APPLICATION NO.7922

Name of appellant:
Mr J Devine

Site address:
6 Blackwater Close, Spencers Wood

Proposal:Proposed erection of 1.8m high wooden fence with access gates & 1m high picket fence (Retrospective)

Case Officer:DSH

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WRITTEN REPRESENTATION APPEAL

CASE OFFICER: DSH

APPLICATION NUMBER: 7922

APPELLANT: Mr J Devine

SITE: 6 Blackwater Close, Spencers Wood, Shinfield

APPEAL REF: APP/X0360/A/03/1115380

DISMISSED 12/08/03

START DATE: 28/04/2003

DATE OF SITE VISIT 08/07/03

Progress Record	Date Actioned	Initials
Appeal Logged:	29/04/03	
Entered on Access:	12/05/03	DG
Notification Letters Due:	**12/05/2003**	
Notification Letters Sent:	12/05/03	DG
Questionnaire Due:	**12/05/2003**	
Questionnaire Sent:	12/05/03	DG
Statement Due:	~~[illegible]~~ 09/06/03.	
Statement Sent:	05/06/03	DG
Comments on Statement Due	30/06/03	
Comments on Statement Sent	—	
Decision letter circulated:	13/08/03	DG
Decision entered on Access:	13/08/03	DG

Appeal Decision

Site visit made on 8 July 2003

by David Grace BSc DipTP MRTPI

an Inspector appointed by the First Secretary of State

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Date 12 AUG 2003

Appeal Ref: APP/X0360/A/03/1115380
6 Blackwater Close, Spencers Wood, Shinfield, RG7 1DT

- 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 John Devine against the decision of Wokingham District Council.
- The application (Ref.F/2002/7922), dated 1 November 2002, was refused by notice dated 3 January 2003.
- The development proposed is the erection of a 1.8m high wooden fence with access gates and the erection of a 1m high picket fence.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. At the time of my site visit I could see that a wooden fence and gates, some 1.8m high, had been erected to the side of the appeal property and a picket fence approximately 1m high had been erected around the perimeter of the front garden.

2. The planning application form refers to the erection of a 1.8m high picket fence. In view of the height of the fences that have been erected and as the decision notice refers to a 1m high picket fence, I have determined the appeal on the basis of the proposed development being the erection of a 1.8m high wooden fence with access gates and the erection of a 1m high picket fence.

Planning Policy

3. The development plan includes the Berkshire Structure Plan of 1995 and the Loddon Area Local Plan of 1995 (LLP). A number of development plan and emerging plan policies have been drawn to my attention. In my view the following policies are relevant to this appeal. LLP Policy LBE1 requires development to make a positive contribution to its setting and the character of the area. LLP Policy LBE2 states that development which would adversely affect the character of an area in terms of factors including form and materials will not normally be permitted.

4. I have been referred to the emerging Wokingham District Local Plan (WLP). It has been the subject of public inquiry and the Inspector's report has been published and the proposed modifications were placed on deposit early in 2003. In my view it is a material consideration of substantial weight. WLP Policy WBE1, amongst other things, requires new development to achieve high standards of design and layout and take account of the wider locality and surrounding townscape. WLP Policy WOS3 includes requirements for proposals to be appropriate to the character of the area in which they are located and requires a high standard of design that respects the local context by virtue of factors including siting and materials.

5. My attention has also been drawn to Planning Guideline B2 "Guidelines for extending your home". This was adopted by the Council as supplementary planning guidance (SPG) in 2002 in accordance with paragraph 3.16 of Planning Policy Guidance Note 12: Development Plans, and is a material consideration of substantial weight. It states that in open plan estates front garden walls and fences are not permitted because they would ruin the integrity of the original design.

Main Issue

6. I consider the main issue in this appeal to be the effect of the proposal on the character and appearance of the area.

Reasons

7. The appeal property is located within a residential estate. The estate is relatively dense with a maturing landscape but remains largely open plan in character and the front gardens are mainly unfenced. To the east of the appeal property there is a turning head on the highway and an area of open space that includes a play area. The appeal property is one of a pair of semi-detached dwellings. Another pair of dwellings, Nos. 7 and 8, is set back from, and at an angle to, the appeal property. The two pairs are grouped around an area consisting of shared driveways and turning areas and individual front gardens that with the exception of the appeal property are unfenced. This area has an open character but is enclosed by a mature hedge and trees which gives it a distinct identity. There are views into it from the turning head of Blackwater Close and the adjacent area of open space.

8. The 1.8m fence encloses space to the side of the appeal property and part of the driveway that is shared with No. 7. It abuts a wooden shed to enclose the rear garden. When viewed from the front of Nos. 7 and 8 and from the shared access areas the fence is seen mainly against the backdrop of the side of the appeal property. As a result, in my view, from that angle it does not appear unacceptably intrusive or unsightly and does not detract from the open character of the space in front of the dwellings. However, because the gate section of the fence is flush with the front of the dwelling it projects into views from the turning head of Blackwater Close and the adjacent area of open space towards Nos. 7 and 8 and the space in front of the properties. From this viewpoint the fence appears unacceptably prominent and intrusive and detracts from the open quality of the street scene.

9. Whilst the picket fence around the front garden allows some visibility through, it is nonetheless substantial and is out of keeping with, and intrudes into, the open character of the space in front of the group of dwellings of which the appeal property forms a part. It is also out of accord with the mainly unfenced character of the front gardens of the wider estate.

10. I conclude that the fences have an unacceptable effect on the character and appearance of the area and conflict with the aims of LLP Policies LBE1 and LBE2 and the emerging WLP Policies WBE1 and WOS3. The picket fence is also in conflict with the aims of the SPG.

Other Matters

11. I have noted the benefit of the fences to the appeal property in terms of security, but consider it does not outweigh their adverse visual impact.

12. I have considered the concerns raised about the effect of the fence on the driveway to No. 7. In my view the driveway remaining outside of the fence is not unacceptably narrow and the fence does not preclude its use. I have also considered the concerns raised about the effect of the fence on visibility for the manoeuvring of vehicles to and from the driveway and in the shared access area. In my view its effect is not such as to cause a hazard.

13. I have noted representations made in terms of lease arrangements and property values but they are civil matters and have no bearing on the planning merits of the proposal.

Conclusions

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

Formal Decision

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

Information

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

INSPECTOR

APPENDICES.

1. Location plan 1:1250.

2. Policies WBE1 and WOS3 of the Wokingham District Local Plan (as modified).

3. Policy LBE1 and LBE2 of the Loddon Area Local Plan.

4. Supplementary Planning Guidance – Guidelines for extending your home.

5. Proposed informative in the event of the appeal being allowed without prejudice to the council's case.

Appendix 1

Appendix 2

WOKINGHAM UNITARY
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WOKINGHAM DISTRICT LOCAL PLAN

DEPOSIT DRAFT

WITH PROPOSED MODIFICATIONS HIGHLIGHTED

January 2003

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 seeks to achieve better quality in the design of individual developments and this should reinforce local identity and result in improvement of the wider built environment. The emphasis of Policy WBE1 is on good design.**

4.9A **This policy should ensure that local distinctiveness is not diluted and internationalisation of style is avoided within the district. The provision of safe and secure environments which deter crime in both public and private spaces are a prime objective of the Council. This issue will be addressed through good layout and building design as well as a mixture of land uses, which together will promote good natural surveillance.** (M/4/6)

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~~

~~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.~~

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. (M/4/7)

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.~~ (M/4/8)

~~**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.~~ (M/4/9)

~~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.~~ (M/4/10)

~~**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 SINGLE PHASE. APPLICATIONS FOR SUBSEQUENT STAGES AND/OR REVISIONS TO STAGES THAT HAVE ALREADY RECEIVED PLANNING PERMISSION WILL ONLY BE CONSIDERED FAVOURABLY IF THEY ARE~~

C) **LASTLY, DEVELOPMENT PROPOSALS FOR LAND AND BUILDINGS IN CATEGORY B SETTLEMENTS WILL ONLY CONSIST OF VERY LIMITED INFILLING AND SMALL WINDFALL DEVELOPMENT.**

~~SUBJECT TO THE DETAILED PROVISIONS OF OTHER POLICIES CONTAINED IN THIS PLAN, DEVELOPMENT WILL BE ALLOWED WITHIN THE BOUNDARIES OF THE IDENTIFIED SETTLEMENTS SHOWN ON THE PROPOSALS MAP AND LISTED IN THE TEXT.~~

~~OUTSIDE THESE SETTLEMENTS DEVELOPMENT WILL ONLY BE ALLOWED IN EXCEPTIONAL CIRCUMSTANCES AND WILL BE STRICTLY CONTROLLED THROUGH THE APPLICATION OF THE DETAILED POLICIES AND PROVISIONS OF THIS PLAN AND STRUCTURE PLAN POLICIES C2 (DEVELOPMENT OUTSIDE BUILT UP AREAS AND SETTLEMENTS) AND C4 (CONTROL OF DEVELOPMENT IN THE GREEN BELT).~~ (M/1/16)

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

1.12 The Council is particularly concerned to promote a high standard of design in new buildings, to ensure that new buildings are responsive to their location and to their potential occupants' and/or users' needs. New development needs to be appropriate in terms of function, siting, scale, form, massing, materials, colour and texture in its relationship with adjoining buildings and sites. Accordingly, new development will be expected to make an acceptable and positive contribution to the built environment. In addition new development should be appropriately located so as to reduce the need to travel and to encourage alternative modes of transport to the car.

1.12A Landscaping schemes should be comprised predominantly, if not wholly, of locally native species. (M/1/17)

1.12B People with disabilities are a diverse population and may include individuals with visual, hearing or cognitive impairments, ambulant disabled, the elderly, or wheelchair users. Many of these groups may be denied access to development by ill-considered design solutions.

1.12C PPG1 states that "When a new building is proposed, or when planning permission is required for the alteration or change of use of an existing building, the developer and local planning authority should consider the needs of people with disabilities at an early stage in the design process. They should be flexible and imaginative in seeking solutions; taking account of the particular circumstances of each case."

1.12D Policy WOS3 seeks to ensure appropriate facilities are provided for disabled people in all developments to ensure equal access for everybody. (M/1/18)

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** 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 (M/1/19)

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 **SUITABLE FOR**~~CAPABLE OF~~ USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT (M/1/20)

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.

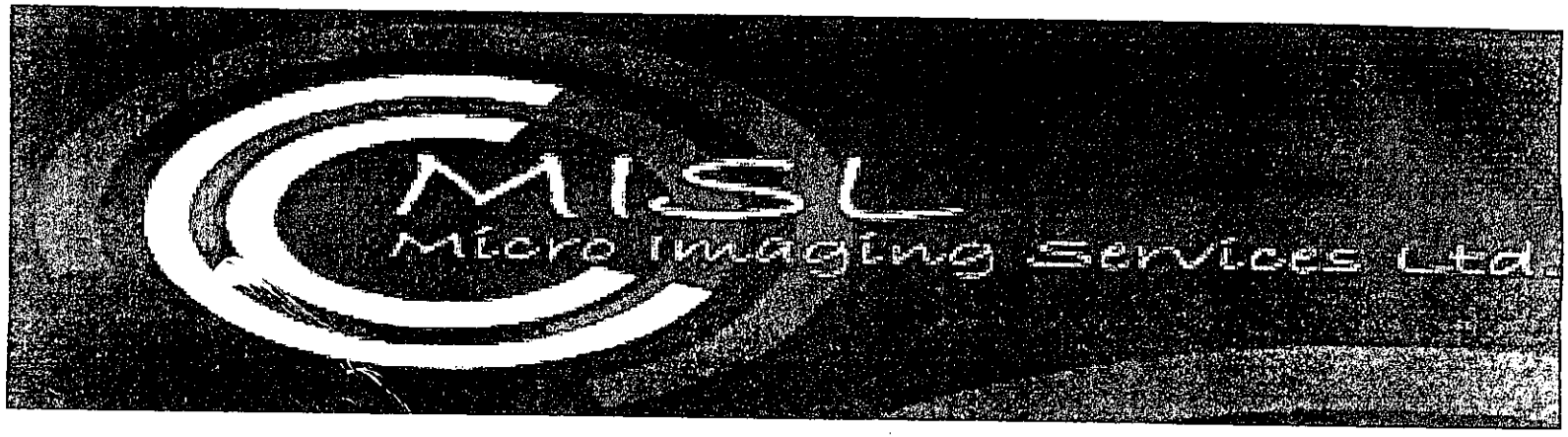
Services, Amenities and Infrastructure

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 could include infrastructure required to provide necessary statutory services.** This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations* **and PPG12 paragraph 6.16**). 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. (M/1/21)

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

Appendix 3

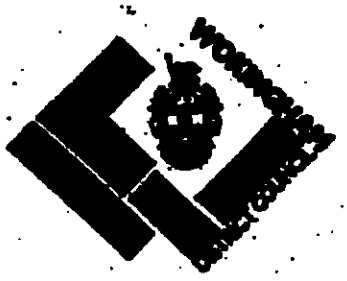
THE FOLLOWING SCANNED IMAGES ARE DOCUMENTS OF BAD QUALITY OR ARE PHOTOCOPIES.



