APPLICATION NO:
F/2002/6718

LOCATION:
90 The Delph, Lower Earley Reading.

APPLICANT:
Dr & Mrs Stow C/O Nicholas J Bundy

PROPOSAL:
Proposed 2 storey side extension to dwelling and 2 storey rear extension.

EARLIEST DATE FOR DECISION: **27/07/2002**

APPLICATION WILL HAVE EXPIRED ON:
16/08/2002

CASE OFFICER: **Phillip Taylor**

659

D1

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Dr & Mrs Stow
C/O Nicholas J Bundy
Woolhampton Design Centre
Station Road
Woolhampton
Reading
Berks
RG7 5SE

Application Number: F/2002/6718

Parish: **EARLEY**

Location: **90, The Delph, Lower Earley, Reading.**

Proposal: **Proposed 2 storey side extension to dwelling and 2 storey rear extension.**

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

Reason
1. The proposed extension by nature of its bulk, massing and siting would form an overbearing presence to the detriment of the amenity of the adjacent occupiers at No. 91 The Delph. As such the proposal is contrary to policy LBE2 of the Loddon Area Local Plan and policy WOS3 of the Wokingham District Local Plan (Deposit Draft).

Informative
1. The applicants are invited to discuss with the Local Planning Authority details for a revised scheme.

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

Berkshire Structure Plan Policies LD3 and EN1.
Loddon Area Local Plan Policies LBE1 and LBE2.
Deposit Draft Wokingham District Local Plan Policies WOS3 and WBE1.

T. G Watson

Trevor Watson
Development Control Manager
Date: 14/08/2002

Notice checked by: _____

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

Appeal Decision

Site visit made on 17 February 2003

by Roger Dean BSc DipTP MRTPI

an Inspector appointed by the First Secretary of State

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

Date

27 FEB 2003

Appeal Ref: APP/X0360/A/02/1101898
90 The Delph, Lower Earley, Reading

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Dr and Mrs Stow against the decision of Wokingham District Council.
- The application ref: F/2002/6718, dated 22 May 2002, was refused by notice dated 14 August 2002.
- The development proposed is a 2 storey side extension and a second storey rear extension.

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

Procedural matter

1. Although the application proposes a second storey rear extension, this element replaces a current conservatory and is a 2 storey addition. There are also minor single storey elements in the proposed scheme. I shall therefore determine the appeal as relating to proposed 2 storey extensions to the side and rear of the dwelling, including single storey additions.

Main Issue

2. I consider that the main issue in this appeal is the effect of the proposed development on the living conditions of the occupiers of the adjoining dwelling at no. 91 The Delph.

Development Plan and other Planning Policies

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006 and the Loddon Area Local Plan, adopted in 1995. Structure Plan Policies EN1 and LD3, taken together with Local Plan Policy LBE1, say that new development should enhance the quality of built-up areas, contributing to an attractive living environment and not giving rise to an unacceptable impact on the amenities of neighbouring land uses. Policy EN1 also indicates that development must be appropriate in scale and form. Local Plan Policy LBE2 says that these criteria, together with measures including siting and massing, are to be taken into account when considering the effect of proposals on adjoining sites and buildings. It states that inappropriate proposals will not normally be permitted.

4. The thrust of these policies is proposed to be taken forward in Policies WOS3 and WBE1 of the Wokingham District Local Plan. The Council has referred me to the deposit draft version which, as amended, was considered before a Local Inquiry commencing in 1998. The only changes to these policies recommended by the Inquiry Inspector have no bearing on this appeal. I consider therefore that these policies in the emerging Plan should be given significant weight.

Reasoning

5. The appeal property is a linked detached dwelling situated in a modern 2 storey residential estate. The adjoining house at no 91 The Delph is of a different design but the front and rear walls align with those of the appeal property. The two houses are linked by their garages which are set back from the frontages and project beyond the rear walls of each house.

6. The main elements of the proposal are two storey extensions at the side and at the rear of the property. The local planning authority does not object to the former. At the rear, the 2 storey extension, replacing the conservatory, would project a distance of 3.5 metres from the house itself. It would be of the same scale and form as the present house with similar design details. A small single storey extension to the garage is also proposed.

7. The main 2 storey element at the rear would be separated from the adjoining house by the width of the two garages. In view of its siting and the amount of projection, I do not consider that the proposed extension would appear unduly bulky or that its massing would otherwise have an overbearing impact on the neighbouring premises.

8. Having visited this adjoining property, I saw that there is a private sitting out area at the rear of the house. However, it is already overshadowed, being on the north side of the dwelling and partly screened by the projecting rear part of the garage. Although the proposed extension may obscure some sunlight in the garden, this would not to my mind have a serious effect on living conditions. Having also viewed the site from the ground and first floor windows of the adjoining house, I do not consider that there would be any material loss of daylight caused by the proposed development. The only window in the proposed extension facing these premises is of a high level type which would not give rise to any significant overlooking.

