SOUTHPORT U.K.
LONDON OFFICE

APPLICATION NO.7228

Name of appellant:
Mr G Cox

Site address:
145 Hilmanton

Proposal:Proposed 2 storey front extension to dwelling & single storey rear extension

Case Officer:PT

Single storey allowed
2 storey refused
01/04/03

Appeal Decision

Site visit made on 10 March 2003

By Gareth Isaac LLB Solicitor

an Inspector appointed by the First Secretary of State

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

-1 APR 2003

Appeal Ref: APP/X0360/A/02/1104224
145 Hilmanton, Lower Earley, Reading

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr G Cox against the decision of Wokingham District Council.
- The application (Ref. F/2002/7228), dated 25 July 2002, was refused by notice dated 11 September 2002.
- The development proposed is a two storey front extension and a single storey rear extension.

Summary of Decision: The appeal is allowed in part and is dismissed in part as detailed in the Formal Decision below.

Main Issue

1. From the written representations made, and from my inspection of the site and its surroundings, I consider the main issue in this case to be the effect of the proposal on the character and appearance of the surrounding area.

Planning Policy

2. The development plan for the area includes the Berkshire Structure Plan (BSP) 1991-2006 and the Loddon Area Local Plan (LALP) 1995. The general aim of Structure Plan Policy ENI and Local Plan Policy LBE1 is to seek to ensure that new development is appropriate to the area of its location. LALP Policy LBE2 indicates that development proposals which are inappropriate or which would have an adverse impact on the character of an area, in a number of different respects, will not normally be permitted.

3. There is also an emerging plan for the area in the form of the Wokingham District Local Plan Deposit Draft (WDLP), and policies WBE1 and WOS3 of the WDLP have been drawn to my attention. The WDLP has been the subject of a public local inquiry and the Inspector's report has been published. The Inspector recommended some amendments to the plan, including amendments to Policy WBE1, and I am told that the Council has agreed modifications in the light of the Inspector's report. However, I have not been provided with the details of those modifications and as a consequence cannot be certain precisely what the eventual policy will be. In the circumstances, this limits the weight that I can attach to the policies of the emerging plan.

Reasons

Effect on character and appearance

4. No. 145 Hilmanton is a large modern 2 storey detached house with an integral double garage, located in a residential estate. It occupies a prominent position in the street, on a bend, facing one of the several small cul-de-sacs leading off from the larger cul-de-sac in

which it is situated. The immediate surrounding area contains similar family sized detached dwellings, although there are a number of different house types and designs. All of these properties are constructed of similar facing brickwork with rendered panels or half timbering at first floor level. This gives the area a distinctive character.

5. The proposal involves two separate and distinct elements. The proposed 2 storey front extension would be approximately 3.5 metres wide and would project from the front of the house so that it would be in line with the existing garage wall. The existing front gable roof would be enlarged and altered from a barn end to a hipped gable, with the ridge set approximately 2 metres higher than at present. The proposed rear extension would be a single storey construction with a flat roof. It would occupy a position to the rear of the existing utility room, although not to its full width, and would extend to a point in line with the rear wall of the house.

6. The proposed single storey rear extension would not be visible from the street. It would be a small addition to the property and the Council has indicated that it has no objection to this part of the proposal. In my opinion, the proposed rear extension would not have any adverse impact on the character or appearance of the area. However, in contrast, by virtue of its location, the proposed extension to the front of the property would be particularly noticeable. The projection containing the proposed extension would be larger than the existing structure and although the roof would be about 0.5 metre lower than the ridge of the main roof, the scale of the proposal is such that it would still add significant bulk and mass to the building. Although efforts have been made to minimise its impact, in my opinion, the proposed front extension would neverthless, be a prominent new feature in the street.

7. At the time of my site inspection, I saw that there were a number of different house types and designs in the surrounding area. I agree that the mixture of house types contributes to the character of the area. Of the houses with front gable projections, some have full gable ends and others half hipped and barn gable ends. I accept that when viewed purely in terms of design, the proposed front extension would not be out of keeping with other nearby houses. However, it is also necessary to consider the implications of the proposal in relation to its siting and size.

8. In my opinion, the position of the properties in relation to one another and to the street contributes significantly to the character and appearance of the area. It seems to me that this aspect of the development was treated as an important consideration when the estate was originally designed and built. A balanced blend of the different styles of property, in appropriate locations was achieved. Any significant alteration to the front of the property has to be considered with this in mind. I did see one example at no. 127, of a property which had been extended to the front, although this extension was quite different from that proposed at the appeal site. I also saw a property at no. 111, where a gable end, as originally built, projects to a point close to the highway. However, although the proposal at the appeal site would be in line with the existing projection, it would result in a larger structure at the front. In any event, the proposal needs to be viewed in the context of the impact that it would have on the part of the street where it is located.

9. By virtue of its scale and size, the proposed front extension would, in my view, be obtrusive and dominant. In my opinion, the additional bulk of the proposed extension, in this particular location, would result in an unacceptably prominent feature in the street.

I consider that it would have a detrimental and harmful impact on the character and appearance of the area. I conclude that it would be inappropriate in relation to its location. I also conclude that it would be in conflict with Local Plan Policies LBE1 and LBE2 and Structure Plan Policy EN1. However, I consider that the proposed single storey rear extension would not have any adverse impact on the character and appearance of the area and that it would therefore not be in conflict with either Local Plan or Structure Plan policies. Accordingly, I intend to dismiss the appeal insofar as the front extension is concerned but allow the appeal only in relation to the rear extension.

Other Matters

10. I have considered the fact that the appellant has lived at the appeal site for 16 years and that he and his family do not wish to move but find the existing house too small for their requirements and therefore wish to enlarge the existing accommodation. However this does not justify a proposal that would materially detract from the character and appearance of the area. I have also noted the suggestion that the appellant proposes to provide additional car parking space at the front of the property but this does not alter the reasons that I have identified in concluding that the proposed front extension would be unacceptable. I have also considered the suggestion that the Council did not refer to the single storey front extension in its decision notice. However the original application did not differentiate between any of the aspects of the proposed front extension.

11. I have considered all of the other matters raised including the representations suggesting that the proposed development would have an adverse impact on the living conditions of occupiers of nearby property. Taking into account all of the circumstances, I do not consider that this part of the proposal would lead to the occupiers of either nos. 144 or 148 being more overlooked or suffering any significant loss of light or sunlight. Neither do I consider that the rear single storey extension would have any adverse impact in terms of overlooking or loss of light on the occupiers of those or any other nearby properties. I have also considered the representations suggesting that there may have been problems regarding parking and noise at the appeal site, but those matters have not influenced my decision. Neither these nor any of the other matters raised is of such significance as to outweigh the considerations that have led to my conclusions on the main issue.

Conditions

12. I have considered the conditions suggested by the Council, having regard to the comments made on behalf of the appellant and the advice contained in Circular 11/95. It would not, in my view, be reasonable or appropriate to impose the conditions relating to the garage accommodation or parking and turning space at the property in the light of the dismissal of the appeal in respect of the front extension. However, insofar as the rear extension is concerned, I agree with the Council that it would be appropriate to impose a condition that the materials used should match those of the existing house. I have altered the suggested wording of this condition to reflect the wording of the model condition in Circular 11/95. I also agree that the normal condition regarding the commencement of the development should be imposed.

Conclusions

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed only in part but otherwise dismissed.

Formal Decision

14. In exercise of the powers transferred to me, I dismiss the appeal insofar as it relates to the 2 storey front extension.

15. The appeal is allowed insofar as it relates to the single storey rear extension and I grant planning permission for a single storey rear extension at 145 Hilmanton, Lower Earley, Reading, in accordance with the terms of the application Ref. F/2002/7228, dated 25 July 2002 and the plans submitted therewith (so far as relevant to that part of the development hereby permitted) and subject to the following conditions:

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

    2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Information

16. A separate note is attached setting out the circumstances in which the validity of any of these decisions may be challenged by making an application to the High Court.

17. This decision does 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.

18. Attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970, as amended.

INSPECTOR

Christopher Strang Associates

TOWN & COUNTRY PLANNING CONSULTANTS

36 Donnington Square, Newbury, Berkshire RG14 1PP
Telephone: Newbury (01635) 580092 Fax: 01635 31181
Email: crwstrang@aol.com

15 November, 2002

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Dear Sir

Town & Country Planning Act 1990 – Appeal by Mr G Cox, site at 145 Hilmanton, Lower Earley, Nr Reading, RG6 4HJ

I refer to the above, and I enclose a copy of an appeal on behalf of Mr G Cox, following the refusal of an application for a two storey front extension and single storey rear extension, by Wokingham District Council.