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

LODDON AREA LOCAL PLAN

Adopted 5 May 1995



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1.4 QUALITY AND CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT, REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ *LBE1 DESIGN OF NEW DEVELOPMENT*

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

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

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

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

❖ LBE2 INAPPROPRIATE DESIGN

PROPOSALS FOR DEVELOPMENT THAT IS INAPPROPRIATE IN TERMS OF ITS RELATIONSHIP WITH ADJOINING SITES AND BUILDINGS, OR WHICH WOULD ADVERSELY AFFECT THE CHARACTER OF AN AREA, BY VIRTUE OF ITS 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

Appendix 4

Planning Guideline B2

WOKINGHAM UNITARY
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GUIDELINES FOR EXTENDING YOUR HOME

1.0 Introduction

1.1 This Guide explains how the Council will consider the design of your extension when you submit your planning application. Its purpose is to guide you, the applicant or your agent and architect, as to what is likely to be acceptable to the Council in the vast majority of cases. It will also help your neighbours, and other interested parties, who may be affected by your planning application. This guidance applies to houses, flats, maisonettes and houses in multiple occupation.

1.2 Although some extensions may be "permitted development", as defined by The Town & Country Planning General Permitted Development Order and therefore would not require planning permission, it is worth remembering that, even if this is the case, that unsympathetic alterations which are not in keeping with your neighbourhood can devalue your property.

1.3 Whilst the guidelines are an aid to good design you should understand that individual cases do not always fit easily into a particular category. The advice in this leaflet does not apply to Listed Buildings or to buildings in Conservation Areas, where more strict criteria may apply. Other criteria also apply in rural areas and areas liable to flooding. In such cases further advice should be sought from the Council's Development Control Service. If your proposal does not meet these guidelines please submit a brief statement with your planning application to justify the reason.

1.4 The policies contained in existing adopted development plans (Structure Plan policy EN1, Green Belt Plan policy 6, Loddon Area Local Plan policies LBE1 and LBE2; and South East Area Local Plan policies SBE1 and SBE2) and the emerging Wokingham District Local Plan, policies WOS3 and WBE1, relating to design of extensions to existing dwellings are very general and do not give specific advice.

1.5 This guideline was adopted by the Council, on 30th September 2002, as supplementary planning guidance (SPG) and as such is a material consideration in the determination of planning applications.

2.0 General Issues

2.1 Whether or not your application is approved will depend upon:

(i) Its effect on the general street scene and

(ii) Its effect on the amenity of the occupiers of nearby properties.

2.2 You should design your extension so that it is in character with the original building and with the general neighbourhood in which it is

located. The scale and proportions of the extension should respect the form of the original building (see Fig. 1) and not dominate or unreasonably overshadow adjoining buildings or garden areas or result in undue loss of privacy.

2.3 You may not be able to extend your property as much as you want if it would result in loss of light to your neighbours. In considering whether a proposal would result in an unacceptable loss of light to an adjoining property the Council will take into account the general advice contained within BRE report BR209 entitled "Site layout planning for daylight and sunlight: a good practice guide". This recommends a 45° angle if the extension is at an angle to a window (see Fig. 2) and 25° angle if direct facing. These provide a useful guide and if either are breached, the Council may refuse planning permission. However, the determining factor will be the overall impact of the extension on your neighbour's use and enjoyment of his/her property. Even if there is no technical daylighting issue, it maybe that the extensions still could be considered to be overbearing.

2.4 In most cases, your extension should appear to be an integral part of the original building. Extensions should not be detrimental to the character of a street eg. by converting regular semi-detached pairs of houses into apparent terraces.

2.5 Extensions should generally have pitched roofs and where practicable, the pitch of the new roof should match the pitch of the existing main roof. This is especially important on corner properties where side and rear extensions can be seen from the street, and with first floor or two storey extensions. In addition, side extensions on corner properties should not project further than the rest of the dwellings in the street to the rear. This helps to preserve the spaciousness and the character of junctions.

2.6 Flat roofs are generally discouraged due to their appearance and increased risk of crime by giving easier access to first floor windows. They may, however, be acceptable on rear extensions where they can avoid unacceptable impact on a neighbouring property and where they are not visible from the street or areas of public open space. On certain designs of house they may be quite in keeping with the original.

2.7 In the case of a side to rear relationship, between the application site and the neighbouring house, or vice versa, a minimum distance of 12 metres should be maintained between houses at first floor level in order to allow for sufficient distances between dwellings and to avoid loss of privacy (refer to Fig. 3).

2.8 The materials you choose for your extension should as far as possible match those of the existing buildings. Where a new roof joins an existing roof it is good practice to use saved tiles ie. those taken off part of the old roof and reused on the parts of the roof visible from the street to help the extension to blend in.

2.9 The windows of your extension should relate to those of the existing building in terms of size, proportion, positioning and detailing to help ensure the extension blends in well.

3.0 Neighbours

3.1 It is a good idea to discuss your proposal informally with any neighbour who may be affected before making your planning application. Once the application is received by the Council, your immediate neighbours will be consulted for their formal views.

3.2 If the foundations encroach onto a neighbour's property, or if the extension overhangs or is attached to a neighbouring property, permission will have to be given by the owner of the adjoining property affected by the proposal. These are matters of civil law, and not planning matters, and therefore cannot be taken into account in dealing with a planning application or a reason to refuse the application. However, a deed between the two owners may have to drawn up to cover these issues.

3.3 If the proposal involves work to a joint party wall, a wall crossing a boundary or excavation near a neighbouring building, The Party Wall etc Act 1996 may apply. Separate leaflets on this are available from the Council's Building Control Section. In addition a neighbour's consent may be required if access to their property is necessary during construction or for maintenance. Finally, there may also be covenants (restrictions set out in the deeds relating to the property) which may restrict the type of development on a property. Again these are not planning matters which affect the consideration of a planning application. Therefore you will need to check this out first.

4.0 Front extensions and porches

4.1 The impact on the street is of paramount importance when determining applications for extensions to the front of properties, due to their prominence in the street and their relationship with neighbouring properties, the depth of front gardens and amount of trees and shrubs. Generally two storey front extensions are not acceptable and single storey extensions, other than porches, should not project significantly from the main front wall of your home.

4.2 You may construct a porch to a greater depth (maximum of 2 metres) provided it does not result in an unreasonable affect on neighbours, the neighbourhood or 'streetscene'.

4.3 Larger front extensions may however be acceptable where one or more of the following applies:

(i) your home is detached and is set well back from a road in a good sized plot

(ii) there are a number of similar extensions in the immediate area

(iii) an adjoining dwelling or garage already projects to the front.

5.0 Rear extensions

5.1 The main considerations for the Council in determining proposals for rear extensions will be to protect your immediate neighbours and the enjoyment of their property and to safeguard the overall appearance of the area. Particular attention will be given to protecting their privacy, daylight and sunlight, and that the extension is not unduly overbearing. In addition your extension should not affect your neighbour's opportunity to extend their property in the future.

Single storey rear extensions:

5.2 In normal circumstances, rear extensions on or close to a side boundary should not project more than 3 metres from the main rear wall (see Fig. 4). Any greater depth required will be judged on its merits ensuring that there is no adverse impact on neighbours in terms of loss of light and the extension being overbearing (refer to paragraph 2.3).

5.3 Generally you should avoid having windows and doors at the sides of your extension to prevent overlooking and therefore loss of privacy.

5.4 The eaves height (ie. the bottom of the roof) should normally not exceed 3m, whether a flat or pitched roof is proposed, and where possible it should be lower than this. Pitched roofs should be designed to minimise bulk and to avoid an overbearing appearance. Hipped roofs can therefore be preferable to gabled or lean-to roofs. Bigger extensions may be acceptable where there is an adjoining extension of a similar depth or height, or where it can be shown that there is no material loss to your neighbour's privacy, outlook or sunlight/daylight (refer also to paragraph 2.3).

Conservatories

5.5 The same guidelines for side and rear extensions apply to conservatories. However, as they are lightweight structures it is possible for these criteria to be relaxed in certain circumstances. Applicants should ensure that conservatories which are close to boundaries do not result in loss of privacy to an unacceptable degree.

Two storey rear extensions:

5.6 In addition to the above criteria for single storey extensions, two storey rear extensions need careful design so as not to be overbearing, cause overshadowing and loss of privacy.

5.7 *Terraced dwellings*: Two storey rear extensions are seldom acceptable on terraced properties as they nearly always adversely affect one or both of the neighbouring properties.

5.8 *Semi-detached and detached dwellings:* The first floor should be set in from the party boundary (a minimum of 2.5m is recommended) and should not project by more than 3m. In any event these should be within the 45° angle (drawn in a horizontal plane) from the nearest part of a window to a habitable room of a neighbouring window to ensure that there is no adverse impact on neighbours in terms of loss of light to habitable rooms (see Fig. 2). Utility rooms, bathrooms and garages do not count as habitable rooms. Kitchens may be considered to be habitable rooms depending on their size.

5.9 Windows in the side walls at first floor or above are unlikely to be acceptable (particularly where they form the prime light source to a habitable room). This is because of the loss of privacy they would cause for neighbouring properties. The use of obscure glazed windows and non-openable or with only a top fan light being openable can in some cases be acceptable eg. in the case of a bathroom/ensuite but are generally discouraged in other circumstances. Similarly, balconies or use of flat roofs for balconies are unlikely to be acceptable because of the potential for overlooking, although they may be appropriate for large houses on substantial plots where there is no loss of privacy.

6.0 Side Extensions

Single storey side extensions:

6.1 Single storey side extensions should follow the criteria for rear extensions where they join or are close to the boundary of your neighbour's property. They should be:

(i) no more than 3m high at eaves level

(ii) have a pitched roof and, if appropriate, a hipped roof

(iii) project no more than 3m from the rear of main wall of the house

(iv) project no more than 1m forward of the main wall of the property

Windows and other openings in the side elevations should be avoided.

Two storey or first floor side extensions:

6.2 In designing a two storey or first floor side extension you must consider the streetscene and ensure that your extension would not affect the possibility of the adjacent property being extended in a similar manner. You may also wish to consider whether a gap needs to maintained for access.

6.3 Side extensions to properties at road junctions or other features, such as an area of open space, should not project further out than the houses in the road to the rear of the property, so as to protect the spacing and character of the road (see Fig. 3).

6.4 *End of terrace properties*: Side extensions to end-of-terrace properties should fit in with the rest of the houses in the terrace.

6.5 *Semi-detached properties*: You should design your side extensions to your semi-detached house so that they do not create a terracing effect. Side extensions should therefore be set back at first floor level, by a minimum of 1m from the main front wall of the house, and should include a drop in the ridge line, thus creating a break in the roof line and ensuring that side extensions do not entirely fill the gap between neighbouring pairs of semi-detached houses (see Fig. 2). They should also not be so large as to upset the overall balance of the pair of semi-detached houses.

6.6 *Detached properties*: Side extensions to detached dwellings may be constructed to the full height of the existing building as long as the extension looks like an integral part of the whole building and does not result in an overly bulky building. Hence, it is often good practice to include a setback from the front and a drop in the ridge line, as for semi-detached properties. Detached dwellings should not normally be extended up to both side boundaries as this would lose the important characteristic gap between properties.

