APPLICATION NO:

VAR/2000/2920

LOCATION:

Apsley House 27 - 29 London Road, Twyford Reading.

APPLICANT:

Kimberley Securities Ltd C/O Farrell And Clark Architects

PROPOSAL:

Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.

EARLIEST DATE FOR DECISION: ~~03~~ 17/01/2001

APPLICATION WILL HAVE EXPIRED ON: 23/01/2001

CASE OFFICER: **Joss Miller**

Appeal Decisions

Hearing held on 07 August 2001

by Katie Peerless DipArch RIBA

an Inspector appointed by the Secretary of State for Transport Local Government and the Regions

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
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Date
15 AUG 2001

Appeal A: APP/X0360/E/01/1060312
Apsley House, 27-29 London Road, Twyford.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to vary or discharge conditions of a listed building consent.
- The appeal is made by Kimberley Developments against the decision of Wokingham District Council.
- The application (Ref.VAR/2000/2920), dated 24 November 2000, sought to vary conditions Nos 04, 05 & 06 of a listed building consent (Ref. 99/70852/LA) granted by the Council on 30 August 2000.
- The works proposed are the conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor with conservatory extension.
- The conditions in dispute are Nos 04, 05 & 06 which state that:
  04) The existing dormer window in the rear of Apsley House, constructed without listed building consent, shall be removed within its entirety within 3 months of the date of this permission, to the satisfaction of the local planning authority. The replacement conservation rooflights shall also be installed to the satisfaction of the local planning authority, subject to meeting condition 5 set out below.
  05) Details of the conservation rooflight, including positions in relation to rafters and flashing details shall be submitted to and approved in writing by the local planning authority prior to their installation in accordance with Condition 4 above.
  06) Details of the roofing materials to be used in connection with the remedial works referred to in Condition 4 shall be submitted to and approved in writing by the local planning authority prior to their installation
- The reasons for the conditions are:
  04 & 05): To ensure adequate control of the works to a listed building to retain its architectural and historic interest
  06): To ensure a satisfactory external appearance.

Summary of Decision: The appeal is allowed and listed building consent is granted in the terms set out in the Formal Decision below.

Appeal B: APP/X0360/A/01/1060311
Apsley House, 27-29 London Road, Twyford.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Kimberley Developments against the decision of Wokingham District Council.
- The application (Ref. VAR/2000/2922), dated 24 November 2000, was refused by notice dated 22 January 2001.
- The application sought the variation/removal of conditions attached to a planning permission (Ref.99/70851/F), dated 29 August 2000, for the proposed conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor with conservatory extension.

- The conditions in dispute are Nos 06, 07 & 08 which state that:
  06) The existing dormer window in the rear of Apsley House, constructed without listed building consent, shall be removed within its entirety within 3 months of the date of this permission, to the satisfaction of the local planning authority. The replacement conservation rooflights shall also be installed to the satisfaction of the local planning authority, subject to meeting Condition 7 set out below.
  07) Details of the conservation rooflight, including positions in relation to rafters and flashing details shall be submitted to and approved in writing by the local planning authority prior to their installation in accordance with Condition 6 above.
  08) Details of the roofing materials to be used in connection with the remedial works referred to in Condition 6 shall be submitted to and approved in writing by the local planning authority prior to their installation
- The reasons given for the conditions were:
  06): To ensure the unauthorised structure is removed, in order to retain the architectural and historical character and appearance of the listed building.
  07) & 08): To ensure a satisfactory external appearance.

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

Procedural Matters

1. At the Hearing applications for costs were made by Kimberley Developments PLC against Wokingham District Council and by Wokingham District Council against Kimberley Developments PLC. These applications are the subject of separate Decisions.

Planning History

2. Planning permission and listed building consent were sought in 1999 to vary the original scheme for conversion works to Apsley House, for which approval was granted under applications 97/65165/LA and 98/67381/F. The revised applications included a new dormer window in the rear roof slope. The window proved contentious and the applicants agreed to omit it from the scheme in a letter dated 10 June 2000. However, at the time the approval notices for these applications (Refs: 99/70852/LA and 99/70851/F) were issued, the dormer window had already been constructed and conditions were imposed on the listed building consent and planning permission, to secure its removal.

3. Further applications, those that are the subject of these appeals, were then made in an attempt to remove the conditions in question, in order that the dormer could be retained as built.

Main Issue

4. I consider that there is one main issue in these cases: whether the conditions are reasonable and necessary to ensure that the special architectural character and historic interest of the listed building is retained.

Planning Policy

5. Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require me to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest, before granting listed building consent or planning permission. As the site lies within the Twyford Conservation Area I am also required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6. In addition to the duties under the Act referred to above, Development Plan policies for the District are also a material consideration in these cases. The Development Plan includes the Berkshire Structure Plan (1996-2006) and the Loddon Area Local Plan 1995. The Structure Plan contains policies EN1, EN4 and EN5 that are relevant to these cases and which seek to protect the character and quality of the environment, particularly those relating to listed buildings and Conservation Areas. Local Plan policies LBE1, LBE17 and LBE18 have similar aims and objectives to the Structure Plan policies, and require that buildings of historic interest are afforded appropriate uses and settings. Changes of use of listed buildings must demonstrate, amongst other things, that the special character of the building would not be adversely affected.

7. The Local Plan is under review and the document consolidating the Proposed Amendments to the Draft Wokingham District Local Plan were published in February 2000. The Inspector's report on the Public Inquiry is expected in December 2001. In view of the stage this plan has reached I have accorded the policies within it significant weight when reaching my decision. The Plan includes policies WBE1, WHE2, WHE5 and WHE13, which complement and expand on the relevant corresponding Local Plan polices. They include the aim of retaining and enhancing the features that make up distinct character of Conservation Areas and the requirement that new dormers should not disturb the proportions of the original building. Alterations to listed buildings should be sympathetic to its historic and architectural character.

8. National guidance for development that affects listed buildings and their settings, and Conservation Areas, is given in Planning Policy Guidance Note 15 – Planning and the Historic Environment (PPG15). This document states, amongst other things, that historic roof structures must not be damaged by the insertion of new dormer windows.

Reasons

9. The appeal property, Apsley House, is a Grade II listed building within the heart of the Twyford Conservation Area. Its main elevation fronts onto London Road, but public views of the rear have now been opened up by the construction of a new retail development in the village centre. The house dates, according to the listing description, from the 18th century, and has been extended several times in the past. During the course of the conversion works, part of the 20th century rear extensions has been removed and a new conservatory added.

10. The dormer window to which these appeals relate has been constructed in a lower roof slope, between two of the earlier extensions. The window serves the bathroom to the first floor flat, which, without it, would have very limited headroom. The roof slope into which the dormer has been inserted had to be largely reconstructed at the time of the building's refurbishment, due to the poor condition of the original timber rafters. There is, therefore, little of the historic fabric of that part of the roof still surviving. It is the Council's contention however, that the insertion of the dormer is, nevertheless, damaging to the architectural character of the building, due to its size and detail design.

11. In my view, many historic buildings can accommodate changes that enable their useful life to be prolonged, provided that these are kept to the minimum and carried out in a sensitive and sympathetic manner that preserves their best and most distinguishing architectural characteristics. In the case of Apsley House, the most important elevation is that fronting London Road, which is unaffected by the insertion of the dormer window.

12. The dormer is constructed in traditional materials, with a flat lead covered roof and side cheeks and holds two casements each divided into six square panes. This format is similar in style and proportion, albeit larger, than the two dormer windows behind the parapet of the London Road elevation. Given that there have been many changes to the rear elevation over the years, and the architectural quality of some of these have done little to enhance the building, the window does not, to my mind, appear out of place or obtrusive in this location.

13. The first floor bathroom would be extremely cramped and difficult to use were the dormer not installed. I consider that, in this instance, the advantages of bringing the room up to modern standards are sufficient to outweigh any concerns over external changes to a part of the building of secondary importance. I consider that this change should be viewed as contributing to the history of the building, together with the other adaptations that have enabled it to continue to serve a useful function.

14. The rear elevation of Apsley House is now much more accessible to public view since the retail development was completed, and the setting of the building has undergone considerable change. The alterations to the rear of the building have consolidated and improved the unsightly and uncoordinated group of extensions that existed previously, and I consider that the new dormer does not detract from this enhanced appearance.

15. I find, therefore, that the special architectural character and historic interest of Apsley House is not compromised by the insertion of the dormer window, and the development preserves the character and appearance of the Conservation Area. There is no conflict, in my opinion, with the aims of relevant Structure Plan, Local Plan or emerging Local Plan policies, or national planning guidance.

Conditions

16. However, whilst the form and proportions of the dormer are typical of what might normally be found on a building such as this, the joinery sections are, to my mind, poorly detailed and unsuitable for this historic building. The double glazed units, set in modern, storm proof casements and frames, with square edged glazing bars and a central mullion, appear, in my opinion, incongruous in comparison to the finely detailed profiles of the other windows in the property.

17. I noted on the site visit that a new ground floor window, inserted as part of the conversion works, has been given a frame and glazing bars that reflect the period detailing of the other windows, but which still proclaim its later origins. I consider that the dormer window, in order to appear acceptable in this context, should be treated in a similar manner. I shall, therefore, impose a condition to require the replacement of the window joinery with a more suitable example, to be approved by the local planning authority.

Conclusions

18. For the reasons given above and having regard to all other matters raised, I consider that the appeals should succeed.

Formal Decisions

Appeal A:

19. In exercise of the powers transferred to me, I allow the appeal and grant listed building consent for the conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor, with conservatory extension at Apsley House, 27–29 London Road, Twyford, in accordance with the terms of the application Ref. VAR/2000/2920 dated 24 November 2000 and the plans submitted therewith without compliance with conditions numbers 04, 05 and 06 previously imposed on listed building consent no 99/70852/LA, dated 30 August 2000, but subject to the other conditions imposed therein, insofar as the same are still subsisting and capable of taking effect and subject to the following new condition:

    09) Within three months of the date of this permission, full details of the joinery sections for the dormer window hereby permitted shall be submitted to the local planning authority for approval. Within three months of the date of issue of the written approval, the existing joinery in the dormer widow shall be replaced with joinery matching the approved details.

Appeal B:

20. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor, with conservatory extension at Apsley House, 27–29 London Road, Twyford in accordance with the terms of the application Ref. VAR/2000/2922 dated 24 November 2000 and the plans submitted therewith without compliance with conditions numbers 06, 07 and 08 previously imposed on listed building consent no 99/70852/LA, dated 30 August 2000, but subject to the other conditions imposed therein, insofar as the same are still subsisting and capable of taking effect and subject to the following new condition:

    14) Within three months of the date of this permission, details of the joinery sections for the dormer window hereby permitted shall be submitted to the local planning authority for approval. Within three months of the date of issue of the written approval, the existing joinery in the dormer widow shall be replaced with joinery matching the approved details.

Information

21. A separate note is attached setting out the circumstances in which the validity of either of these decisions may be challenged by making an application to the High Court within 6 weeks from the date of the decisions.
22. These decisions do not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990 or sections 7 and 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
23. An applicant for any approval required by a condition attached to these permissions has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.

Katie Peyton

Inspector

APPEARANCES

FOR THE APPELLANT:

David Anderson FRICS	Kimberley Investments PLC 33, St James' Street London SW1A 1HD
Edward Griffin Dip Arch, RIBA	Farrel & Clark Architects, 21 Little Portland Street London W1W 8BT
John Poole Dip Arch, RIBA	Farrel & Clark Architects, 21 Little Portland Street London W1W 8BT
Stephen Levrant RIBA, AADip, IHBC, Dip Cons(AA), FRSA	363 West End Lane London NW6 1LP

FOR THE LOCAL PLANNING AUTHORITY:

Joss Miller BA Arch(Hons) PG Cert Town Planning	Wokingham District Council
Harold Sanders Dipl Arch RIBA Mec. Hist Building Con. IHBC DHP, LA MLI	Wokingham District Council

DOCUMENTS

Document	1	List of persons present at the Hearing.
Document	2	Letter of notification and circulation list
Document	3	Representations from Interested Parties
Document	4	Council's statement including appendices
Document	5	Appellant's statement including appendices
Document	6	Appellant's response to Council's statement including appendices
Document	7	Twyford Conservation Area studies
Document	8	Representations relating to Wokingham District Local Plan Deposit Draft
Document	9	Council's response to Appellant's application for costs
Document	10	Letter to tenant of Flat 1 Apsley House

PLANS

Plans	A-C	Drawings 113/280/408G, 409H, 410C
Plan	D	Location Plan
Plans	E-H	113/280/skA(3), 408F, 409F, 410F
Plan	I	Extract from Twyford Conservation Area plan

PHOTOGRAPHS

Photo	1-9	Progress photographs of Apsley House submitted by Appellant

Costs Decision

Hearing held on 07 August 2001

by Katie Peerless DipArch RIBA

an Inspector appointed by the Secretary of State for Transport Local Government and the Regions

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Temple Quay House
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Date

15 AUG 2001

Costs application in relation to Appeal Ref: APP/X0360/E/01/1060312
Apsley House, 27-29 London Road, Twyford.

- The application is made under the Planning (Listed Buildings and Conservation Areas) Act 1990, sections 20, 89, and Schedule 3 and the Local Government Act 1972, section 250(5).
- The application is made by Wokingham District Council for a full award of costs against Kimberley Develoments.
- The hearing was in connection with an appeal against a refusal to vary or discharge conditions of a listed building consent for the proposed conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor with conservatory extension.

Summary of Decision: The application fails and no award of costs is made.

Costs application in relation to Appeal Ref: APP/X0360/A/01/1060311
Apsley House, 27-29 London Road, Twyford.

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
- The application is made by Wokingham District Council for a full award of costs against Kimberley Developments.
- The hearing was in connection with an appeal against the a refusal to grant planning permission for the variation/removal of conditions attached to a planning permission for the proposed conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor with conservatory extension.

Summary of Decision: The application fails and no award of costs is made.

The Submissions for the Council

1. The application for full costs is made under the Appendix to Circular 8/93 where it is stated that appellants are at risk of an award of costs against them if they pursue an appeal which obviously had no chance of success.

2. The dormer requires both planning permission and listed building consent and was erected without these consents being obtained. As the dormer materially affects the character of the listed building, to carry out such works is a statutory offence, and the Council could have resolved this breach of planning control through enforcement action. However, the agent, Farrell and Clark, stated in their letter of 16 June 2000 that 'we have therefore, revised the drawings to show a traditional style roof light and have adapted the bathroom layout to suit the restricted headroom' and the Council imposed conditions to require the appellant to do what he had already offered. The Council considers that the appellant has acted unreasonably in pursuing these appeals, having agreed to the omission of the dormer window prior to the consents being issued.

The Response by the Appellants

3. The appellants note that the factual information in their comments on the Council's hearing statement (dated 10 May 2001), including the schedule of events concerning the progress of the listed building and planning applications, is unchallenged by the local planning authority. There have been three different planning officers dealing with the cases and discussions on the inclusion of a dormer window took place with one of these officers who issued a sketch drawing showing an alternative to the dormer proposed. The time taken to deal with the applications was so protracted that the decision was taken to install the dormer as works progressed, whilst negotiations were continuing. The applications that are the subject of these appeals were made to regularise the situation and the appellant does not consider that it was unreasonable to appeal against their refusal.

Conclusions

4. I have considered this application for costs in the light of Circular 8/93 and all the relevant circumstances. This advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused another party to incur or waste expense unnecessarily.

5. As I have concluded that the appeals should succeed, I disagree with the Council's opinion that they obviously had no chance of success. Consequently, I consider that unreasonable behaviour resulting in unnecessary expense, as described in Circular 8/93, has not been demonstrated and I therefore conclude that an award of costs is not justified.

Formal Decision

6. In exercise of the powers transferred to me, I refuse the applications for an award of costs.

Katie Peckett

Inspector

(JM)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Kimberley Securities Ltd
C/O Farrell And Clark Architects
21 Little Portland Street
London
W1W 8BT

Application Number: VAR/2000/2920

Parish:	**TWYFORD**
Location:	**Apsley House 27 - 29, London Road, Twyford, Reading.**
Proposal:	**Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.**

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

Reason

1. The proposed dormer window by virtue of its scale, design and location would form an incongruous feature out of character with the architectural and historical character and appearance of the listed building. Therefore, the proposal is contrary to policies EN1, EN4 and EN5 of the Berkshire Structure Plan, to policies WOS3, WBE1, WHE2, WHE5 and WHE13 of the Wokingham District Local Plan and to policies LBE1, LBE17 and LBE18 of the Loddon Area Local Plan.

Informative

1. You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:

Berkshire Structure Plan Policies EN1, EN4 and EN5.
Loddon Area Local Plan Policies LBE1, LBE17 and LBE18.
Deposit Draft Wokingham District Local Plan Policies WOS3, WBE1, WHE2, WHE5 and WHE13.

John Mitchell
Development Control Manager
Date: 22/01/2001

Notice checked by: _____

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

Tel: (0118) 974 6463

Date: 31/1/01

My ref: VAR/2000/2920

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

CONFIDENTIAL

Councillor S Conway
20 Arnside Close
Twyford
RG10 9BS

Dear Councillor

Application Number: VAR/2000/2920
Apsley House 27 - 29, London Road, Twyford, Reading.
Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☐ REFUSAL: ☑ under delegated powers.

If you have any questions please do not hesitate to contact **Joss Miller** on **(0118) 974 6463**. If you then feel the application needs to be transferred to the next available Development Control Committee for decision please fill in the form below.
This form must be received no later than 12/2/01

Yours faithfully

John Mitchell

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Joss Miller** Application Number: **VAR/2000/2920**
Apsley House 27 - 29, London Road, Twyford, Reading.
Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.

Transfer: Yes ☐ No ☑
Reason for Transfer:

Signed: _____ Date: 1/2/01

Councillor S Conway

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

Tel: (0118) 974 6463

Date: 31/1/01

My ref: VAR/2000/2920

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

CONFIDENTIAL

Councillor S Conway
20 Arnside Close
Twyford
RG10 9BS

Dear Councillor

Application Number: VAR/2000/2920
Apsley House 27 - 29, London Road, Twyford, Reading.
Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.

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This form must be received no later than 12/2/01

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Joss Miller** Application Number: **VAR/2000/2920**
Apsley House 27 - 29, London Road, Twyford, Reading.
Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor S Conway

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

Tel: (0118) 974 6463

Date: 31/1/01

My ref: VAR/2000/2920

CONFIDENTIAL

Councillor C A Ferris
The Corner House
Station Road
Twyford
RG10 9NG

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

Dear Councillor

Application Number: VAR/2000/2920
Apsley House 27 - 29, London Road, Twyford, Reading.
Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window..

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☐ REFUSAL: ☑ under delegated powers.

If you have any questions please do not hesitate to contact **Joss Miller** on **(0118) 974 6463**. If you then feel the application needs to be transferred to the next available Development Control Committee for decision please contact the Councillor for your area responsible for planning matters as soon as possible

Yours faithfully

John Mitchell

John Mitchell
Development Control Manager

Tel: (0118) 974 6463

Date: 31/1/01

My ref: VAR/2000/2920

Environmental Services Department
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P.O. Box 157
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CONFIDENTIAL

Councillor D Tomlin
3 Swanscourt
Twyford
Berks
RG10 0AZ

Dear Councillor

Application Number: VAR/2000/2920
Apsley House 27 - 29, London Road, Twyford, Reading.
Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window..

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☐ REFUSAL: ☑ under delegated powers.

If you have any questions please do not hesitate to contact **Joss Miller** on **(0118) 974 6463**. If you then feel the application needs to be transferred to the next available Development Control Committee for decision please contact the Councillor for your area responsible for planning matters as soon as possible

Yours faithfully

John Mitchell
Development Control Manager

Date: 23 April 2001

To: Case Officer

We have received Details to Comply with Conditions for the following planning application:

Application Number: LB/2001/3211

Location: Apsley House 27 - 29, London Road, Twyford, Reading.

Proposal: Application for internal repairs and alterations to listed building.

Applicant: Kimberley Developments C/O Farrell And Clark.

Case Officer: Joss Miller

The new plans show the following: New floor construction, partition construction details (113/280/SK586), proposed door & lining details (113/280/SK587), blocking up doorway details (113/280/SR588).

Comments are required by 30/04/2001.

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

1970

(RING ONE)

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

App No 40/2001/3211 (Planaps) / (Ludhouse) Date Rec. 12/4/01

Location: Apsley House London Rd.

Parish Twyford

Applicant: Kimberley Developments

Description of attached plans / Drawing No's: New floor construction, partition construction details (113/280/SK586), proposed door & lining details (113/280/SK587), blocking up doorway details (113/280/SR588)

CONSULTEES

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

Please tick which of the following you wish consulted.

OTHERS: Conservation Architect - please comment on point 5 & 6 on accompanying letter.

		Drawing No's	
1.	NK (Landscape & Trees)		☐
2.	NK (Env. Design)		☐
3.	XA (Highways)		☐
4.	NF (Building Control)		☐
5.	BC/DC Liaison		☐

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

NEIGHBOURS:

Date for Responses 7 days

FURTHER ACTION

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

Redate Application Y / N From

New Site Notice Y / N

New Description

CASE OFFICER JM

Consultations Sent by Admin. on 23.04.B.

Yellow - Part One Copy
Green - Officer's Copy

1970

(RING ONE)

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

App No 45/2001/3211 (Planaps) / (Ludhouse) Date Rec. 12/4/01

Location: Apsley House London Rd.

Parish Twyford

Applicant: Kimberley Developments

Description of attached plans: New floor construction partition construction details (113/280/5K586) proposed door & lining details (113/280/5K582) blocking up doorway details (113/280/5K588)

Drawing No's:

CONSULTEES

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

Please tick which of the following you wish consulted.

OTHERS: Conservation Architect - please comment on point 5 & 6 on accompanying letter.

Drawing No's

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

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

NEIGHBOURS:

Date for Responses 7 days

FURTHER ACTION

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

Redate Application Y / N From

New Site Notice Y / N

New Description

CASE OFFICER JM

Consultations Sent by Admin. on 23.04.01

Yellow - Part One Copy
Green - Officer's Copy

FARRELL & CLARK
ARCHITECTS TOWN PLANNERS
PROJECT MANAGEMENT

21 Little Portland Street
London W1W 8BT
Tel: 020 7291 9170
Fax: 020 7291 9175
Email: london@farrell-clark.co.uk

2 Drury Lane Horsforth
Leeds LS18 4BQ
Tel: 0113 259 0922
Fax: 0113 258 9604
Email: leeds@farrell-clark.co.uk

EG/ha/113.280.L.79

10th April 2001

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

For the attention of Joss Miller

3211
TO COMPLY WITH CONDITIONS.

Dear Joss

Apsley House, Twyford. Ref LB/2001/3211

1. With reference to Condition 3(a):
Please find attached drawing no. 113/280/SK585 showing the new floor constructions in:

(i) the end of Unit 1 (Room G9)
(ii) conservatory and adjacent room (G5 + G6).

2. Condition 3(b)
Please find attached drawing no. 113/280/SK586 showing the partition construction details.

3. Condition 3(c)
Please find attached drawing no. 113/280/SK587 showing the proposed door and lining details.

4. Condition 3(d)
Please find attached drawing no. 113/280/SK588 showing the proposed doorway blocking up details.

5. Condition 3(e)
Please can you provide further detail of your requirements to meet this condition. We will not carry out any works to any existing partitions until your requirements are clarified.

DC JKM	ENF
APP	
CS	
12 APR 2001	
COPIES TO:	ACK:
	FILE:

POST NO 42249

Associates:
Anthony J Clark MBIAT
Richard J Smith ABIAT
I.T. Manager Mark Farrell ABIAT

Consultant:
Donald K Clark BA Arch Dipl TP RIBA MRTPI

Partners:
John Poole Dipl Arch RIBA
Brian Soppitt Dipl Arch RIBA
David A Standhaven Dipl Arch RIBA
Paul Jagger BA (Hons) Dipl Arch RIBA
John R Perry Dipl Arch RIBA

6. Removal of Existing Fireplaces

The proposed new tenants have requested the removal of 3 no. existing fireplaces and surrounds. Please find attached the location plan 113/280/411 rev A and the following photos:

Photo 1: Existing fireplace 1 in Room G8
Photo 2: Existing fireplace 2 in Room G4.
Photo 3: Existing fireplace 3 in Room G3.

Following their removal it is intended to make good the plasterwork to match the existing, infill the opening with plasterboard and skim, and install a low level vent to the chimney flue.

Please contact us if you require any further information.

Yours sincerely

Edward Griffin

Encs

Cc (letter only): D Anderson, Kimberley Developments
S Turoff, EC Harris
H Sanders, Wokingham DC

WORK SHEET FOR : Joss Miller

Application Number : VAR/2000/2920

Applicant : Kimberley Securities Ltd C/O Farrell And Clark Architects.

Location : Apsley House 27 - 29, London Road, Twyford, Reading.

Proposal : Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.

Site Notice Displayed ? :

YES	NO	DATE
✓		29/12

Date of Neighbour Notifications : 8/12

Date of Site Visit : 29/12

Date Registered : 28/11/2000

Earliest Date for Decision : 01/01/2001

Latest Consultation Date/Site Notice Expiry Date : 01/01/2001

This application will have expired on: 23/01/2001. You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses :

Conservation - Refuse
Twyford PC - Out of character x2
Ancient Monuments Society - ✓
Highways - No objection

Planning Issues :

Effect on street scene & neighbouring properties DRE1.
Identified settlement
Conservation.
Listed building

Application Number: VAR/2000/2920

Appraisal :

This application is for the retention of a dormer window.

Neighbours
All residences are a sufficient distance or sited in such a way that any impact on the neighbouring properties will be minimised.

Street scene/Conservation Area/Listed buildings
The dormer window is 1.3 m high with the roof at a height of 5.0m. It is 1.4 m wide. This window has a leaded flat roof and is larger and more prominent than the dormers on the front elevation. It has already been established that adequate headroom can be provided in the bathroom by rearranging the suite, thereby reducing the need for this development. Rooflights would be considered a visual improvement to the property & the character of the area unlike the dormer window which would have a detrimental impact on the listed building due to its size, scale and location. It would be clearly visible from the public footpath & would be considered out of character with the architectural and historical character and appearance of the listed buildings.

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

Application Number VAR/2000/2920
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			The proposed dormer window by virtue of its ~~[illegible]~~, scale, design & location, would form an incongruous feature out of character with the architectural and historical character and appearance of the listed building. Therefore, the proposal is contrary to EN1, EN4 & EN5 of the Berkshire Structure Plan, WOS3, WBE1, WHE2, WHE5 & WHE13 of the Wokingham District Local Plan & LBE1, LBE17 and LBE18 of the Loddon Area Local Plan.

Informative for approvals	PPG15
N16	
LODDON AREA LOCAL PLAN POLICIES:	LBE1, 17, 18.
SOUTH-EAST AREA LOCAL PLAN POLICIES:	
WOKINGHAM DISTRICT LOCAL PLAN POLICIES:	WOS3, WBE1, WHE2, 5, 13.
GREEN BELT LOCAL PLAN POLICIES:	
BERKSHIRE STRUCTURE PLAN POLICIES:	EN1, 4, 5.
MINERALS LOCAL PLAN POLICIES:	

John Mitchell

22/1/07

~~FILL IN N16~~

RECORD OF SITE VISIT

SITE ADDRESS: Apsley House 27 - 29 London Road Twyford Reading.

APPLICATION NUMBER: VAR/2000/2920

OFFICER: Joss Miller

DATE OF SITE VISIT: 18/12

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes on streetlamp.

2. DESCRIPTION OF SURROUNDINGS

14 - set. Supermarket to rear.

3. DESCRIPTION OF SITE/BUILDING

Con Area & Listed building

flat roof dormer.

4. RELATIONSHIP TO ADJOINING PROPERTIES

Supermarket to rear.

5. SITE CONSTRAINTS

TREES —

ACCESS/PARKING —

LEVELS —

BOUNDARY TREATMENT open

OTHERS —

	TLS
DC	ENF
APP	
CS	
13 DEC 2000	
COPIES TO:	ACK:
	FILE:

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: Joanne Ellis, Snr Environmental Health Officer
Environmental Health

My Ref: JPE/aky

Your Ref: VAR/2000/2920

To: Joss Miller
Planning

Date: December 12, 2000

PROPOSED: VARIATION TO CONDITIONS 4, 5 AND 6 OF CONSENT 99/70852/LA TO ALLOW RETENTION OF DORMER WINDOW

LOCATION: 27 – 29 LONDON ROAD, TWYFORD

These proposals have been evaluated and I have no environmental health objections to the application.

[redacted]AYS CONSULTATION SHEET

From: Joss Miller **Date:** 08 December 2000

Application Number: VAR/2000/2920

Proposal: Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.

