category (a) of this policy, referring to development for housing purposes of sites not exceeding 0.4 hectare on the edge of settlements, has been stated by the County Council not to be in conformity with the Structure Plan and so the weight which can be attached to this is reduced.

4. Structure Plan Policy C6 states that development will not be permitted where it would threaten open areas of special significance and defined in local plans as "green wedges" or "gaps" where there is a risk of coalescence of settlements or increased urbanisation, or loss of access to open countryside or extensive open space. These principles are reflected in Policy SC1 of the Local Plan, which defines the extent of these areas; the appeal site is situated within one such gap.

5. Structure Plan Policy EN1 aims to protect the character and quality of the environment, including conservation of and additions to existing tree cover. Local Plan Policy SBE9 states the intention to make Tree Preservation Orders where trees which are of particular amenity value are under threat.

6. Also in the Local Plan, Policy SC18 permits the replacement of existing dwellings in rural areas provided that it satisfies criteria including that the siting and design of the new development has the minimum impact on the rural environment and that the size of the new development will not significantly exceed that of the existing property.

7. There is an emerging local plan, the Wokingham District Local Plan. Its proposal for a new settlement has been considered at the public inquiry into objections; the remainder of the plan is shortly to be considered at the re-opened inquiry. As its policies are liable to change, I shall give them moderate weight. Emerging policies WCC1 and WCC2 generally carry forward the aims of existing Local Plan policies STV2 and SC1, respectively. Emerging Policy WBE11 protects trees and woodland through measures such as resisting development proposals which would harm trees recognised as having amenity or conservation value.

8. I shall also have particular regard to national policy set out in Planning Policy Guidance note (PPG) 3: *Housing* and PPG 7: *The Countryside – Environmental Quality and Economic and Social Development*. The main parties have also referred to the revision of PPG 3. Since the hearing, the revision of this policy guidance has been published.

Inspector's reasons

9. The appeal site comprises a dwelling and its large garden, situated to the rear of dwellings on the south side of Nine Mile Ride. Access is obtained via a drive between these dwellings, the rear gardens of which are bordered by wooden fences. The dwelling on the appeal site has the appearance of a bungalow with a tall, pitched roof; it has some accommodation within the roof space. The garden is mostly grassed; within it, there are several trees, particularly at the northern end.

10. Much of the land to the east and west of the site is thickly wooded, although an area immediately behind 270-274 Nine Mile Ride has been cleared. Within the woodland, there is a scatter of long-established dwellings (or their replacements). To the south of the site stand two dwellings, their gardens being divided from the appeal site by brick walls.

11. It is not disputed that the appeal site is located in the countryside, outside the defined settlement boundary and within a defined gap. The underlying aims of the countryside and gap policies are to protect the countryside and prevent the coalescence of settlements. I appreciate that the appellant contends that the proposed development would not conflict with these aims and that the site is close to an urban area, rather than being in a more isolated position. However, as paragraph 2.14 of PPG 7 points out, the countryside is to be safeguarded for its own sake. In this instance, it seems to me that the dividing line between the countryside and the urban area is clearly and logically drawn at the rear of dwellings along Nine Mile Ride, and so additional development outside this would not accord with the aims of these policies.

12. I consider that local policies take a stricter approach to development in the countryside than PPG 7, as they do not allow for extensions to groups of houses. Nevertheless, I do not accept that the proposed development should be regarded as one of the "minor extensions to

groups" of houses envisaged by PPG 7, paragraph 3.21. I understand this reference to be to groups of houses set within the countryside, whereas the appeal site is in the countryside outside (but admittedly close to) the urban area of Finchampstead.

13. The appellant further contends that the case for departure from the broad principles of policies is justified by site specific circumstances, and so it is to these which I shall now turn.

14. I acknowledge that the appeal site is close to an urban area, but my view is that its character is relatively unaffected by this proximity. Rather, the site has the appearance of a clearing within the larger expanse of woodland and is one example of the scattered development within this rural area. While one can see or glimpse from the site other dwellings at varying distances along Nine Mile Road or within the woodland and to the south, I do not regard this as a justification for development – similar circumstances are often to be found unless a site is in a particularly isolated location. Furthermore, the boundary fences and walls do not, in my opinion, have an urbanizing effect but act as a clear demarcation between the urban area and the countryside.

15. It is agreed that the site is a "brownfield site", as it is occupied by an existing dwelling and its curtilage. However, the fact that there is an urban land use on the appeal site does not, in my view, mean that development is necessarily acceptable. In this case, the land within the curtilage is largely undeveloped and the proposed development would markedly increase the degree of urbanization, harming the character of the countryside and eroding the gap. The appellant contends that development in large back gardens is encouraged by PPG 3 (March 1992 revision), but I note this has not been carried forward into the current PPG 3. In any event, the 1992 advice stressed that the acceptability of such development depends on its being in keeping with the character and quality of the local environment, which I do not regard as being achieved here.

16. It is also agreed that, just because a site is not publicly visible, one should not presume that development is justified. However, parts of the site, including the existing dwelling, can be seen from Nine Mile Road. Although they would be similar in overall height and width to the existing dwelling, each of the proposed dwellings has a significantly greater floorspace and they would, in my opinion, appear to be bulkier, particularly as a result of the greater height to the eaves. Neither would, in my view, satisfy the criteria of Policy SC18. The urbanizing effect of this increased bulk would be exacerbated by the dwellings' close proximity and their combined width, as well as the two double garages rather than the present single garage.

17. The appellant argues that the possible effects of exercising the existing dwelling's permitted development rights in respect of extensions and development within its curtilage need to be taken into account, although he accepts that it is unlikely they would be pursued to the maximum possible extent. Although harm could arise from such permitted development, I do not regard this as justification for more harmful development.

18. I shall now consider the effects on trees, adjacent to and within the site. There are two Tree Preservation Orders (TPOs) relating to trees in the vicinity: a woodland TPO covers part of the appeal site and most of the surrounding woodland; the other TPO protects specific individual trees on the land to the east of the site. I acknowledge the intention to site the proposed dwellings to avoid the loss of trees and minimise the future pressure to remove trees, but tall stands of mixed deciduous and coniferous trees abut both the east and west boundaries of the site. I agree with the Council that the specifically protected tree nearest to

the eastern boundary and the proposed dwelling on Plot 1 might be affected by the development, but its youth and distance from the dwelling would enable it to survive any harmful effects. However, I consider it likely that many of the trees on both the east and west boundaries would be likely to come under pressure for removal or reduction in size, as they would tower above the proposed dwellings and future occupiers would be likely to experience problems of debris and leaf fall and to fear damage. Such removal or reduction would erode the extent of the woodland, which is readily apparent above and behind the dwellings along Nine Mile Ride and contributes greatly to the character of the area.

19. Within the site, it is agreed that most of the existing trees would be unaffected by the proposed development. Three trees in the central part of the site would be lost, but it is agreed that this would not be harmful as they are of little significance to the surrounding landscape and their loss would be mitigated by replacement planting. However, this lack of harm does not outweigh my concern about the effects on the adjoining woodland.

20. My conclusion, therefore, is that the proposed development would not be a justifiable departure from countryside and gap policies. It would be harmful to the character and appearance of the surrounding area and it would, therefore, conflict with Structure Plan policies C2, C6 and EN1 and with Local Plan policies STV2, SC1 and SC18 and their emerging successors, as well as emerging Policy WBE11. In addition, it would not accord with the aims of PPG 3 and PPG 7.

Other matters

21. The appellant has drawn attention to decisions on other appeals in the area, but circumstances differ from site to site and each planning application needs to be considered on its own merits. Nevertheless, I believe that, if the appeal proposal were to be approved, other sites within the wooded land of the gap where there are single dwellings would be likely to be the subject of similar proposals. In my opinion, gaps between settlements tend to be particularly vulnerable to development pressures. The cumulative effect, therefore, would be to add to the degree of urbanization and to reduce the value of the gap. This reinforces my conclusion on the main issue.

22. A number of concerns have been raised by certain adjoining residents, including a loss of privacy and highway dangers. However, I am satisfied that the dwellings nearest to the proposed houses are sufficiently distant for there to be no unacceptable reduction in privacy, and the highway authority has no objection to the access arrangements (subject to complying with certain conditions).

23. I have taken into consideration these and all the other matters raised in writing and at the hearing, but none outweighs my conclusion on the main issue.

Conclusions

24. For the reasons given above, I conclude that the appeal should not succeed and I shall exercise the powers transferred to me accordingly.

Tom Hollington

Appeal: T/APP/X0360/A/99/1031109/P9

APPEARANCES

FOR THE APPELLANT:

Mr M. Leedale, B.Ed, MSc, DipTP, MRTPI	Martin & Pole, Nicholas

FOR THE LOCAL PLANNING AUTHORITY:

Mrs A. Odell, BA, MPhil, MRTPI	Senior Planning Officer, Wokingham District Council
Mr N. Etherington, DipArb (RFS), FArborA	Senior Arboriculturist, Wokingham District Council

INTERESTED PERSONS:

Mr B. Steatham	Local resident, Lavender Cottage, Heath Ride, Wokingham, RG40 3QJ
Mr C. Conlan	Local resident, High Tree Lodge, Heath Ride, Finchampstead, RG40 3QJ

DOCUMENTS

Document	1	List of persons present at the hearing
Document	2	Letter of notification of hearing and list of persons notified
Document	3	Appendices 1-5 to statement of Mr Leedale
Document	4	Wording omitted from end of paragraph 5.1 (4) of statement of Mr Leedale
Document	5	Appendices 2 – 9 to statement of Mrs Odell
Document	6	Appendices 3 and 4 to statement of Mr Etherington
Document	7	Letter and appendices submitted by Mr Steatham

PLANS

Plan	A	The application plans, being Drawings no. 10558/001 and 10558/002
Plan	B	Comparison of proposed dwelling (plot 1) to existing property, attached as Appendix 7 to statement of Mr Leedale
Plan	C	1:2,500 Ordnance Survey location plan attached as Appendix 1 to statement of Mrs Odell
Plan	D	1:1,000 Ordnance Survey plan showing extent of Tree Preservation Orders in relation to appeal site, attached as Appendix 1 to statement of Mr Etherington

PHOTOGRAPHS

Photos	1	Three photographs submitted with planning application
Photos	2	Five photographs of appeal site and surrounding area attached as Appendix 6 to statement of Mr Leedale
Photo	3	Aerial photograph of appeal site and surrounding area, attached as Appendix 2 to statement of Mr Etherington

APPENDIX 6

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

Appeal Decision

site visit held on 07/03/2000

by Mrs S A F SIMPSON LL.B Solicitor

29 MAR 2000

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

Appeal : T/APP/X0360/A/99/1034668/P7

- 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 brought by Mr J Kennedy against the Wokingham District Council.
- The site is located at land at Alma Ridge, Heath Ride, Finchampstead.
- The application (ref: 99/69746/F) dated 7 May 1999, was refused on 3 August 1999.
- The development proposed is described as the demolition of the existing dwellings and the erection of two replacement dwellings with garages.

Decision: The appeal is dismissed.

The main issue

1. The main issue in the appeal is the effect of the proposal upon the character and appearance of the area.

Inspector's reasons

2. The statutory Development Plan includes the adopted South East Area Local Plan 1994, wherein Policy SC18 states that the replacement of existing dwellings in rural areas may be permitted subject to satisfying various criteria including that the siting and design of the new development has the minimum impact on the rural environment; the size of the new development will not significantly exceed that of the existing property both in height and floor area. My attention has also been drawn to the amplification and text of Policy WCC7 of the Wokingham District Local Plan (Deposit Draft) 1997 which, I note, relates to extensions to dwellings in the countryside.

3. The appeal site lies to the northern side of Heath Ride where it forms part of an area designated as countryside and a Green Gap within the emerging Local Plan. Situated thereon are two unoccupied single-storey bungalows that are sited one behind the other and benefit from floor areas that are agreed to be 137 sq m in respect of the dwelling fronting the road and 120 sq m for the bungalow to the rear.

4. The site has a long and unusual planning history culminating in the grant of a planning permission (No 99/70345/F) for the demolition of the existing bungalows and the erection of two replacement dwellings and garages. I am informed that, this approved, more spaciously laid out tandem form of development, would involve residential buildings with a footprint of 150 sq m and roofs that have a ridge height of 6.5 m.

5. The scheme before me proposes a similar siting for the dwellings to that recently approved but their design provides for accommodation within the roof space where the ridge height of the roofs has been increased to 7 m. Combined with a larger footprint (162 sq m), the chalet

bungalows would each have a total floor area of 233 sq m. The size, design and siting of the garages are said to be identical to that approved in 1999.

6. I saw on my site visit that Heath Ride is a long, narrow lane which, I note, was formerly one of the access tracks used for forestry purposes. Although the lane now serves a variety of housing - including large detached houses and chalet bungalows - I formed the impression that this eastern part of Heath Ride continues to be strongly influenced by the woodland setting provided by The Rides to the south. Thus, I found the modest, single-storey dwellings that prevail hereabouts are less intrusive and more in keeping with their rustic surroundings.

7. It is my opinion that the new chalet bungalows would significantly exceed the height and floor areas of the modest and low profile buildings on the site. Furthermore, whilst the difference in ridge height between the approved replacement dwellings and those before me may not be considerable, I am satisfied that the provision of accommodation within the roof space results in a material difference in floor area and a noticeably more bulky and prominent form of roof scape.

Conclusion

8. I conclude that the scheme would substantially increase the visual presence of the existing (and approved) built development on the site and so, detract from this attractive woodland setting. As a consequence, I find the proposal to be contrary to Policy SC18 of the adopted Local Plan.

9. In arriving at my conclusion, I have taken into account all the other matters raised in the representations including the submissions that have been made regarding the impact of the scheme upon neighbouring residents' living conditions and the possible implementation of permitted development rights relating to the bungalows on the site. However, I do not consider that such matters add to, or alter my opinion that the harm caused by this proposal to the character and appearance of the area is, by itself, sufficient to reject the development.

10. For the reasons given above I conclude that the appeal should not, on balance, succeed and I shall exercise the powers transferred to me accordingly.

J M F Wilson

APPENDIX 7 CONDITIONS

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

2. Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking and re-enacting that Order) no development within the curtilage of the dwellinghouse hereby permitted shall be carried out without planning permission.