7.0 Roof Alterations, Loft Conversions and Dormer Windows

7.1 Inappropriate roof alterations can have an adverse effect on the appearance of whole streets. Any changes to your roof therefore needs to be designed with care. In order to create first floor accommodation in single storey properties, eaves and ridge heights should not normally be raised by more than 0.75m unless the dwelling is next to taller buildings or ground conditions make it reasonable. In raising the ridge height you must consider any habitable room windows in your neighbour's property which may be affected. You should avoid converting hipped roofs of two storey and higher dwellings to gabled roofs as they can close down the characteristic spaces between buildings. Partial gabling may be acceptable.

7.2 You should keep dormer windows contained well within the body of the main roof by being set well back from the eaves and their sides well in from gables or party walls. They are unlikely to be acceptable if they extend beyond the ridge line and should preferably be set well below it. All windows at roof level should relate to the windows of the original dwelling in proportion, design and position (see Fig. 5).

7.3 Dormer windows facing the highway should have pitched roofs at a similar angle to those of the main roof unless other windows (eg. flat roofed dormers) predominate the neighbourhood or would match the style of the dwelling. The total width of dormers and other rooflights facing the highway should not exceed half the width of the existing roof measured at its mid height to avoid a top heavy appearance.

7.4 Rear facing dormers can be flat roofed but should not extend across the full width of the property. The "cheeks" of the window should be set in from the gable or party walls by at least 0.3m.

8.0 Miscellaneous Issues

"Granny" Annexes or accommodation for elderly or disabled relatives

8.1 The principle of providing accommodation for elderly or disabled relatives in the form of an annexe is acceptable. However, it should not be a detached self-contained building capable of separate occupation from the dwelling and will need to be interconnected to the main dwelling. The annexe should be an integral part of the existing dwelling and would normally take the form of a single storey side or rear extension of fairly modest size.

Car Parking and Garage Conversions

8.2 If you are wanting to create an additional bedroom in a property of three bedrooms, you will, under the Council's parking standards, have to provide an additional parking space on-site. The need to provide alternative on-site parking can also apply if you are planning to convert your garage to residential accommodation. The minimum size of a space is 2.4m x 4.8m. In certain circumstances this requirement can be waived where the need to pave over the front garden would not be characteristic of the street and would detract from its appearance. As a general rule, no more than 70% of the front garden area should be paved over to create parking spaces and the use of porous materials are encouraged to reduce surface water run-off.

Garages in front gardens

8.3 Unless there are several examples in the immediate area, garages in front gardens are not acceptable as they can be intrusive in the street scene. Garages should normally be located to the side or rear of

dwellings. The interior of a single garage should be at least 2.5m x 5.0m and that of a double 5.0m x 5.0m.

Amenity Areas

8.4 Many "open plan" housing developments contain areas of land planted with grass or shrubs etc. which adjoin the highway but are owned by people in adjacent dwellings. These add to the openness and appearance of the street scene. Due to conditions put in place when the original development was given permission, planning permission is often required before fences at the side of dwellings can be moved. The enclosure of these spaces into private gardens by moving boundary walls, fences or hedges is seldom acceptable because of the impact on the openness of the street scene.

The boundaries to front gardens

8.5 Except for "open plan" estates where garden walls and fences are not permitted because this would ruin the integrity of the original design, planning permission is not normally required for walls and fences of one metre or lower where the site adjoins a highway. Any fence or wall in such a location higher than this would require planning permission. This will only be granted where the fence or wall does not have an adverse impact on the streetscene or obscure drivers' visibility at junctions.

9.0 Further Advice

9.1 If you need any further advice, please contact the Council's Development Control Service either by telephone on 0118 974 6249 or in person during office hours. Other guidelines include on Access for Disabled People, Designing Out Crime, Sustainable Development, Protection of Trees on Development Sites, Landscape Plans etc. In addition, advice on the security of buildings at the design stage can be obtained free of charge from the Thames Valley Police Crime Prevention Design Advisor for Berkshire, on 01635 295156 or by visiting the 'Secured by Design' website at www.securedbydesign.com.

Issued September 2002

Appendix 5

Appendix 5: Proposed informative in the event of the appeal being allowed without prejudice to the council's case.

INFORMATIVE:

1. This approval is in respect of the Land Registry Location Plan title no. BK 347841 dated 30th October 2001 and the 1:500 site plan, received by the LPA on 06.11.02.

7922 → please file on appeal file

The Planning Inspectorate

70154

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

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

Your Ref: F/202/792

Our Ref: APP/X0360/A/03/1115380

Date: 16 June 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR JOHN DEVINE
SITE AT 6 BLACKWATER CLOSE, SPENCERS WOOD, SHINFIELD, BERKSHIRE, RG4 1DT

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

Mr David Grace BSc DipTP MRTPI.

As part of the normal procedures, the Inspector will be visiting the site. The purpose of the visit is to enable the Inspector to assess the impact of the development on the surrounding area. We understand that the site can be adequately viewed without any need to gain access to private land. Therefore, the Inspector will visit the site unaccompanied by the parties. Our aim is for the visit to be carried out no later than the week commencing 7 July 2003. However, the time and date on which the visit actually takes place will be at the discretion of the Inspector.

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

L Whiting

Miss Lynda Whiting

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

209G

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT : Mr J Devine

APPEAL SITE : 6 Blackwater Close, Spencers Wood, Shinfield.

REASON FOR APPEAL : Refusal of planning permission for the erection of 1.8m high wooden fence with access gates and 1m high picket fence. Retrospective.

LOCAL PLANNING AUTHORITY REFERENCE: F/2002/7922

DEPARTMENT OF THE ENVIRONMENT
TRANSPORT & THE REGIONS REFERENCE: APP/X0360/A/03/1115380

1.00 LOCATION AND SITE DESCRIPTION

1.01 The site is located within the identified settlement of Shinfield. Number 6 Blackwater Close contains a semi-detached dwelling with detached shed and garage to the rear. The site is located at the end of the close.

1.02 See Appendix 1 for site location.

2.00 RELEVANT PLANNING HISTORY.

2.01 The property has had no previous planning applications.

2.02 In January 2003 planning permission F/2002/7922, the subject of this appeal, for a retrospective 1.8m high wooden fence with access gates and 1m high picket fence was refused planning permission for the following reason:

> *"The development forms an incongruous feature, out of character with the surrounding street scene and detrimental to the visual amenity of the area. The fence is therefore contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan (as proposed to be modified)."*

3.00 RELEVANT PLANNING POLICY.

Wokingham District Local Plan Deposit Draft (as modified)

3.01 Material Consideration must also be given to the emerging Wokingham District Local Plan. The Wokingham District Plan was placed on deposit on 21 October 1997 to 2 December 1997 and has been used for Development Control purposes since 21 October 1997. The Local Plan Inquiry commenced in October 1998 and the Inspector's report was published in October 2001. The Council has now considered the Inspector's reports and has agreed proposed modifications. These modifications were placed on deposit from 5 February to 19 March 2003. The Council's Executive agreed on 4 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.

3.02 The relevant policies are (see Appendix 2):

WOS3 – 'Development Control Principles'
WBE1 – 'Design and New Development'.

Loddon Area Local Plan

3.03 The relevant policy is contained within the Loddon Area Local Plan, which was adopted 5 May 1995. The Loddon Area Local Plan forms the statutory basis for the operation of planning policy in this part of the District.

3.04 The relevant policies are (see Appendix 3):

LBE1 – 'Design of New Development'
LBE2 – 'Inappropriate Design'

Supplementary Planning Guidance

3.05 The 'Guidelines for Extending Your Home', after public consultation was adopted by the Council on 30 September 2002 as supplementary planning guidance (SPG) and as such is a material consideration in the determination of planning applications. (See Appendix 4).

4.00 THE CASE FOR THE LOCAL PLANNING AUTHORITY.

4.01 The proposed 1m high picket fence encloses the garden to the front. The proposed 1.8m high fence with access gates to the front is built in line with the front building line of the dwelling and continues to the side boundary to separate the double width driveway between the site and No.7 Blackwater Close.

4.02 The proposed 1m high picket fence is considered to not have any adverse impact upon the amenities of neighbouring properties. The fence is located in the front garden on an open plan estate. The supplementary planning guidance B2 paragraph 8.5 for "The boundaries to front gardens", states in "open plan" estates that "garden walls and fences are not permitted because this would ruin the integrity of the original design" and that planning permissions would only be granted "where the fence or wall does not have an adverse impact on

the street scene". The low level fence to neighbouring No.5 is unauthorised on this open plan estate. Other boundary treatments in the area consist of mainly hedges, which is not considered development. The 1m high picket fence is visible from the highway and surrounding area. It is considered to detract from the open plan estate and is therefore adverse upon the character of the street scene.

4.03 The 1.8m high fence and access gates split the double width driveway between the site and No.7 in to two halves. Two neighbours have objected in terms of restricted access by cars and pedestrians to No.7 on to and off the driveway, however the parking area for No.7 still remains, and that the fences detract from the open plan estate. The 1.8m fence is not built forward of the front building line of the dwelling but is visible from the highway and therefore has an adverse impact upon the street scene.

5.00 CONCLUSION.

5.01 In conclusion, the development forms an incongruous feature, out of character with the surrounding street scene and detrimental to the visual amenity of the area. The fence is therefore contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and to policies WOS3 and WBE1 of the Wokingham District Local Plan (as modified).

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

6.00 CONDITIONS IN THE EVENT OF PLANNING PERMISSION BEING GRANTED

6.01 No conditions are required, as the application is retrospective. An informative is requested. See appendix 5.

Dawn Hancocks
Planning Officer
Wokingham District Council

APPENDICES.

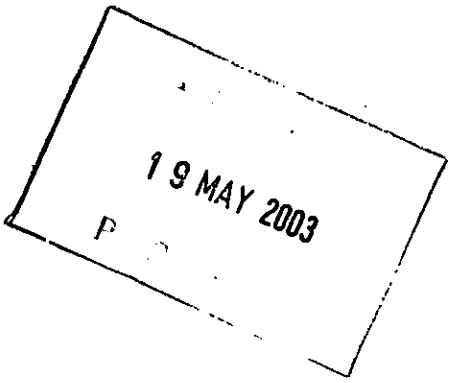
1. Location plan 1:1250.

2. Policies WBE1 and WOS3 of the Wokingham District Local Plan (as modified).

3. Policy LBE1 and LBE2 of the Loddon Area Local Plan.

4. Supplementary Planning Guidance – Guidelines for extending your home.

5. Proposed informative in the event of the appeal being allowed without prejudice to the council's case.



8, Blackwater Close,
Spencers Wood,
Reading,
Berk RG7 1DT.

14th May 2003.

Application No F/2002/7922 Appeal by Mr. Devine

Your ref: APP/X0360/A/03/1115380

Dear Sir/Madam,

With regard to the above appeal, I feel that the decision by Wokingham District Council to refuse the planning application is correct and should be upheld by the Planning Inspectorate .

It would be appreciated if the Planning Inspectorate will take my comments below into consideration when making a decision.

1.
The terms and conditions of the lease agreement covering the shared ownership scheme with Wokingham District Council on the properties would not allow the erection of the fence as several clauses in the contract would have been breached.

2.
The property values will be affected if the fence remains in place as it spoils the open plan nature of the adjacent properties and would set a precedent which would allow a fence to be erected on any driveway on the estate. It is also very likely that property values will be affected and difficulties may arise when trying to sell.

3.
Having made personal observations since the fence was erected, it is clear to me that Mr. and Mrs. McGovern's quality of life has been degraded.It cannot be right that they can no longer use their car passenger door when they park the car on their driveway, not be able to get out of their car without stepping on to the lawn, and have difficulty with washing and maintenance of their vehicles.

I would be grateful if you can refer to all my previous correspondence with Wokingham District Council regarding this matter.

Yours faithfully,

I C Gibbins

Mr I.C. Gibbins.