Parish: TWYFORD PARISH

Site Address:
Apsley House 27 - 29, London Road, Twyford, Reading.

Applicant:
Kimberley Securities Ltd C/O Farrell And Clark Architects.

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).

Signed: _____ **Print name:** Adam Coggins 12/12/00

ANCIENT MONUMENTS SOCIETY

Joss

Founded in 1924 for the study and conservation of ancient monuments, historic buildings, and fine old craftsmanship

ST. ANN'S VESTRY HALL, 2 CHURCH ENTRY, LONDON EC4V 5HB

Tel: 0207-236-3934 Fax: 0207-329-3677 E-mail: ancientmonuments@talk21.com

Patron: HIS ROYAL HIGHNESS THE PRINCE OF WALES, K.G., K.T.

38221

COPIES TO:

21 December 2000

Development Control Manager
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157, Shute End
WOKINGHAM
Berkshire RG40 1WR

Application No: VAR/2000/2920

Dear Sir

APSLEY HOUSE, 27-29 LONDON ROAD, TWYFORD, READING

Thank you for your consultation.

We agree with your Council's view that the dormer window on the rear elevation of Apsley House is unfortunate, the more so for being introduced without listed building consent. That being so, we would certainly favour its removal.

Yours faithfully

Matthew Saunders
Secretary

President: DAME JENNIFER JENKINS, M.A., Hon.F.R.I.B.A., Hon.R.I.C.S.

Chairman: GILES QUARME, R.I.B.A., F.R.S.A., B.A.Hons., Dip.Cons.A.A.
Secretary: MATTHEW SAUNDERS, M.B.E., M.A., F.S.A.
Hon. Secretary: CHRISTOPHER F. STELL, O.B.E., M.A., B.Arch., A.R.I.B.A., F.S.A.
Hon. Treasurer: LESLIE DU CANE, B.Sc., A.C.A.
Hon. Editor: CHARLOTTE BRADBEER, B.Arch.
Assistant Secretary: CAROLINE WELCH, B.A.Hons.

Reg. Charity No. 209605

Memo

To: Joss Miller

From: Conrad Moore

Date: 20/12/00

Re: **Policy Comments upon VAR/2000/2920**

This is a variation to allow the insertion of dormer windows into Apsley House. Under applications 99/68900/F, 98/67381/F and 97/65165/LA Harold Sanders, our Conservation Architect at that time gave verbal policy guidance on the unacceptability of a dormer proposal on a listed building within a Conservation Area.

As a Grade II Listed Building (dating from the C18th), both the English Heritage and Harold Sanders raised concerns over the original proposals. The building forms an important part of the wider Twyford Central Site Redevelopment under LALP Proposal PN4 and WDLP(DD As Amended) Policy WSH21. The site is within the Twyford Conservation Area. Note that the amended dormer proposal may require Conservation Area consent as well. Note the comments in the final paragraph of this memo.

Applications 98/67381/F and 97/65165/LA were reported to Development Control Sub-Committee on 1st July 1998. Note both the Report and Committee resolution had also to go to The Government Office for the South East for approval prior to a decision notice being issued under requirements set out in Circular 14/97. English Heritage needs to be consulted on this amended proposal.

Policies that apply in the **Adopted Loddon Area Local Plan** are:
LBE1 – Design of New Development and the supporting text to Policies LBE17 and LBE18 regarding listed buildings.

Policies that apply in the emerging **Wokingham District Local Plan (Deposit Draft As Amended)** are:
WOS3 – Development Control Principles
WBE1 – Development in its Local Context
WHE2 – Retention and Enhancement of features within Conservation Areas
WHE5 – Alterations and Extensions to Traditional Buildings in Conservation Areas (Note criteria (c) and (e)).
WHE13 – Extensions/Alterations to Listed Buildings.

Adopted Structure Plan Policies that apply are:
Policy EN1 – Protection of the Environment (parts (i) and(iv))
Policy EN4 – Development Proposals related to Buildings of Special Character & Interest
Policy EN5 – Conservation Areas.

Detailed comments from Harold Sanders should assist in assessing any potential impacts on policies relating to: design, listed building integrity, conservation area aspects (and where this site now faces a public square and not private gardens).

See part 1 plans'

To:
Harold Sanders
Urban Design And Conservation Officer

From: Joss Miller

Date: 08 December 2000

11 DEC 2000

Application Number: VAR/2000/2920

Proposal: Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window..

Site Address:
Apsley House 27 - 29, London Road, Twyford, Reading.

Applicant:
Kimberley Securities Ltd C/O Farrell And Clark Architects.

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

THERE HAVE BEEN LENGTHY DISCUSSION CONCERNING THE DESIGN OF NEW WORKS TO THE REAR OF THIS LISTED BUILDING AND MUCH OF THE WORKS WERE CARRIED OUT WITHOUT LISTED BUILDING CONSENT.

A CONSERVATION ROOFLIGHT HAD BEEN AGREED FOR THE BATHROOM AND INTERNAL AMENDMENTS TO THE LAYOUT OF THE BATHROOM WERE MADE TO ACCOMMODATE A ROOFLIGHT.

ENGLISH HERITAGE WERE CONSULTED, DUE TO THE EXTENT OF ALTERATIONS, INCLUDING THE STAIRCASE REMOVAL. THE CONSERVATION ROOFLIGHT WAS AGREED WITH THEM.

I CANNOT SUPPORT THIS PROPOSED VARIATION

Harold Sanders.

CONSERVATION ARCHITECT

13.12.00.

FROM: Joss Miller

DATE: 08 December 2000

DELEGATED

TWYFORD PARISH CONSULTATION SHEET

Application Number: VAR/2000/2920

Proposal: Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window..

Site Address: Apsley House 27 - 29, London Road, Twyford, Reading.

Applicant: Kimberley Securities Ltd C/O Farrell And Clark Architects.

Your observations are required in respect of this application **by 01/01/2001** .

The Council would like to make the following comment:-

Both the dormer window and the conservatory are out of place in a listed building.

SIGNED: C Goodes

DATE: 21-12-00.

Clerk To Twyford Parish/Town Council.

Wokingham District Council
Planning Application

Town and Country Planning (General Development Procedure) Order 1995 – Notice under Article 8

AND/OR

Planning (Listed Buildings and Conservation Areas) Regulations 1990 and Planning (Listed Buildings and Conservation Areas) Act 1990

Application No: VAR/2000/2920

Proposal:
Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.

Location:
Apsley House 27 - 29 London Road Twyford Reading

This application is being advertised in the Reading Chronicle newspaper on the 29/12/2000 for the following reason(s);

SITE IS A LISTED BUILDING OR IS WITHIN THE CURTILAGE OF A LISTED BUILDING AND IS IN A CONSERVATION AREA

The application can be inspected at Wokingham District Council's offices during the following times:

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Joss Miller P.O. Box 157 Council Offices, Shute End, Wokingham, Berkshire, RG40 1WR to arrive before **19/01/2001**. 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 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.

Date: 29/12/2000

Received by Wokingham District Council

Application No: VAR/2000/2920

Proposal:
Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.

Location:
Apsley House 27 - 29, London Road, Twyford, Reading.

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

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Joss Miller P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 19/01/2001. 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

08 December 2000

x2

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date:	28 NOV 2000
Officer: JM	Application No. UAR/2000/2920

Map No. 29. **Site** ... 0.02..
Easting: ..... **Flood Pln** .....
Northing: ..... **Mineral** .....

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

Description:
(VAR) PROPOSED VARIATION TO CONDITIONS 4, 5 & 6 OF CONSENT 99/70852/LA TO ALLOW RETENTION OF DORMER WINDOW

Location: APSLEY HOUSE 27/29 LONDON ROAD

Parish: TWYFORD Ward: .....

Applicant: RIMBERLEY SECURITIES LTD

Fee Received ✓ Required ..... Additional ..... Refund .....

Enforcement Section to be notified ☐ *tick if required*

Additional information required for validation

		Reason	Requested	Received
1	1:2500 OS location plan showing *property edged in blue/red*			
2	1:500 block plan showing existing & proposed dev. + adj. Properties			
3	Forms unsigned	~~Signed on behalf of agent, not applicant.~~		
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 ...Tuxyford.....

Listed Building 1 (2) 2*

Advertisement Required ...Listed Building in Cons. Area...

Date Site Notice Sent :8.12.2000. Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

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

EXTERNAL CONSULTATIONS

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

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

HERITAGE BODIES

The Georgian Group ✓ .....
Ancient Monuments Society ✓ .....
Council for British Arch. ✓ .....
RCHME ✓ .....
Soc for Prot of Anc. Bldgs ✓
Telecommunications (NRPB) : .....
The Victorian Society ✓
Sport England : .....
English Heritage ✓

OTHERS:

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

NEIGHBOURS:

.....
.....Waitrose Ltd., London Road Tuxyford.....
.....The J.W. Green 2S. London Road Tuxyford.....
.....Mr K. Harrison, The John Lewis Partnership, 171 Victoria Street, London SW1E 5NN
.....39, 41, 18-32 (evens) London Rd. Tuxyford.....
.....Laurel Cottage? (see note).....
.....
.....
.....

FARRELL & CLARK
ARCHITECTS TOWN PLANNERS
PROJECT MANAGEMENT

21 Little Portland Street
London W1W 8BT
Tel: 020 7291 9170
Fax: 020 7291 9175
Email: london@farrell-clark.co.uk

2 Drury Lane Horsforth
Leeds LS18 4BQ
Tel: 0113 259 0922
Fax: 0113 258 9604
Email: leeds@farrell-clark.co.uk

EG/ha/113.280.L.75

24th November 2000

Chief Planning Officer
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berks RG40 1WR

28.NOV.2000 21:10

For the attention of Heather Morgan

Dear Heather

Apsley House, 27/29 London Road, Twyford
Planning Permission No. 99/70852/LA dated 30th August 2000.

Whilst carrying out the works relating to this Approval we have found that there is limited headroom in the new bathroom (F8) due to the sloping ceiling. Consequently we wish to retain the existing dormer to allow more headroom.

We therefore apply for the variation or removal of Condition 04 of this Approval and the related Conditions 05 and 06.

The original dormers fronting London Road have set the precedent for their use in sloped ceilings and we believe that a new dormer does not harm the Listed Building. Kimberley Developments wish to reassure that if the Council is not minded to grant approval and an appeal to the Secretary of State was dismissed, then the existing Condition would be complied with and the dormer removed, without the need for enforcement procedures.

We enclose the following:

1. 6No. copies of drawings:
   - 113/280/408 rev. G – Site, Basement, and Ground Floor Plans
   - 113/280/409 rev. H – First and Second Floor Plans and Sections
   - 113/280/410 rev. C – Elevations
2. 5No. copies of the completed application forms.
3. A completed Certificate A.

Please advise if you require any further information.

Yours sincerely

Edward Griffin

cc: D. Anderson – Kimberley Developments

Associates:
Anthony J Clark MBIAT
Richard J Smith ABIAT
I.T. Manager Mark Farrell ABIAT

Consultant:
Donald K Clark BA Arch Dipl TP RIBA MRTPI

Partners:
John Poole Dipl Arch RIBA
Brian Soppitt Dipl Arch RIBA
David A Standhaven Dipl Arch RIBA
Paul Jagger BA (Hons) Dipl Arch RIBA
John R Perry Dipl Arch RIBA

28 NOV 2000 2220

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Planning (Listed Building and Conservation Areas) Act 1990

NOTIFICATION OF LISTED BUILDING CONSENT

Kimberley Securities Plc
C/o Farrell & Clark
21 Little Portland Street
LONDON
W1N 5AF

Application No : 99/70852/LA

Parish : TWYFORD

Proposal : PROPOSED CONVERSION OF TWO FLATS INTO TWO FLATS ON UPPER FLOORS WITH A1 AND A2 USE AT GROUND FLOOR WITH CONSERVATORY EXTENSION

Location : APSLEY HOUSE, 27/29 LONDON ROAD, TWYFORD

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **GRANT LISTED BUILDING CONSENT** 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.

CONDITION(S) :

01
The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

02
This permission relates to the application as amended by and shall be carried out in accordance with revised drawing numbers 113/280/407 Rev. F, 409/Rev. F, 410/Rev. F submitted to the Local Planning Authority on 25th July 2000 and showing the conversion of two existing flats into two flats on the upper floors with three small units on the ground floor which would be used for A1 and/or A2 uses. The details included in correspondence dated 8th August 2000 will also need to be strictly adhered to.

03
Details of all new internal partitions/walls shall be specified, submitted to and approved in writing by the Local Planning Authority before the relevant works commence on site. It shall be carried out in accordance with the approved details.

04
The existing dormer window in the rear elevation of Apsley House, constructed without listed building consent, shall be removed in its entirety within 3 months of the date of this permission, to the satisfaction of the Local Planning Authority. The replacement conservation rooflights shall also be installed to the satisfaction of the Local Planning Authority, subject to meeting condition 5 set out below.

05
Details of the conservation rooflight, including positions in relation to rafters and flashing details shall be submitted to and approved in writing by the Local Planning Authority prior to their installation in accordance with Condition 4 above.

06
Details of the roofing materials to be used in connection with the remedial works referred to in Condition 4, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.

07
No building work hereby approved shall be carried out until full joinery details (including windows, doors, stairs, skirting rails etc.) have been submitted to and approved in writing by the Local Planning Authority. The development shall be maintained in accordance with the approved details.
08
The wall opening hereby approved between the main building and the conservatory shall be constructed to the satisfaction of the Local Planning Authority within 3 months of the date of this permission.

REASON(S) :
01
In pursuance of Section 91(1) of the Town and Country Planning Act 1990.
02
For the avoidance of doubt.
03
To ensure adequate control of the works to a Listed Building to retain its architectural and historic interest.
04
To ensure adequate control of the works to a Listed Building to retain its architectural and historic interest.
05
To ensure adequate control of the works to a Listed Building to retain its architectural and historic interest.
06
To ensure a satisfactory external appearance.
07
To ensure the unauthorised structure is removed, in order to retain the architectural and historical character and appearance of the Listed Building.
08
To ensure the unauthorised structure is removed, in order to retain the architectural and historical character and appearance of the Listed Building.

John Mitchell
Development Control Manager

Date 30 August 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 applicant should contact the Building Control Section of the District Council's Environmental Services for further information.

Note Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the country side and townscapes tidy.

1772A

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1990

TOWN AND COUNTRY PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) *REGULATIONS 1990*

APPLICATION NUMBER

28 NOV. 0220

LISTED BUILDING CONSENT APPLICATION

CERTIFICATE A

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

I hereby certify that:-

1. No person other than ~~myself~~/the applicant was an owner (a) of the building to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or:-

CERTIFICATE B

I hereby certify that:-

1. *The applicant has given the requisite notice to all the persons other than I have / myself *the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application were owners† of the building to which the application relates, viz. -

Name of owner | Address | Date of service of notice

or:-

CERTIFICATE C

I hereby certify that:-

1. *The applicant is unable to issue a certificate in accordance with either sub-paragraph (a) or sub-paragraph (b) of regulation 6 (1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1990 accompanying application dated .....

† See note (a) to Certificate A

2. *The applicant has given the requisite notice to the following persons other than *the applicant who, at the beginning of the period of 21 days ending with the date of the application, were owners† of any part of the building to which the application relates.

Name of owner | Address | Date of service of notice

3. *The applicant has taken the steps listed below, being steps reasonably open to *me/him to ascertain the names and addresses of the other owners† of the building and *have/has been unable to do so:

(b) Insert description of steps taken

(b) .....

.....

.....

(c) Insert name of local newspaper circulating in the locality in which the land is situated

(d) Insert date of publication (which must not be earlier than 20 days before the application)

4. Notice of the application as set out below has been published in the

(c) .....

(d) on.....

Copy of notice as published

SEE OVERLEAF

1772B

or:-

CERTIFICATE D

I hereby certify that:-

1. I am / *The applicant is unable to issue a certificate in accordance with sub-paragraph (a) of Regulation 6 (1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1990 in respect of the accompanying application dated

.....

and *have / has taken the steps listed below, being steps reasonably open to *me / him to ascertain the names and addresses of all the persons, other than *myself / himself who, at the beginning of the period of 21 days ending with the date of the application, were owners† of the building to which the application relates and *have / has been unable to do so:

(b) .....

.....

.....

2. Notice of the application as set out below has been published in the

(c) .....

(d) on .....

Copy of notice as published

† See note (a) in Certificate A

(b) Insert description of steps taken

(c) Insert name of local newspaper circulating in the locality in which the land is situated

(d) Insert date of publication (which must not be earlier than 20 days before the application)

Signed .....

*On behalf of KIMBERLEY SECURITIES ~~FARRELL + CLARK ARCHITECTS~~

Date 24 NOVEMBER 2000

* Delete where inappropriate

1 Apsley House

ADDRESS 27/29 London Road PARISH Twyford

PLOT No. Listed Building ORD. SHEET No. SU. 7876 29

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
97/65165/LA	Kimberley Securities	Renov. & Refurb / Dem. Part Rear Ext.	22.12.98	C/A
97/65015	Appeal Kimberley Securities	A1 Retail Dev. Etc	6.11.97	Ref
97/66681/F	"	" Parking	22.12.98	C/ALA
97/66711/LC	"	Dem. Wall (5 Dwellings)	22.12.98	C/A
98/67381/F	"	Conv. 2 Flats on upper floors / A1 A2 uses Gr. Floor	22.12.98	C/A
99/70851/F	Kimberley Investments.	Conv 2 flats on upper floors. A3 on ground floor with	29.8.00	C/A
99/70852/LA	" "	Conservatory Exh		LB Consent C/A
C/67381/10	" Securities plc	Comp. w. cond 10 of 67381 for app. of hours of deliveries	16.12.99	APP.
C/67381/07	" " "	Comp. w. cond. 07 of 67381 for app. of rear garden wall	16.12.99	APP
C/65165/07	" " "	Comp. w. cond. 07 of 65165/LA for app. of rear garden wall.	16.12.99	APP.
FP/2000/0235	Farrell & Clark	Refurb. & ext. 2St house with attic rooms	23/3/00	REF

1933

2 Apsley House

ADDRESS 27/29 London Road PARISH Twyford

PLOT No ORD. SHEET No. SU. 7876 29

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
FP/2000/0235A	Farrell & Clark	Refurb & extend 2St house with attic rooms	7.6.00	APP

MINISTRY DECISION

SPECIAL ORDERS

1871/A

WOKINGHAM DISTRICT COUNCIL

28.NOV.2000* 2920
Application No.

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990

Date Received

APPLICATION FOR LISTED BUILDING CONSENT

Pleas answer ALL QUESTIONS in BLOCK LETTERS. If a question is not applicable, answer N/A in space. Submit FIVE copies of this form and supporting plans, drawings and photographs to:- (See Note 1)

WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P.O. BOX NO. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RE40 1WR

---

1. APPLICANTS NAME KIMBERLEY DEVELOPMENTS
ADDRESS 33 ST. JAMES STREET
LONDON
POST CODE SW1A 1HD
PHONE 020-7839-5550

2. If the applicant has an agent, all correspondence will be send to the agent.
AGENTS NAME FARRELL + CLARK ARCHITECTS
ADDRESS 21 LITTLE PORTLAND STREET
LONDON
W1W 8BT
POST CODE
PHONE 020-7291-9170

---

3. (a) The site of the Application Building must be shown EDGED RED on the submitted plans.
BUILDING LOCATION APSLEY HOUSE
27-29 LONDON ROAD
TWYFORD.

(b) What type of building, e.g. barn, dwelling, does the Application relate to.
BUILDING TYPE RESIDENTIAL

(c) What is the existing use of the building, if vacant, state this together with last use of the building.
BUILDING USE DWELLING.

(d) State the grading of the building in the statutory list of Buildings of Special Architectural or Historic interest.
LISTING GRADE TWO

---

4. List all plans, drawings and photographs submitted with the application. (See Notes 2 - 4)
113/280/408 rev. G. - Site, Grnd. Plans
113/280/409 rev. H - 1st + 2nd FL. Plans.
113/280/410 rev. C - ELEVATIONS.

---

5. Applicants interest in land?
e.g. owner, lessee, potential purchaser
OWNER.

---

6. WHAT IS THE APPLICATION FOR?
Give brief details of the proposed works both internal and external.
VARIATION/REMOVAL OF CONDITION 04 OF LISTED BUILDING CONSENT 99/70852/LA

---

7. WHAT MATERIALS ARE TO BE USED IN ANY NEW WORK?
e.g. state materials and colour of any new walls or roof.
N/A

8. WHAT KIND OF APPLICATION IS THIS?
(See Note 5) tick one box only

Listed Building Consent ☐
Relaxation of Condition ☑
State relevant Listed Building Consent No. 99/70852/LA
Condition(s) to be Relaxed No. 04, 05 AND 06.

9. DOES THE APPLICATION INVOLVE THE FOLLOWING:- (See Note 6)

		YES	NO
(a)	Total demolition of the principal building (See Note 7)	☐	☑
(b)	Demolition of a building in the curtilage of the principal building	☐	☑
(c)	Demolition of a part of the principal building	☐	☑
(d)	Removal of part of the interior of the building (e.g. internal walls, floors, staircases, timber frame).	☐	☑
(e)	Removal of any structure or object fixed to the principal or curtilage building internally or externally (e.g. chimney pieces, balconies, door cases, panelling).	☐	☑

If the answer to any of these questions is **YES** the application must be accompanied by plans, drawings and photographs sufficient to identify the location, extent and character of the items to be removed, and any proposal for their replacement, including any new means of structural support. (These plans should be listed under 4 above).

10. IF THE ANSWER TO NUMBER 9(c) is **YES** (See Note 8)

(a) What is the cubic content of the building as originally listed?
(b) What is the cubic content of the part to be removed? N/A
(c) What was the date (approx.) of the erection of the section to be removed?

11. HAS ANY MONEY GRANT EVER BEEN APPLIED FOR IN RESPECT OF THE BUILDING?
If **YES**, state date, to whom application was made and the result of the application if known. NO

I hereby apply for Listed Building Consent in respect of the particularly described above and in the attached plans and drawings. I certify that if Listed Building Consent is granted, I will ensure that the works are carried out strictly in accordance with the approved plans. I am aware that the grant of Listed Building Consent does not obviate the possible requirement for planning permission under the Town and Country Planning Acts, or the need to apply for Building Regulation approval.

Signed ..... on behalf of KIMBERLEY SECURITIES FARRELL + CLARK ARCHITECTS

Date 24 NOVEMBER 2000

Before submitting the application check that it is complete, that all questions have been answered, and the form signed. Every application must be accompanied by the appropriate certificate. (See notes for Guidance for Listed Building consent).

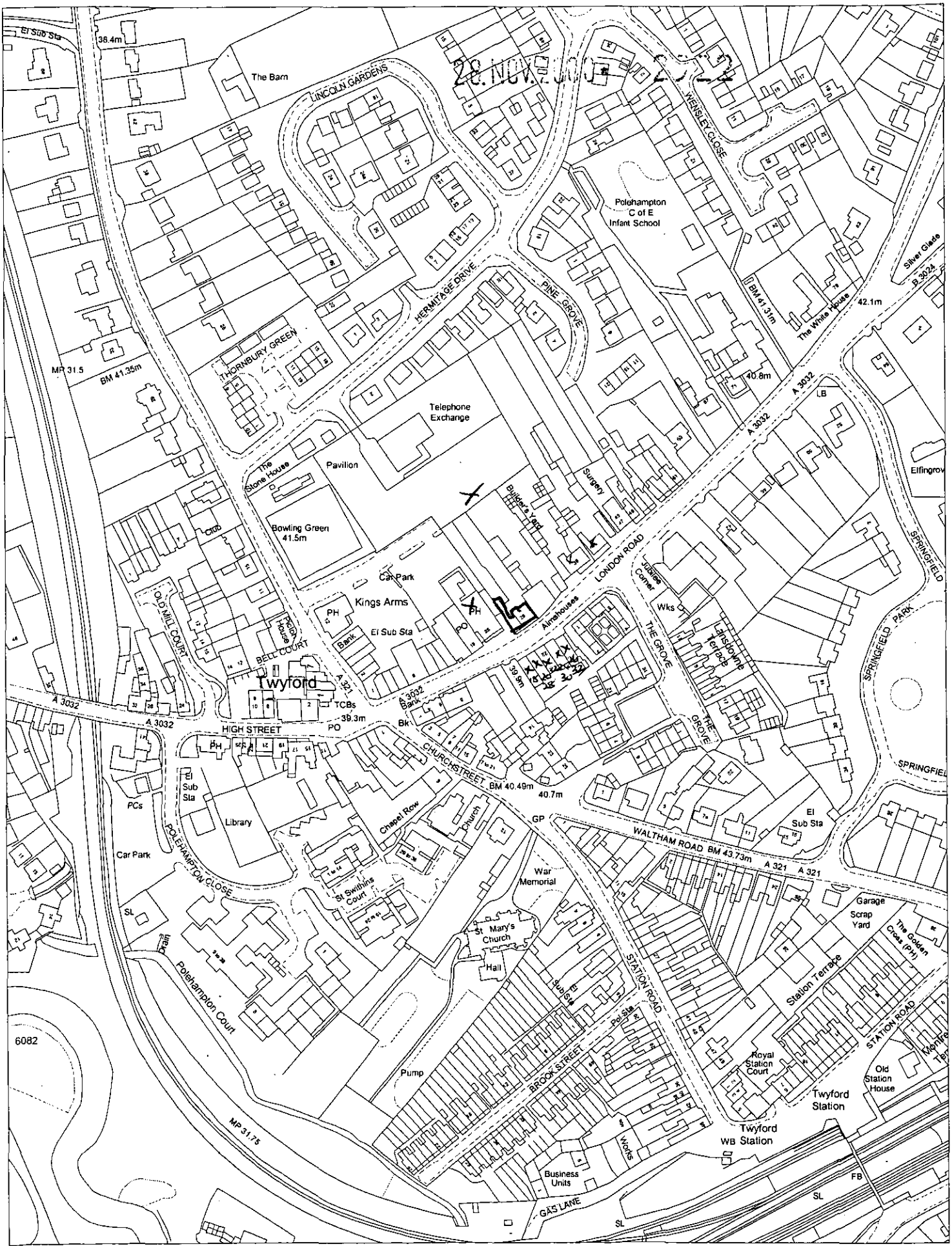
DATE PROTECTION ACT 1984

'Information contained in this form is likely to be personal data within the terms of the Data Protection Act 1984, and as such will be held on the Council computer (such as the PLANAPS applications processing system) and may be used by the Council only for purposes registered under the terms of the Data Protection Act.'

CONDITION MONITORING RECORD SHEET

APPLICATION NO: **VAR/2000/2920**
CASE OFFICER: **Joss Miller**
SECTION 106 AGREEMENT Yes ☐ No ☐

STAGE OF DEVELOPMENT	CONDITION NUMBER	DATE CONDITION DISCHARGED	DATE COMPLIANCE *OBSERVED*	DATE BREACH OBSERVED
PRIOR TO COMMENCEMENT				
COMMENCEMENT				
DURING CONSTRUCTION				
COMPLETION				



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Central Support Section, Environmental Services, Wokingham District Council.

5 December 2000

Scale: 1 : 2500

N
W E
S

07
No building work hereby approved shall be carried out until full joinery details (including windows, doors, stairs, skirting rails etc.) have been submitted to and approved in writing by the Local Planning Authority. The development shall be maintained in accordance with the approved details.
08
The wall opening hereby approved between the main building and the conservatory shall be constructed to the satisfaction of the Local Planning Authority within 3 months of the date of this permission.

REASON(S) :
01
In pursuance of Section 91(1) of the Town and Country Planning Act 1990.
02
For the avoidance of doubt.
03
To ensure adequate control of the works to a Listed Building to retain its architectural and historic interest.
04
To ensure adequate control of the works to a Listed Building to retain its architectural and historic interest.
05
To ensure adequate control of the works to a Listed Building to retain its architectural and historic interest.
06
To ensure a satisfactory external appearance.
07
To ensure the unauthorised structure is removed, in order to retain the architectural and historical character and appearance of the Listed Building.
08
To ensure the unauthorised structure is removed, in order to retain the architectural and historical character and appearance of the Listed Building.

John Thirsell
Development Control Manager

Date 30 August 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 applicant should contact the Building Control Section of the District Council's Environmental Services for further information.

Note Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the country side and townscapes tidy.