4. No enlargement, improvement or other alteration to the dwelling hereby permitted, by Schedule 2, Part 1, Classes A, B or C to the Town and Country Planning (General Permitted Development Order) 1995 (or any Order revoking and re-enacting that Order) shall be carried out.

5. Before development commences all the existing buildings on the site within the red lined area shall be demolished.

6. No work of any sort shall take place between the hours of 1800 and 0800 Monday to Fridays and 1330 to 0830 Saturdays and no work shall take place on Sundays or Bank Holidays.

7. Prior to the commencement of development details of the proposed slab levels of the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority.

8. The area shown on the permitted drawings for vehicle parking and turning shall be kept available for such use and no development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access to this parking space.

9. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASONS

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

2. To ensure a satisfactory external appearance.

3. In the interests of the character and amenities of the locality.

4. In the interests of the character and amenities of the locality.

5. In the interests of the character and amenities of the locality.

6. In the interests of residential amenity.

7. To safeguard the amenities of neighbouring residents and the locality.

8. Development without adequate provision for vehicle parking would lead to parking inconvenient to other road users and detrimental to highway safety.

9. In the interests of visual amenity.

10. In the interests of visual amenity.

APPENDIX · 6.

WORK SHEET FOR Mrs A Odell

Application Number : 99/70386/F
Applicant : Mr & Mrs Guntrip
Location : Kingsmere Nine Mile Ride
Finchampstead
Proposal : PROPOSED ERECTION OF DETACHED GARAGE WITH LIVING ACCOMMODATION OVER

Site Notice Displayed ? :

YES	NO	DATE
✓		16.9.99

Date of Neighbour Notifications : .....

Date of Site Visit : 16.9.99 .....

Date Registered : 2nd September 1999

Earliest Date for Decision : 30th September 1999

Latest Consultation Date/Site Notice Expiry Date : 30th September 1999

Application Expiry Date: 28th October 1999

Consultation Responses : Parish Council: No objection.
Highways: No objection subject to 'ancillary use' condition.

Planning Issues :

Application Number99/70386/F

Appraisal : Principle of proposal

Agent confirmed will accept condition restricting occupation to family, guests & staff - ancillary use. As p.p. granted under 70081 recently for reder. of bldg to large family house, consider this acceptable in principle, providing condition imposed.

Design H S does not object, ~~that~~ and as will be screened from public views, consider acceptable.

No effect on neighs.

Recomendation : CA.

RECORD OF SITE VISIT

SITE ADDRESS:
Kingsmere
Nine Mile Ride
Finchampstead

APPLICATION NUMBER: 99/70386/F
OFFICER: Mrs A Odell

DATE OF SITE VISIT: 16.9.99

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes 16.9.99.

2. DESCRIPTION OF SURROUNDINGS Lake / woodland between settlements

3. DESCRIPTION OF SITE/BUILDING detached house with attached 'clubhouse' annexe sited near lake in large area of private lake/woodland.

4. RELATIONSHIP TO ADJOINING PROPERTIES Rear of dwellings in 9MR.

5. SITE CONSTRAINTS

TREES in grounds

ACCESS/PARKING from 9MR.

LEVELS vary - house is on higher ground than lake.

BOUNDARY TREATMENT

OTHERS

APPENDIX 5.

WORK SHEET FOR Mrs A Odell

Application Number : 99/70081/F

Applicant : Mr & Mrs Guntrip

Location : Kingsmere Nine Mile Ride
Finchampstead

Proposal : PROPOSED CHANGE OF USE OF CLUB HOUSE AND CURTILAGE TO RESIDENTIAL. DEMOLITION OF GROUND AND FIRST FLOORS AND REPLACEMENT TO CREATE SINGLE DWELLING. REVISED DRIVEWAY.

Site Notice Displayed ? :

YES	NO	DATE
✓		30. 7. 99

Date of Neighbour Notifications : .....

Date of Site Visit : 30.7.99

Date Registered : 6th July 1999

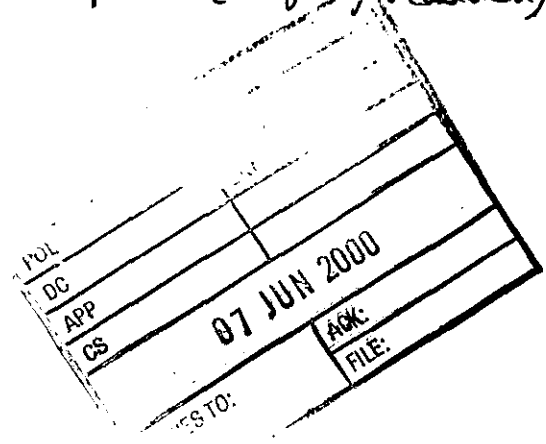
Earliest Date for Decision : 12th August 1999

Latest Consultation Date/Site Notice Expiry Date : 12th August 1999

Application Expiry Date: 31st August 1999

Consultation Responses : HW officer. Comments as previous (no obj subj to condition)

POL
DC
APP
CS
07 JUN 2000
ACK:
FILE:
...ES TO:



Planning Issues :

Application Number99/70081/F

Appraisal : Finished house will be same as previous approval 99/70828/F but instead of keeping existing buildings and extending it, now proposed to knock down and rebuild.

Only other change is use of driveway loop round west north-side which already exists. As this for domestic use only and will be within trees at least 10m. from rear gardens of houses in 9MR (nearest house approx. 30m. from drive) consider acceptable.

Recomendation : CA.

RECORD OF SITE VISIT

SITE ADDRESS:
Kingsmere
Nine Mile Ride
Finchampstead

APPLICATION NUMBER: 99/70081/F
OFFICER: Mrs A Odell

DATE OF SITE VISIT: 30.7.99

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes 30.7.99

2. DESCRIPTION OF SURROUNDINGS Lake / woodland between settlement

3. DESCRIPTION OF SITE/BUILDING detached house with attached 'clubhouse' annexe sited near lake in large area of private lake/woodland.

4. RELATIONSHIP TO ADJOINING PROPERTIES Row of dwelling in 9MR.

5. SITE CONSTRAINTS

TREES in grounds

ACCESS/PARKING from 9MR.

LEVELS vary - house is on higher ground than lake.

BOUNDARY TREATMENT

OTHERS

APPEAL QUESTIONNAIRE

Planning, Listed Building Consent or Conservation Area Consent

To be used for all appeals relating to applications made on or after 14 March 1999

APPEAL REF: APP/X0360/A/00/1042893 **GRID REF:** SU 8064

APPEAL BY: MR & MRS J STEAN

SITE: CHUNG YU, HEATH RISE, FINCHAMPSTEAD.

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

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to the Inspectorate within 28 days of the date you received the appeal form.

1. Do the Council agree to the written representations procedure?	YES / ~~NO~~
OR Do the Council wish to appear before and be heard by an Inspector at: a. a local inquiry?	~~YES~~ / NO
b. a hearing?	~~YES~~ / NO
2. a If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land?	YES / NO
b From your knowledge of the issues, would the Inspector need to enter the site for any reason eg to view/measure any dimensions from within it?	YES / ~~NO~~
3. Does the appeal relate to an application for approval of reserved matters?	~~YES~~ / NO
4. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	~~YES~~ / ~~NO~~ / NA
5. Was it necessary for the Council to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	YES / NO
6. Is the appeal site within an approved Green Belt or ANOB? Please specify which	~~YES~~ / NO
7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	~~YES~~ / NO
8. a Are there any other appeals or matters relating to the same site or neighbourhood still before the Secretary of State? If YES, please attach details and, where necessary, give the Inspectorate's reference numbers.	~~YES~~ / NO
b Where the development would affect a public right of way, please provide an extract from the Definitive Map and Statement for the area, and any other details.	~~YES~~ / NO
9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	~~YES~~ / NO
10. Does the appeal relate to an application for conservation area consent?	~~YES~~ / NO
11. a Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building? (Delete as appropriate.)	~~YES~~ / NO
b Would the proposed development affect the setting of a listed building?	~~YES~~ / NO
If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)	
12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	YES / NO
13. Would the proposals affect an Ancient Monument (whether scheduled or not)?	~~YES~~ / NO
14. a Is the appeal site in or adjacent to or likely to affect an SSSI? If so, please attach the comments of English Nature.	~~YES~~ / NO
b Are any protected species likely to be affected by the proposals? If so, please give details.	~~YES~~ / NO

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

		Number of Documents Enclosed	N/A
a.	Is the development in Schedule 1 or column one of Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If so, please indicate which Schedule. YES/~~NO~~ Sch 1 Sch 2 col 1		
b.	Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? YES/NO		
c.	Has a screening opinion been placed on Part 1of the planning register? If yes, please attach a copy. YES/NO		
d.	Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	1	
e.	Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f.	Copy of any notice published under Article 8 and/ Buildings and Conservation Areas) Act 1990 and/or Regulation 5;or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990 and/or Regulation 5;		✓
g.	Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h.	Details of any other applications or matters currently before the Council relating to the same site;		✓
i.	In the case of appeals against non-determination, details of considerations likely to have been relevant to the Council's decision;		✓
j.	A list of any conditions or limitations the Council would favour if the appeal were to be allowed; To follow with statement		
k.	Any other relevant information or correspondence the Council consider the Inspectorate should be aware of.		✓

FOR APPEALS BEING DECIDED BY THE WRITTEN REPRESENTATIONS PROCEDURE

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

b On what date did you give those notified at 16a for the submission of their representations? 14.06.00

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

		Number of documents enclosed	N/A
i	representations received from interested parties about the original application	8	
ii	the planning officer's report to committee	1	
iii	any relevant committee minute	1	

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

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

Council's reference: F\2000\0573

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

Signature: _____ on behalf of WOKINGHAM DISTRICT Council

Date of despatch: 17/05/00

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

Revised May 1999

HIGHWAYS CONSULTATION SHEET

From: Angela Odell

Date: 18 February 2000

Application Number: F/2000/0576

Proposal: Proposed demolition of existing dwelling and ancillary building and erection of replacement dwelling..

Site Address:
Chung Yu , Heath Ride, Finchampstead, Wokingham.

Applicant:
Mr & Mrs J Stean C/O Robin Bradbeer Ltd.

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 (SR06)

Signed: N.S. Trotter **Print name:** N TROTTER

24-02-00

FROM: Angela Odell

DATE: 01 March 2000

PLANNING SERVICES	RPT
POL	
DC	
CS	
13 MAR 2000	
COPIES TO:	ACK: FILE:

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/0576

Proposal: Proposed demolition of existing dwelling and ancillary buildings and erection of replacement dwelling..

Site Address: Chung Yu, Heath Ride, Finchampstead, Wokingham.

Applicant: Mr & Mrs J Stean C/O Robin Bradbeer Ltd.

Your observations are required in respect of this application **by 13/03/2000** .

NB amendment to description

Councillors supported the proposal under this application since it is considered that it will effect the cleaning up of a currently very messy site.

SIGNED: C.S. Clerk To Finchampstead Parish/Town Council.

DATE: 10-3-00

Angela Odell

From: Tim Charlesworth [TCharlesworth@metronetuk.com]
Sent: 20 March 2000 10:40
To: 'angela.odell@wokingham.gov.uk'
Cc: 'roland.cundy@wokingham.gov.uk'
Subject: Planning Application, Chung Yu, Heath Ride

Dear Angela

This note is to confirm that I wish to list the above application for the next DC meeting. I would like to see the proposed development go ahead. My reasons are as follows:

* The site is derelict, and to build a new house, remove the derelict outbuildings and tidy up the surrounding land would be a clear improvement to the site and the surrounding environment.
* The proposed house is unobtrusive and completely in character with other houses in the area (in fact it is more modest than most of the surrounding houses)
* The new house would take considerably less space than the existing house and the derelict outbuildings.
* All the responses from consultees are in favour of the application, including the parish council and the occupier of the property in front.
* I have visited the site myself, and I am in agreement that the proposed development will be a considerable improvement to the site and the surrounding environment.

Best Regards

Tim Charlesworth

TO: DEVELOPMENT CONTROL FROM: Environmental Design
Angela Odell

DATE: 15th March 2000

Location:	Chung Yu, Heath Ride, Finchampstead, Wokingham
Proposal:	PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELING
Application Number:	F/2000/0576

In response to your consultation dated 18th February 2000 for the above application, the tree and landscape comments are as follows:

I have on objections to the proposal in principle.

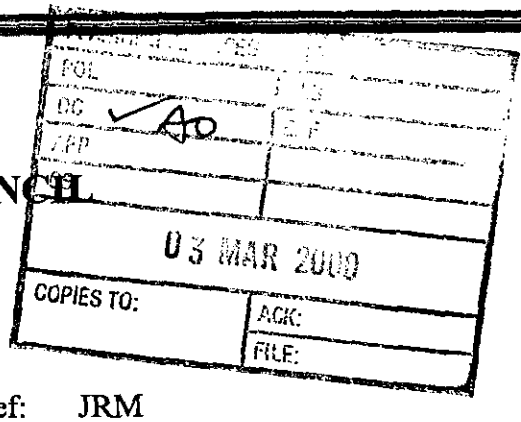
The Proposed Dwelling Plan (drawing AH/S/628 A), correctly identifies a number of existing trees along the existing property boundaries. However, this contains insufficient information and the applicant should submit a detailed tree survey to BS 5837. This should also include protective fence details to ensure the successful retention of all the existing trees within the site.

A detailed landscaping scheme should also be submitted. This should propose significant areas of tree and shrub planting along the boundaries to reinforce the existing sparse planting in order to provide a visual buffer between the proposed and existing built form.

All new planting should be identified separately on the plan giving full details of species name, location of each species, size of plants at time of planting and planting densities.

ROBERT PETROW
Consultant Landscape Architect

01262
527151



WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: John Mullaney
Environmental Health

My Ref: JRM

To: Angela Odell
Planning Department

Date: 2/03/2000

CHUNG YU, HEATH RIDE, FINCHAMPSTEAD

Having considered the environmental health implications of the above development I have no objections or comments to make.

J Mullaney

John Mullaney
Environmental Health Officer

The Buches
Heath Ride
Wokingham.
Berks RG40 3QJ.

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FAO.
Mrs. A. Odell.
Development Control.
Wokingham D.C.

Dear Mrs Odell.

Your reference F/2000/0576
Re Chung Yu - Heath Ride.

My wife + I occupy the adjoining property 'The Buches' where we have lived for the past 15 years.