→ please file on appeal file

The Planning Inspectorate

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

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Fax-No 0117-3728624
GTN 1371-6079

69990

PLANNING SERVICE
PCL
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GIS
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CC

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

Your Ref: F/202/792 2

Our Ref: APP/X0360/A/03/1115380

Date: 11 June 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR JOHN DEVINE
SITE AT 6 BLACKWATER CLOSE, SPENCERS WOOD, SHINFIELD, BERKSHIRE, RG4 1DT

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

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

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

M Pocock

pp Mrs Margaret Pocock

211AL(BPR)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: **Mr J Devine**
SITE: **6 Blackwater Close, Spencers Wood, Shinfield**
APPLICATION NO.: **7922**
PROPOSAL: **Proposed erection of 1.8m high wooden fence with access gates & 1m high picket fence (Retrospective)**

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Shinfield

Mr Bryant

Mr Patman

Mr Pollock

Clerk(s) of Parish / Town Council of Shinfield

Mrs J Barnes, 36 Ryhill Way, Lower Earley, Reading RG6 4AZ

Organisation_Name	Building_Name	address1	Postcode
		4BLACKWATER CLOSEREADING	RG7 1DT
		5BLACKWATER CLOSEREADING	RG7 1DT
		6BLACKWATER CLOSEREADING	RG7 1DT
		7BLACKWATER CLOSEREADING	RG7 1DT
		8BLACKWATER CLOSEREADING	RG7 1DT

Neighbour list F/2002/7922

Tel: (0118) 974 6448 (Direct Line)
Email: Denise.Gumbrell@wokingham.gov.uk
Date: 12 May 2003
My ref: **F/2002/7922**

WOKINGHAM UNITARY
Aiming for Excellence

The Owner / Occupier
8
BLACKWATER CLOSE
SPENCERS WOOD
READING
RG7 1DT

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

Dear Sir/Madam

APPLICATION No: F/2002/7922
APPEAL BY: Mr J Devine
SITE: 6 Blackwater Close Spencers Wood Reading
PROPOSAL: Proposed erection of 1.8m high wooden fence with access gates and 1m high picket fence. Retrospective.

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

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

If you wish to make further representations, you should, if possible, **send three copies** to Mrs M Pocock, The Planning Inspectorate, Room 3/03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Please quote reference **APP/X0360/A/03/1115380**. Comments received after **09/06/2003** will not normally be seen by the Inspector & will be returned.

Documents relating to this appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during office hours (08:30- 17:00 Monday to Thursday, & 08:30-16:00 Friday).

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

If you would like a copy of the Appeal decision, please request one from Mrs Pocock at the Inspectorate.

Yours faithfully

Denise Gumbrell

Appeals Assistant

→ please file on appeal file

The Planning Inspectorate

3/03 Kite Wing
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2 The Square
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Bristol BS1 6PN
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GTN 1371-6079

69899

DG

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

Your Ref: F/202/7922

Our Ref: APP/X0360/A/03/1115380

Date: 9 June 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR JOHN DEVINE
SITE AT 6 BLACKWATER CLOSE, SPENCERS WOOD, SHINFIELD, BERKSHIRE, RG4 1DT

I enclose 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. 30/6/03

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 Margaret Pocock

211AL(BPR)

REF:- APP_X0360- A03- 1115380

7 Blackwater close
Spencers wood
Reading
RG7 1DT
28 May 2003

APPLICATION No: F/2002/7922

Dear Mrs Pocock

I am writing to inform you on the many serious reasons why the appeal for Mr Devine's fence should not be granted. We have sent many letters and photographs in the past and have made many phone calls mainly to Mr lettings, Mr Watson and Ms Hancocks all of which we hope you are aware of. We have enclosed extra photographs and a copy of the property as it looked when we bought it.

To keep the letter brief we have set out and attached all the main reasons why the appeal should be refused.

We sincerely hope you can help to end this matter that has been going on for approximately 12 months. We have been extremely patient and followed all the advice from Wokingham Council, although it has all been in Mr Devines favour and I feel this makes a mockery of the whole system.

Yours sincerely,

Mr and Mrs McGovern

P.S. Please inform us of Appeal decision A.S.A.P.

Reasons Against Appeal

- Breaks the conditions of the Land Registration Acts
- Sets a bad president
- Prevents from using our drive correctly
- Causes great problems when trying to reverse off the drive, due to the angle of the fence and restricted viewing, we have already knocked and marked our cars
- Impossible to reverse onto the drive as you cannot exit the car
- Being forced to reverse off the drive which is dangerous because of the children's park entrance on the corner off the driveway
- Passengers are unable to exit the car as we cannot open the doors, any passengers must exit the car further down the driveway
- Prevents us from gaining correct access to our own front door
- Walking across our lawn in all weathers is the only choice we have, dangerous in bad weather because it gets water logged. Accidents have already been caused
- We now have less than half the driveway
- The fence and shed have decreased the value of our property
- It affects the quality of our lives and is a constant annoyance
- It ruins the open-plan setting of the surrounding area
- The view from our lounge is ruined
- The fence is a total eyesore

WhiteKnights

Our ref: NJC/AMB

2nd June 2003

Mr N & Mrs S McGovern
7 Blackwater Close
Spencers Wood
Reading RG7 1DT

Tankerton House
Basingstoke Rd
Spencers Wood
Reading
Berks RG7 1AE
Tel: (0118) 988 2011
Fax. (0118) 988 5136
E-mail: spencerswood@whiteknights.co.uk

Dear Mr & Mrs McGovern

Re: 7 Blackwater Close, Spencers Wood, Reading ,Berkshire RG7 1DT

With regard to our conversation of todays date concerning your above mentioned property, I write to our thoughts on your current situation.

I cannot place a figure on any 'loss of value' regarding your property, but there will most certainly be a 'loss of saleability' due the fence erected by your neighbour. This would be due to the difficulty in access and egress from motor vehicles parked on the driveway. Also the fence overshadows the driveway losing 'kerbside appeal' when being viewed externally. As the vast majority of 'shared driveways' have no formal boundary's, this would be considered as detrimental to the purchaser of the property.

I understand at this moment in time that an appeal on the planning consent has be forwarded to The Department of the Environment for their consideration. This would obviously need to be mentioned if the property was placed on the open market in the near future, again detracting from the 'saleability'.

Overall this situation with the boundary fence will certainly detract from your ability to achieve what would be considered to be 'a reasonable market price' in the foreseeable future.

Assuring you of our best attention at all times.

Yours sincerely
for WHITEKNIGHTS ESTATE AGENTS

N J CROSHAW
ASSISTANT MANAGER

Independant View from estate agent.

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



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN



7 BLACKWATER CLOSE, SPENCERS WOOD, READING, BERKS

The Planning Inspectorate

For offical use only Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP /X0360/A/03/1115380 **GRID REF:** _____

APPEAL BY: Mr J Devine

SITE: 6 Blackwater Close, Spencers Wood.

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 col 1
b.	Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~ / NO
c.	Has a screening opinion been placed on Part 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? 09/06/03

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 12/05/03 OurRef: F/2002/7922

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

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

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FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

1.1 TOWNS, VILLAGES AND RURAL AREAS



BACKGROUND

1.1.01 The area's locational advantages, together with its previous designation as a major growth area have resulted in both an intensification of development within built up areas and considerable extensions to the limits of settlements with a consequent erosion of the countryside and excessive pressures being exerted on existing services and infrastructure.

1.1.02 The District Council supports the County Council's aim of achieving a decrease in housebuilding rates to prevent progressive urbanisation and a deterioration of the environment and to enable problems with service provision and infrastructure to be dealt with. The Secretary of State's acknowledgement that the central part of Berkshire should no longer be regarded as a major growth area is particularly welcomed. Such considerations form the basis for the general policies outlined in this chapter of the plan.

THE EVOLUTION OF SETTLEMENTS

1.1.03 The plan area contains a number of settlements of varying history, ranging from Sonning which is believed to have been in existence as far back as the seventh century to Lower Earley for which outline planning permission was granted in 1977 and which is now nearing completion. The role of many of the settlements within the Loddon area has changed over time, and with it, the rate of growth; for example, Twyford remained an agriculturally based settlement until the opening of the Great Western Railway in the 1840's. The inter and post war periods have seen a marked increase in the rate of growth of many of the settlements, some of that growth occurring in the unfortunate form of ribbon development along highways. The policies contained in this plan have been formulated to prevent such environmentally damaging development occurring in the future.

DEFINITION OF IDENTIFIED SETTLEMENTS

1.1.04 The definition of rural areas is dependent on the definition of settlements and vice versa. The Loddon area is characterised by settlements of varying size and nature. Some settlements involve very few properties and/or are dominated by areas of undeveloped rural land causing them to be characterised by a loose settlement pattern. Such villages often possess a number of basic services, such as a school or church although these are rarely confined to serving the population of the village. The open nature of these villages presents many opportunities for further development in the form of filling in the gaps. However, it is considered that if such development were to occur, the existing special character of these villages would be detrimentally affected. For the purposes of this

plan, a village is not synonymous with an identified settlement, the latter being used to define an area where particular planning policies are appropriate. There will therefore be cases where parts of villages have been excluded from the identified settlement, for example, small groups of development on the far side of a road that marks the boundary of the main built up area of the village. In order to be consistent in the treatment of settlements of similar size, function and character, it has been necessary to draw up a definition for settlements warranting identification on the Proposals Map.

1.1.05 An 'identified' settlement or built-up area must possess all the following characteristics:-

(i) a reasonable amount of development in a compact form. (If development is interspersed with areas of land which are characteristically rural or open, this will not come within this criterion);

(ii) possess a range of basic services, such as a school, shop and community facilities, providing a forum for social contact;

(iii) be physically and socially cohesive.

On this basis the following policy is put forward.

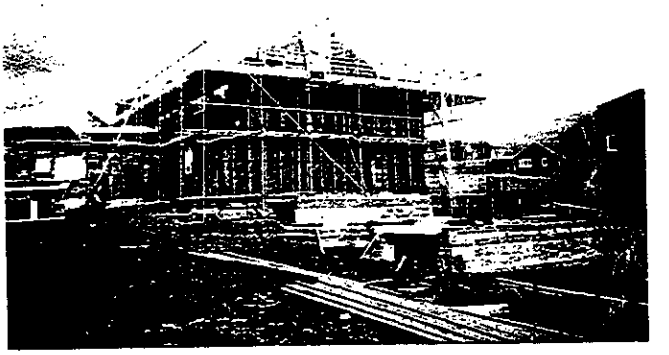
❖ LTV1 'IDENTIFIED SETTLEMENTS'

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

ARBORFIELD CROSS
BARKHAM HILL
CHARVIL
EARLEY/SONNING/WOODLEY
HURST
RISELEY
SHINFIELD
SINDLESHAM
SPENCERS WOOD
SWALLOWFIELD
THREE MILE CROSS
TWYFORD
WARGRAVE
WINNERSH

LIMITING THE SPREAD OF DEVELOPMENT

1.1.06 The District Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has a special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice. This is particularly important in the case of small scale housing and employment development on the edge of settlements which is dealt with in more detail in policies LH1 and LE2.



❖ LTV2 DEVELOPMENT IN RURAL AREAS

ALL LAND OUTSIDE THE IDENTIFIED SETTLEMENTS, AS SHOWN ON THE PROPOSALS MAP IS CONSIDERED TO BE RURAL AREA WITHIN WHICH DEVELOPMENT WILL NOT NORMALLY BE ALLOWED. IN ACCORDANCE WITH THE

~~G~~)H) TO SEEK IMPROVEMENTS TO INFRASTRUCTURE, SERVICES AND AMENITIES.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside ~~the~~ boundaries of identified settlements is retained. **However, within Wokingham District there are a number of settlements where people are heavily reliant on car borne transport because local services and facilities are limited and the choice of alternative transport modes is poor. National planning guidance, particularly PPG3 and PPG13, make it clear that new development should not be allocated in such locations.** ~~Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice.~~

1.7 **Identified settlements will therefore be divided into two categories as follows:**

Category A – Those settlements that possess a range of services, facilities and public transport opportunities that would permit residents to occupy a reasonably self-contained community without the need to use a private motor car to reach those services in larger settlements. It will be within and on the edge of these settlements that the Council will seek new housing allocations:

Wokingham, Spencers Wood, Three Mile Cross, Twyford, Winnersh, Shinfield, Shinfield (N of M4), Green Park/Courage Brewery, Earley, Woodley and Pinewood (Crowthorne).