APPLICATION NO.2920

Name of appellant:
Kimberley Developments PLC

Site address:
Apsley House, 27/29, London Rd

Proposal:Proposed variation to conditions 4, 5 & 6 of consent 99/70852/LA to allow retention of dormer window

Case Officer:JKM

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Date

Date Commenced

Date Completed

J:ZLABELFF.DOC - VER2 - 03/04/95

ALLOWED
15/08/01

REJECTION

INFORMAL HEARING APPEAL

CASE OFFICER: JKM

APPLICATION NUMBER: 2920 SEE ALSO 2922

APPELLANT: Kimberley Developments PLC

SITE: Apsley House, 27/29, London Rd, Twyford

APPEAL REF: APP/X0360/A/01/1060312

START DATE: 09/03/01

DATE OF HEARING 07.08.01 – CR2.

Allowed 15/08/01

Progress Record	Date Actioned	Initials
Appeal Logged:	12/03/01	
Entered on Access:	13/03/01	DG
Notification Letters Due:	**23/03/01**	
Notification Letters Sent:	21/03/01	DG
Questionnaire Due:	**23/03/01**	
Questionnaire Sent:	22/03/01	DG
Venue Booked:	CR2	~~DG~~ TB.
Statement Due:	**20/04/01**	
Statement Sent:	20/04/01	DG
Hearing: (CR2)	~~27.06.01~~	
Hearing Date Notification sent:	24/07/01	DG.
Decision Letter circulated:	16/08/01	DG
Decision entered on Access.	16/08/01	DG

Appeal Decisions

Hearing held on 07 August 2001

by Katie Peerless DipArch RIBA

an Inspector appointed by the Secretary of State for Transport Local Government and the Regions

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

Date 15 AUG 2001

Appeal A: APP/X0360/E/01/1060312
Apsley House, 27-29 London Road, Twyford.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to vary or discharge conditions of a listed building consent.
- The appeal is made by Kimberley Developments against the decision of Wokingham District Council.
- The application (Ref.VAR/2000/2920), dated 24 November 2000, sought to vary conditions Nos 04, 05 & 06 of a listed building consent (Ref. 99/70852/LA) granted by the Council on 30 August 2000.
- The works proposed are the conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor with conservatory extension.
- The conditions in dispute are Nos 04, 05 & 06 which state that:
  04) The existing dormer window in the rear of Apsley House, constructed without listed building consent, shall be removed within its entirety within 3 months of the date of this permission, to the satisfaction of the local planning authority. The replacement conservation rooflights shall also be installed to the satisfaction of the local planning authority, subject to meeting condition 5 set out below.
  05) Details of the conservation rooflight, including positions in relation to rafters and flashing details shall be submitted to and approved in writing by the local planning authority prior to their installation in accordance with Condition 4 above.
  06) Details of the roofing materials to be used in connection with the remedial works referred to in Condition 4 shall be submitted to and approved in writing by the local planning authority prior to their installation
- The reasons for the conditions are:
  04 & 05): To ensure adequate control of the works to a listed building to retain its architectural and historic interest
  06): To ensure a satisfactory external appearance.

Summary of Decision: The appeal is allowed and listed building consent is granted in the terms set out in the Formal Decision below.

Appeal B: APP/X0360/A/01/1060311
Apsley House, 27-29 London Road, Twyford.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Kimberley Developments against the decision of Wokingham District Council.
- The application (Ref. VAR/2000/2922), dated 24 November 2000, was refused by notice dated 22 January 2001.
- The application sought the variation/removal of conditions attached to a planning permission (Ref.99/70851/F), dated 29 August 2000, for the proposed conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor with conservatory extension.

- The conditions in dispute are Nos 06, 07 & 08 which state that:
  06) The existing dormer window in the rear of Apsley House, constructed without listed building consent, shall be removed within its entirety within 3 months of the date of this permission, to the satisfaction of the local planning authority. The replacement conservation rooflights shall also be installed to the satisfaction of the local planning authority, subject to meeting Condition 7 set out below.
  07) Details of the conservation rooflight, including positions in relation to rafters and flashing details shall be submitted to and approved in writing by the local planning authority prior to their installation in accordance with Condition 6 above.
  08) Details of the roofing materials to be used in connection with the remedial works referred to in Condition 6 shall be submitted to and approved in writing by the local planning authority prior to their installation
- The reasons given for the conditions were:
  06): To ensure the unauthorised structure is removed, in order to retain the architectural and historical character and appearance of the listed building.
  07) & 08): To ensure a satisfactory external appearance.

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

Procedural Matters

1. At the Hearing applications for costs were made by Kimberley Developments PLC against Wokingham District Council and by Wokingham District Council against Kimberley Developments PLC. These applications are the subject of separate Decisions.

Planning History

2. Planning permission and listed building consent were sought in 1999 to vary the original scheme for conversion works to Apsley House, for which approval was granted under applications 97/65165/LA and 98/67381/F. The revised applications included a new dormer window in the rear roof slope. The window proved contentious and the applicants agreed to omit it from the scheme in a letter dated 10 June 2000. However, at the time the approval notices for these applications (Refs: 99/70852/LA and 99/70851/F) were issued, the dormer window had already been constructed and conditions were imposed on the listed building consent and planning permission, to secure its removal.

3. Further applications, those that are the subject of these appeals, were then made in an attempt to remove the conditions in question, in order that the dormer could be retained as built.

Main Issue

4. I consider that there is one main issue in these cases: whether the conditions are reasonable and necessary to ensure that the special architectural character and historic interest of the listed building is retained.

Planning Policy

5. Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require me to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest, before granting listed building consent or planning permission. As the site lies within the Twyford Conservation Area I am also required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6. In addition to the duties under the Act referred to above, Development Plan policies for the District are also a material consideration in these cases. The Development Plan includes the Berkshire Structure Plan (1996-2006) and the Loddon Area Local Plan 1995. The Structure Plan contains policies EN1, EN4 and EN5 that are relevant to these cases and which seek to protect the character and quality of the environment, particularly those relating to listed buildings and Conservation Areas. Local Plan policies LBE1, LBE17 and LBE18 have similar aims and objectives to the Structure Plan policies, and require that buildings of historic interest are afforded appropriate uses and settings. Changes of use of listed buildings must demonstrate, amongst other things, that the special character of the building would not be adversely affected.

7. The Local Plan is under review and the document consolidating the Proposed Amendments to the Draft Wokingham District Local Plan were published in February 2000. The Inspector's report on the Public Inquiry is expected in December 2001. In view of the stage this plan has reached I have accorded the policies within it significant weight when reaching my decision. The Plan includes policies WBE1, WHE2, WHE5 and WHE13, which complement and expand on the relevant corresponding Local Plan polices. They include the aim of retaining and enhancing the features that make up distinct character of Conservation Areas and the requirement that new dormers should not disturb the proportions of the original building. Alterations to listed buildings should be sympathetic to its historic and architectural character.

8. National guidance for development that affects listed buildings and their settings, and Conservation Areas, is given in Planning Policy Guidance Note 15 – Planning and the Historic Environment (PPG15). This document states, amongst other things, that historic roof structures must not be damaged by the insertion of new dormer windows.

Reasons

9. The appeal property, Apsley House, is a Grade II listed building within the heart of the Twyford Conservation Area. Its main elevation fronts onto London Road, but public views of the rear have now been opened up by the construction of a new retail development in the village centre. The house dates, according to the listing description, from the 18th century, and has been extended several times in the past. During the course of the conversion works, part of the 20th century rear extensions has been removed and a new conservatory added.

10. The dormer window to which these appeals relate has been constructed in a lower roof slope, between two of the earlier extensions. The window serves the bathroom to the first floor flat, which, without it, would have very limited headroom. The roof slope into which the dormer has been inserted had to be largely reconstructed at the time of the building's refurbishment, due to the poor condition of the original timber rafters. There is, therefore, little of the historic fabric of that part of the roof still surviving. It is the Council's contention however, that the insertion of the dormer is, nevertheless, damaging to the architectural character of the building, due to its size and detail design.

11. In my view, many historic buildings can accommodate changes that enable their useful life to be prolonged, provided that these are kept to the minimum and carried out in a sensitive and sympathetic manner that preserves their best and most distinguishing architectural characteristics. In the case of Apsley House, the most important elevation is that fronting London Road, which is unaffected by the insertion of the dormer window.

12. The dormer is constructed in traditional materials, with a flat lead covered roof and side cheeks and holds two casements each divided into six square panes. This format is similar in style and proportion, albeit larger, than the two dormer windows behind the parapet of the London Road elevation. Given that there have been many changes to the rear elevation over the years, and the architectural quality of some of these have done little to enhance the building, the window does not, to my mind, appear out of place or obtrusive in this location.

13. The first floor bathroom would be extremely cramped and difficult to use were the dormer not installed. I consider that, in this instance, the advantages of bringing the room up to modern standards are sufficient to outweigh any concerns over external changes to a part of the building of secondary importance. I consider that this change should be viewed as contributing to the history of the building, together with the other adaptations that have enabled it to continue to serve a useful function.

14. The rear elevation of Apsley House is now much more accessible to public view since the retail development was completed, and the setting of the building has undergone considerable change. The alterations to the rear of the building have consolidated and improved the unsightly and uncoordinated group of extensions that existed previously, and I consider that the new dormer does not detract from this enhanced appearance.

15. I find, therefore, that the special architectural character and historic interest of Apsley House is not compromised by the insertion of the dormer window, and the development preserves the character and appearance of the Conservation Area. There is no conflict, in my opinion, with the aims of relevant Structure Plan, Local Plan or emerging Local Plan policies, or national planning guidance.

Conditions

16. However, whilst the form and proportions of the dormer are typical of what might normally be found on a building such as this, the joinery sections are, to my mind, poorly detailed and unsuitable for this historic building. The double glazed units, set in modern, storm proof casements and frames, with square edged glazing bars and a central mullion, appear, in my opinion, incongruous in comparison to the finely detailed profiles of the other windows in the property.

17. I noted on the site visit that a new ground floor window, inserted as part of the conversion works, has been given a frame and glazing bars that reflect the period detailing of the other windows, but which still proclaim its later origins. I consider that the dormer window, in order to appear acceptable in this context, should be treated in a similar manner. I shall, therefore, impose a condition to require the replacement of the window joinery with a more suitable example, to be approved by the local planning authority.

Conclusions

18. For the reasons given above and having regard to all other matters raised, I consider that the appeals should succeed.

Formal Decisions

Appeal A:

19. In exercise of the powers transferred to me, I allow the appeal and grant listed building consent for the conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor, with conservatory extension at Apsley House, 27–29 London Road, Twyford, in accordance with the terms of the application Ref. VAR/2000/2920 dated 24 November 2000 and the plans submitted therewith without compliance with conditions numbers 04, 05 and 06 previously imposed on listed building consent no 99/70852/LA, dated 30 August 2000, but subject to the other conditions imposed therein, insofar as the same are still subsisting and capable of taking effect and subject to the following new condition:

    09) Within three months of the date of this permission, full details of the joinery sections for the dormer window hereby permitted shall be submitted to the local planning authority for approval. Within three months of the date of issue of the written approval, the existing joinery in the dormer widow shall be replaced with joinery matching the approved details.

Appeal B:

20. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor, with conservatory extension at Apsley House, 27–29 London Road, Twyford in accordance with the terms of the application Ref. VAR/2000/2922 dated 24 November 2000 and the plans submitted therewith without compliance with conditions numbers 06, 07 and 08 previously imposed on listed building consent no 99/70852/LA, dated 30 August 2000, but subject to the other conditions imposed therein, insofar as the same are still subsisting and capable of taking effect and subject to the following new condition:

    14) Within three months of the date of this permission, details of the joinery sections for the dormer window hereby permitted shall be submitted to the local planning authority for approval. Within three months of the date of issue of the written approval, the existing joinery in the dormer widow shall be replaced with joinery matching the approved details.

Information

21. A separate note is attached setting out the circumstances in which the validity of either of these decisions may be challenged by making an application to the High Court within 6 weeks from the date of the decisions.
22. These decisions do not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990 or sections 7 and 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
23. An applicant for any approval required by a condition attached to these permissions has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.

Katie Peyton

Inspector

APPEARANCES

FOR THE APPELLANT:

David Anderson FRICS	Kimberley Investments PLC 33, St James' Street London SW1A 1HD
Edward Griffin Dip Arch, RIBA	Farrel & Clark Architects, 21 Little Portland Street London W1W 8BT
John Poole Dip Arch, RIBA	Farrel & Clark Architects, 21 Little Portland Street London W1W 8BT
Stephen Levrant RIBA, AADip, IHBC, Dip Cons(AA), FRSA	363 West End Lane London NW6 1LP

FOR THE LOCAL PLANNING AUTHORITY:

Joss Miller BA Arch(Hons) PG Cert Town Planning	Wokingham District Council
Harold Sanders Dipl Arch RIBA Mec. Hist Building Con. IHBC DHP, LA MLI	Wokingham District Council

DOCUMENTS

Document	1	List of persons present at the Hearing.
Document	2	Letter of notification and circulation list
Document	3	Representations from Interested Parties
Document	4	Council's statement including appendices
Document	5	Appellant's statement including appendices
Document	6	Appellant's response to Council's statement including appendices
Document	7	Twyford Conservation Area studies
Document	8	Representations relating to Wokingham District Local Plan Deposit Draft
Document	9	Council's response to Appellant's application for costs
Document	10	Letter to tenant of Flat 1 Apsley House

PLANS

Plans	A-C	Drawings 113/280/408G, 409H, 410C
Plan	D	Location Plan
Plans	E-H	113/280/skA(3), 408F, 409F, 410F
Plan	I	Extract from Twyford Conservation Area plan

PHOTOGRAPHS

Photo	1-9	Progress photographs of Apsley House submitted by Appellant

Costs Decision

Hearing held on 07 August 2001

by Katie Peerless DipArch RIBA

an Inspector appointed by the Secretary of State for Transport Local Government and the Regions

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

Date
15 AUG 2001

Costs application in relation to Appeal Ref: APP/X0360/E/01/1060312
Apsley House, 27-29 London Road, Twyford.

- The application is made under the Planning (Listed Buildings and Conservation Areas) Act 1990, sections 20, 89, and Schedule 3 and the Local Government Act 1972, section 250(5).
- The application is made by Wokingham District Council for a full award of costs against Kimberley Develoments.
- The hearing was in connection with an appeal against a refusal to vary or discharge conditions of a listed building consent for the proposed conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor with conservatory extension.

Summary of Decision: The application fails and no award of costs is made.

Costs application in relation to Appeal Ref: APP/X0360/A/01/1060311
Apsley House, 27-29 London Road, Twyford.

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6 and the Local Government Act 1972, section 250(5).
- The application is made by Wokingham District Council for a full award of costs against Kimberley Developments.
- The hearing was in connection with an appeal against the a refusal to grant planning permission for the variation/removal of conditions attached to a planning permission for the proposed conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor with conservatory extension.

Summary of Decision: The application fails and no award of costs is made.

The Submissions for the Council

1. The application for full costs is made under the Appendix to Circular 8/93 where it is stated that appellants are at risk of an award of costs against them if they pursue an appeal which obviously had no chance of success.

2. The dormer requires both planning permission and listed building consent and was erected without these consents being obtained. As the dormer materially affects the character of the listed building, to carry out such works is a statutory offence, and the Council could have resolved this breach of planning control through enforcement action. However, the agent, Farrell and Clark, stated in their letter of 16 June 2000 that 'we have therefore, revised the drawings to show a traditional style roof light and have adapted the bathroom layout to suit the restricted headroom' and the Council imposed conditions to require the appellant to do what he had already offered. The Council considers that the appellant has acted unreasonably in pursuing these appeals, having agreed to the omission of the dormer window prior to the consents being issued.

The Response by the Appellants

3. The appellants note that the factual information in their comments on the Council's hearing statement (dated 10 May 2001), including the schedule of events concerning the progress of the listed building and planning applications, is unchallenged by the local planning authority. There have been three different planning officers dealing with the cases and discussions on the inclusion of a dormer window took place with one of these officers who issued a sketch drawing showing an alternative to the dormer proposed. The time taken to deal with the applications was so protracted that the decision was taken to install the dormer as works progressed, whilst negotiations were continuing. The applications that are the subject of these appeals were made to regularise the situation and the appellant does not consider that it was unreasonable to appeal against their refusal.

Conclusions

4. I have considered this application for costs in the light of Circular 8/93 and all the relevant circumstances. This advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused another party to incur or waste expense unnecessarily.

5. As I have concluded that the appeals should succeed, I disagree with the Council's opinion that they obviously had no chance of success. Consequently, I consider that unreasonable behaviour resulting in unnecessary expense, as described in Circular 8/93, has not been demonstrated and I therefore conclude that an award of costs is not justified.

Formal Decision

6. In exercise of the powers transferred to me, I refuse the applications for an award of costs.

Katie Peerless

Inspector

The Planning Inspectorate

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

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Fax No 0117-3728624
GTN 1374-6259

DG. 46778

PLANNING	HPT
POL	TLS
DC	ENF
APP	
GS	
COMMS	
	FILE:

16 AUG 2001

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

Your Ref: var/2000/2920

Our Ref: APP/X0360/E/01/1060312
APP/X0360/A/01/1060311

Date: 15 August 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990
APPEALS BY KIMBERLEY DEVELOPMENTS PLC
SITE AT APSLEY HOUSE, 27/29 LONDON ROAD, TWYFORD, READING

I enclose a copy of our Inspector's decision on the above appeals together with a copy of the decision on an application for an award of costs.

Please note that there is no statutory provision for a challenge to a decision on an application for an award of costs. The procedure is to make an application for judicial review. This must be done promptly.

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

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

Phone No. 0117 372 8252 Fax No. 0117 372 8139

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

Yours faithfully

Mrs C M Bate

COVERDL2

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Kimberley Developments PLC
SITE: Apsley House, 27/29, London Rd, Twyford
APPLICATION NO.: 2920 / 2
PROPOSAL: Proposed variation to conditions 4, 5 & 6 of consent 99/70852/LA to allow retention of dormer window

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Twyforrd

Mr S R Conway

Mrs C A Ferris

Mrs D Tomlin

Clerk(s) of Parish / Town Council of Twyford

Mrs A Jacobs, 6, Wessex Gardens, Twyford, Berks. RG10 0AY

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

The Georgian Group, 6 Fitzroy Square, London. W1P 5AX

The Ancient Monument Society, St Anns Vestry Hall, 2 Church Entry, London. EC4V 5HB

Council for British Architecture Bowes Morrell House, 11 Walmsgate, York. YO1 2UA

Society for the Protection of Ancient Buildings, 37 Spital Square, London. E1 6DY

The Victorian Society, 1 Priory Gardens, Bedford Park, London. W4 1TT

English Heritage, South East Region, FAO Graham Steaggles, Eastgate Court, 195-205 High Street, Guildford. GU1 3EH

Conservation Officer, WDC

Environmental Health, WDC. FAO Joanne Ellis

Policy & Plans, WDC. FAO Conrad Moore

16.a. What is the date you told those you notified about the appeal that we must receive any further comments by? 20/04/01

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

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

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

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

a. In non-determination cases:

i) what the decision notice would have said;

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

b. In all cases:

i) the relevant planning history;

ii) any supplementary reasons for the decision on the application

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

18. THE MAYOR OF LONDON CASES ONLY

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

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

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

Signature: Dlynell on behalf of WOKINGHAM DISTRICT Council

Date sent to us and the appellant 22/03/01 OUR Ref: VAR/2000/2920

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APPEAL REF: APP/X0360/A/01/1066312 GRID REF: SU 7816

APPEAL BY: Kingsmere Securities Ltd

SITE: Arslett House, 21-23 Broad Leas, Wokingham

1. Do you agree to the written representations procedure? YES / NO

OR Do you wish to be heard by an Inspector at: a. a local inquiry? YES / NO

or b. a hearing? YES / NO

2. a. If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land? YES / NO

b. From your knowledge of the issues, would our Inspector need to enter the site for any reason e.g. to view/measure any dimensions from within it? YES / NO

3. Does the appeal relate to an application for approval of reserved matters? YES / NO

4. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application? YES / NO / NA

5. Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990? YES / NO

6. Is the appeal site within [illegible]

[illegible]

7. [illegible]

[illegible]

b. Would the development require the [illegible] of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details. [illegible]

9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. [illegible] YES / NO

10. [illegible]

11.a. [illegible]

[illegible]

b. [illegible] YES / NO

If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)

12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953? YES / NO

13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)? YES / NO

b. If YES, was English Heritage consulted ? Please attach a copy of any comments YES / NO

14.a. Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of English Nature. YES / NO

b. Are any protected species likely to be affected by the proposals? If YES, please give details. YES / NO

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

a. Is the development in Schedule 1 or column one of Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule. YES / NO — Sch 1 — Sch 2 col

b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? YES / NO

c. Has a screening opinion been placed on Part 1of the planning register? If YES, please send a copy to us. YES / NO

	Number of Documents Enclosed	N/A
d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	2	
e. Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		
g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h. Details of any other applications or matters you are currently considering relating to the same site;		✓
i. For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.*	3	
j. Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k. A list of any conditions or limitations you would agree to if the appeal were to be allowed;		✓
l. Any other relevant information or correspondence you consider we should be aware of.		✓

Wokingham District Council
Planning Application

Town and Country Planning (General Development Procedure) Order 1995 – Notice under Article 8

AND/OR

Planning (Listed Buildings and Conservation Areas) Regulations 1990 and Planning (Listed Buildings and Conservation Areas) Act 1990

Application No: VAR/2000/2922

Proposal:
Proposed variation to conditions 6,7 and 8 of consent 99/70851/F to allow retention of dormer window.

Location:
Apsley House 27 - 29 London Road Twyford Reading

This application is being advertised in the Reading Chronicle newspaper on the 29/12/2000 for the following reason(s);

SITE IS A LISTED BUILDING OR IS WITHIN THE CURTILAGE OF A LISTED BUILDING AND IS IN A CONSERVATION AREA

The application can be inspected at Wokingham District Council's offices during the following times:

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Joss Miller P.O. Box 157 Council Offices, Shute End, Wokingham, Berkshire, RG40 1WR to arrive before **19/01/2001**. 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 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.

Date: 29/12/2000



Site Plan, Scale: 1 to 8000

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Date: 22 March 2001

N
W E
S

Shaded area = Conservation area.

H[illegible]AYS CONSULTATION SHEET

From: Joss Miller **Date:** 08 December 2000

Application Number: VAR/2000/2920

Proposal: Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.

Parish: TWYFORD PARISH

Site Address:
Apsley House 27 - 29, London Road, Twyford, Reading.

Applicant:
Kimberley Securities Ltd C/O Farrell And Clark Architects.

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).

Signed: _____ **Print name:** Adam Coggins 12/12/00

13 DEC 2000
COPIES TO:
ACK:
FILE:

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: Joanne Ellis, Snr Environmental Health Officer
Environmental Health

My Ref: JPE/aky

Your Ref: VAR/2000/2920

To: Joss Miller
Planning

Date: December 12, 2000

PROPOSED: VARIATION TO CONDITIONS 4, 5 AND 6 OF CONSENT 99/70852/LA TO ALLOW RETENTION OF DORMER WINDOW

LOCATION: 27 – 29 LONDON ROAD, TWYFORD

These proposals have been evaluated and I have no environmental health objections to the application.

ANCIENT MONUMENTS SOCIETY

JOSS

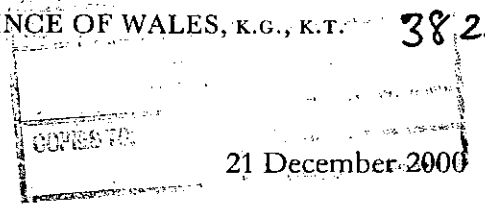
Founded in 1924 for the study and conservation of ancient monuments, historic buildings, and fine old craftsmanship

ST. ANN'S VESTRY HALL, 2 CHURCH ENTRY, LONDON EC4V 5HB

Tel: 0207-236-3934 Fax: 0207-329-3677 E-mail: ancientmonuments@talk21.com

Patron: HIS ROYAL HIGHNESS THE PRINCE OF WALES, K.G., K.T.

38221



Development Control Manager
Wokingham District Council
Environmental Services Department
Planning Services
PO Box 157, Shute End
WOKINGHAM
Berkshire RG40 1WR

21 December 2000

Application No: VAR/2000/2920

Dear Sir

APSLEY HOUSE, 27-29 LONDON ROAD, TWYFORD, READING

Thank you for your consultation.

We agree with your Council's view that the dormer window on the rear elevation of Apsley House is unfortunate, the more so for being introduced without listed building consent. That being so, we would certainly favour its removal.

Yours faithfully

Matthew Saunders
Secretary

President: DAME JENNIFER JENKINS, M.A., Hon.F.R.I.B.A., Hon.R.I.C.S.
Chairman: GILES QUARME, R.I.B.A., F.R.S.A., B.A.Hons., Dip.Cons.A.A.
Secretary: MATTHEW SAUNDERS, M.B.E., M.A., F.S.A.
Hon. Secretary: CHRISTOPHER F. STELL, O.B.E., M.A., B.Arch., A.R.I.B.A., F.S.A.
Hon. Treasurer: LESLIE DU CANE, B.Sc., A.C.A.
Hon. Editor: CHARLOTTE BRADBEER, B.Arch.
Assistant Secretary: CAROLINE WELCH, B.A.Hons.
Reg. Charity No. 209605

Memo

To: Joss Miller

From: Conrad Moore

Date: 20/12/00

Re: **Policy Comments upon VAR/2000/2920**

This is a variation to allow the insertion of dormer windows into Apsley House. Under applications 99/68900/F, 98/67381/F and 97/65165/LA Harold Sanders, our Conservation Architect at that time gave verbal policy guidance on the unacceptability of a dormer proposal on a listed building within a Conservation Area.

As a Grade II Listed Building (dating from the C18th), both the English Heritage and Harold Sanders raised concerns over the original proposals. The building forms an important part of the wider Twyford Central Site Redevelopment under LALP Proposal PN4 and WDLP(DD As Amended) Policy WSH21. The site is within the Twyford Conservation Area. Note that the amended dormer proposal may require Conservation Area consent as well. Note the comments in the final paragraph of this memo.

Applications 98/67381/F and 97/65165/LA were reported to Development Control Sub-Committee on 1st July 1998. Note both the Report and Committee resolution had also to go to The Government Office for the South East for approval prior to a decision notice being issued under requirements set out in Circular 14/97. English Heritage needs to be consulted on this amended proposal.

Policies that apply in the **Adopted Loddon Area Local Plan** are:
LBE1 – Design of New Development and the supporting text to Policies LBE17 and LBE18 regarding listed buildings.

Policies that apply in the emerging **Wokingham District Local Plan (Deposit Draft As Amended)** are:
WOS3 – Development Control Principles
WBE1 – Development in its Local Context
WHE2 – Retention and Enhancement of features within Conservation Areas
WHE5 – Alterations and Extensions to Traditional Buildings in Conservation Areas (Note criteria (c) and (e)).
WHE13 – Extensions/Alterations to Listed Buildings.

Adopted Structure Plan Policies that apply are:
Policy EN1 – Protection of the Environment (parts (i) and(iv))
Policy EN4 – Development Proposals related to Buildings of Special Character & Interest
Policy EN5 – Conservation Areas.

Detailed comments from Harold Sanders should assist in assessing any potential impacts on policies relating to: design, listed building integrity, conservation area aspects (and where this site now faces a public square and not private gardens).

See part 1 plans

To:
Harold Sanders
Urban Design And Conservation Officer

From: Joss Miller

Date: 08 December 2000

11 DEC 2000

Application Number: VAR/2000/2920

Proposal: Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window..

Site Address:
Apsley House 27 - 29, London Road, Twyford, Reading.

Applicant:
Kimberley Securities Ltd C/O Farrell And Clark Architects.

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

THERE HAVE BEEN LENGTHY DISCUSSION CONCERNING THE DESIGN OF NEW WORKS TO THE REAR OF THIS LISTED BUILDING AND MUCH OF THE WORKS WERE CARRIED OUT WITHOUT LISTED BUILDING CONSENT.

A CONSERVATION ROOFLIGHT HAD BEEN AGREED FOR THE BATHROOM AND INTERNAL AMENDMENTS TO THE LAYOUT OF THE BATHROOM WERE MADE TO ACCOMMODATE A ROOFLIGHT.

ENGLISH HERITAGE WERE CONSULTED, DUE TO THE EXTENT OF ALTERATIONS, INCLUDING THE STAIRCASE REMOVAL. THE CONSERVATION ROOFLIGHT WAS AGREED WITH THEM.

I CANNOT SUPPORT THIS PROPOSED VARIATION

Harold Sanders

CONSERVATION ARCHITECT

13.12.00.

FROM: Joss Miller

DATE: 08 December 2000

DELEGATED

TWYFORD PARISH CONSULTATION SHEET

Application Number: VAR/2000/2920

Proposal: Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window..

Site Address: Apsley House 27 - 29, London Road, Twyford, Reading.