9. I conclude therefore that the proposed development would not harm the living conditions of the adjoining occupiers at no. 91 The Delph and would not conflict with the policies of the Development Plan which I have identified.

Other considerations

10. I noticed several instances in the area of staggered frontages where a 2 storey element of one house projects beyond the front or rear line of an adjacent dwelling. Because of this, I do not consider that the extension would appear unusual. I also saw a variety of house types and sizes in the area. The use of similar design features and material finishes give the estate an orderly appearance and the proposed development reflects these details. For these reasons, I do not consider that the enlarged dwelling would appear out of place with its surroundings.

Conclusion

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

Conditions

12. With regard to those conditions suggested by the Council, I consider that matters

relating to vehicle parking and the use of the garage are not relevant to the proposed development since the garage already exists and the scheme merely proposes a small utility area extension to it. I also consider that a condition requiring matching materials is unnecessary since these details have already been indicated in the application.

13. In addition to the statutory condition on time limits, I shall however impose a condition similar to that suggested by the Council restricting any further first floor window openings on the eastern elevation of the proposed extension, in order to protect privacy in the adjoining dwelling.

Formal Decision

14. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for 2 storey extensions to the side and rear of the dwelling including single storey additions at 90 The Delph, Lower Earley, Reading in accordance with the terms of the application, ref. F/2002/6718 dated 22 May 2002, 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 decision.

    2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or openings other than that expressly authorised by this permission shall be constructed on the eastern elevation.

Information

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

16. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

INSPECTOR

WORK SHEET FOR : Phillip Taylor

Application Number : F/2002/6718

Applicant : Dr & Mrs Stow C/O Nicholas J Bundy.

Location : 90, The Delph, Lower Earley, Reading.
Proposal : Proposed 2 storey side extension to dwelling and 2 storey rear extension.

Site Notice Displayed ? :

YES	NO	DATE
✓		23/07

Date of Neighbour Notifications : .....

Date of Site Visit : 23/07/02

Date Registered : 21/06/2002

Earliest Date for Decision : 27/07/2002

Latest Consultation Date/Site Notice Expiry Date : 27/07/2002

This application will have expired on: 16/08/2002. You need to make a decision 1 day prior to this date for this application to count as determined in less than 8 weeks.

Consultation Responses :

Earley Town Council - overdevelopment, unneighbourly - Should be refused

x1 Comment from neighbour - objection : access during construction.

Planning Issues :

Impact on Neighbours & Streetscene

Policy LBE1, LBE2
WOS3, WBE1
LD3, EN1

Application Number: F/2002/6718

Appraisal :

The applicant proposes a two storey side and two storey rear extensions to the property.
The side element would replace the porch entrance to the house, projecting 3.0m from the west wall and 5.0m wide. The roof would be set slightly lower than the main roof and be gabled. Bedroom windows would be inserted in the north and south sides.
This element is not considered to have an adverse impact on neighbouring or streetscene. The neighbouring property (87-89) are set some 15.0m away and would not be overlooked or overpowered unduly.
The two storey rear extension would project 3.5m from the back wall of the dwelling and be 5.5m wide on the north flank with a single storey element enlarging the base width to 7.0m. A bathroom window would face west onto the garden (bedroom 3). A high level window would be inserted facing East.
While this element complies with daylight standards to the adjacent neighbour No 91 it is considered to have an overbearing presence with the 3.5m projection. This overbearingness is unacceptable and warrants refusal of the application.

This rear element would not have adverse impact on the streetscene.

There is parking available on site for 3 cars (inc the garage), provided the garage is retained for parking there would be no problem.

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



Application Number F/2002/6718
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			The proposed two storey side ext
			~~two storey rear~~ extension by nature
			of its bulk, massing and siting
			would form an overbearing presence
			to the detriment of the amenity
			of the adjacent ~~dwelling~~ occupiers at
			No 91 The Delph. As such the
			proposal is contrary to policy
			LBE2 of the LALP and policy
			WOS3 of the WDLP (dd).
			informatives
			The applicants are invited to
			discuss with the LPA details for a
			revised scheme

Informative for approvals	
N16	
LODDON AREA LOCAL PLAN POLICIES:	LBG1, LBE2
SOUTH-EAST AREA LOCAL PLAN POLICIES:	
WOKINGHAM DISTRICT LOCAL PLAN POLICIES:	WOS3, WBE1
GREEN BELT LOCAL PLAN POLICIES:	
BERKSHIRE STRUCTURE PLAN POLICIES:	LD3, EN1
MINERALS LOCAL PLAN POLICIES:	

RECOMMENDATION AND CONDITIONS/REASONS AGREED: Rp J.S. Andrews
(Development Control Manager)

Date: 14.8.02

RECORD OF SITE VISIT

SITE ADDRESS: 90 The Delph Lower Earley Reading. APPLICATION NUMBER: F/2002/6718	OFFICER: Phillip Taylor DATE OF SITE VISIT:.....

