RAILEX SYSTEMS LTD
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LONDON OFFICE Tel.020 7377 1777 Fax.020 7247 6181

JN 588

APPLICATION NO:
F/2002/6235

LOCATION:
Aberfoyle (Toad Cottage) Mole Road, Sindlesham Wokingham.

APPLICANT:
Mr M Piper

PROPOSAL:
Proposed two storey rear extension and raisin of roof to front of dwelling plus side dormer.

EARLIEST DATE FOR DECISION: **02/05/2002**

APPLICATION WILL HAVE EXPIRED ON:
21/05/2002

CASE OFFICER: **Francis Leo**

2003 185

DO

Application No: F/2002/6235 FL

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr M Piper
Toad Cottage
Mole Road
Sindlesham
Berks
RG41 5DJ

Application Number: F/2002/6235

Parish: **WINNERSH**

Location: **Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.**

Proposal: **Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer.**

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

Reason
1. The proposed development because of its size, depth and proximity to No. 1 Mole Road would have an overbearing effect and be detrimental to the amenities of the adjoining property. As such the proposal would be contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and policy WBE1 of the Wokingham District Local Plan.

Reason
2. The proposed dormer to the side of the property is out of proportion to the main dwelling and would have an overbearing visual effect contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and policy WBE1 of the Wokingham District Local Plan.

Reason
3. The proposed rear balcony would result in overlooking of the rear gardens of adjoining properties detrimental to their amenities. As such the proposed balcony would be contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and policy WBE1 of the Wokingham District Local Plan.

Informative

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

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

A Cronin

Anna Cronin
Head of Planning & Transportation
Date: 29/05/2002

Notice checked by: _____

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

Appeal Decision

Site visit made on 8 January 2003

by Martin Whitehead LLB BSc CEng MICE

an Inspector appointed by the First Secretary of State

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

Date

15 JAN 2003

Appeal Ref: APP/X0360/A/02/1098906
Toad Cottage, Mole Road, Sindlesham, Berkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Martin Piper against the decision of Wokingham District Council.
- The application (Ref. F/2002/6235), dated 25 March 2002, was refused by notice dated 29 May 2002.
- The development proposed is a two storey extension to the rear, in line with the existing building, and internal modifications to the existing dormer to the front.

Summary of Decision: The appeal is dismissed.

Preliminary Matters

1. Although the description of the proposed development on the application includes internal modifications to the existing dormer to the front, at the site inspection I observed that there is not an existing dormer to the front. I have therefore decided this appeal on the basis of the proposed development being a two storey extension to the rear, in line with the existing building, and dormer windows to the front and side.

Main Issues

2. I consider the main issues are the effect of the proposed development on:
   (a) the character and appearance of the surrounding area;
   (b) the living conditions of the occupants of adjoining dwellings, with particular regard to matters of overshadowing, outlook, privacy and overlooking.

Planning Policy

3. The development plan includes the Berkshire Structure Plan 1991-2006, incorporating alterations adopted in August 1997, and the Loddon Area Local Plan, adopted in May 1995. Structure Plan policy EN1 and Local Plan policy LBE1 seek to ensure that new development improves the character and appearance of the surrounding area. Local Plan policy LBE2 seeks to prevent new development that is inappropriate in terms of its relationship with adjoining sites and buildings or adversely affects the character of the surrounding area.

4. The Council has referred to the emerging Wokingham District Local Plan Deposit Draft on which the Inspector's report has been published following the public Local Plan inquiry. The Inspector's report recommended rewording of policy WBE1, which has been stated by the Council as being relevant to this appeal. I consider that the reworded policy WBE1 seeks similar objectives to the adopted Local Plan policies LBE1 and LBE2 with regard to

the requirement to consider the effect of new development on the character and appearance of the surrounding area.

Reasons

First Issue: Effect on Character and Appearance

5. The appeal site is located on the north-west side of Mole Road, between a row of small traditional semi-detached houses to the north-east and a row of mainly detached bungalows and mobile homes to the south-west. At the site inspection I observed that some of the properties to the south-west are used for commercial activities but I consider that the character of the area is predominantly residential.

6. In my opinion the appeal dwelling, being a bungalow with a rear-facing skylight in the roof, is more in character with the row of bungalows to the south-west. Although some of these bungalows have large dormer windows, these are only on one elevation whereas the proposed development includes a side facing dormer as well as one at the front of the bungalow. Therefore, it seems to me that due to the relatively narrow width of the dwelling these dormers would make the roof appear to be disproportionate with the rest of the dwelling when viewed from the front, and this would be out of keeping with the other dwellings in the area.

7. I accept that the area is not a conservation area and that there are no listed buildings nearby. However, these matters do not outweigh my conclusion on this first issue that the proposed development would adversely affect the character and appearance of the surrounding area. It would therefore not accord with Structure Plan policy EN1 and Local Plan policies LBE1 and LBE2 with respect to this issue.

Second Issue: Effect on Living Conditions

8. The proposed rear extension would extend the appeal dwelling to about the same depth as the adjacent bungalow at Badgers Barn and it would be single storey with a pitched roof and a dormer window along its south-west elevation. I consider that the proposed extension would be a sufficient distance from the adjacent dwellings at Badgers Barn and No. 1 Mole Road and a low enough height not to cause any significant overshadowing of the side windows at either of these dwellings.

9. The proposed rear extension would project a further 10 metres back along the boundary with No. 1 Mole Road. However, it is my view that it would not appear to be overbearing because of the high pitched roof that would slope away from the boundary and the relatively low ground floor that would be partially screened by the boundary fence. Although there would be a dormer window in the roof of the side elevation adjacent to Badgers Barn I consider that it would appear narrow enough on this elevation not to adversely affect the outlook from the adjacent property. Therefore in my opinion the proposals would not unduly harm the neighbours' outlook.

10. With regard to overlooking, it seems to me that the proposed first floor balcony would be a sufficient distance from the rear garden of Badgers Barn and the rear of the dwelling at No. 1 Mole Road not to result in undue overlooking of their gardens. Also, I believe that the views from the balcony would be restricted by the extended roofline to the side of it and the trees and shrubs in the rear gardens. Therefore I consider that there would be no significant loss of privacy to the neighbours as a result of the proposed development.

11. I conclude on this second issue that the proposed development would not adversely affect the living conditions of the occupants of adjoining dwellings and would accord with Local Plan policy LBE2 with respect to this issue.

Conclusions

12. Although I have found in favour of the proposed development on the second issue, I consider that the harm it would cause to the character and appearance of the surrounding area provides a compelling reason on its own why the proposals should not be permitted. Therefore, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should not succeed.

Formal Decision

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

Information

14. 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.

M. J. Whitehead

INSPECTOR

Tel. (0118) 974 6450 (Direct Line)
Fax. (0118) 974 6484
Email. Basia.Polnik@wokingham.gov.uk
Date July 31, 2002
My ref. BP/2002/6235

Mr M Piper
Toad Cottage (formerly Aberfoyle)
Mole Road
Sindlesham
Berkshire
RG41 5DJ

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham
http://www.wokingham.gov.uk

Dear Mr Piper

RE: PROPOSED EXTENSIONS TO TOAD COTTAGE, MOLE ROAD, SINDLESHAM

I refer to your letter dated 16 July 2002 regarding revisions to your proposal.

Having reviewed your proposal and whilst I accept that a large extension has been constructed at the adjoining property to the south-west, Badgers Bottom, the extension you are proposing is still considered to be excessive in length, thereby resulting in an unacceptable overbearing impact on the adjoining property to the north-east.

I would suggest that the extension is reduced so that the ground floor of the existing and proposed is no more than 16 metres in length and 12 metres in length at first floor level. However the roof of the ground floor extension which would project further to the rear than the first floor element should be kept to a minimum height to reduce the impact on the neighbour and therefore should either be flat-roofed or have a shallow monopitched roof.

The replacement of the proposed side dormer with an obscure glazed roof light and the omission of the rear balcony are considered to be acceptable.

I hope this advice is helpful, although I accept that from your point of view the suggestions would not achieve the amount of floorspace you originally anticipated.

Finally, you should be aware that these comments are given "without prejudice" to the Council's normal decision-making process.

Yours sincerely

MRS B POLNIK
Senior Planning Officer

PLANNING SERVICES	HPT 58678
POL	TCS
DC FL	BUF
APP	
CS	
16 JUL 2002	
COPIES TO	ACK:

Application No F/2002/6235

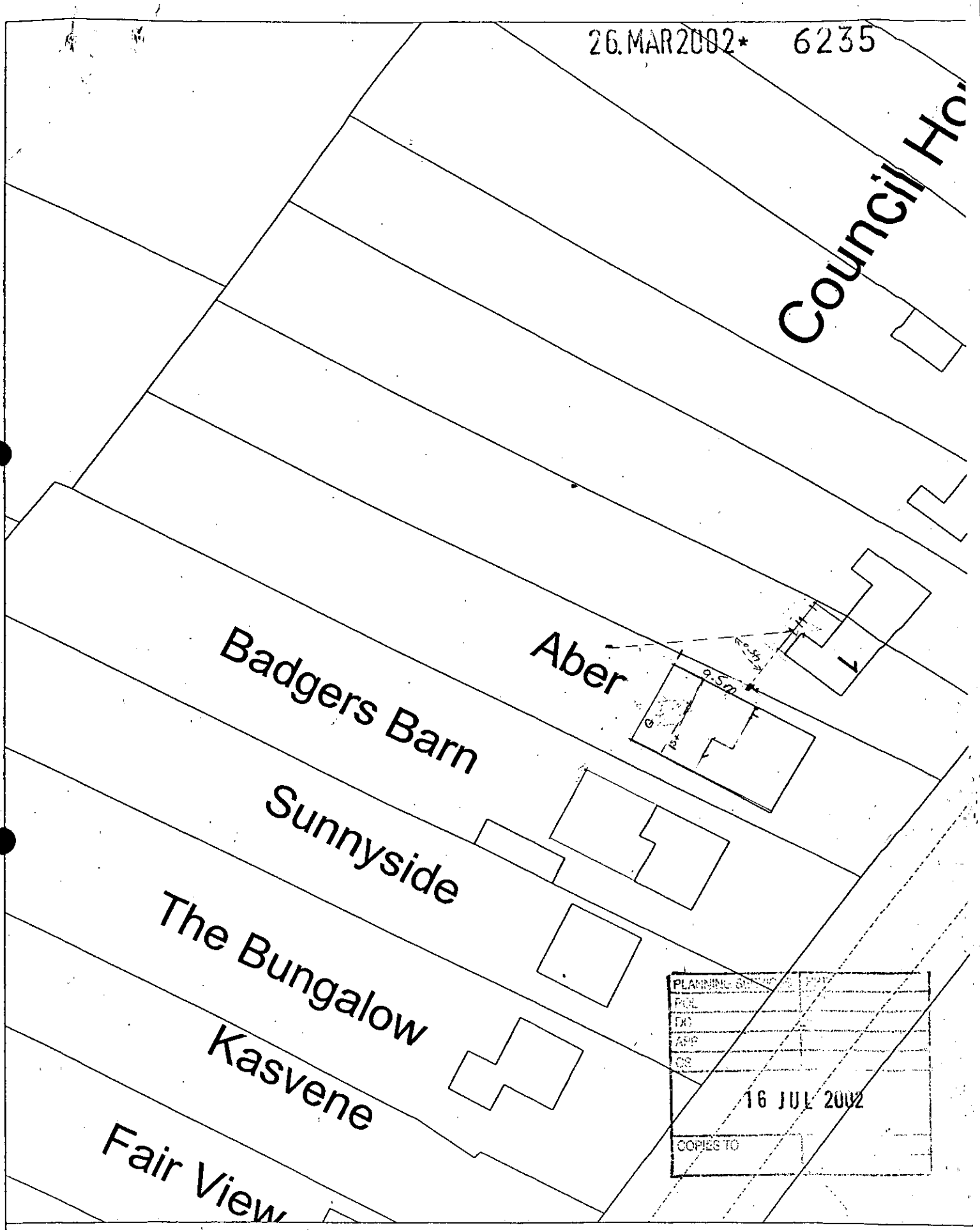
TOAD COTTAGE (ASSEFOYLE)
MOLE ROAD
SINDLESHAM
BERKS.
RG41 5DJ.
16/07/02

Dear Mr FRANCIS

Please find attached the ordnance plan of the revised proposal. The revisions are listed below.

1. Length of extension reduced to match existing length of extension at BARBERS BARN.
2. Balcony will be omitted and small bedroom window in its place.
3. Dormer window to side will be replaced with fixed opaque velux window.

M. FIELD



Site Plan, Scale: 1 to 500

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Date: 25 March 2002

N
W E
S

WORK SHEET FOR : Francis Leo

Application Number : F/2002/6235

Applicant : Mr M Piper .

Location : Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.

Proposal : Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer.

Site Notice Displayed ? :	YES	NO	DATE
	✓		

Date of Neighbour Notifications : .....

Date of Site Visit : 14/5/02

Date Registered : 26/03/2002

Earliest Date for Decision : 02/05/2002

Latest Consultation Date/Site Notice Expiry Date : 02/05/2002

This application <u>will have expired on</u>: <u>21/05/2002.</u> You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses :

Highways : 3 parking spaces required.

ENV Health :

ENV Agency : no objection.

Winnersh Parish Council : no comments.

Planning Issues : I'd set.

LBE1 LBE2

WOS3 WBE1

ENI.

Application Number: F/2002/6235 **Officer : Francis Leo**
Aberfoyle (Toad Cottage) Mole Road
Sindlesham, Wokingham

Development
Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer and rear balcony. The site is a chalet type bungalow located in the identified settlement of Sindlesham within the Loddon Area Local Plan and Wokingham District Local Plan.

Impact upon neighbouring properties
As part of a pre-application enquiry the applicant was informed on 8th October 2001 that:

- the proposal would have a overbearing impact on Badgers Barn bedroom window, adjoining property to the south, and that it would probably cause a loss of light to it. A high level velux window, with a lower sill height of at least 1.8m above floor level, would be preferable to the dormer for the first-floor hall.
- the depth of the proposal and proximity to the boundary would cause it to have an overbearing impact on no1 Mole Road, adjoining property to the north.
- to be acceptable the extension should project no further to the rear than the existing extension at Badgers Barn adjoining property to the south and should be set-in significantly from the boundary with no1 Mole Road. This would also have the effect of reducing the ridge height and may also reduce the impact on the bedroom window at Badgers Barn.
- the balcony should be omitted from the rear elevation as this could permit unacceptable overlooking of the neighbouring gardens.

The revised scheme, subject of this application, still shows a dormer facing Badgers Barn but the windows are located to the front and rear rather than the side to avoid overlooking on to the adjoining property.

The depth of Badgers Barn including the extension measures 15.17m, the application site including the proposed extension measures 17.8m hence the proposal would have an overbearing impact on no 1 Mole Road.

The proposal also shows a rear balcony permitting unacceptable overlooking of the neighbouring gardens.

Clearly the applicant has preferred not to take officers advise and for the reasons noted above it is felt that the proposal would have an adverse impact upon neighbouring properties contrary to Loddon Area Local Plan policy LBE2/LBE and WAP policy WBE1.

Impact upon the character of the area
The proposed side dormer is out of proportion with the main building and would have an overbearing visual effect. The proposal is therefore considered to have an adverse impact upon the character of the area.

Parking: The front garden to the site measures 12m in depth x 13m in width and is capable of accommodating 3 cars requested by Highway section.

Recommendation : approval ☐ **Refusal** ☑

Application Number: F/2002/6235

Appraisal :

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

Application Number F/2002/6235
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			Reasons for Refusal
1.			The proposed development because of its size, depth and closeness to No 1 Mole Road would have an overbearing effect and be detrimental to the amenities of the adjoining property. As such the proposal would be contrary to policy LBE1 and LBE2 of the Loddon Area Local Plan and WBE1 of WDLP
2.			The proposed dormer to the side of the property is out of proportion to the main dwelling and would have an overbearing visual effect contrary to policy LBE1 and LBE2 of the Loddon Area Local Plan and WBE1 of WDLP
3.			The proposed rear balcony would result in overlooking of the rear gardens of adjoining properties detrimental to their amenities. As such the proposed balcony would be contrary to policy LBE1 and LBE2 of the Loddon Area Local Plan and WBE1 of WDLP

Informative for approvals
N16
LODDON AREA LOCAL PLAN POLICIES: LBE1, LBE2
~~SOUTH EAST AREA LOCAL PLAN POLICIES:~~
WOKINGHAM DISTRICT LOCAL PLAN POLICIES: WOS3, WBE1
~~GREEN BELT LOCAL PLAN POLICIES:~~
BERKSHIRE STRUCTURE PLAN POLICIES: ENI
~~MINERALS LOCAL PLAN POLICIES:~~

RECOMMENDATION AND CONDITIONS/REASONS AGREED: _____
(Development Control Manager)

Date: 29.5.02

RECORD OF SITE VISIT

SITE ADDRESS: Aberfoyle (Toad Cottage) Mole Road Sindlesham Wokingham.

APPLICATION NUMBER: F/2002/6235

OFFICER: Francis Leo

DATE OF SITE VISIT: 14/5/02

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes

2. DESCRIPTION OF SURROUNDINGS

~~Chalet type bungalow single storey extn with pitched roof~~ + conservatory ~~at rear~~ mix of chalet type bungalow + 2 story dwelling

3. DESCRIPTION OF SITE/BUILDING

Chalet type bungalow single storey extn with pitched roof ~~at~~ conservatory at rear, large rear garden.

