APPLICATION NO:
F/2000/1366

LOCATION:
Pinecopse Nine Mile Ride, Wokingham.

APPLICANT:
Mr & Mrs R Reed C/O Day Tanner Partnership

PROPOSAL:
Proposed erection of replacement dwelling and garage.

EARLIEST DATE FOR DECISION: **09/06/2000**

APPLICATION EXPIRY DATE: **30/06/2000**

CASE OFFICER: **Angela Odell**

RAILEX
Marbleboard

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs R Reed
C/O Day Tanner Partnership
11-13 Dukes Ride
Crowthorne
Wokingham
Berks
RG45 6LZ

Application Number: F/2000/1366

Parish: **WOKINGHAM WITHOUT**

Location: **Pinecopse, Nine Mile Ride, Wokingham.**

Proposal: **Proposed erection of replacement dwelling and garage.**

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

Reason

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

John Mitchell
Development Control Manager
Date: 14/06/2000

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

HIGHWAYS CONSULTATION SHEET

From: Angela Odell

Date: 16 May 2000

Application Number: F/2000/1366

Proposal: Proposed erection of replacement dwelling and garage.

Parish: WOKINGHAM WITHOUT PARISH

Site Address:
Pinecopse, Nine Mile Ride, , Wokingham.

Applicant:
Mr & Mrs R Reed C/O Day Tanner Partnership.

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).

SC23 [parking and/or garaging / [illegible]
(SR14)

[redacted]

Signed: [signature] **Print name:** A. LINNELL

FROM: Angela Odell

DATE: 16 May 2000

WOKINGHAM WITHOUT PARISH CONSULTATION SHEET

Application Number: F/2000/1366

Proposal: Proposed erection of replacement dwelling and garage..

Site Address: Pinecopse, Nine Mile Ride, , Wokingham.

Applicant: Mr & Mrs R Reed C/O Day Tanner Partnership.

Your observations are required in respect of this application **by 09/06/2000** .

PLANNING SERVICES
PCL
DC
APP
CS
COPIES TO:

F/2000/1366

Object - overdevelopment, out of keeping with character of area. The committee are also concerned that the unpermitted felling of trees must not be allowed to be overlooked.

SIGNED: _____ DATE: 13/6/00

Clerk To Wokingham Without Parish/Town Council.

01189730515

FINCHAMPSTEAD PARISH COUNCIL

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

6 June 2000

FAX TO:

Mrs A Odell, Case Officer
Development Control
Environmental Services Dept
Wokingham District Council
P O Box 153
Shute End
WOKINGHAM
Berks
RG40 1WL

Dear Mrs Odell,

ADJOINING PARISH CONSULTATION - APP.NO.F/20001366. PINECOPSE, NINE MILE RIDE - PROPOSED ERECTION OF REPLACEMENT DWELLING AND GARAGE

The Parish Council is grateful to be given the opportunity to comment on the above application which is proposed on a site adjoining this Parish, and would comment as follows:

The Parish Council objects to the proposal under this application on the ground that it is out of keeping with the surrounding rural area.

Yours sincerely

C.S. Cole

Mrs Cherry Cole
The Clerk

A0

The Planning Inspectorate

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

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

DC APP CS 15 SEP 2000 GTN FILE

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

Your Ref: F/2000/1366

Our Ref: APP/X0360/A/00/1047183

Date: 14 September 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS REED
SITE AT PINECOPSE, NINE MILE RIDE, WOKINGHAM

I have received the correspondence dated 12 September 2000 from the appellant's agent. If this has not been copied to you already, please contact the appellant's agent and ask for a copy.

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

Yours faithfully

Miss A Bibi

211AL

WORK SHEET FOR : Angela Odell

Application Number **:** *F/2000/1366*

Applicant : Mr & Mrs R Reed C/O Day Tanner Partnership.

Location : Pinecopse, Nine Mile Ride, , Wokingham.
Proposal : Proposed erection of replacement dwelling and garage.

Site Notice Displayed ? :

YES	NO	DATE
✓		18.5.00
		d25.5.00

Date of Neighbour Notifications : .....

Date of Site Visit : 25.5.00

Date Registered : 05/05/2000

Earliest Date for Decision : 09/06/2000

Latest Consultation Date/Site Notice Expiry Date : 09/06/2000

Application Expiry Date: 30/06/2000

Consultation Responses : Parish Council: Object - overdevelopment, out of keeping with character of area. Concerned re unpermitted tree felling must not be allowed to be overlooked.
HW officer: No obj. Subj. to a condition

Planning Issues : Effect on character and appearance of area.

Application Number: F/2000/1366

Appraisal :

Site is in countryside in SEALP & WDLP. Policies SC18 & aims of WCC7 apply.
Existing bungalow: Approval 380/55 shows plans 110 m² single storey bungalow. Current is 133.5 m² & ~~[illegible]~~ no record of p.p. for vent.
Height estimated 15' (4.6 m)
Current proposal: 369 m² floorspace (including 32 m² ← estimated conservatory)
Height: 7.5 m. Proposed dwelling therefore represents an ↑ in fs of 235.5 m², or 176% increase on existing, which appears to already have been extended. Height ↑ of estimated 2.9 m also. Considered proposal clearly contrary to SC18/aims of WCC7 and would be relatively tall, massive and obtrusive. Also proposed triple garage.

Other material factors: some outbldgs to be removed, but these are smallish, relatively insubstantial outbuildings, low in height & not particularly obtrusive, and do not consider this outweighs objection. Also letter from agent offering to not recommence kennels with attendant disturbance to soldiers Rise houses. However, it appears the noise from kennels could be heard but was not at such a level as to be considered a significant nuisance. Therefore consider this not outweighing either.

Other ~~pro~~ residential properties fall enough away not to be significantly affected by the new dwelling

P.C. comments re: tree filling – not subject to TPO & some replanting has taken place.

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

Application Number F/2000/1366
Conditions/Reasons for Refusal

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

John Murray
14/6/00

RECORD OF SITE VISIT

SITE ADDRESS: Pinecopse Nine Mile Ride Wokingham.

APPLICATION NUMBER: F/2000/1366

OFFICER: Angela Odell

DATE OF SITE VISIT: 25.5.00

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes 25.5.00

2. DESCRIPTION OF SURROUNDINGS predominantly rural area with scattered detd. + semi-d houses diagonally opposite (to east)

3. DESCRIPTION OF SITE/BUILDING Existing low timber bungalow and outbuildings — mainly caravans, aerial masts.

4. RELATIONSHIP TO ADJOINING PROPERTIES railway to W. with r/s Soldiers Rise dwellings beyond. Woodland to S + E. Line of trees opposite

5. SITE CONSTRAINTS

TREES Single trees in front of bldg and woodland to E + rear + to railway.

ACCESS/PARKING from 9MR.

LEVELS Flat.

BOUNDARY TREATMENT post + rail fence to front.

OTHERS

Tel: (0118) 974 6445

Date: 15.6.00

My ref: F/2000/1366

CONFIDENTIAL

Councillor A Ross
By The Stream
Soldiers Rise
Wokingham
RG40 3NE

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

Dear Councillor

Application Number: F/2000/1366
Pinecopse, Nine Mile Ride, , Wokingham.
Proposed erection of replacement dwelling and garage.

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

If you have any questions please do not hesitate to contact **Angela Odell** on **(0118) 974 6445**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please fill in the form below.
This form must be received no later than 26.6.00

Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM
Case officer: **Angela Odell** Application Number: **F/2000/1366**
Pinecopse, Nine Mile Ride, , Wokingham.
Proposed erection of replacement dwelling and garage.

Transfer: Yes ☐ No ☐
Reason for Transfer:

Signed: _____ Date: 20.6.00

Councillor A Ross

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

Tel: (0118) 974 6445

Date: 15.6.00

My ref: F/2000/1366

CONFIDENTIAL

Councillor A Ross
By The Stream
Soldiers Rise
Wokingham
RG40 3NE

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
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Dear Councillor

Application Number: F/2000/1366
Pinecopse, Nine Mile Ride, , Wokingham.
Proposed erection of replacement dwelling and garage.

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Yours faithfully

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Angela Odell** Application Number: **F/2000/1366**
Pinecopse, Nine Mile Ride, , Wokingham.
Proposed erection of replacement dwelling and garage.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor A Ross

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

Tel: (0118) 974 6445

Date: 15.6.00

My ref: F/2000/1366

CONFIDENTIAL

Councillor P Lewis
4 St Andrews Close
Heathlake Park
Crowthorne
RG45 6UP

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

Dear Councillor

Application Number: F/2000/1366
Pinecopse, Nine Mile Ride, , Wokingham.
Proposed erection of replacement dwelling and garage..

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If you have any questions please do not hesitate to contact **Angela Odell** on **(0118) 974 6445**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please contact the Councillor for your area responsible for planning matters as soon as possible

Yours faithfully

John Mitchell
Development Control Manager

Tel: (0118) 974 6445

Date: 15.6.00

My ref: F/2000/1366

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

CONFIDENTIAL

Councillor P Helliar-Symons
17 Eagle Close
Heathlake Park
Crowthorne
RG45 6TP

Dear Councillor

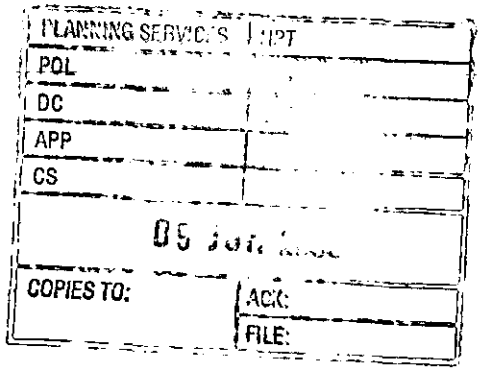
Application Number: F/2000/1366
Pinecopse, Nine Mile Ride, , Wokingham.
Proposed erection of replacement dwelling and garage..

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

If you have any questions please do not hesitate to contact **Angela Odell** on **(0118) 974 6445**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please contact the Councillor for your area responsible for planning matters as soon as possible

Yours faithfully

John Mitchell
Development Control Manager



DAY • TANNER
PARTNERSHIP
ARCHITECTURE
& PLANNING

AID/LC/1516

6 June 2000

Mrs A Odell
Planning Department
Wokingham District Council
P O Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Mrs Odell

PINECOPSE, NINE MILE RIDE, WOKINGHAM (FP/2000/1366)

Following our telephone conversation today regarding your concern over the size of the replacement dwelling I should like to reiterate that the applicant would be prepared to demolish some of the outbuildings at the front of the site to compensate for the additional building proposed in the main house. Also, the applicant may consider not resuming the kennel use at the property should a reasonable permission be forthcoming. I believe from one of the local Councillors who lives in Soldiers Rise that dogs have proved to be a nuisance in the past at this particular property and it may be that you would consider the cessation of the kennel use a good "trade off" for a reasonable dwelling on the site.

Perhaps you would be good enough to give this further thought and reply to my accordingly in order that I may advise my client.

Yours sincerely

A I Day

cc Client

MEMBER OF THE BRITISH INSTITUTE OF ARCHITECTURAL TECHNOLOGISTS

TONY DAY MBIAT SHAUN TANNER MBIAT

11-13 DUKES RIDE, CROWTHORNE
BERKSHIRE, RG45 6LZ
TEL: 01344 777143 FAX: 01344 750971

Partners:
A I Day S Tanner J E Day C H Tanner

Received by Wokingham District Council

Application No: F/2000/1366

Proposal:
Proposed erection of replacement dwelling and garage.

Location:
Pinecopse, Nine Mile Ride, , Wokingham.

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

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Angela Odell P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 09/06/2000. Written comments submitted will become available for public inspection.

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

Head Planning and Transportation

16 May 2000

1792

A0

I have today displayed the site notice(s) in a prominent position on the land/ buildings to which the application number F/2000/1366 relates.

Address of site PINECOPSE, NINE MILE RIDE, WOKINGHAM, BERKS.

Signed L Clarke

Date 17/5/00

Postage will be paid by licensee

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

Business reply service
License no. RG147

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

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date:	05 MAY 2000
Officer: AO	Application No. F/2000/1366

Map No. ..... Site 1:56

Easting: ..... Flood Pln .....

Northing: ..... Mineral .....

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State

☐ Incorrect Fee ☐ Invalid ☐ PD

Description:

(F) Proposed erection of replacement dwelling and garage.

Location: Pinecrops Nine Mile Ride

Parish: ~~[redacted]~~ Wokingham Without Ward: wok without ✓ 1615

Applicant:

Mr & Mrs R Read

Fee (2) Received 190:00 Required ..... Additional ..... Refund .....

Enforcement Section to be notified ☑ 1615 tick if required

Additional information required for validation

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

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 16/5..... Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

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

EXTERNAL CONSULTATIONS

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

HERITAGE BODIES

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

OTHERS:

.....

.....

..... ✓

NEIGHBOURS:

..... High trees Soldiers Rise .....

..... Martin " .....

..... Bungalow " .....

..... Arden " .....

DAY • TANNER
PARTNERSHIP
ARCHITECTURE
& PLANNING

AID/LC/1516

4 May 2000

Planning Department
Wokingham District Council
P O Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

05 MAY 2000 1366

Dear Sirs

REPLACEMENT DWELLING AT PINECOPSE, NINE MILE RIDE, WOKINGHAM

Our client has recently purchased this property which is a boarding kennel and cattery and, we believe you are aware, that a substantial amount of site clearance and improvement has taken place over the course of the past few weeks. The front of the site has been cleared of poor quality trees and replaced with 150 new trees and hedge planting.

The existing dwelling on the property is not in good condition and our client requires a larger house for his family in order to continue the business successfully once the initial work has been carried out. To this end we have designed a chalet style house which retains a low ridge line but provides the accommodation which our client requires. You will note that the existing dwelling, although a bungalow, has a very long frontage and long ridge line and we consider that our proposal, although taller than the bungalow, will have no greater impact because its ridge line will be substantially shorter.

We enclose the following documents in order to submit a full planning application:

Six copies each of our drawings numbers 1516/01, 1516/02, 1516/03 together with location plan
Six copies of the application form
Certificate A
Deposit cheque in the sum of £190.00

Continued/...

MEMBER OF THE BRITISH INSTITUTE OF ARCHITECTURAL TECHNOLOGISTS

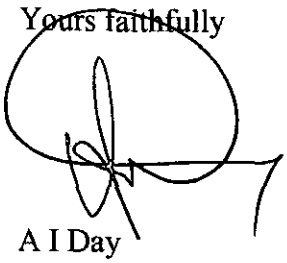
TONY DAY MBIAT SHAUN TANNER MBIAT

11-13 DUKES RIDE, CROWTHORNE
BERKSHIRE, RG45 6LZ
TEL: 01344 777143 FAX: 01344 750971

Partners:
A I Day S Tanner J E Day C H Tanner

We trust that you will be able to support this application and we look forward to hearing from you in due course.

Yours faithfully



A I Day

Encs

cc Client

(1) PINECOPSE BOARDING KENNELS

ADDRESS NINE MILE RIDE PARISH WOK / WITHOUT

PLOT No. (PT PART OF PINERIDGE FARM) ORD. SHEET No. 99 10 SU 8165 / 826

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
380/53	MR. J. HAWKES	DETACHED BUNGALOW	12.7.53	APP CA
457/56	"	BLOCK FOR BOARDING DOGS	10.7.56	APP A
BR10800	PINECOPSE BOARDING KENNELS	NEW KENNEL BLOCK	26.3.79	APP
10776	MR. D. BUNCE	"	5.7.79	N/A C
20579	"	TIMBER SHED FOR MOBILE	8.3.84	N/A CA
BR22939	PINECOPSE BOARDING KENNELS	ADDITIONAL CATTERY	19.6.84	APP N/A
BR23035	MR. BUNCE	TIMBER SHED FOR OFFICE	12.7.84	APP N/
21822	"	ADDITIONAL CATTERY	26.7.84	N/A CA
26840	"		22.1.87	CA
BRA1806	"	NEW CATTERY	17.11.86	APP
30347	"		16.6.88	CA
BRA4769	"	REPL. KENNEL BLOCK	21.4.88	APP

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS TPO 687/94 WILL NOT BE CONFIRMED

DRAINAGE

091074 41060 INVALID N/P

1933

(2) PINECOPSE BOARDING KENNELS

ADDRESS NINE MILE RIDE PARISH WOK / WITHOUT

PLOT No. ORD. SHEET No. 99 SU 8165 / 82

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decisi
42445	J. BUNCE (35193/39338)	RETAIN MOBILE HOME C/U/USE AGR LAND TO EQUESTRIAN. * SEE NR MOBILE HOME - MAVENS PINERIDGE FARM.	30.6.94	30.6.

MINISTRY DECISION

SPECIAL ORDERS TPO 687/94 * WILL NOT BE CONFIRMED

SECTION 66 CERTIFICATE

Application No. [ ]

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

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

OR

●

* See Note (a) to Certificate A

OR

* See Note (a) to Certificate A

●

(b) Insert description of steps taken

(c) Name of local newspaper circulating in the area where the land is situated.

(d) Date of publication (which must not be earlier than the beginning of the period of 21 days ending with the date of the application).

CERTIFICATE A 05.MAY2000* 1366

I certify that:

at the beginning of the period of 21 days ending with the date of the accompanying application, nobody except the applicant, was the owner of (a) any part of the land to which the application relates.

CERTIFICATE B

I certify that:

I have/The applicant has* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owners (a) name	Address at which notice was served	Date on which notice was served

CERTIFICATE C

I certify that:

- I/The applicant* cannot issue a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66(1) of the Act in respect of the accompanying application

I have/The applicant has* given the required notice to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the accompanying application were owners (a) of any part of the land to which the application relates.

Owners (a) name	Address at which notice was served	Date on which notice was served

- I have/The applicant has* taken all reasonable steps open to me/him/her* to find out the names and addresses of the other owners (a) of the land, or of a part of it, but have/has* been unable to do so. These steps were as follows:

(b)

- Notice of the application as attached to this certificate, has been published in

the (c)

on (d)

OR

CERTIFICATE D

I certify that:

- I/The applicant* cannot issue a certificate in accordance with paragraph (a) of Section 66(1) of the Act in respect of the accompanying application

- I have/The applicant have/has taken all reasonable steps open to me/him/her* to find out the names and addresses of everyone else who, at the beginning of the period of 21 days beginning with the date of the application was the owner (a) of any part of the land to which the application relates, but have/has* been unable to do so. These steps were as follows:.

  (b)

- Notice of the application as attached to this certificate, has been published in the (c)

on (d)

(b) Insert description of steps taken

(c) Name of local newspaper circulating in the area where the land is situated.

(d) *Date of publication* (which must not be earlier than the beginning of the period of 21 days ending with the date of the application).

ALL APPLICANTS MUST COMPLETE THIS SECTION

If any of the site is part of an area of land which is let or there is an agreement to let the land for agricultural purposes to a tenant, it may be an agricultural holding. Further advice may be obtained from the Department.

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable

If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

- None of the land to which the application relates is, or is part of, an agricultural holding.

OR

- I have/The applicant has* given the required notice to every person other than my/him/herself who, at the beginning of the period of 21 days ending with the date of the application was a tenant of a agricultural holding on all or part of the land to which the application relates, as follows.

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

Signed

On behalf of **MR & MRS R REED**

Date **4 MAY 2000**

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

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT - TOWN AND COUNTRY PLANNING ACTS

Please answer **ALL QUESTIONS** in **BLOCK LETTERS**. If a question is not applicable, answer N/A in space. Please submit **SIX** copies of this form and plans to:-

THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P.O. Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY

05.MAY2000* 1366

1.		APPLICANT'S NAME	MR AND MRS R REED
		ADDRESS	PINECOPSE NINE MILE RIDE, WOKINGHAM
		POSTCODE	PHONE:
2.	If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	DAY TANNER PARTNERSHIP
		ADDRESS	11-13 DUKES RIDE CROWTHORNE, BERKSHIRE
		POSTCODE	RG45 6LZ PHONE: 01344 777143
3.	On the plans show the SITE outlined in RED. Show also OTHER land in the applicant's ownership or control in blue:	SITE LOCATION:	PINECOPSE NINE MILE RIDE WOKINGHAM
4.	WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used		REPLACEMENT DWELLING AND GARAGE
5.	Give the area in hectares or part of a hectare	AREA OF SITE	
6.	State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	OWNERSHIP	OWNER
7.	List all the plans and drawings submitted with the application	PLANS/DRAWINGS	1516/01, 02, 03 & LOCATION PLAN

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING? Tick the boxes

CHANGE OF USE		REDEVELOPMENT	X
ERECTION OF NEW BUILDING	X	ALTERATION or EXTENSION	

9. WHAT TYPE OF APPLICATION IS THIS ? Tick one box only

OUTLINE PERMISSION		See question 10	
FULL PERMISSION	X		
APPROVAL OF DETAILS/RESERVED MATTERS		State relevant outline permission number.	
TEMPORARY PERMISSION		State period required.	
RELAXATION OF CONDITIONS		State relevant application no.	

10. IF THIS IS AN OUTLINE APPLICATION OR AN APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of this application

		SITING	
EXTERNAL APPEARANCE		DESIGN	
MEANS OF ACCESS		LANDSCAPING	

11.	**WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDINGS?** e.g residential, industrial etc. If the site is vacant, say so, and also state its previous use and when that ceased.	BOARDING KENNEL AND CATTERY	
12.	**DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS?**	NO	If yes, show existing route(s) and any proposed alternatives on the plans
13.	**ARE THERE ANY TREES ON THE SITE?** *IF YES, ARE ANY TO BE FELLED*	YES NO	If so, show their positions, spread and species on the plans and which, if any, are to be felled
14.	**STATE EXTERNAL MATERIALS TO BE USED**	TO BE AGREED	
15.	**HOW WILL THE SITE BE ENCLOSED?** Say whether walls, fences or hedges, and give height, colour and *materials etc. If the site is divided into plots, say how each is to be* enclosed	EXISTING BOUNDARY WALLS, FENCES AND HEDGES	
16.	**HOW WILL SURFACE WATER BE DISPOSED OF?**	SOAKAWAYS	
17.	**HOW WILL FOUL SEWAGE BE DISPOSED OF?**	To existing system YES If no, please give details	
18.	**WHAT ARE THE ACCESS ARRANGEMENTS?** AS EXISTING AS PROPOSED Give details of pedestrian and vehicular access.	AS EXISTING	
19.	**HAS PROVISION BEEN MADE FOR THE DISABLED** See notes for applicants?	YES AT GROUND FLOOR	

20. IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS, PLEASE COMPLETE THE FOLLOWING TABLE:

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	1 / 9	/	/
BUNGALOW	/	/	1 / 6
FLAT/MAISONETTE	/	/	/
OTHER	/	/	/

21.	**DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE ?**	NO	If YES, complete Part 2 of the form
22.	**DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS: THE DISPOSAL OR MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS?**	NO	If YES, please ask for and complete Part 3 of the form
23.	**STATE THE FEE ENCLOSED WITH THIS APPLICATION.** *The current scale of fees is enclosed. If you believe a* reduced fee or no fee is payable, say why.	£190.00	

I hereby apply for permission in respect of the particulars described above and in the attached plans and drawings. If planning permission is granted, the development must be carried out strictly in accordance with the approved plans. *Failure to do so could result in enforcement* action being taken. Permission under the Town & Country Planning Acts does not obviate the possible need to apply for Building regulations Approval.

SIGNED: _____ ON BEHALF OF: ME & MRS R REED DATE: 4 MAY 2000

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".



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Development Control Section, Environmental Services, Wokingham District Council.

18 May 2000

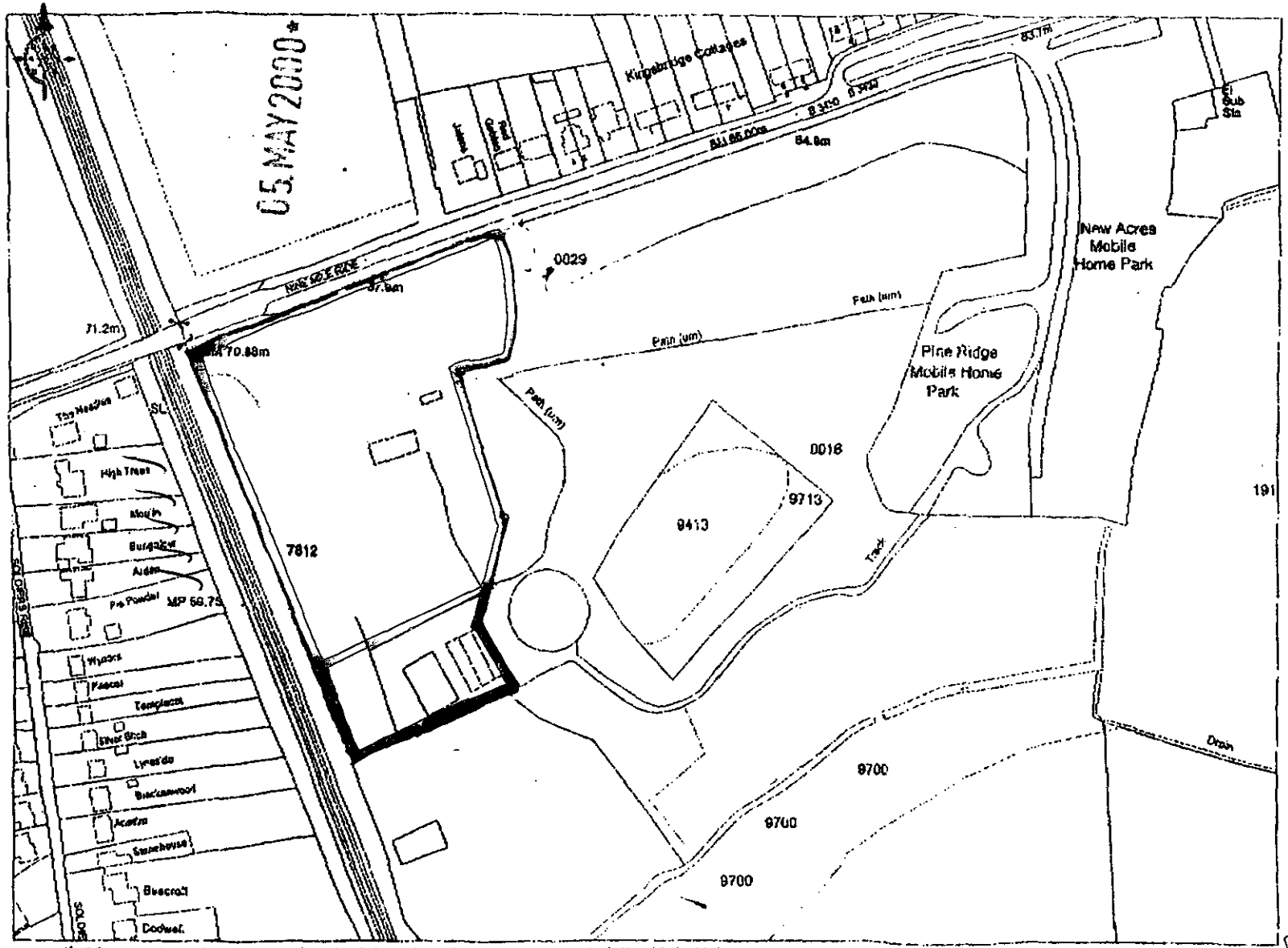
Scale: 1 : 2500

N
W E
S

1366

PINE COPSE, NINE MILE RIDE, WOKINGHAM.