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes

2. DESCRIPTION OF SURROUNDINGS

3. DESCRIPTION OF SITE/BUILDING

Bed window alreds face
87 + 88 etc

3 small little [illegible] [illegible] gage
[illegible] [illegible] [illegible]
lge shed in back NE corner

4. RELATIONSHIP TO ADJOINING PROPERTIES

No. 90 – gage [illegible] [illegible]
1.8m [illegible]
lg

5. SITE CONSTRAINTS

window [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

TREES

ACCESS/PARKING

Freelge – [illegible]

LEVELS

open grass

BOUNDARY TREATMENT

OTHERS

FROM: Phillip Taylor

DATE: 03 July 2002

PLANNING SERVICES | RECEIVED
DELEGATED
23 JUL 2002
COPIES TO | ACK:

EARLEY TOWN CONSULTATION SHEET

Application Number: F/2002/6718

Proposal: Proposed 2 storey side extension to dwelling and 2 storey rear extension..

Site Address: 90, The Delph, Lower Earley, Reading.

Applicant: Dr & Mrs Stow C/O Nicholas J Bundy.

Your observations are required in respect of this application **by 27/07/2002** .

Councillors considered that this proposal represented and overdevelopment of the site and was unneighbourly, and requested, therefore, that it should be refused.

SIGNED: _____ DATE: 19 JUL 2002

Clerk To Earley Parish/Town Council.

PLANNING APPLICATION COMMENTS SHEET FOR F/2002/6718. (Case Officer:Phillip Taylor)

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

WOKINGHAM UNITARY
Aiming for Excellence

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

PLANNING SERVICES	HPT
POL	TLS
DC	
CS	
15 JUL 2002	
COPIES TO	ACK 16/7/02
	FILE:

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

COMMENTS ON APPLICATION: F/2002/6718

YOUR NAME: MR & MRS W. BARROOT

YOUR ADDRESS: (if these details are incorrect please amend)
88 THE DELPH
LOWER EARLEY
READING
RG6 3AW

PLEASE RETURN YOUR COMPLETED FORM TO:

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

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

Comments: We are very concerned about the access of our private drive which we fear will be used by heavy lorries carrying bricks (the tarmac on this is only 2" thick.) Incidentally, our deeds state that all three residents are responsible for the maintenance of their own part. This being shown clearly on the deeds. Ours is a small cul-de-sac and we need access to our drive at all times (we being a retired couple.)

Continue over the page if more room required

Application Number : F/2002/6718	Map No : 58-59
Case Officer : PT	Site Area : 0.03
Valid Date : 21 JUN 2002	Received Date: 27/05/2002

Level : Delegated Application

Description : Proposed 2 storey side extension to dwelling and 2 storey rear extension.

Location : 90, The Delph, Lower Earley, Reading.

Parish : EA Ward : LIT

Applicant : Dr & Mrs Stow C/O Nicholas J Bundy.

Fee Required: £110 Fee Received: £110 (3)

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

Enforcement Section to be notified ☐ (tick if required)

Additional information required for validation;

REASON	NOTES	DATE REQ	DATE RECD
LOCATION PLANS			
BLOCK PLANS			
FORMS UNSIGNED			
S.66 MISSING/INCORRECT/ UNSIGNED			
ELEVATION PLANS	~~Rear elevation~~ North elevation shows utility window, width of North and South elevations do not match floor plans.	19/6	✓ 21 JUN 2002
FLOOR PLANS			
NO SCALE OR SCALE IS IMPERIAL			
ENCROACHMENT LETTER REQUIRED	Check no encroachment. NONE	19/6	✓ 21 JUN 2002
OTHER			

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

Is the site a Listed Building: ☐ Yes ☐ No

Is a Statutory Advertisement required: ☐ Yes ☐ No

INTERNAL CONSULTATIONS

Building Control

Heritage (Harold Sanders)

Landscape

Trees

Environmental Health

Housing

Leisure & Cultural Services

Public Rights of Way Officer

Property

Policy & Plans

Joint Strategic Planning Unit

Archaeological Officer (BABTIE)

Education

Social Services

Highways

EXTERNAL CONSULTATIONS

Adjacent DPA : _____

Adjacent Parish : _____

SEB

British Gas

Oil pipeline

Transco

Environment Agency

Railtrack

Police Arch Officer

HERITAGE BODIES

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

OTHERS

No pre-apps

NEIGHBOURS

S/N + see map

+ T J JENKINSON, 89 THE DELPH

+ MR + MRS GLEED, 96 THE DELPH

+ MR + MRS BARFOOT, 88 THE DELPH

+ MRS H POCOCK, 97 THE DELPH

Phillip Taylor
From: Nicholas Bundy [njbundy@hotmail.com]
Sent: 07 August 2002 11:20
To: phillip.taylor@wokingham.gov.uk
Subject: Re: No.90 The Delph, Lower Earley

Dear Mr Taylor,

Thank you for your prompt response.