We welcome this proposal to remove the ramshackle range of buildings on the site and to replace the existing poor quality bungalow with a well designed dwelling.

The proposals can only enhance the visual quality of the surrounding area and therefore they have our unqualified support.

We note that the replacement dwelling will be built in a similar position to the existing bungalow and in view of the

separating distance from our dwelling, we have no concerns regarding impact upon our privacy or amenity.

We hope that you will be able to reach a positive decision with minimum delay so facilitating implementation of this project in the Spring.

Yours sincerely,
M. Dorrington.

MR + MRS M.A. DORRINGTON

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D G Auret
Edenderry
Heath Ride
Wokingham RG40 3QJ

6th March 2000

Angela Odell
Ref. No. F/2000/0576
Environmental Services Department
Wokingham District Council
P O Box 157
Wokingham RG40 1WR

Dear Madam

Re. Application Number F/2000/0576

I write in support of Mr & Mrs J Stean and their application for development of Chung Yu in Heath Ride, Finchampstead, Wokingham.

As a resident owning a property in Heath Ride myself I would favour the improvement that Mr Stean proposes for Chung Yu. The demolition of decaying buildings to be replaced by a suitable house can only enhance the ride and neighbourhood.

Yours faithfully

D G AURET

Eh 5

J.W.Dowell. 'Foxdale' Heath Ride Finchampstead RG 40 3

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Mrs Angela Odell.
Wokingham District Council
Environmental Services Department
Planning Services
P.O. Box157
Shute End
Wokingham
Berkshire RG.40 1WR.

Dear Mrs Odell

Re Planning Application No F/2000/0576
Chung Yu Heath Ride Finchampstead Wokingham.

I wish to register my support for the above application.

Having lived in Heath Ride for many years I welcome the proposal that another derelict and untidy plot is to be redeveloped with what can only be described as a building far superior to that which exists.

Many properties in Heath Ride have been either extended or completely rebuilt. I take this opportunity to thank the Planning Department for their forsight in allowing housing in Hollybush and Heath Ride to be renovated and extended to a degree that has improved the whole environment of the area making it a pleasure to walk these roads.

The property in question was used as a piggery, together with all of the associated buildings, which are still standing to this day in various states of disrepair. In fact the bungalow can hardly be described as habitable and has no architectural merit whatsoever, surely this proposal represents an immense overall benefit to the neighbourhood.

In view of the above I sincerely hope that you are able to approve this application.

Yours sincerely,

J W Dowell

Mr J. W. DOWELL.

SN S

10/03/2000

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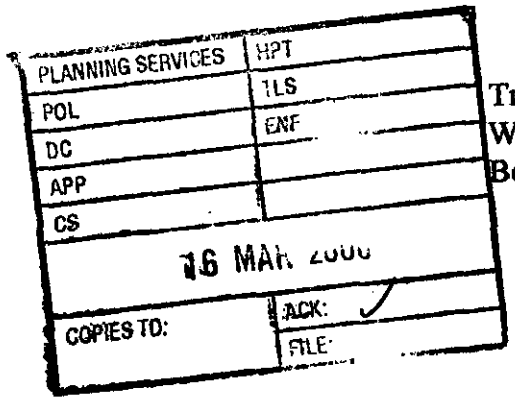

Trudos, Heath Ride
Wokingham
Berks RG40 3QJ

Angela Odell
Planning Officer,
P.O. Box 157
Council Offices
Shute End
Wokingham
Berks. RG40 1WR

Dear Angela

RE: "Chung Yu", Heath Ride. Ref: F/2000/0576

I have been a resident of Heath Ride for nearly 20 years now and have been made aware of the planning concerns at Chung Yu.

The property does not affect me directly since I live about 350 yards from the proposed development but I know the property and would like to point out that although a short distance from the ride, it is a disgrace to Heath Ride. There is no place for a pig farm in Heath Ride now it has become a residential road. I think the current constructions should be demolished and replaced.

I have known the builder, John Stean, since I moved to Heath Ride and have seen many of the houses and bungalows he has constructed. I have never known him to build anything other than a desirable house and his constructions always enhance the quality of the environment (and hence the desirability of the area). Unlike some of the things that have been slung up down Heath Ride, especially where one small bungalow has been demolished to make way for two large houses, shoe horned in and with only enough room for a cat to walk between them. As a concerned resident of Heath Ride I can only hope that some property developer doesn't get hold of this site with the intention of building ten houses as has also happened in the general locality. I think a one for one replacement would be in the best interest of all the residents of Heath Ride.

I hope you find my comments of some value.

Yours sincerely

Gary Green

0705

Mrs Helen Brooke MCOptom
Birchwood
Heath Ride
Finchampstead
Berks
RG40 3QJ

Tel 0118 9734493

PLANNING SERVICES	HPT
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17 MAR 2000	
COPIES TO:	ACK:
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16 March 2000

Application Number : F/2000/0576

Dear Mr Wood,

I am writing in support of the planning application for Chung Yu, Heath Ride. To get rid of the piggery and to have a house built in keeping with the rest of the road can only be a positive thing as far as the other residents of Heath Ride are concerned.

Yours sincerely

Helen Brooke

Applicationo	Name & Address
F/2000/0576	Mr & Mrs M A Dorrington The Birches Heath Ride Wokingham RG40 3QJ
F/2000/0576	D G Auret Edenderry Heath Ride Wokingham Berks RG40 3QJ
F/2000/0576	Mr J W Dowell "Foxdale" Heath Ride Finchampstead Berks RG40 3QJ
F/2000/0576	Gary Green "Trudos" Heath Ride Finchampstead Berks RG40 3QJ
F/2000/0576	Mrs Helen Brooke "Birchwood" Heath Ride Finchampstead Berks RG40 3QJ
App refused, letter sent 07/04/00	

Tel. (0118) 974 6448 (Direct Line)
Date. May 17, 2000
My ref. F/2000/0576
Your ref.

FILE COPY

Mrs Helen Brooke
"Birchwood"
Heath Ride
Finchampstead
Berks
RG40 3QJ

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

Dear ~~Sir~~/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: **Mr & Mrs J Stean**

SITE: **Chung Yu, Heath Ride, Finchampstead.**

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

As your interests might be affected, you can give your views on the appeal in writing by sending them, within 28 days of this letter to Mr S Raychell, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ quoting reference APP/X0360/A/00/1042893.

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

The application, decision notice, and the appellant's grounds of appeal can 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, 4.00pm on Fridays).

The Planning Inspectorate will send the decision on this appeal only to those persons who ask to be notified.

Yours faithfully

Denise Gumbrell
Appeals Assistant



Site Plan, Scale: 1 to 2500

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Date: 11 February 2000

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5 April 2000

Application No.	Received	Finchampstead	Listed by
F/2000/0576	11.02.00		Cllr Charlesworth and Cllr Cundy

Applicant : Mr and Mrs J Stean
Location : 'Chung Yu', Heath Ride, Finchampstead
Proposal : Demolition of existing dwelling and erection of replacement dwelling

1. **Planning History** - This 0.77 ha site is in an area of sporadic development on a backland site behind Heath Ride. There is an existing bungalow in poor condition estimated to be 5.2 m high, and also outbuildings and derelict piggery buildings. (The existing bungalow has not been extended). The site is screened from public views from outside the site.

   The application has been listed by Cllr Charlesworth because:

   * The site is derelict, and to build a new house, remove the derelict outbuildings and tidy up the surrounding land would be a clear improvement to the site and the surrounding environment.
   * The proposed house is unobtrusive and completely in character with other houses in the area (in fact it is more modest than most of the surrounding houses).
   * The new house would take considerably less space than the existing house and the derelict outbuildings.
   * All the responses from consultees are in favour of the application, including the Parish Council and the occupier of the property in front.
   * I have visited the site myself, and I am in agreement that the proposed development will be a considerable improvement to the site and the surrounding environment.

   The application has been listed by Cllr Cundy because the square footage of the proposed property is less than the total existing building on the plot, would tidy the site of the old piggeries and would be better for the environment and general street scene.

2. **Proposal** - is to demolish all the existing buildings on the site and erect a chalet style two-storey dwelling 7.8 m high. The agent refers to other replacement dwellings outside settlements which have been permitted where he considers substantial increases in floorspace have been allowed, including in some cases increases in height also. He considers the proposal would comply with South East Area Local Plan Policy SC18 as the design would be an enhancement and there would be a reduction in footprint and floorspace compared with the existing buildings on the site.

3. **Consultations** -
   - ***Finchampstead Parish Council*** - "Councillors supported the proposal under this application since it is considered that it will effect the cleaning up of a currently very messy site."

- ***5 letters of support*** - Will remove decaying buildings and enhance the area. Neighbour in front has no concerns about impact on their privacy or amenity due to distance between.
- ***Highway Officer*** - No objection subject to a condition.
- ***Landscape Officer*** - No objection in principle, but recommends landscaping plan, which shows trees to be retained.

4. **Appraisal** -

   A. Effect on Character and Appearance of the Area (South East Area Local Plan Policy SC18; Wokingham District Local Plan (Deposit Draft) Policy WCC7).
   B. Effect on Neighbouring Properties.
   C. Comments of the Parish Council.

A. Effect on Character and Appearance of the Area

The site is in an area of sporadic development in the countryside outside a settlement boundary and in the gap between Nine Mile Ride and Heath Ride. South East Area Local Plan Policy SC18 states that the replacement of existing dwellings in rural areas may be permitted provided that: "(c) The size of the new development will not significantly exceed that of the existing property both in height and floor area." The purposes of the policy are to protect rural amenities by preventing a significant visual impact and to maintain a range of house types and sizes in the rural area.

Footprint/Floorspace comparisons

	Floorspace
Existing bungalow	115 m²
Proposed dwelling (footprint 175 m²)	288 m²
Proposed net increase in floorspace on existing bungalow	173 m²
Proposed net increase as % existing	150%
Outbuildings to be demolished (A, B & C - excluding low height piggery buildings).	181 m²
Bungalow & outbuildings A, B & C	296 m²

Of the outbuildings to be demolished, Building A (66 m²) is a corrugated metal shed. Building B (66 m²) is breeze block sheds with corrugated metal roofs. Building C (49 m²) is also sheds of breeze block with corrugated metal roofs.

As the proposed dwelling would be two and a half times the floorspace of the existing bungalow and there would be an increase in height of an estimated 2.6 m, it is considered the proposal would be clearly contrary to criteria (c) of Policy SC18, as it would significantly exceed that of the existing bungalow both in height and floor area. The issue arises as to whether the removal of the existing outbuildings overcomes this objection. The proposal would result in an overall reduction in footprint and slight reduction in floorspace. However, as none of the outbuildings are attached to the existing bungalow, and none are of a type, materials and construction which could be habitable, it is considered that no significant allowance should be made for their removal.

In addition, no garage is proposed, and it could be reasonably expected that a double garage would be required for a proposed dwelling of this type and in this location. Whilst the design of the proposed dwelling is attractive, it would be significantly larger in footprint, floorspace and height than the existing and would have a significantly increased impact. Whilst the dwelling would not be readily visible from public views from Heath Ride, this is not of itself a reason for allowing the proposal. The character of the backland area behind Heath Ride is one of very dispersed buildings in woodland compared with the largely continuously built-up frontage along Heath Ride, which has a more suburban and less rural character.

Other Permissions
The agent has referred to other permissions in the area. The most relevant of these is recently allowed first floor extension to 'Brackenridge' (Application No. 98/68804/F). Whilst the height of this dwelling has been increased, it already had a first floor. Whilst this property is outside the settlement boundary it is very close to Farthing Lodge on the south side of Heath Ride. As can be seen from the appeal decision summary at the end of the agenda, the proposed extension to Farthing Lodge was allowed primarily because the Inspector considered that the character of this section of Heath Ride was that of suburban housing, and that it was not reasonable to enforce policies intended for areas whose character is at least partly that of countryside. The character of the 'Chung Yu' site, however, is at least partly that of countryside, being a backland site in an area of very dispersed development among woodland.

B. Effect on Neighbouring Properties
The only neighbouring property affected is 'The Birches'. It is considered that the proposal would not have a significant adverse effect, and the occupants have written in support.

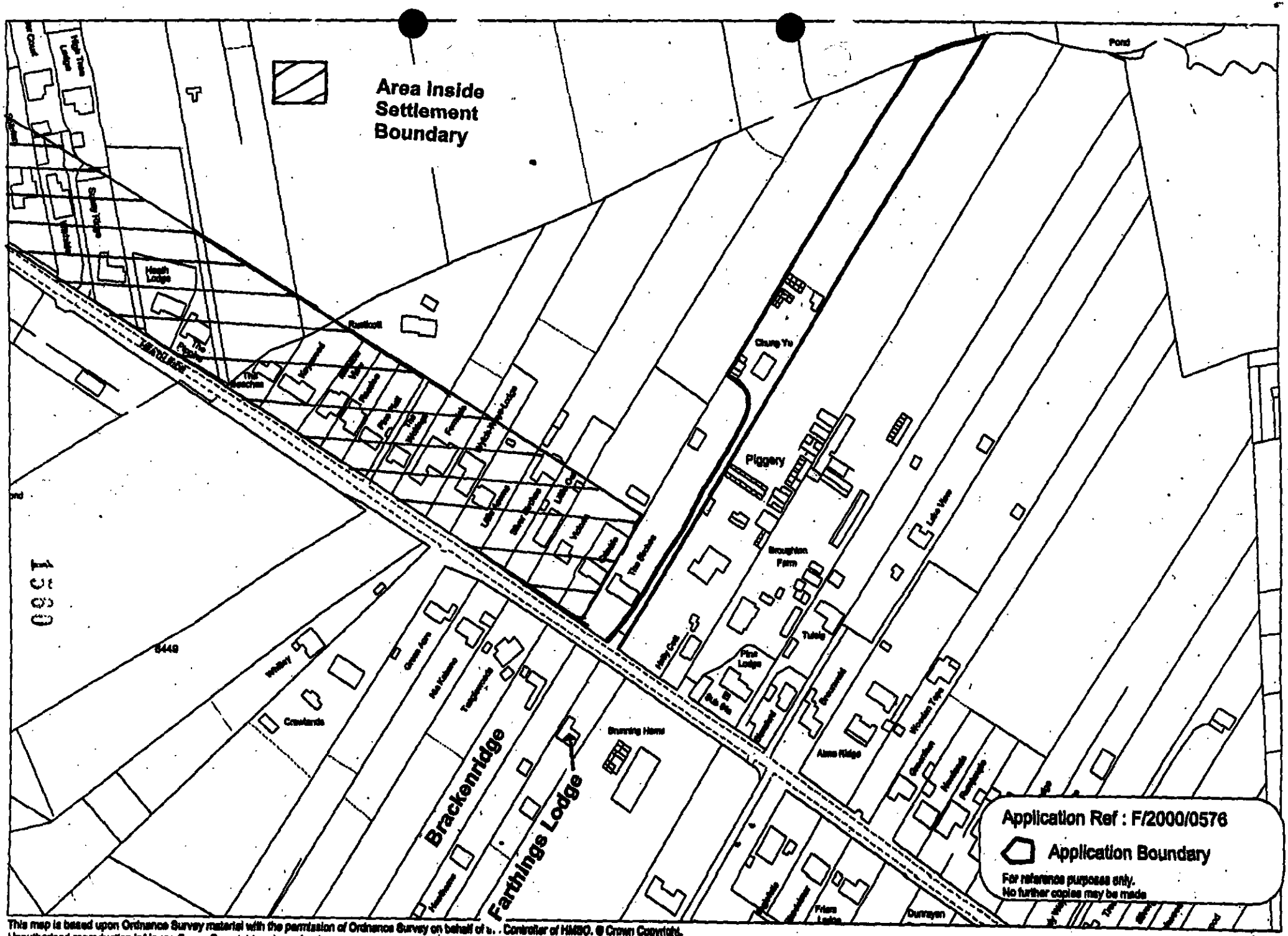
C. Comments of the Parish Council
Whilst the proposal would 'clear up' the site through removal of outbuildings and derelict pigsties, this is not considered a sufficient reason to allow the application.