4. RELATIONSHIP TO ADJOINING PROPERTIES

1 Mole Road 2 storey rear extn. single storey. windows to side., Bathroom window at 1st floor. Badgers Barn to the left is a chalet type bungalow window to side and at front. (check file for extn date)

5. SITE CONSTRAINTS

TREES ✓

ACCESS/PARKING ✓

LEVELS ✓

BOUNDARY TREATMENT to 5m high timber fence both sides

OTHERS

HIGHWAYS CONSULTATION SHEET

From: Francis Leo **Date:** 09 April 2002

Application Number: F/2002/6235

Proposal: Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer.

Parish: WINNERSH PARISH

Site Address:
Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.

Applicant:
Mr M Piper .

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

✓ below as applicable;

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

Comment

Please could Highways have an additional plan (at least 1:200 scale) showing the parking layout for 3 vehicles within the curtilage of the property. The outline of the spaces is to be marked on the plan accurately with minimum dimensions:

4.8m x 2.4m (standard space)
5.5m x 2.4m (in front of a garage)

The extent of the existing driveway must be clearly shown, along with details of any widening or alterations as a result of the proposal.

Signed: _____ **Print name:** Adam 11/4/02

FROM: Francis Leo

DATE: 09 April 2002

DELEGATED

WINNERSH PARISH CONSULTATION SHEET

PLANNING SERVICES | HPT
POL | HIST
DC | ENF
AP
CS
01 MAY 2002
CO

Application Number: F/2002/6235

Proposal: Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer..

Site Address: Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.

Applicant: Mr M Piper .

Your observations are required in respect of this application **by 02/05/2002** .

No comments

SIGNED: _____ DATE: 30.04.02

Clerk To Winnersh Parish/Town Council.

ENVIRONMENT AGENCY

Our Ref : SP/2002/005585-1/1
Your Ref : Francis Leo/f2002/6235

PLANNING SERVICES | HPT 56103
POL | TLS
DC FL | ENF
APP |
CS |
07 MAY 2002
COPIES TO | ACK
FILE

Date : 01 May 2002

District Planning Officer
Wokingham District Council
Council Offices
PO Box 157 Shute End
Wokingham
Berkshire
RG40 1WR

FAO:Francis Leo

Dear Sir/Madam

2 STOREY RAR EXTENSION + RAISING 0F ROOF + SIDE DORMER ABERFOYLE MOLE ROAD SINDLESHAM WOKINGHAM

Thank you for your letter dated 9 April 2002, received on 11 April 2002. Please quote the following reference in any correspondence: SU76NE/23/9. The Environment Agency has the following comments:

The Environment Agency has no objection, in principle, to the proposed development provided that the following planning informatives are included on any planning permission granted:

PLANNING INFORMATIVES

The following planning informatives should be attached to any planning permission granted:

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is currently required for any discharge of sewage or trade effluent onto or into ground and for surface runoff into groundwater. Such consent may be withheld. If there is an existing discharge consent the applicant should ensure that any increase in volume is permitted under the present conditions.
Contact Ian Doyle on 01276 454 365 for further details.

ADVICE

Waste Regulation

According to our records, there is one landfill site within 250 metres of the site, as follows:

Environment Agency
Swift House, Frimley Business Park, Camberley, Surrey, GU16 7SQ, Tel no:01276 454300, Fax no:01276 454301

Grid reference	Distance from site	Landfill name	Details
SU 768694	220m	Gipsy Lane	Inert

In view of the distance from the site and the nature of the fill material, it is unlikely that landfill gas will present a risk to this proposal.

Land Drainage

There are alternatives to conventional storage for the control of surface water run-off that are favoured by the Environment Agency. These techniques not only cater for flood peak attenuation, but may also improve water quality and enhance the environment. Such systems include permeable pavements, grassed swales, infiltration trenches, ponds and wetlands. The developer is advised to discuss with the Agency how these techniques might be applied at this site.

In order to manage the disposal of surface water in a more sustainable manner, taking into account flood risk and other environmental factors, the Environment Agency will recommend that restrictions are imposed on the discharge of surface water from the site. Particular care must be exercised where there is an increase in the impermeable area. The developer will be required to accommodate excess water and control its release into local watercourses, whether directly or by means of the local surface water sewerage system.

The site is not situated within a currently designated public water supply groundwater source protection zone. In this case, shallow soakaways would be acceptable for the disposal of clean surface and roof water provided they are not constructed so that they penetrate the water table, or in any event exceed 3 metres in depth below existing ground level.

Environment Protection

Surface water from hard surfaced areas should discharge via deep seal trapped gullies incorporating a minimum water seal of 85mm or similar.

Roof water downpipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

Water Conservation

Household Use

Water is one of our most precious natural resources, and the Environment Agency is keen to ensure it is used wisely:

* Water use for WC flushing can represent 35% of all household use. The applicant should consider installing low (6 litres or less) or dual flush toilets.
* 10% of household water use comes through wash hand basin taps. The installation of water-efficient taps such as spray taps can reduce consumption from this source by up to a half.
* A shower uses less than half the water used for a bath. Power showers on the other hand

can use as much water as a bath in just 5 minutes. Shower units using a maximum of 9 litres of water a minute should be fitted.

Grey and Rainwater Recycling

Rainwater and grey water recycling is becoming increasingly popular. It can reduce household water use by up to 30%. A number of systems are available which collect, treat and store rain- or grey water for WC flushing or garden/outside watering. We enclose advice in a factsheet on rainwater and grey water collecting.

Wildlife Conservation

Wildlife Enhancement
Bird nesting and roosting sites should be built into the development through the incorporation of ledges, crevices and holes, where possible. The incorporation of bat roosts into the design of the building should also be considered.

Natural Drainage
The development should incorporate Sustainable Urban Drainage (SUDs) utilising surface water for landscape irrigation and water features. This should include making use of permeable surfaces and other similar measures to reduce the risk of non-point source pollution or excessive surface water run-off. This might include the use of gravel surfaces in paths, parking spaces and driveways.

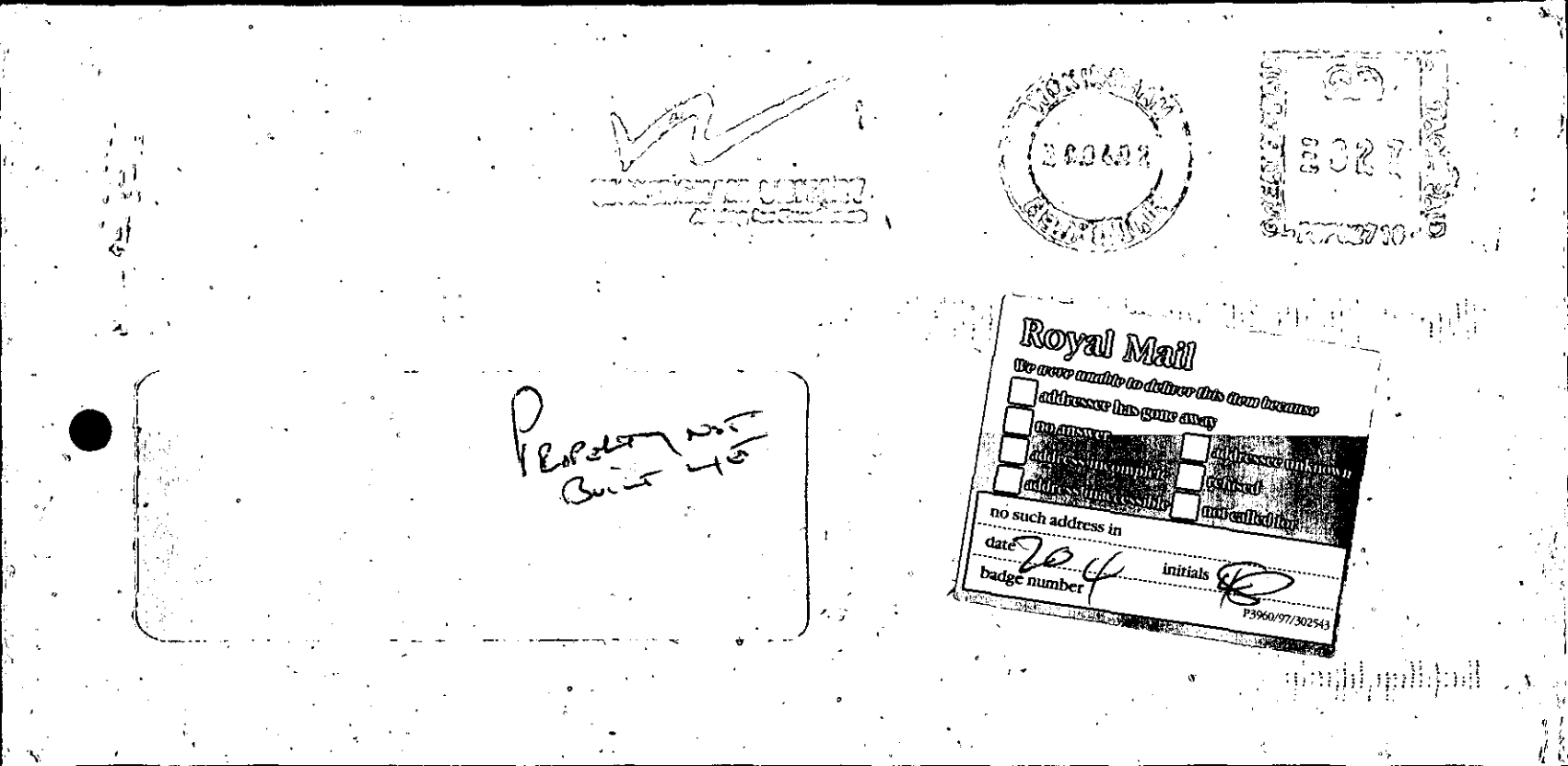
DECISION NOTICE

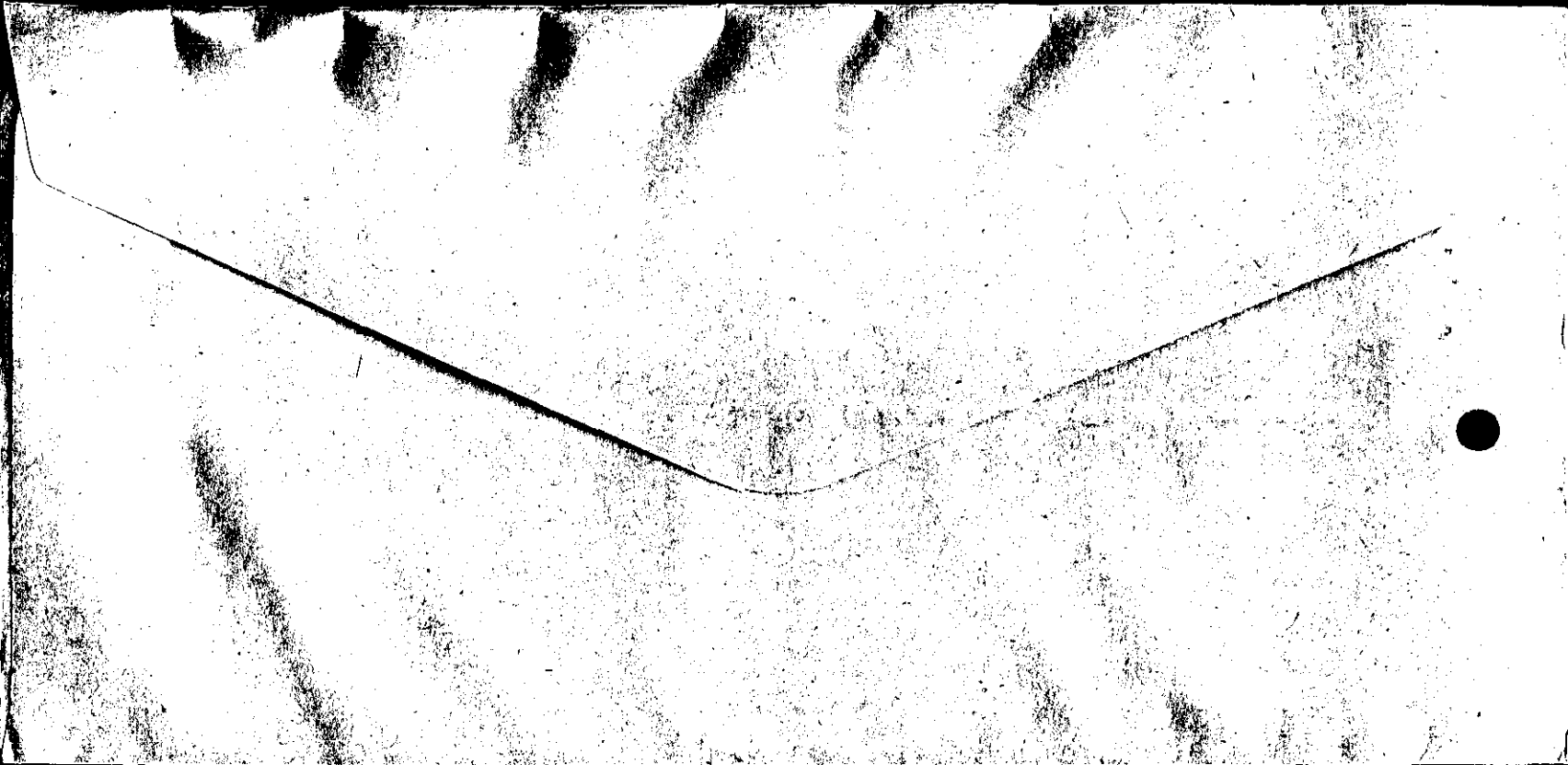
Please forward a copy of the decision notice to this office quoting our reference. A copy of this letter has been sent to the applicant. If you have any further queries, please contact me, quoting the reference at the beginning of this letter.

Yours faithfully

PAUL BUSING
Planning Liaison Officer
Direct dial: 01276 454326
Direct fax: 01276 454352
Email: paul.busing@environment-agency.gov.uk

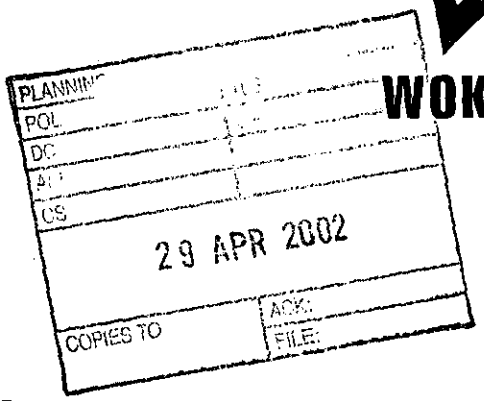
CC: Martin Piper


Royal Mail
We were unable to deliver this item because
addressee has gone away
no answer
addressee unknown
address incomplete
refused
address insufficient
not called for
no such address in
date
initials
badge number
P3960/97/302543



Tel. 0118 974 6502
Date: 09 April 2002
Your Ref:
My Ref:Francis Leo
F/2002/6235

The Owner / Occupier
41
HARROW WAY
SINDLESHAM
WOKINGHAM
BERKSHIRE



WOKINGHAM UNITARY
Aiming for Excellence

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

Dear Sir/Madam
Application Number: F/2002/6235
Site Address: Aberfoyle (Toad Cottage), Mole Road, Sindlesham Wokingham.
Proposal: Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer..

The Council has received an application to carry out the above development proposal.

If you wish to see the submitted plans and accompanying details you can do so at the District Council Planning Services reception at Shute End, Wokingham from 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.00 Friday, **or** at Woodley Library, Headley Road, Woodley from 9.30am to 7.00pm Monday, Thursday and Friday, 9.30am to 5.00pm Tuesdays, 9.30am to 1.00pm Saturdays and 1.00pm to 4.00pm Sundays. The library is closed all day on Wednesdays. **If you intend to view this application at Woodley Library please allow 4 working days from the date of this letter for delivery of plans. It would be helpful if you could take this letter with you or quote application number F/2002/6235 to enable staff to locate the correct application.**

If you wish to comment on the proposals please reply in writing within 21 days from the date of this letter quoting Application Number **F/2002/6235.** Only remarks about planning matters can affect the Councils decision. In order to assist you in deciding what comments are relevant please see the attached list. These are not exhaustive.

An authorised officer under delegated powers decides the majority of applications; the Development Control Committee generally decides major applications and those raising controversial issues. Where an application is to go to Committee and you have commented on the proposals, you will be advised of the date and given the opportunity to speak at the meeting. All those making comments will be notified of the decision when it is made. Comments can also be made on line using the District Council's web site at www.wokingham.gov.uk under Planning.

Please note that all comments made will be open to public inspection. If you are not the owner of the property, please pass a copy of this letter to the owner. Should you have any queries regarding this application please contact the planning case officer Francis Leo on 0118 974 6502.