Applicant: Kimberley Securities Ltd C/O Farrell And Clark Architects.

Your observations are required in respect of this application **by 01/01/2001** .

The Council would like to make the following comment:-

Both the dormer window and the conservatory are out of place in a listed building.

SIGNED: _____ DATE: 21-12-00.

Clerk To Twyford Parish/Town Council.

FARRELL & CLARK
ARCHITECTS TOWN PLANNERS
PROJECT MANAGEMENT

JP/ha/113.280.L.78

28th February 2001

PLANNING SERVICES	HPT 40637
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06 MAR 2001	
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London W1W 8BT
Tel: 020 7291 9170
Fax: 020 7291 9175
Email: london@farrell-clark.co.uk

2 Drury Lane Horsforth
Leeds LS18 4BQ
Tel: 0113 259 0922
Fax: 0113 258 9604
Email: leeds@farrell-clark.co.uk

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

Dear Sir

Apsley House, 27/29 London Road, Twyford, Reading

Please find enclosed one copy of our Planning & Listed Building Consent Appeals for the above. One copy of all documents listed at Part J of each Appeal Form are also enclosed.

In accordance with your guidance notes the Appeal Forms together with Document 4 and 7 at Part J of the forms have been sent to Wokingham District Council.

We look forward to confirmation of our request for a Hearing Procedure in due course.

Yours faithfully

John Poole

Encs

Cc: Chief Planning Officer, Wokingham DC
D Anderson, Kimberley Developments
J Mitchell, Gouldens
File

Associates:
Anthony J Clark MBIAT
Richard J Smith ABIAT
I.T. Manager Mark Farrell ABIAT

Consultant:
Donald K Clark BA Arch Dipl TP RIBA MRTPI

Partners:
John Poole Dipl Arch RIBA
Brian Soppitt Dipl Arch RIBA
David A Standhaven Dipl Arch RIBA
Paul Jagger BA (Hons) Dipl Arch RIBA
John R Perry Dipl Arch RIBA

Tel. (0118) 974 6448 (Direct Line)
Date. July 24, 2001
My ref: VAR/2000/2920/2
Your ref:

The Victorian Society
1 Priory Gardens
Bedford Park
London
W4 1TT

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

NOTICE OF INFORMAL HEARING
APPEAL BY: Kimberley Developments PLC
SITE: Apsley House, 27-29 London Rd, Twyford
PROPOSAL: Propose variation to conditions 4, 5 & 6 of consent 99/70852/LA to allow retention of dormer window

Further to my letter of March 21, 2001, this is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into this Appeal at the Civic Offices, Shute End, Wokingham commencing at 10.00 on Tuesday August 7,2001.

As your interests may be affected, this is to give you notice of the Hearing in order that you may, if you so desire, attend and at the Inspector's discretion take part in the discussion.

Documents relating to the appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (8:30 –17:00 Mondays to Thursdays & 8:30 – 16:00 on Fridays).

Anyone with a disability who wishes to attend the Hearing is advised to contact the Council to check that suitable provisions are available.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

ANCIENT MONUMENTS SOCIETY

Founded in 1924 for the study and conservation of ancient monuments, historic buildings, and fine old craftsmanship

ST. ANN'S VESTRY HALL, 2 CHURCH ENTRY, LONDON EC4V 5HB

Tel: 0207-236-3934 Fax: 0207-329-3677 E-mail: ancientmonuments@talk21.com

Patron: HIS ROYAL HIGHNESS THE PRINCE OF WALES, K.G., K.T.

6 April 2001

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

Your ref: APP/X0360/A/01/1060311/2

Dear Miss Groves

Apsley House, 27/29 London Road, Twyford, Berkshire. Appeal against Refusal of Consent by Wokingham District Council - 99/70852/LA

We have been alerted by Wokingham Council to the Appeal lodged against the refusal of consent for the retention of a dormer already inserted on the rear roof slope of the above listed building. We have arranged for an inspection and are grateful for the detailed documentation supplied by the local authority.

I would be grateful if this letter could be taken as the Society's representations in this case and in accordance with requested practice, I enclose three copies. We comment as follows.

1. We are always very concerned when features are removed or introduced into listed buildings and applications lodged for retrospective listed building consent. This is incorrect procedure and cannot be condoned by the Secretary of State, especially where, as in this case, planning authorities appear to have intimated to the applicants that the dormer would not be approved.

2, Photograph P7 shows the present appearance of the dormer. Although close inspection from the ground is clearly not possible, the dormer is stark in its location and the detailing is particularly unhappy in the use of overthick glazing bars. Whilst we appreciate that the applicants have succeeded in improving certain aspects of the rear view, as shown on Photographs P2 and P3, this is not an argument for allowing deleterious change to remain in situ. The removal of the two ugly windows on the ground and first floors is welcome but two steps forward cannot be held to license one step backwards.

3. We infer from the drawing by Farrell and Clark supplied that the dormer is being defended as it is needed to give headroom within the bathroom beneath it. However, this is not the only way to achieve that end. Have the following options been examined?
(a) Reducing the size of the new work and converting it into a tile-hung bulkhead with a largely sloping roof in which a roof light would introduce top lighting;
(b) Reducing the size of the dormer and lending it a more traditional form by adding a small gable or gablet;
(c) Replacing the glazing within the casements with much thinner glazing bars modelled on those of the existing first-floor windows.

In conclusion, we feel the local authority is justified in complaining of the visual impact of the dormer which is uncomfortable and intrusive.

We would be interested to learn of the Inspectorate's decision in due course.

Yours sincerely

President: DAME JENNIFER JENKINS, M.A., Hon.F.R.I.B.A., Hon.R.I.C.S.
Chairman: GILES QUARME, F.I.L.A., F.R.S.A., B.A.Hons., Dip.Cons.A.A. *Secretary:* MATTHEW SAUNDERS, M.B.E., M.A., F.S.A.
Hon. Secretary: CHRISTOPHER F. STELL, O.B.E., M.A., B.Arch., A.R.I.B.A., F.S.A. *Hon. Treasurer:* LESLIE DU CANE, B.Sc., A.C.A.
Hon. Editor: CHARLOTTE BRADBEER, B.Arch. *Assistant Secretary:* CAROLINE WELCH, B.A.Hons

Reg. Charity No. 209605

The Planning Inspectorate

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

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

GTN 1371-6079

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

Your Ref: var/2000/2920

Our Ref: APP/X0360/E/01/1060312
APP/X0360/A/01/1060311

Date: 23 April 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990
APPEALS BY KIMBERLEY DEVELOPMENTS PLC
SITE AT APSLEY HOUSE, 27/29 LONDON ROAD, TWYFORD, READING

I enclose a copy of the appellants statement and third party correspondence relating to the above appeals.

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

PLANNING SERVICES | HPT 42544
POL | TLS
DC | ENF
APP |
CS DC
25 APR 2001
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Yours faithfully

Miss A Groves

211AL(BPR)

Tel. (0118) 974 6448 (Direct Line)
Date: July 24, 2001
My ref: VAR/2000/2920/2
Your ref: APP/X0360/A/01/1060311

Copy

Miss A Groves
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

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

Dear Miss Groves

APPEAL BY: Kimberley Developments PLC
SITE: Apsley House, 27/29 London Rd, Twyford

With reference to this appeal, I enclose 2 copies of the latest notification letter. The same people have been notified as previously.

Yours sincerely

[redacted]

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: April 20, 2001
My refs: VAR/2000/2920 & 2922
Your refs: APP/X0360/A/01/1060311 &1060312

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

Miss A Groves
The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Miss Groves

APPEAL BY: Kimberley Developments PLC
SITE: Apsley House

With reference to these appeals, I enclose 2 copies of the Council's statements of case.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel: (0118) 974 6448 (Direct Line)
Fax: (0118) 974 6484
Date: April 18, 2001
My ref: VAR/2000/2920 & 2922
Your ref: APP/X0360/E/01/106312
& /A/01/106311

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

Miss A Groves
The Planning Inspectorate
Room 3/ 03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Dear Miss Groves

APPEALS BY: Kimberley Developments PLC

SITE: Apsley House, London Rd, Twyford

INQUIRY DATE: WEDNESDAY 27 JUNE 2001

Enclosed with this letter is a leaflet showing the venue for the Inquiry & the car park recommended for the Inspector's use. Both are circled in red.

Please forward this letter & the leaflet to the Inspector concerned.

I hope this is helpful, and that the Inspector finds a parking space without a problem.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant
Enc.

The Planning Inspectorate

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

Direct Line 0117-9878460
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8460

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

DC	ENF
APP	
CS	
06 APR 2001	
COPIES TO:	ACK:
CONS-OFFICER	FILE:

Your Ref: var/2000/2920

Our Ref: APP/X0360/E/01/1060312
APP/X0360/A/01/1060311

Date: 4 April 2001

HD/P

FILE REF: P12	
CUSTOMER REF: 20002261	
DATE RECD: 10 APR 2001	
ACK'D	
FILED	

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990
APPEALS BY KIMBERLEY DEVELOPMENTS PLC
SITE AT APSLEY HOUSE, 27/29 LONDON ROAD, TWYFORD, READING

I am writing to confirm that the hearing into these appeals will start at 10:00 on Wednesday 27/6/2001 at The Council Offices, Shute End, Wokingham. Please arrange a car-parking space for the Inspector. Could you send the details, together with a location plan of the venue, to the case officer quoting our appeal reference numbers.

Done 18/4/01

We will confirm the Inspector to you at a later date.

The hearing date has been imposed upon yourselves.

Please write to those persons you consider appropriate, telling them about the jearing details at least 2 weeks before the hearing date. Your letter should cover:

- An Inspector has been appointed by the Secretary of State for the Environment, Transport and the Regions to determine these appeals;
- the location of the site and a description of the appeal proposals;
- the hearing details;
- where your, and the appellant's statements, and future comments can be inspected;
- that they may attend the hearing, and at the Inspector's discretion, give their views;
- that we will send a copy of the decision letter only to those who ask for one in writing;

diaried 6/4/01

- what facilities are available for people with disabilities e.g. parking spaces, access, seating arrangements etc.

If you have not already done so, please send 2 copies of your written statement to the case officer and one copy to any statutory party. We must receive it within 6 weeks of the starting date.

If you consider it appropriate, please notify the press of the hearing. Please also note that people with disabilities who may be concerned about facilities at the hearing venue have been advised to write to, or contact your Council to confirm that proper provisions are in place.

We aim to issue decisions within 7 weeks of the close of the hearing. If there is likely to be significant delay, we will let you know.

Yours faithfully

Miss H Langridge

206J(BPR)

Tel. (0118) 974 6448 (Direct Line)
Date: March 22, 2001
My ref: VAR/2000/2920/2
Your ref: APP/X0360/A/01/1060311/2

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

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

Dear Miss Groves

APPEAL BY: Kimberley Developments PLC
SITE: Apsley House, 27/29 London Rd, Twyford

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. March 22, 2001
My ref: VAR/2000/2920/2
Your ref: J POOLE

Farrell & Clark
2 Little Portland St
London
W1N 5AF

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 Sirs

APPEAL BY: **Kimberley Securities Ltd**
SITE: **Apsley House, London Rd, Twyford**

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

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. March 21, 2001
My ref: VAR/2000/2920/2
Your ref: Sample letter

«Name__Address»

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

Dear Sir/Madam

NOTICE OF INFORMAL HEARING
APPEAL BY: Kimberley Developments PLC
SITE: Apsley House, 27/29 London Road, Twyford
PROPOSAL: Proposed variation to conditions 4,5& 6 of consent 99/70852/LA to allow retention of dormer window

This is to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will hold an Informal Hearing into this Appeal at the Civic Offices, Shute End, Wokingham on a date to be advised.

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

If you wish to make further representations, you should, if possible, send three copies to Miss A Groves, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ, quoting reference APP/X0360/A/01/1060311/2. Comments received after 20/04/01 will not normally be seen by the Inspector & will be returned.

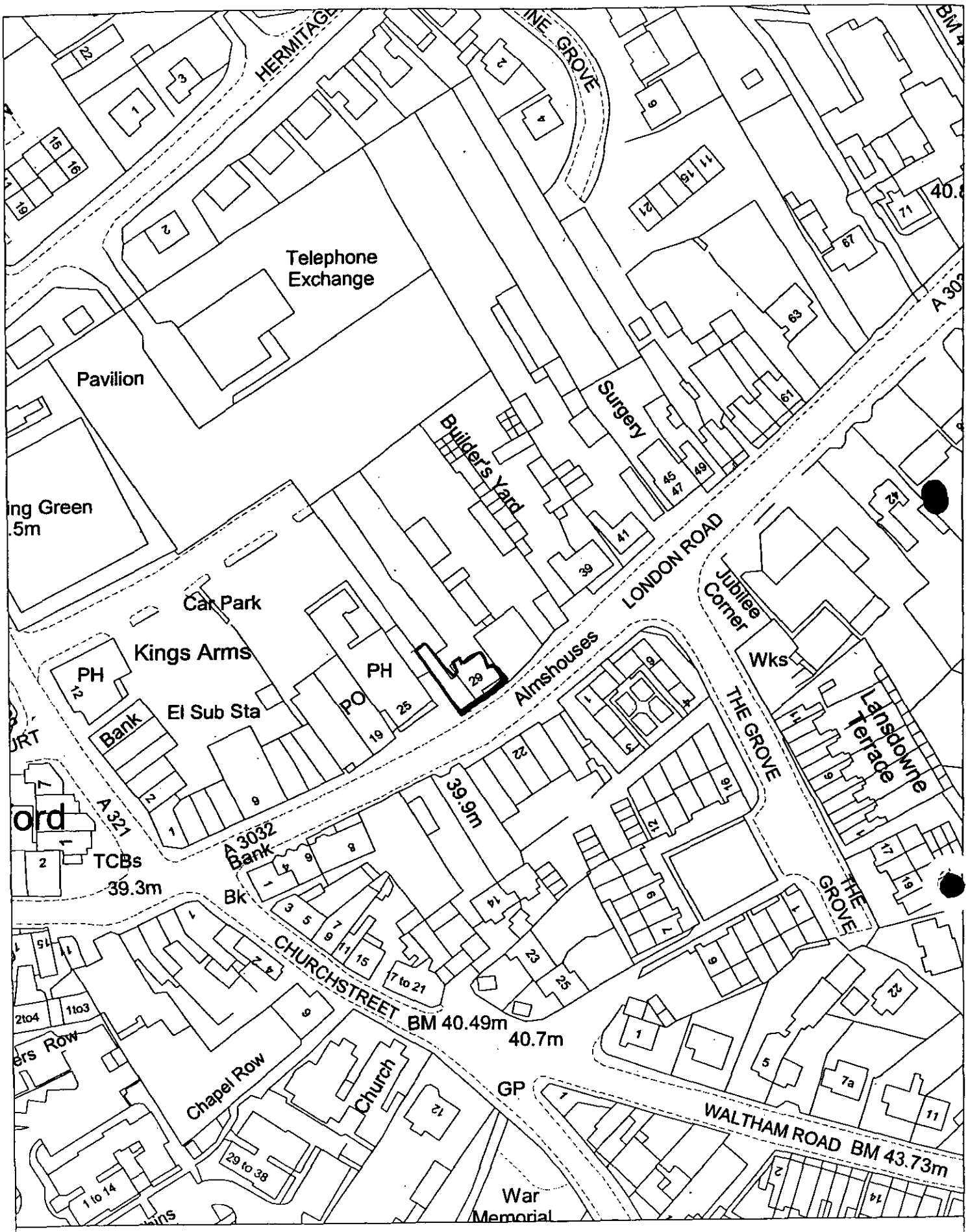
The application, decision notice, and the appellant's grounds of appeal can be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 Mondays to Thursdays, & 08.30 to 16.00 Fridays).

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

If you would like a copy of the decision on this Appeal, you should write to Miss Groves & ask for one.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant



Site Plan, Scale: 1 to 1250

This copy has been produced specifically for the map return scheme purposes only. No further copies may be made.

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Date: 21 March 2001

The Planning Inspectorate

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

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

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

Your Ref: var/2000/2920

Our Ref: APP/X0360/E/01/1060312
APP/X0360/A/01/1060311

Date: 9 March 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990
APPEALS BY KIMBERLEY DEVELOPMENTS PLC
SITE AT APSLEY HOUSE, 27/29 LONDON ROAD, TWYFORD, READING

We have decided that a hearing will be held into these appeals and we will now arrange a date.

I am the case officer and, if you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence, giving the full appeal reference numbers which are shown at the top of this letter.

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

The date of this letter is the **starting date** for the appeals.

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

Within 2 weeks from the starting date -

You must notify any statutory parties and interested persons who were consulted at application stage who made comments that the appeals have been made. You should tell them that:-

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

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

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

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

Within 6 weeks from the starting date -

You and the appellant must make sure that I receive 2 copies of your hearing statement. I will send a copy of your hearing statement to the appellant and send you a copy of their hearing statement. You and the appellant must send a copy of your hearing statements to any statutory parties. I will send you and the appellant a copy of any comments we receive from interested parties.

Within 9 weeks from the starting date -

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

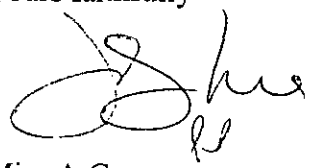
You **must keep to the timetable** set out above and ensure that your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. As I have given details of the timetable, I will not send you reminders.

Withdrawing the appeals

If you hear that the appeals are to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant, I will write to you.

Further information about the terms we use in this letter and appeal procedures is on the attached sheet.

Yours faithfully



Miss A Groves

H4B(BPR)

Hearing Statement

In your hearing statement you will need to give full details of the case which you will put forward at the hearing, including maps and plans, to which you intend to refer.

Statutory parties

'Statutory parties' are owners or tenants of the appeal site who made comments within the time limit on the applications or appeals. You must give details of any statutory parties at application stage in reply to question 15e of the questionnaire. I will tell you about any statutory parties at appeal stage, before your statement of case is due.

Costs

Costs can be awarded in hearing cases. DOE circular 8/93 gives more advice.

Planning obligations - Section 106 agreements

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

If you intend to rely on an obligation, a final draft must be received 5 working days before the date of a hearing. Obligations should be completed by the close of a hearing. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

The Planning Inspectorate

PLANNING APPEAL FORM

PLANNING SERVICES	HPT
POL	For official use only
DC	Date received
	ENF

05 MAR 2001

COPIES TO: | ACK: | FILE:

Please send each appeal on a separate form

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

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

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

A. APPELLANT DETAILS

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

Name KIMBRIDGE DEVELOPMENTS

Address 33 ST JAMES STREET
LONDON

Postcode SW1A 1HD

Your reference —

Daytime phone no 020 7839 5550

Fax no 020 7839 4156

E-mail address

B. AGENT DETAILS (if any)

Name FARROW & CLARK - ARCHITECTS

Address 21 LITTLE PORTLAND STREET
LONDON

Postcode W1N 5AF

Your reference J. POOLE

Daytime phone no 020 7291 9170

Fax no 020 7291 9175

E-mail address london@farrell-clark.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL

Date of the planning application 24/11/00

LPA's application reference no VAR/2000/2922

Date of LPA's decision notice (if issued) 22/01/01

D. APPEAL SITE ADDRESS

Address APSLEY HOUSE
27/29 LONDON ROAD, TWYFORD, READING.

Postcode

National grid reference SU 788760

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

E. DESCRIPTION OF THE DEVELOPMENT

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

VARIATION OF CONDITION 6, 7 & 8 OF PLANNING PERMISSION REF. 99/7085/F

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

0.1 ha.

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

1240 Sq. m.

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

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

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

G. GROUNDS OF APPEAL

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

PLEASE SEE THE ATTACHED FARRELL & CLARK STATEMENT DATED 22/01/01

G. GROUNDS OF APPEAL (continued)

H. CHOICE OF PROCEDURE

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

*Please tick **one** box only* ✔

1. **WRITTEN REPRESENTATIONS** ☐

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

2. **HEARING** ☑

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

3. **INQUIRY** ☐

   Please give reasons why you think an inquiry is necessary.

I. APPEAL SITE OWNERSHIP DETAILS

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

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

CERTIFICATE A

☑

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

OR

CERTIFICATE B

☐

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

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

CERTIFICATES C and D

☐

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

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

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

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

OR

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

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

PLEASE SIGN BELOW

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

Signed JOHN POOLE FARREN & CLARK (on behalf of) KIMBERLEY DEVELOPMENTS

Name (in capitals) JOHN POOLE Date 1/03/01

Please turn over

J. ESSENTIAL SUPPORTING DOCUMENTS

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

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

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

7.	**Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ATTACHED FARROW & CLARK STATEMENT DATED 22/01/01	☑
8.	Any relevant **correspondence** with the LPA. COPY OF ORIGINAL CONSENT 99/70851/F	☑
9.	*If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:*	
	(a) the relevant outline application;	☐
	(b) all plans sent at outline application stage;	☐
	(c) the original outline planning permission;	☐
10.	A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).	☐
11.	If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.	☐

K. PLEASE SIGN BELOW

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

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

Signed JOHN POOLE FARROW CLARK (on behalf of) KIMBERLEY DEVELOPMENTS

Name (in capitals) JOHN POOLE Date 1/03/01

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

NOW SEND:

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

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

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid.

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

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

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

5) Tell you our Inspector's decision.

Published by the Planning Inspectorate September 2000

Printed in the UK September 2000 on paper comprising 25% post consumer waste and 100% ECF recycled paper.

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The Copyright Unit
Her Majesty's Stationery Office
St Clements House
2-16 Colegate
Norwich NR3 1BQ

5. The Council could have resolved this breach of planning control through enforcement action.

6. However the agent in their letter of stated that it would be removed

1327

WOKINGHAM DISTRICT COUNCIL

To _____

Date _____ Time _____

WHILE YOU WERE OUT

Name _____

Of _____

Phone No. _____ Ext. _____

Phoned		Please call back	
Called to see you		Will call back	
Wants to see you		Urgent	

MESSAGE _____

_____

_____

_____

_____

_____

Signed _____

1. Dormer requires pp. & LB consent.
2. Erected without such consent being obtained
3. Dormer materially affects the character of the Listed building.
4. To carry out works to a listed bldg that materially affects its character as a listed building is an statutory offence.

Check drawings

1327

WOKINGHAM DISTRICT COUNCIL

To _____

Date _____ Time _____

WHILE YOU WERE OUT

Name _____

Of _____

Phone No. _____ Ext. _____

Phoned		Please call back	
Called to see you		Will call back	
Wants to see you		Urgent	

MESSAGE _____

_____

_____

_____

_____

_____

Signed _____

C. 8/93

Costs

Impose Enforce unreasonable conds.

Unreasonable behaviour in connection to demands of

1. 3 separate officers involved
2. Did not challenge info given re further comments by 'LPA' on 10/5/01. eg. chronological events.
3. Drag of dormer window ignored by Heather..

Response.

Costs relate to hearing.

1327

WOKINGHAM DISTRICT COUNCIL

To _____

Date _____ Time _____

WHILE YOU WERE OUT

Name _____

Of _____

Phone No. _____ Ext. _____

Phoned		Please call back	
Called to see you		Will call back	
Wants to see you		Urgent	

MESSAGE _____

_____

_____

_____

_____

_____

Signed _____

For these reasons the Council has been far from being unreasonable Instead of immediately ~~[illegible]~~ initiating enforcement action it took the agents word at face value & imposed a condition requiring the applicant to do what was already offered.

1327

WOKINGHAM DISTRICT COUNCIL

To _____

Date _____ Time _____

WHILE YOU WERE OUT

Name _____

Of _____

Phone No. _____ Ext. _____

Phoned		Please call back	
Called to see you		Will call back	
Wants to see you		Urgent	

MESSAGE _____

_____

_____

_____

_____

_____

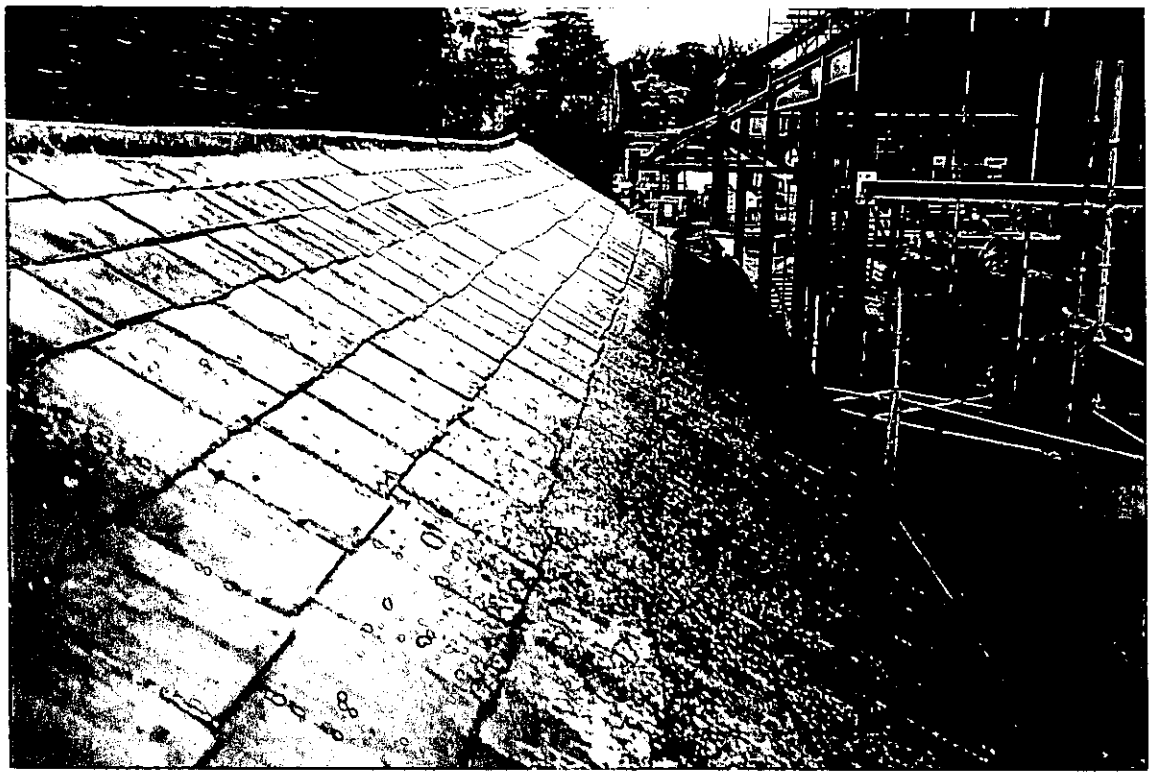
Signed _____

APSLEY HOUSE, 27-29 LONDON ROAD, TWYFORD **113/280/L**
PROGRESS PHOTOGRAPHS

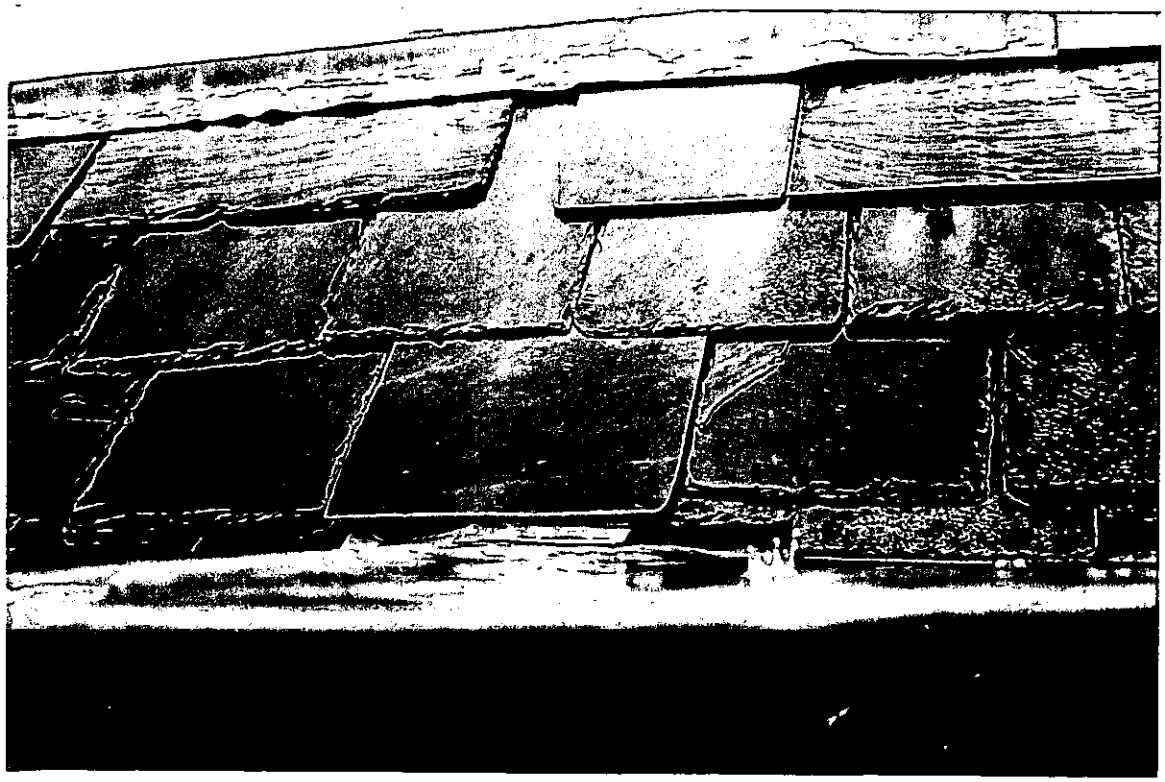
ROOF REPAIRS	PP1.1 Roof over Unit 1 PP1.2 Roof above dormer on London Road
FLOOR REPAIRS	PP2.1 As found PP2.2 Following repairs
CRACK REPAIRS	PP3.1 As found (Room F3) PP3.2 Following repairs (Room F3)
REPAIRS TO ROOF	PP4.1 Main roof above second floor accommodation PP4.2 Decay around valley gutter
WINDOW REPAIRS AND REPLACEMENTS	PP5.1 Window W1.5 to Room F10.