Category B – Those settlements which have a reasonable amount of development in a compact form and may be physically and socially cohesive, but possess a lower range of basic services. In these settlements only very limited infilling and small windfall development will be permitted:

Arborfield Cross, Barkham Hill, Charvil, Sonning, Finchampstead, Finchampstead North, Hurst, Riseley, Sindlesham, Swallowfield and Wargrave.

Outside of the identified settlements it is intended to limit development to that which is appropriate to the countryside or for which a rural location is essential. ~~In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.~~

~~1.8 An 'identified' settlement or built up area must possess all the following characteristics:~~

~~(i) a sizeable amount of development in a compact form (if development is dominated by, or interspersed with, areas of land that are characteristically rural or open, it will not come within this criterion)~~

~~(ii) possess a range of basic services, such as a primary school, shop and community facilities, providing a forum for social contact~~

~~(iii) be physically and socially cohesive.~~

~~1.9 For the purposes of this plan the identified settlements are:~~

~~ARBORFIELD CROSS~~
~~BARKHAM HILL~~
~~CHARVIL~~
~~EARLEY/SONNING/WOODLEY~~
~~FINCHAMPSTEAD~~
~~FINCHAMPSTEAD NORTH~~
~~HURST~~
~~PINEWOOD~~
~~RISELEY~~
~~SHINFIELD~~
~~SINDLESHAM~~
~~SPENCERS WOOD~~
~~SWALLOWFIELD~~
~~THREE MILE CROSS~~
~~TWYFORD~~
~~WARGRAVE~~
~~WINNERSH~~
~~WOKINGHAM.~~ (M/1/11)

1.9A For the avoidance of doubt, the sites listed in Policies WH2, WH2A, WH2B and WH2C should be under development before any other site on the edge of a Category A settlement (and outside the settlement boundary) can be considered for release under this policy. (M/1/12)

1.9B Small windfall sites within Category B settlements would typically comprise sites of less than 1 hectare. Proposals for sites of less than one hectare will be assessed having regard to other policies contained within this Plan. Sites of over 1 hectare are unlikely to gain permission. For the purposes of this Policy, very limited infill has the same definition as "limited infill" in paragraph 2.23A of this Plan. (M/1/13)

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements. **For the sake of clarity, Arborfield Garrison does not possess the essential qualities of an identified settlement and is included in areas designated as countryside.** (M/1/14)

POLICY WOS2: HOUSING~~GENERAL~~ DEVELOPMENT PRINCIPLES (M/1/15)

WHEN DETERMINING NEW HOUSING DEVELOPMENT PROPOSALS A SEQUENTIAL APPROACH WILL BE APPLIED WHEREBY:

A) PREVIOUSLY DEVELOPED LAND AND BUILDINGS WITHIN THE BOUNDARIES OF CATEGORY A SETTLEMENTS WILL BE DEVELOPED FIRST;

B) SECONDLY, LAND AND BUILDINGS ON THE EDGE OF CATEGORY A SETTLEMENTS THAT ARE SERVED BY GOOD PUBLIC TRANSPORT CORRIDORS WILL BE CONSIDERED;



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.**

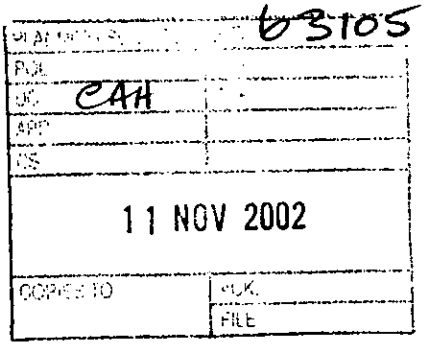
6.6 In areas affected by high levels of noise, development should be designed to minimise the nuisance caused to future occupants. Unacceptable levels of environmental nuisance will be defined through the local plan process and by building upon studies such as the County Council's State of the Environment 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.

Flooding

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

03105 + 068

08.NOV.2002 7922



01189887517

7 Blackwater close
Spencers wood
Reading
RG7 1DT
10-11-02

7922
DH

CASE No. 20027922

Dear Sir / Madam

After my conversation with the duty-planning officer on Friday, we were advised to put into writing the problems we are having concerning our drive. After falling on Friday, due to the conditions of our drive and garden we are making an appointment to see a solicitor, as luckily, I sustained no injury on this occasion, just covered in mud, wet and shook up. However it would definitely be a case for your legal department had it of been my daughter, who fell, who has just gone through seven years of surgery to correct a knee injury or my sister who has Down's syndrome.

We are also seeing a solicitor as we cannot believe that Mr. Devine can get away with what he has done, with no permission and going against the rules and regulations in the contracts which were written by you, the council, especially as these are shared equity homes with you as landlords. We had to sign contracts of great length in front of a solicitor saying we would adhere to the rules and regulations or loose our tenancy agreement with you. We have always done things by the letter, but it seems that we didn't need to, because Mr. Devine seems to be able to do as he pleases.

We have been talking with Richard Lettings in planning who gave Mr. Devine 28 days to remove the fence, which was supposed to have been the 7th November, but now it is on hold because he built first and has asked permission after, surely this cannot be right. Richard Lettings has photos' and copies of the paperwork, also the contract that clearly states that this is not allowed and will happily talk this through with you.

We have enclosed a picture of this property and drive as we bought it, open-plan with a lovely open driveway and parking area. Now we cannot use our parking space because we cannot open our car doors or use or side entrance because of an over large "garden shed" that is now on Mr. Devine's parking space. A space that should be used for parking on, not for erecting large wooden structures.

Now we are unable to use our drive properly as a six foot, concrete posted fence goes down the middle of it, if my husband is driving or we have passengers, we have to get out of the car before we reach the drive, because it is impossible to open the car doors. When on the drive we have to step onto and walk over our garden, which when it rains, floods, this was the cause of my fall. Also trying to get off our drive is a joke, as we have to go forward and backward as the fence is at an angle to suit Mr. Devine's needs, we are sure this causes it to cross over onto our property.

Also there is a picket fence going around the front of his property, all these things go against the terms and regulations in our contracts.

We can only ask you to act upon this as quickly as possible so as to put right the mess outside of our home, and give us back our original parking space and drive way, by removal of the shed and fences.

It also states in our contracts that nothing can be erected or done to reduce the selling price of the surrounding properties, this has definitely reduced our selling price. This is a lovely open plan estate I dread to think of what it would look like if everyone followed Mr. Devine's lead and got away with it. We strongly feel this must not be allowed.

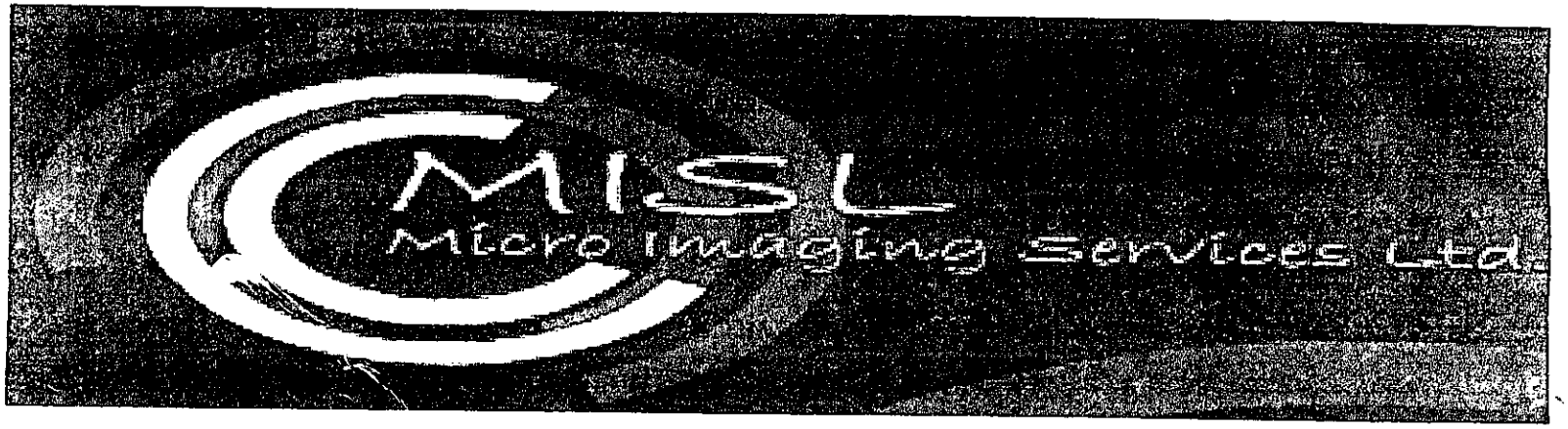
We have enclosed extra photographs so you can see our problems, which is increased even more when Mr. Devine's relatives park in front of the gates taking up even more space and again going against rules and regulations as this is a no parking keep clear area.

We would like to speak with you when you come to inspect the drive and parking area and would appreciate a call so as we can be here. We will look forward to hearing from you hopefully in the very near future.

Yours faithfully

Mr and Mrs McGovern

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



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN



7 BLACKWATER CLOSE, SPENCERS WOOD, READING, BERKS

11 NOV 2002

06. NOV. 2002 7922 & OTSE

7922
DH

63091

Telephone 0118 988 4135

8, Blackwater Close,
Spencers Wood,
Reading,
Berks RG7 1DT.

PLANNING SERVICES	HPT
POL	TLS
DC CAH	ENF
APP	
CS	

11 NOV 2002

COPIES TO

8th November 2002.

CASE No 20027922

Dear Sir,

I am writing to you regarding the erection of a six foot fence and garden shed at No 6 Blackwater Close. The fence has been erected down the middle of the driveway between No 6 and No 7 Blackwater Close and large gates at the end. A garden shed has been erected on the base that is for car parking or a garage only. This construction has completely changed the open plan nature of the properties, is an eyesore and will have a negative effect on property values.It has made access on and off the driveway more difficult especially for the residents at No 6 who cannot even open their car doors when parked on their own driveway.

I would like to draw your attention to the terms and conditions of the lease agreement that does not allow this type of construction when considering the planning application for the above.

Yours faithfully,

I C Gibbins

I.C. Gibbins.

PLANNING APPLICATION COMMENTS SHEET
FOR F/2002/7922. (Case Officer:Dawn Hancocks)

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

WOKINGHAM UNITARY
Aiming for Excellence

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).

PLANNING SERVICES	HPT
POL	D.S
DC	ENF
APP	
CS	

26 NOV 2002

COPIES TO 26/11

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 CAN ALSO BE E-MAILED TO US AT: Development.Control@wokingham.gov.uk

COMMENTS ON APPLICATION: F/2002/7922

YOUR NAME: MR I C GIBBINS

YOUR ADDRESS: (if these details are incorrect please amend)
8 BLACKWATER CLOSE
SPENCERS WOOD
READING
RG7 1DT

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: PLEASE REFER TO MY PREVIOUS LETTERS REGARDING THIS APPLICATION
Thankyou I.C.Gibbins

Continue over the page if more room required

PLANNING APPLICATION COMMENTS SHEET FOR F/2002/7922. (Case Officer:Dawn Hancocks)

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

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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).

POL	TLS
DC	ENF
APP	
CS	

02 DEC 2002

ACK. 5/12/02

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.
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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 CAN ALSO BE E-MAILED TO US AT: Development.Control@wokingham.gov.uk

COMMENTS ON APPLICATION: F/2002/7922

YOUR NAME: Mr. N. McGOVERN

YOUR ADDRESS: (if these details are incorrect please amend)
7 BLACKWATER CLOSE
SPENCERS WOOD
READING
RG7 1DT

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:

ALL OUR COMMENTS WERE SENT TO YOU BY LETTER, PHOTOGRAPHS, AND ON THE PHONE. WE CAN ONLY SAY THE SITUATION IS GETTING WORSE BECAUSE OF THE BAD WEATHER, AND OUR ANNOYANCE IS GROWING FAST. EVERY TIME WE TRY TO GET OUT OR IN OUR CARS AND TO DO A SIMPLE THING LIKE GET TO OUR FRONT DOOR WE ARE IN MUD.

Continue over the page if more room required

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

71968

PC
DC DC
AE
CS

FILE:

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

Your Ref: F/202/792

Our Ref: APP/X0360/A/03/1115380

Date: 12 August 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR JOHN DEVINE
SITE AT 6 BLACKWATER CLOSE, SPENCERS WOOD, SHINFIELD, BERKSHIRE, RG4 1DT

I enclose a copy of our Inspector's decision on the above appeal.