5. **Conclusion** - Due to its size, scale and height the proposed dwelling would be excessive in size for a replacement dwelling, contrary to Policy SC18 and the aims of Policy WCC7.

6. **Recommendation** - REFUSE permission for the following reason:

1. The site is outside a settlement boundary. Due to its size, scale and height, the proposed dwelling would be excessive in size for a replacement dwelling and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to South East Area Local Plan Policy SC18 and to the aims of Wokingham District Local Plan (Deposit Draft) Policy WCC7.

Angela Odell



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Development Control Section, Environmental Services, Wokingham District Council

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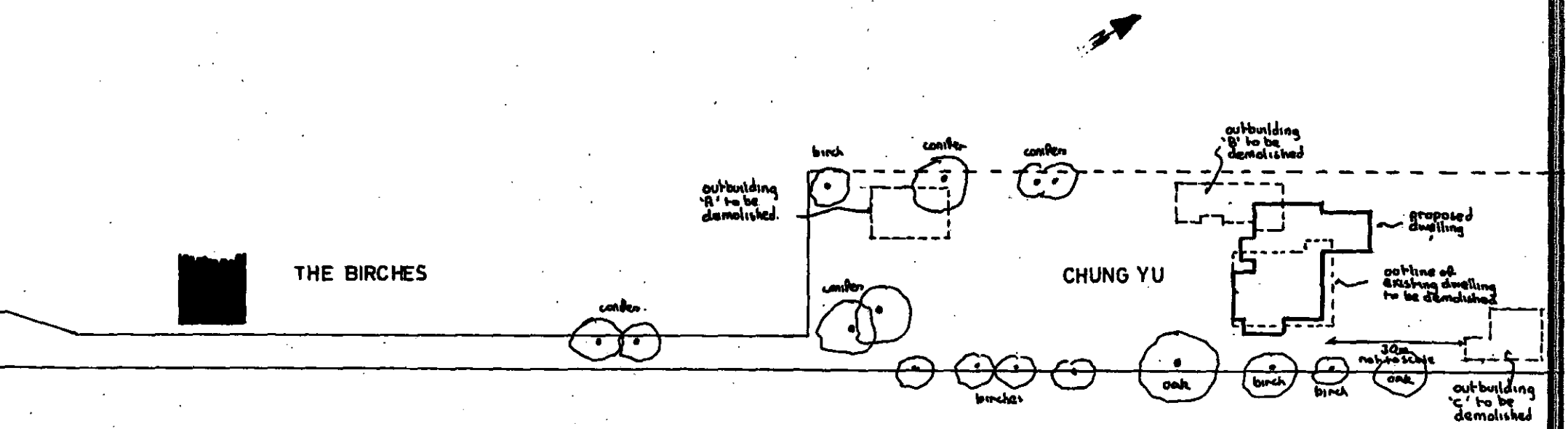

PROPOSED DWELLING - CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, BERKSHIRE

Drawing nº AH/S/628[A] Date JAN 2000 Scale 1:500 Drawn ANDESIGN Client MR. & MRS J.STEAN Consultant ROBIN BRADBEER

rev 'A' Trees & outbuildings added based on information provided by [illegible] (8/2/2000)

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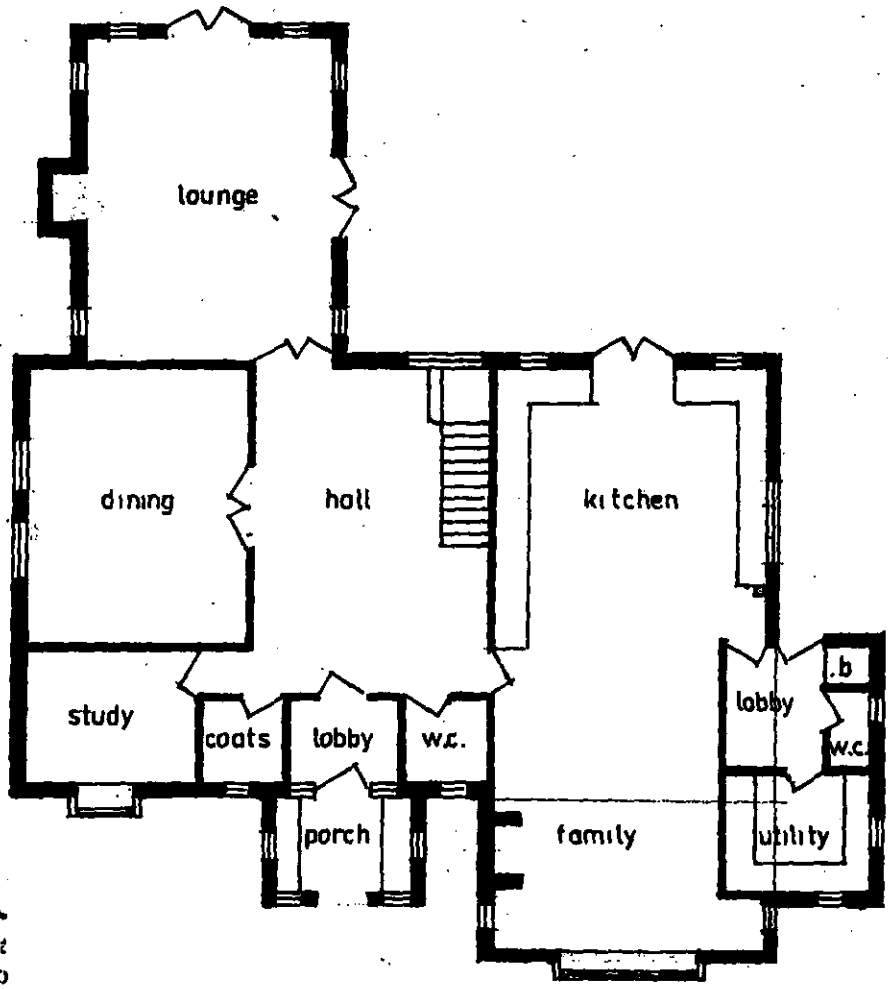
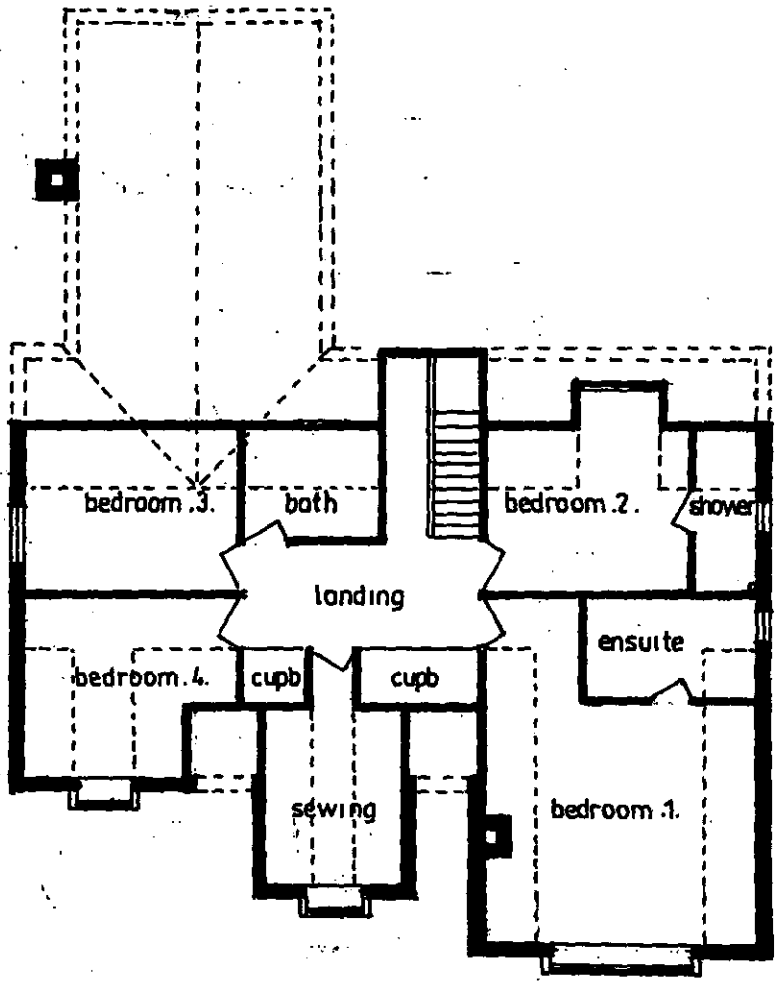


GROUND FLOOR PLAN

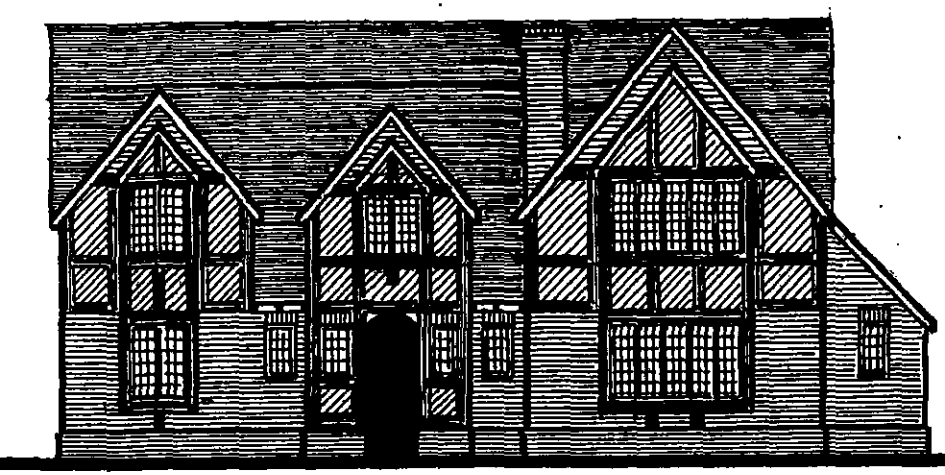


FIRST FLOOR PLAN

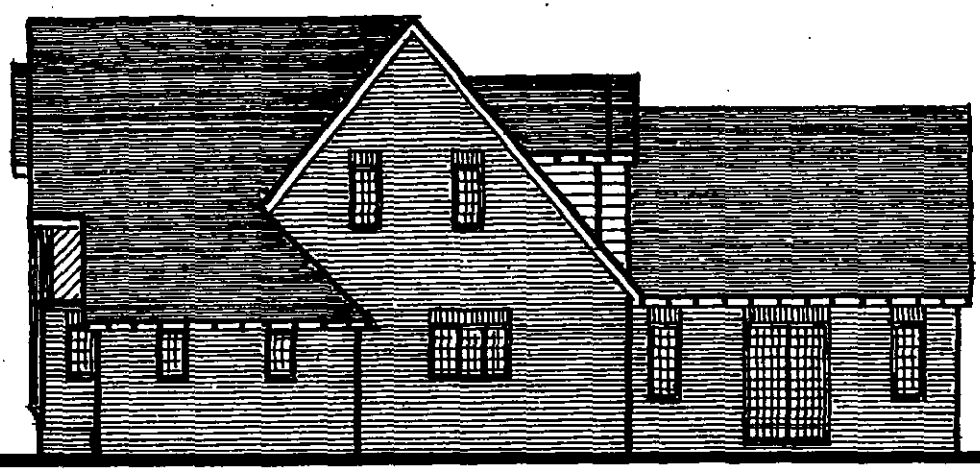
PROPOSED DWELLING – CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, BERKSHIRE

Drawing nº AH/S/626 Date JAN 2000 Scale 1:100 Drawn ANDESIGN Clients MR & MRS. J. STEAN Consultant ROBIN · BRADBEER

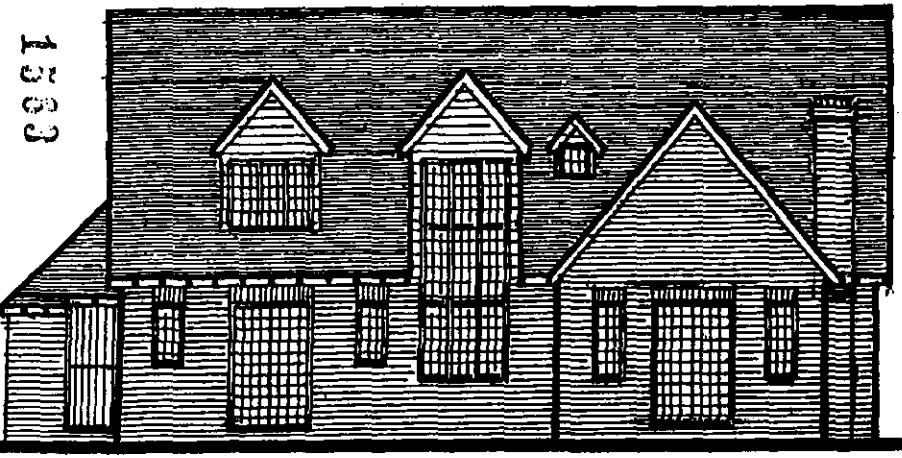
11.FEB.2000* 0576



SOUTHWEST ELEVATION



SOUTHEAST ELEVATION



NORTHEAST ELEVATION



NORTHWEST ELEVATION

PROPOSED DWELLING - CHUNG YU, HEATH RID[illegible] FI[illegible] 'AMPSTEAD, BERKSHIRE