05 MAY 2000



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(Scales other than at Survey Scale should not be used for accurate measurement). Business occupancy data ©2000 Thomson Directories Ltd

Ordnance Survey
Value Added Reseller

REFUSED

RAILEX SYSTEMS LTD
SOUTHPORT U.K
LONDON OFFICE

APPLICATION NO.1366

Name of appellant:
Mr & Mrs R Read

Site address:
Pinecopse, Nine Mile Ride

Proposal:Demolition of existing dwelling and outbuildings, erection of replacement dwelling and garage block

Case Officer:AO

Date Completed
J:ZLABELFP.DOC - VER2 - 03/04/95

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: AO

APPLICATION NUMBER: 1366

APPELLANT: Mr & Mrs R Read

SITE: Pinecopse, Nine Mile Ride, Wokingham Without

APPEAL REF: APP/X0360/A/00/1047183

START DATE: 25/07/00

DATE OF SITE VISIT 9\10\00

Progress Record	Date Actioned	Initials	Time Hours : Mins.
Appeal Logged:	25/07/00		
Entered on Access:	04/08/00		
Notification Letters Due:	**01/08/00**		
Notification Letters Sent:	04/08/00		
Questionnaire Due:	**08/08/00**		
Questionnaire Sent:	04/08/00.		
Venue Booked:			
File received by Officer:			
Statement Due:	**22/08/00**		
Checked by Team Leader:			
Statement Sent: **(Don't forget to inform Den)**			
Site Visit:	9\10\00		
Decision letter circulated:	3\11\00	DG	
Decision entered on Access.	3/11/00		

EASIFILL

Appeal Decision

Site visit made on 09 October 2000

by Sue Turner RIBA MRTPI IHBC

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

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

Date 1 - NOV 2000

Appeal Ref: APP/X0360/A/00/1047183
Pinecopse, Nine Mile Ride, Wokingham.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs R.Reed against the decision of Wokingham District Council.
- The application (ref: F/2000/1366), dated 4 May 2000, was refused by notice dated 14 June 2000.
- The development proposed is a replacement dwelling and garage.

Summary of Decision: The appeal is dismissed.

Main Issue

1. I consider the main issue in this case to be the effect of the proposed development on the character and appearance of the surrounding countryside, having reference to development plan policies.

Planning Policy

2. The statutory development plan for the area includes the Wokingham District South East Area Local Plan, 1994 and Policies STV2 and SC18 are relevant to this case. Policy STV2 seeks to limit the spread of development outside identified settlements and states that, with the exception of development for a number of specified uses, it will not normally be allowed in the rural area. However Policy SC18 states that the replacement of dwellings in rural areas may be permitted provided that certain criteria are met. These include the criteria that the siting and design of the new development should have the minimum impact on the rural environment and that the size of the new development will not significantly exceed that of the existing property both in height and floor area.

3. My attention has also been drawn to the Wokingham District Local Plan Deposit Draft. Policy WCC1 refers to development in the countryside and has similar objectives to adopted Policy STV2. Policy WCC7 deals with extensions to dwellings in the countryside and seeks to ensure that any extension does not impact on the surrounding countryside or significantly increase the scale of development on a site. I will give some weight to these emerging policies as the deposit Draft Local Plan is at an advanced stage in the development plan process.

Reasons

4. Pinecopse is located on the south side of Nine Mile Ride, which is the main road running from Finchampstead towards Bracknell. Ribbon development extends eastwards along both sides of the road from Finchampstead village as far as the railway line immediately to the west of Pinecopse. In contrast the countryside to the east of the railway line, where the appeal site is situated, is more rural in character. With the exception of a short row of

buildings along the north side of the road it comprises predominantly scattered buildings set in wooded countryside.

5. Pinecopse is situated on a large, open plot which forms a break in the surrounding woodland. The existing bungalow is positioned in the centre of the site, with a garage to the east and a number of single storey outbuildings to the west. These buildings vary in size, shape and materials, but they are all single storey and of a simple design with a generally horizontal emphasis. In my view the existing buildings, whilst of no great architectural merit, blend unobtrusively into the rural setting. Both parties refer to the previous use of the outbuildings as boarding kennels and I acknowledge that the site could revert to this use.

6. The proposed development comprises the demolition of the existing bungalow, the garage and a number of the outbuildings and the construction of a two-storey house and a double garage. The appellant states that the total footprint of the buildings to be removed, including the existing dwelling, exceeds that of the proposed development. However the existing buildings are scattered loosely over a wide area, interspersed by trees and shrubs and their impact on the surrounding countryside is minimal. The outbuildings are clearly functional structures which do not resemble residential buildings and differ in character from the existing modest bungalow. The proposed development would effectively consolidate the total area of the footprint of these varied and scattered buildings into a single dwelling and a garage.

7. The appellant has argued that neither the height nor the floor area of the proposed new dwelling or garage would be significantly larger than the existing buildings which would be demolished and I do not dispute these calculations. However I consider that the visual effect of the proposed development, particularly when seen from Nine Mile Ride, would be an increase in the apparent scale of development on the site. In my view the assessment of the proposed development against individual tests of height, floor area or building footprint is outweighed by the assessment of its overall visual impact in comparison with that of the existing buildings on the site.

8. The new dwelling would be a large, imposing, five bedroom house which would be sited, like the existing bungalow, centrally within the site. I consider that it would undoubtedly have a greater impact on the rural environment than the existing buildings and that its substantial built form and residential character would make it an extremely prominent feature which would be unsympathetic to the rural character of the surrounding countryside.

Other Matters

9. The appellant has drawn my attention to a recent appeal decision relating to a site at Oakview, Park Lane, Finchampstead, where a replacement dwelling was allowed. From the information provided I note that this site was well screened from the road and that the original dwelling was a bungalow with a high ridge. I am satisfied that the circumstances on this site differ from those of the appeal site and that it does not have a substantial bearing on the case before me.

10. During my visit to the site I noted that two additional outbuildings, which are not indicated on the application plans, were being constructed within the appeal site close to its southern boundary. Due to their location at the rear of the site at some distance from all the other existing buildings I do not consider that these buildings are material to my consideration of the main issue and they have had no bearing on my determination of this case.

Conclusion

11. I conclude that the proposed development would unacceptably harm the open and rural character of the site and the surrounding countryside and that this would conflict with the objectives of Local Plan Policy SC18 and those of emerging Policy WCC7 of the Deposit Draft Local Plan. I have considered all other matters raised, however I have found none that outweigh my conclusion on the main issue.

Formal Decision

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

Information

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

INSPECTOR

Appeal Decision

Site visit made on 09 October 2000

by Sue Turner RIBA MRTPI IHBC

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

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

Date 1 - NOV 2000

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Formal Decision

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

Information

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

INSPECTOR

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs R Reed
C/O Day Tanner Partnership
11-13 Dukes Ride
Crowthorne
Wokingham
Berks
RG45 6LZ

Application Number: F/2000/1366

Parish: **WOKINGHAM WITHOUT**

Location: **Pinecopse, Nine Mile Ride, Wokingham.**

Proposal: **Proposed erection of replacement dwelling and garage.**

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

Reason

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

John Mitchell
Development Control Manager
Date: 14/06/2000

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

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

NOTIFICATION OF CONSENT FOR PLANNING PERMISSION

Mr & Mrs P Burgess
C/O Design and Materials Ltd
. Lawn Road
Carlton in Lindrick Worksop
Notts
S81 9LB

Application No : 98/66959/F

Parish : FINCHAMPSTEAD PARISH

Proposal : PROPOSED ERECTION OF REPLACEMENT DWELLING

Location : La Valette Hollybush Ride Finchampstead

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

CONDITION(S) :

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

02
Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

03
Existing trees, hedgerows and shrubs identified on the approved plans for retention shall not be damaged or destroyed, nor shall they be uprooted, felled or pruned for a period of 5 years after completion of the permitted development. Any trees shrubs or hedgerows removed or which die or become dangerous, damaged or diseased before the end of that period shall be replaced with new trees, shrubs or hedging species of such size, species and in such number and position as may be agreed in writing by the Local Planning Authority before the end of the first available planting season following their loss or removal (November - March inclusive).

04
The area shown on the permitted drawings for vehicle parking shall be kept available for such use and no development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access to this parking space.

05
This permission relates to the application as amended by and shall be carried out in accordance with revised drawing No. B271P/4A submitted to the Local Planning Authority on 16 February 1998 showing existing trees and revised turning area.

06
No soakaways shall be constructed such that they penetrate the water table, and they shall not in any event exceed 3 metres in depth below existing ground level.

07
During construction no solid matter shall be stored within 10 metres of the banks of the watercourse on the edge of the site and thereafter no storage of materials shall be permitted in this area.

REASON(S) :
01
In pursuance of Section 91(1) of the Town and Country Planning Act 1990.
02
a) No such details have been submitted.

03
In the interest of the future health and amenity value of the trees.
04
Development without adequate provision for vehicle parking would lead to parking inconvenient to other road users and detrimental to highway safety.
05
For the avoidance of doubt.
06
To prevent pollution of ground water.
07
To prevent solid materials from entering the watercourse causing pollution.

01
Informative
02
Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (eg. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Pollution Control on 01483 577655 for further details.

Date 04 March 1998

C.E. Kinimer

Head of Development Control

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

Tel. (0118) 974 6444 (Direct Line)
Fax. (0118) 974 6484
Email. Mike.Thorp@wokingham.gov.uk
Date 18 October 2000
My ref. DC/MLT/AO/F/2000/1366/Appeal
Your ref. JB/GB/BKS293

Theresa,
Please note this replied to on 18/10 & then put in filing desk.
Thanks Ang-

Mr J Bailey - Director
Development Land & Planning Consultants Ltd
Ritz Plaza House
10 Denton Road
Wokingham
Berks, RG40 2DX.

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

Dear Mr Bailey

PINECOPSE, NINE MILE RIDE, WOKINGHAM

I refer to your letter of 17 October 2000, concerning the unauthorised 'stable' buildings currently being erected at the above address.

On the basis of the information supplied, I cannot agree that these two 'stable' buildings are 'permitted development'. The matter has been passed to our planning enforcement section, who will no doubt be writing to your client in the immediate future.

From our telephone conversation today, you advised me that you considered that the buildings would be 'permitted development' by virtue of Schedule 2, Part 1, Class E (buildings etc within the curtilage of a dwellinghouse). In order to qualify as 'permitted development' under this class, it would be necessary for the building to be within the curtilage of the dwellinghouse, and be used for a purpose incidental to the enjoyment of the dwellinghouse as such. Firstly, there is uncertainty as to the extent of the curtilage of the dwellinghouse. On the basis of the currently available information, it is not agreed that the 'stables' lie within the curtilage of the dwellinghouse. The site is described in our planning records as 'Pinecopse Boarding Kennels' and also contains a commercial cattery. Secondly, the buildings are of such a size and use that they could not be considered as being incidental to the enjoyment of the dwellinghouse as such.

If you wish to continue with the development, it would be necessary to obtain planning permission. Alternatively, if you disagree with this interpretation, you are welcome to apply for a Certificate of Lawfulness and appeal, assuming that we were to refuse it. That said, any application for a Certificate of Lawfulness would be considered on its own merits, including any additional information you may decide to submit.

Yours sincerely

MLT

M L THORP
Principal Development Control Officer

cc: Planning Inspectorate (ref: APP/X0360/A/00/1047183)

DEVELOPMENT LAND & PLANNING
CONSULTANTS LTD
RITZ PLAZA HOUSE, 10 DENTON ROAD
WOKINGHAM, BERKSHIRE, RG40 2QA
Telephone: (0118) 978 9595 Facsimile: (0118) 978 6531
e-mail: dlp.wokingham@talk21.com
Offices also at Bedford and Sheffield

PLANNING 35433
POL
DC
APP DG
CS
18 OCT 2000
COPIES TO: ACK:
FILE:

JB/GB/BKS293

17 October 2000

Mrs A Odell
Wokingham District Council
Environmental Services Department
Planning Services
P O Box 157
Shute End
WOKINGHAM
RG40 1WR

Dear Angela

RE: PINECOPSE, NINE MILE RIDE, WOKINGHAM - APPEAL

Further to our site visit with the inspector at the above site on 9 October, I enclose for your attention copies of the following:

- Letter to The Planning Inspectorate
- Drawing 1516/01A
- Drawing 1516/04

The enclosed drawings show, in my opinion, that the stable block under construction falls within the parameters of permitted development. As agreed at the site meeting, I would appreciate it if you would write to the inspector and me as soon as possible confirming that this is the case so that the appeal can be determined.

I hope the enclosed are satisfactory. However, if you have any queries, please do not hesitate to contact me.

Yours sincerely

Jim Bailey BA (Hons) MRTPI
Director

encs

cc R Reed Esq

Tel: (0118) 974 6444 (Direct Line)
Fax: (0118) 974 6484
Date: 18 October 2000
My ref: DC/MLT/AO/F/2000/1366/Appeal
Your ref: APP/X0360/A/00/1047183

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

Ms A Bibi,
The Planning Inspectorate,
Room 1004,
Tollgate House,
Houlton Street,
BRISTOL, BS2 9DJ.

Dear Madam,

PLANNING APPEAL BY MR & MRS R READ
PINE COPSE, NINE MILE RIDE, WOKINGHAM

I refer to the above appeal, and your letter of 17 October 2000 regarding the buildings currently being constructed on the appeal site..

It is the view of the Local Planning Authority that these 'stable' buildings are unauthorised and in breach of planning control. As explained in the attached letter to the agent, it is not accepted that they may be erected as 'permitted development'.

I hope this letter is helpful, however if you need further clarification, please write to me again.

Yours faithfully

M L THORP
Principal Development Control Officer

The Planning Inspectorate

Room 1401
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117-9876272
Switchboard 0117-987 8000
Fax No 0117-987
GTN 1374

Ms D Gumbrell
Planning Department
PO Box 157
Wokingham
RG41 1BN

Your Ref:

COPIES TO: ACK: FILE:

Our Ref: APP/X0360/A/00/1047183

Date: 17 October 2000

Dear Madam

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR BAILEY
SITE AT PINECOPSE, NINE MILE RIDE, WOKINGHAM

You will be aware that during the site visit on 9 October 2000, the Inspector asked for further comments regarding the buildings, which are currently under construction on the appeal site.

Please can you ensure that any relevant information is forwarded to me in Room 1401 at the Planning Inspectorate, no later than Monday 23 October 2000.

Yours faithfully

MRS J MILKINS

DEVELOPMENT LAND & PLANNING
CONSULTANTS LTD
RITZ PLAZA HOUSE, 10 DENTON ROAD
WOKINGHAM, BERKSHIRE, RG40 2DX
Telephone: (0118) 978 9595 Facsimile: (0118) 978 6551
e-mail: dlp.wokingham@talk21.com
Offices also at Bedford and Sheffield

JB/GB/BKS293

17 October 2000

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

Dear Miss Bibi

RE: PINECOPSE, NINE MILE RIDE, WOKINGHAM
REFERENCE: APP/X0360/A/00/1047183

Further to the site visit with Mrs Turner on 9 October at the above site, I enclose for your attention the following plans:

- 1516/01A Revised site plan
- 1516/04 Stable block drawings

Mrs Turner asked for details of the stable block, which is under construction, to be provided. I have sent these plans to Mrs Odell at Wokingham District Council. I understand that Mrs Odell will write to you to confirm whether or not the buildings are classed as permitted development.

I trust the enclosed drawings are satisfactory. However, if you have any queries, please do not hesitate to contact me.

Yours sincerely

Jim Bailey BA (Hons) MRTPI
Director

encs

cc Mrs A Odell
R Reed Esq

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 14 September, 2000
My ref. AO/O/2000/1366
Your ref. APP/X0360/A/00/1047183

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

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Dear Miss Bibi

APPEALL BY: MR & MRS REED
SITE: PINECOPSE, NINE MILE RIDE, FINCHAMPSTEAD

I refer to the above appeal, and to the appellants' consultants' additional statement of 12.9.00.

Para. 2 – The size of the site is not particularly important in regard to policies SC18 and WCCC1. It is the size of the replacement dwelling in relation to the *original* dwelling that is the critical issue regarding size.

Para. 3 – 'Deers Leap' is in an otherwise built-up frontage on Hollybush Ride, unlike the appeal site which is not. In any event, this should not be taken as a precedent for allowing any relatively large replacement dwelling. To do so would have a cumulatively urbanising effect on the character and appearance of the countryside, and each case should be determined on its own merits.

I confirm I have sent a copy of this letter and enclosures to the appellants' consultants.

Yours sincerely

Ao.

MRS A ODELL
Senior Planner

cc: Development land & Planning Consultants Ltd.

DEVELOPMENT LAND & PLANNING
CONSULTANTS LTD
RITZ PLAZA HOUSE, 10 DENTON ROAD
WOKINGHAM, BERKSHIRE, RG40 2DX
Telephone: (0118) 978 9595 Facsimile: (0118) 978 6551
e-mail: dlp.wokingham@talk21.com
Offices also at Bedford and Sheffield

JB/GB/BKS293

12 September 2000

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

Dear Miss Bibi

RE: PINECOPSE, NINE MILE RIDE, WOKINGHAM
APPEAL REFERENCE: APP/X0360/A/00/1047183

With regard to the above appeal, I have received correspondence from Wokingham District Council and, via yourselves, Wokingham Without Parish Council. I would like to make the following comments:

- Please note that I would like to correct elements of paragraph 2.3 of my written representations. The site is, in fact, 140 metres deep, 80 metres wide at the southern end and 140 metres wide on the northern frontage. The site has a total area of 1.54 hectares. The attached plan indicates the correct site area.

- Mrs Odell of Wokingham District Council supplied copies of decision notices regarding Chung Yu, Heath Ride, Finchampstead and Hillside, Church Lane, Arborfield. It is accepted that both these cases involve replacement of bungalows with 2-storey dwellings in areas designated as rural. Both Mrs Odell's examples and our appeal involve increases in floor area and height. However, the main difference between Pinecopse and Mrs Odell's examples, is the size of the plot in question. For example, Hillside sits on a plot of 0.27 hectares and Chung Yu sits on a backland plot of 0.25 hectares. Pinecopse sits on a site of approximately 6 times the size. It is our case that a larger dwelling is appropriate on a plot of this size and would not harm the character of the area.

- In further response to the LPA's reference to other sites, we would like to draw the inspector's attention to a scheme, permitted by the LPA, called Deers Leap, Hollybush Ride, Finchampstead. The site lies outside of the settlement and in a green gap. The attached Appendix B states that the replacement house is considerably larger than the bungalow it replaced and on a relatively small plot. Copies of the decision notice and appeal plans are attached. Clearly, when it sees fit, the LPA can allow much larger replacement dwellings in the countryside.

- With regard to the Wokingham Without Parish Council's comments, it is true that a number of trees were removed at the front of the site earlier this year. However, these trees were not subject to a tree preservation order and the trees removed were of low quality. A considerable number of replacement trees have been planted which, together with a landscaping scheme, to be implemented in due course, will ensure that the verdant character of the area is maintained. Details of the previous history of the site are appended to my written representations. It is true that the kennel and cattery business was subject of numerous consents between 1956 and 1988. Although not all of the consents were implemented and the use was considered appropriate. However, it cannot be denied that, if the outbuildings were put to their consented use, there would be a negative impact upon neighbours in Nine Mile Ride and Soldiers Rise by way of noise from dogs barking etc. Removal of the outbuildings will ensure that the potential for harm to residential amenity is reduced and is a valid reason for positive consideration of this appeal proposal.

I hope the above comments are clear and will be passed on to the inspector. I look forward to receiving notification of the inspector's site visit in the near future.

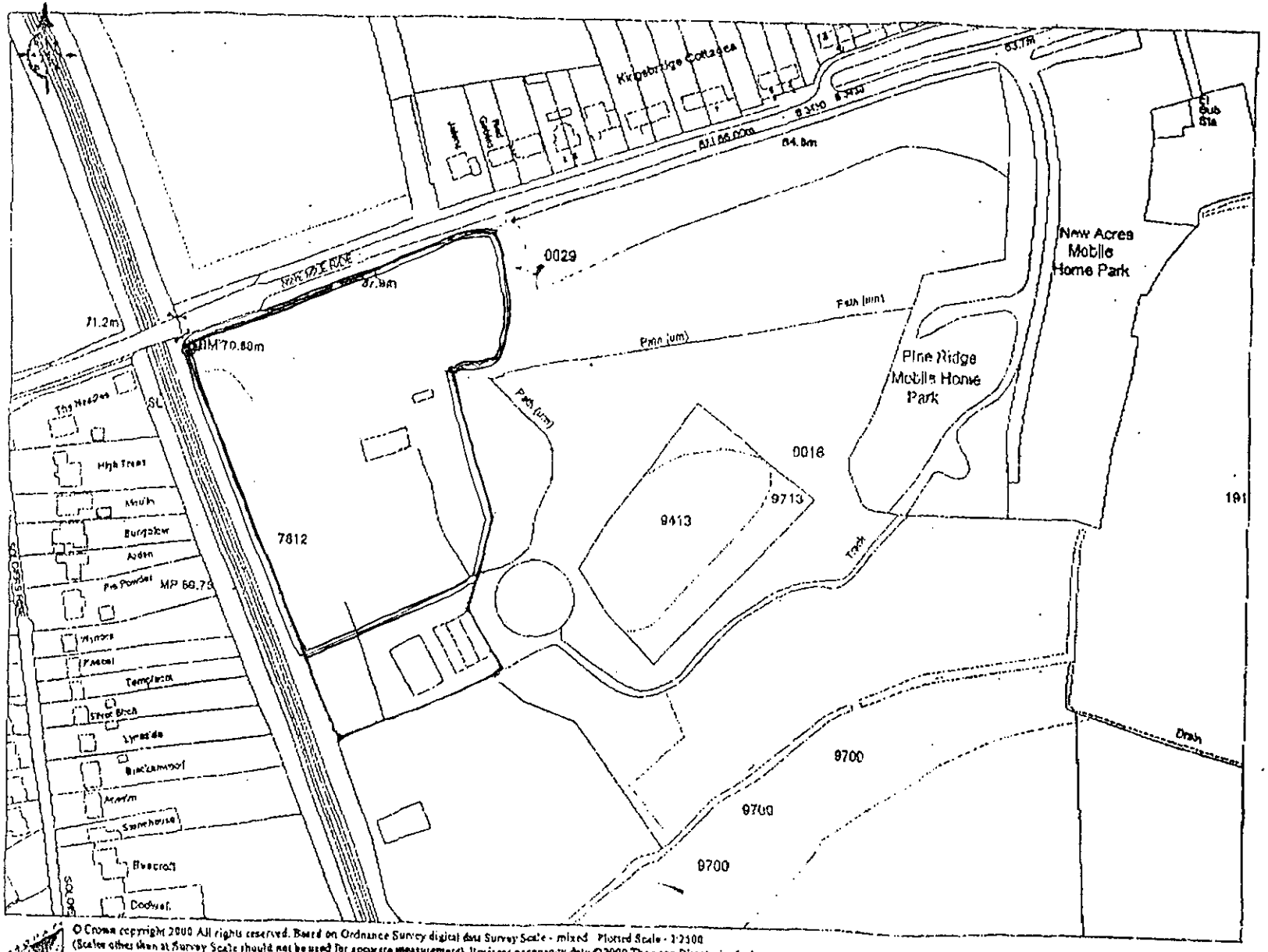
Yours sincerely

Jim Bailey BA (Hons) MRTPI
Director

encs

cc Mrs A Odell, Wokingham District Council
Mr & Mrs R Reed, Pinecopse

PINE COPSE, PINE MILE RIDE, WOKINGHAM.



© Crown copyright 2000 All rights reserved. Based on Ordnance Survey digital data Survey Scale - mixed Plotted Scale - 1:2500
(Scales other than at Survey Scale should not be used for accurate measurement) Business occupancy data ©2000 Thomson Directories Ltd

Ordnance Survey

PLAN D

Deers Leap – Planning officers notes.

Deers Leap. – Application number 99/68889/F.