I propose that the rear portion of the extension be reduced by 1-1.5m at 1st floor level. (the internal layout can remain the same, albeit with smaller bedrooms to accommodate their 5 children). This would serve to reduce any potentially overbearing impact upon neighbouring No.91. I have yet to speak to the Clients to seek their agreement. I would appreciate your confirmation that this would be acceptable before proceeding.

Regards,

Nicholas Bundy (Agent)

(fwd)

Dear Mr. Bundy,

I spoke to you on Tuesday morning about this application told you I had been on a site visit and had no problem with it. Following this conversation I was informed that my senior planning officers had also visited the site and they have a few concerns. They have recommended that the application is refused for its overbearing impact on No.91 the adjacent neighbour.

Sorry for any confusion this has caused

Regards

Phillip Taylor
Planning Officer

ask to withdraw or we will refuse it.

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

Tel: (0118) 974 6442

Date: 03 July 2002

My ref: F/2002/6718

WOKINGHAM UNITARY
Aiming for Excellence

Councillor Buckley-Carpenter
8 Stanton Close
Earley
Reading
RG6 7DX

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/2002/6718
90, The Delph, Lower Earley, Reading.
Proposed 2 storey side extension to dwelling and 2 storey rear extension.

I write to let you know that the above mentioned application has been received.

At this stage a recommendation has not yet been made. This form should only be returned if it is likely that you might wish for the application to be listed for consideration by the Development Control Committee. This form must be received no later than 28 days from the date of this letter.

If you have concerns about the proposals it may be possible for these to be addressed during the consideration of the application. In these circumstances it would be helpful if you could discuss these with the case officer **Phillip Taylor** on **(0118) 974 6442** in the first instance.

Yours sincerely
Trevor Watson
Development Control Manager

LISTING FORM
Case officer: **Phillip Taylor** Application Number: **F/2002/6718**
90, The Delph, Lower Earley, Reading.
Proposed 2 storey side extension to dwelling and 2 storey rear extension.
I wish this application to be listed should the officers recommendation be for: GRANT/REFUSAL
and my reasons are:

_____

_____

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

Signed: _____ Date: _____

Councillor Buckley-Carpenter

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

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

Tel: (0118) 974 6442

Date: 03 July 2002

My ref: F/2002/6718

WOKINGHAM UNITARY
Aiming for Excellence

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

Councillor D Swindells
12 Culford Close
Lower Earley
RG6 3AS

Dear Councillor

Application Number: F/2002/6718
90, The Delph, Lower Earley, Reading.
Proposed 2 storey side extension to dwelling and 2 storey rear extension.

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Yours sincerely
Trevor Watson
Development Control Manager

LISTING FORM
Case officer: **Phillip Taylor** Application Number: **F/2002/6718**
90, The Delph, Lower Earley, Reading.
Proposed 2 storey side extension to dwelling and 2 storey rear extension.
I wish this application to be listed should the officers recommendation be for: GRANT/REFUSAL and my reasons are:

_____

_____

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

Signed: _____ Date: _____

Councillor D Swindells

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

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

Tel: (0118) 974 6442

Date: 03 July 2002

My ref: F/2002/6718

WOKINGHAM UNITARY
Aiming for Excellence

Councillor Edmunds
13 Moor Copse Close
Earley
Reading
RG6 7NA

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/2002/6718
90, *The Delph, Lower Earley, Reading.*
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Yours sincerely
Trevor Watson
Development Control Manager

LISTING FORM
Case officer: **Phillip Taylor** Application Number: **F/2002/6718**
90, The Delph, Lower Earley, Reading.
Proposed 2 storey side extension to dwelling and 2 storey rear extension.
I wish this application to be listed should the officers recommendation be for: GRANT/REFUSAL and my reasons are:

_____

_____

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

Signed: _____ Date: _____

Councillor Edmunds

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

Received by Wokingham District Council

Application No: F/2002/6718

PROPOSAL:
Proposed 2 storey side extension to dwelling and 2 storey rear extension.

LOCATION:
90, The Delph, Lower Earley, Reading.