Drawing nº AH/S/627 Date JAN 2000 Scale 1:1[illegible] Drawn ANDESIGN Clients MR & MR[illegible] STEAN Consultant ROBIN BRADBEER

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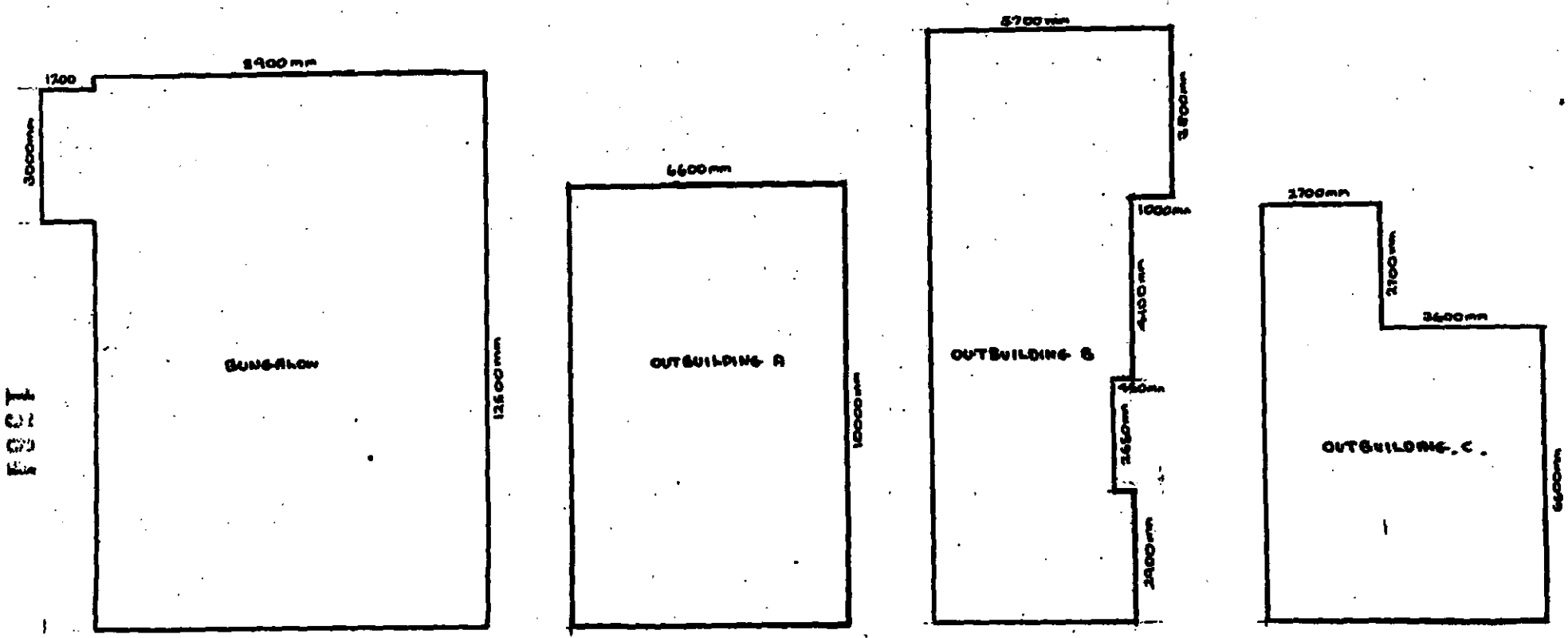


PROPOSED DEMOLITION - CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, BERKSHIRE

FOR INFORMATION ONLY

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL SUB-COMMITTEE HELD ON WEDNESDAY 5th APRIL 2000 FROM 7:30 TO 9:45PM

Present:- Mrs A N C Drake (Chairman), Mr A J Ross (Vice-Chairman), Mrs D C Beatty, Mr M J Bryant, Mr R F N Eke, Mr J L Eamshaw, Mrs J A Lissaman, Mrs M A Long, Mrs M Robertson and Fiona Rolls.

Also present under Standing Order 38: Tim Charlesworth, Mr R Cundy

195. MINUTES

Subject to the amendment of Minute 189 to reflect that a local Member attended the meeting and spoke against the proposal and that Mrs J Lissaman declared an interest in this item and left the meeting, taking no part in the discussion or voting thereon, the Minutes of the meeting of the Sub-Committee held on 15th March 2000 were confirmed as a correct record and signed by the Chairman

196. ORDER OF BUSINESS

RESOLVED: That the order of business be altered to that on the agenda to enable the following application to be considered first:

199. APPLICATION NO F/2000/0576 - PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING - 'CHUNG YU', HEATH RIDE, FINCHAMPSTEAD FOR MR & MRS J STEAN

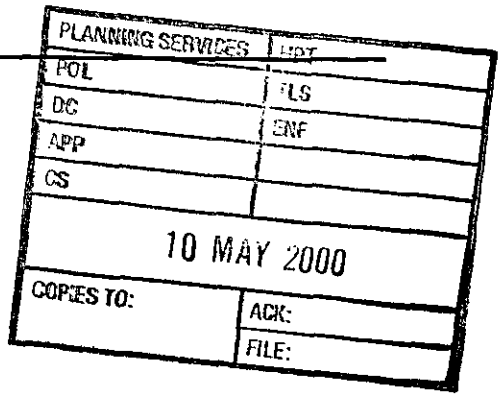
The Sub-Committee considered a report about this application set out on Agenda pages 1557 to 1564. The Head of Planning and Transportation advised that a letter had been received from the Agents expressing concern that the agenda contained a number of errors and omissions, a response to which was circulated at the meeting.

Two local Members attended the meeting and spoke in support of the Application.

Members considered details of the Application and it was

RESOLVED: That Application No F/2000/0576 be refused as the site is outside a settlement boundary. Due to its size, scale and height, the proposed dwelling would be excessive in size for a replacement dwelling and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to South East Area Local Plan Policy SC18 and to the aims of Wokingham District Local Plan (Deposit Draft) Policy WCC7.

J.E. & G.A. Stean, "Splinters", Heath Ride, Finchampstead, Berkshire. RG40 3QJ
Telephone: 0118 9734800



9th May, 2000.

Environmental Services Department,
Planning Services,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire RG40 1WR

For the attention of: Mrs. A. Odell
Development Control.

Dear Mrs. Odell,

Re: Site "Chung Yu", Heath Ride, Finchampstead – Application No. F/2000/0576

Please find enclosed Planning Appeal documentation relating to the above.

Please address all correspondence relating to this appeal to us at the above address.

Yours sincerely,

J.E. & G.A. Stean

Introduction

This statement is submitted in support of an appeal by Mr. J.E. and Mrs. G.A. Stean in respect of proposed replacement of Chung Yu, Heath Ride, Finchampstead, Berkshire.

The appeal is submitted in respect to the Council's refusal to permit an application seeking full planning permission for the erection of a replacement dwelling. The application was refused planning permission at a meeting of the Development Control Sub-Committee on Wednesday 5th April, 2000.

Background

We initially approached Wokingham District Council during October 1999 with our proposal for a replacement dwelling. Mrs. A.Odell, Senior Planner, indicated that she and her colleagues were of the opinion that this proposal was unlikely to be considered acceptable. In February 2000, having considered the comments expressed we commissioned a proposal of reduced size and massing which is now the subject to this appeal. Prior to our submission of the revised proposal, discussions were held with Mrs. Odell on 2nd February, 2000. Mrs. Odell indicated that she would not be able to offer a fully considered response until the end of March, which we considered unacceptable, but nevertheless indicated that she would not be encouraging any proposals that enlarge the floor-space of the existing dwelling by more than 50%.

She was not able to point us to any policy, supplementary planning guidance, or indeed any resolution of the Council, which supported this mathematical basis for controlling development.

We felt that we were left with no alternative but to proceed with the application rather than pursue further protracted negotiations with the planning authority.

The remainder of this statement describes the site, its surroundings and planning history of the site. The relevant planning and development policies considered together with other material considerations which are applied to cases of this nature.

1. Site and Surroundings

1.1 'Chung Yu' is a detached bungalow located in Heath Ride, Finchampstead, occupying a large residential plot. The overall plot size is circa 1.75 acres having a width of approximately 80' and a depth of approximately 900' excluding the driveway. All boundaries of the site contain mature trees, all of which are to be retained and the plot itself contains areas of woodland. The existing bungalow is set back a distance of approximately 160 metres from the highway boundary and is reached via a 4metre wide driveway, again lined with mature trees which are also to be retained. Consequently the property is very secluded and cannot be seen from the public domain when the trees are in leaf.

1.2 Heath Ride is a residential area in the south east of Finchampstead North, stretching between Nine Mile Ride (B3430) and Lower Wokingham Road (A321). It is not a through route and only serves as an access to the primarily residential properties along it.

1.3. The dwellings in Heath Ride are almost exclusively large detached set well back from the road. Most of the houses have large well treed front and rear gardens.

2. The Planning History of the site and existing buildings

2.1 The existing bungalow replaced an earlier timber building in 1964. No subsequent additions or permitted development has taken place.

2.2 The previous owner used the site as a piggery until the early 1980's and the property is currently unoccupied and in poor condition. Three ancillary buildings and redundant pig stys still remain.

2.3 The properties to the N.W. and S.E. boundaries were both used as piggeries in the past and the redundant buildings used in this connection are still visible.

3. The Appeal Proposals

3.1 The application for planning permission which is the subject to this appeal was submitted to the Local Planning Authority on 11th February, 2000. The application sought full planning permission comprising:-
"Proposed demolition of existing dwelling and ancillary buildings and erection of replacement dwelling".

3.2 The plans accompanying the application were listed in the covering letter dated 11th February 2000. In relation to this appeal the relevant plans are as follows:-

Ordnance survey location plan. Scale 1.2500
AH/S/628 A site plan 1:500
AH/S/626 floor plans 1:100
AH/S/627 elevations 1:100
Plan showing footprint of existing buildings to be demolished.
Ordnance Survey location plan Scale 1:5000 showing local plan designations and cited comparable developments relevant to the appeal site.

3.3 We were informed that the decision on our application was to be a delegated matter. In view of the opinion previously expressed by Mrs. Odell, we asked our local councillor, Mr. T. Charlesworth to monitor the situation. In order to be fully informed he visited the site and indicated that he would give our application his full support. The same applied to Councillor R. Cundy.

Councillors Charlesworth and Cundy were duly informed that it was still Mrs. Odell's intention to refuse our application at the delegated level and therefore they requested the application be listed at the next planning sub-committee meeting.

3.4 The application was refused at the meeting of the development control sub-committee on Wednesday 6th April, 2000.
The reason for refusal was:-

1. The site is outside a settlement boundary. Due to its size, scale and height, the proposed dwelling would be excessive in size for a replacement dwelling and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to South East Area Local Plan Policy SC18 and to Wokingham District Local Plan (Deposit Draft) Policy WCC7.

4. Relevant Planning Policies

4.1 S.C.18 (Replacement Dwellings in Rural Areas) South East AREA Local Plan and WCC7 (Extensions to Dwellings in the Countryside) in the Deposit Draft of the emerging Wokingham District Local Plan.

4.2 Comment

Both policies include provisions which aim to control significant dwelling replacement and extensions. We consider the main issue here in our case to be the effect of the proposal on the character and appearance of the area. 'Chung Yu' is a secluded property set back a distance of 160 metres from the road. It is not visible from the entrance to the driveway. The boundaries of the property are well wooded and the proposal would not be visible from elsewhere.

If the proposal is hardly visible from the outside, it must logically follow that it would not detract from the open or countryside appearance of the area. **Exactly the opinion of the planning officer regarding the retrospective planning application for a conservatory at Wick Vale Cottage (see comparable development 5.3).** The proposal therefore does not conflict with these policies.

The proposed development is to be located on a large plot of land and cannot be described as cramped or over-development. There have been no objections from any local residents.

5. Comparable Development

5.1 In assessing whether our proposal would significantly exceed the size of the existing development and therefore "have a detrimental effect of the character and appearance of the area", some guidance is given by what has been permitted on comparable developments that have been approved within the recent past, under the current development plan. Please note that all of the examples are **'outside the settlement boundary'**.

5.2 Of particular note is the case of 'Deers Leap'/'La Vallette', Hollybush Ride.
Photocopy 1. (original bungalow plans).
Photograph 2.
By comparison the permitted development is not only larger than our proposal (in terms of footprint, gross floor area and height) but was permitted from a lower base line of pre-existing built development. Furthermore, whereas 'Chung Yu' is largely hidden from public view, 'Deers Leap' is in full view from the public highway. The location of this property has the same designation as 'Chung Yu' in the local plan. (WCC2)

The record of site visit 28.1.98 states:-

That the proposal is "in keeping with but well away from adjacent properties". Also "existing site contains bungalow on a large spacious site containing several mature trees. Whilst the proposal is for a large dwelling, the essential character of the site will be retained. The proposal will be in keeping with the surrounding area and will not detract from the amenity of neighbouring properties" ???
Photograph 3. Shows Deers Leap / La Valette viewed from neighbouring property Luma Cottage.!!!

5.3 Of further significant relevance is the permitted replacement of 'Wick Vale Cottage', Wick Hill Lane. Photograph 4 (original bungalow). Photograph 5 (replacement dwelling). In 1997/98 this redevelopment entailed the replacement of a single storey bungalow having a footprint of approximately 1,500 sq. ft. with a two storey house encompassing a floorspace of approximately 3,700 sq.ft.

The record of a site visit on 7.9.99 to 'Wick Vale Cottage' in connection with a retrospective planning application for 'proposed single storey rear extension to dwelling to form conservatory', the officer's comments in recommending approval were:- "It is not considered that this conservatory to the rear of the property has any impact upon the character of the area".