I look forward to receiving your confirmation that this appeal is valid, and proceeding.

Yours faithfully

Janet Busby

JANET BUSBY

Enc.

Cc: Mr G Cox
Wokingham District Council

The Planning Inspectorate

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66392

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

Your Ref: F/2002/7228
Our Ref: APP/X0360/A/02/1104224
Date: 20 February 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR G COX
SITE AT 145 HILMANTON, LOWER EARLEY, READING, BERKSHIRE, RG6 4HJ

I am writing to inform you that the Inspector appointed by the First Secretary of State to determine the above appeal is

Mr Gareth Isaac LLB Solicitor

The Inspector will visit the appeal site at 16:00 on 10 March 2003. It is important that you make immediate arrangements for the Inspector to be met at the site to enable the inspection to be made. If you cannot attend, you should arrange for someone else to attend in your place. **If this is not possible, you must let me know immediately.**

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

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

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

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

Yours faithfully



Miss Heather Langridge

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

209D

Christopher Strang Associates

TOWN & COUNTRY PLANNING CONSULTANTS

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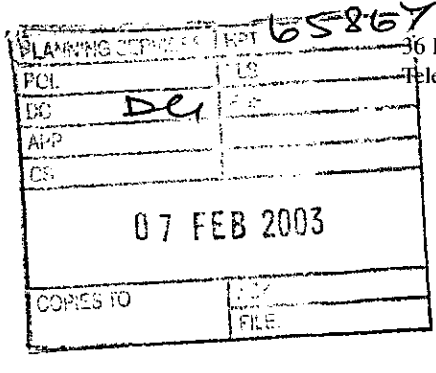

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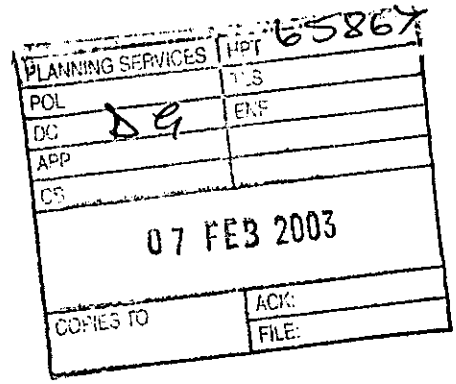

5 February 2003

The Planning Inspectorate
Room 3/03 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Your ref. APP/X0360/A/02/1104224

For the attention of Mrs M Pocock

Dear Madam

Town and Country Planning Act 1990
Appeal by Mr G Cox
Site at 145 Hilmanton, Lower Earley, Reading, RG 6 4HJ.

Thank you for your letter of the 3 February 2003 regarding the above appeal. Your letter states that the coloured plans submitted with our letter of the 17 January 2003 represented "new material". This is not correct.

These plans were submitted in direct response to the Council's statement, at their paragraph 5.2, referring to the bulk and massing effects allegedly being caused by the raising of the roof ridge. This objection does not appear in the Council's reasons for refusal, on the Decision Notice dated 11 September 2002. It is therefore reasonable for my client to respond to this point by illustrating the extension in relation to the existing roof ridge, and seeking to demonstrate that the Council's objection is misconceived.

In the circumstances, I return herewith the coloured plans, which I am copying also to the Council. Please pass them on to the Inspectorate without further delay.

Yours faithfully

CHRISTOPHER STRANG ASSOCIATES

Enc.

Cc Director of Planning – Wokingham District Council + enc.
Mr G Cox

PLEASE FILE WITH APPEAL

The Planning Inspectorate

3/03 Kite Wing
Temple Quay House
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66158

17 FEB 2003

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

Your Ref: F/2002/7228

Our Ref: APP/X0360/A/02/1104224

Date: 14 February 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR G COX
SITE AT 145 HILMANTON, LOWER EARLEY, READING, BERKSHIRE, RG6 4HJ

I refer to the above appeal and enclose, for your information, a copy of my letter to the agent.

Yours faithfully

Mrs M Pocock

211B(BPR)

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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Christopher Strang Associates
36 Donnington Square
Newbury
Berkshire
RG14 1PP

Your Ref:

Our Ref: APP/X0360/A/02/1104224

Date: 14 February 2003

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR G COX
SITE AT 145 HILMANTON, LOWER EARLEY, READING, BERKSHIRE, RG6 4HJ

Thank you for your letter re-submitting the plan returned you on 3 February.

Your request to accept the plan has been carefully considered. However, the coloured plan omits the side elevation ground level window and therefore is deemed as new material.

In the circumstances I am returning your correspondence.

A copy of this letter has been sent to the LPA.

Yours faithfully

Mrs M Pocock

211B(BPR)

FILE WITH APPEAL PLEASE.

The Planning Inspectorate

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

Your Ref: F/2002/7228

Our Ref: APP/X0360/A/02/1104224

Date: 3 February 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR G COX
SITE AT 145 HILMANTON, LOWER EARLEY, READING, BERKSHIRE, RG6 4HJ

I refer to the above appeal and enclose, for your information, a copy of my letter to the agent.

Yours faithfully

Mrs M Pocock

211B(BPR)

The Planning Inspectorate

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GTN 1371-6079

Christopher Strang Associates
36 Donnington Square
Newbury
Berkshire
RG14 1PP

Your Ref:

Our Ref: APP/X0360/A/02/1104224

Date: 3 February 2003

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR G COX
SITE AT 145 HILMANTON, LOWER EARLEY, READING, BERKSHIRE, RG6 4HJ

Thank you for your letter enclosing your comments on the above appeal at the 9 week stage.

The 9 week representations should comprise solely of comments on the content of the other party's 6 week statement and on interested party representations where applicable. Your final comments must not be used as a means of introducing new material or putting forward arguments that should have been included in your earlier statement/ representations.

We consider the submitted coloured plans to be new material.

The plans will not be taken into account and I return them to you. The deadline for final comment has now passed.

A copy of this letter has been sent to the LPA.

Yours faithfully

Mrs M Pocock

220(BPR)

The Planning Inspectorate

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2 The Square
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GTN 1371-6079

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FC
3 2003

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

Your Ref: F/2002/7228

Our Ref: APP/X0360/A/02/1104224

Date: 3 February 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR G COX
SITE AT 145 HILMANTON, LOWER EARLEY, READING, BERKSHIRE, RG6 4HJ

I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours faithfully

Mrs M Pocock

217L(BPR)

Christopher Strang Associates

TOWN & COUNTRY PLANNING CONSULTANTS

36 Donnington Square, Newbury, Berkshire RG14 1PP
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Email: crwstrang@aol.com

17th January 2003.

The Planning Inspectorate
Room 3/03 Kite Wing
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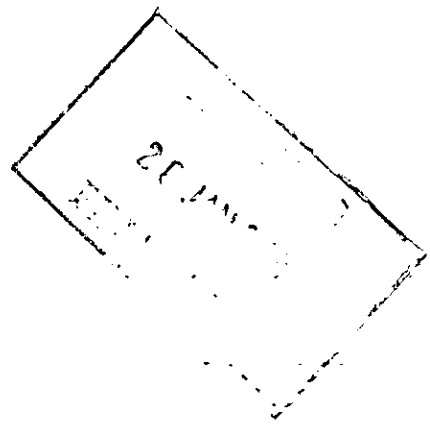

Your ref. APP/X0360/A/02/1104224

For the attention of Mrs M Pocock

Dear Madam

Town and Country Planning Act 1990
Appeal by Mr G Cox
Site at 145 Hilmanton, Lower Earley, Reading, RG 6 4HJ.

I refer to the above, and to your letter dated 7 January 2003. I set out below the appellant's comments on the third party correspondence and the Council's statement.

Third party correspondence

Within the locality there is a mix of dwelling sizes and designs. The existing dwelling is "L" shaped and includes an existing 4.6 metre front projection. Many other dwellings in the locality have similar front projections, and some of these accommodate double garages with bedrooms above.

The appeal proposal is a modest extension to improve the existing family accommodation. It should be noted that there will not be any net increase in the number of bedrooms. Therefore, the objection set out in the letter dated 11 December 2002 from ASJ Whitwam of 93 Hilmanton is misplaced, as the resulting dwelling following the extension will fit comfortably on its plot and will represent one of a number dwellings of differing sizes and designs in the locality.