APSLEY HOUSE, 27-29 LONDON ROAD, TWYFORD **113/280/L**
PROGRESS PHOTOGRAPHS

PP1 - Roof Repairs
- renewing/replacing leadwork
- removal of cement tiles + replacement with secondhand slates



PP1.1. Roof over Unit 1

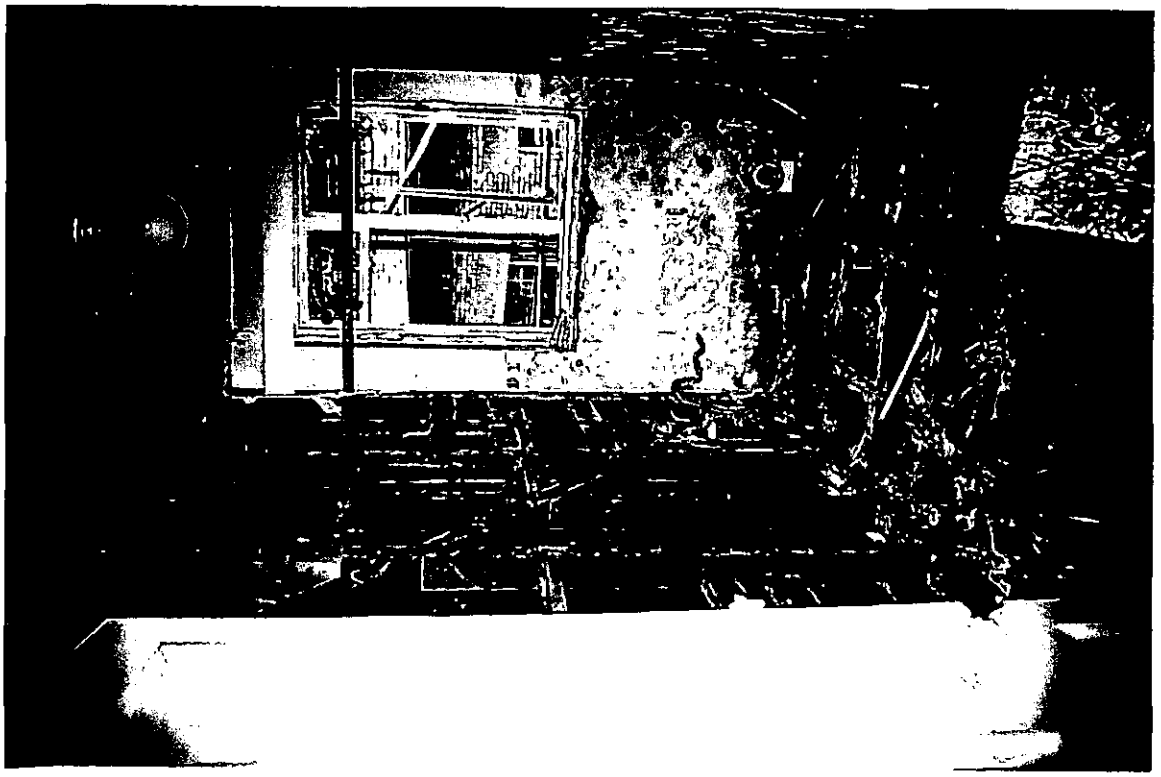


PP1.2. Roof above dormer on London Road

PP2 - Floor Repairs
- repairs to existing timber floor joists in Rooms F3, F6 and F10.



PP2.2. Following repairs

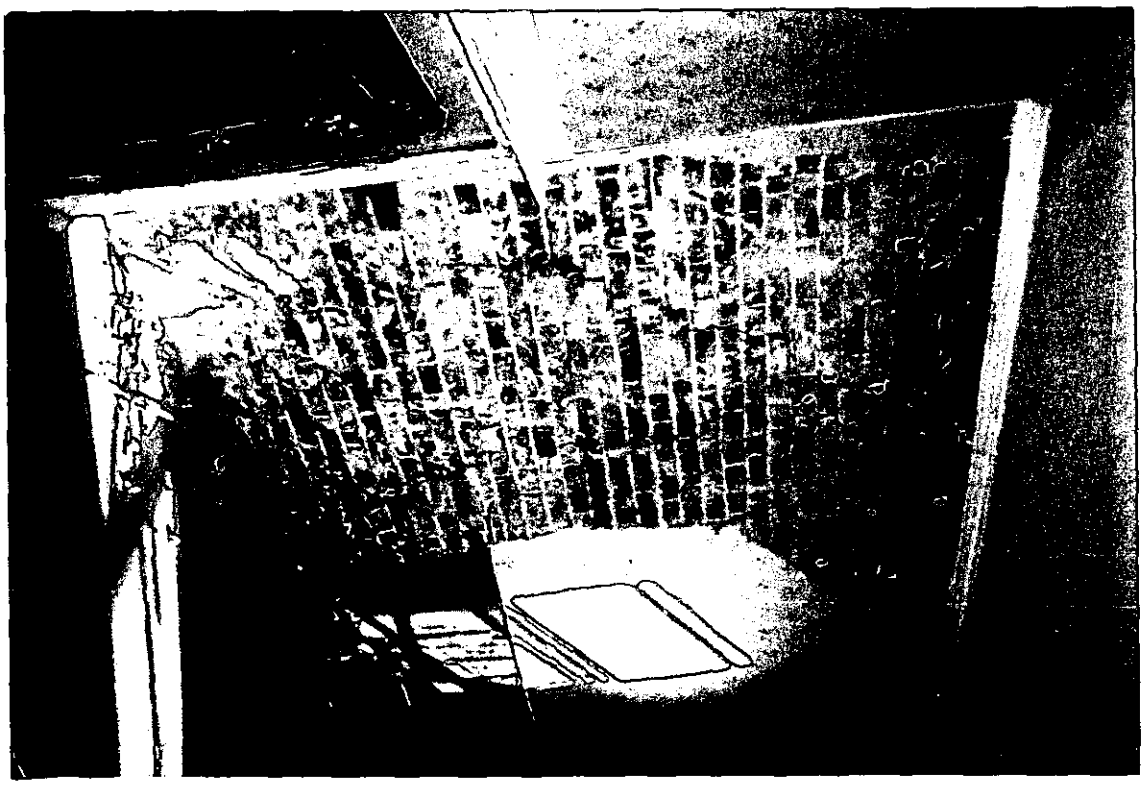


PP2.1. As found

PP3 - Crack Repairs
- specialist brickwork ties installed to 2 no. gables

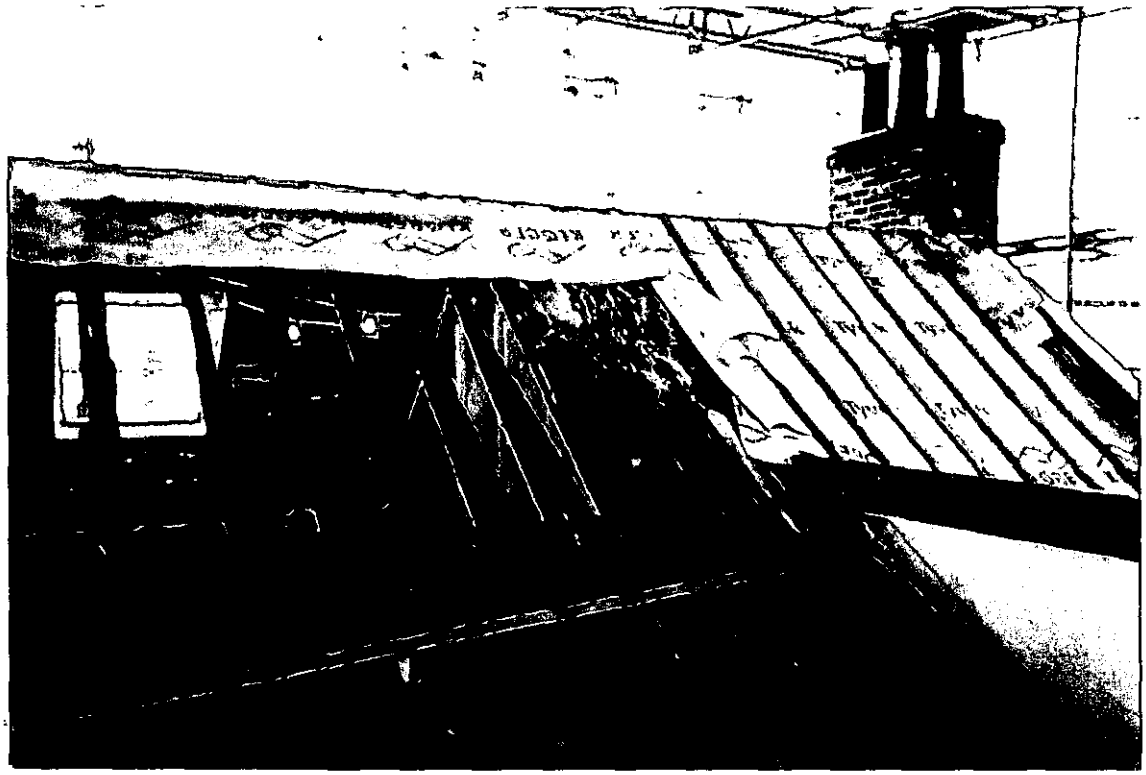


PP3.2. *Following repairs* (Room F3)

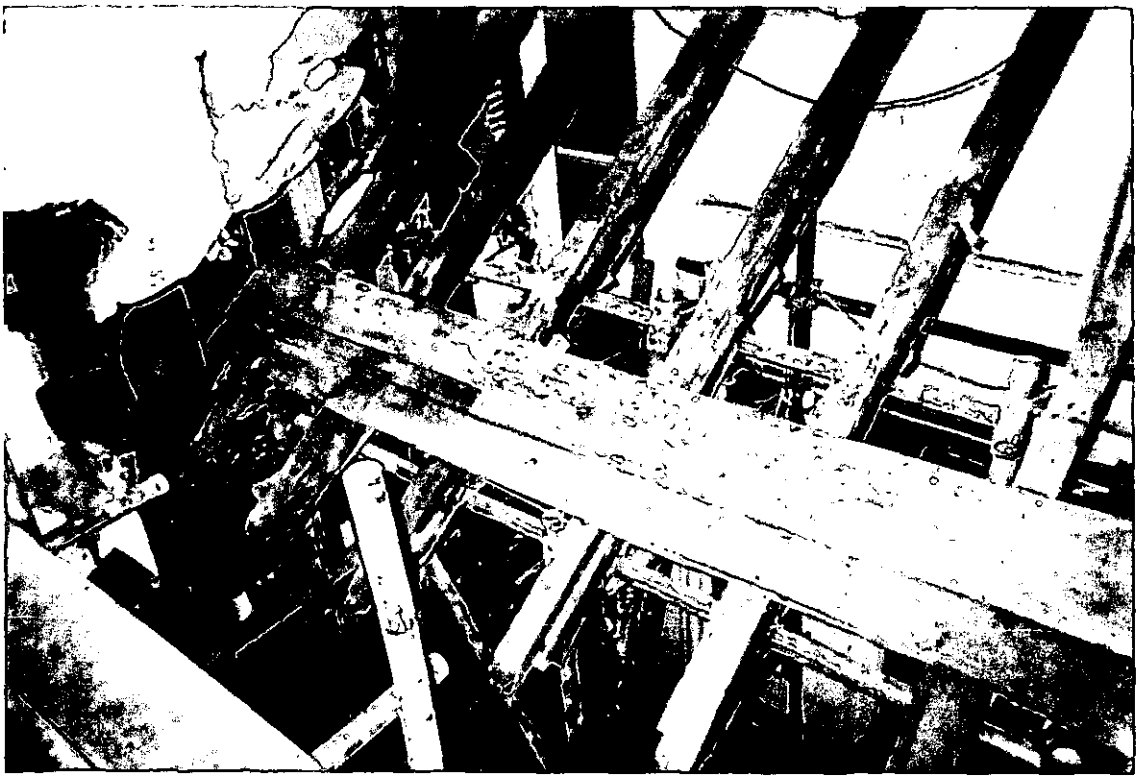


PP3.1. As found (Room F3)

PP4 - Repairs to Roof
- timbers repaired where decayed
- insulation and vapour control layer installed



PP4.1. Main roof above second floor accommodation



PP4.2. Decay around valley gutter

PP5 - Window repairs and replacements
- repairs undertaken to existing timber windows
- steel windows replaced with new timber windows to match existing



PP5.1 Window W1.5 to Room F10

HEARING INTO PLANNING APPEALS refs: E/01/1060312 & A/01/1060311

made by Kimberley Developments PLC

resulting from the decision of the Wokingham District Council to refuse applications to vary/remove conditions attached to the listed building consent and planning permission granted for the proposed conversion of two flats into two flats on upper floors with A1 and A2 use at ground floor with conservatory extension at Apsley House, 27/29 London Road, Twyford, to allow the retention of a dormer window.

held on 7 August 2001

AGENDA

1. Summary of the case for the Council.
2. Summary of the case for the appellant.
3. Points of agreement
4. Points of clarification
5. The main issue:

   whether the conditions are reasonable and necessary to ensure that the special architectural character and historic interest of the listed building is retained.

6. Topics for Discussion:

   i) the special historic interest and architectural character of the listed building and how the dormer window relates to this, with regard to Development Plan policies and national planning guidance

   ii) the character and appearance of the overall development and its setting within the Conservation Area.

   iii) the need for the dormer window in relation to the internal layout

7. Conditions
8. Any other matters
9. Arrangements for the site inspection
10. Attendance list/press form/documents etc.
11. Closing

Response to Application for Costs

1. The dormer requires both planning permission and Listed Building Consent.

2. It was erected without such consent being obtained.

3. The dormer materially affects the character of the Listed Building.

4. To carry out works to a Listed Building that materially affects its character as a Listed Building is a statutory offence.

5. The Council could have resolved this breach of planning control through enforcement action.

6. However, the agent Farrell & Clarke in their letter of 16/6/00 stated that . . . we have, therefore, revised the drawings to show a traditional style rooflight & have adapted the bathroom layout to suit the reduced headroom'.

For these reasons the Council has acted reasonably. Instead of immediately initiating enforcement action it took the Agents word at face value and imposed a condition requiring the applicant to do what they had already offered.

Indeed in this instance it is the appellants who have acted unreasonably, and accordingly the Council itself requests costs.

KIMBERLEY INVESTMENTS LIMITED

33 St. James's Street, London SW1A 1HD.
Telephone 020 7839 5550 Facsimile 020 7839 4156

2nd August 2001

Mr Simon Phillips
Flat 1
Apsley House
London Road
Twyford
Berkshire
RG10 9EH

Dear Mr Phillips

Re: Flat 1 – Apsley House

Further to my letter of the 1st August 2001, I now enclose the correct form dated 2nd August 2001 being Notice Requiring Possession on the 2nd October 2001. I have sent a copy of this to Pike Smith and Kemp, as they will in all likelihood need to show new perspective tenants over the property.

Could I please refer you to Clause 1.5 of your Assured Shorthold Tenancy Agreement (extract attached) to give you advance warning that at 1pm next Tuesday the 7th August we will wish to conduct Mrs Peerless a Planning Inspector appointed by the Secretary of State round Flat 1.

I trust this will not cause any inconvenience. The Inquiry opens at 10am at the offices of Wokingham District Council and will finish at approximately 12/12.30 so that an Inspection must be made shortly after that.

Yours sincerely

David Anderson

D M Anderson

cc: Wilma Williams – Pike Smith & Kemp

Statement from Conservation Architect - 99/70852/LA

Aspley House. The original 18th century house which was extended in the 19th and 20th centuries was one of the first buildings listed in the District in 1952. The 20th century extension at the rear included the addition of a flat roofed kitchen and toilet and staircase when the property was divided into two units.

The original refurbishment works to Aspley House – ref. no. 98/67165/LA – included the removal of the 20th century kitchen and toilet extension. It also provided a bins/garden area for the flats, screened from the public square. This space was created as a result of the supermarket store being built in the garden of Aspley House and adjoining properties. A bathroom to Flat 2 was included in this scheme with a window onto the square on the north elevation, ref. drawing 13. It was accepted that Aspley House no longer had a 'front' and 'back' but had public frontages on three sides, two to the square, the other to the London Road. This point is acknowledged in the written statement prepared by Farrell & Clark.

Refurbishment works to Aspley House were put on hold as works to complete the supermarket became the main priority. However there was a desire to tidy the site to provide an acceptable frontage to the square. Discussions took place at this time to add a conservatory to the rear of the property, fronting the square, providing possible sitting area extending onto the square. The principle was accepted but works were completed prior to a Listed Building application being submitted. This revision to the original permission included a new layout for the staircase and a new arrangement for the bathroom. It is noted that the revised layout at first floor level is not included in the statement from Farrell & Clark. It was at this stage that the question of headroom and lighting to the bathroom was highlighted. Drawing 6 was not produced until much of the construction work was completed.

In their letter to the Council dated 24 June 2000 Farrell & Clark enclosed a plan and section through the bathroom plus details of the roof heights in support of the approved revised plan.

In October 2000 a meeting was held on site to clarify various outstanding details related to the discharge of the conditions of the listed building consent. At this meeting the Council was informed that the applicant would be appealing against the decision not to approve the addition of the dormer as built.

The Council considered that the size of dormer, now constructed, when viewed in relation to the extent of roof at the rear, the design of the windows, and in particular the size of the glazing members, creates an incongruous feature and is an inappropriate addition to the listed building.

HAROLD SANDERS
18/04/01

Statement from Conservation Architect - 99/70852/LA

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HAROLD SANDERS
18/04/01

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT: **Kimberley developments PLC**

APPEAL SITE: **Apsley House, 27 – 29 London Road, Twyford**

REASON FOR APPEAL: **Refusal of planning permission for proposed variation to conditions 4, 5 & 6 of consent 99/70852/LA to allow retention of dormer window.**

LOCAL PLANNING AUTHORITY REFERENCE : VAR/2000/2920

DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE: APP/X0360/A/01/1060312

1.0 LOCATION AND SITE DESCRIPTION

1.1 The site is located on London Road, Twyford. (See appendix 1 for location plan, scale 1:1250). This is a Conservation Area consisting of retail outlets and residential properties near the heart of the village.

1.2 The appeal site is located within the identified settlement in the Parish of Twyford. Apsley House is constructed in brick and tile, with no enclosed external amenity area.

2.0 RELEVANT PLANNING HISTORY

2.1 Relevant planning history consists of:

Appl	Description	Decision
97/65165/LA	Refurbishment & demolition of part rear extension.	Approved 22.12.98
98/67381/F	Conversion of two flats on upper floors & A1 & A2 uses on ground floors.	Approved 22.12.98
99/70851/F	Conversion of two flats on upper floors & A3 use on ground floors with conservatory extension.	Approved 29.08.00

99/70852/LA " " " " " Approved 29.08.00

VAR/2000/2920 variation to conditions 4, 5 & 6
of consent 99/70852/LA to allow
the retention of a dormer window Refused 22.01.01

VAR/2000/2922 variation to conditions 6, 7 & 8
of consent 99/70851/F to allow
the retention of a dormer window Refused 22.01.01

2.2 This particular application consists of the proposed variation of conditions 4, 5 & 6 of consent 99/70852/LA to allow the retention of a dormer window.

2.3 Condition 4 of 99/70852/LA states: *The existing dormer window in the rear elevation of Apsley House, constructed without Listed Building Consent, shall be removed in its entirety within three months of the date of this permission, to the satisfaction of the Local Planning Authority. The replacement conservation rooflights shall also be installed to the satisfaction of the Local Planning Authority, subject to meeting condition 5 set out below.*
Reason: To ensure adequate control of the works to a listed building to retain its architectural and historic interest.

2.4 Condition 5 of 99/70852/LA states: *Details of the conservation rooflight, including positions in relation to rafters and flashing details, shall be submitted to and approved by the Local Planning Authority prior to their installation in accordance with condition 4 above.*
Reason: To ensure adequate control of the works to a listed building to retain its architectural and historic interest.

2.5 Condition 6 of 99/70852/LA states: *Details of the roofing materials to be used in connection with the remedial works referred to in condition 4, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.*
Reason: To ensure a satisfactory external appearance.

2.6 On the 9 August 2000, Listed building consent was refused for the following reasons:

The proposed dormer window by virtue of its scale, design and location would form an incongruous feature out of character with the architectural and historical character and

appearance of the listed building. The proposal is, therefore, contrary to policies LBE1, LBE17 and LBE18 of the Loddon Area Local Plan, policies WBE1, WOS3, WHE2, WHE5 and WHE13 of the Wokingham District Local Plan, and EN1, EN4 and EN5 of the Berkshire Structure Plan.

2.7 This refusal of listed building consent forms the subject of the present appeal.

3.0 POLICY BACKGROUND

3.1 Berkshire Structure Plan (1996 – 2006)

Policies EN1 – *Protection and enhancement of the environment of built up areas*, EN4 – *Development proposals related to buildings of special character and interest*, and EN5 – *Areas of special character including Conservation Areas*, (see appendix 2) are relevant in consideration of this appeal.

3.2 Loddon Area Local Plan (Adopted 5 May 1995)

The Loddon Area Local Plan forms the statutory basis for the operation of planning policy in this part of the District. The planning and Transportation Committee at their meeting on the 21 November 1996 resolved to reaffirm the decisions of the committee and the Council in relation to the current adopted Local Plans and to note that they will continue to carry weight as the most up-to-date adopted policies, except in relation to housing provision.

3.3 LBE1 – *Design of new development*, LBE17 – *Appropriate uses for listed buildings*, and LBE18 – *Changes of use of listed buildings* (see appendix 3) are relevant in the consideration of this appeal.

3.4 Wokingham District Local Plan (Deposit Draft 1997)

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

3.5 WBE1 – *Development in its local context,* WOS3 – *Development control principles,* WHE2 – *Retention and enhancement of features within Conservation Areas,* WHE5 – *Alterations and extensions to traditional buildings in Conservation Areas and* WHE13 – *Extensions and alterations to listed buildings* (see appendix 4) are relevant in consideration of this appeal.

4.0 THE CASE FOR THE LOCAL PLANNING AUTHORITY

4.1 It is submitted that the appeal proposal is unacceptable by virtue of its scale, design and location, and would form an incongruous feature detrimental to the historic character and appearance of the listed building.

4.2 The dormer window was constructed around the latter half of 1999. Its construction has never been part of any application submitted to the Council, although discussions to replace it with velux rooflights became part of the plans approved on application 99/70851/F, as it was considered by the Council to be an inappropriate addition to the listed building. The dormer window is 1.3 metres high and 1.4 metres wide. The roof of the window is 5.0 metres above ground level. The window has a leaded flat roof and is larger and more dominant than the dormers on the front elevation. It has already been established that adequate headroom can be provided in the bathroom by rearranging the suite, thereby reducing the need for this extension.

4.3 The property has no amenity area to the rear, and public footpaths surround the property on three sides. As such, the dormer is clearly visible from the public footpath at the rear of this listed building and, for this reason, is considered to be prominent on the street scene. The dormer is also considered to be a large and incongruous addition and is, therefore, detrimental to, and out of character with, the architectural and historical character and appearance of the listed building. (The dormer window was constructed around the latter half of 1999. Its construction has never been part of any application submitted to the Council, although discussions to replace it with velux rooflights became part of the plans approved on application 99/70851/F, as it was considered by the Council to be an inappropriate addition to the listed building. (Harold Sanders, the Conservation Architect for Wokingham

District Council, will be giving expert evidence on the architectural and listed building aspects of the development.)

4.4 In summary, the proposal, due scale, design and location, would form an incongruous feature detrimental to, and out of character with, the architectural and historical character and appearance of the listed building.

4.5 For the above reasons, the proposals are contrary to policies LBE1, LBE17 and LBE18 of the Loddon Area Local Plan and WOS3, WBE1, WHE2, WHE5 and WHE13 of the Wokingham District Local Plan, and EN1, EN4 and EN5 of the Berkshire Structure Plan.

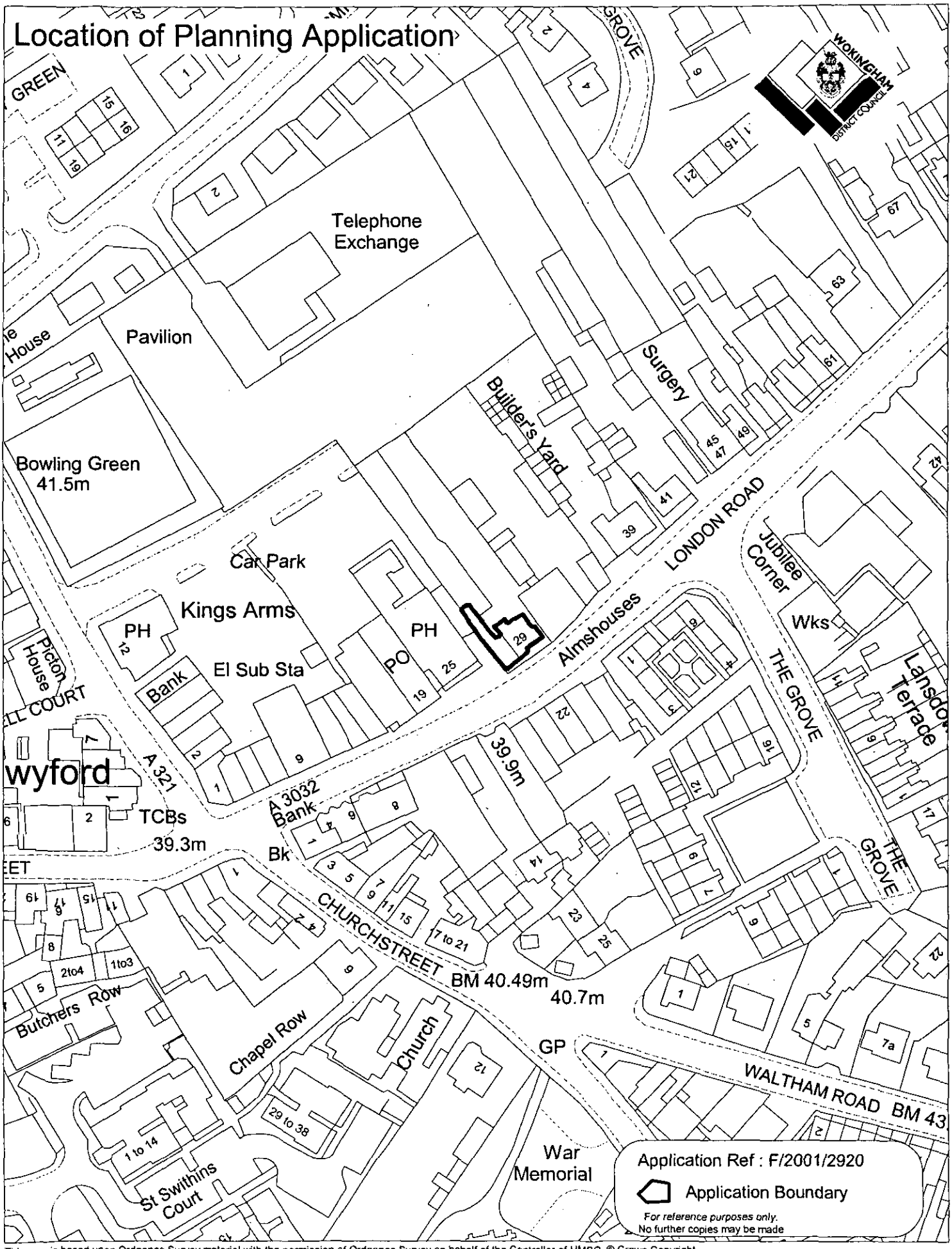
5.0 CONCLUSION

5.1 In conclusion, it is considered that the proposed dormer window, by virtue of its scale, design and location, would form an incongruous feature detrimental to, and out of character with, the architectural and historical character and appearance of the listed building.