I would add that Wick Vale cottage is located in an area to the South of Heath Ride. As such the Council submit that they "apply a more restrictive planning policy in this area, as it is designated as such due to the fact that development on this side of Heath Ride is much more dispersed than on the North side," where our site is located. (Comments on grounds of appeal "Whitely", Heath Ride. 98/67418/F).

5.4 Finally we would like to address the question of outbuildings and in doing so bring to your attention development at 'Audere Pines' Heath Ride'.

During our preliminary discussions with the planning authority, we indicated that it was our intention to demolish some180sq.m. of outbuildings and therefore overcome their objection to the proposed increase in floorspace, by a resulting overall reduction in footprint and floorspace on site. The Officers response to this factor was that "as the outbuildings to be removed are of an insubstantial nature, and could not reasonably and realistically be converted to employment or living accommodation use, it is considered that no significant allowance should be made for their removal."

However, when in 1998 a substantial extension was approved to this detached property which is outside the settlement boundary in an area designated as 'countryside' and next to a wildlife heritage site, the Planning Officer's report, dated 18.3.98, in recommending approval included the following statement.

Description of site/building "a semi-detached chalet bungalow – proposed extension on site of existing concrete shed and walls (dog compound)"

6. Conclusion

6.1 The scale, form and impact of the proposal is appropriate having regard to the characteristics of the site and surrounding development. The size of the proposal does not significantly or unacceptably exceed that of the existing property taking into account the relevant site specific considerations and comparable instances where acceptable redevelopment and additional development has been permitted. The proposal is therefore in accordance with the criteria set out in SEALP Policy SC18 and WDLP policy WCC7.

6.2 The most important single consideration in this case is the secluded location of the site where the proposed building will not be seen. It follows from this simple point that there will be no adverse impact on the wider area. Furthermore the proposal cannot conflict with planning policies which seek to protect the area's character since there will be no adverse effect. The proposal is considered to be acceptable on its merits.

6.3 The policy framework needs to be assessed in the context of over elaborate draft policies. The proposal should also be assessed in the context of the whole of Heath Ride/Hollybush Ride and Wick Hill Lane, where different policies are applied to residential areas of the same character.

6.4 This proposal has the support of local residents, including the only neighbouring property affected, "The Birches", the Parish Council and two Local Councillors Charlesworth and Cundy. The common theme of their support is that we are proposing an attractive development together with clearance of a very untidy site.

6.5 The appeal proposal is in accordance with the provisions of the development Plan and, mindful of the advice in PPG1 and Section 54A of the Town and Country Planning Act 1990, the Inspector is respectfully requested to allow this appeal.



LOCATION PLAN SCALE 1:5000 SHOWING LOCAL PLAN & CITED COMPARABLE DEVELOPMENTS.



PHOTOGRAPH 2

DEERS LEAP/
LA VALETTE.



PHOTOGRAPH 3
DEERS LEAP
LA. VALETTE.
VIEWED FROM
'NUNA COTTAGE'



PHOTOGRAPH OF ORIGINAL BUNGALOW 'WICK VALE COTTAGE'



PHOTOGRAPH 5
REPLACEMENT
DWELLING
'WICK VALE COTTAGE'

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr & Mrs J Stean
SITE: Chung Yu, Heath Ride, Finchampstead
APPLICATION NO.: 0576
PROPOSAL: Demolition of existing dwelling & ancillary buildings & erection of replacement dwelling.

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for FINCHAMPSTEAD NORTH

Mr R H Cundy
Bumbles
Longwater Lane
Finchampstead
Berks

Mr T L Charlesworth
3 Rowan Drive
Crowthorne
Berks

Clerk(s) of Parish / Town Council of Finchampstead

Mrs C S Cole
Memorial Hall
The Village
Finchampstead
RG40 4JU

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

Environmental Health-Wokingham District Council

Environmental Design-Wokingham District Council

- Trees
- Landscape

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ

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Ms Z Smith
Wokingham District Council
Planning Department
P O Box 151
Shute End
Wokingham
BERKS, RG11 1WQ

Your Ref:
F/2000/0576

Our Ref:
APP/X0360/A/00/1042893

30 June 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS J STEAN
SITE AT CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, WOKINGHAM

I enclose a copy of correspondence from Roland Cundy.

Please do not comment on the correspondence unless you think it raises new points. If you wish to comment, please ensure that your reply is received in this office no later than 7 days from the date of this letter. Remember to send a copy to the appellant.

Yours faithfully

Mrs C M Bate
211A

Mr Roland Cundy
Bumbles
Longwater Lane
Finchampstead
Berks
RG40 4NX

1042893

07/06/00

Mr S Raychell
The Planning Inspectorate
Room 1004
Tollgate House
Bristol
BS2 9DJ

RECEIVED IN PINS AM
-9 JUN 2000

Dear Mr Raychell,

'Chung Yu' Heath Ride, Finchampstead – APP No. F/2000/0576

First let me introduce myself. I am a District Councillor with Wokingham District Council representing Finchampstead North in which the above property is found. I am also a Parish Councillor with the Finchampstead Parish Council.

I am writing in support of an appeal by Mr JE & Mrs GA Stean in respect of a proposed replacement building on the above-mentioned site.

There are several reasons that I feel support the appeal and I have listed them *below* :-

Firstly, the site itself is a Brown Field Site, which is very untidy with many outbuildings that formed an old piggery. The demolition of these outbuildings together with the erection of the new property would in my opinion not only tidy up the whole site, not detract from the open and countryside appearance but would add much to the rural character of the area.

Secondly, the present property occupies a large plot of approximately 1 ¾ acres and is shielded by mature trees and woodland. The site is also a backland development some 160 yards from the Nine Mile Ride highway. The proposed development would therefore be secluded and not visible from the highway for most of the year.

Thirdly, the question of the size of the proposed replacement building to the original footprint raises some interesting issues of similar completed projects in close proximity to the appeal site.
The most interesting of these is 'Wick Vale Cottage' where in 1997/98 this redevelopment saw the replacement of a bungalow, having a footprint of 1,500 sq.ft, with a two storey house and floor space of 3,700 sq.ft. This building also being outside the settlement boundary.

Although the District Council has lost the paperwork to this particular development it is my belief that it does create a precedent for the development on the appeal site.

Lastly, it would appear from other development sites, listed below, that there has been some inconsistencies within the planning department:-

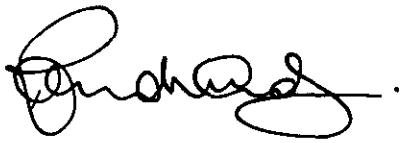
Dears Leap-La Vallete

Audere Pines

Each of these buildings are substantial in size from redevelopment and are outside the settlement boundary.

In conclusion I believe that the size and form of the proposed building is appropriate for the area, surroundings and is in such a secluded area that It cannot be seen and therefore would have little impact on the rural character of the area.

Yours truly,



Cllr. Roland Cundy.
0118 9731056

The Planning Inspectorate

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Tollgate House
Houlton Street
Bristol BS2 9DJ

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12 JUN 2000
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Your Ref: F/2000/0576
FILE:

Ms Z Smith
Wokingham District Council
Planning Department
P O Box 151
Shute End
Wokingham
BERKS, RG11 1WQ

Our Ref:
APP/X0360/A/00/1042893

9 June 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS J STEAN
SITE AT CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, WOKINGHAM

I have received correspondence dated 5 June 2000 from the appellant. If this has not been copied to you already, please contact the appellant and ask for a copy.

If you wish to comment on the correspondence, please ensure that your reply is received in this office no later than 7 days from the date of this letter. Remember to send a copy to the appellant.

Yours faithfully

Mr S Raychell

211A

The Planning Inspectorate

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Tollgate House
Houlton Street
Bristol BS2 9DJ

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Fax No 0117-9878443
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Ms Z Smith
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Planning Department
P O Box 151
Shute End
Wokingham
BERKS, RG11 1WQ

Your Ref:
F/2000/0576

Our Ref:
APP/X0360/A/00/1042893

16 June 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS J STEAN
SITE AT CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, WOKINGHAM

I enclose a copy of correspondence from Mr & Mrs Dorrington.

Please do not comment on the correspondence unless you think it raises new points. If you wish to comment, please ensure that your reply is received in this office no later than 7 days from the date of this letter. Remember to send a copy to the appellant.

Yours faithfully

pBat

Mrs C M Bate

211A

The Beeches
Heath Ride
Finchampstead
Wokingham
Berkshire
RG40 3QJ.

TTN
Mr S. Raychell
Planning Inspectorate.

RECEIVED IN PINS
16 JUN 2000

12.6.00.

REFERENCE APP/X0360/A/00/1042893

Dear Sir.

We were surprised at the refusal of the proposed plans re the development of a dwelling at "Chung Yu" Heath Ride.

We at The Beeches are the only residents to be affected by this new building at Chung Yu and would like very much to have a more pleasing aspect than the existing buildings.

We note that the plans show that the new dwelling would be built as appropriate to the area and that it would not be excessive as to size.

The replacement dwelling is so far from the road that it could have no impact on the character of the area, but would also be comparable to other properties built in Heath Ride during the last few years. and therefore we cannot understand the reluctance to grant planning permission.

As Rate payers we are also concerned about the time and cost being incurred over the proposal for a dwelling which will be a great improvement on the existing site.

We thank you for your attention to this matter and hope that it can be resolved successfully.

Yours faithfully
M. Dorrington.

MR M.A. + MRS M.A. DORRINGTON.

J.E. & G.A. Stean, "Splinters", Heath Ride, Finchampstead, Berkshire. RG40 3QJ
Telephone: 0118 9734800

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5th June, 2000.

Your ref: F/2000/0576

Wokingham District council,
Environmental Services Department,
Planning Services,
PO Box 157,
Shute end,
Wokingham,
Berkshire. RG40 1WR

For the attention of: Denise Gumbrell

Dear Ms Gumbrell,

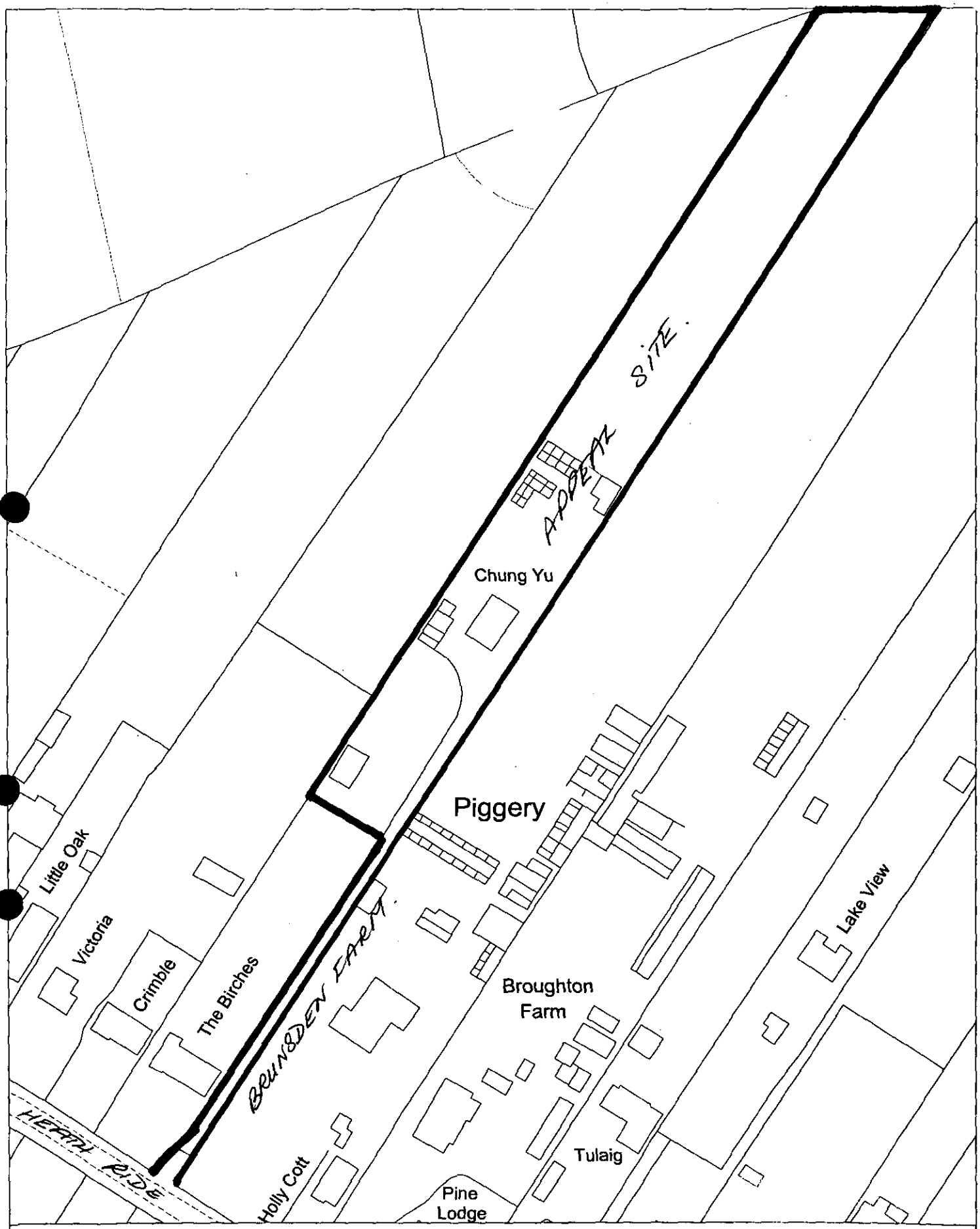
Re: Appeal Ref.No. APP/X0360/A/00/1042893 – "Chung Yu", Heath Ride

With reference to this appeal, please find enclosed Statement amplifying the grounds of appeal together with comments on the Council's Statement.

A copy has been forward to the Planning Inspectorate.

Yours sincerely,

J.E. & G.A. Stean



Site Plan, Scale: 1 to 1250

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Date: 5 May 2000

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W E
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APPENDIX 1.

6th June, 2000. Ref: APP/X0360/A/00/1042893

Response to Council's Statement

This statement seeks to amplify the grounds of appeal by Mr. J.E. and Mrs. G.A. Stean whilst also commenting upon the Council's statement. For ease of reference their notation is used.