Further, we have already explained in our letter dated 23 December 2002, that the appellant proposes to brick over the remaining part of the front garden, to provide additional car parking. It should be noted that the Council has not raised any objection to the appeal proposal on grounds of car parking.

In terms of the points made by Mr Pawa of 144 Hilmanton the appeal proposal will not have any effect on the light and outlook enjoyed by occupiers of number 144 Hilmanton. The appeal proposal will not result in any overlooking or a loss of privacy. The fact that the appeal proposal will not have any adverse effect on the living conditions of occupiers of neighbouring dwellings, was accepted by the Council, who did not object to the appeal proposal on these grounds.

The Council's statement

The Council has stated that the appeal proposal will appear prominent in the street scene. Whilst accepting that the appeal proposal will be visible, the appellant does not accept that the front extension will be unduly prominent, given the location of the site on the inside of a bend in the road. The building form to providing accommodation within a front gable projection mirrors the design and appearance of other neighbouring dwellings, and harmonises with this character. In effect, the proposed extension will in-fill that part of the front of the house, resulting in a more aesthetically pleasing building

The existing front gable, which currently has a barn end, is proposed to be altered to a hipped gable end. This gable is set down below the height of the existing ridge line, and this provides a good degree of separation between the existing roof line and the proposed new roof and has been designed to minimise the bulk and mass of the extension. The appellant therefore contends that the proposed front extension will not dominate the street scene, nor will it appear as an obtrusive feature. Rather it will harmonise with the character and appearance of the existing dwelling and the locality.

The appellant has lived at 145 Hilmanton for 16 years and he and his family like living in the area which has good local services and amenities. The appellant has no wish to move, and as his four children are almost all in their teens his family finds the existing bedrooms too small. Hence the proposed extension, which will improve and enlarge the existing accommodation.

The appellant has no objection to the suggested planning conditions attached to the Council's statement.

Finally, please find enclosed three copies of a coloured plan prepared by the appellant to show the appeal proposal.

Yours faithfully

CHRISTOPHER STRANG

Enc.

Cc. Mr G Cox

The Planning Inspectorate

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08 JAN 2002
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2002/7228

Our Ref: APP/X0360/A/02/1104224

Date: 7 January 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR G COX
SITE AT 145 HILMANTON, LOWER EARLEY, READING, BERKSHIRE, RG6 4HJ

I enclose a copy of the appellant's statement and third party correspondence relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. You should comment solely on the representations enclosed with this letter. 24/01/03

You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.

Comments submitted after the 9-week deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours faithfully

Mrs M Pocock

211AL(BPR)

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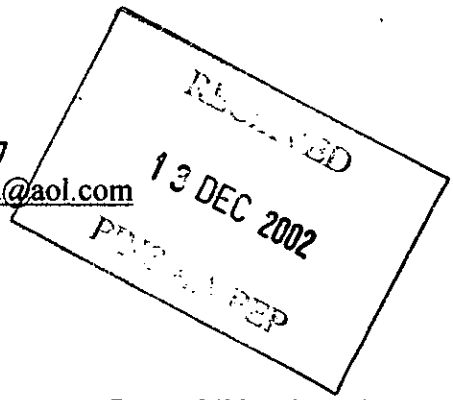
Email; tonywhitwa@aol.com



Franchard
93 Hilmanton
Lower Earley
Reading
Berks, RG6 4HN

11th December 2002

Mrs M Pocock
The Planning Inspectorate, Room 3/03, Kite Wing
Temple Quay House, 2, The Square
Temple Quay
Bristol, BS1 6PN

Dear Madam,

Planning Application F/2002/7228, 145 Hilmanton, Lower Earley, Reading
Reference APP/X0360/A/02/1104224

I have been told by Wokingham Unitary Authority that this planning application has been turned down due to its inappropriate size and general bulk for the area.

I agree that if the appeal is allowed this house will be of an inappropriate size for this area. The extra size will also considerably reduce the space available for the vans that are usually parked there.

Yours faithfully,

A S J Whitwam

RECEIVED
30 DEC 2002
PINS AA PEP

144 Hilmanton
Lower Earley
Reading
Berks. RG6 4HJ

Mrs M Pocock
The Planning Inspectorate
Room 3/03
Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol. BS1 6PN

Date: 23/12/02

Ref: APP/X0360/A/02/1104224

Dear Mrs Pocock,

I write in reference to the above application and my total objection to it. My points are detailed below:

- The two-story structure proposed at 145 Hilmanton would totally overshadow my property and greatly reduce the natural light. This is particularly and issue as the boundaries converge towards the rear of the two houses and my sunroom at the back (single storey solid extension) will be in the dark.
- This plan seems to be ill thought out because of the above point. From a light point of view, it looks fine from the front where the two properties diverge but not as you approach the rear of the two houses.
- My further objection is from the obstruction of direct sunlight into my sunroom and garden from the East (all year round), the south east (autumn/winter) and west (afternoons all year round). This will be made worse due to the current existence of two large trees on the side of 145 Hilmanton bordering 144 Hilmanton.
- The two-storey structure will also reduce privacy because of the overlooking nature.
- The proposed extension will greatly reduce the "look" and "feel" of the area as it currently is and does not proportion itself.

In conclusion I object to this proposed construction.

I would also appreciate if you could send me a copy of the appeal decision.

Yours sincerely,

Mr Pawa

Christopher Strang Associates

TOWN & COUNTRY PLANNING CONSULTANTS

36 Donnington Square, Newbury, Berkshire RG14 1PP
Telephone: Newbury (01635) 580092 Fax: 01635 31181
Email: crwstrang@aol.com

23 December 2002

The Planning Inspectorate
Temple Quay House
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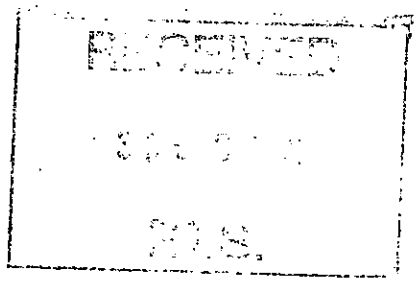
BS1 6PN



Your Ref: APP/X0360/A/02/1104224

Dear Sir

Town & Country Planning Act 1990 – Appeal by Mr G Cox, site at 145 Hilmanton, Lower Earley, Nr Reading, RG6 4HJ

I refer to the above appeal, and the Council's questionnaire and associated documents, which I recently received. I set out below our response to the third party letters of objection.

Firstly, the proposed accommodation is required to make available additional space, for the applicant and his family. This accommodation will be occupied as an integral part of the existing single family dwelling, and there is no intention of providing accommodation for musical facilities.

Secondly, the appellant proposes to brick over part of the remaining front garden to provide additional car parking space. The appeal proposal will not result in any additional demand for car parking, and there is no highway objection from the Council.

Thirdly, the appeal proposal will not result in any loss of sunlight or daylight. Indeed the Council has not referred to any adverse effect on the living conditions of occupiers of neighbouring dwellings, in its refusal reason. As we have explained in our statement, the appeal proposal accords with the Council's policies, and there will not be any adverse effects on the amenities of occupiers of neighbouring dwellings. Furthermore there will not be any overshadowing, and as the extension has been carefully designed, there will be no overbearing effects.

We look forward to receiving the Council's statement in due course.

Yours sincerely

JANET BUSBY

Cc Mr G Cox

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr G Cox
SITE: 145 Hilmanton, Earley
APPLICATION NO.: 7228
PROPOSAL: Proposed 2 storey front extension to dwelling & single storey rear extension

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Redhatch

Mr D Hare

Mrs F M Rolls

Mr A W Spratling

Clerk(s) of Parish / Town Council of Earley

Mr R Raymond, Council Office, Radstock Lane, Earley, Reading RG6 5UL

The Owner / Occupiers of the following addresses in Hilmanton, Lower Earley:

144- 149 RG6 4HJ

19, 93 & 94 RG6 4HN

PLANNING APPLICATION COMMENTS SHEET FOR F/2002/7228. (Case Officer:Phillip Taylor)

PLEASE NOTE THAT **ALL** COMMENTS SUBMITTED ARE OPEN TO PUBLIC VIEW, **THIS INCLUDES THE APPLICANT**

ENVIRONMENTAL SERVICES	HPT
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22 AUG 2002

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THINGS WE **CAN** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
DESIGN, APPEARANCE AND LAYOUT.
HIGHWAY SAFETY.
RESIDENTIAL AMENITY (loss of attractive features within the locality; e.g. parks or woodland).
LOSS OF LIGHT.
OVERSHADOWING/OVERLOOKING (loss of privacy).
NOISE, DISTURBANCE, SMELL etc ONCE THE DEVELOPMENT IS IN USE (e.g. from a proposed restaurant, takeaway, public house or industrial unit).