Existing site contains bungalow. Essential character of site will be maintained. All trees would be kept. Proposal will be in keeping with surrounding area and will not detract from the amenity of neighbouring properties which composes of large gardens, a range of building types and 2 storey houses.

Deers Leap – Application number 99/66959/f

Workshop area extended to rear of garage, in line with the rest of the proposed (ground floor) development. Amendment floor area increase only 8.4m2. No adverse effect on neighbours development.

APPENDIX B

EXAMPLES OF RECENTLY PERMITTED REPLACEMENT DWELLINGS

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

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

2. Norton Park Lane Finchampstead

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

3. Caldwell Nursery Barkham Road Barkham

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

BRACKENRIDGE HEATH RIDE

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

Application Number98/68804/F

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

Appraisal: EXT.

IMPACT UPON SURROUNDING AREA:

SETTING OF SETTLEMENT (WLL2; WLL3)

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

IMPACT UPON NEIGHB. PROPS:

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

Recomendation:

C/A.

The Planning Inspectorate

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

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

PO
DC
AP
CS
COPIES TO:
FILE:

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

Your Ref: F/2000/1366

Our Ref: APP/X0360/A/00/1047183

Date: 21 September 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS REED
SITE AT PINECOPSE, NINE MILE RIDE, WOKINGHAM

I have received the correspondence dated 20 September 2000 from the appellant's agent. If this has not been copied to you already, please contact the appellant's agent and ask for a copy.

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

Yours faithfully

Miss A Bibi

211AL

APPEAL QUESTIONNAIRE

To be used for all appeals relating to applications made on or after 10 March 1992

APPEAL REF: APP/X0360/A/00/1047183 GRID REF: _____

APPEAL BY: Mr & Mrs Reed

SITE: Pinecopse, Nine Mile Ride, Wokingham

PLEASE SEND THE COMPLETED QUESTIONNAIRE (TOGETHER WITH ANY ENCLOSURES) TO THE INSPECTORATE AND TO THE APPELLANT OR AGENT WITHIN 16 DAYS OF THE DATE ON WHICH YOU RECEIVED THE APPEAL FORM.

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

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

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

a. Is the development in Schedule 1 or column one of Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If so, please indicate which Schedule.

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?

c. Has a screening opinion been placed on Part 1of the planning register? If yes, please attach a copy.

YES/NO — Sch 1 — Sch 2 col 1

YES/NO

YES/NO

Number of Documents Enclosed — N/A

d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;

e. Any representations received as a result of an Article 7 (or Regulation 6) notice;

f. Copy of any notice published under Article 8 and/ Buildings and Conservation Areas) Act 1990 and/or Regulation 5;or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990 and/or Regulation 5;

g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);

h. Details of any other applications or matters currently before the Council relating to the same site;

i. In the case of appeals against non-determination, details of considerations likely to have been relevant to the Council's decision;

j. A list of any conditions or limitations the Council would favour if the appeal were to be allowed;

To follow

k. Any other relevant information or correspondence the Council consider the Inspectorate should be aware of.

1	
	✓
	✓
	✓
	✓
	✓
1	

FOR APPEALS BEING DECIDED BY THE WRITTEN REPRESENTATIONS PROCEDURE

16. a Please confirm that, in accordance with Regulation 5(1), you have notified details of the appeal to authorities and other persons who made representations to you about the application.

YES / NO

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

01/09/00

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

Number of documents enclosed — N/A

i representations received from interested parties about the original application	✓
ii the planning officer's report to committee	✓
iii any relevant committee minute	✓

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

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

Council's reference: F/2000/13666

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

Signature: K.Smith on behalf of Wokingham District Council

Date of despatch: 04/08/00

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

Revised May 1999

HIGHWAYS CONSULTATION SHEET

From: Angela Odell

Date: 16 May 2000

Application Number: F/2000/1366

Proposal: Proposed erection of replacement dwelling and garage.

Parish: WOKINGHAM WITHOUT PARISH

Site Address:
Pinecopse, Nine Mile Ride, , Wokingham.

Applicant:
Mr & Mrs R Reed C/O Day Tanner Partnership.

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).

SC23 [parking and/or garaging / turning]
(SR14)

[redacted]

Signed: A. Linnell **Print name:** A. LINNELL

FROM: Angela Odell

DATE: 16 May 2000

WOKINGHAM WITHOUT PARISH CONSULTATION SHEET

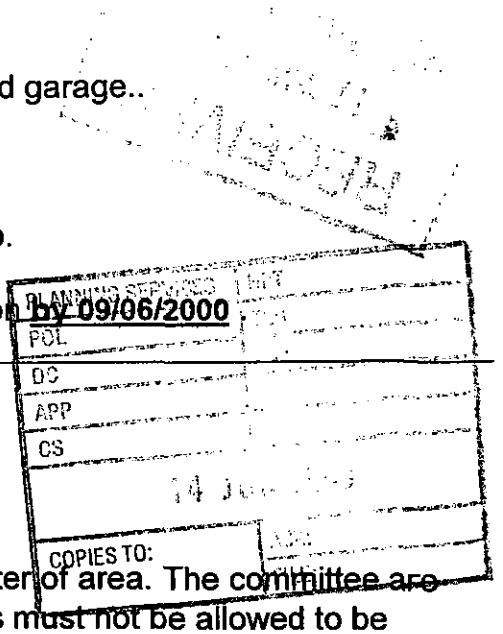
Application Number: F/2000/1366

Proposal: Proposed erection of replacement dwelling and garage..

Site Address: Pinecopse, Nine Mile Ride, , Wokingham.

Applicant: Mr & Mrs R Reed C/O Day Tanner Partnership.

Your observations are required in respect of this application **by 09/06/2000**



F/2000/1366

Object - overdevelopment, out of keeping with character of area. The committee are also concerned that the unpermitted felling of trees must not be allowed to be overlooked.

SIGNED: _____ DATE: 13/6/00

Clerk To Wokingham Without Parish/Town Council.

The Planning Inspectorate

FOR OFFICIAL USE ONLY
Date received

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	

25 JUL 2000

COPIES TO: | ACK:
FILE:

PLANNING APPEAL

The appeal must reach the Inspectorate within 6 months of the date of the notice of the Local Planning Authority's decision, or within 6 months of the date by which they should have decided the application.

A. INFORMATION ABOUT THE APPELLANT(S)

Full Name: Mr & Mrs R Reed

Address: c/o Agent

Postcode: ..... Reference: .....
Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: ..... Fax No: .....

Agent's Name (if appropriate): Development Land & Planning Consultants Ltd

Agent's Address: Ritz Plaza House, 10 Denton Road
Wokingham, Berkshire

Postcode: RG40 2DX Reference: W/BKS/293/P
Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: 0118 978 9595 Fax No: 0118 978 6551

B. DETAILS OF THE APPEAL

Name of the Local Planning Authority (LPA): Wokingham District Council

Description of the Development:

Demolition of existing dwelling and outbuildings.
Erection of replacement dwelling and garage block.

Address of the Site:

Pinecopse, Nine Mile Ride, Finchampstead
Wokingham

Postcode:
Failure to provide the postcode may cause delay in processing your appeal

National Grid Reference (see key on OS map for Instructions).
Grid Letters: Grid Numbers
eg TQ:298407

Date and LPA reference number of the application you made and which is now the subject of this appeal:

4 May 2000 F/2000/1366

Date of LPA notice of decision (if any):

14 June 2000

Are there any outstanding appeals for this site eg Enforcement, Lawful Development Certificate etc? If so please give details and any Planning Inspectorate reference number here: .....

C. REASON FOR THE APPEAL

THIS APPEAL IS AGAINST the decision of the LPA:- **(*Delete as appropriate)** **(✓)**

1. to *refuse/~~grant subject to conditions~~, planning permission for the development described in Section B. ☑
2. to *refuse/grant subject to conditions, approval of the matters reserved under an outline planning permission. ☐
3. to refuse to approve any matter (other than those mentioned in 2 above) required by a condition on a planning permission. ☐

Or the failure of the LPA:-

4. to give notice of its decision within the appropriate period on an application for permission or approval. ☐

D. CHOICE OF PROCEDURE

CHOOSE ONE OF THE FOLLOWING TYPES OF PROCEDURES - These are described fully in the booklet "A guide to planning appeals" which accompanied this form.

1. WRITTEN REPRESENTATIONS ☑

If you have chosen the written representations procedure, please tick if the whole site can clearly be seen from a road or other public land. (An unaccompanied site visit will be arranged if the Inspector can adequately view the site from public land.) ☐

2. LOCAL INQUIRY Please give reasons why an inquiry is necessary ..... ☐

.....

3. HEARING Although you may prefer a hearing, the Inspectorate must consider your appeal suitable. ☐

E. ESSENTIAL SUPPORTING DOCUMENTS

A copy of each of the following should be enclosed with this form.

1. The application submitted to the LPA; ☑
2. The site ownership details (Article 7 certificate) submitted to the LPA at application stage; ☑
3. Plans, drawings and documents forming part of the application submited to the LPA; ☑
4. The LPA's decision notice (if any); ☑
5. Other relevant correspondence with the LPA; please identify the correspondence by date or otherwise: .....4 May 2000..... ☑
6. A plan showing the site in red, in relation to two named roads (preferably on an extract from the relevant 1:10,000 OS map). **(Failure to submit this can delay your appeal).** ☑

Copies of the following should also be enclosed, if appropriate:

7. If the appeal concerns reserved matters, the relevant outline application, plans submitted and the permission; ☐
8. Any plans, drawings and documents sent to LPA but which do not form part of the submitted application (eg drawings for illustrative purposes); ☐
9. Additional plans or drawings relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ..... ☐

F. APPEAL SITE OWNERSHIP DETAILS

IMPORTANT: THE ACCOMPANYING NOTES SHOULD BE READ BEFORE THE APPROPRIATE CERTIFICATE IS COMPLETED. CERTIFICATES A AND B ARE GIVEN BELOW. IF NEEDED, CERTIFICATES C AND D ARE ATTACHED TO THE GUIDANCE NOTES

SITE OWNERSHIP CERTIFICATES

PLEASE DELETE INAPPROPRIATE WORDING WHERE INDICATED (*) AND STRIKE OUT INAPPLICABLE CERTIFICATE

CERTIFICATE A

I certify that:

On the day 21 days before the date of this appeal nobody, except the appellant, was the owner (see Note (i) of the guidance notes) of any part of the land to which the appeal relates.

OR

CERTIFICATE B

I certify that:

I have/the appellant has *given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the guidance notes) of any part of the land to which the appeal relates, as listed below.

Owner's Name	Address at which notice was served	Date on which notice was served

I further certify that:

AGRICULTURAL HOLDINGS CERTIFICATE (TO BE COMPLETED IN ALL CASES WHERE A, B, C OR D OWNERSHIP CERTIFICATE HAS BEEN COMPLETED)

*• None of the land to which the appeal relates is, or is part of, an agricultural holding.

OR

*• I have/the appellant has *given the requisite notice to every person other than my/him/her*self who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as follows:

Tenant's Name	Address at which notice was served	Date on which notice was served

*** Delete as appropriate. If the appellant is the sole agricultural tenant the first alternative should be deleted and "not applicable" should be inserted below the second alternative.**

Signed ..... (on behalf of) Mr & Mrs R Reed

Name (in capitals) J BAILEY Date 21 July 2000

G. GROUNDS OF APPEAL If the written procedure is requested, the appellant's FULL STATEMENT OF CASE MUST be made - otherwise the appeal may be invalid. If the written procedure has not been requested, a brief outline of the appellant's case should be made here.

See attached statement.

PLEASE SIGN BELOW

I confirm that a copy of this appeal form and any supporting documents relating to the application not previously sent to the LPA has been sent to them. I undertake that any future documents submitted in connection with this appeal will also be copied to the local planning authority at the same time.

Signed ..... (on behalf of) Mr & Mrs R Reed

Name (in capitals) J BAILEY Date 21 July 2000

The Planning Inspectorate is registered under the Data Protection Act 1984, so that we may hold information supplied by you on our computer system for the purpose of processing this appeal.

CHECKLIST - Please check this list thoroughly to avoid delay in the processing of your appeal.

- This form signed and fully completed.
- Any relevant documents listed at Section E enclosed.
- Full grounds of appeal/outline of case set out at Section G.
- Relevant ownership certificate A, B, C or D completed and signed.
- Agricultural Holdings Certificate completed and signed.

♦ **1ST COPY: Send one copy of the appeal form** with all the supporting documents to

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

♦ **2ND COPY: Send one copy to the LPA,** at the address from which the decision on the application (or any acknowledgments, etc) was received, enclosing any supporting documents not previously submitted to them as part of the application.

♦ **3RD COPY: For you to keep**

TOWN AND COUNTRY PLANNING ACT 1990

Section 78 Appeal
by
Mr & Mrs R Reed
Against the Refusal by Wokingham District Council
of Planning Permission for Demolition
of Existing Dwelling and Outbuildings and
Erection of Replacement Dwelling and Garage Block
at
Pinecopse, Nine Mile Ride, Wokingham

WRITTEN REPRESENTATIONS

LPA Reference: F/2000/1366

Prepared by:

Development Land & Planning Consultants Ltd
Ritz Plaza House
10 Denton Road
Wokingham
Berkshire
RG40 2DX

Tel: 0118 978 9595
Fax: 0118 978 6551
e-mail: dlp.wokingham@talk21.com

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APPENDICES

PLANS

1 INTRODUCTION

1.1 These written representations are submitted on behalf of Mr & Mrs R Reed. On 4 May 2000, the Day Tanner Partnership (DTP) submitted a full planning application to Wokingham District Council (the LPA) for the demolition of the existing dwelling and outbuildings and erection of a replacement dwelling and garage block at Pinecopse, Nine Mile Ride, Wokingham.

Copies of the covering letter, completed forms and certificate A are attached as Appendix 1.

Copies of the application plans 1516/01, 1516/02, 1516/03 and location plan are attached as Plans A to D.

1.2 The application was registered and allocated to a planning officer, Angela Odell, on 16 May 2000. The application was given a reference number F/2000/1366.

1.3 On 14 June 2000, the LPA issued a refusal notice under delegated powers. This contained a single reason for refusal, as follows:

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

A copy of the refusal notice is attached as Appendix 2.

2 SITE DESCRIPTION

Location

2.1 The appeal site lies on the southern side of Nine Mile Ride, which is the B3430 running east to west between Bracknell and Finchampstead. The centre of Finchampstead North is located about 1.6 kilometres to the west of the site. The centre of Crowthorne is located about 3.0 kilometres to the south-east. The centre of Wokingham is located about 3.2 kilometres to the north of the site. Crowthorne railway station lies about 1.6 kilometres to the south of the site. Beeline bus service no. 193 runs past the site and along Nine Mile Ride between Reading and Camberley via Winnersh, Wokingham, Crowthorne and Sandhurst. The service runs every 2 hours Monday to Saturday.

2.2 The site lies within easy reach of a range of shopping, leisure and employment facilities within local settlements, with larger settlements, ie Reading, Bracknell and Guildford, accessible by rail and bus.

Site Characteristics

2.3 The appeal site has a 140-metre long frontage to Nine Mile Ride. The site entrance is in the north-east corner of the site. The site is about 180 metres deep but narrows incrementally so that it is just 70 metres wide at its southern end. The site is relatively flat and has a total area of about 1.8 hectares.

2.4 The site contains a bungalow, which is located almost centrally within the site and is set back some 65 metres from Nine Mile Ride. In the vicinity of the bungalow there are a number of outbuildings, as well as a double garage and a mobile home. In addition, at the rear of the site is a group of kennel buildings, accessed by a gravel track. However, this part of the site is excluded from the application site. The site contains a large number of trees of various types and sizes. The majority of the area in front of the bungalow has been laid to lawn.

2.5 The northern boundary with Nine Mile Ride has been formed by a post and rail wooden fence and a newly planted native hedgerow. To the west of the site is a railway line. South and east of the site are areas of woodland.

Photographs of the appeal site are attached as Appendix 3.

3 PLANNING HISTORY

3.1 380/55

Application to erect a bungalow, approved 12 July 1955.

A copy of the consent notice is attached as Appendix 4.

Copies of the approved plans are attached as Plans E and F.

3.2 457/56

Application to erect a boarding kennel building, approved 10 July 1956.

A copy of the consent notice is attached as Appendix 5.

A copy of the approved plan is attached as Plan G.

3.3 **10776**

Application to erect kennel buildings, approved 24 July 1979.

A copy of the consent notice is attached as Appendix 6.

Copies of the approved plans are attached as Plans H, I and J.

3.4 **20879**

Application to erect shed/office, approved 21 March 1984.

A copy of the consent notice is attached as Appendix 7.

A copy of the approved plan is attached as Plan K.

3.5 **21822**

Application for additional cattery building, approved 7 August 1984.

A copy of the consent notice is attached as Appendix 8.

Copies of the approved plans are attached as Plans L and M.

3.6 **26840**

Application for additional cattery building, approved 24 February 1987.

A copy of the consent notice is attached as Appendix 9.

Copies of the approved plans are attached as Plans N and O.

3.7 **30347**

Application for additional cattery building, approved 6 May 1988.

A copy of the consent notice is attached as Appendix 10.

3.8 **42445**

Application to retain mobile home and for change of use of land to the east of Pinecopse to equestrian use, approved 30 June 1994.

A copy of the consent notice is attached as Appendix 11.

A copy of the approved plan is attached as Plan P.

4 PLANNING POLICY

4.1 A detailed examination and assessment of the case on behalf of the appellant appears in section 5 of this representation. Firstly, however, we proposed to review the policy framework relevant to the consideration of this appeal.

4.2 Central Government advice is to be found in Planning Policy Guidance Note (PPG) 1, General Policy and Principles. At the local level, the South East Area Local Plan (SEALP) was adopted in April 1994. The Wokingham District Local Plan Deposit Draft (WDLP) was published in November 1999. The public local inquiry into this new plan is ongoing and it is anticipated that the draft plan will be adopted in 2001 or 2002.

Central Government Guidance

4.3 With reference to the Government's commitment towards a plan-led system of development control, paragraph 40 of PPG1 states that:

> *"Where an adopted of approved development plan contains relevant policies, section 54A (Town and Country Planning Act 1990) requires that an application for planning permission or appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise."*

4.4 Paragraph 40 goes on to comment that:

> *"Those deciding such planning applications or appeals should always take into account whether the proposed development would cause demonstrable harm to interest of acknowledged importance."*

4.5 With regard to the weight to be given to non-adopted plans, paragraph 48 states that:

> *"...account can also be taken of Policies in emerging Development Plans which are going through the statutory procedures towards adoption (or approval). The weight to be attached to such policies depends upon the stage of plan preparation or review, increasing as successive stages are reached."*

Local Plan Policies

4.6 The development plan for the area is the adopted SEALP, which contains the following relevant policies:

4.7 **Policy STV2**

This policy seeks to prevent development which would detract from the open and rural character of areas outside of settlements.

4.8 **Policy SC18**

This policy permits replacement of dwellings in rural areas, subject to 3 criteria.

Copies of the above policies are attached as Appendix 12.

4.9 The emerging WDLP, which is a material consideration, contains the following relevant policies:

4.10 **Policy WCC1**

This policy defines types of development, which are deemed to be acceptable outside of settlements, including redevelopment of existing buildings.

4.11 **Policy WCC7**

This policy sets 3 criteria for extensions to dwellings in the countryside. In the absence of a policy to replace SC18, the LPA uses this policy to assess proposals for replacement dwellings outside of settlements.

Copies of the above policies are attached as Appendix 13.

5 CASE FOR THE APPELLANT

5.1 The application subject to this appeal was refused for one reason, that:

> *"Due to its size, scale, height and massing, the proposed dwelling would be excessive in size and height for a replacement dwelling and would have a detrimental effect on the character and appearance of the area."*

5.2 Consequently, the proposed dwelling would be contrary to adopted Policy SC18 of the development plan (SEALP). We consider, however, that the proposed replacement dwelling does comply with the 3 criteria of Policy SC18, as follows:

5.3 A) THE EXISTING BUILDING IS NOT OF ARCHITECTURAL OR HISTORIC INTEREST

The bungalow to be demolished was permitted in 1955 and is of no architectural or historic merit. The site is not within a conservation area and does not contain or adjoin any listed buildings. The proposal complies with this criterion.

5.4 B) THE SITING AND DESIGN OF THE NEW DEVELOPMENT HAS THE MINIMUM IMPACT ON THE RURAL ENVIRONMENT

The proposed dwelling will be sited on almost exactly the same 'footprint' as the existing bungalow. The bungalow is of no visual merit and adjoining outbuildings, which are proposed to be removed, are also unattractive. Removing the existing bungalow and clutter of outbuildings will visually enhance the locality. The LPA has not criticised the design of the proposed house. It is submitted that the proposed house will be attractive in appearance and will visually improve the rural area. In addition, it will be possible for a condition to be placed on the consent to ensure that a scheme of additional landscaping is agreed and installed to further enhance the appearance of the rural area. The proposal complies with this criterion.

5.5 C) THE SIZE OF THE NEW DEVELOPMENT WILL NOT SIGNIFICANTLY EXCEED THAT OF THE EXISTING PROPERTY BOTH IN HEIGHT AND FLOOR AREA

The existing single-storey property has a footprint and floor area of 132 square metres. It is also proposed to demolish outbuildings with a footprint and floor area of 159 square metres. The footprint and total floor area of the "existing property" to be demolished is 291 square metres. The appeal proposal is to replace these buildings with a detached dwelling with a footprint of 220 square metres plus a garage of 45 square metres. The total footprint proposed is, therefore, 26 square metres or 9 per cent less than the existing buildings to be demolished. The proposed dwelling and garage will occupy materially less footprint than the existing buildings, which are unattractive and are, without doubt, worthy of demolition. Nowhere in the policy does it say that outbuildings cannot be included in floor area calculations. The total floor area of the proposed dwelling and garage will be 422 square metres, ie 131 square metres and 45 per cent more than the existing buildings to be demolished. It is accepted that the floor area of the proposal will be materially greater than the existing. However, the 'rule of thumb' with regard to extensions to rural dwellings is normally to allow a 50 per cent increase in floor area. Clearly, the proposal is below this threshold. It is also accepted that the proposed dwelling will be greater in height than the existing dwelling. The existing bungalow is 5.2 metres high and the proposed dwelling will be 7.6 metres high, ie 2.4 metres higher. It is accepted

that this is materially higher than the existing. However, this increased height is not significant in the context of a plot of considerably size (1.8 hectares), with the proposed dwelling set well back from the road (63 metres) and with dwellings in the vicinity being predominantly 2-storey and at least 7.6 metres high, ie properties to the north-east on Nine Mile Ride. The proposal, therefore, complies with this criterion.

Material Considerations

5.6 Policy WCC7 of the WDLP seeks to control extensions to dwellings in the countryside. In the absence of a policy to replace SC18, see above, the LPA relies on it to object to replacement dwelling proposals. The aims of the policy, however, are the same as Policy SC18, ie to minimise any adverse impact on the countryside, keep building sizes to a minimum and ensure that proposals are well designed. Consequently, we consider that the aims of Policy WCC7 have been dealt with by the comprehensive consents relating to Policy SC18 detailed above. The proposal complies with draft Policy WCC7.

5.7 There are many examples, in Wokingham District, of one-for-one replacement dwellings, which have been permitted. In particular, the following recent case is relevant to this appeal:

5.8 **Oakview, Park Lane, Finchampstead**

This site also lies outside of any settlement but also in a 'green gap' between settlements. The current appeal site is not in a 'green gap' and has no further layers of policy constraint over it, apart from open countryside designation. The dwelling applied for had a footprint of 243 square metres, compared with the original bungalow's 174 square metres, ie plus 40 per cent. The new dwelling would have a floor area of 338 square metres, ie plus 94 per cent. The proposal went to appeal in 1998 (T/APP/X0360/A/98/297281/P8) and the inspector felt that the key to the scheme was criterion C) of Policy SC18 of the SEALP. He found that, despite the above figures, the new dwelling would not "significantly" exceed the size and height of the original dwelling and referred to the neighbouring property where a new dwelling 300 per cent larger than the original had recently been allowed. In order to minimise the impact on the rural character of the area, the inspector placed several conditions on the consent removing permitted development rights and requiring submission of a comprehensive landscaping scheme. Such conditions would be acceptable if placed on an approval of the current appeal.

A copy of the appeal decision letter is attached as Appendix 14.

A copy of the approved plan is attached as Plan Q.

5.9 It should also be noted that the property currently has permitted development rights, which could see up to half the curtilage area covered in outbuildings and the dwelling could be extended by up to 70 cubic metres (although it is believed that a small part of this has been used up). Such extensions and new buildings could potentially have a much more harmful effect than the appeal proposal. Allowing the appeal would enable the LPA to have far more control over buildings on the site.

5.10 In addition, the site also still has extant permission for cattery/kennels use. Allowing the appeal would extinguish this use and ensure that residential amenity is not compromised locally by noise and smells coming from a resumed cattery/kennels business. Allowing the appeal would safeguard amenity in the area.

6 CONCLUSIONS

6.1 The key to this appeal is whether or not the proposal will comply with the 3 criteria of Policy SC18 of the SEALP. If it is decided that it does comply with all 3 criteria, then it follows that harm will not be done to the character and appearance of the rural area.

6.2 With regard to the first criterion, it is apparent that the buildings to be demolished are not of architectural or historic interest.

6.3 With regard to the second criterion, it is proposed to site the new dwelling on exactly the same footprint as the existing dwelling. Demolition of unattractive outbuildings will enhance the appearance of the area. The proposal will have a minimal impact on the rural environment.

6.4 With regard to the third criterion, it is proposed to replace a bungalow and outbuildings with a house and garage with a considerably smaller footprint. The increase in floor area proposed will be less than the 50 per cent 'rule of thumb' normally used. Although the new dwelling will be greater in height than the existing, the impact of this will be offset by the distance of the dwelling from the road, the size of the plot, proposed landscaping/screening and the context of 2-storey dwellings locally.