2.04 We do not agree that the site is predominantly undeveloped land. At least 50% contains the existing dwelling and miscellaneous outbuildings with woodland occupying the remainder.

3.0 Policies.
STV2 Development in rural areas.

The appeal site is on the edge of a settlement. The County Council has certified that policy STV2 is not in general conformity with the current Structure Plan. To provide some guidance on housing development on the edge of settlements the County council has retained as supplementary guidance policy H3 of the previous Structure Plan. Nevertheless, together with the advice in PPG7 which post dates the Structure Plan, we consider that they provide relevant detailed guidance about development on the edge of settlements.

These policies identify three key matters - the scale of any proposed development - its relationship to the existing buildings and the effect on the character of the surroundings. Our proposal is for one replacement dwelling on a site adjoining a defined settlement. In our opinion it would clearly be in scale with the adjoining development, particularly 'Brunsden Farm'. (Site plan 1:1250 Appendix 1)

The appeal site is already developed and we are proposing, as the Council accepts, an attractive dwelling which would not be readily visible from the public domain. In these circumstances we consider that our proposal would have no adverse effect on the character and appearance of the locality.

4.08 **Deers Leap/La Vallette**
We do not agree that this property is surrounded by similar dwellings. It is a two storey house, and with the exception of 'Wychwood House' obliquely opposite, all of the neighbouring properties are either of a chalet style, as we are proposing, or bungalows.

4.09 **Audere Pines**
This has been redeveloped since 1955 from a small bungalow to the large property we witness today – next to a Wildlife Heritage site and outside the settlement boundary.

4.10 **Wick Vale Cottage.**
For whatever reason, permission was granted, for a substantial replacement dwelling outside the settlement boundary in complete contradiction to policies SC18 and WCC7.

4.11 Recent appeal decisions.

4.12 **268 Nine Mile Ride**
We cannot see the relevance of this site to our appeal. What we are proposing is a 'one for one replacement' whereas this appeal was for 'the demolition of one existing dwelling, the erection of 2 No. dwellings and minor access works.

4.13 **Alma Ridge, Heath Ride**
It is due to an error by the Council that permission for the second dwelling on this site was granted via a Certificate of Lawfulness CLU(E)132. Although construction of the replacement dwelling was started by a previous owner, with the intention of it being used as such, it was never occupied as a dwelling. It was never the Council's original intention to allow a second property on this site. To draw your attention to an appeal decision that emanates from an error on their behalf is mischievous.

We therefore submit that this appeal decision is of little relevance.

4.14 **(Policies SC18 and WCC7)**
The Council submit that if the current appeal were allowed it would, "be likely to encourage similar proposals for replacement dwellings in the area of such an increase in size and/or height such as to be contrary to Policy SC18 that the council could find difficult to resist them."

We submit that all of the examples cited have been permitted contrary to Policy SC18 and we have not during our research observed any attempt by the Council to resist any of them.

In the appraisal of our original planning application F/2000/0576 (Paragraph 4.A) the planning officer states. "The character of the back-land area behind Heath Ride is one of very dispersed buildings in woodland." This is an interpretation of the fact that there are very few comparable examples where the potential to redevelop exists within this back-land even assuming the owners would wish to do so.

Therefore if the council adhered to a replacement only policy, the effect on the area would be absolutely minimal. In fact, the clearance and landscaping of the few sites left could be viewed as nothing but beneficial.

Again with regard to replacement dwellings being contrary to Policy SC18 and the aims of Policy WCC7, we must draw the inspectors attention to the current redevelopment of:-

'Kings Mere', 350 Nine Mile Ride (location plan 1:5000 Appendix 2). This site lies approximately 350m from the boundary of the appeal site, in an area subject to exactly the same local plan policies. Planning approval has been obtained to replace the existing buildings, (drawing 9828/SO3 Elevations as existing. Appendix 3) with a substantial dwelling (drawing 9828/CO6B Elevations as proposed. Appendix 4).

Notwithstanding this approval a subsequent application for a detached garage with living accommodation over was approved at a delegated level (App. No. 99/70386/F.

We could find no evidence from the work sheets for application 99/70081/F (Appendix 5) or application 99/703386/F (Appendix 6) that the planning officer sought to resist these applications in order to deter similar proposals contrary to her statement in 4.14.

Appendix 7 Planning Conditions.

Conditions 3 and 4 – the removal of permitted development rights is unreasonable and these conditions should be deleted.

Model Condition 87 Circular 11/75 states a presumption against such restrictions. "The Secretary of State would regard such conditions as unreasonable unless there were clear evidence that the uses excluded would have a serious adverse effect on amenity or the environment that there were no other forms of control and that the conditions would serve a clear planning purpose."

No submissions have been received from the Council to substantiate their case for imposing these conditions. We would like to stress that **none** of the cases of re-development, cited in our appeal, have had permitted development rights removed.

Condition 5.

It is intended to utilise outbuilding 'A' only for the storage of materials during construction. A condition requiring its removal one year after development commences, would be acceptable.

Conclusion

For the homogenous residential areas of the Rides to be subject to four different planning designations and four different planning policies is unhelpful. There is no change in character between the different areas and as a consequence the dividing lines between the different policy areas are arbitrary.

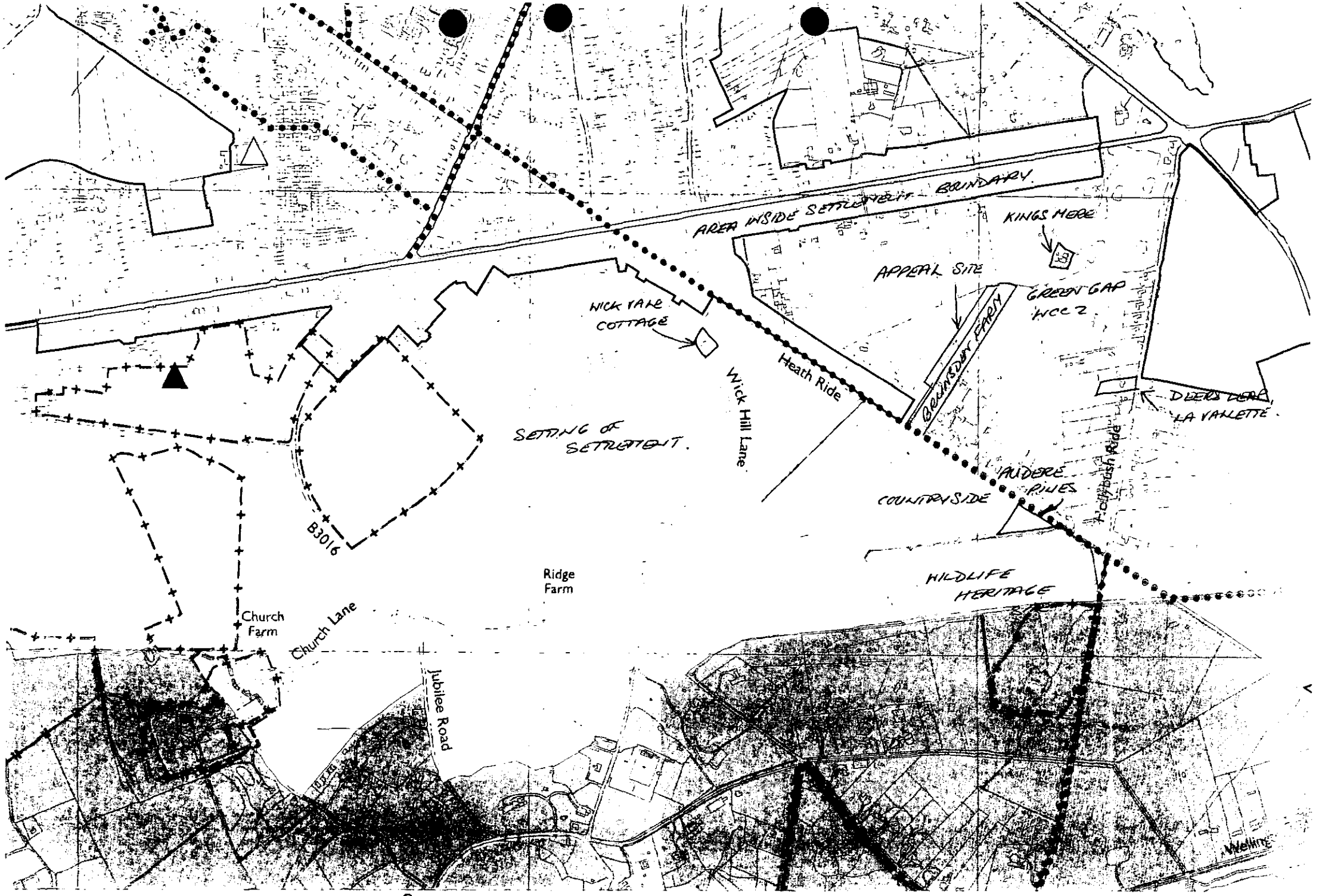
We have endeavoured to demonstrate an apparent lack of consistency in the Council's application of the Policies by citing examples of recent substantial redevelopments, approved in similar or exactly the same areas, as far as Planning Policies are concerned, as the appeal site.

Infill and back-land development have historically been permitted and now form an intrinsic part of the overall character and appearance of the area.

We cannot, therefore, understand why this application has been treated differently.

LIST OF APPENDICES

1. Site plan 1:1250.
2. Location plans of the appeal site, Scale 1:5000 depicting local policy designations and cited developments.
3. Copy of drawing 9828/S03 'Kings Mere' elevations as existing.
4. Copy of drawing 9828/C06B 'Kings Mere' elevation as proposed.
5. Work sheet for Application 99/70081/F 'Kings Mere'.
6. Work sheet for Application 99/70386/F 'Kings Mere'.



LOCATION PLAN APPENDIX 2

SCALE 1:5000

The Planning Inspectorate

Appeal File

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10 JUL 2000
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Ms Z Smith
Wokingham District Council
Planning Department
P O Box 151
Shute End
Wokingham
BERKS, RG11 1WQ

Your Ref:
F/2000/0576

Our Ref:
APP/X0360/A/00/1042893

7 July 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS J STEAN
SITE AT CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, WOKINGHAM

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

Mr A S Freeman BSc(Hons) DipTP DipEM FRTPI FIHT MIEnvSc.

With reference to the above appeal, the Secretary of State has arranged for the inspector to visit the appeal site at 15:00 on Tuesday 01 August 2000 and you are requested to arrange for the inspector to be met at the site at 15:00 to enable the inspection to be made.

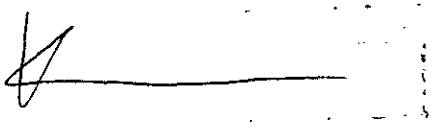
The Inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the Inspector will determine the most suitable course of action, which could mean that he will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

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

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

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

Yours faithfully



Miss K White

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

209D

The Planning Inspectorate

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Ms Z Smith
Wokingham District Council
Planning Department
P O Box 151
Shute End
Wokingham
BERKS, RG11 1WQ

Our Ref:
APP/X0360/A/00/1042893

14 June 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS J STEAN
SITE AT CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, WOKINGHAM

I enclose a copy of correspondence from Helen Brooke.

Please do not comment on the correspondence unless you think it raises new points. If you wish to comment, please ensure that your reply is received in this office no later than 7 days from the date of this letter. Remember to send a copy to the appellant.

Yours faithfully

G. Nall

Mr S Raychell

211A

Helen Brooke
Birchwood
Heath Ride
Finchampstead
Berks

06 JUN 2000

3 June 2000

Your ref: APP/X0360/A/00/1042893

Appeal by: Mr & Mrs J Stean

Site: Chung Yu, Heath Ride, Finchampstead

Dear Mr Raychell,

I am writing in support of the appeal by Mr & Mrs Stean in respect of rebuilding Chung Yu. I have never been so annoyed about something that is really nothing to do with me as I was when I heard that the original application was turned down. I know there are rules and regulations but what happened to common sense? The proposed building is in keeping with the rest of the road, helps clear up a current eye sore and is set well back from the road.

Charles Church was allowed to build eleven houses on a plot that exits onto Nine Mile Ride right by my childrens' school and where the lollypop lady stands. John Stean can't build a house in a private road suitable for himself and his family to live in. That just seems so unfair to the little guy over the big guy.

I do hope this appeal is successful and that common sense prevails.

Yours sincerely

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ

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

DS 30616

Ms Z Smith
Wokingham District Council
Planning Department
P O Box 151
Shute End
Wokingham
BERKS, RG11 1WQ

COPIES TO:
ACK:
FILE: Our Ref:

Your Ref:
F/2000/0576

APP/X0360/A/00/1042893

13 June 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS J STEAN
SITE AT CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, WOKINGHAM

I enclose a copy of correspondence from an interested party.

Please do not comment on the correspondence unless you think it raises new points. If you wish to comment, please ensure that your reply is received in this office no later than 7 days from the date of this letter. Remember to send a copy to the appellant.

Yours faithfully

Mr S Raychell

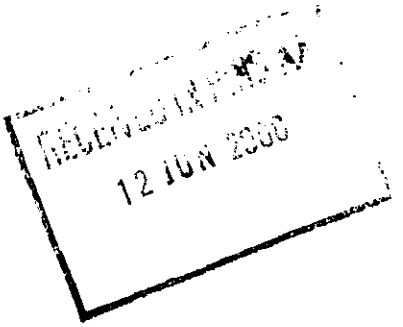
211A

FINCHAMPSTEAD PARISH COUNCIL

PARISH OFFICE, MEMORIAL HALL, THE VILLAGE,
FINCHAMPSTEAD, BERKS RG40 4JU
THE CLERK: MRS CHERRY COLE
TELEPHONE: 0118 - 9328256 or 0118 - 9793684 (if urgent)
FAX NO. 0118 - 9730515

9 June 2000

Your ref: APP/X0360/A/00/1042893



Mr S Raychell
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Dear Sir,

APPEAL BY MR AND MRS J STEAN - REPLACEMENT DWELLING AT CHUNG YU, HEATH RIDE, FINCHAMPSTEAD. APP.NO. F/2000/0576

In response to Wokingham District Council's request for written representations in respect of the above appeal, I write to inform you that the Finchampstead Parish Council actively supports the application under appeal for the following reasons:

The proposal of a replacement dwelling on this site will effect the cleaning up of a currently very messy site.
The site itself is set far back from Heath Ride and therefore the proposed new dwelling would not be visable from the road.