Yours faithfully,

Francis Leo

Development Control Officer

WOKINGHAM UNITARY
Aiming for Excellence

Relevant issues when Planning Applications are considered:

Government Guidance

Development Plan Policy

Highway Safety and Traffic

Design, appearance and layout

Effect on Daylight and Privacy

Conservation of Buildings, Trees and Open Land

Need to safeguard the Countryside

Noise, smells and disturbance

NB: The following matters are NOT relevant planning matters and CANNOT be considered:

Effect on the value of property

Loss of a private view

Inconvenience or other problems caused by building works

Matters covered by other laws

Private property rights

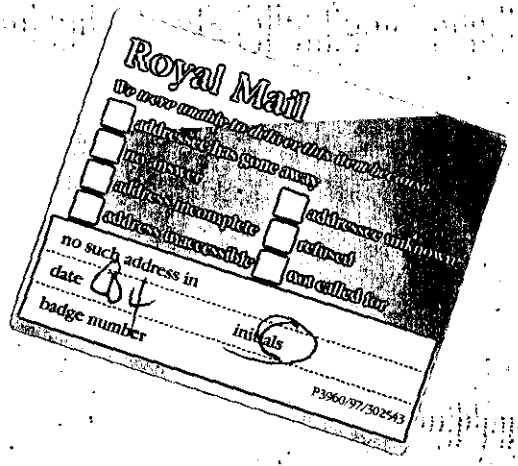
The developer's morals, motives or past record

Possible future development

The fact that the development may have started

Trade objections based on competition

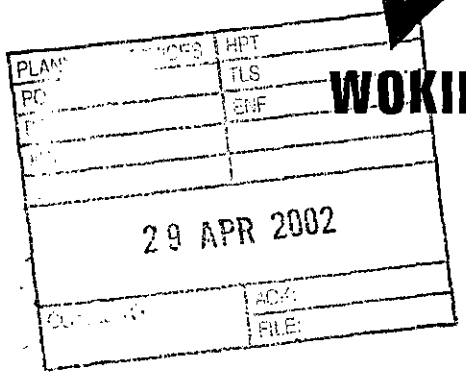
Moral objections


Royal Mail
addressee has gone away
addressee unknown
refused
no such address in
date
badge number
initials
P3960/97/302543



Tel. 0118 974 6502
Date: 09 April 2002
Your Ref:
My Ref:Francis Leo
F/2002/6235

The Owner / Occupier
35
HARROW WAY
SINDLESHAM
WOKINGHAM
BERKSHIRE



WOKINGHAM UNITARY
Aiming for Excellence

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

Dear Sir/Madam
Application Number: F/2002/6235
Site Address: Aberfoyle (Toad Cottage), Mole Road, Sindlesham Wokingham.
Proposal: Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer..

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Yours faithfully,

Francis Leo

Development Control Officer

WOKINGHAM UNITARY
Aiming for Excellence

Relevant issues when Planning Applications are considered:

Government Guidance

Development Plan Policy

Highway Safety and Traffic

Design, appearance and layout

Effect on Daylight and Privacy

Conservation of Buildings, Trees and Open Land

Need to safeguard the Countryside

Noise, smells and disturbance

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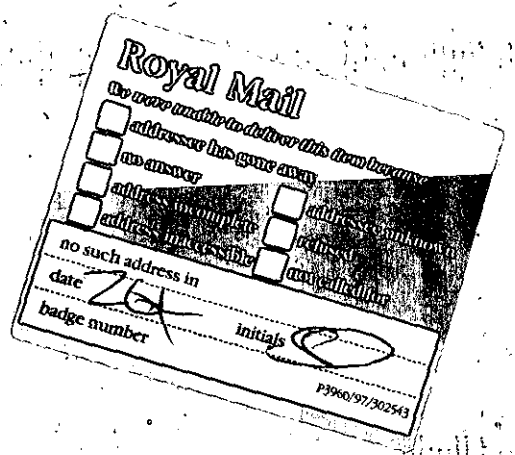
PROPERTY NOT BUILT YET





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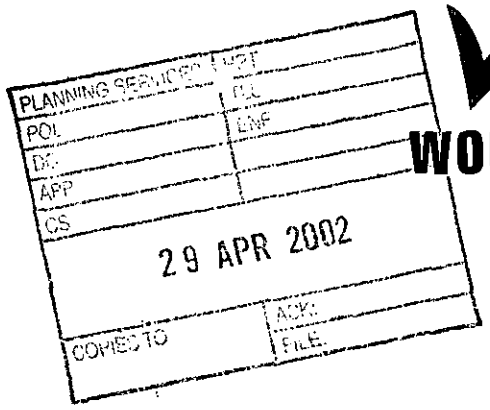

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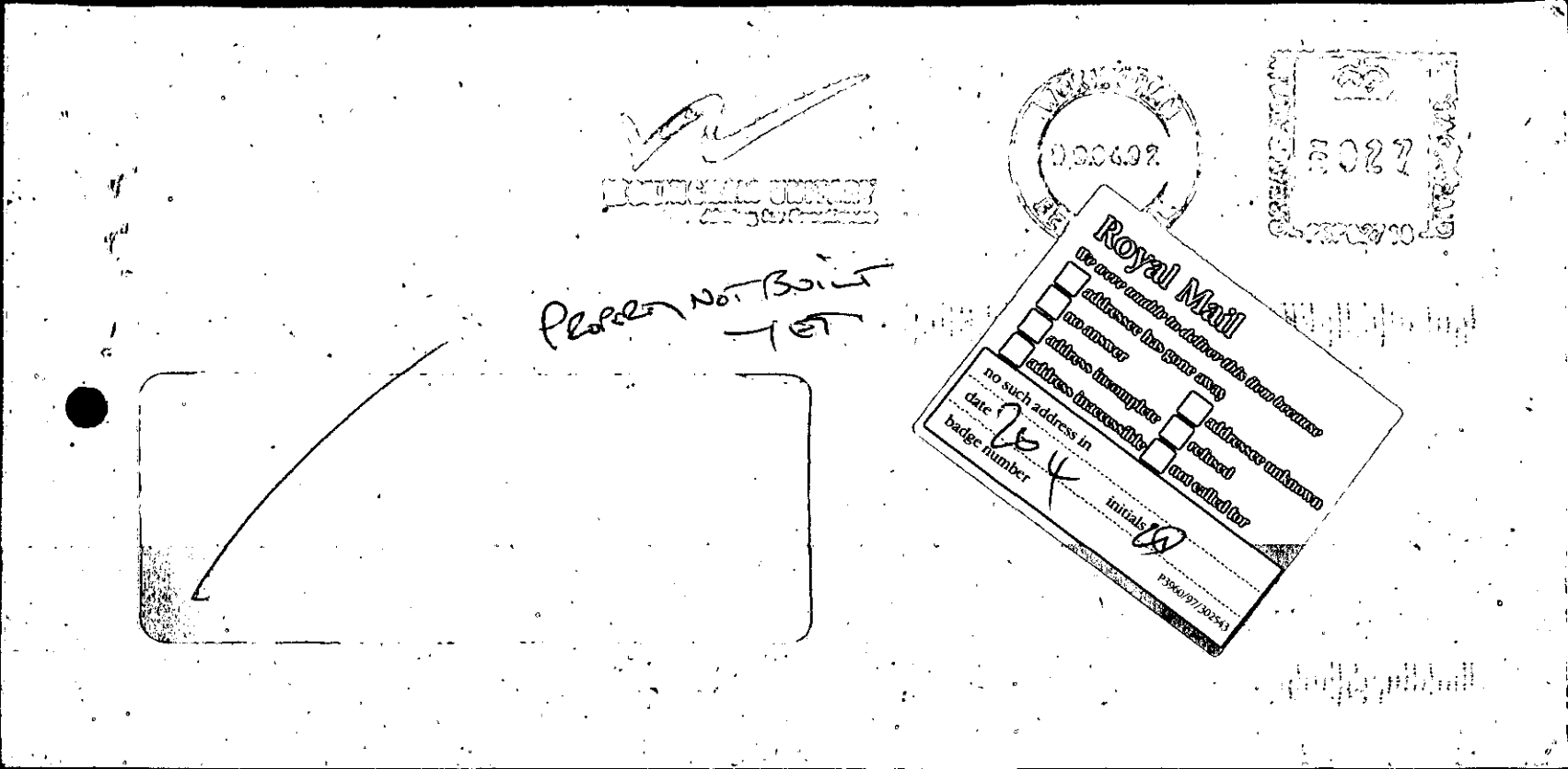
Royal Mail
We were unable to deliver this item because
addressee has gone away
no answer
address incomplete
addressee unknown
address inaccessible
refused
not called for
no such address in
date
badge number
initials
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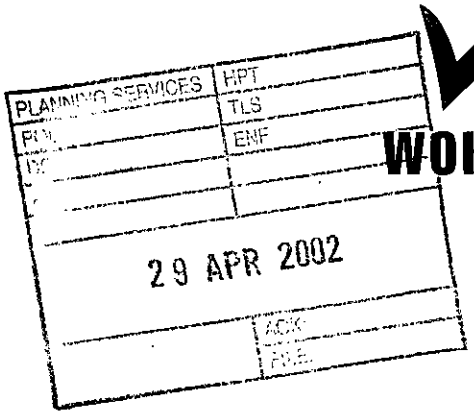

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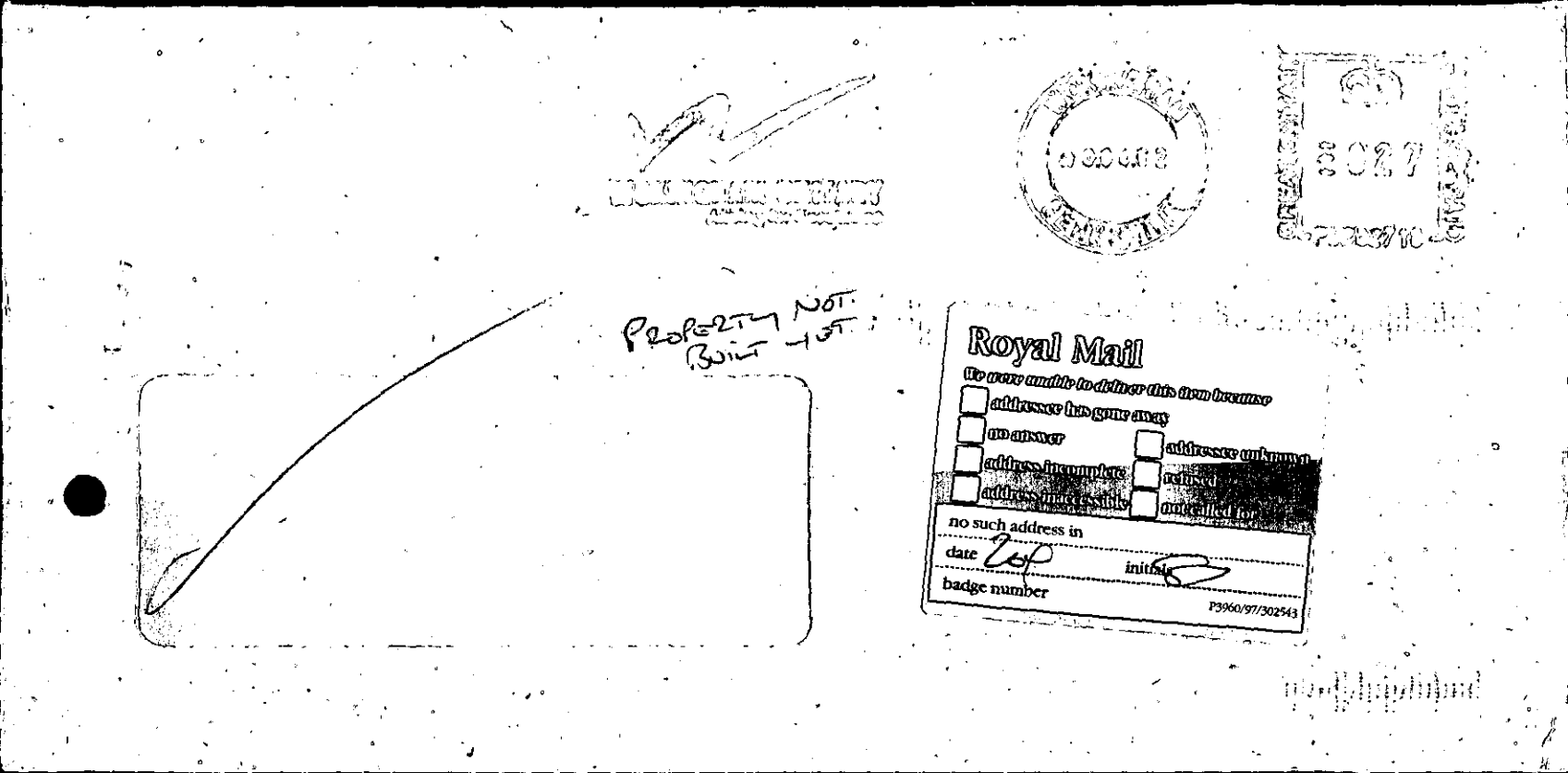
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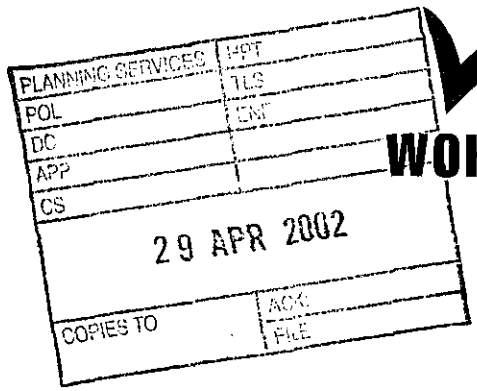

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Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Fax: (0118) 974 6484
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Moral objections

(*) PRE-APPS ATTACHED (*)

Application Number : F/2002/6235	Map No : 67
Case Officer : FL	Site Area : 0.11
Valid Date : 26/03/02	Received Date: 26/03/2002

Level : Delegated Application

Description : Proposed two storey rear extension and raising of roof to front of dwelling. + side dormer

Location : Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.

Parish : WI **Ward : WIN**

Applicant : Mr M Piper .

Fee Required: £95 **Fee Received: £95** (4)

Additional: ..... or Refund: .....

Enforcement Section to be notified ☐ (tick if required)

Additional information required for validation;

REASON	NOTES	DATE REQ	DATE RECD
LOCATION PLANS			
BLOCK PLANS	Parking layout	✓ 9/04	
FORMS UNSIGNED			
S.66 MISSING/INCORRECT/ UNSIGNED			
ELEVATION PLANS			
FLOOR PLANS			
NO SCALE OR SCALE IS IMPERIAL			
ENCROACHMENT LETTER REQUIRED			
OTHER			

Is the site in a Conservation Area: ☐ Yes ☐ No If "Yes" which one _____

Is the site a Listed Building: ☐ Yes ☐ No

Is a Statutory Advertisement required: ☐ Yes ☐ No

INTERNAL CONSULTATIONS

Building Control

Heritage (Harold Sanders)

Landscape

Trees

Environmental Health / Landfill ✓

Housing

Leisure & Cultural Services

Public Rights of Way Officer

Property

Policy & Plans

Joint Strategic Planning Unit

Archaeological Officer (BABTIE)

Education

Social Services

Highways ✓

EXTERNAL CONSULTATIONS

Adjacent DPA : _____

Adjacent Parish: Arborfield.

SEB

British Gas

Oil pipeline

Transco

Environment Agency / Landfill. ✓

Railtrack

Police Arch Officer

HERITAGE BODIES

Victorian Society
The Georgian Group
Ancient Monuments Society
Council for British Arch
RCHME
NRPB (Telecommunications)
Sport England
Society for Proct' of Ancient Bldgs
English Heritage

OTHERS

.....

.....

.....

.....

.....

.....

NEIGHBOURS

..... ✓

SW + see map.

.....

.....

Pre-apps attached.

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

Tel: 0118 974 6502

Date: 09 April 2002

My ref: F/2002/6235

WOKINGHAM UNITARY
Aiming for Excellence

Councillor E Siggery
Willow
375 Reading Road
Winnersh
RG41 5LT

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

Dear Councillor

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Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.
Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer.

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Yours sincerely
Trevor Watson
Development Control Manager

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Case officer: **Francis Leo** Application Number: **F/2002/6235**
Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.
Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer.
I wish this application to be listed should the officers recommendation be for: GRANT/REFUSAL and my reasons are:

_____

_____

Should the officers recommendation be in accordance with my views I am happy for the application to be determined under delegated powers. YES/NO

Signed: _____ Date: _____

Councillor E Siggery

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

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

Tel: 0118 974 6502

Date: 09 April 2002

My ref: F/2002/6235

WOKINGHAM UNITARY
Aiming for Excellence

Councillor R Turner
Rosedale
Beech Hill Road
Spencers Wood
Reading
RG7 1HL

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
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45 Bluebell Meadow
Winnersh
Wokingham
RG41 5UW

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Received by Wokingham District Council

Application No: F/2002/6235

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Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer.

Location:
Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.

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

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

WOODLEY LIBRARY HEADLEY ROAD WOODLEY 9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday and 1.00pm - 4.00pm Sunday. Library closed all day Wednesday. If you intend to view this application at Woodley Library please allow 4 days from the date of this letter for delivery of plans and remember to quote application number F/2002/6235 to enable the library staff to locate the correct information.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Francis Leo P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 02/05/2002. Written comments submitted will become available for public inspection.