THINGS WE **CAN'T** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
PRIVATE PROPERTY ISSUES, FOR EXAMPLE BOUNDARY AND ACCESS DISPUTES.
LOSS OF VIEW OVER OTHER LAND.
EFFECT ON PROPERTY VALUES.
POTENTIAL INCONVENIENCE, NOISE AND DISTURBANCE CAUSED BY CONSTRUCTION WORKS.
MATTERS COVERED BY OTHER LAWS (e.g. alcohol, betting, restaurant, music licensing).
MATTERS SUBJECT TO MARKET COMPETITION (we can't refuse an application on the basis that its approval would harm other commercial activity of a similar nature in the area).
THE SPECULATIVE USE OF A DEVELOPMENT AFTER IT HAS BEEN BUILT.
RADIO OR TELEVISION INTERFERENCE CAUSED BY A DEVELOPMENT.
SUBSIDENCE TO NEIGHBOURING PROPERTIES.

COMMENTS ON APPLICATION: F/2002/7228

YOUR NAME: Andrew Townley-Freeman

YOUR ADDRESS: (if these details are incorrect please amend)
19 HILMANTON
LOWER EARLEY
READING
RG6 4HN

PLEASE RETURN YOUR COMPLETED FORM TO:

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

I WISH TO (tick relevant box); OBJECT TO THE APPLICATION ☐
SUPPORT THE APPLICATION ☐ COMMENT ON THE APPLICATION ☑

Comments:
I have no specific objections to the plans however, I do have concerns. The house is already very large and this will make it even bigger. I can't see the need to extend the lounge at all. However these are my main concerns:-
1) Noise. Prior to the application there was regular and intrusive playing of music, and there is a drum kit used and I am concerned that the extended area may be used to provide more permanent musical facilities, thus increasing the noise

Continue over the page if more room required

P.T.O.

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148,Hilmanton,

PLANNING SERVICES	HPT
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14 AUG 2002

COPIES TO	ACK:
	FILE:

Lower Earley,

READING.

Berks.

RG6 4HJ.

Dear Sir,

Re- Planning ApplicationF/2002/7228

My wife and I had thought it almost certain we would object to the above proposal at 145,Hilmanton. After all, 145 has the highest ridge around, and two of the several trees in its rear garden are even higher. The latter now take away an hour or so of quality evening sunlight from our garden and patio for about four months of the year as the sun waxes and wanes to and from the West.There remains a small triangle of unaffected sunlight between theses trees and the sloping gable end of 145's roof. Any incursion by an altered roof line into this triangle would have been the last straw for us.

No. 144 are even worse affected losing sunlight most of the day but have only recently moved in or maybe like shade.No.149 is also badly shaded from about lunchtime,but is empty as owners have just moved out.A third tree on the Southern boundary of 145 is now beginning to obstruct sunlight to us in the triangle between 146 and 145. Fortunately the row of conifers directly between 145 and us at 148 have been trimmed to a reasonable height of about 10feet.

We have,however examined the plans and no alteration to roof line seems proposed.To this extent we are mollified.The only other effect is that the plethora of dustbins kept near their animals in the rear garden will possibly move nearer to us when the rear extension is complete.

All in all,we would like our sunlight back but the trees will have to shrink to achieve this.

Yours Faithfully,

D Watson

09/09/2002

cc 145
Earley T C.

PLANNING APPLICATION COMMENTS SHEET
FOR F/2002/7228. (Case Officer:Phillip Taylor)

PLEASE NOTE THAT **ALL** COMMENTS SUBMITTED ARE OPEN TO PUBLIC VIEW, **THIS INCLUDES THE APPLICANT.**

WOKINGHAM UNITARY
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THINGS WE **CAN** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
DESIGN, APPEARANCE AND LAYOUT.
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NOISE, DISTURBANCE, SMELL etc ONCE THE DEVELOPMENT IS IN USE (e.g. from a proposed restaurant, takeaway, public house or industrial unit).

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APP	

13 AUG 2002

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THINGS WE **CAN'T** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
PRIVATE PROPERTY ISSUES, FOR EXAMPLE BOUNDARY AND ACCESS DISPUTES.
LOSS OF VIEW OVER OTHER LAND.
EFFECT ON PROPERTY VALUES.
POTENTIAL INCONVENIENCE, NOISE AND DISTURBANCE CAUSED BY CONSTRUCTION WORKS.
MATTERS COVERED BY OTHER LAWS (e.g. alcohol, betting, restaurant, music licensing).
MATTERS SUBJECT TO MARKET COMPETITION (we can't refuse an application on the basis that its approval would harm other commercial activity of a similar nature in the area).
THE SPECULATIVE USE OF A DEVELOPMENT AFTER IT HAS BEEN BUILT.
RADIO OR TELEVISION INTERFERENCE CAUSED BY A DEVELOPMENT.
SUBSIDENCE TO NEIGHBOURING PROPERTIES.

COMMENTS ON APPLICATION: F/2002/7228

YOUR NAME: Mr J.P. PLAWA.

YOUR ADDRESS: (if these details are incorrect please amend)
144 HILMANTON
LOWER EARLEY
READING
RG6 4HJ

PLEASE RETURN YOUR COMPLETED FORM TO:

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

I WISH TO (tick relevant box); OBJECT TO THE APPLICATION ☑
SUPPORT THE APPLICATION ☐ COMMENT ON THE APPLICATION ☐

Comments: From the front of both properties it looks fine but, from the rear of 144 Hilmanton this design will have a significant impact on sunlight especially during autumn/winter/spring. From the side of 144 Hilmanton this design will greatly "overshadow" and reduce natural light in both the side walkway and also the extension at the rear of 144.
Overall little consideration has been given to the design if viewed from the rear of 144 and is made worse by the angle of the boundaries.

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143 Hilmanton
Lower Earley
Reading
RG6 4HJ

8th August 2002

Phillip Taylor
PO BOX 157
Wokingham District Council
Shute End
Wokingham
RG40 1WR

Dear Sir

REF: Planning Application No. F2002 / 7228

It is with some concern that I write to you with regard to the two story front extension proposed at No. 145 Hilmanton, Lower Earley.

At the present time the front garden and driveway is being used to garage a number of vehicles, private aswell as commercial vans. (The latter bears the logo of Berkshire Carpets.)

If this large extension proceeds I feel the vehicles will ultimately be parked in the carriageway causing inconvenience to other house holders, restrict access to vehicles and in particular any emergency service that maybe required and also cause danger to children who play in the area.

I have no objection to the single storey rear extension proposed on the same order.

Yours faithfully,

Mr D R F Newell

c.c. ***Earley Town Council***

2) The occupants regularly park two trade vehicles and two cars at the property, frequently using the front garden as "extra" parking space. If the garden area is reduced this would result in them having to park elsewhere, possibly on the busy street.

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT:	**Mr G Cox**
APPEAL SITE:	**145 Hillmanton, Lower Earley**
REASON FOR APPEAL:	**Refusal of planning permission for the erection of a two storey front extension and a single storey rear.**

LOCAL PLANNING AUTHORITY REFERENCE : F/2002/7228

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/02/1104224

1.00 LOCATION AND SITE DESCRIPTION

1.01 The site is located within the identified settlement of Earley and is sited within a residential area (see appendix 1 for site location)

1.02 No. 144 Hillmanton, Lower Earley is a large detached house with an integral double garage. The adjacent neighbours are No.146 to the South and No. 143 to the North. The dwellings are all large detached houses of varied design.

2.0 RELEVANT PLANNING HISTORY

2.01 The dwelling was originally built in 1985. The only is no other relevant planning history.

2.02 In July of 2002 the appeal planning application (F/2002/6597) for the erection of a two storey front extension was refused under delegated powers for the following reason.

Reason

"The proposal would by virtue of its design, bulk, scale and massing would form an obtrusive and dominating feature in the streetscene to the detriment of the character of the area. As such it would be contrary to policies EN1 of the Berkshire Structure Plan, policies LBE1 and LBE2 of the Loddon Area Local Plan and to policy WBE1 and WOS3 of the Wokingham District Local Plan (deposit draft)."