5.2 For the above reasons, the Inspector is respectfully requested to dismiss this appeal.

Joss Miller
Assistant Planning Officer
Wokingham District Council

Appendix 1



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Development Control Section, Environmental Services, Wokingham District Council.

18 April 2001

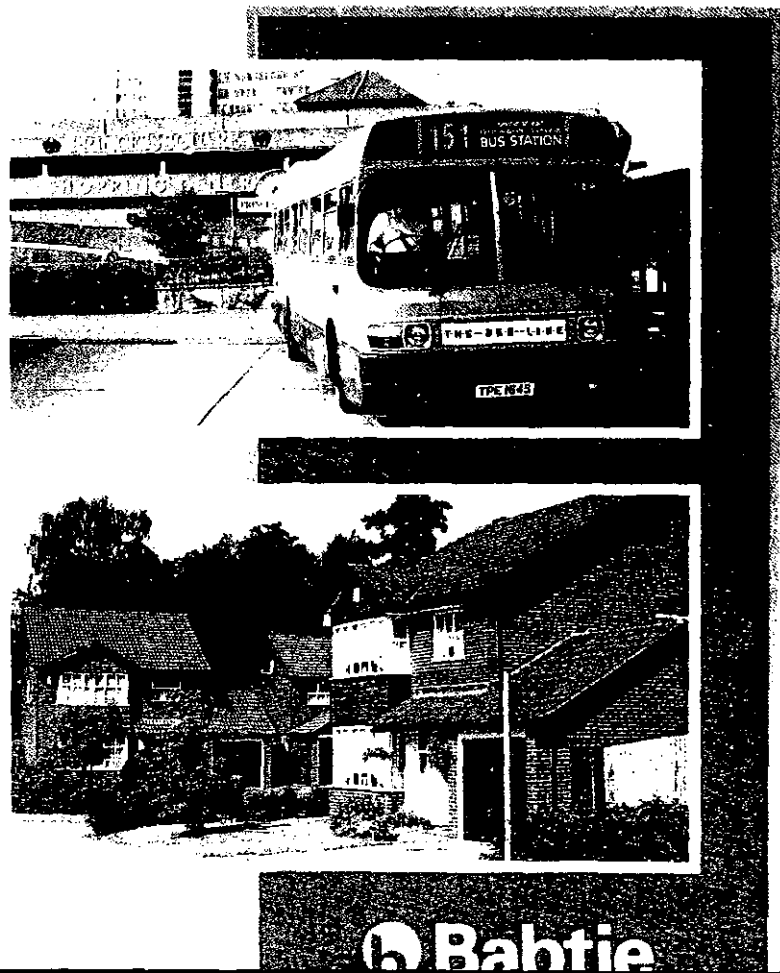
Scale: 1 : 1250

Appendix 2



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997



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6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

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

The Environment of the Built-up Areas

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

Protection and Enhancement of the Environment of Built-Up Areas

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

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

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

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

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

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

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

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

Environmental Nuisance

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

Protection from Environmental Nuisance

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

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

Flooding

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

Reducing the Risk of Flooding

Policy EN3 **Development should not be located in areas liable to flood if it would be likely to:**

(i) inhibit the capacity of the flood plain to store flood water; or

(ii) impede the flow of flood water; or

(iii) increase the risks to life or property arising from flooding.

In addition, proposals which would increase flood risk elsewhere as a result of additional surface water run-off will be resisted unless adequate surface water balancing facilities are provided.

6.8 Areas liable to flood include those which have at any time been affected by flooding, or which form part of a river flood plain. At sites suspected of being at risk of flooding but for which precise recent flood risk information is unavailable, a technical assessment of the flood risk may be required to demonstrate compliance with the requirements of this policy. Policy EN3 covers intensification of existing development and the raising of land.

PROTECTING PARTICULAR ENVIRONMENTAL INTERESTS

6.9 The protection of special landscapes and the rural landscape at large is dealt with in Chapter 5. Other policies for protection and enhancement of specific environmental interests are set out below.

Buildings of Special Character and Interest

6.10 Legislation provides for the protection of statutorily listed historic buildings from demolition or unnecessary or over-radical change. Other buildings of local importance may also warrant retention as part of development schemes. There is a need to ensure that subject to other policies in this Plan, historic buildings can have a use which justifies or funds their upkeep.

Development Proposals Related to Buildings of Special Character and Interest

Policy EN4 **Listed buildings and buildings in conservation areas will be protected from demolition, inappropriate alteration and other adverse change. Proposals affecting these buildings and other buildings of special architectural or historic interest should conserve their historic fabric and character, preserve or enhance their settings, provide appropriate uses and ensure adequate standards of maintenance and repair.**

6.11 The use which best retains the character of an historic building will normally be that for which it was built. However, where this cannot reasonably be achieved, any new use should:

- be wholly compatible with maintenance of the special character of the building; and
- involve minimum alteration to that character, internally or externally; and
- not materially damage the setting of the building.

6.12 Should, in exceptional circumstances, the complete or partial demolition or the large scale alteration of an historic building be permitted, detailed prior recording of the building will be required.

6.13 The County Council maintains a record of buildings and other structures of special architectural and historic interest to ensure consistency of records throughout Berkshire.

Areas of Special Character

6.14 The designation of Conservation Areas allows areas to be selected for their special character and for the application of extra resources, publicity, attention and controls. There are other areas or attractive groups of buildings - for example nineteenth and early twentieth century areas with a recognisable and consistent period character - where Conservation Area designation may not be justified, but where measures are desirable to ensure that change does not harm the existing character.

Areas of Special Character Including Conservation Areas

Policy EN5 **Areas of special character, particularly designated Conservation Areas, common land and town and village greens, will be protected from change damaging to their character and appearance. Encouragement will be given to proposals which make a positive contribution to the enhancement of the character and appearance of such areas.**

6.15 In both designated Conservation Areas and other areas of special character, particular attention will be paid to ensuring that the form, materials, density and siting of new buildings reflect and enhance the character of the area.

Archaeological Remains and Evidence

6.16 Archaeological remains are irreplaceable. They are the evidence, in some instances the only evidence, of the past development of our civilisation. They comprise a varied resource, including buried objects and standing structures ranging in date from prehistory to the industrial era. Particular care must be taken to ensure that archaeological remains and evidence are not heedlessly or thoughtlessly destroyed.

6.17 The positive management, enhancement and understanding of archaeological sites will be promoted. Where appropriate, sites will be made accessible to the public.

Appendix 3

LODDON AREA LOCAL PLAN

Adopted 5 May 1995



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

1.4 QUALITY AND CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT, REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ LBE1 DESIGN OF NEW DEVELOPMENT

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

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

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

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

❖ LBE2 INAPPROPRIATE DESIGN

PROPOSALS FOR DEVELOPMENT THAT IS INAPPROPRIATE IN TERMS OF ITS RELATIONSHIP WITH ADJOINING SITES AND BUILDINGS, OR WHICH WOULD ADVERSELY AFFECT THE CHARACTER OF AN AREA, BY VIRTUE OF ITS ING, SCALE, FORM, MASSING, MATERIALS, COLOUR OR TEXTURE, WILL NOT NORMALLY BE PERMITTED.

ENVIRONMENTAL IMPROVEMENT

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

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

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

❖ LBE3 REFURBISHMENT AND REDEVELOPMENT

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

❖ LBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

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

SUNLIGHT, DAYLIGHT AND NOISE

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

❖ LBE5 SUNLIGHT AND DAYLIGHT

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

must be of a form, scale and height compatible with the character of the area and be constructed in materials sympathetic to the existing urban fabric. Proposals for new development that would be to the detriment of the local scene and character of these areas, by virtue of being badly designed in themselves, or when the use of poor and inappropriate materials is proposed, will not be acceptable. Proposals for development adjoining designated conservation areas will be expected to recognise the character of the area, and be supported by full details, to ensure that inappropriate forms of development do not take place in sensitive locations. In addition to policies earlier in this chapter, the following policies will apply in the control of development in conservation areas.

❖ LBE14 INAPPROPRIATE DEVELOPMENT IN CONSERVATION AREAS

PROPOSALS FOR NEW DEVELOPMENT WHICH WOULD BE DETRIMENTAL TO THE CHARACTER OF A CONSERVATION AREA WILL NORMALLY BE REFUSED.

❖ LBE15 NEW DEVELOPMENT IN CONSERVATION AREAS

IN CONSIDERING PROPOSALS FOR OTHERWISE ACCEPTABLE NEW DEVELOPMENT IN CONSERVATION AREAS THE DISTRICT COUNCIL WILL HAVE REGARD TO THE FOLLOWING:

(A) THE MASSING, SCALE, SITING AND DESIGN OF PROPOSED BUILDING(S);

(B) THE MATERIALS TO BE USED IN NEW BUILDING(S) (AND ANCILLARY FLOORSPACE TREATMENTS). THESE SHOULD BE APPROPRIATE TO THE AREA AND SYMPATHETIC TO ADJOINING BUILDINGS;

(C) THE CONTRIBUTION THE NEW BUILDING(S) WOULD MAKE TO THE CHARACTER OF THE AREA.

OTHER AREAS OF TRADITIONAL LOCAL CHARACTER

1.4.25 Links with the past are particularly important in an area which has experienced great change and high levels of growth. Equally important is the need to maintain the sense of place given by the use of traditional building materials and methods which is so often lost in modern development, leading to a sense of sameness.

1.4.26 Conservation areas will conserve the traditional local character of a few select areas. However, other areas and groups of buildings exist which, although not worthy of classification as Areas of Architectural, Historic or Townscape Character, nevertheless provide important links with the past and a sense of place. The Replacement Structure Plan, in Policy EN22, seeks to perpetuate areas of traditional local character by seeking, in any new development, designs and use of materials which take account of that character.

❖ LBE16 NEW DEVELOPMENT IN AREAS OF TRADITIONAL LOCAL CHARACTER

WITHIN AREAS OF TRADITIONAL LOCAL CHARACTER, AS IDENTIFIED IN PART TWO AND ON THE PROPOSALS MAP, OTHERWISE ACCEPTABLE NEW DEVELOPMENT SHOULD RESPECT THE EXISTING CHARACTER OF THE AREA. IN CONSIDERING PROPOSALS WITHIN SUCH AREAS THE DISTRICT COUNCIL WILL HAVE REGARD TO THE SCALE OF THE DEVELOPMENT, ITS RELATIONSHIP TO EXISTING BUILDING FORMS AND THE USE OF TRADITIONAL MATERIALS.

LISTED BUILDINGS

1.4.27 The plan area contains over 400 buildings which are included in the statutory list of buildings of architectural or historic interest and which are afforded special protection.

1.4.28 The listed buildings within the Plan area are important and irreplaceable assets, comprising part of the national stock of buildings of special architectural or historic merit. Accordingly, there is a strong presumption in favour of their retention, a concern reflected in Policy EN25 of the Replacement Structure Plan. It is essential that listed buildings are retained and maintained in good condition. The District Council has powers to prevent listed buildings falling into disrepair, and these powers will be used in appropriate cases.

1.4.29 The special architectural or historic features of listed buildings are not limited to their external appearance. Buildings will be listed for a variety of reasons including their age, the architectural style they represent, their method of construction, their relevance to the history of development in the area and their historic connections. Special care will therefore be taken to ensure that listed buildings are not altered so as to damage or erode their character, either internally or externally. A sensitive approach to the design of alterations or additions to historic buildings will be expected.

1.4.30 Listed building consent is required for any works of demolition, alteration or extension which would affect the historic character of a listed building in any way. This applies to both internal and external features and to any objects or structures which, although not fixed to the building, form a part of the land within the curtilage and have done so since 1st July 1948.

1.4.31 The setting of a listed building is often an essential element of its character. Special attention will be paid to development proposals which affect the setting of a listed building.

1.4.32 The best use for a historic building is the use for which it was built. Buildings still enjoying the original use should preferably stay in that use, since adaptations for new uses may result in changes to the character of the historic building, or result in the loss of features of architectural or historic interest. The original function of some listed buildings has now ceased and, accordingly, it will be necessary to find new uses to ensure their retention. In certain circumstances, it may be appropriate to permit the change of use of a historic building, as an exception to other policies contained in the local plan, where this would allow the retention and proper maintenance of that building. In such cases, it would be for the prospective developer to demonstrate that a change of use is the only way to retain the historic building.

❖ LBE17 APPROPRIATE USES FOR LISTED BUILDINGS

THE DISTRICT COUNCIL WILL SEEK TO ENSURE THAT BUILDINGS OF HISTORIC INTEREST ARE AFFORDED APPROPRIATE USES AND SETTINGS. IT IS DESIRABLE THAT HISTORIC BUILDINGS USED FOR THE PURPOSE FOR WHICH THEY WERE BUILT SHOULD REMAIN IN THAT USE.

❖ LBE18 CHANGES OF USE OF LISTED BUILDINGS

THE CHANGE OF USE OF A LISTED BUILDING WILL BE PERMITTED WHERE IT CAN BE DEMONSTRATED:

A) THAT IT WILL NOT BE ABLE TO BE RETAINED BY A CONTINUATION OF THE PRESENT OR ORIGINAL USE;

B) THAT THE SPECIAL CHARACTER OF THE BUILDING AND ITS SETTING WOULD NOT BE ADVERSELY AFFECTED; AND

C) THAT THE PRESENT USE OF THE BUILDING CANNOT CONTINUE, OR THAT IT PREJUDICES THE PROPER PLANNING OF AN AREA.

1.4.33 Listed buildings need to be kept in a good state of repair. The District Council, in conjunction with the County Council, assists in the conservation of historic buildings by offering expert advice on their repair and maintenance and by offering, in appropriate circumstances, loans towards the cost of repair. The extent of loans will be limited by financial constraints. Details of the loan schemes are available from the District Council.

Appendix 4



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

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

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.

THE DISTRICT'S HERITAGE

CONSERVATION AREAS

4.39 The Council has powers to determine which part of its area have special architectural or historic interest, the character or appearance of which it is desirable to preserve, and designate them as conservation areas. The areas are protected through several measures, including the requirement for consent to be obtained for demolition, and the limitation of permitted development rights. Having carried out the survey of the built environment and reviewed the findings in preparing this plan, the Council is proposing to designate parts of Remenham village ~~and Arborfield Cross as conservation areas~~ *AS A CONSERVATION AREA.* **(PA 4/11)** During the plan period, the Council may decide to designate further conservation areas, depending upon circumstances.

POLICY WHE1: DESIGNATION AND REVIEW OF CONSERVATION AREAS

THE COUNCIL WILL DESIGNATE NEW CONSERVATION AREAS ~~AT ARBORFIELD CROSS AND~~ **(PA 4/12)** AT REMENHAM VILLAGE AND ELSEWHERE AS APPROPRIATE. IT WILL ALSO REVIEW EXISTING CONSERVATION AREAS IN RECOGNITION OF, AND IN ORDER TO PROTECT, THEIR ARCHITECTURAL AND HISTORICAL IMPORTANCE. IN ADDITION, THE COUNCIL WILL IMPLEMENT SCHEMES OF ENHANCEMENT FOR ALL CONSERVATION AREAS.

Implementation: Through the designation and review of conservation areas.

Monitoring: Carry out thorough review of conservation areas to identify site specific opportunities.

POLICY WHE2: RETENTION AND ENHANCEMENT OF FEATURES WITHIN CONSERVATION AREAS

THE COUNCIL WILL SEEK TO RETAIN AND ENHANCE THOSE FEATURES THAT MAKE UP THE DISTINCT CHARACTER OF CONSERVATION AREAS. THESE INCLUDE: THEIR SETTING, BUILDINGS, AND RELATIONSHIPS BETWEEN BUILDINGS, VIEWS, VISTAS, OPEN SPACES, TREES, TRADITIONAL STREETSCAPE, STREET FURNITURE, WALLS, RAILINGS, TRADITIONAL MATERIALS.

Implementation: Through the development control process.

Monitoring: Review two conservation areas by detailed study per year.

POLICY WHE3: DEMOLITION IN CONSERVATION AREAS

THE COUNCIL WILL ~~RESIST~~ *REFUSE CONSENT FOR* **(PA 4/13)** THE DEMOLITION OR REDEVELOPMENT OF BUILDINGS OF INDIVIDUAL MERIT OR GROUP VALUE IN CONSERVATION AREAS UNLESS IT IS SATISFIED THE BUILDING CANNOT BE RETAINED IN ITS PRESENT, OR FOR AN ALTERNATIVE, USE.

Cont.

I) CONSIDERATION WILL BE GIVEN TO APPROPRIATE CONTEMPORARY DESIGN THAT PAYS REGARD TO THE ABOVE POINTS.

Implementation: *Through the development control process.*

Monitoring: Through detailed studies of conservation areas.

4.42 Listed buildings often have the most to contribute in a conservation area, but other traditional buildings play an important role as a backcloth. Careful control over traditional buildings is therefore important for the overall appearance of the conservation area.

POLICY WHE5: ALTERATIONS AND EXTENSIONS TO TRADITIONAL BUILDINGS IN CONSERVATION AREAS

ALTERATIONS OR EXTENSIONS TO TRADITIONAL BUILDINGS WITHIN CONSERVATION AREAS MUST HAVE REGARD TO THE FOLLOWING:

A) THE RE-USE OF MATERIALS

B) THE USE OF TRADITIONAL MATERIALS APPROPRIATE TO THE LOCALITY

C) THE FORM, PITCH, CLADDING AND ORNAMENT OF THE ROOF SHOULD BE RETAINED

D) NEW WINDOWS SHOULD BE CONSTRUCTED TO MATCH THE ORIGINAL USING THE SAME PATTERN, GLAZING DIVISIONS, FRAME, MOULDING AND MATERIALS

E) NEW WINDOW OPENINGS OR DORMERS SHOULD NOT DISTURB THE PROPORTIONS OF THE ORIGINAL BUILDING, AND SHOULD RESPECT THE SIZE AND STYLE OF EXISTING WINDOWS

F) EXTENSIONS TO BUILDINGS SHOULD BE SUBSERVIENT TO THE EXISTING BUILDING

G) THE SITING OF EXTENSIONS SHOULD NOT DETRACT FROM THE TRADITIONAL INTEGRITY OF THE BUILDING OR ITS RELATIONSHIP WITH OTHER BUILDINGS OR OPEN SPACES WITHIN CONSERVATION AREAS.

Implementation: Through the development control process.

Monitoring: Studies of conservation areas.

AREAS OF SPECIAL CHARACTER

4.43 There are some areas or attractive groups of buildings where there is a consistent period or character reflecting the area's past, but where a conservation area designation is not justified. It is desirable to protect these areas from development or change that may harm the particular character of that area. These areas are known as 'Areas of Special Character'.

ORIGINAL USE FOR WHICH THEY WERE DESIGNED.

HOWEVER, THE CHANGE OF USE OF A LISTED BUILDING WILL BE PERMITTED WHERE IT CAN BE DEMONSTRATED:

a) THAT THE CHARACTER OF THE BUILDING IS MORE LIKELY TO BE SAFEGUARDED IN THE PROPOSED USE THAN THE EXISTING USE

b) THERE ~~IS~~ *WILL BE* **(PA 4/21)** NO ~~IMMEDIATE~~ **(PA 4/22)** ADVERSE EFFECT ON THE SPECIAL CHARACTER OF THE BUILDING'S FABRIC, INTERIOR AND ITS SETTING.

Implementation: Through the development control process.

Monitoring: Survey of Listed Buildings.

4.49 Extensions and alterations to listed buildings need to be sensitively handled to avoid harming the original building. This policy advocates a comprehensive approach, and gives a number of criteria that need to be met to ensure an appropriate solution.

POLICY WHE13: EXTENSIONS/ALTERATIONS TO LISTED BUILDINGS

~~EXTENSIONS AND ALTERATIONS TO LISTED BUILDINGS REQUIRING PLANNING PERMISSION~~ *APPLICATIONS FOR EXTENSIONS AND ALTERATIONS TO LISTED BUILDINGS* **(PA 4/23)** WILL BE CONSIDERED AGAINST THE FOLLOWING CRITERIA:

a) A 'COMPREHENSIVE APPROACH' TO THE BUILDING IS REQUIRED INCLUDING THE INTERIOR, ALL ELEVATIONS AND THE BUILDING'S SETTING

b) EXTENSIONS SHOULD BE SUBSERVIENT TO THE LISTED BUILDING

c) EXTENSIONS AND ALTERATIONS SHOULD BE SYMPATHETIC TO THE BUILDING'S HISTORIC OR ARCHITECTURAL CHARACTER, INCLUDING IMPORTANT EXTENSIONS AND ALTERATIONS

d) EXTENSIONS AND ALTERATIONS SHOULD RETAIN ORIGINAL ARCHITECTURAL/HISTORIC FEATURES FOR EXAMPLE FIREPLACES, STAIRS, PANELLING, WINDOWS, DECORATION, DETAILING, ETC.

e) EXTENSIONS AND ALTERATIONS SHOULD BE SYMPATHETIC TO THE PROPORTIONS OF THE LISTED BUILDING, INCLUDING INTERIOR SPACES PERMISSION WILL NOT NORMALLY BE GIVEN TO THE SUB-DIVISION OF PRINCIPAL ROOMS

f) WINDOWS AND DOORS ON EXTENSIONS/ALTERATIONS SHOULD MATCH OR RESPECT THE WINDOWS/DOORS OF THE LISTED BUILDING INCLUDING PROPORTIONS, SCALE, MATERIALS, DETAILING AND GLAZING BARS

Cont.

g) REPAIRS OR ALTERATIONS TO LISTED BUILDINGS SHOULD BE CARRIED OUT USING TRADITIONAL METHODS THAT WOULD HAVE BEEN USED IN THE ORIGINAL CONSTRUCTION, UNLESS THE COUNCIL CAN BE SATISFIED THAT MODERN METHODS WOULD NOT AFFECT THE HISTORIC/ARCHITECTURAL INTEGRITY OF THE BUILDING

h) THE IMPORTANCE OF PERMITTING THE EXTENSION IN SECURING EITHER THE RETENTION OF THE LISTED BUILDING IN ITS EXISTING USE, OR A CHANGE OF USE TO THE BUILDING'S ORIGINAL USE.

Implementation: Through the development control process.

Monitoring: Survey of Listed Buildings.

4.50 There are some buildings that have a particular character reflecting the area's past, but are not of sufficient merit to justify designation as a listed building. It is desirable to protect these buildings from development or change that may harm their particular character. These buildings have been identified as 'Buildings of Traditional Local Character'.

POLICY WHE14: BUILDINGS OF TRADITIONAL LOCAL CHARACTER

THE COUNCIL WILL IDENTIFY INDIVIDUAL BUILDINGS (AND GROUPS OF BUILDINGS) OF TRADITIONAL LOCAL CHARACTER, WHOSE PRESERVATION WILL BE ENCOURAGED BY:

a) URGING THE OWNERS OF THOSE BUILDINGS TO MAINTAIN, REPAIR AND RESTORE THEM

b) BRINGING TO THE ATTENTION OF THE DoE ANY BUILDING THAT APPEARS TO MERIT INCLUSION ON THE STATUTORY LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORICAL INTEREST.

Implementation: Compilation of survey of Buildings of Traditional Local Character in the District, and contact with owners and DoE.

Monitoring: Studies of individual and groups of Buildings of Traditional Local Character.

ARCHAEOLOGY

~~4.51 The plan area contains a wealth of archaeological remains, including scheduled sites under the Ancient Monuments and Archaeological Areas Act 1979. The policies in the plan are intended to protect those areas already scheduled and sites of unknown importance.~~

4.51 THE PLAN AREA CONTAINS A WEALTH OF ARCHAEOLOGICAL REMAINS, INCLUDING SCHEDULED ANCIENT MONUMENTS (SAM'S) AND SITES OF ARCHAEOLOGICAL POTENTIAL, THAT DO NOT HAVE STATUTORY PROTECTION BUT MAY NONETHELESS BE OF GREAT IMPORTANCE. THESE SITES FORM A FRAGILE AND FINITE RESOURCE AND HENCE THE PLAN POLICIES ARE INTENDED TO PROTECT ALL IMPORTANT ARCHAEOLOGICAL REMAINS. **(PA 4/24)**

Representations relating to Wokingham District Local Plan Deposit Draft

WBE1 – 3 object 1 support
WHE2 – 2 object 7 support
WHE5 – 1 object 5 support
WHE13 – 1 object 2 support

Representations on Built Environment: Design

RESPONDENT NUMBER: 24

RESPONSE NUMBER: 1308

RESPONDENT INFORMATION

Ms L Erler
64 Cutbush Lane
Shinfield
READING
Berkshire
RG2 9AG

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: support

POLICY/PROPOSAL: WBE1

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Apply to proposed developments, especially by-pass near Cutbush, formerly Badger Farm, Shinfield.

SUMMARY OF LPA RESPONSE:

Support welcomed and noted. Paragraph 0.29 has been extended to emphasise the Council's commitment to ensuring compliance with plan policies.

Representations

RESPONDENT NUMBER: 977

RESPONSE NUMBER: 1775

RESPONDENT INFORMATION

Mr C Lennon
C A Lennon Associates
Oxford House
2A Oxford Road East
Windsor
Berkshire
SL4 1EF

CLIENT INFORMATION

Hicks Persimmon Limited
45-47 Station Road
GERRARDS CROSS
Bucks
SL9 8ES

CHAPTER: 4

SUPPORT/OBJECT: Object

POLICY/PROPOSAL:

PARAGRAPH NUMBER: 4.4

SUMMARY OF REPRESENTATION:

Whilst the key objective "to improve any poor/degraded environment in the District, by the control of new development and the implementation of improvement schemes" is supported, there is no specific policy to this effect. The lack of any such policy is contrary to the provisions of PPG12 - Development and Planning Guidance. This section should have a new Policy inserted on the lines as follows: Policy WBE22: THROUGHOUT THE DISTRICT SITES WITH POOR/DEGRADED ENVIRONMENT WILL BE IDENTIFIED AND SCHEMES PREPARED FOR THEIR IMPROVEMENT. WHERE IT IS DEEMED APPROPRIATE, SUCH SITES WILL BE ALLOCATED FOR DEVELOPMENT PURPOSES AS ENABLING DEVELOPMENT TO BRING FORWARD ENVIRONMENTAL IMPROVEMENT.

SUMMARY OF LPA RESPONSE:

No change. Policies WOS5, Environmental Improvements and WBE14, Environmental Enhancements address the need to improve poor and degraded environments. In addition whether sites were brownfield was a consideration in the environmental appraisal of sites identified for residential and employment use in the WDLPDD.

Representations on Built Environment: Design

RESPONDENT NUMBER: 1109

RESPONSE NUMBER: 2566

RESPONDENT INFORMATION

Martin & Pole, Nicholas
Salisbury House
Milton Road
Wokingham
Berkshire
RG40 1DB

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: Object

POLICY/PROPOSAL: WBE1

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Whilst the aim of the policy is sound, it has no development control function. Policy should either be relegated to the supporting text, or omitted from the plan.

SUMMARY OF LPA RESPONSE:

No change. The proper test is not whether the policy has a development control function. Legislation has not defined the scope of land use planning. The courts, as quoted in PPG1, have concluded that the test is whether it relates to the development and use of land. Therefore the policy is appropriate as it sets out the Council's policy towards the use of land. The policy is in accordance with the guidance given in PPG1, in particular para. 17 and Annex A para.1, that development plans should set out design policies against which development proposals are to considered and reject poor designs.

Representations on Built Environment: Design

RESPONDENT NUMBER: 1106

RESPONSE NUMBER: 2493

RESPONDENT INFORMATION

CLIENT INFORMATION

Mr P Garber
George Wimpey Plc
7 Jayes Park Courtyard
Sheep Green, Ockley
DORKING
Surrey
RH5 5RR

CHAPTER: 4

SUPPORT/OBJECT: Object

POLICY/PROPOSAL: WBE1

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Policy is too restrictive. Replace "will require" with "will seek".

SUMMARY OF LPA RESPONSE:

No change. The policy is in accordance with the guidance given in PPG1, in particular para. 17 and Annex A, para.1, that development plans should set out design policies against which development proposals are to be considered and reject poor designs.