In view of the very large number of planning applications and letters of comment received, it will not be possible for an individual reply to be issued to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

Trevor Watson
Development Control Manager

09 April 2002

Organisation_Name	Building_Name	address1	Postcode
		1MOLE ROADWOKINGHAM	RG415DJ
	ABERFOYLE	ABERFOYLEMOLE ROADWOKINGHAM	RG415DJ
	MELTON COTTAGE	MELTON COTTAGEGIPSY LANEWOKINGHAM	RG415DS
	BADGERS BARN	BADGERS BARNMOLE ROADWOKINGHAM	RG415DJ
CHEM DRY WORLDSTAR	KASVENE	KASVENEMOLE ROADWOKINGHAM	RG415DJ
		41HARROW WAYWOKINGHAM	
		39HARROW WAYWOKINGHAM	
		37HARROW WAYWOKINGHAM	
		35HARROW WAYWOKINGHAM	
		33HARROW WAYWOKINGHAM	

Neighbour consultation list

F/2002/6235

1933 TOAD COTTAGE

~~ABERFOYLE~~

E

ADDRESS MOLE ROAD **PARISH** WINNERSH

PLOT No. **ORD. SHEET No.** SU-7769(67)

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
32688	MR. C. KERR	VEH. ACCESS	8.9.89	C/A
36891	HARLEY FORD HOMES	O/L. RES. DEV. ACCESS & DEM. OF PROPERTY	6.3.91	REF
41032	COUNTRY & METRO. HOMES	O/L. 1 DET & 1 PR. S/DET HOUSES	29.7.93	C/A
43758	N/P			
44158	MR. L. JOHNSON	2 BUNGALOWS & GARAGES	2.6.95	C/A
~~95/00247/L~~				
DN 95/0043	L. E. JOHNSON	DEMOLISH H. BUNGALOW		
FP95/3370	"	2 DET BUNGALOWS	4.4.95	REF
FP98/7690	"	Loft conversion	6.8.98	C/A

MINISTRY DECISION

SPECIAL ORDERS ENF. NOTICE ISSUED — STORAGE OF MOTOR VEHS. - 11.8.92

6235

Environmental Services

For office use only.
Application number: 26.MAR2002* 6235

Householder planning application form

Please answer all questions in CAPITAL letters.
If any question does not apply to you, put N/A in the space.
Please send six copies of the filled in form and your plans to the address on the front of the folder.
We provide guidance notes to help you fill in the form. If you have any questions, please call Planning Support on 0118 974 6428 or 0118 974 6429.

WOKINGHAM UNITARY
Aiming for Excellence

1	Your name Address and postcode Phone number	MARTIN PIPER TOAD COTTAGE MOLE ROAD SINDLESHAM BERKS. RG 41 5DJ 0118 9792888
2	Agent's Name Address and postcode Phone number	N/A
3	Site We need you to send in six copies of the 1:2500 scale location plan and six copies of the 1:500 scale block plan, with the site outlined in red. You can buy these maps from the Environmental Services reception or order them by phoning 0118 974 6485	TOAD COTTAGE MOLE ROAD SINDLESHAM BERKS RG 41 5DJ.
4	Give brief details of the proposal for example, two storey side extension. About the application	TWO STOREY EXTENSION TO REAR IN LINE WITH EXISTING BUILDING INTERNAL MODS TO EXISTING DORMER TO FRONT
5	Are there any trees on the site? If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down.	Yes ☐ No ☑
6	Please list the external materials you will use for example, red brick to match any existing bricks and dark stained timber.	BRICK AND TILE TO MATCH EXISTING
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐ No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐ No ☑

3544 Crystal Mark
Clarity approved by Plain English Campaign

Please turn over

9	How many bedrooms does the property have?	Existing: 3	Proposed: 4
10	Does a public right of way touch the site? If yes, please show the route and any proposed alternative on the plans.	Yes ☐	No ☑
11	Checklist. Please make sure that you enclose the following.		
a	Six copies of this form signed and dated.		
b	The fee (We have attached a current scale of fees). If you do not have to pay a fee, please say why below.		
c	Six copies of each set of plans and drawings listed below.		
	• 1:2500 scale location plan with the site outlined in red.		
	• 1:500 scale site layout plan.		
	• 1:100 or 1:200 scale floor plans and elevations.		

12 Certificate of ownership (Section 66 Town & Country Planning Act 1990)
Please delete either certificate A or certificate B. If neither apply, you must fill in a full certificate which you can get from Environmental Services.

(Owner means a person with a freehold interest, or someone who is a leasehold tenant with at least seven years left on their agreement)

Certificate A

I certify that

- At the beginning of the period of 21 days ending with the date of the application nobody, except the applicant, owned any part of the land which the application relates to.
- None of the land forms part of an agricultural holding.

Certificate B

I certify that

- I or the applicant has given the necessary notice to everyone else who (at the beginning of the period of 21 days ending with the date of the application) owned any part of the land which the application relates to as listed below.

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

None of the land forms part of an agricultural holding.

Your signature: [signature]

on behalf of

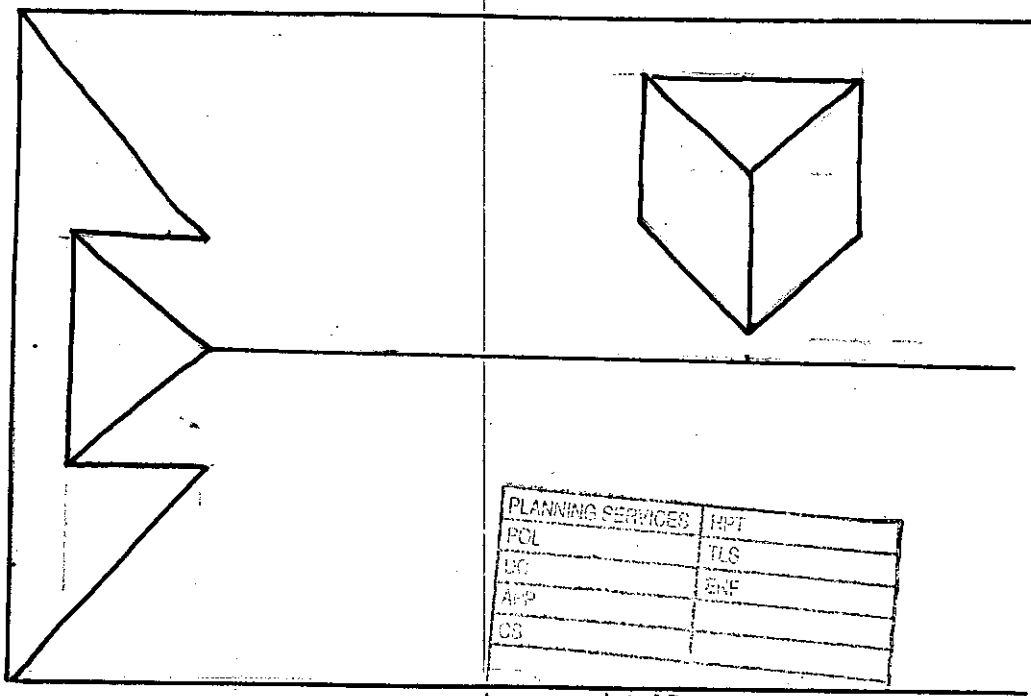
Date 25/02/02

Please tick this box if you or your husband, wife or partner are employed by Wokingham District Council ☐

PARKING ARRANGEMENT
TOAD COTTAGE
MOLE ROAD
SINDLESHAM SCALE 1:100

/6235

REFUSED

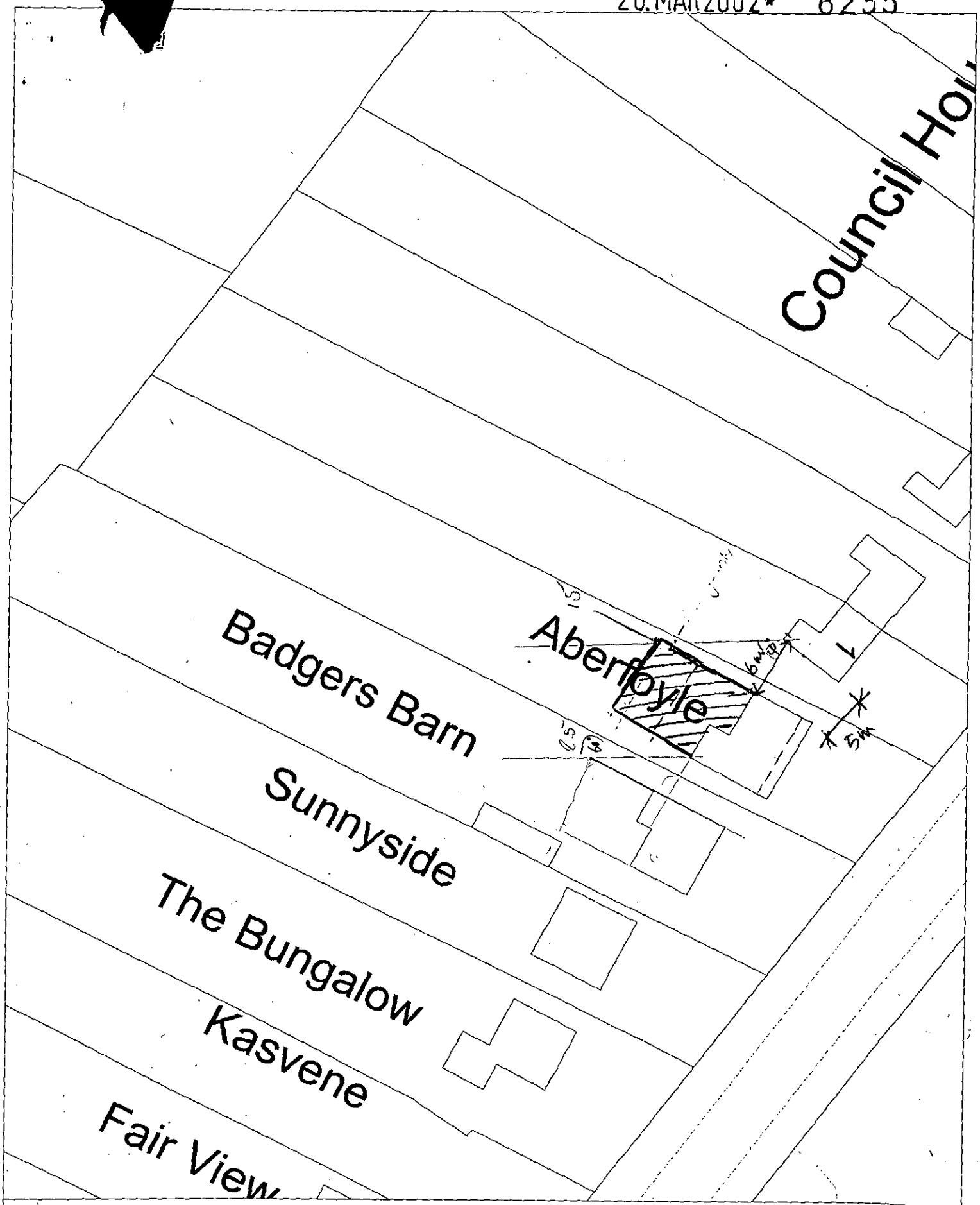


PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	

17 APR 2002

FORWARD TO	ADV

26.MAR2002* 6235



Site Plan, Scale: 1 to 500

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Date: 25 March 2002

N
W E
S

Badgers Barn.

26.MAR2002 6235

17·8m

1·8m

7088

915 | 665 | 910 | 1453 | 1770 | 1790 | 1340 | 1790 | 1340 | 890

NEW FOUL DRAIN TO JOIN EXISTING.

RWP TO NEW SOAKAWAY

EXISTING FIREPLACE, WALLS AND BEAM REMOVED.

STUDY

UTILITY

REMOVE EXISTING STAIRCASE

KITCHEN

EXISTING STRUCTURE REMOVED

LIVING AREA

NEW WALLS.

CUPBOARD

UP

EXISTING FW DRAIN.

HALL

BEDROOM 4

CUPBOARD

W.C

SVP

EXISTING MANHOLE.

DINING AREA

NEW F.W DRAIN

EN-SUITE

REFUSED

EXISTING RWP.

890 | 915 | EQ | 2400 | EQ | 915 | 890

TO SUIT EXISTING.

16m

RWP TO NEW SOAKAWAY.

GROUND FLOOR PLAN

5m to Mole Road

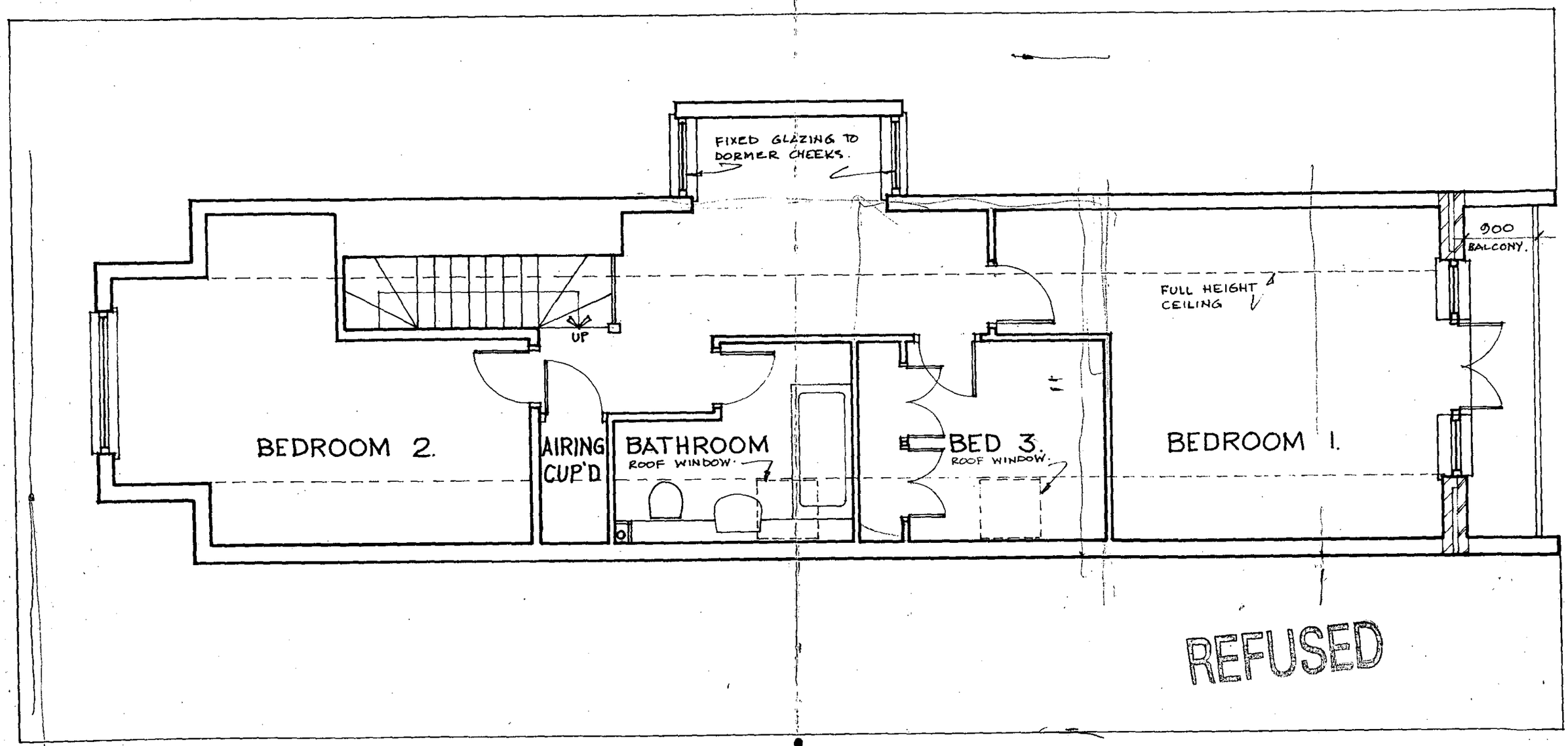
7·1m

6m to Mole Road

PROPOSED ALTERATIONS & EXTENSION TO TOAD COTTAGE MOLE ROAD SINDLESHAM.