3.0 POLICY BACKGROUND

3.01 The Development Plans that applies to the area in which the appeal site is located comprise of the Loddon Area Local Plan and the Deposit Draft Wokingham District Local Plan which will replace the adopted Loddon Area Local Plan.

3.02 **Loddon Area Local Plan (Adopted 5th May 1995)**

3.03 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 21st November 1996 resolved to "re-affirm the decisions of this 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".

3.04 The relevant Loddon Area Local Plan policy is: (see appendix 4)

LBE1 – Design of new development
LBE2 – Inappropriate design

3.05 Material Consideration must also be given to the emerging Wokingham District Local Plan. This plan has been the subject of inquiry. The Council has now considered the Inspector's reports and has agreed modifications. These will be placed on deposit in spring 2003. The Council's Executive agreed on the 4th December 2002 that the Deposit Plan as agreed to be modified be implemented as the policy of the District Council for development control purposes with immediate effect.

3.06 The relevant Wokingham District Local Plan (Deposit Draft) policy is (see appendix 3):

WBE1- Development in its local context

The Inspector's report recommended rewording of this policy. His recommended replacement is included in appendix 3.

WOS3 – Development control Principles

3.0 CASE FOR THE LOCAL AUTHORITY

4.01 The proposed extension would create first floor accommodation above the garages and porch and single storey front and rear extensions. The council has no objection to the single storey element at the rear.

4.02 The extension would project 4.2m from the front of the dwelling matching the forward projection of the garage and bedroom above. The roof would become a fully hipped gable, with a ridge set 2.0m higher than the barn hipped existing roof but set 0.5m lower than the main roof.

4.03 No.145 is set forward of the southerly neighbour, No.146 and the existing two storey projection is certainly prominent. The proposed extension would add a further 3.5m in width and raise the roof height of this projection to 8.9 metres. Despite the roof being fully hipped, the extension would have substantial bulk and owing to the prominence of its location it is considered it would form a dominating and obtrusive feature of detriment to the streetscene.

5.0 Comments on the appellants statement

5.1 The council is taking issue with the bulk and massing of the extension in such a visible location. The integration of the extension in design terms with the existing dwelling is not an issue, the bulk and massing are.

5.2 In the conclusion of the appellant's statement it is stated that the extension is a small extension. In terms of additional floor area this could be described as a modest extension, however the raising of the roof ridge creates considerable bulk and massing effects and would be highly visible in the streetscene.

6.0 Conclusion

6.01 The proposed two storey front extension would produce an undesirable bulky development close prominent in the streetscene and therefore detrimental to the character of the area.

6.02 It is therefore respectfully requested that the present appeal be DISMISSED.

APPENDICES

1. Location Plan of Site
2. Copy of Decision Notice
3. Wokingham District Local Plan Policies including the Inspector's report recommended rewording of this policy.
4. Loddon Area Local Plan Policies

SUGGESTED CONDITIONS IN THE EVENT THAT APPEAL IS ALLOWED
(WITHOUT PREJUDICE

APPEAL REF: APP/X0360/A/02/1104224
APPLICATION NUMBER: F2002/7228
SITE ADDRESS: No.145 Hillmanton, Lower Earley

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

2. All new works and works of making good to the retained fabric shall be finished to match in size, colour, texture and profile those of the existing building.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (or any order revoking and re-enacting that order with or without modification) the garage accommodation on the site shall be kept available for the parking of vehicles ancillary to the residential use of the site at all times. It shall not be used for any business nor as a habitable space

4. No part of any building hereby permitted shall be occupied or used until the vehicle parking and turning space herein approved has been provided. The vehicle parking and turning space shall be permanently maintained and used for no other purposes.

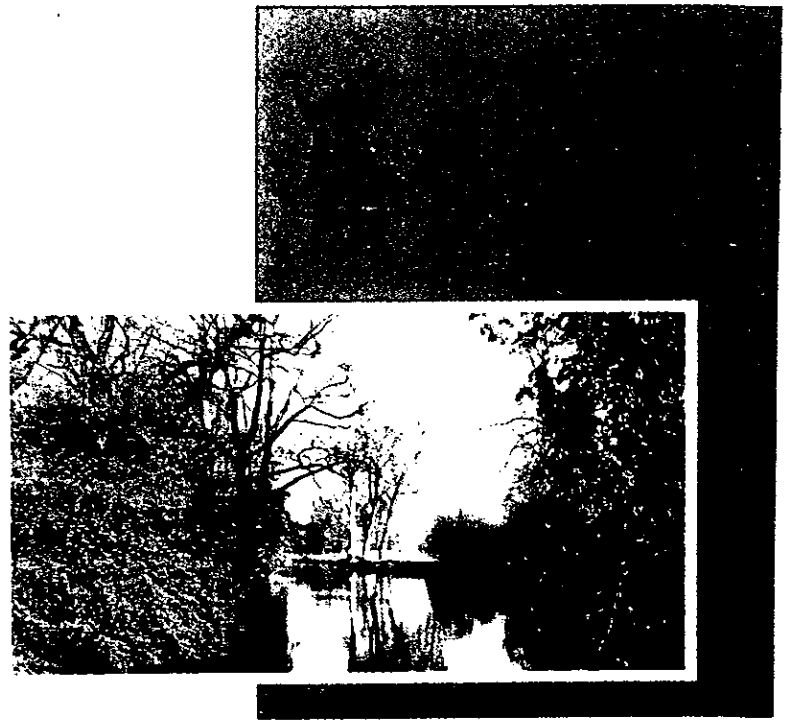
Reasons

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

2. To ensure that the external appearance of the building is satisfactory.

3. To ensure that adequate parking space is available on the site on the site and reduce the likelihood of roadside parking.

4. To ensure a satisfactory form of development and to avoid adverse impact on the public highway in the interests of highway safety.



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie

Public Services Division

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.

oding

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

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

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

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

ENVIRONMENTAL IMPROVEMENT

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

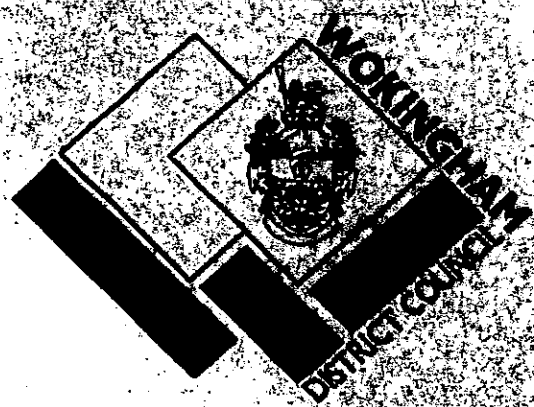
ENVIRONMENTAL ENHANCEMENT SCHEMES WILL BE ENCOURAGED WITHIN THE PLAN AREA AS OPPORTUNITIES ARISE AND WILL INCLUDE THE AREAS AS SHOWN ON THE PROPOSALS MAP AND AS SET OUT IN PART TWO OF THE PLAN.

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



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.

4.0 BUILT ENVIRONMENT, DESIGN AND HERITAGE

4.1 The plan's built environment policies cover a wide variety of design and conservation issues. The policies are divided into two main sections in the chapter, covering new development and design, and the District's heritage, respectively. The new development policies are prefixed by 'WBE' and the heritage policies by 'WHE'.

INTRODUCTION

Trends and Issues affecting the Built Environment

4.2 In 1993 a full survey of settlements and an investigation of traditional character areas was carried out to inform the policies and proposals in this plan. It revealed several trends:

a) the District's environment is adversely affected by the volume of road traffic
b) many parts of settlements are dominated by a single land use
c) the District has suffered an 'internationalisation' of style, and local distinctiveness has been diluted
d) some play spaces have little natural surveillance and have therefore suffered misuse
e) the historic environment is generally well-conserved, and most recent development in historic areas respects the local historic context
f) the rural north of the District contains a number of examples of unspoilt historic villages and groupings of buildings, some of which merit conservation area status, and others special character status.

4.3 The quality of the built environment is increasingly being recognised as an important issue in the development process. The strength of public interest and opinion with regard to development proposals demonstrates this. The Department of the Environment (DoE) document, *Quality in Town Planning: A Discussion Document*, July 1994, raised the level of discussion with regard to this issue, and further practical guidance has been promised. The revised Planning Policy Guidance Note 1 (PPG 1) *General Policy and Principles* updates the guidance on the role of design considerations in planning, particularly in the light of the Government's Quality in Town and Country Initiative.