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

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

Phone No. 0117 372 8252

Fax No. 0117 372 8139

E-mail: Complaints@pins.gsi.gov.uk

Yours faithfully

Mrs Margaret Pocock

COVERDL1

Tel. (0118) 974 6448 (Direct Line)
Date: June 5, 2003
My ref: F/2002/7922
Your ref: APP/X0360/A/03/1115380

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 J Devine
SITE: 6 Blackwater Close, Spencers Wood

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: May 12, 2003
My ref: F/2002/7922
Your ref: APP/X0360/A/03/1115380

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 J Devine
SITE:6 Blackwater Close, Spencers Wood

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. May 12, 2003
My ref: F/2002/7922
Your ref:

Lennon Planning Ltd
4 King St Lane
Winnersh
Wokingham
RG41 5AS

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

Dear Sirs

APPEAL BY: Mr J Devine
SITE: 6 Blackwater Close, Spencers Wood

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

68600

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

PLANNING SERVICE
POL
DC DG
APP
CS
29 APR 2003

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

Your Ref: F/202/792 2

Our Ref: APP/X0360/A/03/1115380

Date: 28 April 2003

12/5 (H) DSH

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR JOHN DEVINE
SITE AT 6 BLACKWATER CLOSE, SPENCERS WOOD, SHINFIELD, BERKSHIRE, RG4 1DT

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.* 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)

LENNON
planning ltd

4 King Street Lane
Winnersh
Berkshire
RG41 5AS

TOWN PLANNERS • DEVELOPMENT CONSULTANTS • LOCAL GOVERNMENT CONSULTANTS

68189

Our ref ND/1768/ch

9 April 2003

The Chief Planning Officer
Wokingham District Council
Environmental Services Department
PO Box 153
Shute End
Wokingham
Berkshire
RG40 1WL

Dear Sir

Appeal by Mr John Divine
6 Blackwater Close, Shinfield

I have been instructed to submit an appeal against application no. F/2002/7922 on the above mentioned site. A copy of my letter to the Planning Inspectorate and appeal form is enclosed for your records.

Yours faithfully

Dominick Veasey
Direct Dial No: 0118 936 6662

Enc

4 King Street Lane, Winnersh, Berkshire, RG41 5AS Tel: 0118 936 6666 Fax: 0118 936 6667
35 The Avenue, Southampton, S017 1XN Tel: 023 80 820111 Fax: 023 80 820119
email: consultancy@lennon-planning.co.uk www.lennon-planning.co.uk

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LENNON
planning ltd

4 King Street Lane
Winnersh
Berkshire
RG41 5AS

TOWN PLANNERS • DEVELOPMENT CONSULTANTS • LOCAL GOVERNMENT CONSULTANTS

Our ref DV/1768/ch

9 April 2003

The Planning Inspectorate
Temple Quay House
3/06b Kite Wing
2 The Square
Temple Quay
Bristol
BS1 3PN

Dear Sir

Town & Country Planning Act 1990
Appeal by Mr John Divine
6 Blackwater Close. Shinfield, RG7 1DT

Please find enclosed an appeal against refused planning permission of application no. F/2002/7922 by Wokingham District Council, on the above mentioned site. I confirm that a copy has been sent to the local Planning Authority.

I trust this is in order and I await your acknowledgement in due course.

Yours faithfully

Dominick Veasey
Direct Dial No: 0118 936 6662

Enc

4 King Street Lane, Winnersh, Berkshire, RG41 5AS Tel: 0118 936 6666 Fax: 0118 936 6667
35 The Avenue, Southampton, S017 1XN Tel: 023 80 820111 Fax: 023 80 820119
email: consultancy@lennon-planning.co.uk www.lennon-planning.co.uk

Registered in England No. [illegible] • Registered Office 4 King Street Lane, Winnersh, Berkshire, RG41 5AS • VAT No. [illegible]

ROMAN

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.

Please print clearly in capitals using black ink

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr. John Devine		
Address	6 Blackwater Close	Daytime phone no	
	Spencers Wood, Reading	Fax no	
Postcode	RG7 1DT	E-mail address	

B. AGENT DETAILS FOR THE APPEAL (if any)

Name	Lennon Planning Ltd		
Address	4 King Street Lane	Your reference	
	Winnersh	Daytime phone no	01189 366 662
	Berkshire	Fax no	01189 366 667
Postcode	RG41 5AS	E-mail address	d.veasey@lennon-planning.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA	Wokingham District Council	LPA's application reference no.	F/2002/792
Date of the planning application	06/11/2002		
Date of LPA's decision notice (if issued)	03/02/2003		

D. APPEAL SITE ADDRESS

D

Address: 6 Blackwater Close
Spencers Wood
Shinfield
Berkshire

Postcode: RG4 1DT

Note: Failure to provide the full postcode may delay the processing of your appeal.

Is the appeal site within a Green Belt? YES ☐ NO ☑

E. DESCRIPTION OF THE DEVELOPMENT

Size of the whole appeal site (in hectares)

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

Has the despcription of the development changed from that stated on the application form? YES ☐ NO ☑

If YES, please state below the revised wording, and enclose a copy of the LPA's agreement to the change.

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 on the application form or 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 G

CHOOSE ONE PROCEDURE ONLY
You should start by reading our booklet 'Making your planning appeal' which explains the different procedures used to determine planning appeals. In short there are 3 possible methods: - written representations, hearings and inquiries. You should consider carefully which method suits your circumstances.

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

Please tick ✓

1. WRITTEN REPRESENTATIONS ☑

This is normally the simplest, quickest and most straightforward way of making an appeal. Three out of every four people making an appeal choose this method. The written procedure is particularly suited to small-scale developments (e.g. extensions of buildings, individual houses or small groups of houses, appeals against conditions and changes of use). It is also very popular with people making their own appeal without professional help. The process involves the submission of written 'grounds of appeal' followed by a written statement and any supporting documents. It also provides an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). An Inspector will study all of the documents before visiting the appeal site/area and issuing a written decision.

NOTE: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.

a). If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land?

YES ☐

NO ☐

b). Is it essential for the Inspector to enter the site to check measurements or other relevant facts?

YES ☐

NO ☐

If the answer to 1b is 'yes' please explain

2(a). HEARINGS ☐

This process is likely to be suited to slightly more complicated cases which require detailed discussion about the merits of a proposal. Like the written procedure, the process starts with the submission of 'written grounds of appeal' followed by a full written statement of case and an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). The Planning Inspectorate will then arrange a hearing at which the Local Planning Authority and the appellant(s) will be represented. Members of the public, interested bodies (e.g. Parish/Town Councils) and the press may also attend. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. The Inspector will visit the site/area and issue a written decision in the same way as the written procedure.

Although you may prefer a hearing the Inspectorate must consider your appeal suitable for this procedure.

(b) INQUIRES ☐

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence. Members of the public and press may also attend. In general, inquiries are needed for appeals that:

- are complex and unduly controversial;
- have caused a lot of local interest;
- involve the need to question evidence through formal cross-examination.

H. GROUNDS OF APPEAL

H

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, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive enough to enable the LPA to prepare their case.

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

Please continue on a seperate sheet if necessary.

The erection of a 1 metre fence and a 1.8 metre wooden fence does not form an in congress feature, or nor do the fences have a detrimental impact to the visual amenity or street scene.

The fences are not contrary to Policies LBE1 or LBE2 of the Loddon Area Local Plan or Policies WOS3 or WDE1 of the Wokingham District Local Plan.

H. GROUNDS OF APPEAL (continued) H

1. 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). 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 (see *Guidance Notes*) 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
Wokingham District Council	Shute End, Wokingham	10 April 2003

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 CERTIFICATES (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 'Tenants 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 J

The documents listed in 1-6 below, must be sent with your appeal form; 7-11 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 Ordinance Survey map).	☑
5.	A list (stating drawing numbers) and copies of all **plans, drawings and documents** sent to the LPA as part of the application.	☑
6.	A list (stating drawing numbers) 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.	☐

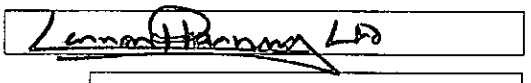
PLEASE TURN OVER AND SIGN THE FORM - UNSIGNED FORMS WILL BE RETURNED

K. PLEASE SIGN BELOW K

(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  (on behalf of) Mr. John Devine

Name (in capitals) Lennon Planning Ltd Date 10 April 2003

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration 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

- **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.

   YOU MUST KEEP TO THE TIMETABLE
   If information or representations are sent late we may disregard them. They will not be seen by the Inspector but will be sent back to you.

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.

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The Copyright Unit
Her Majesty's Stationary Office
St Clements House
2-6 Colegate
Norwich NR3 1BQ

APPEAL STATEMENT
SITE AT 6 BLACKWATER CLOSE, SPENCERS WOOD, SHINFIELD, READING, RG7 1DT

STATEMENT IN SUPPORT OF AN APPEAL FOR PLANNING PERMISSION BY MR. J. DEVINE.

Our reference: DJV/4064/ch
June 2003

4 King Street Lane,
Winnersh, Berkshire RG41 5AS
Telephone: 0118 936 6666
Fax: 0118 936 6667
E mail: consultancy@lennon-planning.co.uk

LENNON
planning ltd

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3. RELEVANT PLANNING POLICY

4. CASE FOR THE APPELLANT

5. CONCLUSIONS

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2. PHOTOGRAPHS OF SITE AND SURROUNDS

3. VISIBILITY SPLAY FOR BLACKWATER CLOSE

4. VISIBILITY SPLAY FOR NO. 7 AND NO. 8 BLACKWATER CLOSE

5. CASE OFFICER'S REPORT

1. INTRODUCTION

1.1 This appeal statement is submitted in support of an appeal against the refusal of planning permission by Wokingham District Council on an application for the erection of a 1.8m high wooden fence with access gates and a 1m high picket fence. A location plan is attached at Appendix 1.

1.2 This statement contains a description of the site and its surroundings, details of the planning history, relevant planning policies applied to such a case and in Section 5 sets out the Case for the Appellant. This statement will demonstrate the following:

i) the wooden fences would retain the overall appearance and visual amenity value of Blackwater Close; and

ii) a wooden fence is not out of character within Blackwater Close or within the wider context of the residential estate that Blackwater Close forms part of.

1.3 The issues covered above are drawn together within the conclusion.

2. THE SITE AND SURROUNDINGS

2.1 The appeal site, No. 6 Blackwater Close is located in Spencers Wood within Wokingham District. Blackwater Close is one of three Closes off Montgomery Drive.

2.2 Blackwater Close and the surrounding residential area was originally developed with the concept of being an 'open plan' estate. Over time this concept has diminished as desires for privacy have been met through the erection and planting of various forms of property boundaries. A sense of enclosure has developed throughout the estate, close board fences and brick walls are becoming common place and hedges are beginning to reach a point in maturity where they create enclosure and clearly defined boundaries. The estate has comprehensively evolved from the original open plan concept towards a more defined private estate; however, there still remains a sense of openness and rural character as originally intended. The photographs in Appendix 2 show the curtilage of 6 Blackwater Close in relation to its surroundings and also photographs which illustrate boundary fencing styles, sense of privacy and enclosure within the surrounding area.

2.3 The fences the subject of this appeal are located off Blackwater Close itself and front on to a small private drive area shared by three dwellings. The private drive area, can be described as being a small cul-de-sac and has a strong sense of enclosure. This enclosure is created through the configuration of the three dwellings surrounding the drive way on the western side, a 1.8 metre close board fence marking the north-eastern boundary and a mature hedge, in excess of 1.8m forming the south-eastern boundary. The location map in Appendix 1 shows that the appeal site is located towards the end of Blackwater Close. Blackwater Close curves back around on itself. As the road bends around the corner the concept of openness is lost as one is unable to see through or around corners.

2.4 The exact location of the appeal site and moreover the fences the subject of this appeal are tucked in the very corner of the Close and do not contribute to, or even form part of the Blackwater Close street scene or amenity value. The area of open space, and area of childrens play equipment to the south and southeast of the appeal site provide a strong sense of openness and rural character for the area. Views from this area of open space into the appeal site, and more importantly views of the fences are limited because of the mature private driveway hedge.