SCALE 1:50

26.MAR2002* 6235

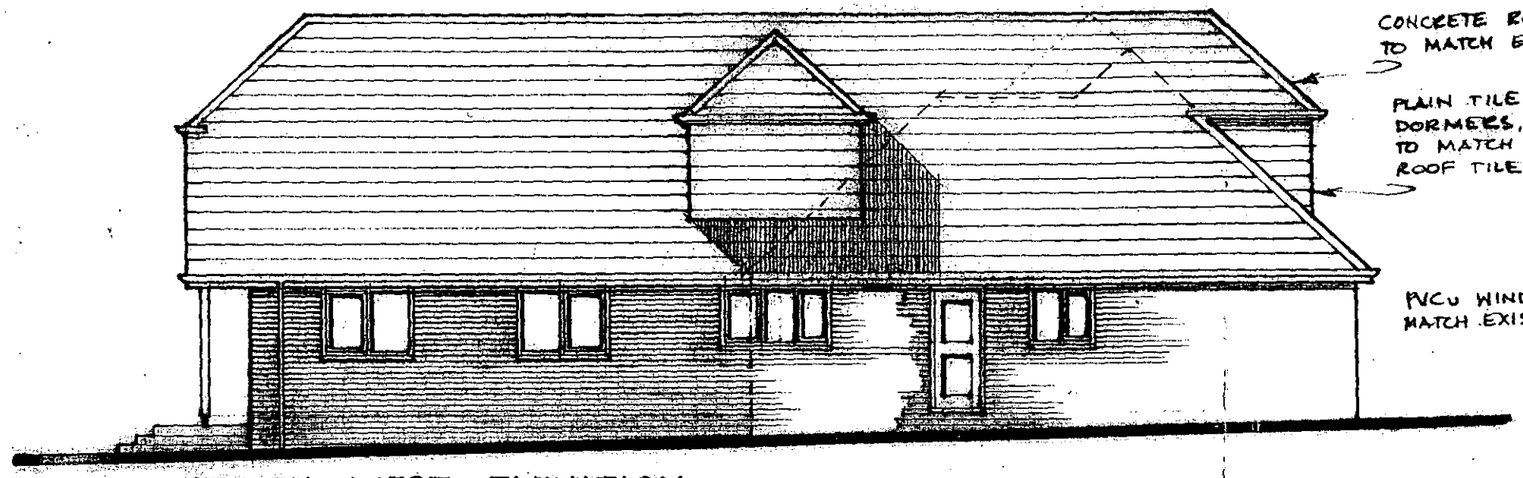


REFUSED

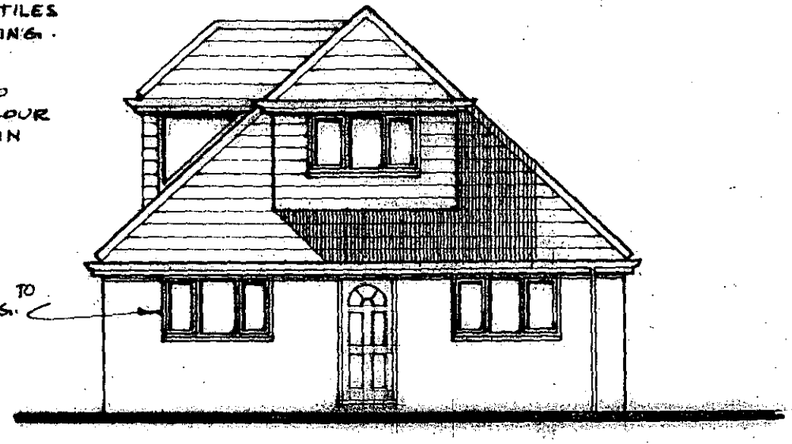
FIRST FLOOR PLAN

PROPOSED ALTERATIONS
& EXTENSION TO
TOAD COTTAGE
MOLE ROAD
SINDLESHAM.
SCALE 1:50

26.MAR2002* 6235

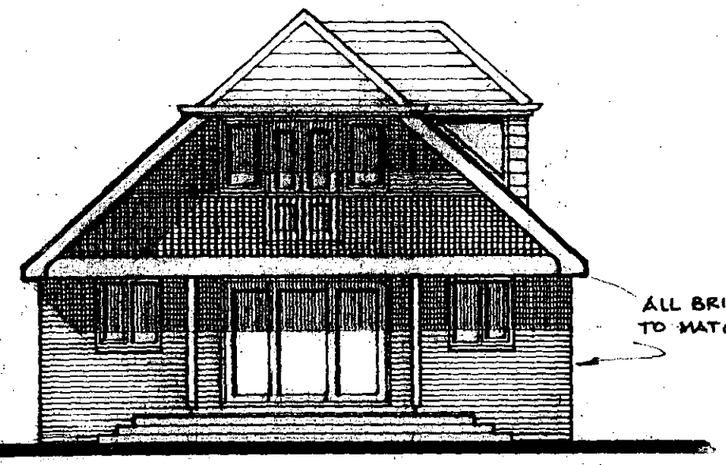


SOUTH WEST ELEVATION

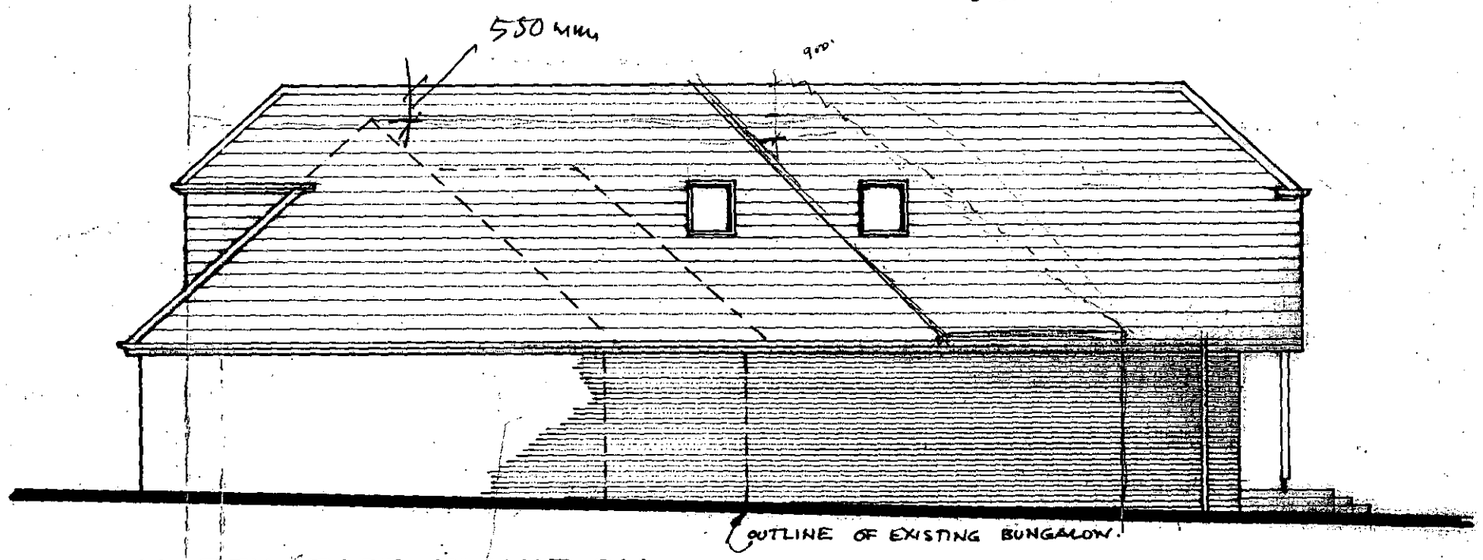


SOUTH EAST ELEVATION

REFUSED



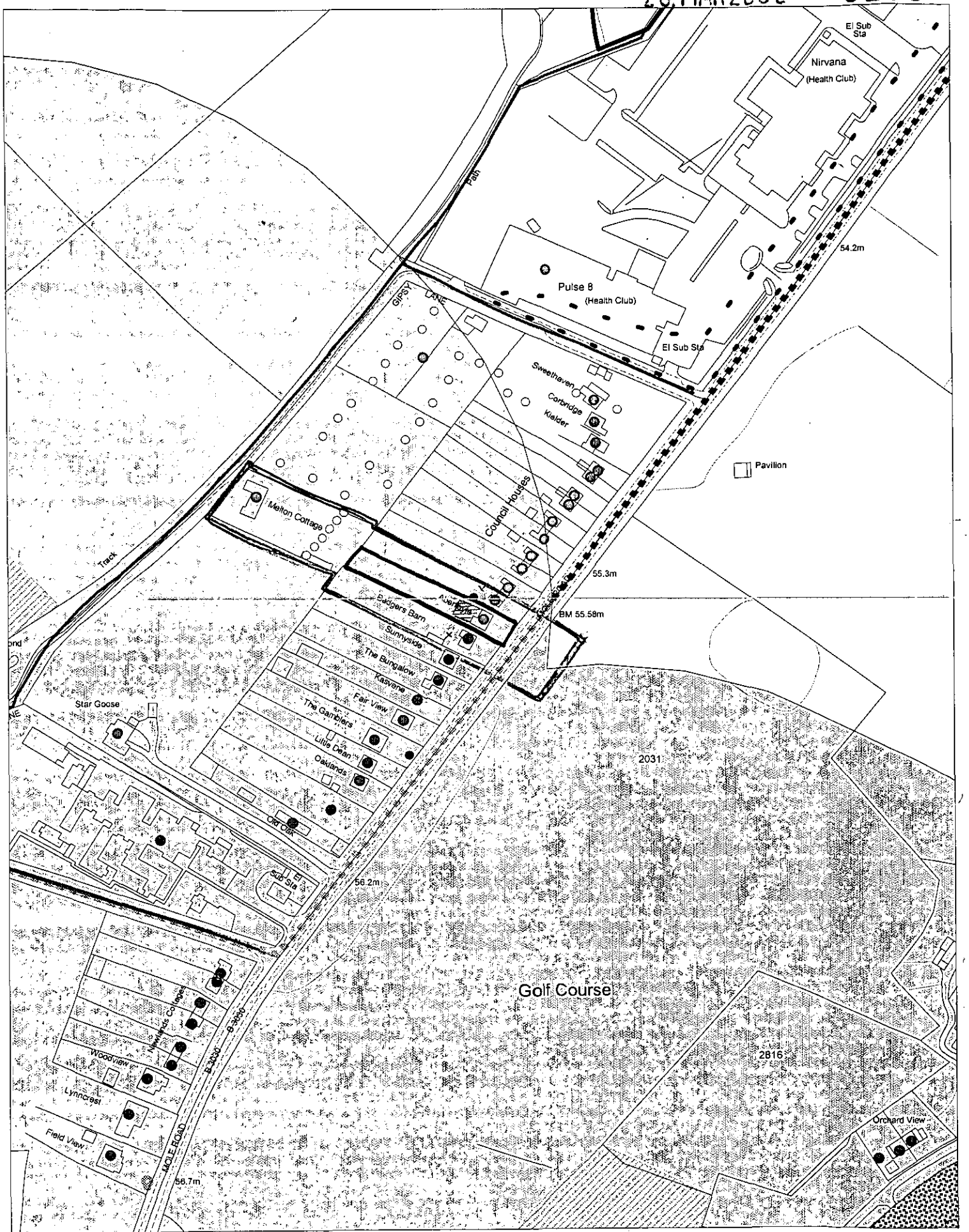
NORTH WEST ELEVATION



NORTH EAST ELEVATION

PROPOSED ALTERATIONS
& EXTENSION TO
TOAD COTTAGE
MOLE ROAD
SINDLESHAM
SCALE 1:100

26 MAR 2002 * 6235



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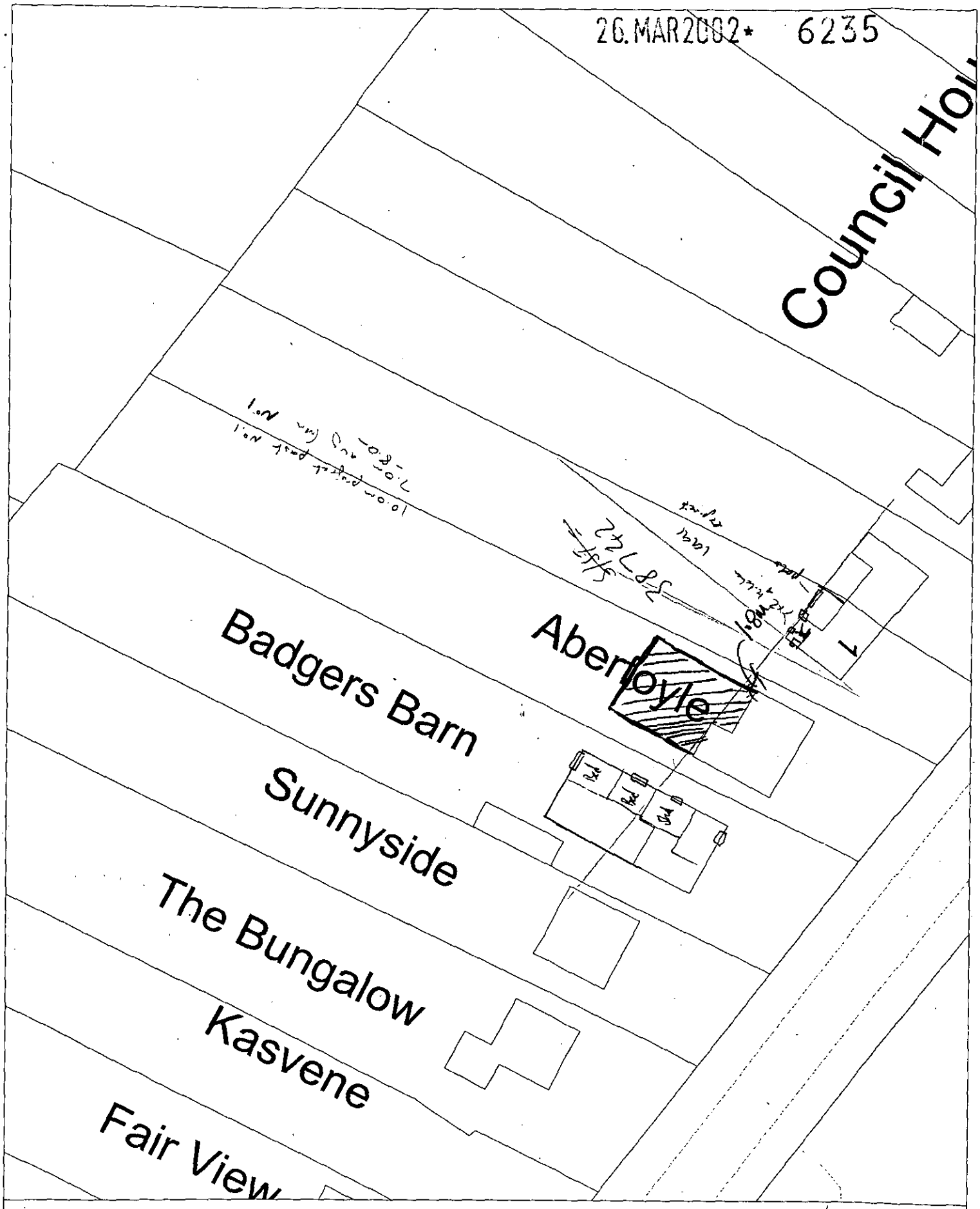
Development Control Section, Environmental Services, Wokingham District Council.
3 April 2002
Scale: 1 : 2500

N
W E
S



Site Plan, Scale: 1 to 500

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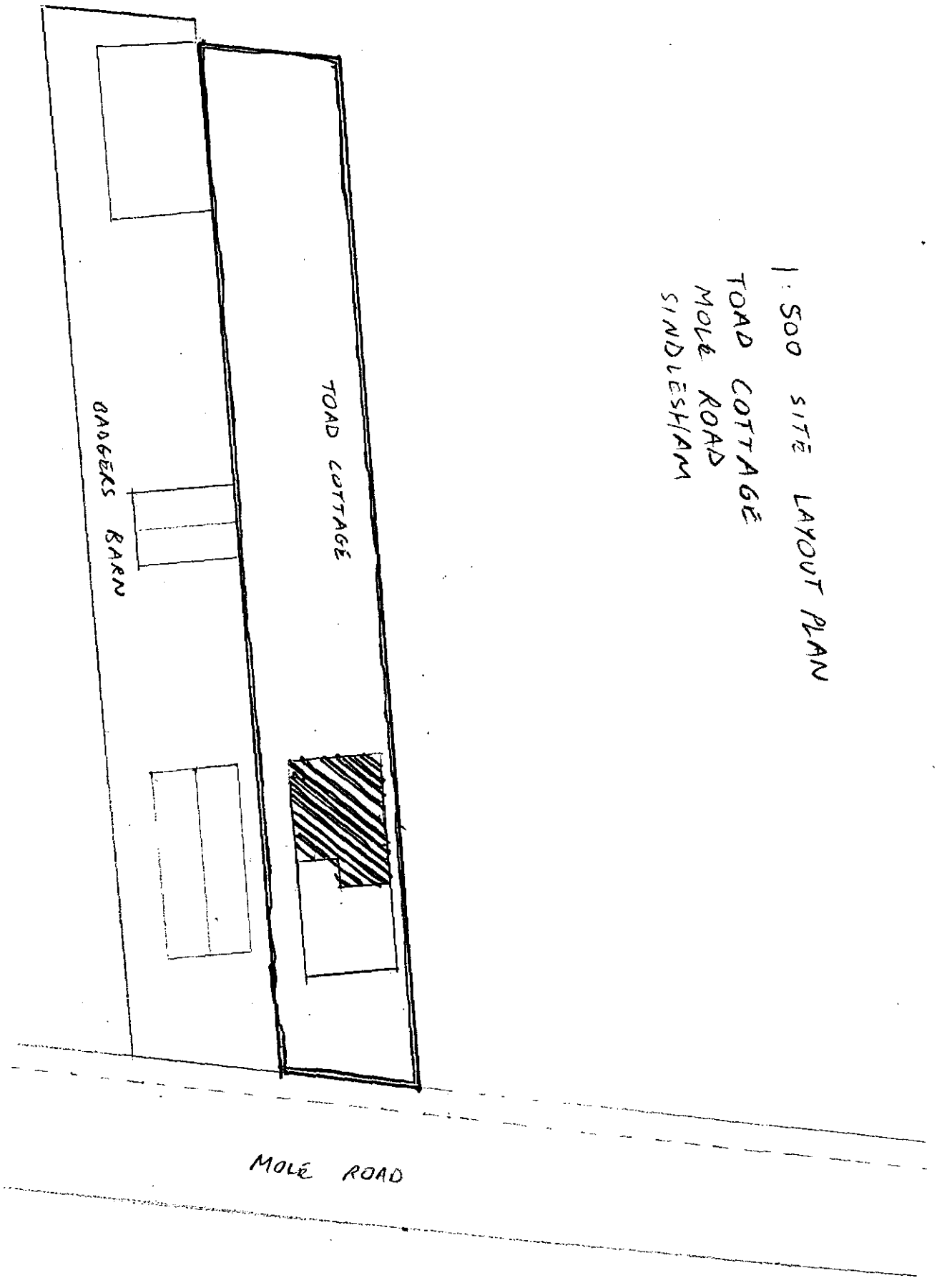
Date: 25 March 2002

N
W E
S

26.MAR2002* 6235

1:500 SITE LAYOUT PLAN

TOAD COTTAGE
MOLE ROAD
SINDLESHAM



EDM

Leaders in Electronic
Document Management

WRITTEN
REPRESENTATION
APPEAL

FILE 2

EDM

Leaders in Electronic
Document Management

WRITTEN

REPRESENTATION

APPEAL

FILE 2

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: PT

APPLICATION NUMBER: 6235

APPELLANT: Mr M Piper

SITE: Toad Cottage, Mole Rd, Winnersh

APPEAL REF: APP/X0360/A/02/1098906

START DATE: 12/09/02

DATE OF SITE VISIT 08/01/03

DISMISSED 15/01/03

Progress Record	Date Actioned	Initials
Appeal Logged:	13/09/02	
Entered on Access:	24/09/02	DG
Notification Letters Due:	**26/09/02**	
Notification Letters Sent:	25/09/02	DG
Questionnaire Due:	**26/09/02**	
Questionnaire Sent:	25/09/02	DG
Statement Due:	**24/10/02**	
Statement Sent:	22/10/02	DG
Comments on Statement Due	14/11/02	
Comments on Statement Sent	—	
Decision letter circulated:	17/01/03	DG
Decision entered on Access:	17/01/03	DG

Appeal Decision

Site visit made on 8 January 2003

by Martin Whitehead LLB BSc CEng MICE

an Inspector appointed by the First Secretary of State

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

Date

15 JAN 2003

Appeal Ref: APP/X0360/A/02/1098906
Toad Cottage, Mole Road, Sindlesham, Berkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Martin Piper against the decision of Wokingham District Council.
- The application (Ref. F/2002/6235), dated 25 March 2002, was refused by notice dated 29 May 2002.
- The development proposed is a two-storey extension to the rear, in line with the existing building, and internal modifications to the existing dormer to the front.