The application is available for inspection at the locations & during the times detailed below:

WOKINGHAM DISTRICT COUNCIL, PLANNING RECEPTION, SHUTE END, WOKINGHAM between 8.30 - 5.00 Monday - Thursday & 8.30 - 4.00 Friday. (TEL: (0118) 974 6428)
OR
WOODLEY LIBRARY, HEADLEY ROAD, WOODLEY between 9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday and 1.00pm - 4.00pm Sunday. (closed all day Wednesday). If you intend to view this application at Woodley Library please allow 4 days from the date of this letter for delivery of plans and remember to quote application number F/2002/6718 to enable the library staff to locate the correct information.
OR
EARLEY TOWN COUNCIL, RADSTOCK HOUSE, RADSTOCK LANE, EARLEY between 9.00am – 1.00pm & 2.00pm – 4.30pm Monday to Friday. (TEL: (0118) 986 8995)

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Phillip Taylor P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 27/07/2002. Written comments submitted will become available for public inspection.

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

Trevor Watson
Development Control Manager
03 July 2002

Organisation_Name	Building_Name	address1	Postcode
		10THE DELPHREADING	RG6 3AN
		100THE DELPHREADING	RG6 3AW
		82THE DELPHREADING	RG6 3AW
		87THE DELPHREADING	RG6 3AW
		88THE DELPHREADING	RG6 3AW
		89THE DELPHREADING	RG6 3AW
		5THE DELPHREADING	RG6 3AN
		90THE DELPHREADING	RG6 3AW
		91THE DELPHREADING	RG6 3AW
		96THE DELPHREADING	RG6 3AW
		97THE DELPHREADING	RG6 3AW
		98THE DELPHREADING	RG6 3AW
		99THE DELPHREADING	RG6 3AW

Neighbour consultation list F/2002/6718

21.JUN.2002 6718

Tel. (0118) 974 6429 or 6433

Date: 19 June 2002

Your Ref:

My Ref: F/2002/6718

WOKINGHAM UNITARY
Aiming for Excellence

Dr & Mrs Stow
C/O Nicholas J Bundy
Woolhampton Design Centre
Station Road
Woolhampton
Reading, Berks
RG7 5SE

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

Reference Number: 2002/6718

Site Address: 90, The Delph, Lower Earley, Reading.

Proposal: Proposed 2 storey side extension to dwelling and 2 storey rear extension.

I return your application, as it is invalid and cannot be determined for the following reason(s);

Please show utility room window on north elevation.

The width of the north and south elevations do not match up with the floor plans.

Is any encroachment intended?

Please re-submit the proposal with the amendments and/or additional information requested above.

Yours faithfully,

Carol Hurst

Senior Technical Officer
Development Control

21.JUN.2002 6718

Tel. (0118) 974 6429 or 6433

Date: 19 June 2002

21 JUN 2002

Your Ref:

My Ref: F/2002/6718

WOKINGHAM UNITARY
Aiming for Excellence

Dr & Mrs Stow
C/O Nicholas J Bundy
Woolhampton Design Centre
Station Road
Woolhampton
Reading, Berks
RG7 5SE

COPY

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

Reference Number: 2002/6718

Site Address: 90, The Delph, Lower Earley, Reading.

Proposal: Proposed 2 storey side extension to dwelling and 2 storey rear extension.

I return your application, as it is invalid and cannot be determined for the following reason(s);

Please show utility room window on north elevation. ✓

The width of the north and south elevations do not match up with the floor plans. ✓ 250 mm error (internal face of external wall mistaken for outer face to elevations – corrected.

Is any encroachment intended? No – raft slab to rear utility so overhang to flat roof up to boundary/party wall.

Please re-submit the proposal with the amendments and/or additional information requested above.

Yours faithfully,

20/06/02

Carol Hurst

Senior Technical Officer
Development Control

6718

Environmental Services

For office use only.
Application number 21. JUN. 2002 6718

Householder planning application form

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

1	Your name	DR & MRS STOW
	Address and postcode	90 THE DELPH LOWER EARLEY, READING. RG6 3AW
	Phone number	0118 93766943
	Agent's Name	NICHOLAS J BUNDY
	Address and postcode	WOOLHAMPTON DESIGN CENTRE STATION ROAD, WOOLHAMPTON READING, BERKSHIRE. RG7 5SE
	Phone number	0118 9713363
3	Site We need you to send in six copies of the 1:2500 scale location plan and six copies of the 1:500 scale block plan, with the site outlined in red. You can buy these maps from the Environmental Services reception or order them by phoning 0118 974 6485.	(AS APPLICANTS')
4	Give brief details of the proposal for example, two storey side extension. About the application	2 STOREY SIDE EXTENSION + 2ND STOREY REAR EXTENSION

5	Are there any trees on the site? If Yes, please show their positions, spread and species of the trees on the plans. Say which trees you plan to cut down.	Yes ☑	No ☐
6	Please list the external materials you will use for example, red brick to match any existing bricks and dark stained timber.	RED BRICK TO MATCH DARK STAINED TIMBER.	
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐	No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐	No ☑

Crystal Mark
Clarity approved by Plain English Campaign

Please turn over

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

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

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

Certificate A

I certify that

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

Certificate B

I certify that

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

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

None of the land forms part of an agricultural holding.