2.5 The application, the subject of this appeal was submitted on 6 November 2002 and was given the reference F/2002/7922.

2.6 The decision notice, received on 3 February 2003 stated the following reason for refusal:

> *"The development forms an incongruous feature, out of character with the surrounding street scene and detrimental to the visual amenity of the area. The fence is therefore contrary to Policies LBE1 and LBE2 of the Loddon Area Local Plan and Policies WOS3 and WBE1 of the Wokingham District Local Plan"*

3. RELEVANT PLANNING POLICY

3.1 The following planning policies relevant to this appeal are contained within Government guidance, the Berkshire Structure Plan (December 1995) and the Wokingham District Local Deposit Draft Consolidated Modifications (January 2003), and the Loddon Area Local Plan (Adopted 5 May 1995)

National Policy Planning Guidance

PPG1 (General Policy & Principles)

3.2 The guidance contained within PPG1 indicates that the Development Plan is "at the heart" of the decision-making process. It will be necessary to decide whether the proposal is in accordance with the Plan and to take into account any other material considerations

3.3 Design issues are considered within paragraphs 13-20. In particular, paragraphs 13 and 18 state:

> *"New buildings and their curtilages have a significant effect on the character and quality of an area. They define public spaces, streets and vistas and inevitably create context for future developments. These effects will often be to the benefit of an area but they can be detrimental. They are matters of proper public interest. The appearance of proposed development and its relationship to its surroundings are therefore material considerations in determining planning applications and appeals. Such considerations relate to the design of buildings and to urban design. Both are important. Both require an understanding of the context in which development takes place whether in urban or rural areas".*
>
> *"Local Planning Authorities should not attempt to impose a particular architectural taste or style arbitrarily. It is, however, proper to seek to*

promote or reinforce local distinctiveness, particularly where this is supported by clear planning policies or supplementary design guidance. Local planning authorities should not concern themselves with matters of detailed design except where such matters have a significant effect on the character or quality of the area, including neighbouring buildings".

Berkshire Structure Plan (December 1995)

3.4 The Berkshire Structure Plan adopted in December 1995 (with amendments unrelated to this appeal in 1997), is part of the current Development Plan. The emerging Deposit Draft Structure Plan, published in March 2002, remains in the early stages of preparation and carries little weight. The following policies from the adopted Plan are relevant.

3.5 **Policy LD3** *Environmental Impact of Developments*: states that:

"Development proposals will only be permitted where they do not give rise to an acceptable impact on the environment, including serious harm to the character or appearance of an area, or the amenities of neighbouring land uses".

3.6 This Policy seeks to protect and enhance the appearance of the environment from inappropriate development; "serious harm" would have to be caused by a development proposal for there to be a conflict with a strategic policy.

3.7 The fences do not have any unacceptable impact on the environment; there is no harm to the character and appearance of the area; and the amenity value of the public open space within Blackwater Close has not been constrained or compromised by the wooden boundary fences.

3.8 **Policy EN1** Protection Enhancements of the Environment of Built Up Areas states that:

"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, development should embody a high standard of design, layout and landscaping, and help maintain and, where possible, enhance the character of its surroundings".

3.9 No conflict with this Policy is alleged in the reasons for refusal, however, the wooden fences are constructed to a high quality in both design and materials. The fences maintain the character of Blackwater Close.

Wokingham District Local Plan

3.10 The Wokingham District Local Plan Deposit Draft was published in January 2003. This plan is used for development control purposes. The following policies from the local plan are relevant:

Policy WOS3: *Development Control Principles*: states that development proposals will be assessed to:

"a) be appropriate in scale, activity and character to the area in which they are located and be integrated into their local context without detrimental to the amenities of adjoining land uses and occupiers;

b) have no significant detrimental impact upon 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, and be of a high quality of design that respects the local context by virtue of siting, massing, materials, colour and texture."

3.11 The fences the subject of this appeal are in keeping with the surrounding area in terms of scale, siting, massing, materials, colour and texture.

> **Policy WBE1**: *Design and New Development*: states that *"new development will be expected to achieve high standards of design and layout"*; and that *"a scheme should create its own identity, whilst taking account of the wider locality, including, the surrounding townscape and landscape."*

3.12 The fences the subject of this appeal are designed and built to a high standard.

Loddon Area Local Plan

3.13 The Loddon Area Local Plan was adopted 5 May 1995. The following Policies are relevant to this appeal:

> **Policy LBE1**: *Design of new development*: states that *"new development shall be of a high standard of design appropriate to the character of the surrounding area"*. Development should:
>
> *"a) make a positive contribution to its setting and character of the area;*
>
> *b) contribute to the creation of a safe and attractive environment in which to live and work; and*
>
> *c) retain important natural, manmade or landscape feature of the site compatible with good design."*
>
> **Policy LBE2**: *Inappropriate Design:* states that *"development that is inappropriate ... will not normally be permitted"*.

3.14 The design of the fences is in keeping and of similar character to fences and curtilages already within existence within Blackwater Close and the wider estate.

4. CASE FOR THE APPELLANT

4.1 From the Council's reason for refusing the application, the principle issues in this appeal are:

- whether the fences form an incongruous feature that is out of character with the surrounding street scene; and
- whether the fences are detrimental to the visual amenity of the area.

Incongruous and Character Setting

4.2 As mentioned above in paragraph 2.2, property boundaries within Blackwater Close and surrounding estate are enclosed through a mixture of different boundary curtilages; the photographs within Appendix 2 clearly show the wide variety of curtilage, materials, styles, shape and sizes already in existence. There is no clearly defined character within Blackwater Close nor is there one within the surrounding area.

4.3 The open plan concept does not exist. Fences and hedges are wide spread and common place within the estate, the fences the subject of this appeal can therefore not be considered incongruous or out of character as described by the Local Planning Authority.

4.4 The picket fence to the front of the appeal site is considered to maintain the original rural character of the area, particularly as the picket fence retains the openness of the estate. This is not the case for other fences, walls and hedges that are common places within the estate.

4.5 PPG1 points out that curtilages can have a significant effect on the character and quality of the area and that they can define public spaces. The large mature hedge in between the residential properties and the children's play area to the east clearly defines the private drive, cul-de-sac area, and creates a strong sense of enclosure. The fences the subject of this appeal bind the

curtilage of the appeal site and lie within the enclosed private drive area, it is considered that the fences do not have any detrimental impact to the openness or character of the area, as the character of the area is that of enclosure.

4.6 PPG1 states that Authorities should not attempt to impose a particular architectural taste or style arbitrarily. The fences to which this appeal relates are not the only wooden fences or property boundary within Blackwater Close or surrounding estate. The fences are constructed out of a natural material which is more appropriate in character and style than brick walls or other man-made materials. The picket fence as mentioned above allows the continuity of the openness and amenity whereas a dense hedge or wall blocks all visual continuity and amenity value.

4.7 PPG1 goes on to state that Local Planning Authorities should not concern themselves with matters of detailed design except where such matters have a significant effect on the character and quality of the area. It has already been stated above that the fences and are in keeping with the character of Blackwater Close and the surrounding estate, in terms of scale and materials presently used to define property curtilages. The fences should therefore be permitted as it is in keeping with its setting.

Visual Amenity

4.8 Within the Councils reasons for refusal it is stated that the fences are detrimental to the visual amenity of the area, Visability Map 1 included in Appendix 3 clearly shows that due to the configuration of the private drive area, the area within Blackwater Close in which the 1.8 metre fence is visible, is insignificantly small; the fence does not have any detrimental impact to the visual amenity of Blackwater Close. The picket fence does not have any impact to the visual amenity of Blackwater Close as the gaps in between the panels allow for the continuity of vision.

4.9 The 1.8 metre fence is located in between No. 6 and No.7 Blackwater Close, only a small part of the fence is visible from No. 7 and No.8 Blackwater Close. The visibility maps included in Appendix 4 clearly show that the fence has a minimal impact on the visual outlook from the neighbouring properties. The picket fence permits visual continuity and it is considered that there is no impact to the visual amenity.

4.10 Within the case officers report it is stated that with regard to the 1m picket fence "*there would be no adverse impact in terms of overlooking, overshadowing and overbearing*". A copy of the full case officers report is included within Appendix 5. With regard to the 1.8m fence the case officers report states that *"the parking area for No.7 still remains"*; this is very evident from the photograph in Appendix 2. The case officer goes on to state that *"there would be no adverse impacts in terms of overlooking, overshadowing and overbearing."* Neither of the fences the subject of this appeal are considered to have adverse impacts in terms of overlooking, overshadowing and overbearing, they therefore can not be considered to have a detrimental impact to the visual amenity or character of the area.

Security

4.11 The 1.8m fence and gated entranceway provides security to No.6 Blackwater Close. The location of the property in such close proximity to the area of children's play increases the risk posed to the property as the recreational area attracts and provides opportunities to loiter. The screened and enclosed nature of the private driveway area provides an ideal environment for potential crime. The fences the subject of this appeal increase property and vehicle security.

Parking Width

4.12 The area provided for parking in between No. 6 and No. 7 Blackwater Close is 5m in width. The 1.8m fence the subject of this appeal divides the parking

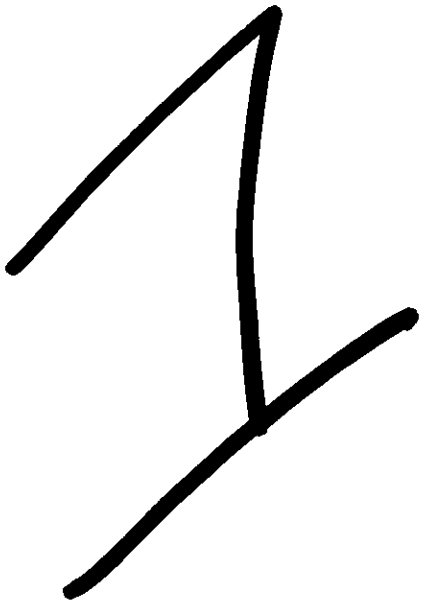
area into two. The space remaining for car parking on each side of the fence still conforms to Government guidance for providing parking space widths of 2.4m as set out in Design Bulletin 32 (April 1992, HMSO). The fence therefore does not restrict parking for either property.

5. CONCLUSIONS

5.1 The proposal does not disrupt or damage the overall appearance or character of Blackwater Close. There are a number of existing wooden fences within the area; and a significant number of boundary fences constructed out of other materials and vegetation. This diversity contributes to the local character and appearance of Blackwater Close.

5.2 The streetscape of Blackwater Close does not have any significant visual amenity value that would be harmed by the fences. The private driveway serves the three residential properties. It is not an area of public open space. Vehicle traffic has a greater detrimental impact on the quality of the environment than property boundary fences. The visual impact of a parked car on amenity value is significantly reduced if the car is screened. Car parking area screening exists within the estate. The fences provide increased security to No. 6 Blackwater Close.

5.3 This appeal proposal would preserve the character of the area and The Inspector is therefore respectfully requested to allow this appeal and grant planning permission.