6.5 The proposal complies with all other development plan and draft plan policies, including WCC7 of the WDLP, and precedents locally point to the acceptability of such one-for-one replacement schemes, where a minimal impact on the character and appearance of the rural environment has been proven.

6.6 The site currently has potential for a great deal more building, under permitted development rights, and reinstatement of the cattery/kennels business. Allowing the appeal will enable the LPA to control development on the site more fully and preserve residential amenity.

6.7 We consider that the appeal proposal complies with s.54A of the Town and Country Planning Act 1990. We respectfully request that this appeal should be allowed.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr & Mrs R Read
SITE: Pinecopse, Nine Mile Ride, Wokingham Without
APPLICATION NO.: 1366
PROPOSAL: Demolition of existing dwelling and outbuildings, erection of replacement dwelling and garage block

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Wokingham Without

Mrs P E Helliar Symons, 17 Eagle Close, Heathlake Park, Crowthorne, Berks

Mr P A Lewis, 4 St Andrews Close, Crowthorne, Berks

Mr A J Ross, By The Stream, Soldiers Rise, Wokingham, Berks

Clerk(s) of Parish / Town Council of Wokingham Without

Mrs G M Barrett, The Lodge, Pinewood Leisure Centre, Old Wokingham Road, Wokingham, Berks

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

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT:	***MR & MRS R REED***
APPEAL SITE:	**PINECOPSE, NINE MILE RIDE, WOKINGHAM WITHOUT**
REASON FOR APPEAL:	**REFUSAL TO GRANT PLANNING PERMISSION FOR THE PROPOSED ERECTION OF REPLACEMENT DWELLING AND GARAGE**

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/1366

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

1.00 INTRODUCTION

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

2.00 DESCRIPTION OF SITE AND SURROUNDINGS

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

2.02 The appeal site is in a predominantly rural area. There is an existing low timber bungalow and outbuildings on the site. The railway bounds the site to the west, there are trees opposite and then a row of dwellings to the east. There is also woodland to the south and east of the site.

2.03 There was a copse between the dwelling and outbuildings and Nine Mile Ride. However, this was recently felled and some new trees have been planted. This has left the existing dwelling clearly open to view from Nine Mile Ride.

3.00 POLICIES

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

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

The relevant policies in this plan are;
STV2 Development in rural areas
SC18 Replacement Dwellings in Rural Areas

Copies of the above policies are contained in Appendix 2.

3.03 There is an emerging local plan, the Wokingham District Local Plan, which will replace the South East Area Local Plan. The Wokingham District Local Plan was placed on deposit from 21 October 1997 to 2 December and has been used for Development Control purposes since 21 October 1997. The Public Local Inquiry into the Wokingham District Local Plan started in October 1998, and is in two phases. Phase I was into Chapter 6 of the plan, which proposed a new housing south of the M4. The inquiry re-opened for Phase II in February 2000 to consider the remaining policies and proposals in the plan. The County Council issued a statement of general conformity of the Wokingham District Local Plan (Deposit Draft) with the Structure Plan in May 1997.

3.04 The relevant policies in this plan are:

WCC1	Development in the Countryside (outside the Metropolitan Green Belt)
WCC7	Extensions to Dwellings in the Countryside (outside the Metropolitan Green Belt)

Copies of the above policies are contained in Appendix 3.

4.00 THE COUNCIL'S CASE

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

4.02 The original bungalow was approved under application No. 380/55 in 1955 and the plans showed a single storey bungalow of about 110m² footprint. The existing bungalow is about 133.5m² in footprint. There is no record of planning permission being applied for and the existing extension could have possibly been constructed under permitted development rights. Its height is estimated to be 4.6m from the original plans for it (all figures are external dimensions).

4.03 The proposed dwelling would have approximately 370m² floorspace. The proposed dwelling therefore represents a 236m² increase in floorspace (a 176% increase) above that of the existing dwelling. The height of the dwelling would also be increased by 2.9m to 7.5m high.

4.04 The size of the proposed dwelling would therefore clearly be much greater than that of the existing both in height and floor area. The proposed dwelling would be clearly visible from Nine Mile Ride. It would be relatively tall, massive and obtrusive compared with the existing low timber bungalow and would have an urbanising effect on the predominantly rural character and appearance of the area.

4.05 A 52m² garage 5.3m high is also proposed and this would also be relatively obtrusive and would add to the scale of obtrusive development on the site.

4.06 For the above reasons the proposed replacement dwelling would be clearly contrary to South East Area Local Plan Policy SC18 and to the aims of Wokingham District Local Plan (Deposit Draft) Policy WCC7.

4.07 Whilst some outbuildings are to be removed, they are relatively small and insubstantial outbuildings, low in height and not obtrusive. Their removal does not in any way outweigh the above objections.

5.00 COMMENTS ON GROUNDS OF APPEAL

5.01 The appellants' consultant states in his paragraph 5.5 that the footprint of buildings to be removed would be greater than that to be constructed. However, this does not take into account the very substantial height increases, the relatively unsubstantial nature of the construction of these outbuildings, nor the fact that they are not attached to the dwelling and therefore could not realistically be occupied as living accommodation.

5.02 The appellants' consultant also refers in his paragraph 5.8 to another appeal at 'Oakview' which was allowed. However, the Local Planning Authority can conversely refer to more recent appeals which have been dismissed for replacement dwellings in the countryside, for example at 'Greenacres' (copy of inspector's decision letter attached in Appendix 4). The appellants' consultant also refers in his paragraph 5.9 to permitted development rights for outbuildings. However, this issue was considered in a recent appeal decision on 268 Nine Mile Ride. In his decision letter paragraph 17 (Appendix 5) the inspector noted that the appellant's consultant had accepted that such permitted development rights would be unlikely to be pursued to the maximum possible extent, and that although harm could arise from exercise of these rights, he did not regard it as justification for more harmful development.

5.03 This is therefore also not a reason for allowing such obtrusive and urbanising development as the appeal proposal, contrary to the Council's policies.

5.04 In his paragraph 5.10 the appellants' agent states that the cattery/kennels use could be resumed. However, as this is some distance from the dwellings in the west side of the railway line in Soldiers Rise, it did not apparently cause unacceptable nuisance.

6.00 CONCLUSION

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

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

AO.

LIST OF APPENDICES

1. Location plan of the Appeal Site, Scale 1:2500.

2. Extract from South East Area Local Plan.

3. Extract from Wokingham District Local Plan (Deposit Draft)

4. Inspector's decision letter dismissing appeal at Greenacres, Nine Mile Ride (Appeal Ref; T/APP/X0360/A/00/1040613 & 1043773).

5. Inspector's decision letter dismissing appeal at 268 Nine Mile Ride (Appeal Ref; T/APP/X0360/A/99/1031109/P9).

6. Conditions for appeal if allowed.

APPENDIX 1



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Development Control Section, Environmental Services, Wokingham District Council.

9 May 2000

Scale: 1 : 2500

N
W E
S

APPENDIX 2

A0.

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

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

❖ STV1 'IDENTIFIED SETTLEMENTS'

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

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

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

❖ *STV2 DEVELOPMENT IN RURAL AREAS*

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

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

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

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

(D) MINERAL EXTRACTION,

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

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

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

AGRICULTURAL BUILDINGS AND OTHER STRUCTURES IN RURAL AREAS

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

REDEVELOPMENT AND EXTENSIONS IN RURAL AREAS

1.3.50 Within rural areas existing buildings will be the subject of proposals for redevelopment or extension. In some cases these will be large residential properties set in extensive grounds. There will be a presumption in favour of a continuation of residential use, in accordance with policy SH3, especially where the buildings are of architectural and historical importance. In some cases larger properties may be converted into smaller self-contained units in accordance with policy SH4. This will provide for the growing number of smaller households.

1.3.51 If continued use, refurbishment or conversion to smaller units are not feasible then the Council will consider favourably redevelopment for residential purposes, unless the buildings are of architectural importance. The replacement of dwellings that have reached the end of their useful life (generally by larger buildings) can have a significant impact on the open and/or rural character of an area, by increased visual presence or increases in ancillary features (such as fences, walls) etc. For this reason the District Council, in considering proposals for replacement dwellings, will have regard to visual impact, the need to maintain a range of house types and sizes in the rural area and the need to protect rural amenities. Any redevelopment should not normally provide for a larger number of separate units than that already existing on the site, occupy a larger area of the site, nor exceed the height of the existing buildings. The location of the new buildings should be decided having regard to the main features of the landscape and the need to minimise the impact of new development and integrate it with its surroundings. The amenity value of the site should be retained by preserving mature trees and keeping or laying out landscaped areas.

❖ SC18 REPLACEMENT DWELLINGS IN RURAL AREAS

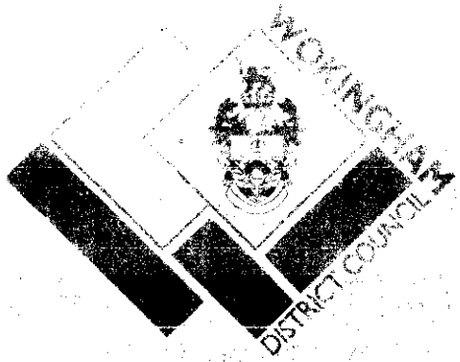
THE REPLACEMENT OF EXISTING DWELLINGS IN RURAL AREAS MAY BE PERMITTED PROVIDED THAT:

A) THE EXISTING BUILDING IS NOT OF ARCHITECTURAL OR HISTORIC INTEREST.

B) THE SITING AND DESIGN OF THE NEW DEVELOPMENT HAS THE MINIMUM IMPACT ON THE RURAL ENVIRONMENT AS REQUIRED BY POLICY SC15.

C) THE SIZE OF THE NEW DEVELOPMENT WILL NOT SIGNIFICANTLY EXCEED THAT OF THE EXISTING PROPERTY BOTH IN HEIGHT AND FLOOR AREA AND, WHERE APPROPRIATE, IN NUMBERS OF SEPARATE UNITS.

APPENDIX 3



Wokingham District Local Plan

Deposit Draft 1997

Consolidated Document

November 1999

November 1999

THE COUNTRYSIDE

Development in the Countryside

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

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

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

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

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

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

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

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

CONT.

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

A) DEVELOPMENT FOR AGRICULTURE/FORESTRY

B) OUTDOOR SPORT/COUNTRYSIDE RECREATION

C) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

D) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

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

Cont.

F) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE

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

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

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

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

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

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

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

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

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

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

2.40 Detailed guidance on this is set out in Annex I (paras. I17 - I21) of PPG 7. DoE Circular 11/95 *The Use of Conditions in Planning Permissions* gives further advice on agricultural occupancy conditions.

POLICY WCC6: NEW DWELLINGS REQUIRED FOR COUNTRYSIDE LAND USES (OUTSIDE THE METROPOLITAN GREEN BELT)

A NEW DWELLING FOR COUNTRYSIDE LAND USES WILL NOT BE PERMITTED UNLESS EVIDENCE DEMONSTRATES THAT THERE IS:

A) AN ESTABLISHED EXISTING FUNCTIONAL NEED FOR A FULL TIME WORKER AND NOT A PART-TIME REQUIREMENT

B) A UNIT AND AGRICULTURAL ACTIVITY CONCERNED, THAT HAVE BEEN ESTABLISHED FOR AT LEAST THREE YEARS, HAVE BEEN PROFITABLE FOR AT LEAST ONE OF THEM, ARE CURRENTLY FINANCIALLY SOUND AND HAVE A CLEAR PROSPECT OF REMAINING SO

C) NO OTHER EXISTING ACCOMMODATION IN THE AREA THAT IS SUITABLE AND AVAILABLE FOR OCCUPATION BY THE WORKER(S) CONCERNED.

WHERE SUCH A DWELLING IS JUSTIFIED THE COUNCIL WILL ENSURE:

I. THAT THE SIZE OF THE DWELLING IS CONSISTENT WITH THE HOUSING NEEDS OF THE WORKER AND HIS/HER IMMEDIATE FAMILY

II. THAT THE OTHER REQUIREMENTS OF POLICY WCC4 (NEW BUILDINGS IN COUNTRYSIDE AREAS) ARE COMPLIED WITH

III. THAT THE DWELLING REMAINS IN THAT USE AND IS NOT SEPARATED FROM THE ENTERPRISE HOLDING.

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Extensions to Existing Dwellings in the Countryside

2.41 Extensions to existing dwellings in rural areas need to be considered on a site-specific basis. Generally the aim will be to ensure that any extension does not impact on the surrounding countryside or significantly increase the scale of built development on the site.

2.42 It will be expected that the design will have regard to its wider context, in relation to both the immediate setting and the defining characteristics of the wider local area. This will include local or regional traditions or materials. Good design will be required as it helps maintain or even enhance local distinctiveness, and can help to make the new extension more acceptable to local people. Such an approach complies with detailed guidance set out in PPG 7.

POLICY WCC7: EXTENSIONS TO DWELLINGS IN THE COUNTRYSIDE (OUTSIDE THE METROPOLITAN GREEN BELT)

EXTENSIONS TO DWELLINGS IN AREAS OUTSIDE BUILT-UP AREAS AND SETTLEMENT BOUNDARIES SHOULD BE ACCEPTABLE IF:

A) THERE ARE NO ADVERSE VISUAL, PHYSICAL OR ECOLOGICAL IMPACTS ON THE UNDEVELOPED CHARACTER OF THE SURROUNDING COUNTRYSIDE

B) THERE IS NO SIGNIFICANT ALTERATION TO THE SCALE OF THE DWELLING AND THE SCALE OF DEVELOPMENT ON SITE

C) THE DESIGN RESPECTS THE CONTEXT OF THE DEVELOPMENT, INCLUDING LOCAL OR REGIONAL BUILDING TRADITIONS AND MATERIALS.

Implementation: The development control process.

Monitoring: Planning applications determined.

PROTECTING AND MANAGING THE LANDSCAPE

INTRODUCTION

2.43 The policies that form part of the landscape section of this chapter will apply throughout the local plan area irrespective of whether it is within or outside the Metropolitan Green Belt. The retention of natural beauty and landscape diversity requires that any development should be carried out in harmony and sympathy with its surroundings. The aim of the landscape policies is not only to screen development but to maintain and enhance the natural beauty and diversity of the landscape appropriate to its location.

2.44 Landscape is important because it is:

a) an essential part of our natural resource base
b) a reservoir of archaeological and historical evidence
c) an environment for plant and animal communities
d) a human habitat, evoking sensual, cultural and spiritual responses.

2.45 The term 'landscape' refers to the visual appearance of the land including its shape, form and colours. It reflects the way in which various components combine that are often distinctive in particular localities. The influence of geology, topography, soils, archaeology, landscape history, land use, ecology, architecture and cultural associations give a landscape value, experience and character.

2.46 Assessing the impacts on the landscape should involve an assessment of the component types, i.e. landform, land cover and the landscape elements, which terms are now described.

Landform: integrates information on geology and soils as well as the natural drainage pattern of the area of which the proposed development site forms part. It will include the shape of the land surface and levels, i.e. soils, water, climate.

APPENDIX 4

Appeal Decision

Site visit made on 26 June 2000

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

by Martin Andrews MA BSc(Econ) DipTP(Dist) MRTPI

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

Date
17 JUL 2000

Appeal A: APP/X0360/A/00/1040613
Greenacres Farm, Nine Mile Ride, Wokingham

- 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 Greenacres Farm Limited against the decision of Wokingham District Council.
- The application (ref: F/1999/0096), dated 26 November 1999, was refused by notice dated 12 January 2000.
- The development proposed is the demolition of the existing dwelling and the erection of a replacement dwelling.

Summary of Decision: The appeal is dismissed.

Appeal B: APP/X0360/A/00/1043773
Greenacres Farm, Nine Mile Ride, Wokingham

- 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 Greenacres Farm Limited against the decision of Wokingham District Council.
- The application (ref: F/2000/1157), dated 28 March 2000, was refused by notice dated 22 May 2000.
- The development proposed is the demolition of the existing dwelling and the erection of a replacement dwelling.

Summary of Decision: The appeal is dismissed.

Main Issue

1. I consider that the main issue in both Appeals A and B is the effect of the proposal on the character and appearance of the countryside having regard to the prevailing policies.

Planning Policy

2. The development plan comprises the Berkshire Structure Plan 1991-2006, adopted in 1995 and the South East Area Local Plan, 1994. In the Structure Plan, Policy C2 exercises strict control over development outside settlement boundaries in the countryside. Criterion (ii) permits the redevelopment of existing buildings provided the new structure is appropriate in scale, form, impact, character and siting to its location in the countryside. The Local Plan is now time expired but is in general conformity with the Structure Plan and continues to be used for development control purposes. It includes Policy SC18, which specifically relates to replacement buildings in rural areas. These may be permitted subject to three criteria including C), a proviso that the size of the replacement does not 'significantly' exceed that of the existing property both in height and floor area.

3. Reference has also been made to the Deposit Draft of the Wokingham District Local Plan but the general thrust of the policies remains unaltered and the Local Plan Inquiry into objections is still in progress. I shall therefore attach limited weight to this document and determine these appeals primarily in the light of the extant Structure and Local Plans and other relevant guidance.

Reasons

4. The Council's reasons for refusal are similar and the appellants' grounds of appeal are the same for both the Appeal A and B proposals. The Appeal B application was submitted in an attempt to overcome the reasons for refusal in the Appeal A scheme. Although the design of the two dwellings is quite different and there are also some differences in their size, essentially I consider that they can be considered together in terms of their impact on the character and appearance of the area.

5. Local Plan Policy SC18 introduces two yardsticks in the requisite comparison between an existing building and its proposed replacement: height and floor area. The ridge height of both appeal proposals compared to that of the existing dwelling is not significantly different, particularly when the lower slab levels are taken into account: 600mm higher in the case of Appeal A and 200mm lower in Appeal B. However there are substantial increases in their gross floor areas compared to the 154m^2 of the present building. In Appeal A the building would have an area of 360m^2, an increase of 134%. In Appeal B the comparative figures are 398m^2 and 158%.

6. By any reasonable definition I consider the increase in the proposed floor areas to be 'significant' and therefore in conflict with criterion C) of Policy SC18. When the footprints of the buildings are compared, the increases from the 154m^2 of the existing dwelling are lower: an increase of 75m^2 or 48% in Appeal A and 70m^2 or 45% in Appeal B. But it is the floor area rather than the footprint that is referred to in the policy and the size of footprint does not reflect the increase in bulk and prominence that would occur at first floor level. However even if the footprint were to be considered the more valid comparison, I regard an increase in almost half compared to the existing to again be 'significant'.

7. I have noted the calculations in respect of the 'fall back' position whereby under 'permitted development' the existing dwelling could have a substantial increase in its footprint and, in particular, its gross floor area without the Council's permission. However these increases are still substantially less than those that would result from the erection of the replacement dwelling in either scheme. Also in practical terms their visual impact on the surrounding countryside would be much less than that of the much larger replacement building in each appeal proposal.

8. With regard to this impact of the increase in size, I saw on my visit that large stretches of Nine Mile Ride have been subject to 'ribbon' development of, for the most part, fairly modern dwellings of a variety of types, designs and sizes. In contrast the appeal site occupies part of a gap in the development. The gap stretches as far east as further housing at Warren Lane. Although sited within this gap the existing bungalow is modest in size and essentially low profile. Moreover despite the presence of some oak and silver birch trees on the eastern part of the site's frontage, the relative absence of tree cover at this point affords longer distance views into more open countryside beyond. The backcloth of commercial and industrial buildings does not significantly reduce the open and rural nature of the land.

9. These views are particularly in evidence when travelling along Nine Mile Ride eastwards towards Wokingham and are an important reminder that the locality's rural context is for the most part hidden by development on both sides of the road. I consider that the development of a large two-storey dwelling, even allowing for the demolition of the present bungalow, would have a significantly harmful effect on the rural character and appearance of the area. There is little to choose between the adverse impact of the two appeal proposals as both would be prominent and obtrusive and in clear conflict with Structure Plan Policy C2(ii). However the increased bulk and prominence caused by the five dormer windows in the front elevation of Appeal Scheme B more than outweighs any advantage gained by the reduction in width and height from the proposal in Appeal A.

10. I have noted the reference to other replacement / additional dwellings in the area including the appeal decision at Oakview, Park Lane (DETR Ref. T/APP/X0360/A/98/297281/P8). However none of these cases or the support from occupiers close to Greenacres Farm override my findings that the current proposals would be in breach of the Council's policies and cause material harm to the objective of protecting the countryside from inappropriate and insensitive development.

Conclusion

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

Formal Decision

12. In exercise of the powers transferred to me, I dismiss both Appeals A and B.

Martin Andrews

INSPECTOR

APPENDIX 5

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

Appeal Decision

hearing held on Wednesday, 19 January, 2000

by Gerry Hollington MA, BPhil, MRTPI

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

30 MAR 2000

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

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by TAE Builders against Wokingham District Council.
- The site is located at 268 Nine Mile Ride, Wokingham.
- The application (ref: 99/70394/F), dated 26 August 1999, was refused on 18 October 1999.
- The development proposed is the demolition of an existing dwelling, the erection of 2 no. dwellings and minor access works.

Decision: The appeal is dismissed.

Procedural matters

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

The main issues

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

The development plan and other policy considerations

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

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

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

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

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

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

Inspector's reasons

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Other matters

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

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

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

Conclusions

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

Tom Hollington

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

APPEARANCES

FOR THE APPELLANT:

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

FOR THE LOCAL PLANNING AUTHORITY:

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

INTERESTED PERSONS:

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

DOCUMENTS

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

PLANS

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

PHOTOGRAPHS

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

APPENDIX 6

APPENDIX 6 - CONDITIONS FOR APPEAL IF ALLOWED

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

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

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

4. Construction work of any sort shall only take place within the area covered by the application between the hours of 7.00 a.m. and 7.00 p.m. Monday to Fridays and 7.00 a.m. to 1.30 p.m. Saturdays and no construction work shall take place on Sundays or Bank Holidays.

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

6. Prior to the commencement of development details of the proposed slab levels of the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved levels.

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

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

REASONS

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

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

3. To ensure a satisfactory external appearance.

4. In the interests of residential amenity.

5. Development without adequate provision for vehicle parking would lead to parking inconvenient to other road users and detrimental to highway safety. Also, if the garage was not kept available for parking it could lead to pressure for an additional garage which could add to the scale of development on the site.

6. In the interests of visual amenity.

7. In the interests of visual amenity.

8. In the interests of visual amenity.

The Planning Inspectorate

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

PLANNING SERVICES HPT
PGL
DC
APP
CS
Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

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

Your Ref: F/2000/1366

Our Ref: APP/X0360/A/00/1047183

Date: 1 November 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS REED
SITE AT PINECOPSE, NINE MILE RIDE, WOKINGHAM

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:

The Complaints Officer
The Planning Inspectorate
Room 14/04
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Phone No. 0117 987 8927 Fax No. 0117 987 6219

Yours faithfully

G.Nall

PP Miss A Bibi

COVERDL1

The Planning Inspectorate

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

Direct Line 0117-9878645
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8645

PLANNING SERVICES
COPIES TO:

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

Your Ref: F/2000/1366

Our Ref: APP/X0360/A/00/1047183

Date: 20 September 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS REED
SITE AT PINECOPSE, NINE MILE RIDE, WOKINGHAM

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

Mrs S J Turner RIBA MRTPI IHBC BArch MSc

With reference to the above appeal the Secretary of State has arranged for the inspector to visit the appeal site at 12:00 on Monday 9/10/2000 and you are requested to arrange for the inspector to be met at the site at 12:00 to enable the inspection to be made.

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

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

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

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

Yours faithfully



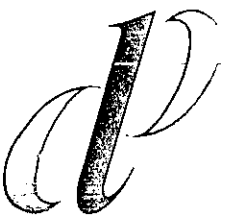
Miss V Hutchinson

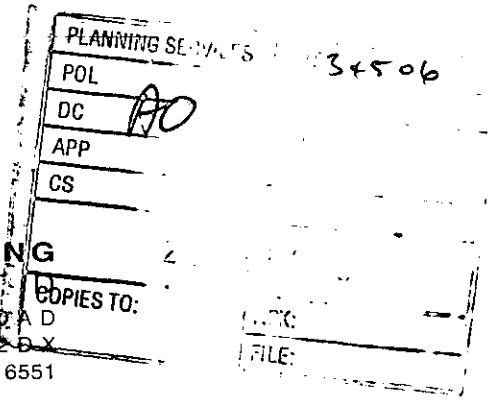
NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

209D

Recd 20.9.00

(1366)





JB/GB/BKS293

20 September 2000

DEVELOPMENT LAND & PLANNING CONSULTANTS LTD
RITZ PLAZA HOUSE, 10 DENTON ROAD
WOKINGHAM, BERKSHIRE, RG40 2DX
Telephone: (0118) 978 9595 Facsimile: (0118) 978 6551
e-mail: dlp.wokingham@talk21.com
Offices also at Bedford and Sheffield

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

Dear Miss Bibi

RE: PINECOPSE, NINE MILE RIDE, WOKINGHAM
APPEAL REFERENCE: APP/X0360/A/00/1047183

With regard to the above appeal, I am in receipt of a letter dated 14 September from Wokingham District Council in response to my letter to yourselves dated 12 September. I would like to make the following comments:

- I disagree that it is "the size of the replacement dwelling in relation to the original dwelling" that is the critical issue with regard to this site. I believe that the critical issue is the impact of the development upon the character of the area. An important aspect of the character of the area is the size of the plot on which Pinecopse is located. Therefore, it is perfectly legitimate for us to point out that the size of the plot is an important part of the consideration of the case. We consider that, in the context of such a large plot, the increased dwelling size will have a minimal impact on the character and appearance of the local area.