4.4 **Key Objectives**

a) to secure development that is environmentally responsible, by the use of sustainable built forms, layout and materials
b) to preserve and enhance those special parts of the built environment of the District including conservation areas, listed buildings, special character areas, historic parks and gardens, and archaeological sites
c) to improve any poor/degraded environment in the District, by the control of new development and the implementation of improvement schemes
d) to ensure that development contributes to the safety, accessibility, attractiveness and vitality of the environment
e) to secure a high standard of design and management for all new development, including the landscape/planting element
f) to identify local character types within the District and raise public awareness of these local characters, to influence the quality of new development.

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.

1.0 The Appeal site and the surrounding area

1.1 The appeal site is a detached two storey dwelling, located within a well established residential area within the Lower Earley estate. Hilmanton is a cul-de-sac road leading from Rushey Way. It has a number of smaller cul-de-sac "spurs" leading to further residential development. One of these "spurs" leading to numbers 20 – 92 Hilmanton is situated immediately opposite the appeal site to the west.

1.2 Number 145 Hilmanton is a detached two storey dwelling, constructed in brown facing bricks, with half timbered elevations and is roofed with brown pantiles. There are some feature panels of herringbone brickwork.

1.3 The existing accommodation comprises an integral double garage, kitchen/utility room, dining room, lounge and hall on the ground floor with five bedrooms and two bathrooms above.

1.4 Hilmanton is a residential road running through a residential estate characterised by larger family sized detached two storey dwellings. There is a substantial mix of different house types and designs, with many dwellings having front gable projections, some with half hipped and barn gable ends, and others with full gable ends. All the dwellings immediately adjoining the appeal site are constructed in similar facing brickwork, with rendered panels or half timbering at first floor level.

2.0 Planning policies

2.1 Relevant planning policies are contained within PPG1 "General Policy and Principles" (February 1997), the Berkshire Structure Plan 1997, the

Loddon Area Local Plan 1995, the Wokingham Local Plan Deposit Draft 1997 and the Proposed amendments to the Deposit Draft Local Plan 1999.

2.2 Advice in paragraphs 13 to 20 in PPG1 gives advice on the importance of good design. The appearance of a proposed development is a material consideration in determining planning applications and appeals, including the design of the building and the context within which the development takes place.

2.3 Further advice in PPG1 states that Local Planing Authorities should not attempt to impose a particular architectural taste or style, and should not concern themselves with matters of detailed design except where such matters have a significant effect on the character or quality of an area.

2.4 Berkshire County Council adopted the Berkshire Structure Plan in 1997. Policy EN1 is relevant to this appeal.

2.5 Wokingham District Council is currently reviewing its Local Plan. At the present time the Loddon Area Local Plan 1995 is the adopted Local Plan. Relevant policies are LB1 "Design of new Development" and LBE2 "Inappropriate Design".

2.6 The Council published the emerging Wokingham District Local Plan Deposit Draft in October 1997. The Council considered the responses in 1998 and 1999. The Council published its proposed modifications to the Plan later in 1999 and a Public Local Inquiry was held in 2000. The Inspector's report was published in 2001 and the Council is currently working on further modifications to the Plan. It is understood that these modifications will be published early in 2003.

2.7 Policies WOS3 in chapter 1 "the Overall Strategy, and policy WBE1 in chapter 4 "Built Environment, Design and Heritage" " of the Deposit Draft Local Plan 1997 are relevant to the appeal proposal. Neither of these policies were proposed to be significantly altered by the proposed modifications to the Local Plan published by the Council in 1999.

3.0 Planning Considerations

3.1 The Council has refused the appeal application for one reason, citing the design, bulk, size and location of the extension, alleging that it would be an obtrusive and dominating feature in the street scene. The Council has not referred to the single storey front extension, nor to the single storey rear extension in its decision notice. As such there is no objection to these elements of the overall proposal.

3.2 The existing dwelling which is "L" shaped includes a front gable projection that comprises the double garage at ground floor level with a bedroom above. This element of the dwelling is roofed using a hipped gable end and projects forward of the main front wall of the dwelling by 4.6 metres.

3.3 The appeal site is located on the inside of a bend in the road, and the neighbouring dwellings numbers 144 and 146 are positioned so that these three dwellings follow a curved building line that mirrors the curve in the road. The proposed two storey front extension to provide a new study, hall and porch on the ground floor with bedroom above is sited in line with the existing front wall established by the existing garage. It should be noted that the existing bedroom number 3 is proposed to be enlarged by absorbing the existing bedroom number 4, so there will be no net increase in the total number of bedrooms.

3.4 Policy LBE1 of the Loddon Area Local Plan states that new development should be of a high standard of design that is appropriate to the character of the local area. It sets out three criteria against which proposals should be assessed. Policy LBE2 states that development that is inappropriate in terms of a number of listed criteria will not be permitted. These criteria include siting, scale, form, massing, materials, colour or texture.

3.5 Policy WBE1 of the Deposit Draft Wokingham Local Plan also includes a number of criteria against which applications for development will be considered. Criteria (f) that includes the layout, form, scale, massing and materials is relevant to the appeal proposal.

3.6 Policy WOS3 of the Deposit Draft Wokingham Local Plan states that within the boundaries of identified settlements, development will be permitted. Lower Earley is one of the identified settlements.

3.7 The Council has stated that the design, bulk, size and location of the extension is inappropriate, leading to an obtrusive and dominating feature. The appellant contends that the issues of siting and the location of the extension relate to the same point, namely the position of the extension on the front of the dwelling.

3.8 As we have described the existing dwelling is "L" shaped and includes a 4.6 metre two storey front projection. Many other dwellings in the immediate locality have two storey front gable projections. Some of these accommodate an integral double garage at ground floor level, with bedrooms above. Some of these front gable projections have hipped gable ends, and some have a roof design with a full gable end. As such there is a considerable mix of house type with of varying appearance and design. There is no single house type and of a uniform design and appearance.

3.9 The appeal proposal is a small extension that proposes to increase the width of the existing front gable projection by about one third. As a result the existing front gable roof will be enlarged and altered from a barn end to a hipped gable end. This design approach follows a design already used in neighbouring dwellings. Any additional bulk of the new roof has been minimised by setting the ridge line down below, and separating it from the ridge line of the remaining part of the dwelling. The catslide element of the roof over the double garage on the northern part of the site adjacent to the boundary with number 144 Hilmanton will be retained in its present form.

3.10 As such the scale of the extension is strictly limited and the proposed design will harmonise with the character and appearance of the existing dwelling and of the surrounding area. The size and bulk of the extension has been minimised by using a hipped roof design. The siting and location of the extension utilises an existing space adjacent to the existing front gable projection. This design and siting follows the layout and appearance that characterises many other neighbouring dwellings in the locality. Consequently given the fact that the proposed extension is well designed, in keeping with the character and appearance of the locality there will not be any adverse effect on the street scene.

3.11 Finally, the appeal proposal will not have any adverse effect on the amenities or living conditions of occupiers of neighbouring dwellings. In addition, there will not be any alteration to the existing car parking arrangement at the site, and there is no highway objection to the proposal.

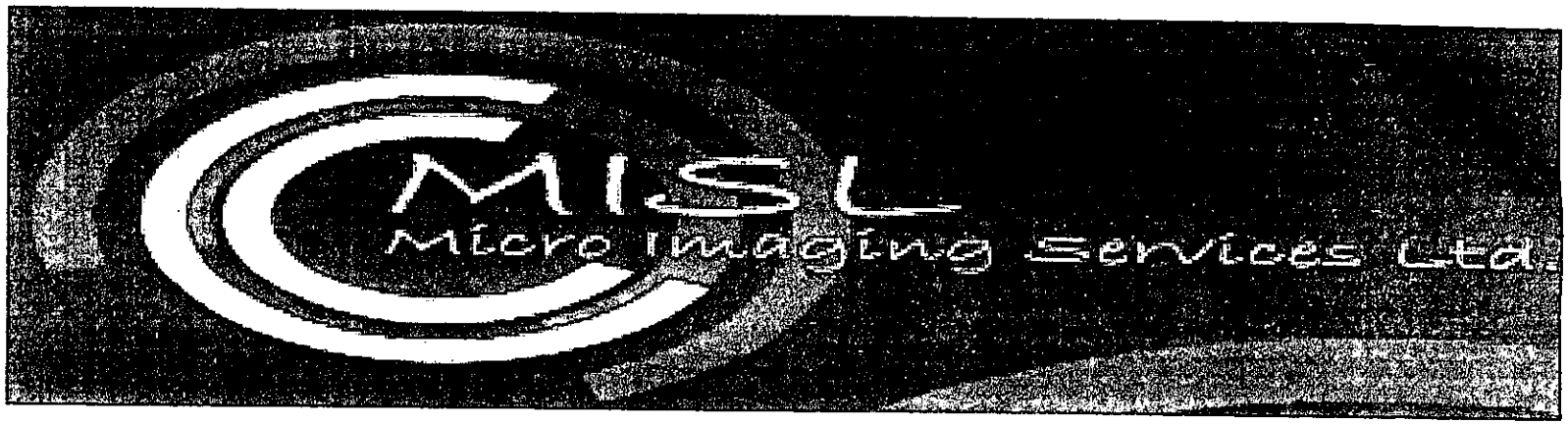
4.0 Conclusion

4.1 The front extension part of the appeal proposal represents a small extension to a large family dwelling. The extension has been carefully

designed to harmonise with the character and appearance of the existing dwelling and with the locality.