Your signature: [signature]

on behalf of Dr & Mrs P Stow

Date 22/05/02

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

21.JUN.2002 6718



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Development Control Section, Environmental Services, Wokingham District Council.
7 June 2002

Scale: 1 : 1250

N
W E
S

The Planning Inspectorate

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

Direct Line 0117-3728808
Switchboard 0117-3728000
Fax No 0117-3728804

GTN 1371-8808

PLANNING SERVICES PT 65438
POL
DC
APP OK
CS
28 JAN 2003
COPIES TO

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

Your Ref: F/2002/6718

Our Ref: APP/X0360/A/02/1101898

Date: 24 January 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY DR & MRS STOW
SITE AT 90 THE DELPH, LOWER EARLEY, READING, RG6 3AW

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

Mr Roger Dean BSc DipTP MRTPI

The Inspector will visit the appeal site at 12:30 on 17 February 2003. It is important that you make immediate arrangements for the Inspector to be met at the site to enable the inspection to be made. If you cannot attend, you should arrange for someone else to attend in your place. **If this is not possible, you must let me know immediately.**

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

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

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

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

Yours faithfully

C.L. Welding

Miss Carolyn Welding

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

209D

Earley 1.4.86

ADDRESS 90 THE DELPH

PARISH ~~Woodley~~

PLOT No. 18 AREA E LOWER EARLEY. (PHASE II)

58 - 59 SU 7470 - 7570

ORD. SHEET No. SU 7570 - 7670

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
14508	Pye	Terrace house & garage	18. 12. 80	NA Ck
BR16177	"	" "	17 2. 81	App NA
98/67388/F	Mrs R. David	Co/Use to residential + repositioning of fence	12.5.98	Ref

DATE OF COMPLETION

MINISTRY DECISION 67388 - APPEAL DISMISSED 29-10-98

SPECIAL ORDERS P.D. Enq. - Re-position Bound. fence to inc. garden area - 19/2/98

DRAINAGE Mrs. R. David

091074

EDM

Leaders in Electronic
Document Management

FILE 2

APPLICATION

EDM

Leaders in Electronic
Document Management

WRITTEN REPRESENTATION APPEAL

CASE OFFICER: PT

APPLICATION NUMBER: 6718

APPELLANT: Dr & Mrs Stow

SITE: 90 The Delph, Lower Earley

APPEAL REF: APP/X0360/A/02/1101898

START DATE: 22/10/02

DATE OF SITE VISIT 17/02/03

ALLOWED
27/02/03

Progress Record	Date Actioned	Initials
Appeal Logged:	23/10/02	
Entered on Access:	25/10/02	DG
Notification Letters Due:	**05/11/02**	
Notification Letters Sent:	25/10/02	DG
Questionnaire Due:	**05/11/02**	
Questionnaire Sent:	25/10/02	DG.
Statement Due:	~~29/11/02~~ 03/12/02	
Statement Sent:	02/12/02	DG.
Comments on Statement Due	24/12/02	
Comments on Statement Sent	—	
Decision letter circulated:	28/02/03	DG
Decision entered on Access:	28/02/03	DG

Appeal Decision

Site visit made on 17 February 2003

by Roger Dean BSc DipTP MRTPI

an Inspector appointed by the First Secretary of State

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

Date

27 FEB 2003

Appeal Ref: APP/X0360/A/02/1101898
90 The Delph, Lower Earley, Reading

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Dr and Mrs Stow against the decision of Wokingham District Council.
- The application ref: F/2002/6718, dated 22 May 2002, was refused by notice dated 14 August 2002.
- The development proposed is a 2 storey side extension and a second storey rear extension.

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

Procedural matter

1. Although the application proposes a second storey rear extension, this element replaces a current conservatory and is a 2 storey addition. There are also minor single storey elements in the proposed scheme. I shall therefore determine the appeal as relating to proposed 2 storey extensions to the side and rear of the dwelling, including single storey additions.

Main Issue

2. I consider that the main issue in this appeal is the effect of the proposed development on the living conditions of the occupiers of the adjoining dwelling at no. 91 The Delph.