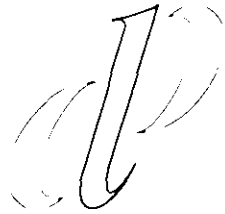
- With regard to Deers Leap, it is important to note that the site is located within countryside and "green gap" between settlements. It is considered to be legitimate to mention Deers Leap in relation to this appeal, in the same way as the council saw fit to refer to Hillside and Chung Yu as part of its evidence. Either the use of Deers Leap as a precedent should be allowed or, if it is not, it should be made clear that each proposal is dealt with according to its individual merits and the prospect of a "cumulatively urbanising effect" cannot be foreseen.

I have sent a copy of this letter to Mrs Odell at Wokingham District Council. I look forward to receiving notification of the inspector's site visit in the near future.

Yours sincerely

Jim Bailey BA (Hons) MRTPI
Director

cc Mrs A Odell, Wokingham District Council



DEVELOPMENT LAND & PLANNING
CONSULTANTS LTD
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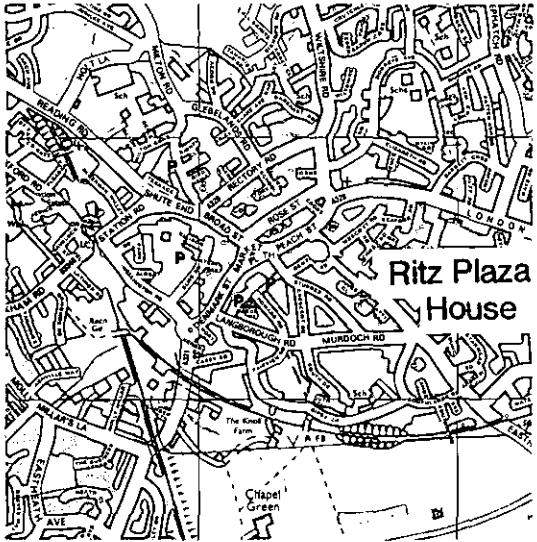
WOKINGHAM, BERKS., RG40 2DX
TELEPHONE: (0118) 9789595 FACSIMILE: (0118) 9786551
Offices also at Bedford and Sheffield

WITH COMPLIMENTS


Ritz Plaza
House
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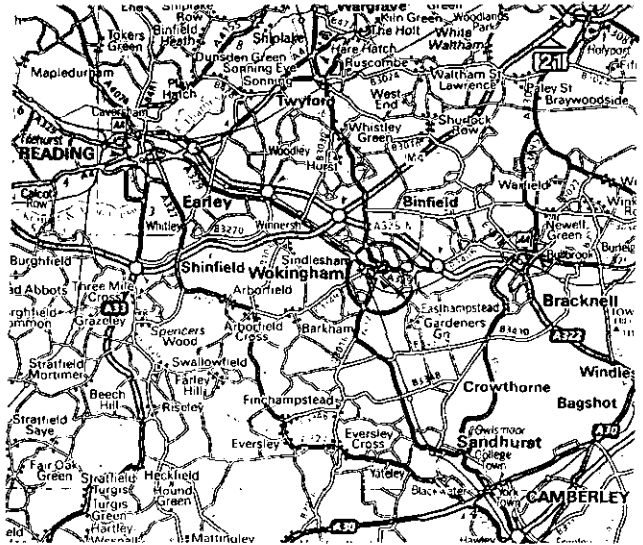
EASTHEATH AVE
Chapel Green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Kiln Green
The Holt
White Waltham
Shiplake
Dunsden Green
Sonning Eye
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Hare Hatch
Ruscombe
Mapledurham
Play Hatch
Twyford
West End
Waltham St Lawrence
Paley St
Braywoodside
Whistley Green
Shurlock Row
Woodley
Hurst
Earley
Whitley
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Binfield
Warfield
Newell Green
Burghfield
Shinfield
Sindlesham
Wokingham
Arborfield
Three Mile Cross
Grazeley
Spencers Wood
Arborfield Cross
Barkham
Easthampstead
Gardeners Grn
Bracknell
Stratfield Mortimer
Swallowfield
Farley Hill
Beech Hill
Riseley
Finchampstead
Crowthorne
Bagshot
Stratfield Saye
Eversley
Eversley Cross
Sandhurst
Fair Oak Green
Heckfield
Hound Green
Yateley
CAMBERLEY
Mattingley

Tel. 0118 974 6445 (Direct Line)
E-mail: Angela.Odell@wokingham.gov.uk
Date. 29 August, 2000
My ref. AO/O/2000/1366
Your ref. APP/X0360/A/00/1047183

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

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Dear Miss Bibi

APPEALL BY: MR & MRS REED
SITE: PINECOPSE, NINE MILE RIDE, FINCHAMPSTEAD

I refer to the above appeal, and to the appellants' consultants' statement of 9.8.00, paragraphs 4.03-7. I enclose copes of two recent appeal decisions in the District at Chung-Yu and Hillside which were both dismissed. Both appeals raised the issue of removal of outbuildings, but the inspector considered that in neither case should this carry any significant weight.

I confirm I have sent a copy of this letter and enclosures to the appellants' consultants.

Yours sincerely

AO

MRS A ODELL
Senior Planner

cc: Development land & Planning Consultants Ltd.

AO

The Planning Inspectorate

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

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

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

Your Ref: F/2000/1366

Our Ref: APP/X0360/A/00/1047183

Date: 22 August 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS REED
SITE AT PINECOPSE, NINE MILE RIDE, WOKINGHAM

I enclose a copy of correspondence from Wokingham Parish council.

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

Yours faithfully

Miss A Bibi

211AL

WOKINGHAM WITHOUT PARISH COUNCIL

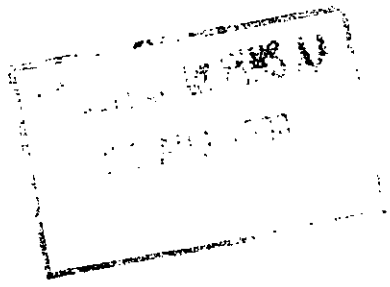
The Clerk, The Lodge
Pinewood Centre
Old Wokingham Road, Wokingham, Berks RG40 3AQ.

Tel: Crowthorne (01344) 771425
Fax: (01344) 762283

18 August 2000

Your ref. APP/X0360/A/00/1047183

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



Dear Madam,

Re - appeal by Mr & Mrs Reed - Pinecopse, Nine Mile Ride, Wokingham.

I am instructed to write regarding the above matter to communicate the comments of members of this Council's planning committee. This Council's previous comments will have been conveyed to you.

The area in front of the bungalow has only been laid to lawn after the felling, without permit, of an enormous number of trees earlier this year. This has materially and detrimentally altered the appearance of the area, removed the screening of rear gardens of properties in the adjoining Soldiers Rise, and deprived wildlife of considerable habitat. The existing bungalow could not previously be seen from the road, and the site's use as a kennels was appropriate. The proposed large dwelling will have considerable visual impact, and, if allowed, could be detrimental to the continuing enforcement of rural planning policy in the area, especially as it could be perceived as condoning the previous wholesale felling without permit.

In the past there have been numerous applications regarding this site, from July 1995 to June 1994, and although some proposals were granted, they were not proceeded with. It should be emphasised that these are beyond the five year term allowed for development and cannot be allowed without fresh application. Any proposals that still are valid for the site should be taken into account in any further decision, to avoid excessive development..

Would you please send me details of your decision in due course.

Yours faithfully,

John Grant
Clerk to the Council.

The Planning Inspectorate

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

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

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

Your Ref: F/2000/1366

Our Ref: APP/X0360/A/00/1047183

Date: 10 August 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS REED
SITE AT PINECOPSE, NINE MILE RIDE, WOKINGHAM

I have received the correspondence dated 9 August 2000 from the appellant's agent. If this has not been copied to you already, please contact the appellant's agent and ask for a copy.

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

Yours faithfully

Miss A Bibi

211AL

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DEVELOPMENT LAND & PLANNING
CONSULTANTS LTD
RITZ PLAZA HOUSE, 10 DENTON ROAD
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Telephone: (0118) 978 9595 Facsimile: (0118) 978 6551
e-mail: dlp.wokingham@talk21.com
Offices also at Bedford and Sheffield

JB/GB/BKS293

09 August 2000

Mrs A Odell
Wokingham District Council
Environmental Services Department
Planning Services
P O Box 157
Shute End
WOKINGHAM
RG40 1WR

Dear Mrs Odell

RE: PINECOPSE, NINE MILE RIDE, WOKINGHAM WITHOUT

I am in receipt of your questionnaire and statement of case. I have responded with a letter to The Planning Inspectorate and I enclose a copy for your attention. I trust the enclosed is satisfactory. I look forward to seeing you at the inspector's site visit in due course.

In the meantime, if you have any queries or require any further information, please do not hesitate to contact me.

Yours sincerely

Jim Bailey BA (Hons) MRTPI
Director

enc

cc Mr R Reed – Pinecopse
Mr A Day – Day Tanner Partnership

JB/GB/BKS293

09 August 2000

DEVELOPMENT LAND & PLANNING CONSULTANTS LTD
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e-mail: dlp.wokingham@talk21.com
Offices also at Bedford and Sheffield

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

Dear Sirs

RE: PINECOPSE, NINE MILE RIDE, WOKINGHAM WITHOUT
APPEAL REFERENCE: APP/X0360/A/00/1047183

We are in receipt of Wokingham District Council's completed questionnaire and statement of case. We have the following comments to make, based on the paragraph numbers in the council's statement:

2.02 Whilst the appeal site may be situated in a "predominantly rural area", it is clearly not located in open countryside. The area is characterised by residential properties, a mobile home park, a public house, railway lines, roads and a bridge. It is by no means an isolated or exposed location. The dwelling currently on the site is described as a "low timber bungalow". Although the bungalow may be timber clad, it is of substantial construction and is by no means a flimsy or temporary structure, as implied by the council's description.

2.03 Although many trees between the existing dwelling and Nine Mile Ride have been cleared in the recent past, a substantial amount of new landscaping has been planted in its place. In the fullness of time, the new landscaping will grow and help to screen buildings on the site from public view.

4.02 South East Area Local Plan Policy SC18 allows replacement dwellings, outside of urban areas, in principle. However, the size of the new dwelling should not significantly exceed that of the existing property, both in terms of height and floor area. Reference to the original bungalow size, therefore, is irrelevant. The starting point for this appeal is the existing bungalow, with an area of 133.5 square metres and an existing height of 5.2 metres, not 4.6 metres as stated by the council.

4.03 The council has not included in its calculations the proposed demolition of existing outbuildings. It should be noted that 159 square metres of outbuildings are to be demolished. The total floor area of buildings to be replaced is 291 square metres. Therefore, the proposed 370 square metre building is only 79 square metres greater than the existing, ie an increase of 27 per cent, not 176 per cent. It is also incorrect for the council to state that the height of the dwelling will be increased by 2.9 metres, as the existing bungalow is 5.2 metres high and the proposed dwelling will be 7.5 metres high. This equates to a 2.3 metre increase in height, not 2.9 metres.

4.04 The increases in building area and height will not, therefore, be as great as expressed by the council. Existing trees and vegetation will screen the new dwelling from Nine Mile Ride to a degree in the immediate future and far more when new landscaping becomes more mature. Although the proposed dwelling will be taller and larger than the existing dwelling, the impact of this will be offset by the fact that the dwelling will be set well back from the road and the clutter of existing outbuildings will be significantly reduced. A single replacement dwelling on this site will not have an "urbanising effect" to the detriment of the rural character of the area. The building will sit on a very large plot and the character of the site will be predominantly open and rural.

4.05 The proposed garage merely replaces an existing detached double garage and will only be slightly larger in terms of area and height. In addition, its siting will be seen against the backdrop of the proposed dwelling and it will not be visually intrusive.

4.06 For the above reasons, the proposed replacement dwelling complies with Development Plan Policy SC18 and the objectives of Draft Local Plan Policy WCC7.

4.07 The council appears to give very little weight to the removal of the outbuildings. However, we consider, as stated above, that the outbuildings are substantial and visually obtrusive. Therefore, their removal will be beneficial to the rural environment and this element of the scheme should be given a great deal more weight than the council has given it thus far.

5.01 It is correct that the footprint of the proposed dwelling will be less than that of existing buildings to be removed. The height increases, as explained above, will not be as great as the council indicates. It is accepted that the outbuildings are not, and could not be used as, living accommodation. However, they are ancillary to the principal dwelling on the site, having been used in connection with the cattery/kennels previous use of the property. It is correct to say that they could be converted to any number of uses with or without the need for planning permission.

5.02 The council refers to 2 recent appeal decisions. With regard to Greenacres Farm, it is apparent, in paragraphs 5 and 6, that the proposal constitutes the demolition and replacement of an existing bungalow only. There is no mention of any additional outbuildings being demolished in this case. Therefore, the situation is different from the current appeal proposal. With regard to the appeal decision at 268 Nine Mile Ride, this was a proposal for demolition of an existing dwelling and its replacement by 2 new dwellings. Clearly, the increase in the number of dwellings makes this a completely different case from the current appeal proposal. Therefore, as with the Greenacres Farm appeal, a meaningful comparison cannot be made.

5.03 We do not accept that the proposed dwelling will be "obtrusive and urbanising". We consider that the removal of existing buildings will be beneficial and the replacement dwelling will be only slightly larger than the buildings to be removed.

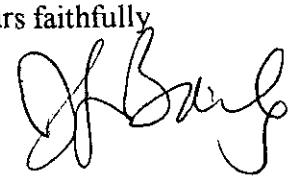
5.04 Whilst the likely impact on the amenities of properties in Soldiers Rise, to the west of the site, is a consideration, in relation to the reactivation of the cattery/kennels use, there are other factors to be borne in mind. For example, the business use could create additional vehicular movements on a busy stretch of Nine Mile Ride and there is the potential for the existing buildings to be converted to some other type of business use such as B1.

6.01 The proposed dwelling and garage will replace an existing dwelling and outbuildings on the site. When all the removed buildings are taken into account, the percentage increases in area and height will be relatively modest. The location of the proposed dwelling, set well back from the road and screened by existing and proposed landscaping, will not have an urbanising effect and will not harm the character of the area. Therefore, the proposal will comply with Policy SC18 of the Development Plan and the objectives of Draft Policy WCC7 of the emerging local plan.

6.02 The proposal complies with section 54a of the 1990 Town and Country Planning Act and it is requested that this appeal should be allowed.

It is hoped that these comments, on behalf of the appellant, can be given due consideration by the inspector. We now await notification of the inspector's site visit. However, if you have any queries in the meantime, please do not hesitate to contact us.

Yours faithfully



Jim Bailey BA (Hons) MRTPI
Director

cc Mrs A Odell – Wokingham District Council
Mr A Day – Day Tanner Partnership
Mr R Reed – Pinecopse

Tel. (0118) 974 6448 (Direct Line)
Date. August 4, 2000
My ref: f/2000/1366

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

Development Land & Planning
Ritz Plaza House
10 Denton Road
Wokingham
Berks

Dear Sirs

APPEAL BY: **Mr & Mrs Reed**
SITE: **Pinecopse, Nine Mile Ride**

With reference to this appeal, I enclose a copy of the completed questionnaire and the Council's statement of case.

I have also sent a copy to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: August 4, 2000
My ref: F/2000/1366
Your ref: APP/X0360/A/00

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

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

Dear Miss Bibi

APPEAL BY: Mr & Mrs Reed
SITE: Pinecopse, Nine Mile Ride, Wokingham Without

With reference to this appeal, I enclose a copy of the completed questionnaire and the Council's statement of case.

I have also sent a copy to the appellant/ agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ

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

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27 JUL 2000
COPIES TO:

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

Your Ref: F/2000/1366

Our Ref: APP/X0360/A/00/1047183

25 July 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS REED
SITE AT PINECOPSE, NINE MILE RIDE, WOKINGHAM

I have received an appeal form and accompanying documents for this site. I am the case officer. I am checking the papers and if I need further information, or if for legal reasons the appeal is not acceptable, I will write again.

The appellant has chosen the written procedure. The date of this letter is the starting date for the appeal. Unless you tell me otherwise, I will assume that you do not wish to exercise your right to be heard.

As you know, if you agree to the written procedure, you are required to:

- **Within 5 working days** - notify interested persons who were required to be consulted on the original planning application, and all those who made representations at application stage, that an appeal has been made. You should tell interested persons that any comments they have on the appeal should be made in writing and sent directly to me within the next 28 days. **Please also tell them that if they wish to receive a copy of the appeal decision letter, they must write to me asking for one.**

- **Within the next 14 days** - send the appellant and me, a completed appeal questionnaire together with all the necessary enclosures.

- **Within the next 28 days** - send the appellant and me, any further statement you wish to make, if the questionnaire and supporting documents do not comprise your case. Please keep the statement concise as recommended in Appendix 1 of DOE circular 15/96.

We will arrange for our inspector to visit the appeal site and will send you details.

You should keep to the timetable set out above. Inspectors will not accept representations at the site visit, nor will they wait for representations. Having drawn your attention to the timetable, I will not send reminders to you or the appellant.

Please send any further correspondence to me, giving the full appeal reference number. If you have any questions, please contact me.

Yours faithfully

KF

pp Miss A Bibi
102

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 made under section 106 and your appeal is being dealt with by written representations, we must receive a completed, signed and dated copy before the date of the site visit.

If your appeal is being dealt with by a hearing or inquiry, we must receive a final draft of the obligation 5 working days before the hearing or inquiry opens. Obligations should be completed by the close of the hearing or inquiry.

An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

DEVELOPMENT LAND & PLANNING
CONSULTANTS LTD
RITZ PLAZA HOUSE, 10 DENTON ROAD
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Offices also at Bedford and Sheffield

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PCI
DG
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FILE:

JB/GB/W/BKS/293/P

21 July 2000

Mrs A Odell
Wokingham District Council
Environmental Services Department
Planning Services
P O Box 157
Shute End
WOKINGHAM
RG40 1WR

Dear Mrs Odell

RE: PINECOPSE, NINE MILE RIDE, WOKINGHAM

I have today submitted a s.78 appeal to The Planning Inspectorate in respect of the above site. I enclose for your attention copies of the following:

- Letter to The Planning Inspectorate
- *Completed appeal form*
- Appellant's statement of case
- Appendices and plans

You will note that I have asked for this appeal to be dealt with by written representations. Please let me know if you have any queries or require any further information.

Yours sincerely

Jim Bailey BA (Hons) MRTPI
Director

encs

cc A Day Esq – Day Tanner Partnership
Mr & Mrs R Reed

DEVELOPMENT LAND & PLANNING
CONSULTANTS LTD
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e-mail: dlp.wokingham@talk21.com
Offices also at Bedford and Sheffield

JB/GB/W/293/BKS/P

21 July 2000

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

Dear Sirs

RE: PINECOPSE, NINE MILE RIDE, WOKINGHAM

I enclose for your attention a s.78 appeal with regard to an application for a replacement dwelling at the above site. I enclose the following:

- Completed appeal form
- Appellant's statement of case
- Appendices and plans

I trust that the enclosed appeal can be dealt with by written representations. Please let me know if you have any queries or require any further information.

Yours faithfully

Jim Bailey BA (Hons) MRTPI
Director

encs

cc Wokingham District Council
Mr & Mrs R Reed
A Day Esq – Day Tanner Partnership

The Planning Inspectorate

FOR OFFICIAL USE ONLY
Date received

PLANNING SERVICES	HPT
POL	TLS
DC	EPF
APP	
CS	

25 JUL 2000

COPIES TO:	ACK:
	FILE:

PLANNING APPEAL

The appeal must reach the Inspectorate within 6 months of the date of the notice of the Local Planning Authority's decision, or within 6 months of the date by which they should have decided the application.

A. INFORMATION ABOUT THE APPELLANT(S)

Full Name: Mr & Mrs R Reed

Address: c/o Agent

Postcode: ..... Reference: .....
Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: ..... Fax No: .....

Agent's Name (if appropriate): Development Land & Planning Consultants Ltd

Agent's Address: Ritz Plaza House, 10 Denton Road
Wokingham, Berkshire

Postcode: RG40 2DX Reference: W/BKS/293/P
Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: 0118 978 9595 Fax No: 0118 978 6551

B. DETAILS OF THE APPEAL

Name of the Local Planning Authority (LPA): Wokingham District Council

Description of the Development:

Demolition of existing dwelling and outbuildings.
Erection of replacement dwelling and garage block.

Address of the Site:

Pinecopse, Nine Mile Ride, Finchampstead
Wokingham

Postcode:
Failure to provide the postcode may cause delay in processing your appeal

National Grid Reference (see key on OS map for Instructions).
Grid Letters: Grid Numbers
eg TQ:298407

Date and LPA reference number of the application you made and which is now the subject of this appeal:

4 May 2000 F/2000/1366

Date of LPA notice of decision (if any):

14 June 2000

Are there any outstanding appeals for this site eg Enforcement, Lawful Development Certificate etc? If so please give details and any Planning Inspectorate reference number here: .....

C. REASON FOR THE APPEAL

THIS APPEAL IS AGAINST the decision of the LPA:- **(*Delete as appropriate)** **(✔)**

1. to *refuse/~~grant subject to conditions~~, planning permission for the development described in Section B. ☑

2. to *refuse/grant subject to conditions, approval of the matters reserved under an outline planning permission. ☐

3. to refuse to approve any matter (other than those mentioned in 2 above) required by a condition on a planning permission. ☐

Or the failure of the LPA:-

4. to give notice of its decision within the appropriate period on an application for permission or approval. ☐

D. CHOICE OF PROCEDURE

CHOOSE ONE OF THE FOLLOWING TYPES OF PROCEDURES - These are described fully in the booklet "A guide to planning appeals" which accompanied this form.

1. WRITTEN REPRESENTATIONS ☑

If you have chosen the written representations procedure, please tick if the whole site can clearly be seen from a road or other public land. (An unaccompanied site visit will be arranged if the Inspector can adequately view the site from public land.) ☐

2. LOCAL INQUIRY Please give reasons why an inquiry is necessary ..... ☐

.....

3. HEARING Although you may prefer a hearing, the Inspectorate must consider your appeal suitable. ☐

E. ESSENTIAL SUPPORTING DOCUMENTS

A copy of each of the following should be enclosed with this form.

1. The application submitted to the LPA; ☑
2. The site ownership details (Article 7 certificate) submitted to the LPA at application stage; ☑
3. Plans, drawings and documents forming part of the application submited to the LPA; ☑
4. The LPA's decision notice (if any); ☑
5. Other relevant correspondence with the LPA; please identify the correspondence by date or otherwise: .....4 May 2000..... ☑
6. A plan showing the site in red, in relation to two named roads (preferably on an extract from the relevant 1:10,000 OS map). **(Failure to submit this can delay your appeal).** ☑

Copies of the following should also be enclosed, if appropriate:

7. If the appeal concerns reserved matters, the relevant outline application, plans submitted and the permission; ☐
8. Any plans, drawings and documents sent to LPA but which do not form part of the submitted application (eg drawings for illustrative purposes); ☐
9. Additional plans or drawings relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ..... ☐

F. APPEAL SITE OWNERSHIP DETAILS

IMPORTANT: THE ACCOMPANYING NOTES SHOULD BE READ BEFORE THE APPROPRIATE CERTIFICATE IS COMPLETED. CERTIFICATES A AND B ARE GIVEN BELOW. IF NEEDED, CERTIFICATES C AND D ARE ATTACHED TO THE GUIDANCE NOTES

SITE OWNERSHIP CERTIFICATES

PLEASE DELETE INAPPROPRIATE WORDING WHERE INDICATED (*) AND STRIKE OUT INAPPLICABLE CERTIFICATE

CERTIFICATE A

I certify that:

On the day 21 days before the date of this appeal nobody, except the appellant, was the owner (see Note (i) of the guidance notes) of any part of the land to which the appeal relates.

OR

CERTIFICATE B

I certify that:

I have/the appellant has *given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the guidance notes) of any part of the land to which the appeal relates, as listed below.

Owner's Name	Address at which notice was served	Date on which notice was served

I further certify that:

AGRICULTURAL HOLDINGS CERTIFICATE (TO BE COMPLETED IN ALL CASES WHERE A, B, C OR D OWNERSHIP CERTIFICATE HAS BEEN COMPLETED)

*• None of the land to which the appeal relates is, or is part of, an agricultural holding.

OR

*• I have/the appellant has *given the requisite notice to every person other than my/him/her*self who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as follows:

Tenant's Name	Address at which notice was served	Date on which notice was served

*** Delete as appropriate. If the appellant is the sole agricultural tenant the first alternative should be deleted and "not applicable" should be inserted below the second alternative.**

Signed ..... (on behalf of) Mr & Mrs R Reed

Name (in capitals) J BAILEY Date 21 July 2000

G. GROUNDS OF APPEAL If the written procedure is requested, the appellant's FULL STATEMENT OF CASE **MUST** be made - otherwise the appeal may be invalid. If the written procedure has not been requested, a brief outline of the appellant's case should be made here.

See attached statement.

PLEASE SIGN BELOW

I confirm that a copy of this appeal form and any supporting documents relating to the application not previously sent to the LPA has been sent to them. I undertake that any future documents submitted in connection with this appeal will also be copied to the local planning authority at the same time.

Signed ..... (on behalf of) Mr & Mrs R Reed

Name (in capitals) J BAILEY Date 21 July 2000

The Planning Inspectorate is registered under the Data Protection Act 1984, so that we may hold information supplied by you on our computer system for the purpose of processing this appeal.

CHECKLIST - Please check this list thoroughly to avoid delay in the processing of your appeal.

- This form signed and fully completed.
- Any relevant documents listed at Section E enclosed.
- Full grounds of appeal/outline of case set out at Section G.
- Relevant ownership certificate A, B, C or D completed and signed.
- Agricultural Holdings Certificate completed and signed.