4.2 The proposed two storey front extension would not appear as a dominating or obtrusive feature, and there would not be any adverse effect on the street scene, which is characterised by a mix of different house types and designs, many of which include front gable projections.

THE FOLLOWING SCANNED IMAGES ARE DOCUMENTS OF BAD QUALITY OR ARE PHOTOCOPIES.



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

The Planning Inspectorate

For offical use only
Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/02/1104224 **GRID REF:** _____

APPEAL BY: Mr G Cox

SITE: 145 Hilmanton, Lower Earley

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks from the starting date given in our letter. You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan. Please send our copy to the case officer. Their address is shown on our letter.

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

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.	If the written procedure is agreed, could the Inspector make an unaccompanied site visit?			~~YES~~ / NO
	(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)			
3.	Does the appeal relate to an application for approval of reserved matters?			~~YES~~ / NO
4.	Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?			~~YES / NO~~ / NA
5.	Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?			~~YES~~ / NO

6. Is the appeal site within an approved Green Belt or AONB? Please specify which	YES / NO
7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	YES / NO
8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State? If YES, please attach details and, where necessary, give our reference numbers.	YES / NO
b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.	YES / NO
9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	YES / NO
10. Does the appeal relate to an application for conservation area consent?	YES / NO
11.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	YES / NO Grade I / II* / II
b. Would the proposed development affect the setting of a listed building?	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 Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	~~YES~~ / NO Sch1 Sch 2 of 1
b.	Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~ / NO
c.	Has a screening opinion been placed on Part 1 of 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;		✓
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. Any other relevant information or correspondence you consider we should be aware of.		✓

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by? 03/01/03

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

	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	4	
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.

b. 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: _____ on behalf of WOKINGHAM UNITARY ~~Council~~

Date sent to us and the appellant 10/12/02 Our Ref: F/7002/7228

Please tell us of any changes to the information you have given on this form.

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St Clements House
2-16 Colgate
Norwich NR3 1BQ

APPENDICES

1. Location Plan of Site
2. Copy of Decision Notice
3. Wokingham District Local Plan Policies including the Inspector's report recommended rewording of this policy.
4. Loddon Area Local Plan Policies

APPENDIX 1

APPENDIX 2

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr G Cox
C/O Chamberlain Syrad Architecture
66 Tilehurst Road
Reading
Berks
RG30 2JH

Application Number: F/2002/7228

Parish: **EARLEY**

Location: **145, Hilmanton, Lower Earley, Reading.**

Proposal: **Proposed two storey front extension to dwelling and single storey rear extension .**

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 two storey front extension by reason of its design, bulk, size and location on the dwelling would form an obtrusive and dominating feature in the street scene to the detriment of the character of the area. As such it is contrary to policy EN1 of the Berkshire Structure Plan, policies LBE1 and LBE2 of the Loddon Area Local Plan and to policies WBE1 and WOS3 of the Wokingham District Local Plan (Deposit Draft).

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 Policy EN1.
Loddon Area Local Plan Policies LBE1 and LBE2.
Deposit Draft Wokingham District Local Plan Policies WOS3 and WBE1.

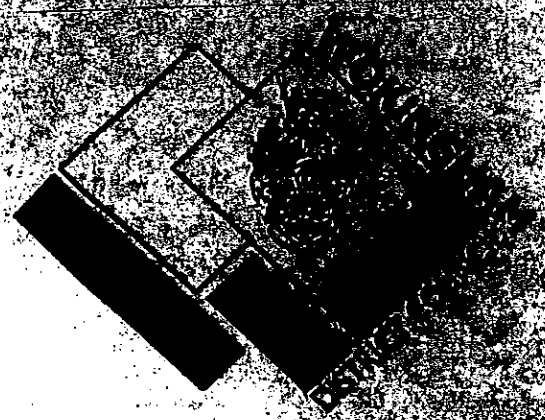
T. G Watson

Trevor Watson
Development Control Manager
Date: 11/09/2002

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.

APPENDIX 3



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 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.

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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.

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Cont.

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.

WOKINGHAM UNITARY
Aiming for Excellence

WOKINGHAM DISTRICT LOCAL PLAN

INSPECTOR'S REPORT

PART TWO

CHAPTERS OTHER THAN HOUSING

Mr D Hollis
October 2001

RECOMMENDATION

4.5 That no changes are made to the Plan in response to these objections.

PARAGRAPH 4.4

REPRESENTATIONS

1775 Hicks Persimmon Limited (O)

OBJECTION ISSUES

4.6 This objection was concerned that there is no policy directed towards the key objective of improvement of poor/degraded land through the control of new development and the implementation of improvement schemes. This was contrary to PPG 12. A new policy was suggested to identify such sites and, where appropriate, to allocate them for development to secure environmental improvements.

CONCLUSIONS

4.7 The objective of securing environmental improvement is established in Policy WOS5. To my mind, enhancement should be a benefit to flow from the development of poor and degraded landscapes as part of the overall package. I do not agree with the implication in the proposed new policy that such benefits should necessarily outweigh other considerations. Just because land is degraded does not necessarily mean that an alternative use would be acceptable. For example, within a countryside location redevelopment of such a site may run counter to the principles of sustainability. In such cases proposals would have to be considered on their merits, as exceptions to the Plan. I do not therefore agree that a new policy is required.

RECOMMENDATION

4.8 That no changes are made to paragraph 4.4.

POLICY WBE1

REPRESENTATIONS

2493 George Wimpey Plc (O)
2566 Martin & Pole, Nicholas (O)
1308 Ms L Erler (S)

OBJECTION ISSUES

4.9 The policy was thought to be too restrictive and the words "will require" should be replaced with "will seek". It was also considered that the policy is a corporate mission statement and has no development control function. It should be deleted or relegated to subtext.

CONCLUSIONS

4.10 Fostering good design is an important objective in national planning guidance and is strongly endorsed in PPG 1, PPG 3 and PPG 13 as well as the recently published Urban White Paper. Developing sustainable environments at higher densities and reducing the need to travel are key themes. I therefore support the policy in principle and must emphasise the message needs to be strongly conveyed that poor designs will be rejected. However, the present wording is not sufficiently specific and conveys the impression that new development should mirror its immediate surroundings. This may not be appropriate and the policy needs to be retitled and restructured to give clear guidance of what is expected in terms of design and sustainability.

4.11 I would also suggest removing reference to supplementary planning guidance from the policy itself. This can be referred to in the supporting text, but an attempt to afford it Section 54A status should be resisted.

RECOMMENDATION

4.12 That reference to supplementary planning guidance is removed from the policy and inserted into the supporting text. That this is supplemented by a reference to development briefs as I have recommended under Policy WBE19.

4.13 That Policy WBE1 is deleted and replaced as follows:

"Policy WBE1: Design and new development

New development will be expected to achieve high standards of design and layout, which makes efficient use of land and buildings. A scheme should create its own identity, whilst taking account of the wider locality, including the surrounding townscape and landscape. In addition, development proposals will be expected to have regard to the following principles:

A) a reduction in the level of car parking below maximum standards wherever possible in order to promote sustainable transport choices;

B) encouragement of measures that promote accessibility to services and facilities by public transport, cycling and walking;

C) incorporation of features that maximise the safety and security of people living in or using the development;

D) creation of easily accessible and attractive open spaces".

POLICY WBE2

REPRESENTATIONS

2487 Slough Properties Ltd (O)
2567 Martin & Pole, Nicholas (O)

OBJECTION ISSUES

4.14 It was considered that there were some areas such as Winnersh Triangle, which although they do not have particularly pronounced or historic architectural styles, do not have poor architectural quality. In such cases further development should be compatible and not used to create artificial visual interest. It was also felt that the policy has no development control function and should either be deleted or relegated to the supporting text.