Development Plan and other Planning Policies

3. The Development Plan for the area includes the Berkshire Structure Plan 1991-2006 and the Loddon Area Local Plan, adopted in 1995. Structure Plan Policies EN1 and LD3, taken together with Local Plan Policy LBE1, say that new development should enhance the quality of built-up areas, contributing to an attractive living environment and not giving rise to an unacceptable impact on the amenities of neighbouring land uses. Policy EN1 also indicates that development must be appropriate in scale and form. Local Plan Policy LBE2 says that these criteria, together with measures including siting and massing, are to be taken into account when considering the effect of proposals on adjoining sites and buildings. It states that inappropriate proposals will not normally be permitted.

4. The thrust of these policies is proposed to be taken forward in Policies WOS3 and WBE1 of the Wokingham District Local Plan. The Council has referred me to the deposit draft version which, as amended, was considered before a Local Inquiry commencing in 1998. The only changes to these policies recommended by the Inquiry Inspector have no bearing on this appeal. I consider therefore that these policies in the emerging Plan should be given significant weight.

Reasoning

5. The appeal property is a linked detached dwelling situated in a modern 2 storey residential estate. The adjoining house at no 91 The Delph is of a different design but the front and rear walls align with those of the appeal property. The two houses are linked by their garages which are set back from the frontages and project beyond the rear walls of each house.

6. The main elements of the proposal are two storey extensions at the side and at the rear of the property. The local planning authority does not object to the former. At the rear, the 2 storey extension, replacing the conservatory, would project a distance of 3.5 metres from the house itself. It would be of the same scale and form as the present house with similar design details. A small single storey extension to the garage is also proposed.

7. The main 2 storey element at the rear would be separated from the adjoining house by the width of the two garages. In view of its siting and the amount of projection, I do not consider that the proposed extension would appear unduly bulky or that its massing would otherwise have an overbearing impact on the neighbouring premises.

8. Having visited this adjoining property, I saw that there is a private sitting out area at the rear of the house. However, it is already overshadowed, being on the north side of the dwelling and partly screened by the projecting rear part of the garage. Although the proposed extension may obscure some sunlight in the garden, this would not to my mind have a serious effect on living conditions. Having also viewed the site from the ground and first floor windows of the adjoining house, I do not consider that there would be any material loss of daylight caused by the proposed development. The only window in the proposed extension facing these premises is of a high level type which would not give rise to any significant overlooking.

9. I conclude therefore that the proposed development would not harm the living conditions of the adjoining occupiers at no. 91 The Delph and would not conflict with the policies of the Development Plan which I have identified.

Other considerations

10. I noticed several instances in the area of staggered frontages where a 2 storey element of one house projects beyond the front or rear line of an adjacent dwelling. Because of this, I do not consider that the extension would appear unusual. I also saw a variety of house types and sizes in the area. The use of similar design features and material finishes give the estate an orderly appearance and the proposed development reflects these details. For these reasons, I do not consider that the enlarged dwelling would appear out of place with its surroundings.

Conclusion

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

Conditions

12. With regard to those conditions suggested by the Council, I consider that matters

relating to vehicle parking and the use of the garage are not relevant to the proposed development since the garage already exists and the scheme merely proposes a small utility area extension to it. I also consider that a condition requiring matching materials is unnecessary since these details have already been indicated in the application.

13. In addition to the statutory condition on time limits, I shall however impose a condition similar to that suggested by the Council restricting any further first floor window openings on the eastern elevation of the proposed extension, in order to protect privacy in the adjoining dwelling.

Formal Decision

14. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for 2 storey extensions to the side and rear of the dwelling including single storey additions at 90 The Delph, Lower Earley, Reading in accordance with the terms of the application, ref. F/2002/6718 dated 22 May 2002, 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 decision.

    2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or openings other than that expressly authorised by this permission shall be constructed on the eastern elevation.

Information

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

16. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

INSPECTOR

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Dr & Mrs Stow
C/O Nicholas J Bundy
Woolhampton Design Centre
Station Road
Woolhampton
Reading
Berks
RG7 5SE

Application Number: F/2002/6718

Parish: **EARLEY**

Location: **90, The Delph, Lower Earley, Reading.**

Proposal: **Proposed 2 storey side extension to dwelling and 2 storey rear extension.**

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

Reason
1. The proposed extension by nature of its bulk, massing and siting would form an overbearing presence to the detriment of the amenity of the adjacent occupiers at No. 91 The Delph. As such the proposal is contrary to policy LBE2 of the Loddon Area Local Plan and policy WOS3 of the Wokingham District Local Plan (Deposit Draft).

Informative
1. The applicants are invited to discuss with the Local Planning Authority details for a revised scheme.