Summary of Decision: The appeal is dismissed.

Preliminary Matters

1. Although the description of the proposed development on the application includes internal modifications to the existing dormer to the front, at the site inspection I observed that there is not an existing dormer to the front. I have therefore decided this appeal on the basis of the proposed development being a two storey extension to the rear, in line with the existing building, and dormer windows to the front and side.

Main Issues

2. I consider the main issues are the effect of the proposed development on:
   (a) the character and appearance of the surrounding area;
   (b) the living conditions of the occupants of adjoining dwellings, with particular regard to matters of overshadowing, outlook, privacy and overlooking.

Planning Policy

3. The development plan includes the Berkshire Structure Plan 1991-2006, incorporating alterations adopted in August 1997, and the Loddon Area Local Plan, adopted in May 1995. Structure Plan policy EN1 and Local Plan policy LBE1 seek to ensure that new development improves the character and appearance of the surrounding area. Local Plan policy LBE2 seeks to prevent new development that is inappropriate in terms of its relationship with adjoining sites and buildings or adversely affects the character of the surrounding area.

4. The Council has referred to the emerging Wokingham District Local Plan Deposit Draft on which the Inspector's report has been published following the public Local Plan inquiry. The Inspector's report recommended rewording of policy WBE1, which has been stated by the Council as being relevant to this appeal. I consider that the reworded policy WBE1 seeks similar objectives to the adopted Local Plan policies LBE1 and LBE2 with regard to

the requirement to consider the effect of new development on the character and appearance of the surrounding area.

Reasons

First Issue: Effect on Character and Appearance

5. The appeal site is located on the north-west side of Mole Road, between a row of small traditional semi-detached houses to the north-east and a row of mainly detached bungalows and mobile homes to the south-west. At the site inspection I observed that some of the properties to the south-west are used for commercial activities but I consider that the character of the area is predominantly residential.

6. In my opinion the appeal dwelling, being a bungalow with a rear-facing skylight in the roof, is more in character with the row of bungalows to the south-west. Although some of these bungalows have large dormer windows, these are only on one elevation whereas the proposed development includes a side facing dormer as well as one at the front of the bungalow. Therefore, it seems to me that due to the relatively narrow width of the dwelling these dormers would make the roof appear to be disproportionate with the rest of the dwelling when viewed from the front, and this would be out of keeping with the other dwellings in the area.

7. I accept that the area is not a conservation area and that there are no listed buildings nearby. However, these matters do not outweigh my conclusion on this first issue that the proposed development would adversely affect the character and appearance of the surrounding area. It would therefore not accord with Structure Plan policy EN1 and Local Plan policies LBE1 and LBE2 with respect to this issue.

Second Issue: Effect on Living Conditions

8. The proposed rear extension would extend the appeal dwelling to about the same depth as the adjacent bungalow at Badgers Barn and it would be single storey with a pitched roof and a dormer window along its south-west elevation. I consider that the proposed extension would be a sufficient distance from the adjacent dwellings at Badgers Barn and No. 1 Mole Road and a low enough height not to cause any significant overshadowing of the side windows at either of these dwellings.

9. The proposed rear extension would project a further 10 metres back along the boundary with No. 1 Mole Road. However, it is my view that it would not appear to be overbearing because of the high pitched roof that would slope away from the boundary and the relatively low ground floor that would be partially screened by the boundary fence. Although there would be a dormer window in the roof of the side elevation adjacent to Badgers Barn I consider that it would appear narrow enough on this elevation not to adversely affect the outlook from the adjacent property. Therefore in my opinion the proposals would not unduly harm the neighbours' outlook.

10. With regard to overlooking, it seems to me that the proposed first floor balcony would be a sufficient distance from the rear garden of Badgers Barn and the rear of the dwelling at No. 1 Mole Road not to result in undue overlooking of their gardens. Also, I believe that the views from the balcony would be restricted by the extended roofline to the side of it and the trees and shrubs in the rear gardens. Therefore I consider that there would be no significant loss of privacy to the neighbours as a result of the proposed development.

11. I conclude on this second issue that the proposed development would not adversely affect the living conditions of the occupants of adjoining dwellings and would accord with Local Plan policy LBE2 with respect to this issue.

Conclusions

12. Although I have found in favour of the proposed development on the second issue, I consider that the harm it would cause to the character and appearance of the surrounding area provides a compelling reason on its own why the proposals should not be permitted. Therefore, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should not succeed.

Formal Decision

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

Information

14. 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.

M. J. Whitehead

INSPECTOR

The Planning Inspectorate

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

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

PLANNING 62656
19
20 OCT 2002
COPIES TO
FILE

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

Your Ref: F/2002/6235
Our Ref: APP/X0360/A/02/1098906
Date: 28 October 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MARTIN PIPER
SITE AT TOAD COTTAGE, MOLE ROAD, SINDLESHAM, BERKS, RG41 5DJ

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. 14/11

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

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

Yours faithfully

Mrs M Pocock

211AL(BPR)

Mr. M.C. BROWN
'BADGERS BARN'
MOLE RD
SINDLESHAM
BERKSHIRE
RG41 5DJ

9th October 2002

RECEIVED
14 OCT 2002
PINS AA PEP

RE: APP/X0360/A/02/1098906

Dear Mrs M. Pecock,

Firstly I would like to point out that having extended my property ('BADGERS BARN') and consequently doubled its length, myself and others along the road view the out of date ordnance survey map which was sent out as a site plan, as misleading.

With regard to the proposed rear extension of 'ABERFOYLE' I disagree with the assumption that it will have an overbearing effect on number 1. Mole Rd. as they (n° 1) could and would be allowed if they so wished, raise their single storey flat roof extension to the full height of the existing pitched roof. Also I would like to point out that approximately one hundred yards or so further along the road, the council have allowed a substantially large five bedroomed house to be built which totally dwarfs the adjacent and much smaller council house (n°1. NEWLANDS COTTAGES). In my mind far more overbearing than the 'ABERFOYLE' extension.

Also regarding the proposed dormer windows, the side faces as I am told, would be completely tile hung and would have no window(s) overlooking my property or on the otherside. As for the possible allowance by the council of a one storey flat roof extension, as opposed to a two storey pitched roof, I am amazed that this could even be considered as an option, as I would be strongly against such a hideous eyesore

Yours Sincerely

M.C. Brown.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr M Piper
SITE: Toad Cottage, Mole Rd, Winnersh
APPLICATION NO.: 6235
PROPOSAL: Proposed 2 storey rear extension & raising of roof to front of dwelling plus side dormer

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Winnersh

Mrs P Bray

Mr D Ball

Mrs E Siggery

Clerk(s) of Parish / Town Council of Winnersh & Arborfield

Mrs J Harlin, Winnersh Community Centre, New Rd, Sindlesham RG41 5DU

Mrs Z Bolton, Parish Office, Arborfield Village Hall, Eversley Rd, Arborfield RG2 9PQ

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

Environment Agency, Swift House, Frimley Business Park, Camberley, GU16 7SQ
-fao Paul Busing. Ref: SU76NE/23/9

Organisation_Name	Building_Name	address1	Postcode
		1MOLE ROADWOKINGHAM	RG415DJ
	ABERFOYLE	ABERFOYLEMOLE ROADWOKINGHAM	RG415DJ
	MELTON COTTAGE	MELTON COTTAGEGIPSY LANEWOKINGHAM	RG415DS
	BADGERS BARN	BADGERS BARNMOLE ROADWOKINGHAM	RG415DJ
CHEM DRY WORLDSTAR	KASVENE	KASVENEMOLE ROADWOKINGHAM	RG415DJ
		41HARROW WAYWOKINGHAM	
		39HARROW WAYWOKINGHAM	
		37HARROW WAYWOKINGHAM	
		35HARROW WAYWOKINGHAM	
		33HARROW WAYWOKINGHAM	

Neighbour consultation list

F/2002/6235

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT :	Mr M Piper
APPEAL SITE :	Toad Cottage, Mole Road, Winnersh
REASON FOR APPEAL:	Refusal of planning permission for the erection of a two storey rear extension.

LOCAL PLANNING AUTHORITY REFERENCE	: F/2002/6235
DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE	: APP/X0360/A/02/1098906

1.00 LOCATION AND SITE DESCRIPTION

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

1.02 Toad Cottage is a chalet type bungalow. The dwellings on Mole Road are built in linear form using various styles but predominantly bungalows. The neighbouring properties are Badgers Barn (a bungalow) to the South and No.1 Mole Road (two storey semi detached house) to the North.

2.0 Relevant Planning History

2.01 It is not know when the original dwelling was built. There is some planning history for the site including applications for new dwellings incorporating other adjacent sites.

Application No.	Description	Date	Decision
32688	Vehicle access	8/9/89	Conditional Approval
36891	**Outline** Access and demolition of dwelling	6/3/91	Refused
43758	X2 bungalows & garages	2/6/95	Conditional Approval
44158 DN/ 95/0043	Demolition of bungalow, built two bungalows	4/4/95	Refused

2.02 In May of 2002 the appeal planning application (F/2002/6235) for the erection of a two storey rear extension was refused under delegated powers for the following reasons.

Reason 1

"The proposal would by virtue of its size, depth and proximity to No. 1 Mole Road would have an overbearing effect and be detrimental to the amenities of the adjoining property. As such the proposal would be contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and to policy WBE1 of the Wokingham District Local Plan (deposit draft)."

Reason 2

The proposed dormer to the side of the property is out of proportion to the main dwelling and would have an overbearing visual effect contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and Policy WBE1 of the Wokingham District Local Plan.

Reason 3

The proposed rear Balcony would result in overlooking of the rear gardens of adjoining properties to their amenities. As such the proposed balcony would be contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and Policy WBE1 of the Wokingham District Local Plan.

3.0 Policy Background

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

Loddon Area Local Plan (Adopted 5th May 1995)
The Loddon Area Local Plan forms the statutory basis for the operation of planning policy in this part of the district. The Planning and Transportation Committee at their meeting on 21st November 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision".

Wokingham District Local Plan (Deposit Draft) 1997
The draft Wokingham District Local Plan (WDLP) was placed on deposit from 21st October to 2nd of December 1997 and has formed the basis for development control decisions since 21st October 1997. The County Council issued a statement of general conformity with the structure plan in May 1997. The public local inquiry into the plan commenced in October 1998. The Inspector's report on the local plan inquiry was published in October 2001 but has yet to be formally considered and adopted.

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

WBE1- Development in its local context

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

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

LBE1 – Design of new development
LBE2 – Inappropriate design

4.0 Case for the Local Authority

4.01 As part of a pre-application enquiry the applicant was informed on the 8th October 2001 that the scheme they submitted would be unlikely to gain favourable approval from officers. This first design was largely identical to the one subject of this appeal save for the dormer with it's west-facing window.

4.02 The submitted application incorporated little of the councils advice with only the removal of a west-facing window on the dormer in an attempt to prevent overlooking of Badgers Barn.

4.03 The design submitted was for an extension projecting 9.1 metres from the rear of the bungalow. It would have the same width as the existing dwelling with a corresponding matching roof shape and height with a half hip at the rear. A pitched roof dormer with windows facing south-east and north-west. Another dormer would be inserted on the front facing roof slope. Two roof lights would be inserted in the East facing roof slope. A covered balcony with railings would complete the scheme.

4.04 There are three main issues pertinent to this appeal. The overbearing impact on No.1 Mole Road. The dormer window being out of proportion and forming an overbearing visual effect and the overlooking impact of the rear balcony. These issues will be dealt with in turn.

4.05 No.1 Mole Road is currently built in line with Toad Cottage albeit that No.1 is positioned parallel with the road while Toad Cottage is positioned at a slight angle. The extension would project 10.0 metres past No.1 between 1.0 and 1.5m from the boundary. At its closest point the extension would be 7.0m away. No.1 has a kitchen extension at the rear of the dwelling with an outlook both towards Toad Cottage and down the garden. It is this depth along and proximity to the boundary, which would give the extension its overbearing presence especially when viewed from the kitchen which is considered a habitable room. Similarly this extension could have an overshadowing impact on the kitchen.

4.06 The effect of the side dormer window would be on the visual amenity of the area. The dormer projects at is widest point 2.3m and despite and pitched and hipped roof is considered out of proportion with the main building.

4.07 The balcony would be essentially level with the rear of Badgers Barn allowing unacceptable overlooking of the amenity area immediately to the rear of the dwelling. The balcony would be set some 10.0m back from the rear of No.1 so the amenity area would not be directly overlooked. However the garden would still be overlooked to a degree.

5.0 Comments on the appellants statement

5.1 In paragraph 3.01 of the appellants statement it is said that in their opinion Policy LBE2 primarily seeks to prevent harm to the character of the area by virtue of factors such as siting, scale, form, massing, colour and texture. However It also cites inappropriate development in relation to adjoining sites so can be used to address impacts on living conditions of neighbours.

5.2 In paragraph 4.02 the appellant states that the council takes issue with the overbearing impact on No.1 Mole Road only and not on Badgers Barn. The Council does consider the dormer window would have an overbearing impact on the outlook from the side facing bedroom window.

5.3 In paragraph 5.03 the appellant argues that because the gardens of the appeal site and of the neighbours are so large the extensions will only cover a small proportion of the garden. The councils considers the most sensitive area is the one immediately to the rear of No.1 Mole Road and the full 10 metre projection would overbear on this amenity area.

6.0 Conclusion

6.01 The proposed two-storey extension would by virtue of its size, depth and proximity to No.1 Mole Road would have an overbearing impact. The side dormer window would have an overbearing impact on badgers Barn and be out of proportion with the main dwelling while the rear balcony would give rise to unacceptable overlooking of both neighbours gardens.

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

7.0 Conditions in the event planing permission is granted

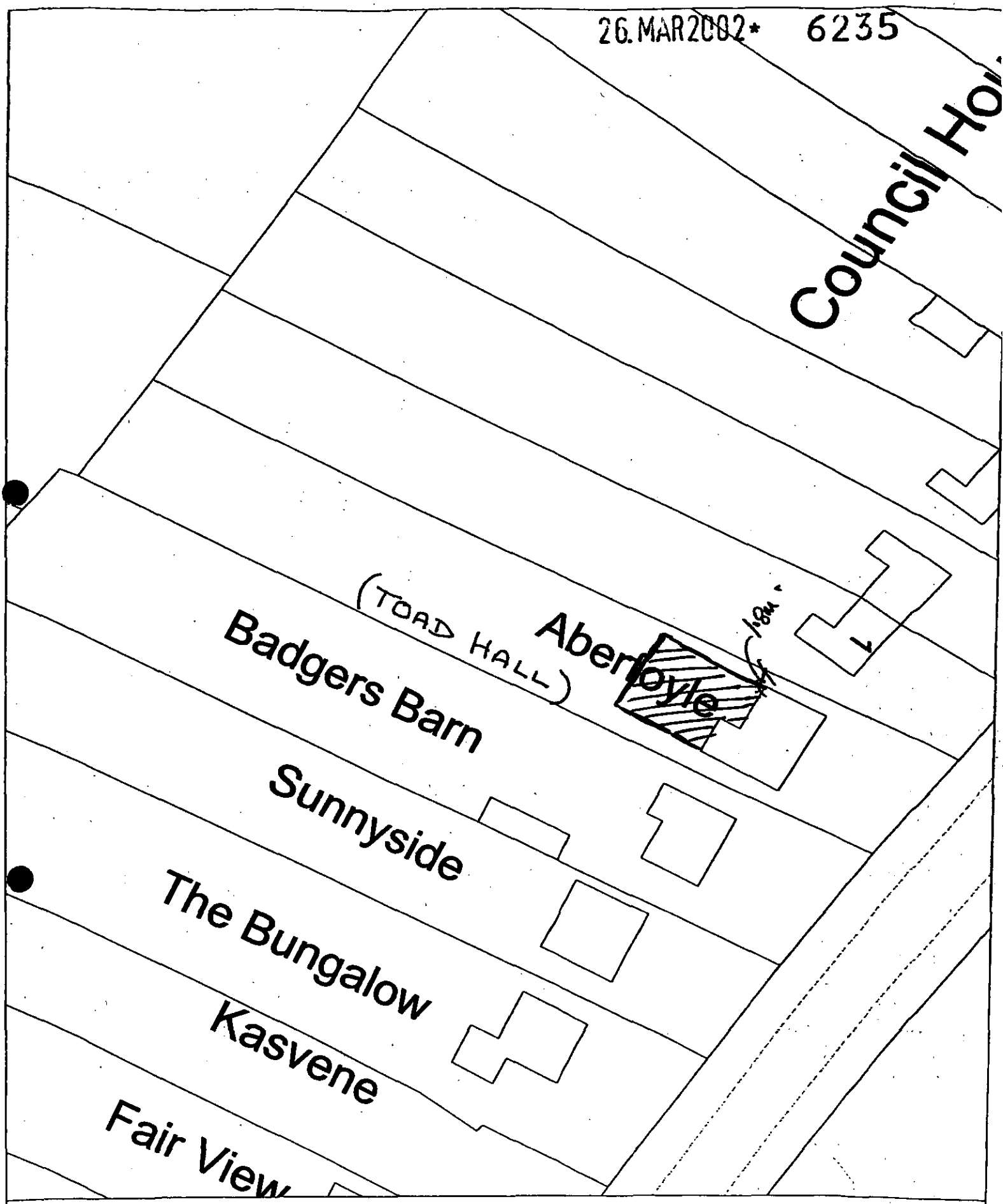
7.1 see appendix 5

APPENDICES

1. Location Plan of Site
2. Copy of Decision Notice
3. Wokingham District Local Plan Policies including the Inspector's report recommended rewording of this policy.
4. Loddon Area Local Plan Policies
5. Conditions in the event planning permission is granted

Appendices

Appendix 1



Site Plan, Scale: 1 to 500

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Date: 25 March 2002

Tel: (0118) 974 6448 (Direct Line)
Email: Denise.Gumbrell@wokingham.gov.uk
Date: 25 September 2002
My ref: **F/2002/6235**

WOKINGHAM UNITARY
Aiming for Excellence

The Owner / Occupier
1
MOLE ROAD
SINDLESHAM
WOKINGHAM
BERKSHIRE
RG415DJ

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/2002/6235
APPEAL BY: Mr M Piper
SITE: Aberfoyle (Toad Cottage) Mole Road Sindlesham Wokingham
PROPOSAL: Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer.