Representations on Heritage

RESPONDENT NUMBER: 1020

RESPONSE NUMBER: 1966

RESPONDENT INFORMATION

Mr E Barraclough
Flat 23
Swallowfield Park
Swallowfield
Reading
Berkshire
RG7 1TG

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: Support

POLICY/PROPOSAL: WHE2-9

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Support the policies.

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

Representations on Heritage

RESPONDENT NUMBER: 49

RESPONSE NUMBER: 1802

RESPONDENT INFORMATION

Mrs E Gower
Shillings
29 Foxborough
Swallowfield
READING
Berkshire
RG7 1RW

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: support

POLICY/PROPOSAL: WHE1 - 17

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Policies are excellent and very important. Proud of the Planning Office: obviously taken much care over important environmental issue.

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

Representations on Heritage

RESPONDENT NUMBER: 436

RESPONSE NUMBER: 1800

RESPONDENT INFORMATION

Ms C Hunter
9 Foxborough
Swallowfield
READING
Berkshire
RG7 1RW

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: support

POLICY/PROPOSAL: WHE1-9

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Recognise the need to preserve what remains of our historical homes, gardens etc.

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

Representations on Heritage

RESPONDENT NUMBER: 558

RESPONSE NUMBER: 1558

RESPONDENT INFORMATION

Mrs G Fricker
35 Foxborough
Swallowfield
READING
Berkshire
RG7 1RW

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: support

POLICY/PROPOSAL: WHE1-9

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Support: only by such protection can Berkshire remain a pleasant place to live.

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

Representations on Heritage

RESPONDENT NUMBER: 1074

RESPONSE NUMBER: 2271

RESPONDENT INFORMATION

Mr D Couzens
Ruscombe Parish Council
Twayblade
47 Hermitage Drive
TWYFORD
Berkshire
RG10 9HT

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: support

POLICY/PROPOSAL: WHE2

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Strong support.

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

Representations on Heritage

RESPONDENT NUMBER: 26

RESPONSE NUMBER: 65

RESPONDENT INFORMATION

Mrs O MacDonald
Rose Street Residents' Society
80 Rose Street
WOKINGHAM
Berkshire
RG40 1XU

CLIENT INFORMATION

Rose Street Residents Society

CHAPTER: 4

SUPPORT/OBJECT: Support

POLICY/PROPOSAL: WHE2

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Support

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

Representations on Heritage

RESPONDENT NUMBER: 56

RESPONSE NUMBER: 274

RESPONDENT INFORMATION

Mrs C Adams
Swallowfield Parish Council
Penton Cottage
Swallowfield Street
Swallowfield
READING
Berkshire
RG7 1QX

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: Support

POLICY/PROPOSAL: WHE2

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Any policy that will help to preserve conservation areas will be beneficial.

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

Representations on Heritage

RESPONDENT NUMBER: 1109

RESPONSE NUMBER: 2615

RESPONDENT INFORMATION

Martin & Pole, Nicholas
Salisbury House
Milton Road
Wokingham
Berkshire
RG40 1DB

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: Object

POLICY/PROPOSAL: WHE2

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Whilst the aim of the policy is sound, it has no development control function. Policy should either be relegated to the supporting text, or omitted from the plan.

SUMMARY OF LPA RESPONSE:

The proper test is not whether the policy has a development control function. Legislation has not defined the scope of land use planning. The courts, as quoted in PPG1, have concluded that the test is whether the policy related to the use of land. Therefore the policy is appropriate as it sets out the Council's policy towards the use of land and is in accordance with the guidance given in PPG15 para. 4.9, which indicates that local planning authorities are required to formulate and publish proposals for the preservation and enhancement of conservation areas.

Representations on Heritage

RESPONDENT NUMBER: 29

RESPONSE NUMBER: 1654

RESPONDENT INFORMATION

Mr O Evans
Wistaria Cottage
Church Lane
Three Mile Cross
READING
Berkshire
RG7 1HD

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: Object

POLICY/PROPOSAL: WHE2

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Object to exclusion of Three Mile Cross from being a place of historical interest. There are a number of listed cottages featured in the writings of Mary Mitford. The area from Lieutenants Cottage through to the roundabout on the by-pass should be listed.

SUMMARY OF LPA RESPONSE:

Designation and review of conservation areas is dealt with under Policy WHE1. Hence the objection does not relate to this policy and has been dealt with under response number 86.

Representations on Heritage

RESPONDENT NUMBER: 29

RESPONSE NUMBER: 1668

RESPONDENT INFORMATION

Mr O Evans
Wistaria Cottage
Church Lane
Three Mile Cross
READING
Berkshire
RG7 1HD

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: Object

POLICY/PROPOSAL: WHE5

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Object to exclusion of Three Mile Cross from being a place of historical interest. There are a number of listed cottages featured in the writings of Mary Mitford. The area from Lieutenants Cottage through to the roundabout on the by-pass should be listed.

SUMMARY OF LPA RESPONSE:

Designation and review of conservation areas is dealt with under Policy WHE1. Hence the objection does not relate to this policy and has been dealt with under response number 86.

Representations on Heritage

RESPONDENT NUMBER: 56

RESPONSE NUMBER: 277

RESPONDENT INFORMATION

Mrs C Adams
Swallowfield Parish Council
Penton Cottage
Swallowfield Street
Swallowfield
READING
Berkshire
RG7 1QX

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: Support

POLICY/PROPOSAL: WHE5

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Any policy that will help to preserve conservation areas will be beneficial.

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

Representations on Heritage

RESPONDENT NUMBER: 924

RESPONSE NUMBER: 1403

RESPONDENT INFORMATION

Ms K Fletcher
English Heritage
23 Savile Row
LONDON
W1X 1AB

CLIENT INFORMATION

CHAPTER: 4

SUPPORT/OBJECT: Object

POLICY/PROPOSAL: WHE13

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Amend to "Applications for extensions and alterations to listed buildings will be considered against the following criteria:" so that it applies to listed building consent as well as planning applications.

SUMMARY OF LPA RESPONSE:

Agreed.

Representations on Heritage

RESPONDENT NUMBER: 26

RESPONSE NUMBER: 70

RESPONDENT INFORMATION

Mrs O MacDonald
Rose Street Residents' Society
80 Rose Street
WOKINGHAM
Berkshire
RG40 1XU

CLIENT INFORMATION

Rose Street Residents Society

CHAPTER: 4

SUPPORT/OBJECT: Support

POLICY/PROPOSAL: WHE13

PARAGRAPH NUMBER:

SUMMARY OF REPRESENTATION:

Support

SUMMARY OF LPA RESPONSE:

Support welcomed and noted.

The Planning Inspectorate

For official use only
Date received

LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT APPEAL FORM

Please send each appeal on a separate form

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

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

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

A. APPELLANT DETAILS

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

Name KIMBERLEY DEVELOPMENTS

Address 33 ST. JAMES STREET
LONDON

Postcode SW1A 1HD

Your reference —

Daytime phone no 020 7839 5550

Fax no 020 7839 4156

E-mail address

B. AGENT DETAILS (if any)

Name FARRELL & CLARK - ARCHITECTS

Address 21 LITTLE PORTLAND STREET
LONDON

Postcode W1N 5AF

Your reference J. POOLE

Daytime phone no 020 7291 9170

Fax no 020 7291 9175

E-mail address london@farrell-clark.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL

Date of the LBC/CAC application 24/11/00

LPA's application reference no VAR/2000/2920

Date of LPA's decision notice (if issued) 22/01/01

D. APPEAL SITE ADDRESS

Address APSLEY HOUSE
27/29 LONDON ROAD, TWYFORD, READING

Postcode

National grid reference SU 788760

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

E. DESCRIPTION OF THE DEVELOPMENT

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

VARIATION OF CONDITION 4, 5 & 6 OF LISTED BUILDING CONSENT REF 99/70852/LA

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

0.1 ha

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

240 SQ.M

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to: **(*Delete as appropriate)** *Please tick **one** box only* ✔

1. refuse *listed building consent/conservation area consent for the development described in Section E. ☐
2. grant *listed building consent/conservation area consent for the development subject to conditions which you do not like. ☐
3. refuse to vary a condition(s) in a previous grant of *listed building consent/conservation area consent. ☐
4. refuse to remove a condition(s) in a previous grant of *listed building consent/conservation area consent. ☑

Or The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) on an application for *listed building consent/conservation area consent. ☐

G. GROUNDS OF APPEAL

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

PLEASE SEE THE ATTACHED FARROW & CLARK STATEMENT DATED 22/01/01

G. GROUNDS OF APPEAL (continued)

H. CHOICE OF PROCEDURE

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

*Please tick **one** box only* ✔

1. **WRITTEN REPRESENTATIONS** ☐

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

2. **HEARING** ☑

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

3. **INQUIRY** ☐

   Please give reasons why you think an inquiry is necessary .

I. APPEAL SITE OWNERSHIP DETAILS

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

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

CERTIFICATE A ☑

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

OR

CERTIFICATE B ☐

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

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

CERTIFICATES C and D ☐

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

PLEASE SIGN BELOW

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

Signed JOHN POOLE FARRELL & CLARK (on behalf of) KIMBERLEY DEVELOPMENTS

Name (in capitals) JOHN POOLE Date 1/03/01

Please turn over

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1–6 below, must be sent with your appeal form; 7–9 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

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

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

7.	**Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ATTACHED FARROW & CLARK STATEMENT DATED 22/01/01	☑
8.	Any relevant **correspondence** with the LPA. COPY OF ORIGINAL COMMENT REF. 99/70852/LA	☑
9.	If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.	☐

K. SUPPORTING INFORMATION

		Please tick **one** box only ✔		
		Grade I	Grade II*	Grade II
1.	If the building is listed, please indicate the grade of the building.	☐	☐	☑
		Yes	No	
2.	Has a grant been made under sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	☐	☑	
3.	Does the appeal relate to an application for conservation area consent?	☐	☑	

L. PLEASE SIGN BELOW

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

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

Signed JOHN POOLE FARROW & CLARK (on behalf of) KIMBERLEY DEVELOPMENTS

Name (in capitals) JOHN POOLE Date 1/03/01

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

NOW SEND:

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

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

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid.

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

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

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

5) Tell you our Inspector's decision.

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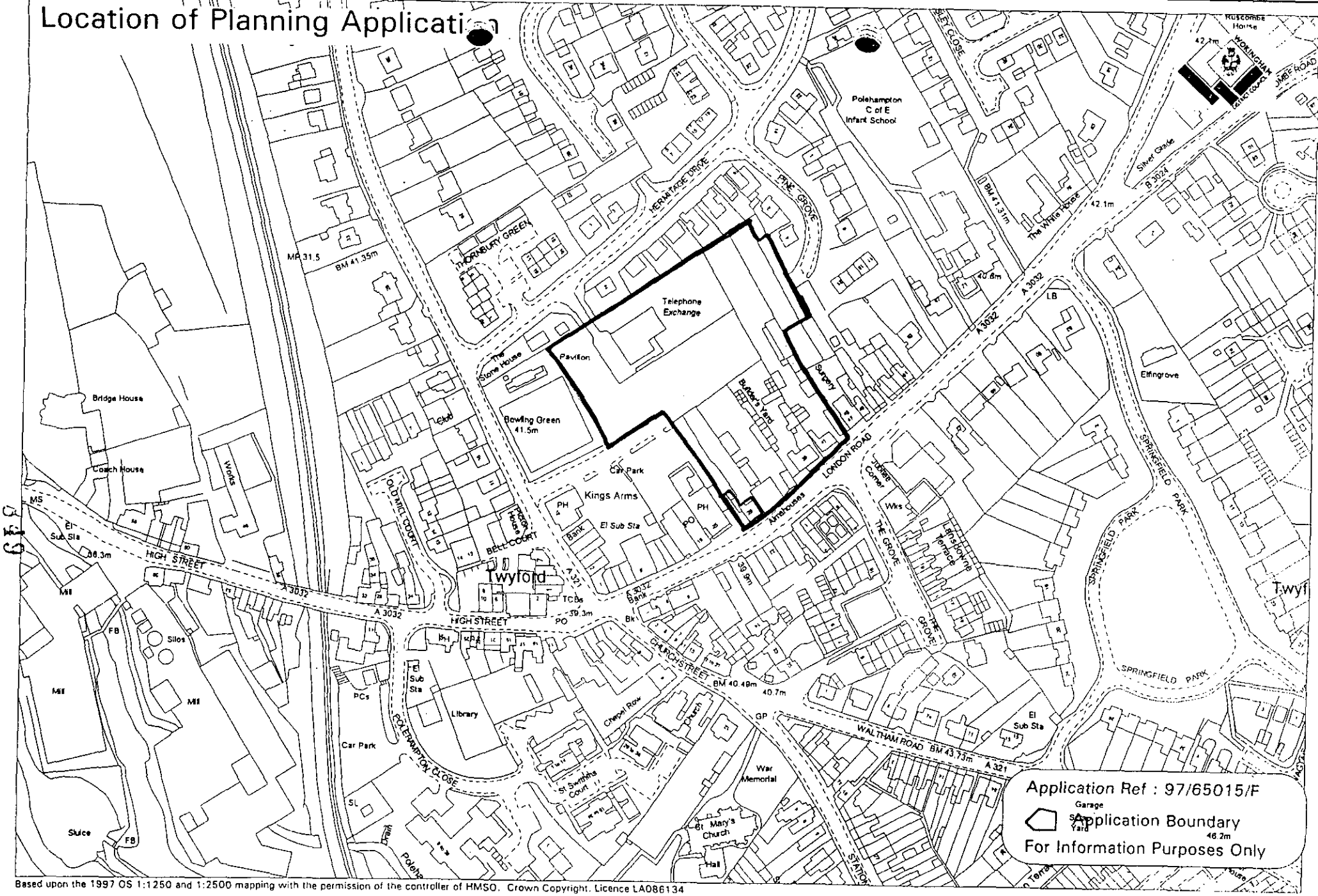
The Copyright Unit
Her Majesty's Stationery Office
St Clements House
2-16 Colegate
Norwich NR3 1BQ

Location of Planning Application



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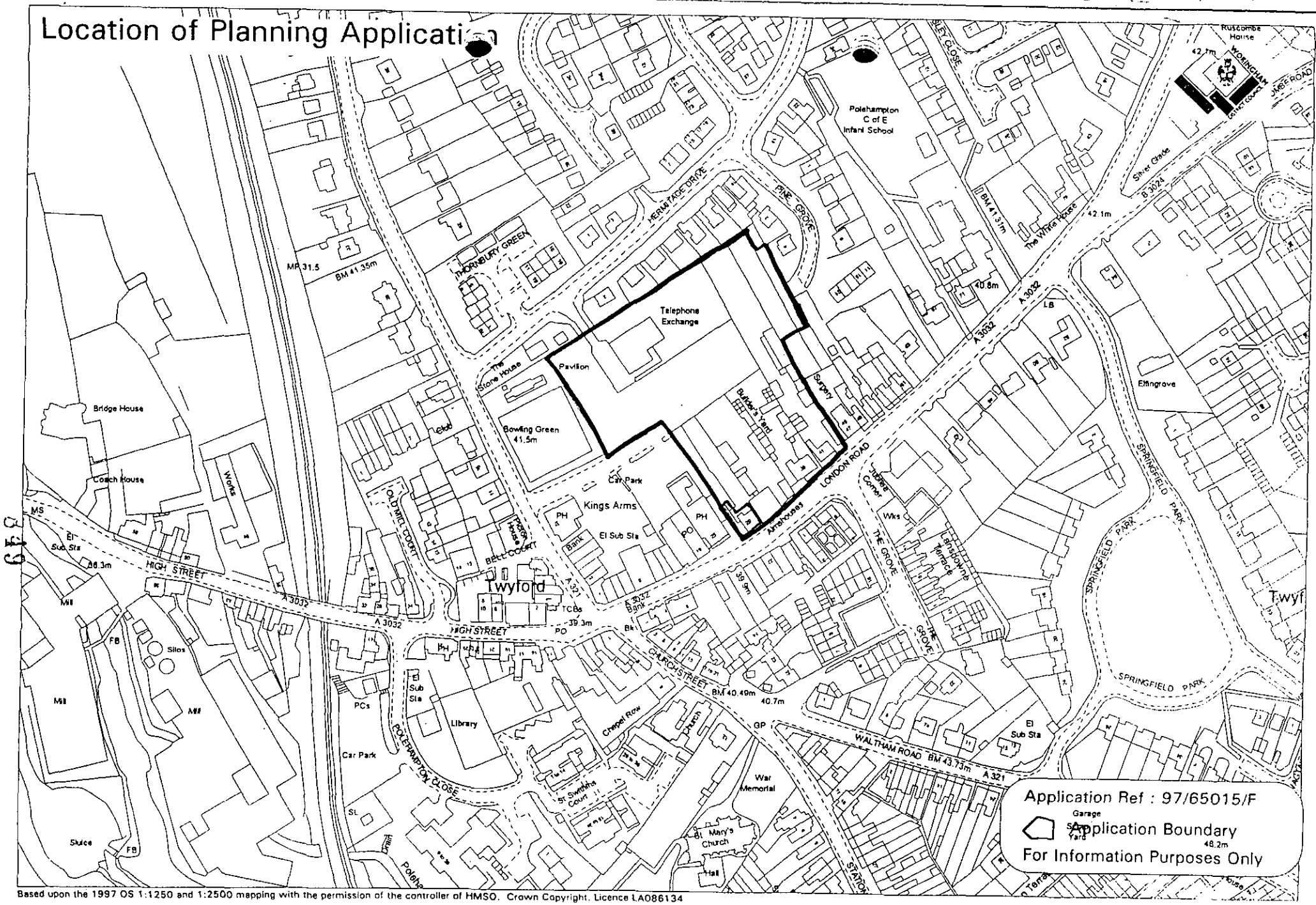
Development Control Section, Planning Department, Wokingham District Council.

21 October 1997

SU7976NW

scale: 1 : 2500

Location of Planning Application



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Development Control Section, Planning Department, Wokingham District Council.

21 October 1997

SU7976NW

scale: 1 : 2500

(JM)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Kimberley Securities Ltd
C/O Farrell And Clark Architects
21 Little Portland Street
London
W1W 8BT

Application Number: VAR/2000/2920

Parish:	**TWYFORD**
Location:	**Apsley House 27 - 29, London Road, Twyford, Reading.**
Proposal:	**Proposed variation to conditions 4,5, and 6 of consent 99/70852/LA to allow retention of dormer window.**

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

Reason

1. The proposed dormer window by virtue of its scale, design and location would form an incongruous feature out of character with the architectural and historical character and appearance of the listed building. Therefore, the proposal is contrary to policies EN1, EN4 and EN5 of the Berkshire Structure Plan, to policies WOS3, WBE1, WHE2, WHE5 and WHE13 of the Wokingham District Local Plan and to policies LBE1, LBE17 and LBE18 of the Loddon Area Local Plan.

Informative

1. You are advised, in compliance with The Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2000, that the following policies and/or proposals in the development plan are relevant to this decision:

Berkshire Structure Plan Policies EN1, EN4 and EN5.
Loddon Area Local Plan Policies LBE1, LBE17 and LBE18.
Deposit Draft Wokingham District Local Plan Policies WOS3, WBE1, WHE2, WHE5 and WHE13.

John Mitchell
Development Control Manager
Date: 22/01/2001

Notice checked by: _____

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

WRITTEN STATEMENT

FOR APPEAL

AGAINST REFUSAL NOTICES 99/70852/LA & 99/70851/F

ISSUED BY

WOKINGHAM DISTRICT COUNCIL

ON

22ND JANUARY 2001

FARRELL & CLARK

ARCHITECTS TOWN PLANNERS
PROJECT MANAGEMENT

21 Little Portland Street
London W1W 8BT
Tel: 0207 291 9170
Fax: 0207 291 9175
email:london@farrell-clark.co.uk

1.00 BACKGROUND

1.01 Apsley House lies at the heart of the recently completed Twyford Central Area Redevelopment.

1.02 Planning Consent for the overall redevelopment was granted in December 1998. The development comprises of a Waitrose Foodstore, an element of social housing and the refurbishment of Apsley House.

1.03 Appendix 1 of this document includes the Listing Notes for Apsley House which is Grade II, together with floor plans as existing, a selection of photographs as existing and the originally approved floor plans for the conversion of Apsley House in 2 no. flats at first/second floor and a mix of small retail units/office use at ground floor. Listed Building and Planning Consent for the refurbishment of Apsley House was granted at the same time as the main Development Consent in December 1998.

1.04 Consideration of Appendix 1 will show that regarding Apsley House, the original house lies at the centre of the total existing building, a number of more recent lower quality extensions being added in the 19th and 20th centuries.

2.00 THE OVERALL DEVELOPMENT

2.01 After some delay work commenced on the overall development in June 1999 and was completed in February 2000.

2.02 Part of the main contract works included the refurbishment of Apsley House to provide the 2 number new flats at the upper floor levels and potential commercial use at ground floor as the issued Consents.

2.03 Appendix 2 of the document includes photographs of the overall completed development showing how Apsley House, in its refurbished form, has become an important element in the newly created square in the development and lies directly on the newly created pedestrian link from the new main car park to the existing main shopping area of Twyford.

3.00 APSLEY HOUSE DEVELOPMENT IN PARTICULAR

3.01 During the construction work (June 1999 - February 2000) extensive discussions were held with the Planning and Conservation Officers of the District Council - some of these considered possible alternative uses at ground floor and also the required amendments to the issued Consents for Apsley House, as are almost inevitable in extensive refurbishment works to a Listed Building of this type.

3.02 Broadly these discussions centred on the introduction of a Conservatory to the rear of the development and reconfiguration of the access stairs to serve the flats at the upper floors as a result of this - reference to Appendix 3 drawing 5 shows this proposal in outline terms.

3.03 During these discussions the problem of headroom to the newly created first floor bathroom to the rear of Apsley House was discussed and drawing 6 in Appendix 3 illustrates this problem. A dormer window being proposed to overcome this.

3.04 Unfortunately the situation regarding the construction of this new dormer window was not resolved with the Planning Authority who continued to express reservations regarding the need for it. As construction work was proceeding on site at this time, a decision was taken to install this dormer window prior to receipt of consent and reference to photographs 7 and 8 in Appendix 3 will show the item as constructed.

3.05 Continuing discussions with the District Council did not resolve the situation and amended Planning & Listed Building Consents (99/70851/F & 99/70852/LA) were eventually granted in August 2000 for the amended arrangements, all but for the dormer window. Conditions in these consents require the removal of the dormer window and it is the refusal of the District Council to allow these Conditions to be Varied that are the subject of this appeal.

4.00 CONCLUSION

4.01 It is acknowledged that Apsley House as a Grade II Listed Building makes an important contribution to the London Road streetscene in Twyford. However, we maintain that this contribution is centred on the original house. The late extensions particularly to the rear not being of equivalent quality.

4.02 Apsley House in its newly refurbished form will now continue to make this contribution both to London Street and the newly created square formed as part of the overall development. Furthermore the refurbishment and new use of the building has safeguarded this contribution for the future.

4.03 The fundamental question we believe, therefore, is to establish whether the new dormer window causes harm to the Listed Building or the contribution it makes to its setting.

We maintain therefore that - by reason of:-

(a) The location of the dormer window being high in the roofscape to the rear roofs of Apsley House

and

(b) The construction of the dormer being of lead roll cladding with a window of appropriate scale and proportion, matching by and large the existing dormers to the London Road elevation

the new dormer window as constructed does not harm the Listed Building or its setting.

Secondly, if contrary to our view it were thought the dormer window was not entirely appropriate, it is an important functional requirement for the conversion for residential use of the upper floor of the building, and accordingly any harm to the building is more than off-set by its refurbishment, and long term use, being secured.

Having regard to the above our appeal against the refusal of the District Authority to allow the Consent Conditions to be Varied should be allowed.

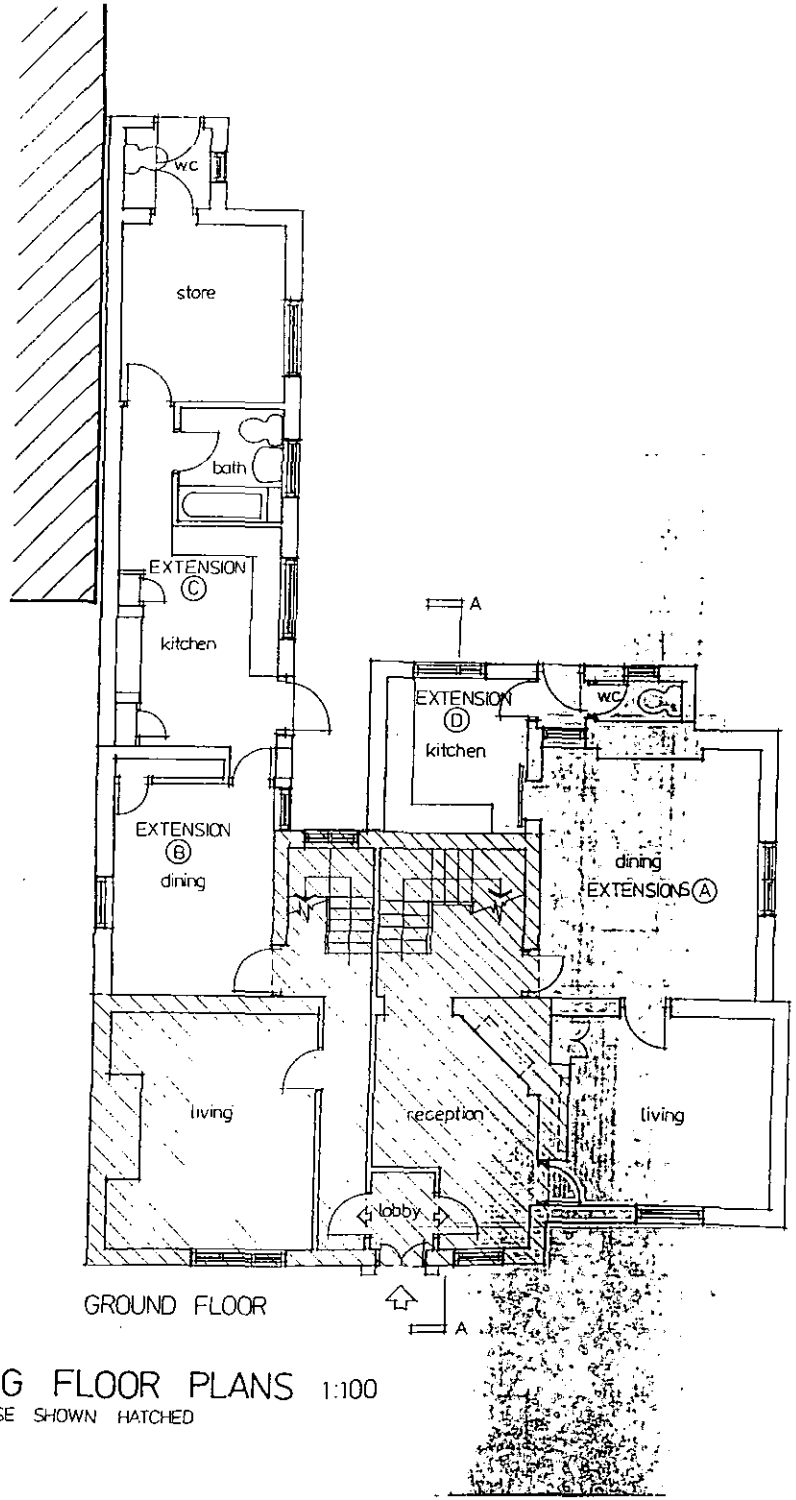
APPENDIX 1

- Listing Notes
- Floor Plans as Existing - Drawing 2
- Elevations as Existing - Drawing 4
- Floor Plans as Proposed - Drawing 11 r4
- Elevations as Proposed - Drawing 13 r4
- Photographs 1, 2 & 3 to front and rear of Apsley House as Existing

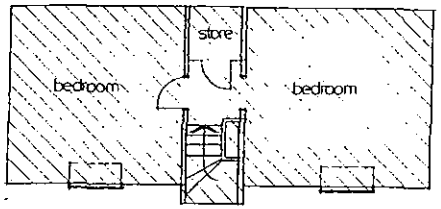
LISTING NOTES

SU 77 NE	TWYFORD	LONDON ROAD (north west side)
2/29 1.8.52		Nos. 27 and 29 (Apsley House) (formerly listed as Aspley House now two Cottages)
G.V.		II

House now divided into 2. C18 extended C19 and C20. Vitreous brick with red dressings. Gabled slate roof. 2 storeys and attic, splayed plinth, moulded brick cornice, vitreous parapet; 2 small flat lead roof dormers and flanking chimneys. 5 bays segmental headed sash windows on first floor with raised brick aprons and guttae at outer corners. On ground floor at right a sash window below upper window, to left of this a doorway with eared architrave, small pulvinated frieze, dentilled and bracketted cornice and pediment, the door removed and 2, C20 doors inserted inside. To left of doorway a tripartite sash under second upper window from left. On the right hand an early one bay C19 extension set back with sash windows. All glazing bars altered. Old insurance plaque on first floor in centre. C20 extension at rear.