The appellants have provided the Parish Council with a copy of their submission for the appeal and the Parish Council supports the claims made therein.

Yours sincerely

C.S.Cole

Mrs Cherry Cole
The Clerk
cc. District Cllrs G Cockroft, R Cundy and Mrs M Long

Tel. (0118) 974 6448 (Direct Line)
Date: May 23, 2000
My ref: F/2000/0576
Your ref: APP/X0360/A/00/1042893

file copy

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

Mr S Raychell
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Mr Raychell

APPEAL BY: **Mr & Mrs J Stean**

SITE: **Chung Yu, Heath Ride, Finchampstead**

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

I have also sent a copy to the appellant/agent.

Yours sincerely

Den Gumbrell
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. May 23, 2000
My ref: Application Number F/2000/0576
Your ref:

file copy

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

Mr & Mrs J Stean
Splinters
Heath Ride
Finchampstead
WOKINGHAM
Berks
RG40 3QJ

Dear Sirs

APPEAL BY: **Yourselves**
SITE: **Chung Yu, Heath Ride**

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

I have also sent a copy to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: May 17, 2000
My ref: F/2000/0576
Your ref: APP/X0360/A/00/1042893

Copy

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Mr S Raychell
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Mr Raychell

APPEAL BY: **Mr & Mrs J Stean**

SITE: **Chung Yu, Heath Ride, Finchampstead**

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

I have also sent a copy to the appellants.

Yours sincerely

Den Gumbrell
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. May 17, 2000
My ref: F/2000/0576
Your ref:

Copy

Environmental Services Department
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P.O. Box 157
Shute End, Wokingham
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Tel: (0118) 974 6000
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Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Mr & Mrs J Stean
Splinters
Heath Ride
Finchampstead
Wokingham
Berks
RG40 3QJ

Dear Sir/Madam

APPEAL BY: **Yourselves**
SITE: **Chung Yu, Heath Ride.**

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

I have also sent a copy to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell
Appeals Assistant

Enc

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line
Switchboard
Fax No
GTN

PLANNING SERVICES
POL DG
DC 0117-9876079
APP 0117-9878000
CS 0117-9878443
1374-6079
12 MAY 2000
COPIES TO:
ACK:
FILE:

Ms Z Smith
Wokingham District Council
Planning Department
P O Box 151
Shute End
Wokingham
BERKS, RG11 1WQ

Your Ref:
F/2000/0576

Our Ref:
APP/X0360/A/00/1042893

11 May 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS J STEAN
SITE AT CHUNG YU, HEATH RIDE, FINCHAMPSTEAD, WOKINGHAM

I have received an appeal form and accompanying documents for this site. I am the case officer. I am checking the papers and if I need further information, or if for legal reasons the appeal is not acceptable, I will write again.

The appellant has chosen the written procedure. The date of this letter is the starting date for the appeal. Unless you tell me otherwise, I will assume that you do not wish to exercise your right to be heard.

As you know, if you agree to the written procedure, you are required to:

- **Within 5 working days** - notify interested persons who were required to be consulted on the original planning application, and all those who made representations at application stage, that an appeal has been made. You should tell interested persons that any comments they have on the appeal should be made in writing and sent directly to me within the next 28 days. **Please also tell them that if they wish to receive a copy of the appeal decision letter, they must write to me asking for one.**

- **Within the next 14 days** - send the appellant and me, a completed appeal questionnaire together with all the necessary enclosures.

- **Within the next 28 days** - send the appellant and me, any further statement you wish to make, if the questionnaire and supporting documents do not comprise your case. Please keep the statement concise as recommended in Appendix 1 of DOE circular 15/96.

We will arrange for our inspector to visit the appeal site and will send you details.

You should keep to the timetable set out above. Inspectors will not accept representations at the site visit, nor will they wait for representations. Having drawn your attention to the timetable, I will not send reminders to you or the appellant.

Please send any further correspondence to me, giving the full appeal reference number. If you have any questions, please contact me.

Yours faithfully

Mr S Raychell
102

SITE VISIT DATES

We have improved the time taken to fix the date for a site visit. Most visits are now arranged within 8 to 12 weeks from the start of the appeal. Ministers are anxious that appeal decisions are issued quickly. You must comply with the timetable in the accompanying letter, and ensure your representations are with us on time. If the representations are late, the Inspector may proceed to issue a decision without considering them.

SECTION 106 AGREEMENTS

If you intend to rely on an obligation made under Section 106, we must receive a completed, signed and dated copy before the date of the site visit. We will

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs J Stean
C/O Robin Bradbeer Ltd
20 Lansdown Parade
CHELTENHAM
Glos.
GL50 2LH

Application Number: F/2000/0576

Parish: **FINCHAMPSTEAD**

Location: **Chung Yu, Heath Ride, Finchampstead, Wokingham**

Proposal: **Proposed demolition of existing dwelling and ancillary buildings and erection of replacement dwelling**

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

Reason

1. The site is outside a settlement boundary. Due to its size, scale and height, the proposed dwelling would be excessive in size for a replacement dwelling and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to South East Area Local Plan Policy SC18 and to Wokingham District Local Plan (Deposit Draft) Policy WCC7.

Head of Planning and Transportation
Date: 06 April 2000

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

The Planning Inspectorate

FOR OFFICIAL USE ONLY
Date received

PLANNING SERVICES | HPT
POL | TLS
UC | ENF
MP
CS

10 MAY 2000

COPIES TO: | ACK: | FILE:

PLANNING APPEAL

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

A. INFORMATION ABOUT THE APPELLANT(S)

Full Name: MR & MRS. J. STEAN

Address: 'SPLINTERS' HEATH RIDE FINCHAMPSTEAD
WOKINGHAM BERKSHIRE

Postcode: R640 3QJ Reference:
Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: 01189734800 Fax No: 01189734800

Agent's Name (if appropriate): N/A.

Agent's Address:

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

Daytime Telephone No: Fax No:

B. DETAILS OF THE APPEAL

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

Description of the Development:

PROPOSED DEMOLITION OF EXISTING DWELLING AND ANCILLARY BUILDINGS AND ERECTION OF REPLACEMENT DWELLING.

Address of the Site:
'CHUNG YU'
HEATH RIDE FINCHAMPSTEAD
WOKINGHAM BERKSHIRE
Postcode: R640 3QJ
Failure to provide the postcode may cause delay in processing your appeal

National Grid Reference (see key on OS map for Instructions).
Grid Letters: Grid Numbers
eg TQ:298407
1646N
4810E.

Date and LPA reference number of the application you made and which is now the subject of this appeal:
11.2.00 F/2000/0576

Date of LPA notice of decision (if any):
6.4.00

Are there any outstanding appeals for this site eg Enforcement, Lawful Development Certificate etc? If so please give details and any Planning Inspectorate reference number here: NONE

N/A

C. REASON FOR THE APPEAL

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

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

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

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

Or the failure of the LPA:-

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

D. CHOICE OF PROCEDURE

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

1. WRITTEN REPRESENTATIONS ☑

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

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

.....

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

E. ESSENTIAL SUPPORTING DOCUMENTS

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

1. The application submitted to the LPA; ☑

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

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

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

5. Other relevant correspondence with the LPA; please identify the correspondence by date or otherwise: LETTERS 4.11.99 – 3.4.00 ☑

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

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

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

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

9. Additional plans or drawings relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: PHOTOCOPY 1. PHOTOGRAPHS 1:5000 LOCATION PLAN. 2. 3. & 4 ☑

F. APPEAL SITE OWNERSHIP DETAILS

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

SITE OWNERSHIP CERTIFICATES

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

CERTIFICATE A

I certify that:

On the day 21 days before the date of this appeal nobody, except the appellant, was the owner (see Note (i) of the guidance notes) of any part of the land to which the appeal relates.

OR

CERTIFICATE B

I certify that:

I have/the appellant has *given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the guidance notes) of any part of the land to which the appeal relates, as listed below.

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

I further certify that:

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

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

OR

*• I have/the appellant has *given the requisite notice to every person other than my/him/her*self who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as follows:

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

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

Signed ..... (on behalf of) .....

Name (in capitals) TOM STEAN Date 8.5.00

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

OUR PROPOSAL IS TO CONSTRUCT AN ATTRACTIVE CHALET STYLE REPLACEMENT PROPERTY ON A LARGE PLOT. VIRTUALLY INVISIBLE FROM THE PUBLIC DOMAIN. MANY SUCH DEVELOPMENTS HAVE TAKEN PLACE IN THE VICINITY AND WE HAVE OUTLINED EXAMPLES IN OUR SUBMISSION.

THE RIDES CONTAIN PROPERTIES OF VARIED APPEARANCE AND CHARACTER — THIS PROPOSAL COULD NOT REASONABLY BE CLAIMED TO HAVE A DETRIMENTAL EFFECT UPON THE CHARACTER AND APPEARANCE OF THE AREA, IN FACT, THE REVERSE WOULD APPLY WITH THE CLEARANCE OF A VERY UNTIDY SITE.

WE HAVE THE SUPPORT OF LOCAL RESIDENTS, INCLUDING THAT OF THE OCCUPANTS OF THE ONLY AFFECTED HOUSE 'THE BIRCHES' — THE PARISH COUNCIL - AND LOCAL COUNCILLORS.

PLEASE SIGN BELOW

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

Signed ..... (on behalf of) .....

Name (in capitals) JOHN STEAN Date 8.5.00

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

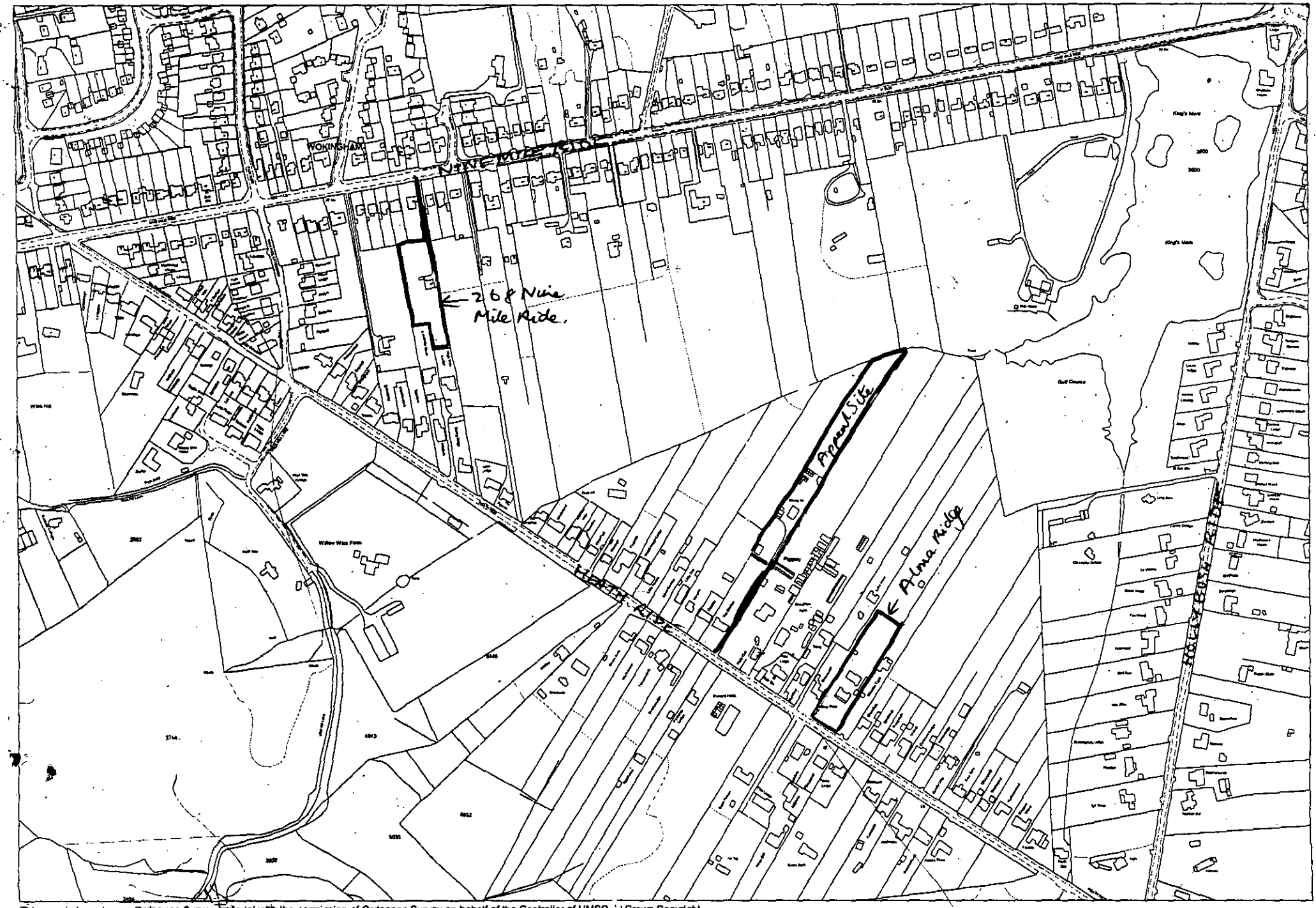
CHECKLIST - Please check this list thoroughly to avoid delay in the processing of your appeal.

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

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

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

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



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Development Control Section, Environmental Services, Wokingham District Council.

5 April 2000

N W E S

Scale: 1 : 5000

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: A O

APPLICATION NUMBER: 0576

APPELLANT: Mr & Mrs J Stean

SITE: Chung Yu, Heath Ride, Finchampstead

APPEAL REF: APP/X0360/A/00/1042893

START DATE: 11/05/00

DATE OF SITE VISIT 1/8/00

Progress Record	Date Actioned	Initials	Time Hours : Mins.
Appeal Logged:	17/05/00	DG	
Entered on Access:	17/05/00	DG	
Notification Letters Due:	**18/05/00**		
Notification Letters Sent:	17/05/00	DG	
Questionnaire Due:	**25/05/00**		
Questionnaire Sent:	17/05/00	DG.	
Venue Booked:	N/A		
File received by Officer:			
Statement Due:	**08/06/00**		
Checked by Team Leader:			
Statement Sent: **(Don't forget to inform Den)**	23/5/00	DG.	
Site Visit:	1/8/00		
Decision letter circulated:	18/8/00	DG	
Decision entered on Access.	18/8/00	DG	