A4 INDEXES 1-5
INTERCALAIRES NUMERIQUES A4 1-5
REGISTER A4 1-5

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APPENDIX 1

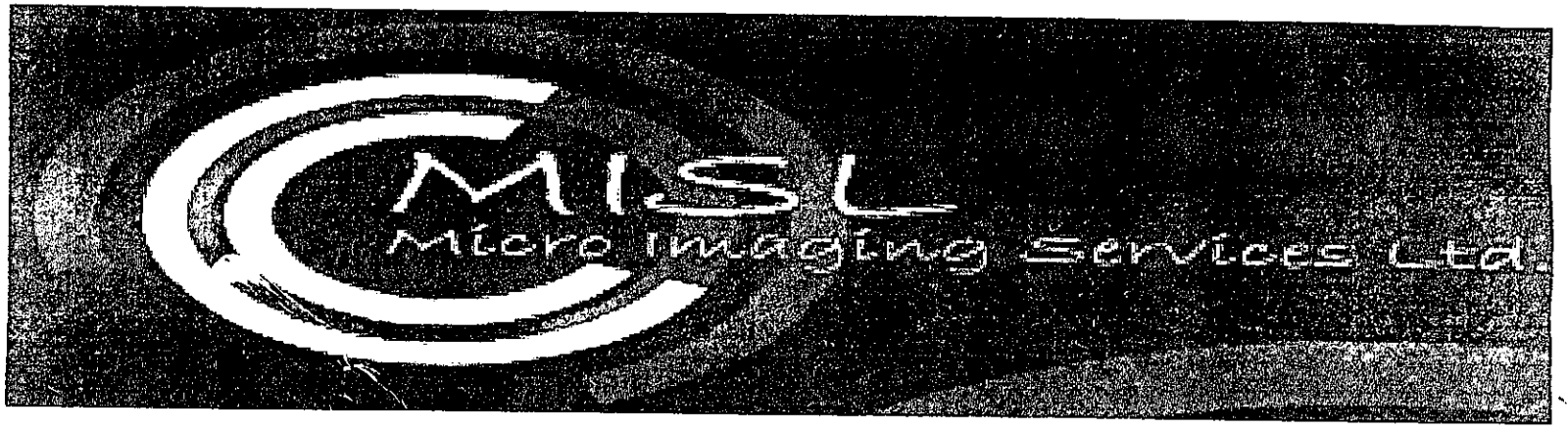
SITE LOCATION PLAN

2

APPENDIX 2

PHOTOGRAPHS OF SITE AND SURROUNDS

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



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN

Appendix 2



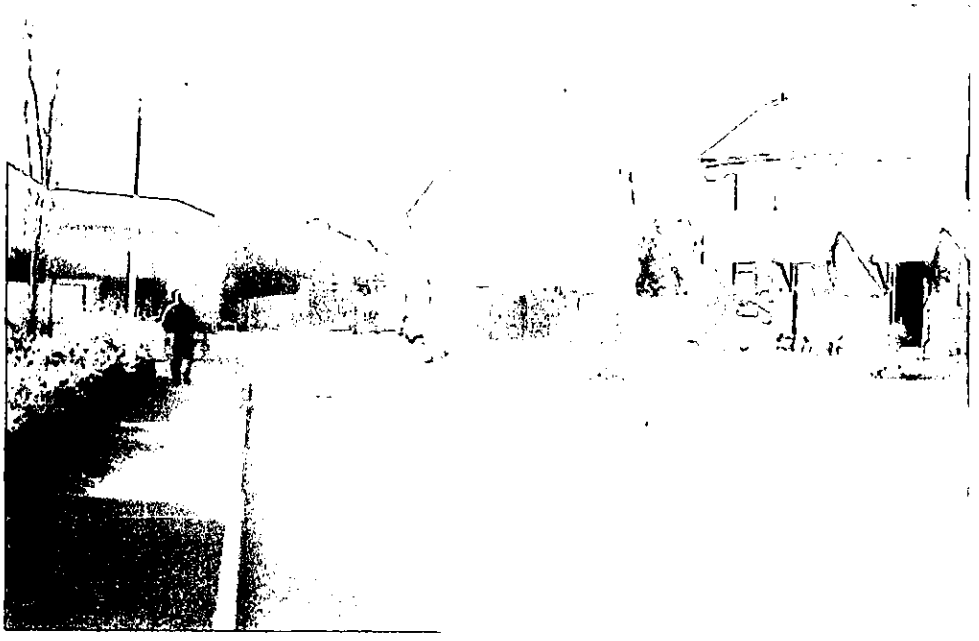
The 1m picket fence the subject of this appeal



The 1.8m close board fence and gateway the subject of this appeal. It is clear from the photograph that the parking of cars at No.7 Blackwater Close is not restricted by the fence.



Brick walls and hedges within the estate. The view further along the road shows fences and hedges creating a narrow sense of space. There is clearly no sense of openness within this stretch of the estate.



Maturing hedges to the front of properties



Boundary hedging and fencing directly abutting the highway



Planting designed to create screening – not openness



APPENDIX 3

VISIBILITY SPLAY FOR BLACKWATER CLOSE

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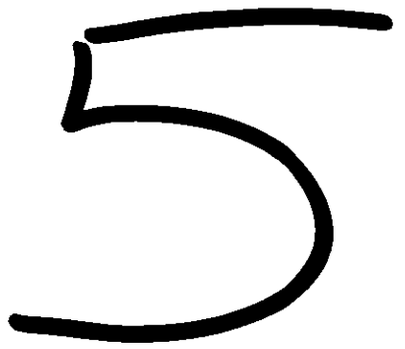
APPENDIX 4

VISIBILITY SPLAY FOR NO. 7 AND NO. 8 BLACKWATER CLOSE



APPENDIX 5

CASE OFFICER'S REPORT

Application Number: F/2002/7922

Appraisal:

Development

The proposed is for the retrospective erection of a 1.8m fence with access gates and a 1m high picket fence to the front. The site is a semi-detached dwelling located within the identified settlement of Shinfield. The 1m picket fence encloses the front garden. The 1.8m fence and access gates separates the double width driveway between the site and No.7.

1) Impact upon the neighbours

There would be no adverse impact in terms of overlooking, overshadowing and overbearing with regards to the 1m high picket fence. The 1.8m fence and access gates splits the double width driveway between the site and No.7 in to two halves. Two neighbours have objected in terms of restricted access by cars and pedestrians by No.7 on to and off the driveway however the parking area for No.7 still remains. The access by No.7 on to the drive has been reduced, as previously it would have been possible to use the full width of the drive to drive over to gain access. There would be no adverse impacts in terms of overlooking, overshadowing and overbearing.

2) Impact upon the character of the street scene

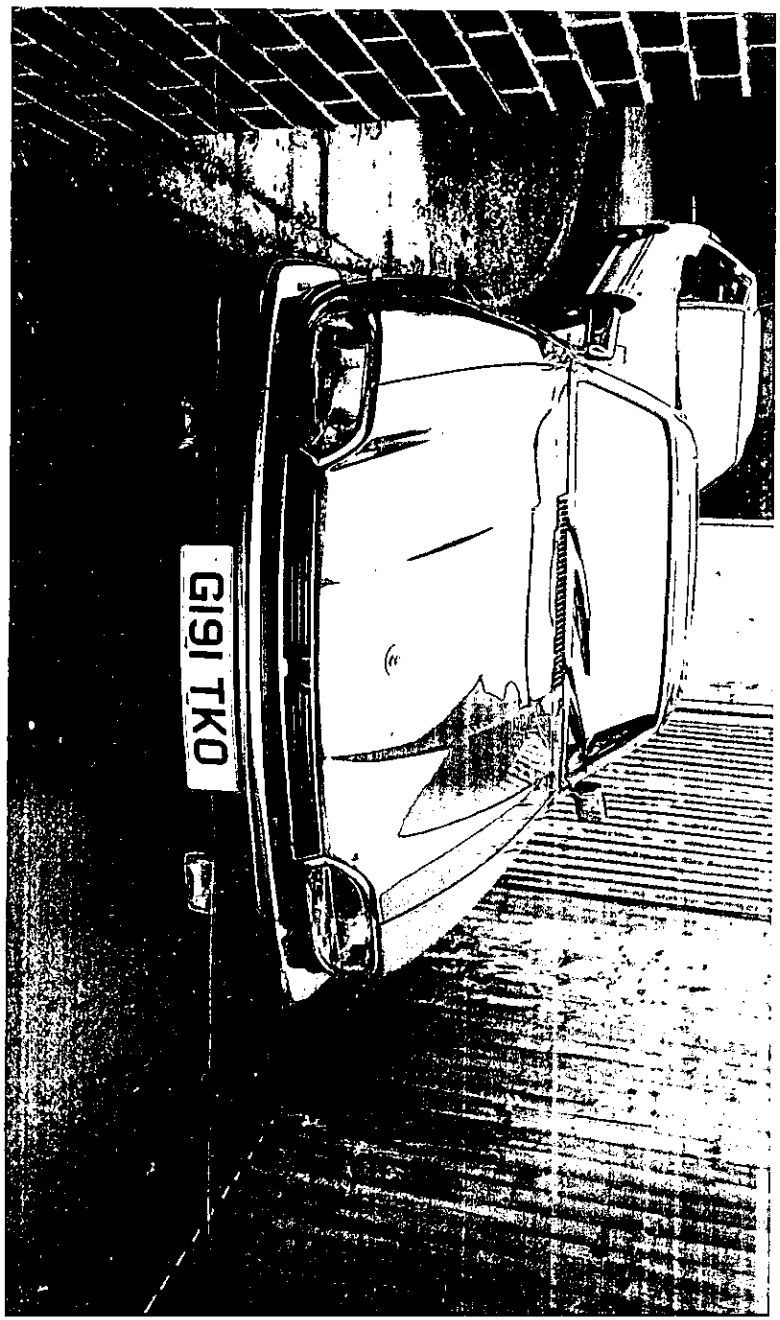
The 1m picket fence to the front detracts from the open plan estate and therefore is adverse upon the character of the street scene. The 1.8m fence is visible from the highway but is not built forward of the front elevation of the house. The 1.8m fence would be more in keeping if it was painted/stained a darker colour.

~~**Approval:**~~ **Refusal: ✓**

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



FOR THIS REASON THEY MAY APPEAR UNREADABLE ON SCREEN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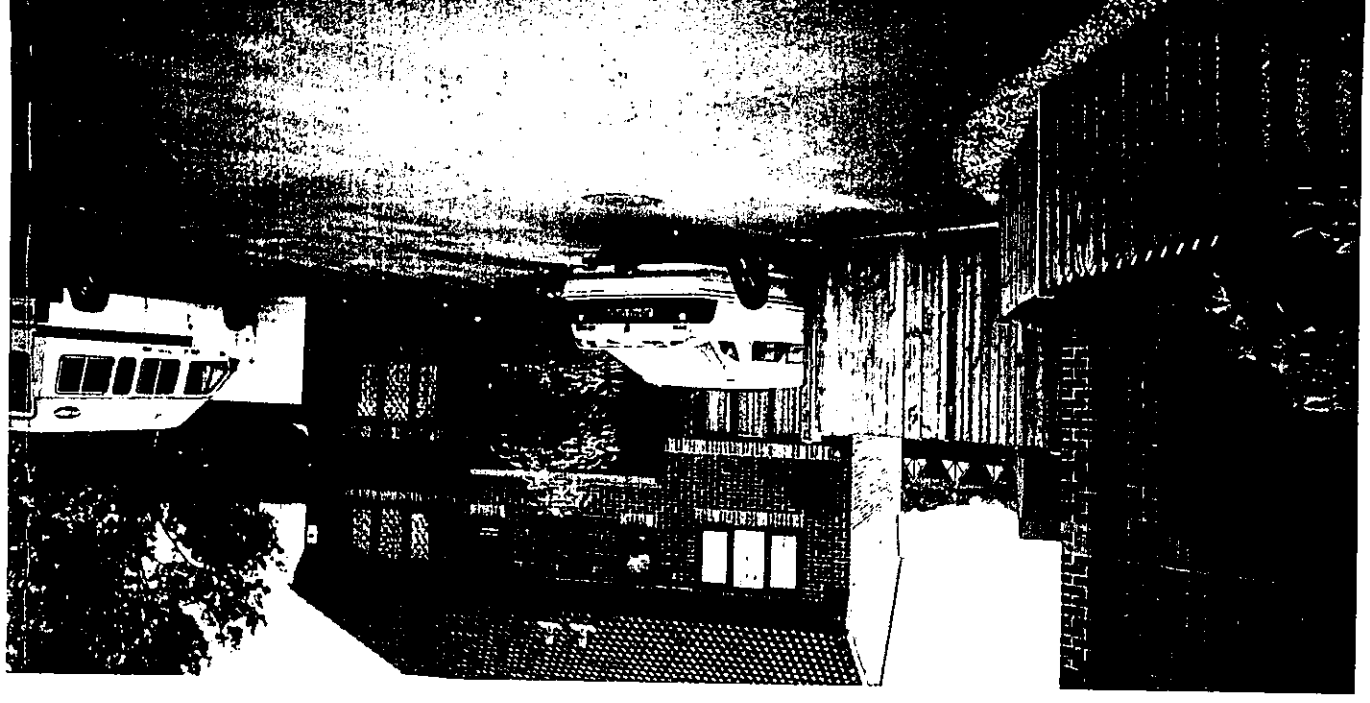


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