◆ **1ST COPY: Send one copy of the appeal form** with all the supporting documents to

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

◆ **2ND COPY: Send one copy to the LPA,** at the address from which the decision on the application (or any acknowledgments, etc) was received, enclosing any supporting documents not previously submitted to them as part of the application.

◆ **3RD COPY: For you to keep**

TOWN AND COUNTRY PLANNING ACT 1990

Section 78 Appeal
by
Mr & Mrs R Reed
Against the Refusal by Wokingham District Council
of Planning Permission for Demolition
of Existing Dwelling and Outbuildings and
Erection of Replacement Dwelling and Garage Block
at
Pinecopse, Nine Mile Ride, Wokingham

WRITTEN REPRESENTATIONS

LPA Reference: F/2000/1366

Prepared by:

Development Land & Planning Consultants Ltd
Ritz Plaza House
10 Denton Road
Wokingham
Berkshire
RG40 2DX

Tel: 0118 978 9595
Fax: 0118 978 6551
e-mail: dlp.wokingham@talk21.com

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2 SITE DESCRIPTION 3

3 PLANNING HISTORY 5

4 PLANNING POLICY 8

5 CASE FOR THE APPELLANT 11

6 CONCLUSIONS 17

APPENDICES

PLANS

1 INTRODUCTION

1.1 These written representations are submitted on behalf of Mr & Mrs R Reed. On 4 May 2000, the Day Tanner Partnership (DTP) submitted a full planning application to Wokingham District Council (the LPA) for the demolition of the existing dwelling and outbuildings and erection of a replacement dwelling and garage block at Pinecopse, Nine Mile Ride, Wokingham.

Copies of the covering letter, completed forms and certificate A are attached as Appendix 1.

Copies of the application plans 1516/01, 1516/02, 1516/03 and location plan are attached as Plans A to D.

1.2 The application was registered and allocated to a planning officer, Angela Odell, on 16 May 2000. The application was given a reference number F/2000/1366.

1.3 On 14 June 2000, the LPA issued a refusal notice under delegated powers. This contained a single reason for refusal, as follows:

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

A copy of the refusal notice is attached as Appendix 2.

2 SITE DESCRIPTION

Location

2.1 The appeal site lies on the southern side of Nine Mile Ride, which is the B3430 running east to west between Bracknell and Finchampstead. The centre of Finchampstead North is located about 1.6 kilometres to the west of the site. The centre of Crowthorne is located about 3.0 kilometres to the south-east. The centre of Wokingham is located about 3.2 kilometres to the north of the site. Crowthorne railway station lies about 1.6 kilometres to the south of the site. Beeline bus service no. 193 runs past the site and along Nine Mile Ride between Reading and Camberley via Winnersh, Wokingham, Crowthorne and Sandhurst. The service runs every 2 hours Monday to Saturday.

2.2 The site lies within easy reach of a range of shopping, leisure and employment facilities within local settlements, with larger settlements, ie Reading, Bracknell and Guildford, accessible by rail and bus.

Site Characteristics

2.3 The appeal site has a 140-metre long frontage to Nine Mile Ride. The site entrance is in the north-east corner of the site. The site is about 180 metres deep but narrows incrementally so that it is just 70 metres wide at its southern end. The site is relatively flat and has a total area of about 1.8 hectares.

2.4 The site contains a bungalow, which is located almost centrally within the site and is set back some 65 metres from Nine Mile Ride. In the vicinity of the bungalow there are a number of outbuildings, as well as a double garage and a mobile home. In addition, at the rear of the site is a group of kennel buildings, accessed by a gravel track. However, this part of the site is excluded from the application site. The site contains a large number of trees of various types and sizes. The majority of the area in front of the bungalow has been laid to lawn.

2.5 The northern boundary with Nine Mile Ride has been formed by a post and rail wooden fence and a newly planted native hedgerow. To the west of the site is a railway line. South and east of the site are areas of woodland.

Photographs of the appeal site are attached as Appendix 3.

3 PLANNING HISTORY

3.1 380/55

Application to erect a bungalow, approved 12 July 1955.

A copy of the consent notice is attached as Appendix 4.

Copies of the approved plans are attached as Plans E and F.

3.2 457/56

Application to erect a boarding kennel building, approved 10 July 1956.

A copy of the consent notice is attached as Appendix 5.

A copy of the approved plan is attached as Plan G.

3.3 **10776**

Application to erect kennel buildings, approved 24 July 1979.

A copy of the consent notice is attached as Appendix 6.

Copies of the approved plans are attached as Plans H, I and J.

3.4 **20879**

Application to erect shed/office, approved 21 March 1984.

A copy of the consent notice is attached as Appendix 7.

A copy of the approved plan is attached as Plan K.

3.5 **21822** -

Application for additional cattery building, approved 7 August 1984.

A copy of the consent notice is attached as Appendix 8.

Copies of the approved plans are attached as Plans L and M.

3.6 **26840**

Application for additional cattery building, approved 24 February 1987.

A copy of the consent notice is attached as Appendix 9.

Copies of the approved plans are attached as Plans N and O.

3.7 **30347**

Application for additional cattery building, approved 6 May 1988.

A copy of the consent notice is attached as Appendix 10.

3.8 **42445**

Application to retain mobile home and for change of use of land to the east of Pinecopse to equestrian use, approved 30 June 1994.

A copy of the consent notice is attached as Appendix 11.

A copy of the approved plan is attached as Plan P.

4 PLANNING POLICY

4.1 A detailed examination and assessment of the case on behalf of the appellant appears in section 5 of this representation. Firstly, however, we proposed to review the policy framework relevant to the consideration of this appeal.

4.2 Central Government advice is to be found in Planning Policy Guidance Note (PPG) 1, General Policy and Principles. At the local level, the South East Area Local Plan (SEALP) was adopted in April 1994. The Wokingham District Local Plan Deposit Draft (WDLP) was published in November 1999. The public local inquiry into this new plan is ongoing and it is anticipated that the draft plan will be adopted in 2001 or 2002.

Central Government Guidance

4.3 With reference to the Government's commitment towards a plan-led system of development control, paragraph 40 of PPG1 states that:

> *"Where an adopted of approved development plan contains relevant policies, section 54A (Town and Country Planning Act 1990) requires that an application for planning permission or appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise."*

4.4 Paragraph 40 goes on to comment that:

> *"Those deciding such planning applications or appeals should always take into account whether the proposed development would cause demonstrable harm to interest of acknowledged importance."*

4.5 With regard to the weight to be given to non-adopted plans, paragraph 48 states that:

> *"...account can also be taken of Policies in emerging Development Plans which are going through the statutory procedures towards adoption (or approval). The weight to be attached to such policies depends upon the stage of plan preparation or review, increasing as successive stages are reached."*

Local Plan Policies

4.6 The development plan for the area is the adopted SEALP, which contains the following relevant policies:

4.7 **Policy STV2**

This policy seeks to prevent development which would detract from the open and rural character of areas outside of settlements.

4.8 **Policy SC18**

This policy permits replacement of dwellings in rural areas, subject to 3 criteria.

Copies of the above policies are attached as Appendix 12.

4.9 The emerging WDLP, which is a material consideration, contains the following relevant policies:

4.10 **Policy WCC1**

This policy defines types of development, which are deemed to be acceptable outside of settlements, including redevelopment of existing buildings.

4.11 **Policy WCC7**

This policy sets 3 criteria for extensions to dwellings in the countryside. In the absence of a policy to replace SC18, the LPA uses this policy to assess proposals for replacement dwellings outside of settlements.

Copies of the above policies are attached as Appendix 13.

5 CASE FOR THE APPELLANT

5.1 The application subject to this appeal was refused for one reason, that:

> *"Due to its size, scale, height and massing, the proposed dwelling would be excessive in size and height for a replacement dwelling and would have a detrimental effect on the character and appearance of the area."*

5.2 Consequently, the proposed dwelling would be contrary to adopted Policy SC18 of the development plan (SEALP). We consider, however, that the proposed replacement dwelling does comply with the 3 criteria of Policy SC18, as follows:

5.3 A) THE EXISTING BUILDING IS NOT OF ARCHITECTURAL OR HISTORIC INTEREST

The bungalow to be demolished was permitted in 1955 and is of no architectural or historic merit. The site is not within a conservation area and does not contain or adjoin any listed buildings. The proposal complies with this criterion.

5.4 B) THE SITING AND DESIGN OF THE NEW DEVELOPMENT HAS THE MINIMUM IMPACT ON THE RURAL ENVIRONMENT

The proposed dwelling will be sited on almost exactly the same 'footprint' as the existing bungalow. The bungalow is of no visual merit and adjoining outbuildings, which are proposed to be removed, are also unattractive. Removing the existing bungalow and clutter of outbuildings will visually enhance the locality. The LPA has not criticised the design of the proposed house. It is submitted that the proposed house will be attractive in appearance and will visually improve the rural area. In addition, it will be possible for a condition to be placed on the consent to ensure that a scheme of additional landscaping is agreed and installed to further enhance the appearance of the rural area. The proposal complies with this criterion.

5.5 C) THE SIZE OF THE NEW DEVELOPMENT WILL NOT SIGNIFICANTLY EXCEED THAT OF THE EXISTING PROPERTY BOTH IN HEIGHT AND FLOOR AREA

The existing single-storey property has a footprint and floor area of 132 square metres. It is also proposed to demolish outbuildings with a footprint and floor area of 159 square metres. The footprint and total floor area of the "existing property" to be demolished is 291 square metres. The appeal proposal is to replace these buildings with a detached dwelling with a footprint of 220 square metres plus a garage of 45 square metres. The total footprint proposed is, therefore, 26 square metres or 9 per cent less than the existing buildings to be demolished. The proposed dwelling and garage will occupy materially less footprint than the existing buildings, which are unattractive and are, without doubt, worthy of demolition. Nowhere in the policy does it say that outbuildings cannot be included in floor area calculations. The total floor area of the proposed dwelling and garage will be 422 square metres, ie 131 square metres and 45 per cent more than the existing buildings to be demolished. It is accepted that the floor area of the proposal will be materially greater than the existing. However, the 'rule of thumb' with regard to extensions to rural dwellings is normally to allow a 50 per cent increase in floor area. Clearly, the proposal is below this threshold. It is also accepted that the proposed dwelling will be greater in height than the existing dwelling. The existing bungalow is 5.2 metres high and the proposed dwelling will be 7.6 metres high, ie 2.4 metres higher. It is accepted

that this is materially higher than the existing. However, this increased height is not significant in the context of a plot of considerably size (1.8 hectares), with the proposed dwelling set well back from the road (63 metres) and with dwellings in the vicinity being predominantly 2-storey and at least 7.6 metres high, ie properties to the north-east on Nine Mile Ride. The proposal, therefore, complies with this criterion.

Material Considerations

5.6 Policy WCC7 of the WDLP seeks to control extensions to dwellings in the countryside. In the absence of a policy to replace SC18, see above, the LPA relies on it to object to replacement dwelling proposals. The aims of the policy, however, are the same as Policy SC18, ie to minimise any adverse impact on the countryside, keep building sizes to a minimum and ensure that proposals are well designed. Consequently, we consider that the aims of Policy WCC7 have been dealt with by the comprehensive consents relating to Policy SC18 detailed above. The proposal complies with draft Policy WCC7.

5.7 There are many examples, in Wokingham District, of one-for-one replacement dwellings, which have been permitted. In particular, the following recent case is relevant to this appeal:

5.8 **Oakview, Park Lane, Finchampstead**

This site also lies outside of any settlement but also in a 'green gap' between settlements. The current appeal site is not in a 'green gap' and has no further layers of policy constraint over it, apart from open countryside designation. The dwelling applied for had a footprint of 243 square metres, compared with the original bungalow's 174 square metres, ie plus 40 per cent. The new dwelling would have a floor area of 338 square metres, ie plus 94 per cent. The proposal went to appeal in 1998 (T/APP/X0360/A/98/297281/P8) and the inspector felt that the key to the scheme was criterion C) of Policy SC18 of the SEALP. He found that, despite the above figures, the new dwelling would not "significantly" exceed the size and height of the original dwelling and referred to the neighbouring property where a new dwelling 300 per cent larger than the original had recently been allowed. In order to minimise the impact on the rural character of the area, the inspector placed several conditions on the consent removing permitted development rights and requiring submission of a comprehensive landscaping scheme. Such conditions would be acceptable if placed on an approval of the current appeal.

A copy of the appeal decision letter is attached as Appendix 14.

A copy of the approved plan is attached as Plan Q.

5.9 It should also be noted that the property currently has permitted development rights, which could see up to half the curtilage area covered in outbuildings and the dwelling could be extended by up to 70 cubic metres (although it is believed that a small part of this has been used up). Such extensions and new buildings could potentially have a much more harmful effect than the appeal proposal. Allowing the appeal would enable the LPA to have far more control over buildings on the site.

5.10 In addition, the site also still has extant permission for cattery/kennels use. Allowing the appeal would extinguish this use and ensure that residential amenity is not compromised locally by noise and smells coming from a resumed cattery/kennels business. Allowing the appeal would safeguard amenity in the area.

6 CONCLUSIONS

6.1 The key to this appeal is whether or not the proposal will comply with the 3 criteria of Policy SC18 of the SEALP. If it is decided that it does comply with all 3 criteria, then it follows that harm will not be done to the character and appearance of the rural area.

6.2 With regard to the first criterion, it is apparent that the buildings to be demolished are not of architectural or historic interest.

6.3 With regard to the second criterion, it is proposed to site the new dwelling on exactly the same footprint as the existing dwelling. Demolition of unattractive outbuildings will enhance the appearance of the area. The proposal will have a minimal impact on the rural environment.

6.4 With regard to the third criterion, it is proposed to replace a bungalow and outbuildings with a house and garage with a considerably smaller footprint. The increase in floor area proposed will be less than the 50 per cent 'rule of thumb' normally used. Although the new dwelling will be greater in height than the existing, the impact of this will be offset by the distance of the dwelling from the road, the size of the plot, proposed landscaping/screening and the context of 2-storey dwellings locally.

6.5 The proposal complies with all other development plan and draft plan policies, including WCC7 of the WDLP, and precedents locally point to the acceptability of such one-for-one replacement schemes, where a minimal impact on the character and appearance of the rural environment has been proven.

6.6 The site currently has potential for a great deal more building, under permitted development rights, and reinstatement of the cattery/kennels business. Allowing the appeal will enable the LPA to control development on the site more fully and preserve residential amenity.

6.7 We consider that the appeal proposal complies with s.54A of the Town and Country Planning Act 1990. We respectfully request that this appeal should be allowed.

Tel. (0118) 974 6448 (Direct Line)
Date. August 4, 2000
My ref. F/2000/1366

Cllr P E Helliar Symons
17 Eagle Close
Heathlake Park
Crowthorne
Berks

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

Dear Sir/Madam,
TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY: Mr & Mrs R Reed
SITE: Pinecopse, Nine Mile Ride, Wokingham Without

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

As your interests might be affected, you can give your views on the appeal in writing by sending them, within 28 days of this letter to Miss A Bibi, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ quoting reference APP/X0360/A/00/1047183.

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

The application, decision notice, and the appellant's grounds of appeal can be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 4.00pm on Fridays).

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

Yours faithfully

Denise Gumbrell
Appeals Assistant



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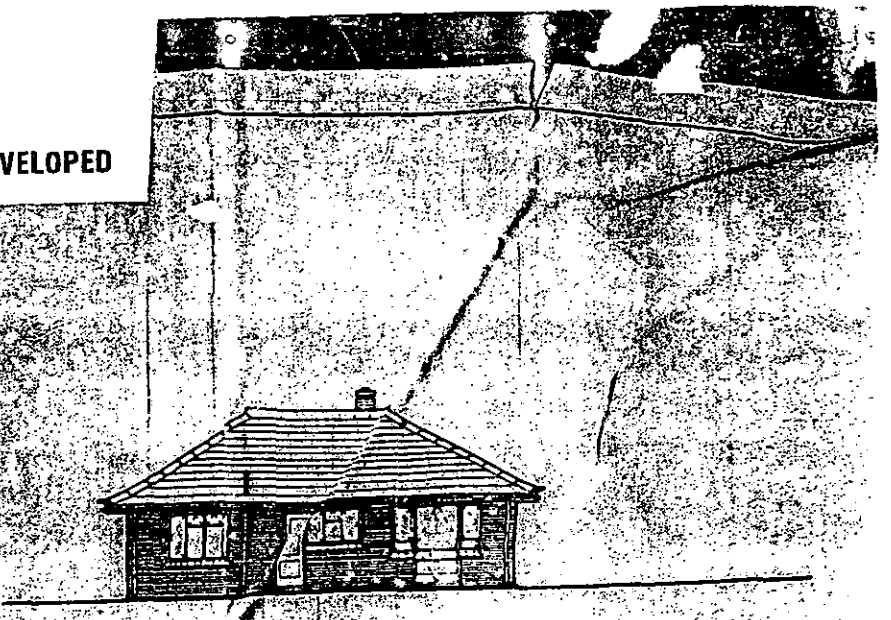
Development Control Section, Environmental Services, Wokingham District Council.

N
W E

DEERS LEAP HOLLYBUSH RIDE

PLANS OF PREVIOUS DWELLING - NOW REDEVELOPED



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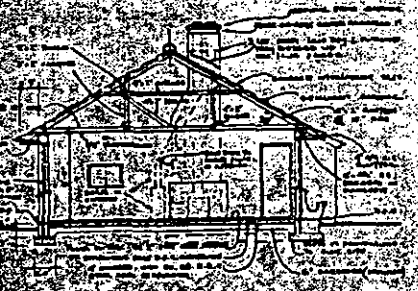
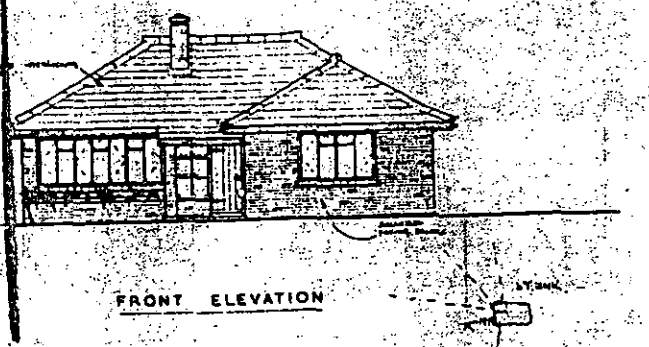
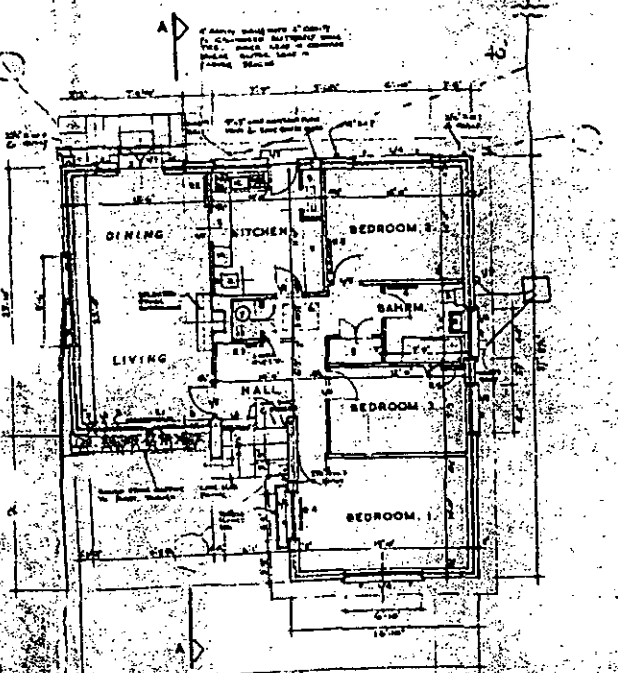


SECTION A-A

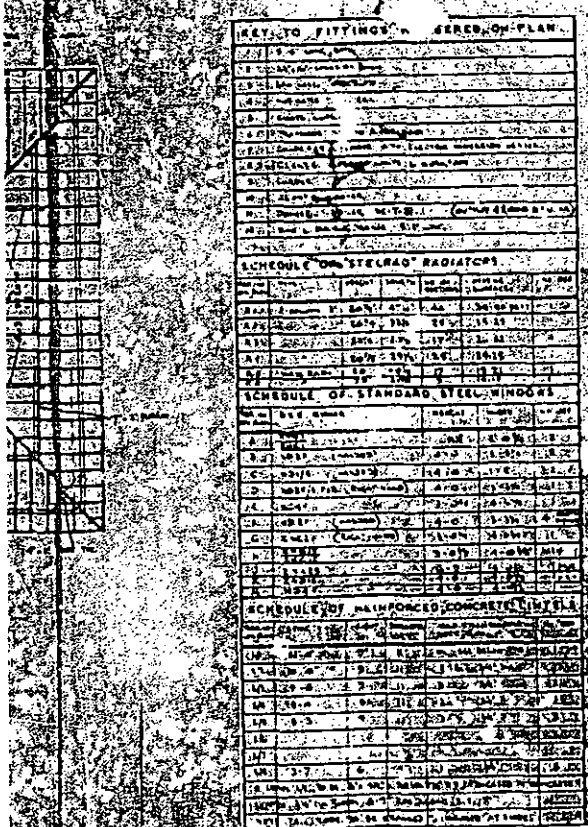


FRONT ELEVATION



GROUND FLOOR PLAN

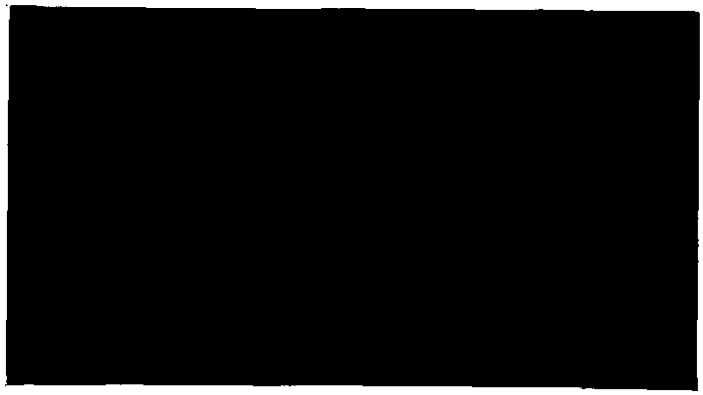
FLOOR AREA 980 SQ. FT.



13A/16

DRAWING NO. GP.235.R

PLANAH C
LLOYDS BANK CHA
KING ST. RICHMOND



TOWN AND COUNTRY PLANNING ACT 1990

Section 78 Appeal
by
Mr & Mrs R Reed
Against the Refusal by Wokingham District Council
of Planning Permission for Demolition
of Existing Dwelling and Outbuildings and
Erection of Replacement Dwelling and Garage Block
at
Pinecopse, Nine Mile Ride, Wokingham

APPENDICES AND PLANS

LPA Reference: F/2000/1366

Prepared by:

Development Land & Planning Consultants Ltd
Ritz Plaza House
10 Denton Road
Wokingham
Berkshire
RG40 2DX

Tel: 0118 978 9595
Fax: 0118 978 6551
e-mail: dlp.wokingham@talk21.com

APPENDICES

1 Covering letter, forms and certificate A, dated 4 May 2000.

2 Refusal notice F/2000/1366, dated 14 June 2000.

3 Photographs of the site.

4 Consent notice 380/55, dated 12 July 1955.

5 Consent notice 457/56, dated 10 July 1956.

6 Consent notice 10776, dated 24 July 1979.

7 Consent notice 20879, dated 21 March 1984.

8 Consent notice 21822, dated 7 August 1984.

9 Consent notice 26840, dated 24 February 1987.

10 Consent notice 30347, dated 6 May 1988.

11 Consent notice 42445, dated 30 June 1994.

12 SEALP Policies STV2 and SC18.

13 WDLP Policies WCC1 and WCC7.

14 Appeal decision letter T/APP/X0360/A/98/297281/P8, dated 1 October 1998.

AID/LC/1516

4 May 2000

Planning Department
Wokingham District Council
P O Box 157
Shute End
Wokingham
Berkshire
RG40 1WR

Dear Sirs

REPLACEMENT DWELLING AT PINECOPSE, NINE MILE RIDE, WOKINGHAM

Our client has recently purchased this property which is a boarding kennel and cattery and, we believe you are aware, that a substantial amount of site clearance and improvement has taken place over the course of the past few weeks. The front of the site has been cleared of poor quality trees and replaced with 150 new trees and hedge planting.

The existing dwelling on the property is not in good condition and our client requires a larger house for his family in order to continue the business successfully once the initial work has been carried out. To this end we have designed a chalet style house which retains a low ridge line but provides the accommodation which our client requires. You will note that the existing dwelling, although a bungalow, has a very long frontage and long ridge line and we consider that our proposal, although taller than the bungalow, will have no greater impact because its ridge line will be substantially shorter.

We enclose the following documents in order to submit a full planning application:

Six copies each of our drawings numbers 1516/01, 1516/02, 1516/03 together with location plan
Six copies of the application form
Certificate A
Deposit cheque in the sum of £190.00

Continued/...

We trust that you will be able to support this application and we look forward to hearing from you in due course.

Yours faithfully

A I Day

Encs

cc Client

SECTION 66 CERTIFICATE

pplication No.

lease fill in both Certificate B, C or D and gricultural Holdings Certi- ate. Delete sections not evant

"Owner" means a person ving a freehold interest or easehold interest the not less expired term of which is n 7 years

OR

ee Note (a) to Certificate A

OR

* See Note (a) to Certificate A

(b) Insert description of steps taken

(c) Name of local newspaper circulating in the rea where the land is situated.