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/02/1098906**. Comments received after **24/10/2002** will not normally be seen by the Inspector & will be returned.

The application, and the appellant's grounds of appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during 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

Appendix 2

Application No: F/2002/6235 FL

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr M Piper
Toad Cottage
Mole Road
Sindlesham
Berks
RG41 5DJ

Application Number: F/2002/6235

Parish: **WINNERSH**

Location: **Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.**

Proposal: **Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer.**

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

Reason
1. The proposed development because of its size, depth and proximity to No. 1 Mole Road would have an overbearing effect and be detrimental to the amenities of the adjoining property. As such the proposal would be contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and policy WBE1 of the Wokingham District Local Plan.

Reason
2. The proposed dormer to the side of the property is out of proportion to the main dwelling and would have an overbearing visual effect contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and policy WBE1 of the Wokingham District Local Plan.

Reason
3. The proposed rear balcony would result in overlooking of the rear gardens of adjoining properties detrimental to their amenities. As such the proposed balcony would be contrary to policies LBE1 and LBE2 of the Loddon Area Local Plan and policy WBE1 of the Wokingham District Local Plan.

Informative

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

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

Anna Cronin
Head of Planning & Transportation
Date: 29/05/2002

Notice checked by: _____

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

Appendix 3



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

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

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.



WOKINGHAM DISTRICT LOCAL PLAN

INSPECTOR'S REPORT

PART TWO

CHAPTERS OTHER THAN HOUSING

Mr D Hollis
October 2001

RECOMMENDATION

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

PARAGRAPH 4.4

REPRESENTATIONS

1775 Hicks Persimmon Limited (O)

OBJECTION ISSUES

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

CONCLUSIONS

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

RECOMMENDATION

4.8 That no changes are made to paragraph 4.4.

POLICY WBE1

REPRESENTATIONS

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

OBJECTION ISSUES

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

CONCLUSIONS

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

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

RECOMMENDATION

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

4.13 That Policy WBE1 is deleted and replaced as follows:

"Policy WBE1: Design and new development

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

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

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

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

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

POLICY WBE2

REPRESENTATIONS

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

OBJECTION ISSUES

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

CONCLUSIONS

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

RECOMMENDATION

4.16 That Policy WBE2 is deleted.

POLICY WBE3

REPRESENTATIONS

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

OBJECTION ISSUES

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

Appendix 4

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

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

1.4 QUALITY AND CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT, REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ *LBE1 DESIGN OF NEW DEVELOPMENT*

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

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

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

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

❖ LBE2 INAPPROPRIATE DESIGN

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

ENVIRONMENTAL IMPROVEMENT

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

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 5

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

APPEAL REF: APP/X0360/A/02/1098906
APPLICATION NUMBER: F2002/6235
SITE ADDRESS: Toad Cottage, Mole Road, Sindlesham

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modifiaction) no additional windows or similar openings shall be constructed in the roof of the extension hereby permitted except for any which may be shown on the approved drawings.

Reasons

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

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

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

4. To safeguard the residential amenities of the occupiers of the neighbouring properties.



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.

The Planning Inspectorate

For offical use only
Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP /X0360/A/02/1098906 · **GRID REF:** _____

APPEAL BY: MR M PIPER

SITE: TOAD COTTAGE, MOLE RD, SINDLESHAM

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;	2	
e.	Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f.	A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g.	Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h.	Details of any other applications or matters you are currently considering relating to the same site;		✓
i.	**For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.***	3	
j.	Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k.	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?	24/10/02
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	1
ii) the planning officer's report to committee	✓
iii) any relevant committee minute	✓
17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY	
Do you intend to send another statement about this appeal? If NO, please send the following information:-	YES / ~~NO~~
a. In non-determination cases:	
i) what the decision notice would have said;	
ii) how the relevant development plan policies relate to the issues of this appeal.	
b. In all cases:	
i) the relevant planning history;	
ii) any supplementary reasons for the decision on the application;	
iii) matters which you want our Inspector to note at the site visit.	
18. THE MAYOR OF LONDON CASES ONLY	
a. Was it necessary to notify the Mayor of London about the application? If YES, please attach a copy of that notification.	YES / NO
b. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction.	YES / NO

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

Signature: _____ on behalf of WOKINGHAM UNITARY ~~Council~~

Date sent to us and the appellant 25/09/02 OUR Ref: F/2002/6235

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

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Norwich NR3 1BQ

ENVIRONMENT AGENCY

Our Ref : SP/2002/005585-1/1
Your Ref : Francis Leo/f2002/6235

Date : 01 May 2002

PLANNING SERVICES REF 56103
POL
DC FL
APP
GS
07 MAY 2002
COPIES TO
FILE

District Planning Officer
Wokingham District Council
Council Offices
PO Box 157 Shute End
Wokingham
Berkshire
RG40 1WR

FAO:Francis Leo

Dear Sir/Madam

2 STOREY RAR EXTENSION + RAISING 0F ROOF + SIDE DORMER ABERFOYLE MOLE ROAD SINDLESHAM WOKINGHAM

Thank you for your letter dated 9 April 2002, received on 11 April 2002. Please quote the following reference in any correspondence: SU76NE/23/9. The Environment Agency has the following comments:

The Environment Agency has no objection, in principle, to the proposed development provided that the following planning informatives are included on any planning permission granted:

PLANNING INFORMATIVES

The following planning informatives should be attached to any planning permission granted:

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is currently required for any discharge of sewage or trade effluent onto or into ground and for surface runoff into groundwater. Such consent may be withheld. If there is an existing discharge consent the applicant should ensure that any increase in volume is permitted under the present conditions.
Contact Ian Doyle on 01276 454 365 for further details.

ADVICE

Waste Regulation

According to our records, there is one landfill site within 250 metres of the site, as follows:

Environment Agency
Swift House, Frimley Business Park, Camberley, Surrey, GU16 7SQ, Tel no:01276 454300, Fax no:01276 454301

Grid reference	Distance from site	Landfill name	Details
SU 768694	220m	Gipsy Lane	Inert

In view of the distance from the site and the nature of the fill material, it is unlikely that landfill gas will present a risk to this proposal.

Land Drainage

There are alternatives to conventional storage for the control of surface water run-off that are favoured by the Environment Agency. These techniques not only cater for flood peak attenuation, but may also improve water quality and enhance the environment. Such systems include permeable pavements, grassed swales, infiltration trenches, ponds and wetlands. The developer is advised to discuss with the Agency how these techniques might be applied at this site.

In order to manage the disposal of surface water in a more sustainable manner, taking into account flood risk and other environmental factors, the Environment Agency will recommend that restrictions are imposed on the discharge of surface water from the site. Particular care must be exercised where there is an increase in the impermeable area. The developer will be required to accommodate excess water and control its release into local watercourses, whether directly or by means of the local surface water sewerage system.

The site is not situated within a currently designated public water supply groundwater source protection zone. In this case, shallow soakaways would be acceptable for the disposal of clean surface and roof water provided they are not constructed so that they penetrate the water table, or in any event exceed 3 metres in depth below existing ground level.

Environment Protection

Surface water from hard surfaced areas should discharge via deep seal trapped gullies incorporating a minimum water seal of 85mm or similar.

Roof water downpipes should be connected to the drainage system either directly, or by means of back inlet gullies provided with sealing plates instead of open gratings.

All sewage or trade effluent should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

Water Conservation

Household Use

Water is one of our most precious natural resources, and the Environment Agency is keen to ensure it is used wisely:

* Water use for WC flushing can represent 35% of all household use. The applicant should consider installing low (6 litres or less) or dual flush toilets.
* 10% of household water use comes through wash hand basin taps. The installation of water-efficient taps such as spray taps can reduce consumption from this source by up to a half.
* A shower uses less than half the water used for a bath. Power showers on the other hand

can use as much water as a bath in just 5 minutes. Shower units using a maximum of 9 litres of water a minute should be fitted.

Grey and Rainwater Recycling

Rainwater and grey water recycling is becoming increasingly popular. It can reduce household water use by up to 30%. A number of systems are available which collect, treat and store rain- or grey water for WC flushing or garden/outside watering. We enclose advice in a factsheet on rainwater and grey water collecting.

Wildlife Conservation

Wildlife Enhancement
Bird nesting and roosting sites should be built into the development through the incorporation of ledges, crevices and holes, where possible. The incorporation of bat roosts into the design of the building should also be considered.

Natural Drainage
The development should incorporate Sustainable Urban Drainage (SUDs) utilising surface water for landscape irrigation and water features. This should include making use of permeable surfaces and other similar measures to reduce the risk of non-point source pollution or excessive surface water run-off. This might include the use of gravel surfaces in paths, parking spaces and driveways.

DECISION NOTICE

Please forward a copy of the decision notice to this office quoting our reference. A copy of this letter has been sent to the applicant. If you have any further queries, please contact me, quoting the reference at the beginning of this letter.

Yours faithfully

PAUL BUSING
Planning Liaison Officer
Direct dial: 01276 454326
Direct fax: 01276 454352
Email: paul.busing@environment-agency.gov.uk

CC: Martin Piper

HIGHWAYS CONSULTATION SHEET

From: Francis Leo **Date:** 09 April 2002

Application Number: F/2002/6235

Proposal: Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer.

Parish: WINNERSH PARISH

Site Address:
Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.

Applicant:
Mr M Piper .

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

✓ below as applicable;

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

Comment

Please could Highways have an additional plan (at least 1:200 scale) showing the parking layout for 3 vehicles within the curtilage of the property. The outline of the spaces is to be marked on the plan accurately with minimum dimensions:

4.8m x 2.4m (standard space)
5.5m x 2.4m (in front of a garage)

The extent of the existing driveway must be clearly shown, along with details of any widening or alterations as a result of the proposal.

Signed: _____ **Print name:** Adams 11/4/02

FROM: Francis Leo

DATE: 09 April 2002

DELEGATED

WINNERSH PARISH CONSULTATION SHEET

PLANNING SERVICES	HPT
POL	TCB
DC	ENF
AP	
CS	

01 MAY 2002

Application Number: F/2002/6235

Proposal: Proposed two storey rear extension and raising of roof to front of dwelling plus side dormer..

Site Address: Aberfoyle (Toad Cottage), Mole Road, Sindlesham, Wokingham.

Applicant: Mr M Piper .

Your observations are required in respect of this application **by 02/05/2002** .

No comments

SIGNED: _____ DATE: 30.04.02

Clerk To Winnersh Parish/Town Council.

Evans Planning and Development Consultancy

6088470
PLANNING SERVICES | HPT
ROL | TLS
DC | ENF
APP |
CS DG
11 SEP 2002
COPIES TO | ACK:
FILE:

Mike Evans BA MA MPhil DipTP MRTPI
Chartered Town Planner
18 Webb Court
Wokingham
Berkshire
RG40 5YR
Tel: 0118 9892968
Mobile: 07766 053657
Email: EvansPlanningUK@Yahoo.com

Wokingham District Council
Shute End
Wokingham
Berkshire
RG40 1BN

9th September 2002

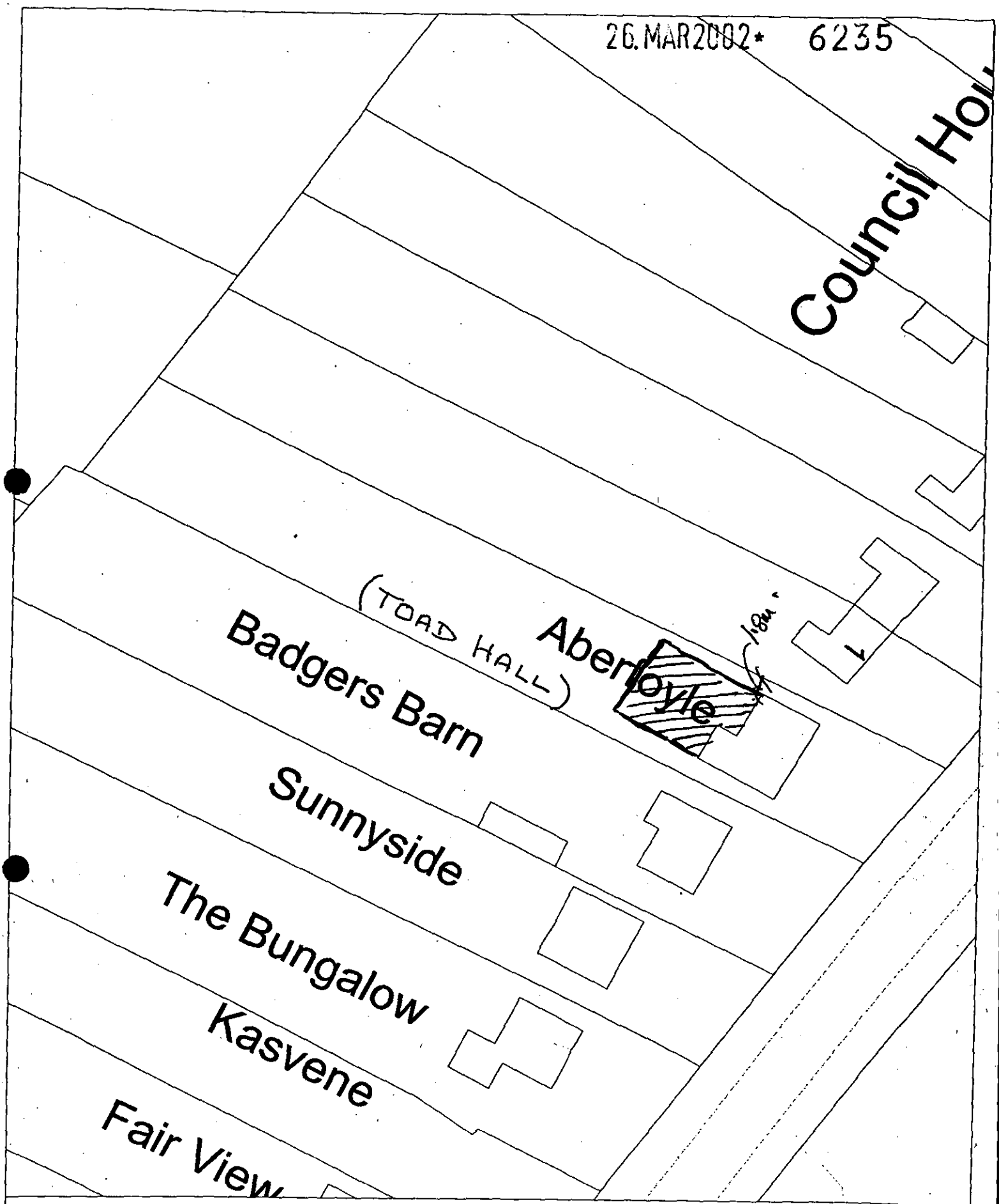
APPEAL RE TOAD COTTAGE, MOLE ROAD, SINDLESHAM

Dear Sir

I enclose papers regarding a planning appeal I have submitted to the Planning Inspectorate.

Yours sincerely

Mike Evans



Site Plan, Scale: 1 to 500

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Date: 25 March 2002

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.