GROUND FLOOR



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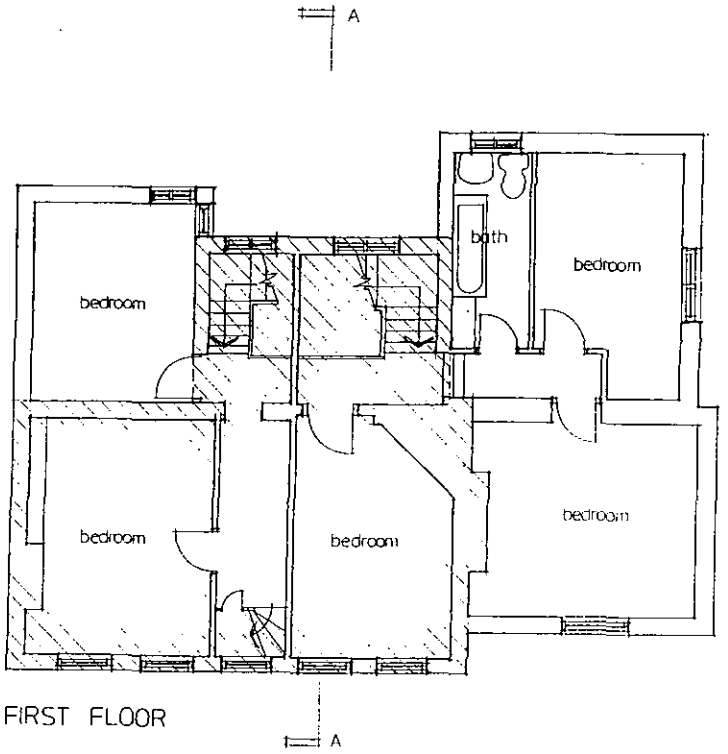


FIRST FLOOR

EXISTING FLOOR PLANS 1:100

ORIGINAL HOUSE SHOWN HATCHED

TWYFORD

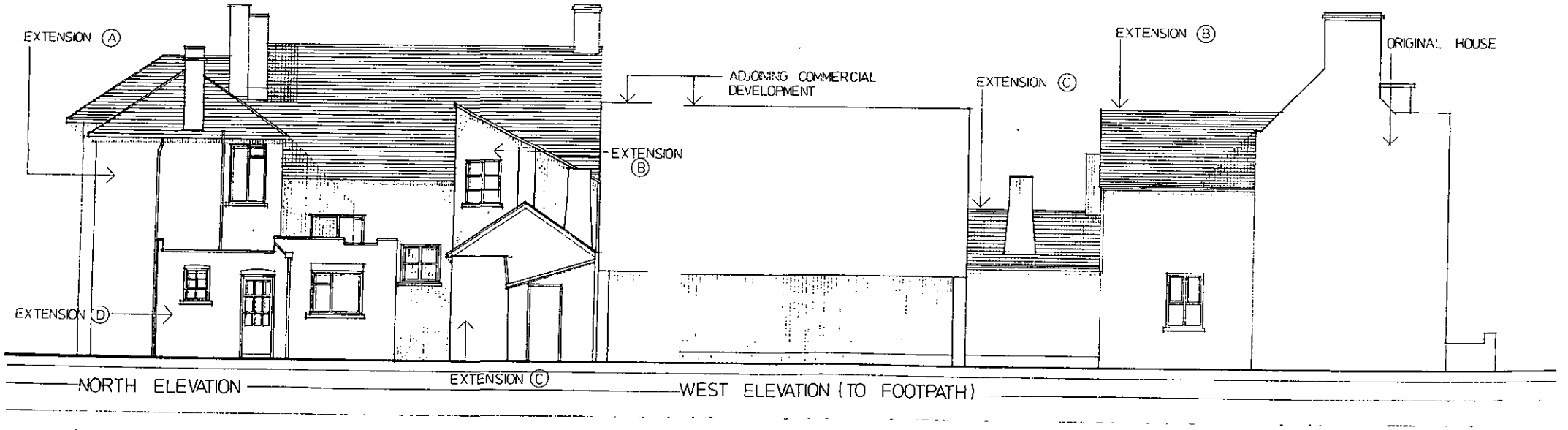
27-29 LONDON ROAD : APSLEY HOUSE

LISTED BUILDING APPLICATION - FEBRUARY 1997

113/280

2





EXISTING ELEVATIONS 1:100

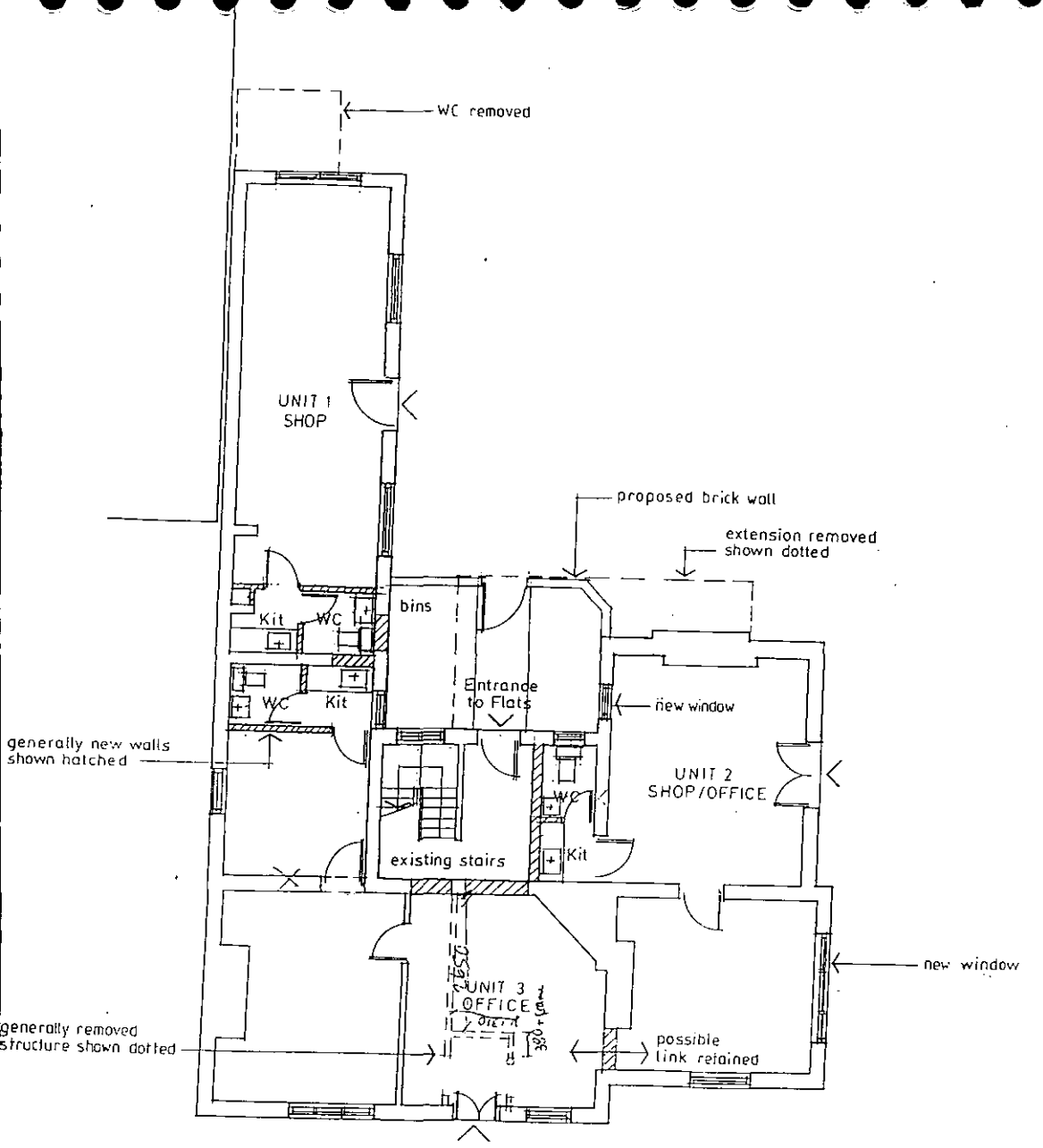
TWYFORD

27-29 LONDON ROAD : APSLEY HOUSE

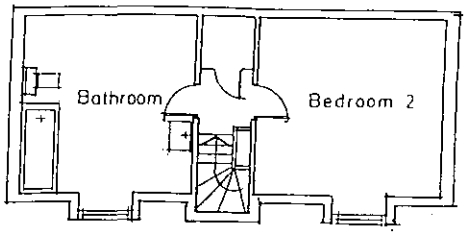
LISTED BUILDING APPLICATION - FEBRUARY 1997

113/280

4



GROUND FLOOR



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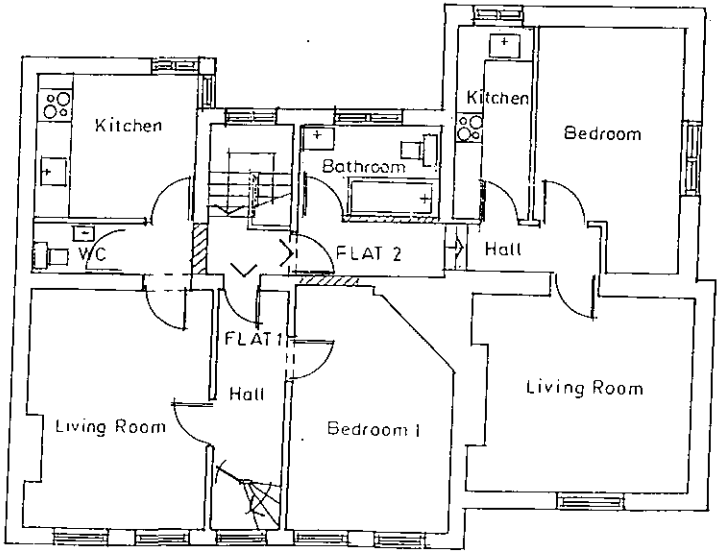

FIRST FLOOR

PROPOSED FLOOR PLANS 1:100

TWYFORD

27-29 LONDON ROAD : APSLEY HOUSE

LISTED BUILDING APPLICATION - FEBRUARY 1997

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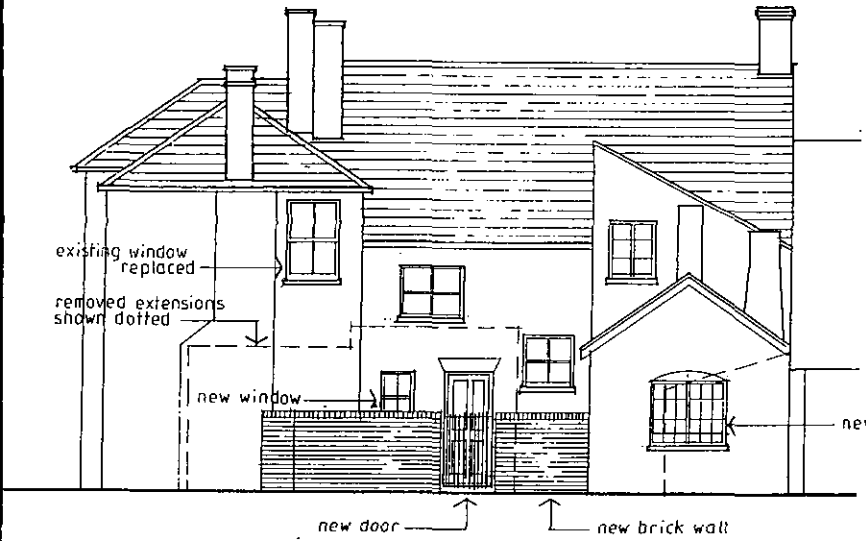
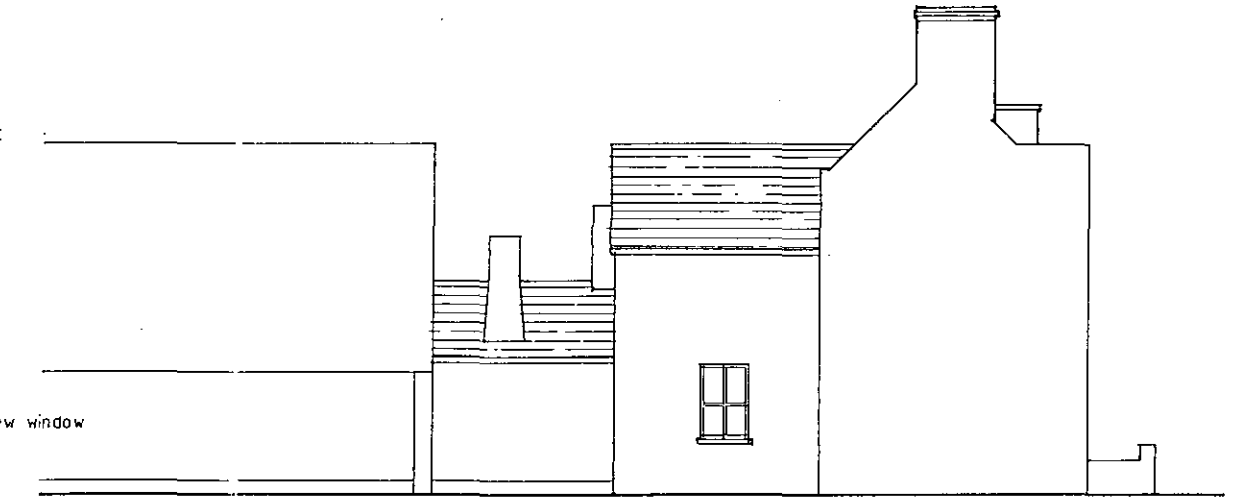
SOUTH ELEVATION (TO LONDON ROAD)



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION (TO FOOTPATH)

PROPOSED ELEVATIONS 1:100

TWYFORD

27-29 LONDON ROAD : APSLEY HOUSE

LISTED BUILDING APPLICATION - FEBRUARY 1997

113/280

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P1



P2



P3

APPENDIX 2

- Photographs 4, 5 & 6 showing Apsley House in its new setting



P4



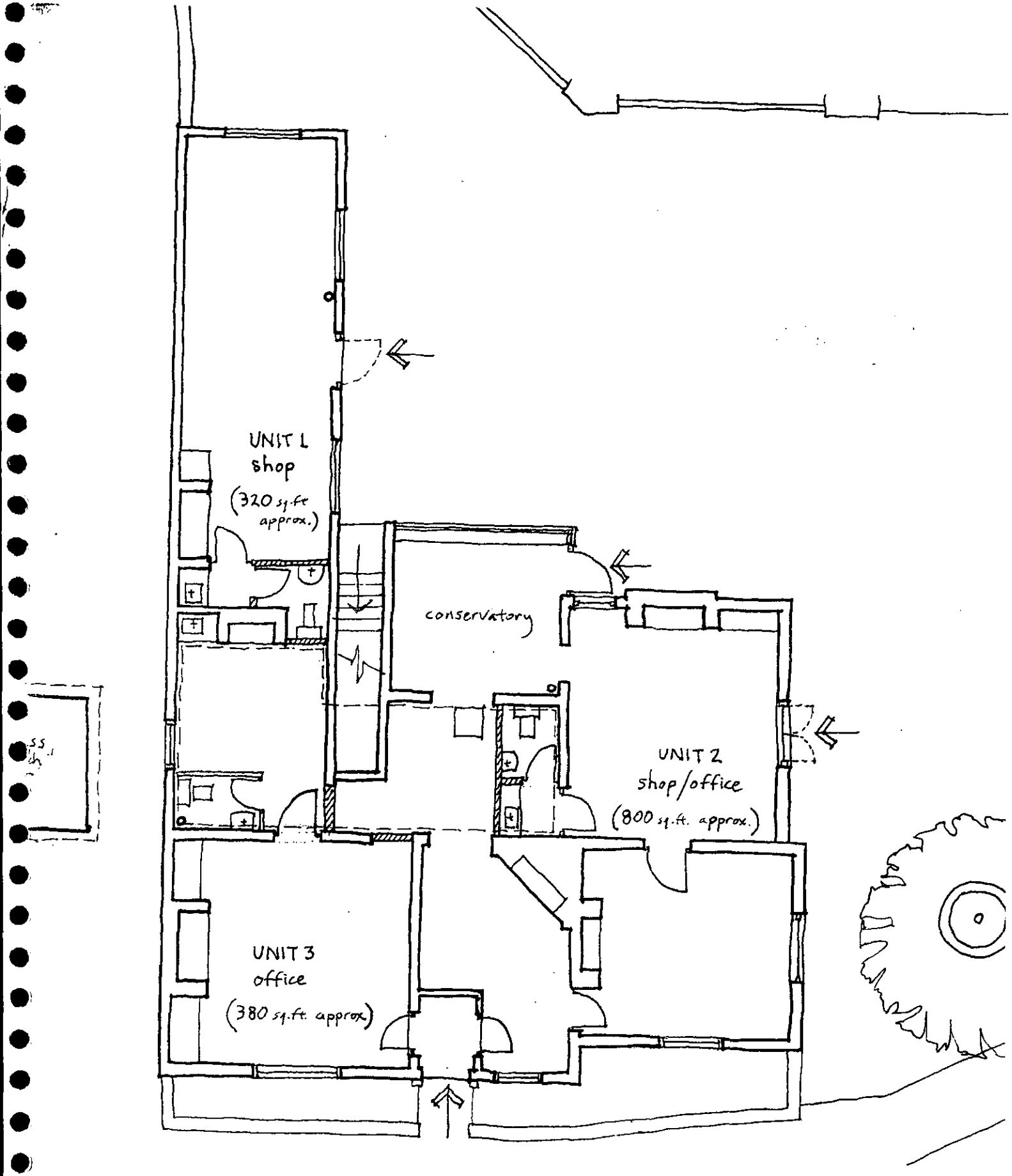
P5



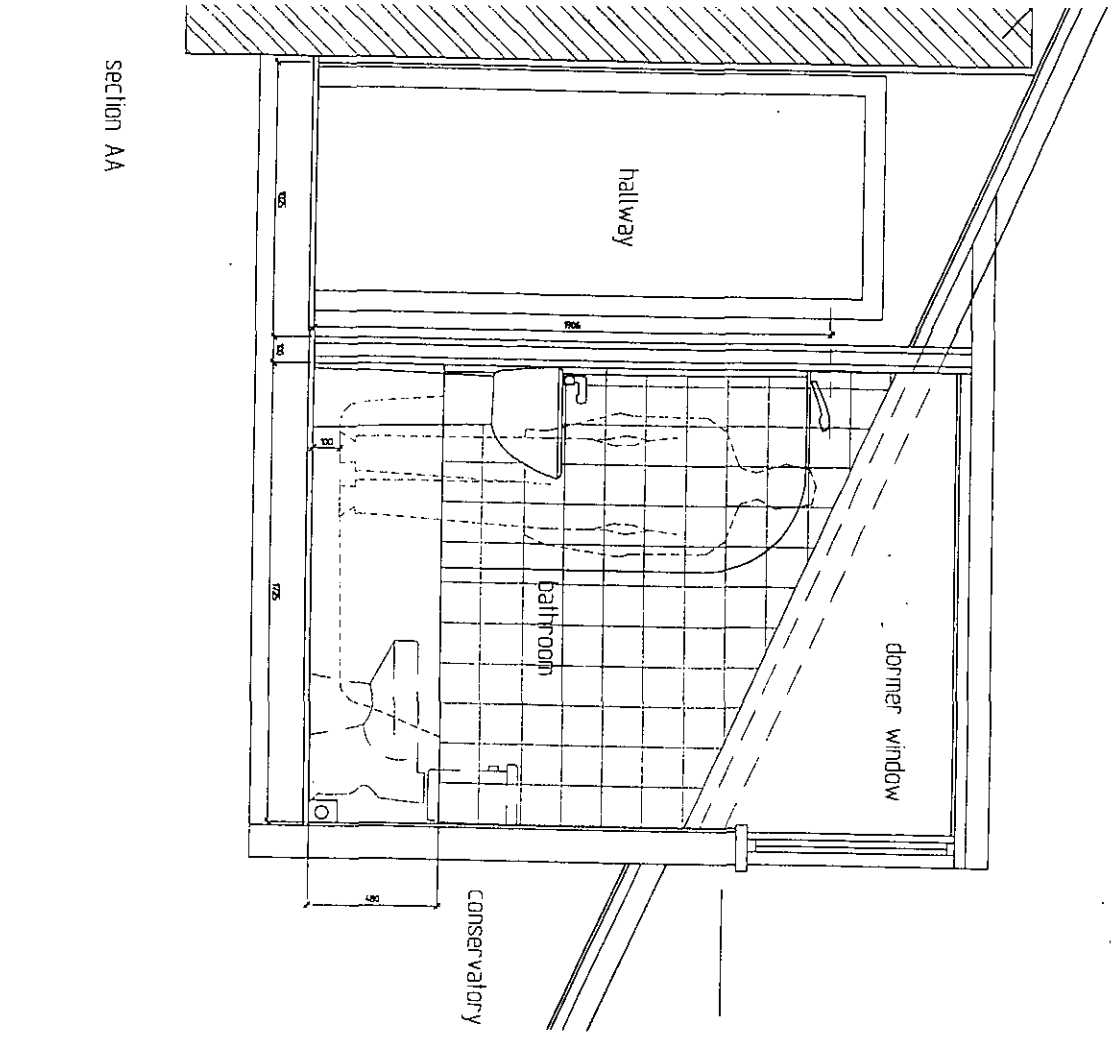
P6

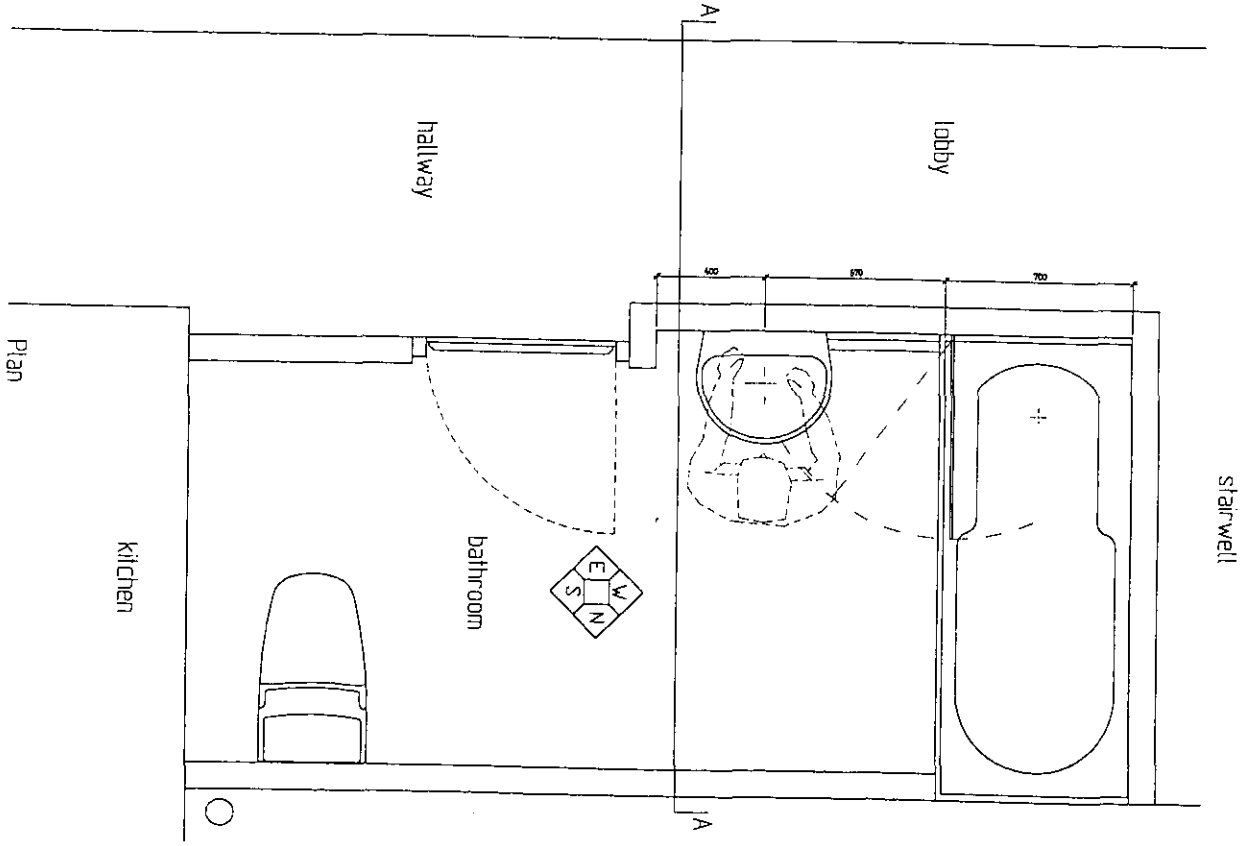
APPENDIX 3

- Revised ground floor plan - Drawing 5
- Section to rear roof at new bathroom - Drawing 6
- Photographs 7 & 8 - the dormer window as installed


UNIT 1
shop
(320 sq.ft approx.)
conservatory
UNIT 2
shop/office
(800 sq.ft. approx.)
UNIT 3
office
(380 sq.ft. approx)

DRAWING 5





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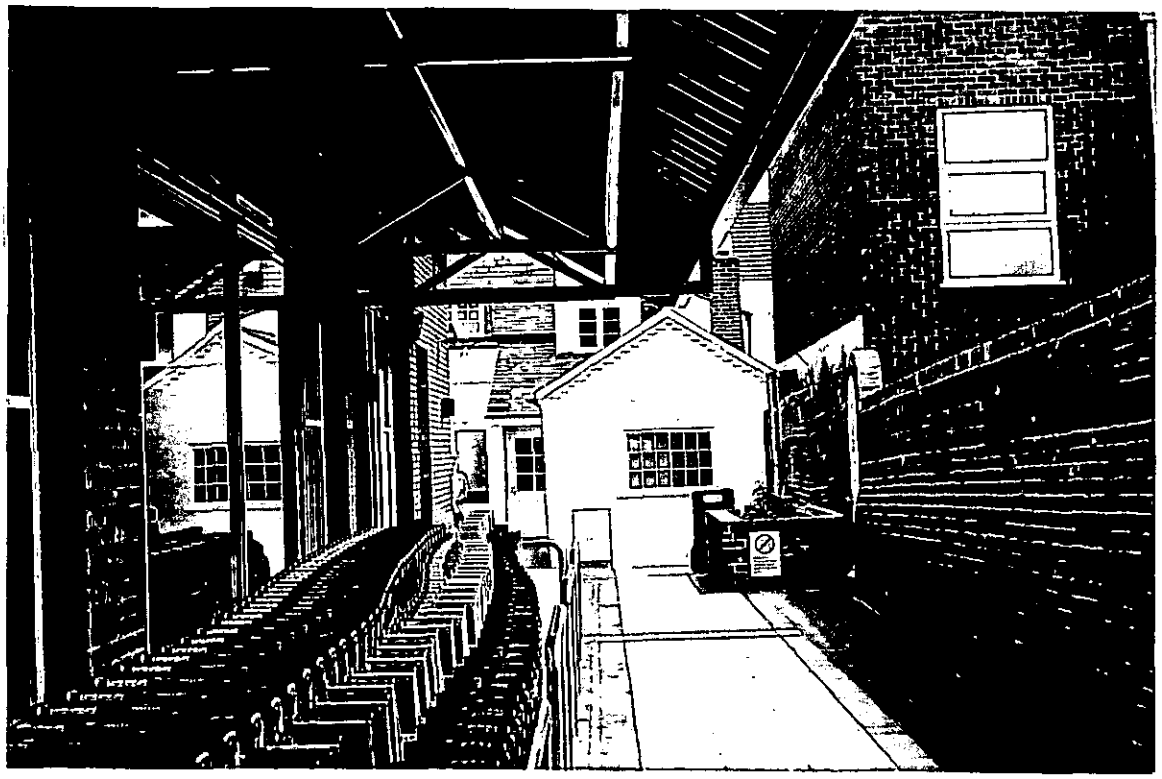
e-mail: leeds@farrell-clark.co.uk

Apsley House, Twyford	Date 17.10.00
	Drawn by ejg
Bathroom Layout - Section + Plan	Checked by
	Scale 1:20
Drawing No.	Rev.

DRAWING 6



P7



P8