(d) Date of publication (which nust not be earlier than the eginning of the period of 21 days ending with the date of the application).

CERTIFICATE A

I certify that:

at the beginning of the period of 21 days ending with the date of the accompanying application, nobody except the applicant, was the owner of (a) any part of the land to which the application relates.

CERTIFICATE B

I certify that:

I have/The applicant has* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owners (a) name	Address at which notice was served	Date on which notice was served

CERTIFICATE C

I certify that:

- I/The applicant* cannot issue a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66(1) of the Act in respect of the accompanying application

I have/The applicant has* given the required notice to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the accompanying application were owners (a) of any part of the land to which the application relates.

Owners (a) name	Address at which notice was served	Date on which notice was served

- I have/The applicant has* taken all reasonable steps open to me/him/her* to find out the names and addresses of the other owners (a) of the land, or of a part of it, but have/has* been unable to do so. These steps were as follows:

(b)

- Notice of the application as attached to this certificate, has been published in

the (c)

on (d)

OR

CERTIFICATE D

I certify that:

- I/The applicant* cannot issue a certificate in accordance with paragraph (a) of Section 66(1) of the Act in respect of the accompanying application

- I have/The applicant have/has taken all reasonable steps open to me/him/her* to find out the names and addresses of everyone else who, at the beginning of the period of 21 days beginning with the date of the application was the owner (a) of any part of the land to which the application relates, but have/has* been unable to do so. These steps were as follows:.

  (b)

- Notice of the application as attached to this certificate, has been published in the (c)

on (d)

) Insert description of steps taken

:) Name of local newspaper circulating in the area where the land is situated.

d) Date of publication (which must not be earlier than the beginning of the period of 21 days ending with the date of the application).

ALL APPLICANTS MUST COMPLETE THIS SECTION

any of the site is part of an rea of land which is let or there ; an agreement to let the land or agricultural purposes to a enant, it may be an agricultural olding. Further advice may be btained from the Department.

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable

If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

- None of the land to which the application relates is, or is part of, an agricultural holding.

OR

- I have/The applicant has* given the required notice to every person other than my/him/herself who, at the beginning of the period of 21 days ending with the date of the application was a tenant of a agricultural holding on all or part of the land to which the application relates, as follows.

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

Signed

On behalf of MR & MRS R REED

Date 4 MAY 2000

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

WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDINGS? e.g residential, industrial etc. If the site is vacant, say so, and also state its previous use and when that ceased.	BOARDING KENNEL AND CATTERY	
DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS?	NO	If yes, show existing route(s) and any proposed alternatives on the plans.
ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED?	YES NO	If so, show their positions, spread and species on the plans and which, if any, are to be felled.
STATE EXTERNAL MATERIALS TO BE USED	TO BE AGREED	
HOW WILL THE SITE BE ENCLOSED? Say whether walls, fences or hedges, and give height, colour and materials etc. If the site is divided into plots, say how each is to be enclosed	EXISTING BOUNDARY WALLS, FENCES AND HEDGES	
HOW WILL SURFACE WATER BE DISPOSED OF?	SOAKAWAYS	
HOW WILL FOUL SEWAGE BE DISPOSED OF?	To existing system: YES If no, please give details:	
WHAT ARE THE ACCESS ARRANGEMENTS? AS EXISTING AS PROPOSED Give details of pedestrian and vehicular access.	AS EXISTING	
HAS PROVISION BEEN MADE FOR THE DISABLED See notes for applicants?	YES AT GROUND FLOOR	

IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS, PLEASE COMPLETE THE FOLLOWING TABLE:

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	1 / 9	/	/
BUNGALOW	/	/	1 / 6
FLAT/MAISONETTE	/	/	/
OTHER	/	/	/

DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE?	NO	If YES, complete Part 2 of the form
DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS: THE DISPOSAL OR MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS?	NO	If YES, please ask for and complete Part 3 of the form
STATE THE FEE ENCLOSED WITH THIS APPLICATION. The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.	£190.00	

eby apply for permission in respect of the particulars described above and in the attached plans and drawings. If planning permission is anted, the development must be carried out strictly in accordance with the approved plans. Failure to do so could result in enforcement tion being taken. Permission under the Town & Country Planning Acts does not obviate the possible need to apply for Building regulations roval.

GNED: _____ ON BEHALF OF: ME & MRS R REED DATE: 4 MAY 2000

ore submitting the application check that it is complete, that all questions have been answered and that the site boundary nd the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate nd fee. See "NOTES TO HELP APPLICANTS".

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

PPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT - TOWN AND COUNTRY PLANNING ACTS

ease answer *ALL QUESTIONS* in *BLOCK LETTERS*. If a question is
t applicable, answer N/A in space. Please submit SIX copies of this
rm and plans to:-
HE DISTRICT PLANNING OFFICER
/OKINGHAM DISTRICT COUNCIL
LANNING DEPARTMENT
.O. Box No. 157
OUNCIL OFFICES
HUTE END
/OKINGHAM
ERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY

	APPLICANT'S NAME	MR AND MRS R REED
	ADDRESS	PINECOPSE NINE MILE RIDE, WOKINGHAM
	POSTCODE	PHONE:
If the applicant has an agent, all correspondence will be sent to the agent	AGENT'S NAME	DAY TANNER PARTNERSHIP
	ADDRESS	11-13 DUKES RIDE CROWTHORNE, BERKSHIRE
	POSTCODE	RG45 6LZ PHONE: 01344 777143
On the plans show the SITE outlined in RED. Show also OTHER land in the applicant's ownership or control in blue:	SITE LOCATION:	PINECOPSE NINE MILE RIDE WOKINGHAM
WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used		REPLACEMENT DWELLING AND GARAGE
Give the area in hectares or part of a hectare	AREA OF SITE	
State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	OWNERSHIP	OWNER
List all the plans and drawings submitted with the application	PLANS/DRAWINGS	1516/01, 02, 03 & LOCATION PLAN

3. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING? Tick the boxes

CHANGE OF USE		REDEVELOPMENT	X
ERECTION OF NEW BUILDING	X	ALTERATION or EXTENSION	

9. WHAT TYPE OF APPLICATION IS THIS ? Tick one box only

OUTLINE PERMISSION		See question 10	
FULL PERMISSION	X		
APPROVAL OF DETAILS/RESERVED MATTERS		State relevant outline permission number.	
TEMPORARY PERMISSION		State period required.	
RELAXATION OF CONDITIONS		State relevant application no.	

10. IF THIS IS AN OUTLINE APPLICATION OR AN APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of this application

		SITING	
EXTERNAL APPEARANCE		DESIGN	
MEANS OF ACCESS		LANDSCAPING	

WOKINGHAM DISTRICT COUNC

APPENDIX 2

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr & Mrs R Reed
C/O Day Tanner Partnership
11-13 Dukes Ride
Crowthorne
Wokingham
Berks
RG45 6LZ

Application Number: F/2000/1366

Parish: **WOKINGHAM WITHOUT**

Location: **Pinecopse, Nine Mile Ride, Wokingham.**

Proposal: **Proposed erection of replacement dwelling and garage.**

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

Reason

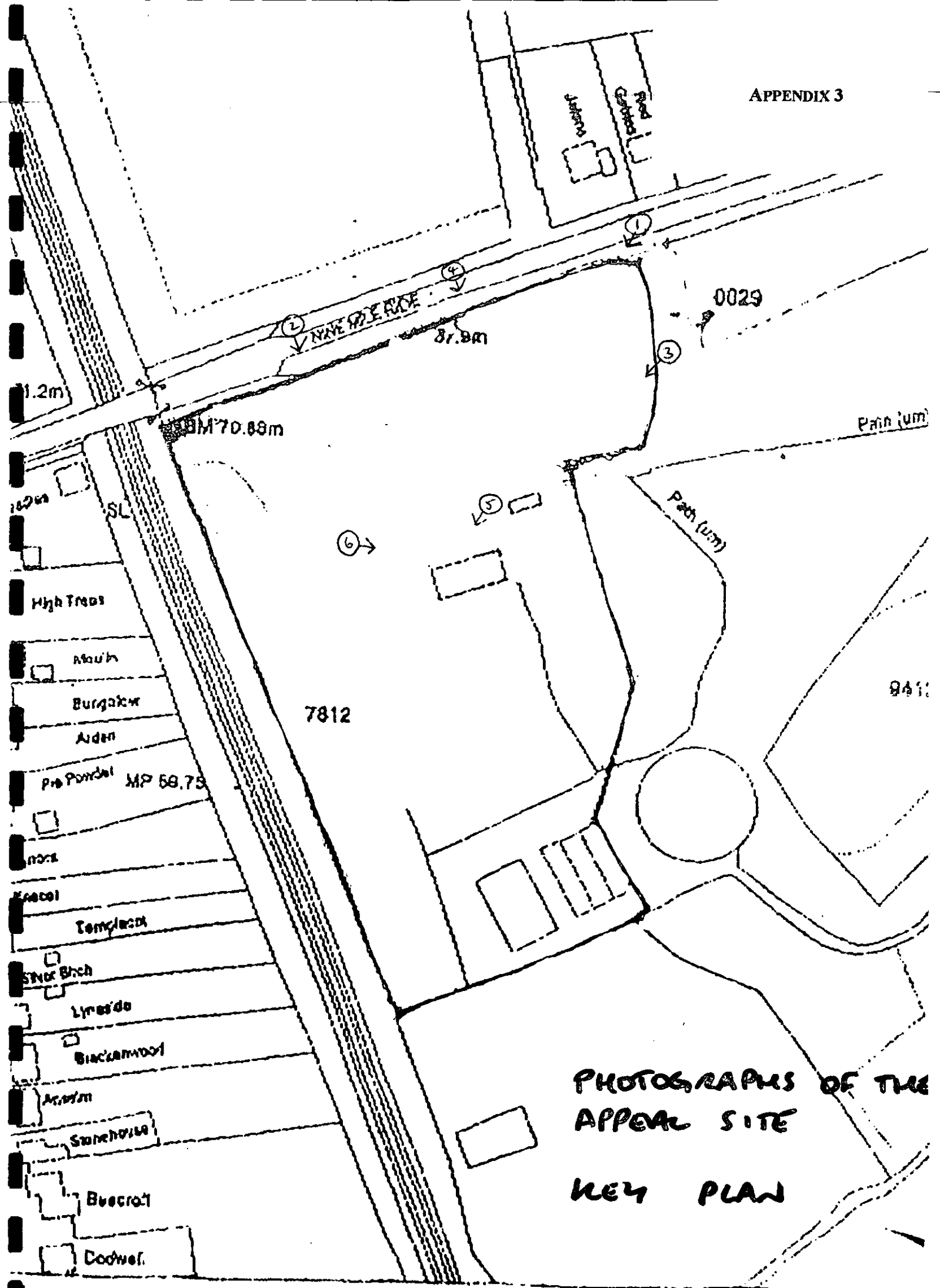
1. The site is outside a settlement boundary. Due to its size, scale, height and massing, the proposed dwelling would be excessive in size and height for a replacement dwelling and would have a detrimental effect on the character and appearance of the area. The proposal would therefore be contrary to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

John Mitchell

John Mitchell
Development Control Manager
Date: 14/06/2000

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

APPENDIX 3



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NOTICE OF CONSENT.

BERKSHIRE COUNTY COUNCIL

Town and Country Planning Act, 1947.

APPENDIX 4

WOKINGHAM RURA
COUNCIL OFFICES,
SHUTE END,
WOKINGHAM,
BERKS.

To Mr. J. R. Havers,
35, Broad Street,
WOKINGHAM. Berks.

Application No. 380/55

Proposal Bungalow, garage and access at Nine Mile Ride,
Wokingham Without.

Acting as Agent on behalf of the Berkshire County Council in pursuance of their powers under the above Act, the Wokingham Rural District Council hereby PERMIT the above development to be carried out in accordance with the application and accompanying plans submitted by you and approved by the Council on the 12th day of July, 1955 subject to compliance with the conditions specified hereunder:—

1. Access to be in accordance with the attached diagram 6ft access 6ft set-back, 6ft splay and to conform with the requirements of Form S.
2. The access to be sited not nearer than 300ft to the bridge over the railway.
3. The house to be occupied in connection with the use of the whole of the area edged red on the deposited plan of approx. 24 acres.

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:—

1. IN THE interests of road safety.
2. THE site is within a rural area unsuitable for general development.

Except as aforesaid any permission granted is subject to due compliance with the byelaws and general statutory provisions in force in the District.

Dated 28 JUL 1955

Clerk of the Council

NOTICE OF CONSENT.

APPENDIX 5

BERKSHIRE COUNTY COUNCIL

Town and Country Planning Act, 1947.

WOKINGHAM RURAL DISTRICT COUNCIL,
COUNCIL OFFICES,
SHUTE END,
WOKINGHAM,
BERKS.

To Mr. J. R. Havers,
Pine Ridge Farm,
St. Sebastians,
WOKINGHAM.

Application No. 457/56

Proposal Nissen type building for the boarding and kennelling of dogs at Pineridge Farm, Nine Mile Ride, Wokingham Without.

Acting as Agent on behalf of the Berkshire County Council in pursuance of their powers under the above Act, the Wokingham Rural District Council hereby PERMIT the above development to be carried out in accordance with the application and accompanying plans submitted by you and approved by the Council on the 19th day of July, 19 56 ~~subject to compliance with the conditions specified hereunder~~

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:—

Except as aforesaid any permission granted is subject to due compliance with the byelaws and general statutory provisions in force in the District.

17 JUL 1956

NOTICE OF CONSENT

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT, 1972

TOWN AND COUNTRY PLANNING ACT, 1971

APPROVED

6 AUG 1979

JM/EH

To: Mr. D.W. Bunce,
"Pinecopse",
St. Sebastians,
Nine Mile Ride,
WOKINGHAM, Berks.

WOKINGHAM DISTRICT COUNCIL,
COUNCIL OFFICES,
SHUTE END,
WOKINGHAM, BERKS.

Application No. 10776

Proposal: New kennel block -
Pinecopse Boarding Kennels, Nine Mile Ride, Wokingham Without

The Wokingham District Council under the above Acts hereby PERMIT the above development to be carried out in accordance with the accompanying plans submitted by you and approved by the Council on the 5th day of July 1979, subject to compliance with the conditions specified hereunder:—

1. The development hereby permitted shall be commenced within five years from the date of this permission.

2. All materials to be used in the elevations of the proposed development shall be as stated on the application form and submitted drawings and shall not be varied without the prior written permission of the District Planning Authority.

3. The building hereby permitted shall be used for no purpose other than the boarding of dogs in connection with the business of Pinecopse Boarding Kennels, Nine Mile Ride, Wokingham Without, without the prior written approval of the District Planning Authority.

INFORMATIVES

Full details of all foul and surface water drainage proposals shall be submitted to and approved by the Wokingham District Council before commencement of the development.

Soakaways shall be designed and constructed in accordance with BRE Digest 151.

Storage and disposal of animal wastes shall be subject to the requirements of the Chief Environmental Health Officer.

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:—

1. This condition is deemed to be attached by virtue of Section 41 (1) of the Town and Country Planning Act, 1971.

2. To ensure that the development will be of satisfactory appearance.

3. For the sake of clarity; and to ensure an appropriate development for this site.

Except as aforesaid any permission granted is subject to due compliance with the byelaws and general statutory provisions in force in the District.

Date 24 JUL 1979

District Secretary

APPENDIX 7

NOTICE OF CONSENT

WOKINGHAM DISTRICT COUNCIL

AT/MI

LOCAL GOVERNMENT ACT, 1972

TOWN AND COUNTRY PLANNING ACT, 1971

To: Mr L Bunce
Pinecopse
St Sebastians
Nine Mile Ride
Wokingham

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BN

Application No. 20679 (F)

Proposal - Erection of timber shed for use as office in connection with kennels -
Pinecopse Boarding Kennels, St Sebastians, Nine Mile Ride, Wokingham Without.

The Wokingham District Council under the above Acts hereby FIRMLY the above development to be carried out in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

1. The development hereby permitted shall be commenced within five years from the date of this permission.

REASON - This condition is deemed to be attached by virtue of Section 41(1) of the Town and Country Planning Act, 1971. (1)

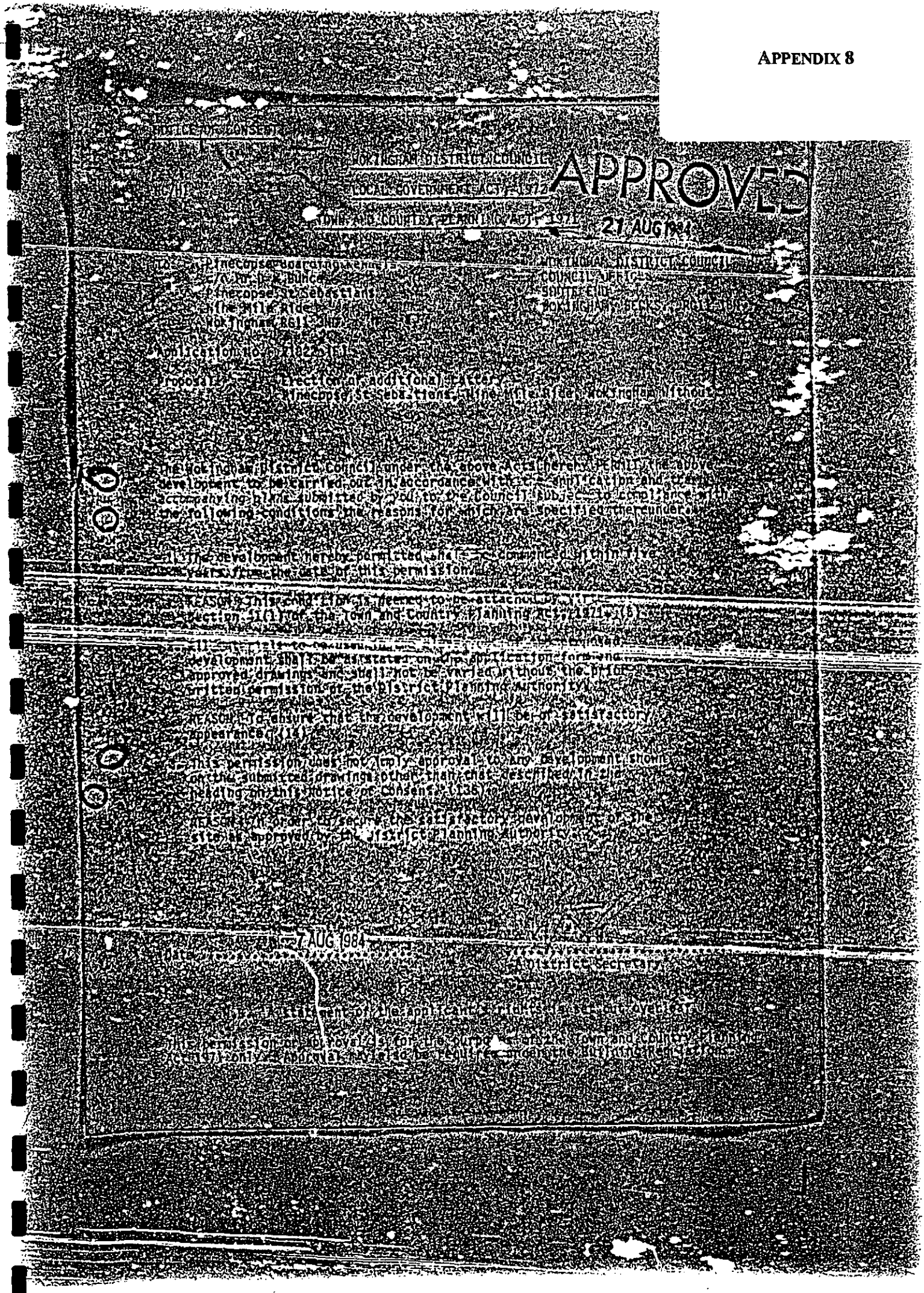
Date 21 MAR 1984

District Secretary

N.B. A statement of the applicant's rights is set out on Plan.

This permission or approval is for the purposes of the Town and Country Planning Act 1971 only. Approval may also be required under the Building Regulations.

APPENDIX 8



NOTICE OF CONSENT

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT, 1972

TOWN AND COUNTRY PLANNING ACT, 1971

APPROVED

21 AUG 1984

To: Pinecopse Boarding Kennels
c/o Mr. D. K. Bunce
Pinecopse St Sebastians
Nine Mile Ride
Wokingham RG11 3NG

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BECKS, RG11 1BN

Application No. 21822 (E)

Proposal: Erection of additional cattery
Pinecopse St Sebastians, Nine Mile Ride, Wokingham Without

The Wokingham District Council under the above Acts hereby PERMIT the above development to be carried out in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

1. The development hereby permitted shall be commenced within five years from the date of this permission.

REASON: This condition is deemed to be attached by virtue of Section 41(1) of the Town and Country Planning Act, 1971 (6).

2. All materials to be used in the [illegible] development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the District Planning Authority.

REASON: To ensure that the development will be of satisfactory appearance (14).

3. This permission does not imply approval to any development shown on the submitted drawings other than that described in the heading on this Notice of Consent (136).

REASON: In order to secure the satisfactory development of the site as approved by the District Planning Authority.

Date 7 AUG 1984

District Secretary

N.B. A statement of the applicant's rights is set out overleaf.

This permission or approval is for the purposes of the Town and Country Planning Act 1971 only. Approval may also be required under the Building Regulations.

APPROVED

27 FEB 1987

PLANNING PERMISSION

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT, 1972

TOWN AND COUNTRY PLANNING ACT, 1971

To: MR D W BUNCE
PINECOPSE
ST SEBASTIANS NINE MILE RIDE
WOKINGHAM
BERKS

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BN

Application No.26840 (F)

Proposal:
ERECTION OF A NEW CATTERY
PINECOPSE BOARDING KENNELS NINE MILE RIDE WOKINGHAM
WITHOUT

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.(5)

01 REASON This condition is deemed to be attached by virtue of Section 41(1) of the Town and Country Planning Act, 1971.(3R)

02 All materials to be used in the elevations of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the District Planning Authority.(14)

02 REASON To ensure that the development will be of satisfactory appearance.(9R)

03 The building hereby permitted shall not be used for any purpose other than as a cattery in connection with the business of Pinecopse Boarding Kennels, Nine Mile Ride, without the prior written permission of the District Planning Authority.

03 REASON : For the sake of clarity and to ensure an appropriate development of the site.

04 The vehicle parking spaces shown on the approved layout shall be provided on the site to the satisfaction of the District Planning Authority before the development is completed and the spaces shall be kept

continued/-

Application 26840 continued

continuously available for parking.

04 REASON In the interests of road safety.(550R)

Date.....

24 FEB 1987

.....
District Secretary

N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planning Act 1971 only. Approval may also be required under the Building Regulations.

INFORMATIVE: If this planning permission relates to the erection or extension of a building, then the following section applies:-

BERKSHIRE ACT 1986- SECTION 32: ACCESS FOR FIRE BRIGADE

(1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-

(a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1971, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act of 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

APPROVED

31 MAY 1988

D EG

PLANNING PERMISSION

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1971

To: MR D W BUNCE
PINECOPSE BOARDING KENNELS
ST SEBASTIANS,
NINE MILE RIDE
WOKINGHAM, BERKSHIRE RG11 3ND

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BD

Application No.30347 (F)

Proposal:
REPLACEMENT AT EXISTING KENNEL BLOCK
PINECOPSE BOARDING KENNELS NINE MILE RIDE WOKINGHAM
WITHOUT

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.(5)

01 REASON This condition is deemed to be attached by virtue of Section 41(1) of the Town and Country Planning Act, 1971.(3R)

02 All materials to be used in the elevations of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the District Planning Authority.(14)

02 REASON To ensure that the development will be of satisfactory appearance.(9R)

03 The total floor area of the proposed replacement kennel block shall not exceed 400 sq ft.

03 REASON To prevent an undesirable intensification of buildings in a rural area.

04 Notwithstanding the provisions of the Town and Country Planning General Development Order, 1977 (or any order revoking and re-enacting that order) the exterior paintwork shall be only of a colour (or colours) which has first been approved in writing by the District Planning Authority.(37)

continued/-

Application 30347 continued

04 REASON To avoid a building of unsatisfactory appearance by the use of paint of an inappropriate colour.(18R)

05 The proposal shall be in replacement of the kennel block which exists on the site. The existing kennel block shall be completely demolished prior to the erection of the new kennel block hereby approved.(3615)

05 REASON To prevent an overdevelopment of the site and in the interests of amenity.(97R)

06 There shall be no increase in the number of dogs boarded on the site without the prior written permission of the District Planning Authority.

06 REASON To prevent an undesirable intensification of the use of the site and in the interests of amenity.

Date 06 MAY 1988 R F Wilson
Planning Officer

N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planning Act 1971 only. Approval may also be required under the Building Regulations.

INFORMATIVE: If this planning permission relates to the erection or extension of a building, then the following section applies:-

BERKSHIRE ACT 1986- SECTION 32: ACCESS FOR FIRE BRIGADE

(1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-
(a)that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and
(b)that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1971, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act of 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section may appeal to a magistrates' court.

continued/-

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

APPENDIX 11

APPROVED

PLANNING PERMISSION

WOKINGHAM DISTRICT COUNCIL 4 JUL 1994

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: J.BUNCE
C/O TALBOT & ASSOCIATES
CASTLE HOUSE
WILLOW DRIVE
TWYFORD

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BN

Application No.42445 (F)

Proposal:
TEMPORARY PERMISSION FOR RETENTION OF MOBILE HOME.CHANGE OF USE OF LAND FROM AGRICULTURAL TO EQUESTRIAN USE
PINE COPSE BOARDING KENNELS, NINE MILE RIDE, WOKINGHAM WITHOUT

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.(N4)

01 REASON This condition is deemed to be attached by virtue of Section 91(1) of the Town and Country Planning Act 1990.(N4R)

02 The mobile home hereby permitted shall be removed from the land and the land restored to its former condition on or before 30.06.97.