CONCLUSIONS

4.15 There are many built-up parts of the District of mediocre quality but I do not agree that such circumstances should necessarily be perpetuated in new development. Policy WBE1 calls for better quality in the design of individual developments and this should reinforce local identity and result in improvement of the wider urban area. To my mind Policy WBE2 is a reasonable objective but the point is adequately covered by my recommended rewording of Policy WBE1.

RECOMMENDATION

4.16 That Policy WBE2 is deleted.

POLICY WBE3

REPRESENTATIONS

2494 George Wimpey Plc (O)
2568 Martin & Pole, Nicholas (O)

OBJECTION ISSUES

4.17 The policy was considered to be unreasonable in that it requires details that were likely to change as a result of market demand. The only requirement should be for a master plan. The other objection felt that the policy has no development control function and should be deleted or relegated to the subtext.

APPENDIX 4

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

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

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 [illegible]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

Tel. (0118) 974 6448 (Direct Line)
Date: December 31, 2002
My ref: /2002/7228
Your ref: APP/X0360/A/02/1104224

Mrs M Pocock
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 Mrs Pocock

APPEAL BY: Mr G Cox
SITE: 145 Hilmanton, Lower Earley

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: December 10, 2002
My ref: F/2002/7228
Your ref: APP/X0360/A/02/1104224

Mrs M Pocock
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 Mrs Pocock

APPEAL BY: Mr G Cox
SITE: 145 Hilmanton, Lower Earley

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. December 10, 2002
My ref: F/2002/7228
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Environmental Services Department
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P.O. Box 157
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Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Christopher Strans Associates
36 Donnington Square
Newbury
RG14 1PP

Dear Sirs

APPEAL BY: **Mr G Cox**
SITE: **145 Hilmanton, Lower Earley**

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

The Planning Inspectorate

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

Direct Line 0117-3726079
Switchboard 0117-3728000
Fax No 0117-3728624
GTN 1371-6079

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2002
COPIES TO

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

Your Ref: F/2002/7228

Our Ref: APP/X0360/A/02/1104224

Date: 22 November 2002

6/12 PHILIP

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR G COX
SITE AT 145 HILMANTON, LOWER EARLEY, READING, BERKSHIRE, RG6 4HJ

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

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

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

The following documents must be **submitted** within this timetable:

Within 2 weeks from the starting date -

You must notify any statutory parties and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them that:-

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

You must submit a copy of a completed appeal questionnaire with copies of all necessary supporting documents, to the appellant and me. It is essential that details of all the relevant development plan policies are included with it at this early stage.

Within 6 weeks from the starting date -

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

Within 9 weeks from the starting date -

You and the appellant must submit 2 copies of any final comments on each other's statement and on any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement and no new evidence is allowed. I will forward the appellant's final comments to you at the appropriate time.

Site visit arrangements

We will arrange for our Inspector to visit the appeal site and we will send you the details. Our aim is to arrange the visit within 12 weeks of the **starting date**, but from time to time it may take us a little longer.

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

Planning obligations - Section 106 agreements

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

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

Yours faithfully

Mrs Margaret Pocock

102(BPR)

Site visit arrangements

As stated in the enclosed letter, it is our aim to arrange the visit within 12 weeks of the starting date. However, a steep rise in the number of appeals submitted means that there is currently a backlog of some 6 weeks or so in arranging site visits. As a result most visits may not take place until 18 – 20 weeks after the date of this letter, but steps are being taken urgently to address the problem.

The Planning Inspectorate

Further information about us and the planning appeal system is available on our website www.planning-inspectorate.gov.uk

For official use only
Date received

PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our helpline on 0117 372 6372.

Please use a separate form for each appeal

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

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

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

A. APPELLANT DETAILS

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

Name MR G. COX

Address 145 HILMANTON
LOWER EARLEY, READING

Postcode RG6 4HJ

Daytime phone no n/a

Fax no n/a

E-mail address n/a

B. AGENT DETAILS FOR THE APPEAL (if any)

Name CHRISTOPHER STRANG ASSOCIATES

Address 36 DONNINGTON SQUARE
NEWBURY, BERKSHIRE

Postcode RG14 1PP

Your reference

Daytime phone no 01635 580092

Fax no 01635 31181

E-mail address crwstrang@aol.com

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM UNITARY AUTHORITY

LPA's application reference no F/2002/7228

Date of the planning application 25/07/02

Date of LPA's decision notice (if issued) 11/09/02

D. APPEAL SITE ADDRESS

Address 145 HILMANTON, LOWER EARLEY;
READING, BERKSHIRE

Postcode RG6 4HJ

If the whole site can be seen from a road or other public land and there is no need for the Inspector to enter the site e.g. to take measurements or to enter a building, please tick the box. ☐

E. DESCRIPTION OF THE DEVELOPMENT

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

TWO STOREY FRONT EXTENSION AND SINGLE STOREY REAR EXTENSION

Size of the whole appeal site (in hectares)

0.046 ha

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

37.66 SQ. M. (GFA)

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 to which you object. ☐
3. Refuse approval of details required by a previous outline planning permission. ☐
4. Grant approval of details required by a previous outline planning permission subject to conditions to which you object. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

or

6. 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. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

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 note that when we decide how the appeal will proceed, we take into account the LPA's views

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

The written procedure involves an exchange of written statements followed by a site visit by the Inspector. The grounds of appeal should make up your full case.

2. HEARING ☐

A hearing is a discussion of the appeal proposals. The Inspector leads the discussion. Hearings give everyone concerned the chance to give their views in a more relaxed and informal atmosphere than at a public inquiry. Hearings have many advantages, but they are not suitable for appeals that:

- are complicated or controversial;
- have caused a lot of local interest;
- involve cross-examination (questioning) of witnesses.

Although you may prefer a hearing, the Inspectorate must consider your appeal suitable for this procedure. Hearings are open to the public.

3. INQUIRY ☐

This is the most formal of the procedures, because it usually involves larger or more complicated appeals. These are often cases where expert evidence is presented, and witnesses are cross-examined. An inquiry may last for several days, or even weeks. It is not a court of law, but the proceedings will often seem to be quite similar and the appellant and LPA usually have legal representatives. Inquiries are open to members of the public.

An inquiry is held if you or the LPA decide that you cannot rely on the written procedure and a site visit, and we have decided that a hearing is unsuitable. Sometimes we decide that an inquiry is necessary. If we do, you will be given reasons for our decision.

Please turn over

H. GROUNDS OF APPEAL

If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, please provide a brief outline of your grounds.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

PLEASE SEE ATTACHED STATEMENT

H. GROUNDS OF APPEAL (continued)

Please turn over

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 only* ✔

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 the notice was 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 the notice was served	Date the notice was served

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. A list and copies of all **plans, drawings and documents** sent to the LPA as part of the application. ☑
   LOCATION PLAN ; DRAWINGS 2377.1 AND 2377.2 .
6. A list and copies of any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes). ☐

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

7. **Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ☐

   _____

   _____

8. Any relevant **correspondence** with the LPA. ☐
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
   (a) the relevant outline application; ☐
   (b) all plans sent at outline application stage; ☐
   (c) the original outline planning permission. ☐
10. If the appeal is against the LPA's refusal or failure to decide an application which relates to a **condition**, we must have a copy of the original permission with the condition attached. ☐
11. 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). ☐
12. 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. ☐

    _____

    _____

    _____

PLEASE TURN OVER AND SIGN THE FORM – UNSIGNED FORMS WILL BE RETURNED

K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents 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 relevant documents to the LPA *(if you do not, your appeal will not normally be accepted).*
2. I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature Janet Busby (on behalf of) MR G. COX

Name (in capitals) JANET BUSBY Date 15 NOVEMBER 2002

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration (Reg No: E311018) under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our Website under "Privacy Statement" and in the booklet accompanying this appeal form.

NOW SEND:

- **1 COPY to us at:**
  The Planning Inspectorate
  Customer Support Unit
  Temple Quay House
  2 The Square
  Temple Quay
  BRISTOL
  BS1 6PN

  We do not currently accept appeals by e-mail or fax.

- **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, send them any supporting documents not previously sent 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 and who is dealing with it.
2) Tell you and the LPA the procedure for your appeal.
3) Tell you the timetable for sending further information or representations.
4) Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

Published by the Planning Inspectorate April 2002

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