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

65037

16 JAN 2003

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

Your Ref: F/2002/6235

Our Ref: APP/X0360/A/02/1098906

Date: 15 January 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MARTIN PIPER
SITE AT TOAD COTTAGE, MOLE ROAD, SINDLESHAM, BERKS, RG41 5DJ

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

cc Mrs Margaret Pocock

COVERDL1

Tel. (0118) 974 6448 (Direct Line)
Date: October 22, 2002
My ref: F/2002/6235
Your ref: APP/X0360/A/02/1098906

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 M Piper
SITE: Toad Cottage, Mole Rd, Sindlesham

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: September 25, 2002
My ref: F/2002/6235
Your ref: APP/X0360/A/02/1098906

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 M Piper
SITE: Toad Cottage, Mole Rd, Sindlesham

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. September 25, 2002
My ref: F/2002/6235
Your ref:

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

Mr M Evans
Evans Planning & Development Consultancy
18 Webb Court
Wokingham
RG40 5YR

Dear Sir

APPEAL BY: **Mr M Piper**
SITE: **Toad Cottage, Mole Rd, Sindlesham**

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

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

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

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

60990. PT

26/9.

(H)

PO DC 13 SEP 2002 FILE:

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

Your Ref: F/2002/6235

Our Ref: APP/X0360/A/02/1098906

Date: 12 September 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR M PIPER
SITE AT TOAD COTTAGE, MOLE ROAD, SINDLESHAM, BERKS, RG41 5DJ

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

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

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

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

Within 2 weeks from the starting date -

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

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

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

Within 6 weeks from the starting date -

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

Within 9 weeks from the starting date -

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

Site visit arrangements

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

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

Planning obligations - Section 106 agreements

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

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

Yours faithfully

KF

Mrs Margaret Pocock

102(BPR)

The Planning Inspectorate

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

POL	PINS
DC	
APP	For official use only
CS	Date received
	11 SEP 2002
COPIES TO	ACK
	FILE

PLANNING APPEAL FORM

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

Please use a separate form for each appeal

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

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

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

A. APPELLANT DETAILS

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

Name Mr M PIPER

Address C/O AGENT

Daytime phone no

Fax no

Postcode

E-mail address

B. AGENT DETAILS FOR THE APPEAL (if any)

Name MICHAEL EVANS - EVANS PLANNING AND DEVELOPMENT CONSULTANCY

Address 18 WEBB COURT
WOKINGHAM
BERKSHIRE
Postcode RG40 5YR

Your reference

Daytime phone no 0118 9892968

Fax no

E-mail address EvansPlanningUK@yahoo.com

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL

LPA's application reference no F/2002/6235

Date of the planning application 25/3/02

Date of LPA's decision notice (if issued) 29/5/02

D. APPEAL SITE ADDRESS

Address TOAD COTTAGE
MOLE ROAD
SINDLESHAM, BERKSHIRE

Postcode RG41 5DT

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

E. DESCRIPTION OF THE DEVELOPMENT

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

TWO STOREY EXTENSION TO REAR IN LINE WITH EXISTING BUILDING AND INTERNAL MODIFICATIONS TO EXISTING DORMER TO FRONT.

Size of the whole appeal site (in hectares): 0.11

Area of floor space of proposed development (in square metres): 80

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

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

   or

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

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

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

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

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

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

2. HEARING ☐

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

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

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

3. INQUIRY ☐

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

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

Please turn over

H. GROUNDS OF APPEAL

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

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

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

Please continue on a separate sheet if necessary.

SEE ATTACHED

H. GROUNDS OF APPEAL (continued)

SEE ATTACHED

Please turn over

I. APPEAL SITE OWNERSHIP DETAILS

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

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

CERTIFICATE A

☑

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

OR

CERTIFICATE B

☐

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

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

CERTIFICATES C and D

☐

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

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

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

✔

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

OR

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

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

J. ESSENTIAL SUPPORTING DOCUMENTS

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

✔

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

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

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

_____

_____

8. Any relevant **correspondence** with the LPA. ☐
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
   (a) the relevant outline application; ☐
   (b) all plans sent at outline application stage; ☐
   (c) the original outline planning permission. ☐
10. If the appeal is against the LPA's refusal or failure to decide an application which relates to a **condition**, we must have a copy of the original permission with the condition attached. ☐
11. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
12. If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers. ☐

_____

_____

_____

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

K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and relevant documents to the LPA *(if you do not, your appeal will not normally be accepted).*

2. I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature M Evans (on behalf of) Mr M PIPER

Name (in capitals) MICHAEL EVANS Date 28.8.02.

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

NOW SEND:

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

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

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

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid and who is dealing with it.

2) Tell you and the LPA the procedure for your appeal.

3) Tell you the timetable for sending further information or representations.

   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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EVANS PLANNING AND DEVELOPMENT CONSULTANCY

APPEAL BY MR M PIPER AGAINST THE REFUSAL OF PLANNING PERMISSION BY WOKINGHAM DISTRICT COUNCIL FOR A TWO STOREY REAR EXTENSION AND MODIFICATIONS TO EXISTING FRONT DORMER AT TOAD COTTAGE, MOLE ROAD, SINDLESHAM, BERKSHIRE.

LOCAL PLANNING AUTHORITY REFERENCE: F/2002/6235

Evans Planning and Development Consultancy
18 Webb Court
Wokingham
Berkshire
RG40 5YR

1.00 DESCRIPTION OF SITE AND SURROUNDINGS

1.01 Toad Cottage is a detached bungalow which faces directly onto Mole Road. It has a very long rear garden and has dwellings to either side. To the south is another detached bungalow. To the north is one of a pair of semi detached two storey dwellings. Development in Mole Road comprises a mix of materials, styles and types of houses so that there is no distinct character.

2.00 PLANNING HISTORY

2.01 There is no planning history of particular relevance to this appeal.

3.00 PLANNING POLICIES

3.01 The development plan comprises the Berkshire Structure Plan (BSP) (adopted August 1997) and the Loddon Area Local Plan (LALP) (adopted May 1995). In my opinion policies LBE1 and LBE2 of the LALP are purely design policies and so do not address the issue of impact on living conditions. However they both seek to ensure new development does not detract from the character of an area. Policy LBE1 requires new development to be appropriate to the character of the area in which it is to be situated. Policy LBE2 seeks to prevent harm to the character of an area by virtue of factors such as siting, scale, form, massing, materials, colour or texture.

3.02 There is also an emerging local plan which has been subject to a local plan inquiry. The objectives of policy WBE1 include preventing harm to the living conditions of occupiers of residential properties. The objectives of policy WBE1 include protecting character and appearance with regard to factors such as layout, form, scale, massing and materials in relation to the local context.

4.00 BACKGROUND

4.01 The planning application was refused under delegated powers by the Head of Planning and Transportation. The first reason for refusal alleges that the proposal would have an unacceptably overbearing

effect on the living conditions of occupiers of no. 1 Mole Road. The second reason objects to the design of the proposed side dormer. The third reason raises concerns regarding overlooking of the rear gardens of adjoining properties from the proposed balcony.

4.02 The officer's delegated report (see Appendix One) amplifies and explains these concerns. This explains that the concern, in terms of the overbearing effect, is solely with no. 1 Mole Road and not with Badgers Barn as the proposal does not extend beyond the rear building line of this dwelling.

4.03 The side dormer is alleged to be out of proportion with the main building. Because of this it is said to have an overbearing visual effect and adversely affect the character of the area.

4.04 With regard to overlooking there is no analysis in the report of this issue and it is merely asserted that unacceptable overlooking of the neighbouring gardens would result from the proposed balcony.

5.00 THE CASE FOR THE APPELLANT

5.01 There are two main issues to be considered in this appeal. Firstly, whether the proposal would harm the living conditions of occupiers of adjacent dwellings by reason of being unacceptably overbearing or an unacceptable loss of privacy due to overlooking. Secondly whether the proposal would harm the character and appearance of the locality.

Living Conditions

5.02 The Council's case is that because the proposal extends beyond the rear building line, in close proximity to the boundary, it must have an unacceptably overbearing effect. In my view this conclusion has been reached without considering the nature of the affected property and the nature of the area that would be affected.

5.03 The garden of 1 Mole Road is relatively wide at about 11 metres. It is also extremely long at over 65 metres in length. In my view the size of the garden in itself severely limits the effect of any adjacent development as it can only affect a relatively small part of the whole garden. The proposal would only be adjacent to approximately 9 metres of the garden of no. 1 on one side of this garden. In respect of more than 65 metres this is a limited context.

5.04 The nature of the back garden of no.1 is also a highly important consideration in assessing the effect of the proposal. The dwelling at no. 1 is set in from the boundary with Toad Cottage by about 3 metres at its closest and about 5 metres at its furthest. The area of the garden closest to Toad Cottage and adjacent to the proposal has been separated from the rest of the garden by a fence and a number of other structures. A line of trees and shrubs further reinforces this screening in a part of the garden which is clearly not used for recreational purposes.

5.05 It is clear that the useable part of the rear garden of no. 1 lies beyond the area adjacent to the boundary. The property has a single storey rear addition and it is clear that the most useable and most private area of the rear garden lies beyond this extension on the opposite side of no. 1 from Toad Cottage.

5.06 In any case, though, I believe the impact of the proposal would be limited because of its own characteristics. Firstly it would be about a metre off the boundary with no.1. At about 7 metres to the ridge the overall height of the proposal is also relatively modest. Two storey dwellings are typically about 10 metres in height. The effect of the proposal is severely limited by the ridge being parallel to the boundary so that the roof slopes down towards the boundary so at the most sensitive point it is at its lowest height. At eaves level the height would merely be about 2.5 metres which is barely higher than the existing boundary fence and It is also set off the boundary at this point.

5.07 In summary, the affected area has little to contribute to the quality of the living conditions of occupiers of 1 Mole Road. This is both because of the nature of that area and the overall characteristics of the garden of that property. In a garden of the size and dimensions of no. 1 the proposal will have a very limited effect which is further limited by the design of the proposal. I, therefore, consider that the proposal would not be unacceptably overbearing in relation to the living conditions of occupiers of the existing dwelling at 1 Mole Road.

5.08 With regard to concerns about overlooking the first point that needs to be appreciated is that the balcony area itself is contained under the roof within the eaves and is set back from the rear wall of the proposal. This means that unless people were somehow able to lean forward at a very awkward angle it would not be possible to obtain a view directly sideways. In other words the views facilitated would be down the garden of Toad Cottage and, therefore, be no different from any rear window in this respect.

5.09 The proposed balcony would not facilitate any meaningful views into no. 1 Mole Road because of the boundary screening from trees and shrubs and the fact that the most private and useable area of this garden is behind the field of vision and some distance to the north.

5.10 The rear garden of Badgers Barn is about 14.5 metres wide giving a spacious living environment. There are two storey dwellings to the south and the relationship of the proposal to Badgers Barn would be no different to this as the balcony is akin to a first floor window. It does have to be said, though, that a window can be looked out of all year round whatever the weather conditions, yet a balcony is, realistically, only likely to be used in good weather. This means that the overlooking potential of a balcony will be less than that of a window.

5.11 The Council's concern with the balcony relates purely to overlooking. The distance and orientation towards no. 1 Mole Road means there cannot be any overlooking of the useable garden area closest to the house. In relation to Badgers Barn the relationship is no different to that with other dwellings to the south as the balcony simply facilitates views down the garden of Toad Cottage.

5.12 I therefore consider that the proposal would not give rise to unacceptable overlooking of the gardens of nearby dwellings.

Character of Area

5.13 The first important issue to consider is the nature of the context within which the proposal is to be considered. It must be pointed out that the area is not a conservation area and neither are there any listed buildings nearby. In design terms therefore the area is not especially sensitive. The area is a mix of styles and types of suburban semi detached and detached dwellings. There is a mix of forms, styles and materials. There are also commercial uses and the area has no great architectural merit.

5.14 The Council argues that the dormer in the side elevation is out of proportion and would be visually overbearing. I wholly disagree with this view as the dormer sits well within the confines of the roof slope and the area of roof surrounding the dormer is much greater than the area covered by the dormer. In addition it does not span the full height of the roof having a gap below it and being set slightly below the ridge. The form and roof pitch of the dormer mirror that of the main roof.

5.15 In fact I find the Council's objection on this point singularly illogical given that it clearly relates solely to the side dormer. Yet the front elevation contains a feature which is almost a full dormer and its visual impact is very similar. This feature has very similar dimensions to the side dormer but the Council quite clearly has not objected to it.

5.16 Notwithstanding the fact that I see nothing wrong with the design of the dormer, even if the design was out of proportion that would not in itself make it harmful. Given the local context, for example the large flat roof dormer to the south, it is unreasonable in my view to consider that the design of the side dormer constitutes a valid reason for refusal. The Council state that the dormer harms the character of the area but make no attempt to assess that character.

5.17 The dormer would be part of an architecturally mixed and undistinguished area which would not appear incongruous or unusual. It would reflect the dormer to the front which the Council do not object to.

5.18 I consider that the proposal would not harm the character of the area.

6.00 CONCLUSION

6.01 I consider that there is a complete absence of harm in relation to this proposal. It neither harms the character of the area and nor does it unacceptably detract from the living conditions of the occupiers of adjacent dwellings.

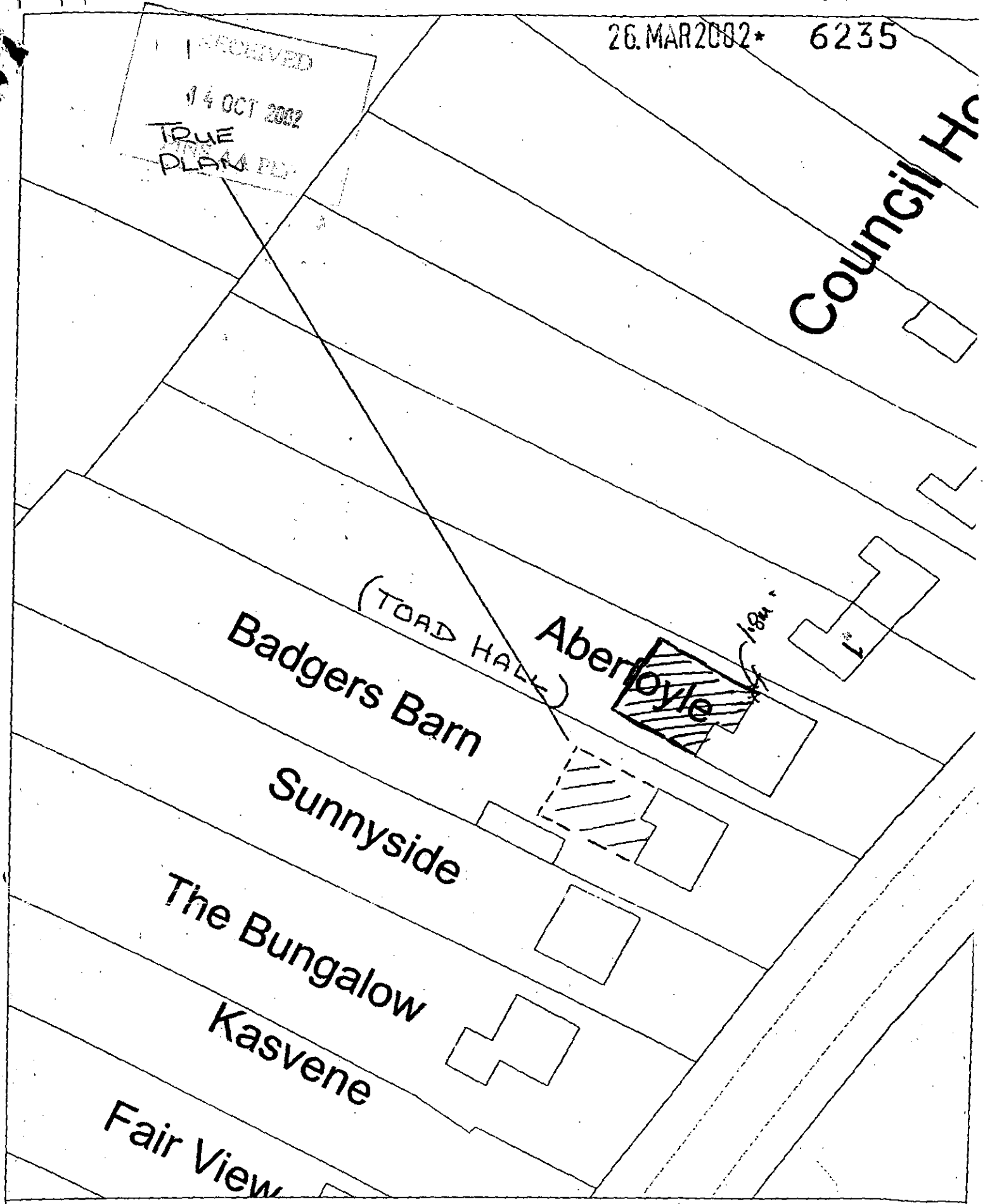
6.02 The Council has failed to consider the effect of the proposal on the living conditions of occupiers of adjacent dwellings in any detail. Just because a proposal extends beyond the rear building line of a house does not make it unacceptably overbearing. The nature of the rear garden of 1 Mole Road is such that the proposal would not significantly affect the living conditions of occupiers of that house. It is also significant that occupiers of that dwelling have not objected to the planning application and clearly do not feel it would be overbearing themselves.

6.03 Equally I believe the Council has objected to the balcony simply because it is a balcony and must therefore cause overlooking. However it would cause no more overlooking than a window. The design would not be conducive to anything other than looking down the garden. Because the proposal does not go beyond the main rear wall of Badgers Barn it would not be any different in effect than a window which I consider it would be unreasonable to object to.

6.04 The side dormer is not an unusual feature and in the context of the locality could not be considered harmful.

6.05 In my view the Council has failed to demonstrate any harm that would result from the proposal.

6.06 It is therefore respectfully requested that the above appeal be ALLOWED.



Site Plan, Scale: 1 to 500

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Date: 25 March 2002

N W E S