02 REASON The site is within an area where a dwelling would not normally be permitted and permission has only been granted on a temporary basis in order that the need for a dwelling and viability of the use can be adequately assessed when taking into account the fact that the equestrian facility is not yet in operation.

03 The occupation of the mobile home hereby permitted shall be limited to a person solely or mainly employed in connection with the use, maintenance and management of the Equestrian and Boarding Kennel activities hereby permitted and the dependants of such a person residing with him or her.

03 REASON The site is in an area where a dwelling would not normally be permitted and the proposal is justified only to meet a specific need.

04 Development shall not be commenced until the existing site junction with

continued/-

Nine Mile Ride has been upgraded to include 10 metre radii and a 5.5 metre access road width, in accordance with a plan to be submitted to and approved by the Local Planning Authority. The development shall not be brought into use until the junction has been constructed in accordance with the approved plan and the requirements of the Highway Authority for works carried out within the Public Highway.

04 REASON In the interests of road safety and traffic movement.

05 No development shall be commenced until visibility splays of 2 metres by 140 metres (west) and 160 metres (east) have been provided at the centre of the site access junction with the B3430 Nine Mile Ride. These visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 1 metre above carriageway level.

05 REASON To provide adequate visibility between the existing highway and the site access and to make the access safe and convenient for the traffic which is likely to use it.

06 Development shall not be commenced until the existing drive between Nine Mile Ride and the proposed mobile home and equestrian centre has been widened in accordance with a plan to be submitted to and approved by the Local Planning Authority. The development shall not be brought into use until the access road has been contructed in accordance with the approved plan.

06 REASON In the interests of providing safe, unobstructive access to the Equestrian Centre, mobile home and cattery.

07 The mobile home shall not be occupied or the equestrian centre brought into use until a parking and turning area for vehicles visiting the development has been constructed in accordance with a plan to be submitted to and approved by the Local Planning Authority.

07 REASON In order to minimise danger, obstruction and inconvenience to users of the development and the highway.

08 Further details of the floor plans and elevations of the proposed stables and loose boxes shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

08 REASON As no further details have been provided.

09 Notwithstanding the details shown on the planning application the exact location of the stable building and loose box shall be agreed on site with a representative of the District Planning Authority prior to the commencement of development.

09 REASON In order to ensure retention of the best trees and to preserve the wooded character of the locality.

10 Prior to the commencement of development the precise trees to be removed shall be agreed on site with a representative of the District Planning Authority.

continued/-

10 REASON In order to ensure retention of the best trees and preserve the wooded character of the locality.

11 Prior to the commencement of development details of fencing to provide proper protection to trees from damage by horses shall be submitted to and approved in writing by the District Planning Authority.

11 REASON To ensure the proper protection of trees which contribute to the wooded character of the area.

INFORMATIVES:-

The Technical Director (Highways Development Control & Street Works) of the Babtie Group Public Services Division should be contacted at Shire Hall, Shinfield Park, Reading RG2 9XG Tel: 0734-234670 to agree the access construction details before any work is carried out within the highway. (HI2)

The Developer or Agent is requested to contact the Council's Engineer regarding the following informative(s). (669)

Full details of all foul and surface water drainage proposals shall be submitted to the Council's Engineer and approved by the District Council before commencement of the development. (671)

Soak-aways shall be designed and constructed in accordance with Building Research Establishment Digest 151. (679)

The developer is required to obtain the consent of the National Rivers Authority (Senior Ground Water Protection Officer, Thames Region, Denton House, Iffley Turn, Oxford OX4 4HU) for the installation and use of a septic tank or other form of treatment plant for the disposal of sewage. (682)

The existing public sewer which crosses the site is clear of the proposal. (697)

No building will be permitted over or within 3 metres of the public pumping main which crosses the site. (701)

No public foul sewer available. (702)

The use of soakaways is subject to satisfactory testing in accordance with Building Research Establishment Digest No. 151. (708)

continued/-

Application 42445 continued

Date 30 JUN 1994

R.F.Wilson
District Planning Officer

N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planning Act 1990 only. Approval may also be required under the Building Regulations.

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

INFORMATIVE: If this planning permission relates to the erection or extension of a building, then the following section applies:-

BERKSHIRE ACT 1986- SECTION 32: ACCESS FOR FIRE BRIGADE

(1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-

(a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1971, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

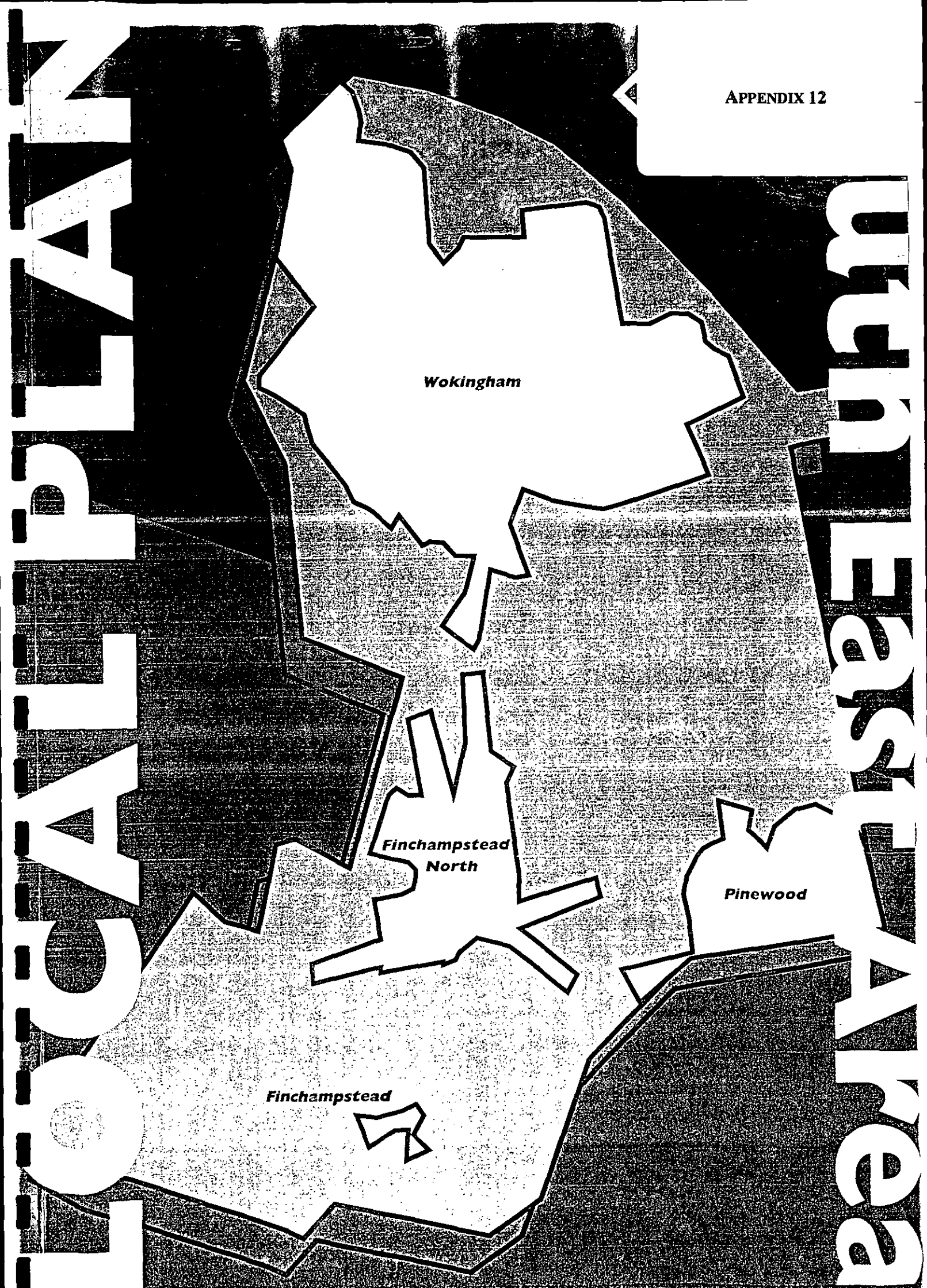
(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act of 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

LOCAL PLAN

South East Area



❖ STV1 'IDENTIFIED SETTLEMENTS'

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

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

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

❖ STV2 DEVELOPMENT IN RURAL AREAS

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

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

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

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

(D) MINERAL EXTRACTION,

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

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

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

AGRICULTURAL BUILDINGS AND OTHER STRUCTURES IN RURAL AREAS

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

REDEVELOPMENT AND EXTENSIONS IN RURAL AREAS

1.3.50 Within rural areas existing buildings will be the subject of proposals for redevelopment or extension. In some cases these will be large residential properties set in extensive grounds. There will be a presumption in favour of a continuation of residential use, in accordance with policy SH3, especially where the buildings are of architectural and historical importance. In some cases larger properties may be converted into smaller self-contained units in accordance with policy SH4. This will provide for the growing number of smaller households.

1.3.51 If continued use, refurbishment or conversion to smaller units are not feasible then the Council will consider favourably redevelopment for residential purposes, unless the buildings are of architectural importance. The replacement of dwellings that have reached the end of their useful life (generally by larger buildings) can have a significant impact on the open and/or rural character of an area, by increased visual presence or increases in ancillary features (such as fences, walls) etc. For this reason the District Council, in considering proposals for replacement dwellings, will have regard to visual impact, the need to maintain a range of house types and sizes in the rural area and the need to protect rural amenities. Any redevelopment should not normally provide for a larger number of separate units than that already existing on the site, occupy a larger area of the site, nor exceed the height of the existing buildings. The location of the new buildings should be decided having regard to the main features of the landscape and the need to minimise the impact of new development and integrate it with its surroundings. The amenity value of the site should be retained by preserving mature trees and keeping or laying out landscaped areas.

❖ SC18 REPLACEMENT DWELLINGS IN RURAL AREAS

THE REPLACEMENT OF EXISTING DWELLINGS IN RURAL AREAS MAY BE PERMITTED PROVIDED THAT:

A) THE EXISTING BUILDING IS NOT OF ARCHITECTURAL OR HISTORIC INTEREST.

B) THE SITING AND DESIGN OF THE NEW DEVELOPMENT HAS THE MINIMUM IMPACT ON THE RURAL ENVIRONMENT AS REQUIRED BY POLICY SC15.

C) THE SIZE OF THE NEW DEVELOPMENT WILL NOT SIGNIFICANTLY EXCEED THAT OF THE EXISTING PROPERTY BOTH IN HEIGHT AND FLOOR AREA AND, WHERE APPROPRIATE, IN NUMBERS OF SEPARATE UNITS.

APPENDIX 13



Wokingham District Local Plan

Deposit Draft 1997

Consolidated Document
November 1999

November 1999

THE COUNTRYSIDE

Development in the Countryside

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

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

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

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

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

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

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

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

CONT.

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

A) DEVELOPMENT FOR AGRICULTURE/FORESTRY

B) OUTDOOR SPORT/COUNTRYSIDE RECREATION

C) LOCAL COMMUNITY FACILITIES WHICH CANNOT BE LOCATED ELSEWHERE

D) RE-USE AND ADAPTATION OF EXISTING BUILDINGS

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

Cont.

F) REDEVELOPMENT PROPOSAL IN THE COUNTRYSIDE

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

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

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

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

Implementation: The development control process.

Monitoring: Planning applications determined within each category.

Separation of Settlements by Green Gaps and Wedges

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

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

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

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

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

POLICY WCC7: EXTENSIONS TO DWELLINGS IN THE COUNTRYSIDE (OUTSIDE THE METROPOLITAN GREEN BELT)

EXTENSIONS TO DWELLINGS IN AREAS OUTSIDE BUILT-UP AREAS AND SETTLEMENT BOUNDARIES SHOULD BE ACCEPTABLE IF:

A) THERE ARE NO ADVERSE VISUAL, PHYSICAL OR ECOLOGICAL IMPACTS ON THE UNDEVELOPED CHARACTER OF THE SURROUNDING COUNTRYSIDE

B) THERE IS NO SIGNIFICANT ALTERATION TO THE SCALE OF THE DWELLING AND THE SCALE OF DEVELOPMENT ON SITE

C) THE DESIGN RESPECTS THE CONTEXT OF THE DEVELOPMENT, INCLUDING LOCAL OR REGIONAL BUILDING TRADITIONS AND MATERIALS.

Implementation: The development control process.

Monitoring: Planning applications determined.

PROTECTING AND MANAGING THE LANDSCAPE

INTRODUCTION

2.43 The policies that form part of the landscape section of this chapter will apply throughout the local plan area irrespective of whether it is within or outside the Metropolitan Green Belt. The retention of natural beauty and landscape diversity requires that any development should be carried out in harmony and sympathy with its surroundings. The aim of the landscape policies is not only to screen development but to maintain and enhance the natural beauty and diversity of the landscape appropriate to its location.

2.44 Landscape is important because it is:

a) an essential part of our natural resource base
b) a reservoir of archaeological and historical evidence
c) an environment for plant and animal communities
d) a human habitat, evoking sensual, cultural and spiritual responses.

2.45 The term 'landscape' refers to the visual appearance of the land including its shape, form and colours. It reflects the way in which various components combine that are often distinctive in particular localities. The influence of geology, topography, soils, archaeology, landscape history, land use, ecology, architecture and cultural associations give a landscape value, experience and character.

2.46 Assessing the impacts on the landscape should involve an assessment of the component types, i.e. landform, land cover and the landscape elements, which terms are now described.

Landform: integrates information on geology and soils as well as the natural drainage pattern of the area of which the proposed development site forms part. It will include the shape of the land surface and levels, i.e. soils, water, climate.

The Planning Inspectorate

APPENDIX 14

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line
Switchboard
Fax No
GTN
E-mail ENQUIRIES.PINS@GTNET.GOV.UK

Development Land & Planning Consultants Ltd
Ritz Plaza House
10 Denton Road
WOKINGHAM
Berkshire
RG40 2DX

RECEIVED
- 2 OCT 1998

Your reference:
BKS/171
Our reference:
T/APP/X0360/A/98/297281/P8
Date:
01 OCT 1998

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY D HOWE
APPLICATION NO:- 98/67185/F

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your client's appeal against the decision of the Wokingham District Council to refuse planning permission for the demolition of the existing dwelling and outbuildings and the erection of a replacement dwelling and detached garage at Oakview, Park Lane, Finchampstead. I have considered all the written representations together with all other material submitted to me. I inspected the site on 15 September 1998.

2. From what I saw on my visit, and from my reading of the written representations, I consider the issue in this case is the effect of the proposal on the rural character of the area.

3. The development plan is the Berkshire Structure Plan, adopted in 1995, and the South East Area Local Plan, adopted in 1994. Relevant policies allow the replacement of existing buildings. Policy SC1 of the Local Plan seeks to maintain a clear separation between settlements within the plan area, while Policy SC18 allows the replacement of dwellings in rural areas, subject to certain criteria.

4. A district-wide Local Plan is has reached deposit stage, and carries weight as a material consideration commensurate with its progress towards adoption. Policy WCC2 continues the policy of maintaining separation of settlements and seeks to resist development in green wedges which would detract from their open countryside appearance and character. There is no policy on replacement dwellings, although reference is made to Policy WCC7, dealing with extensions to dwellings in the countryside, which will be acceptable provided there is no significant alteration to the scale of the dwelling and the scale of development on site.

5. Local Plan Policy SC18 sets out three criteria for replacement dwellings. Firstly, the building to be replaced is not of architectural or historic interest. This is the case here.

Secondly, the siting and design of the new development should have minimum impact on the rural environment. The proposed dwelling would be for the most part screened from the road by the hedge, and would occupy a similar position within the site as the existing bungalow. The key criterion is therefore the third, which is whether the size of the new development will significantly exceed that of the existing property both in height and floor area.

6. Oakview is a bungalow with a high ridge height. The proposed replacement two-storey dwelling would have a ridge height slightly lower than that of the existing bungalow, but its floor area would be considerably larger, although you point out that the actual increase would be less if permitted development rights to extend the roof of the bungalow were taken up.

7. In assessing whether the proposed new dwelling would 'significantly' exceed the size of the existing property, in terms of height and floor area, some guidance is given by what has been permitted on the adjoining site, 'Norton', where a replacement chalet bungalow is under construction. You point out that the floor area of the new building is over 300 percent larger than the original dwelling, comparable to what is proposed at Oakview.

8. The explanatory text to Policy SC18 refers to replacement dwellings not occupying 'a larger area of the site' than the building being replaced. In this case, the new building would have a footprint broadly comparable with that of the existing buildings being replaced.

9. Taking these points into account, it seems to me that what is now proposed would not significantly exceed the height and floor area of the existing property. It would therefore satisfy the requirements of Policy SC18. I conclude that the proposal would not adversely affect the rural character of the area, and would accord with relevant local planning policies.

10. I shall therefore allow this appeal. I consider, however, that permission should be subject to a number of conditions. In particular, to maintain the rural character of the area, permitted development rights for extensions should be withdrawn. I shall also impose conditions requiring a landscaping scheme and would expect the scheme to pay particular attention to the western boundary of the property where the existing garages are to be removed. I shall also require, as suggested by the council, that the garage, parking and turning areas be kept available for these purposes in the interests of highway safety, and that the hours of construction work be limited to protect the amenities of neighbouring residents.

11. I have considered all the other matters raised in the representations, but, in my opinion, none are sufficient to outweigh the factors which have led to my decision.

12. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the demolition of the existing dwelling and outbuildings and the erection of a replacement dwelling and detached garage at Oakview, Park Lane, Finchampstead in accordance with the terms of the application no. 98/67185/F dated 19 February 1998 and the plans submitted therewith, subject to the following conditions:

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

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

3. all planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation

4. no construction work shall take place outside the hours of 0700 to 1900 on Mondays to Fridays and 0700 to 1330 on Saturdays. There shall be no construction work on Sundays or Bank Holidays

5. notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order), no development within Classes A, B and C of Part 1 of Schedule 2 shall be carried out without the prior approval of the local planning authority to an application on that behalf

6. the areas shown on the approved drawing for vehicular parking, garaging and turning shall be kept available for such use and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that order), shall be carried out on the land so shown or in such a position as to preclude vehicular access to these areas

13. These conditions require further matters to be agreed by the local planning authority. There is a right of appeal to the Secretary of State if they refuse any such application, fail to give a decision within the prescribed period, or grant a conditional approval.

14. This letter only grants planning permission under Section 57 of the Town and Country Planning Act 1990. It does not give any other approval or consent that may be required.

Yours faithfully

Peter Horridge

P G HORRIDGE BSc DipTP FRICS MRTPI
Inspector

PLANS

Appeal Plans

A. 1516/01 – site plan

B. 1516/02 – proposal plans and elevations

C. 1516/03 – garage plan and elevations

D. Location plan – 1:2500 scale

Other Applications

E. 380/55 – location plan

F. 380/55 – elevations and floor plan

G. 457/56 – elevations and floor plan

H. 10776 – location plan

I. 10776 – perspective drawing

J. 10776 – floor plan

K. 20879 – location plan

L. 21822 – site plan

M. 21822 – location plan

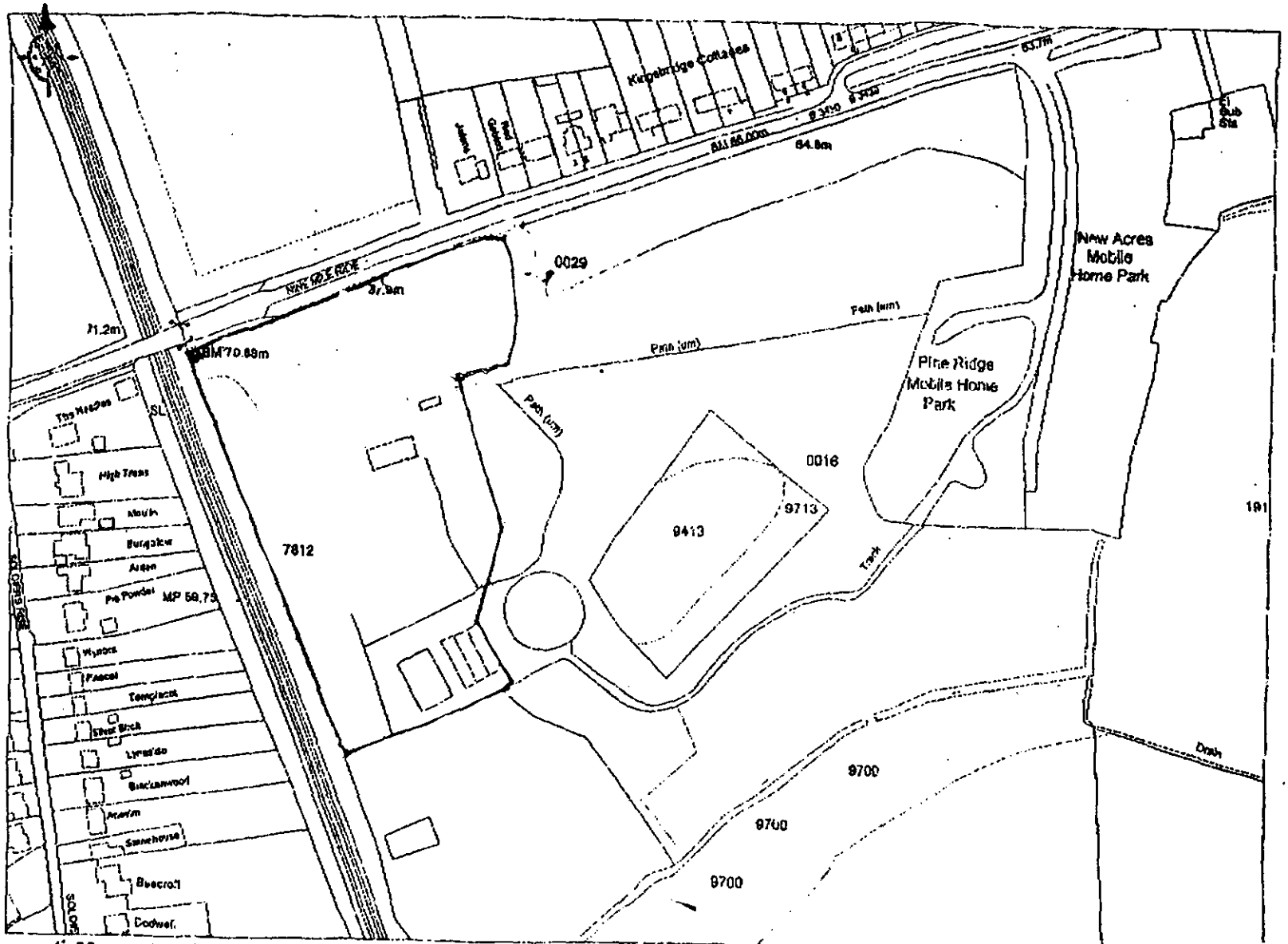
N. 26840 – location plan

O. 26840 – perspective drawing

P. 42445 – location plan

Q. 1123/02 – Oakview, Park Lane, Finchampstead

PINE COPSE, NINE MILE RIDE, WOKINGHAM.



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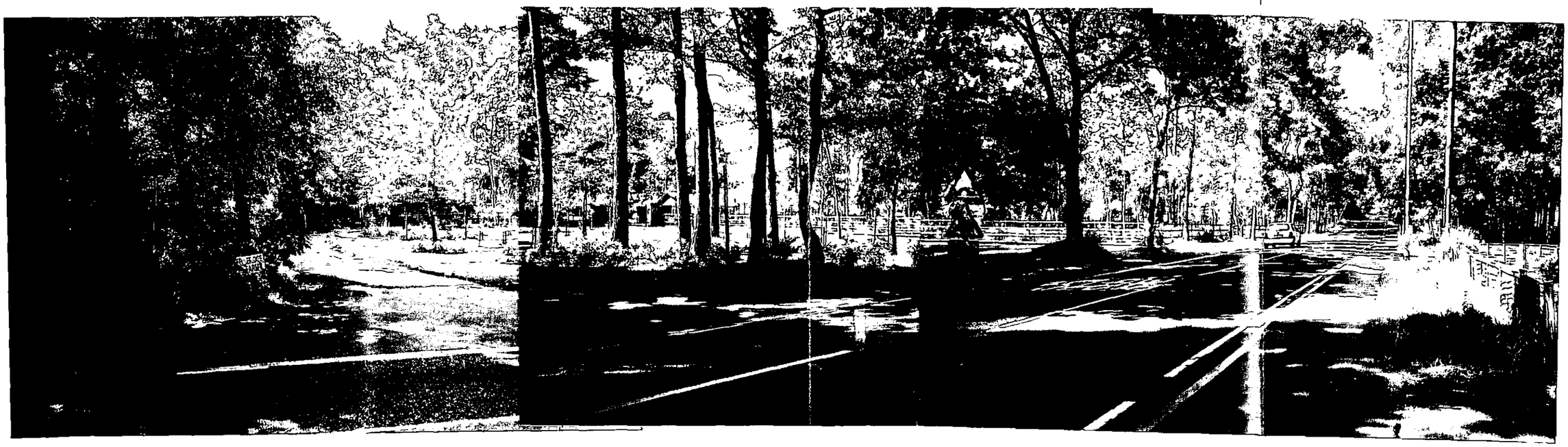
(Scales other than at Survey Scale should not be used for accurate measurement). Business occupancy data ©2000 Thomson Directories Ltd

OS Ordinance Survey
Value Added Reseller

PLAN D



PHOTOGRAPH 1



PHOTOGRAPH 2



PHOTOGRAPH 3



PHOTOGRAPH 4



PHOTOGRAPH 5



PHOTOGRAPH 6