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

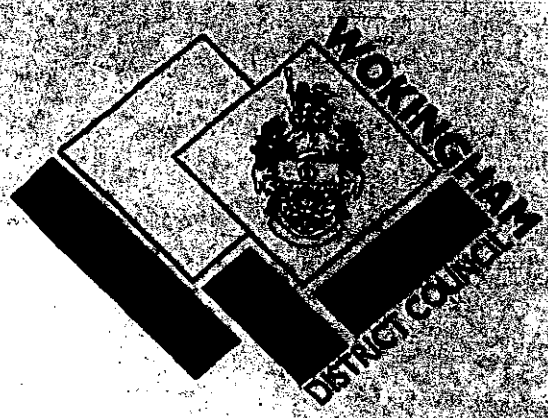
Berkshire Structure Plan Policies LD3 and EN1.
Loddon Area Local Plan Policies LBE1 and LBE2.
Deposit Draft Wokingham District Local Plan Policies WOS3 and WBE1.

T. G Watson

Trevor Watson
Development Control Manager
Date: 14/08/2002

Notice checked by: _____

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



Wokingham District Local Plan
Deposit Draft
With Proposed Amendments Highlighted

February 2000

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

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

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

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

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

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

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

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

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

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

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

Cont.



WOKINGHAM UNITARY

Aiming for Excellence

WOKINGHAM DISTRICT LOCAL PLAN

INSPECTOR'S REPORT

PART TWO

CHAPTERS OTHER THAN HOUSING

Mr D Hollis

October 2001

"When determining new housing development proposals a sequential approach will be applied whereby:

A) previously developed land and buildings within the boundaries of category A settlements will be developed first;

B) secondly, land and buildings on the edge of category A settlements that are served by good public transport corridors will be considered;

C) lastly, development proposals for land and buildings in category B settlements will only consist of limited infilling and small windfall development.

1.41 That the Council extends the boundary of the Identified Settlement of Spencers Wood to include the development near to Lambs Lane and adopt PA P/1 and PA A/13.

1.42 That the Council carry out a thorough review of all settlement boundaries before the next review of the Plan.

1.43 That Policy WOS2 is re-titled "Housing Development Principles"

NEW PARAGRAPH 1.12A

(Proposed Amendment 1/5)

OBJECTION ISSUES

1.44 Although there were no objections recorded against this proposed amendment, objectors to other parts of this Chapter have asked for such a change.

CONCLUSIONS

1.45 I concur with the Council's proposed amendment as it would clarify its objectives.

RECOMMENDATION

1.46 That the Plan is amended in accordance with PA 1/5.

POLICY WOS3

(Proposed Amendment 1/6)

REPRESENTATIONS

168	Councillor R Eke (S)	1301	Beazer Strategic Land (O)
1035	English Nature (O)	2447	Envt Agency (Thames Region) (O)
1287	Mr J Vernon (O)	2542	S Grundon Ltd (O)

OBJECTION ISSUES

1.47 It was said that landscaping schemes should be comprised predominantly of locally native species. It was suggested the policy does not provide clear guidance and in order to cover indirect impact on adjacent developments, additional wording should be inserted at the start of criterion B). One objector asked for removal of reference to the generation of traffic as all development is likely to result in some traffic. Reference to alternative modes of transport and locations which minimise travel should also be included. An objector suggested that, as shown at Basingstoke Road, traffic is so heavy it would cause chaos and be expensive; nothing has been thought through properly.

CONCLUSIONS

1.48 PA 1/5 should satisfy objection 2447, but I agree with the Council that it is too detailed a point to be included within the policy itself. PA 1/6 would ensure there is no indirect impact on adjacent developments. Criterion D) is quite acceptable as it is qualified by the word 'significant' and criterion C) relates to the need to travel and the use of alternative modes of transport to that of the private car. I do accept that Wokingham District does have to contend with traffic congestion, but that is more reason to ensure development schemes are located in sustainable areas and a significant effort is made to encourage people to use public transport rather than exacerbate poor traffic conditions. Under the Miscellaneous section of the Introduction Chapter, an objector suggested that the Royal Town Planning Institute document "Access Policy for Local Plans" is adopted. I endorse that suggestion, but it should be in the text.

RECOMMENDATION

1.49 That the Policy WOS3 is amended in accordance with PA 1/6 and the inclusion of PA 1/5 to create paragraph 1.12A.

1.50 That reference is made in the supporting text to the document "Access Policy for Local Plans".

PARAGRAPH 1.13

REPRESENTATIONS

1479	St Nicholas Hurst Parish Council (O)	1672	Alfred McAlpine Dvpts Ltd (O)

Appendix 4

LODDON AREA LOCAL PLAN

Adopted 5 May 1995

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

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

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

❖ LBE2 INAPPROPRIATE DESIGN

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

ENVIRONMENTAL IMPROVEMENT

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

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

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

❖ LBE3 REFURBISHMENT AND REDEVELOPMENT

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

❖ LBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

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

SUNLIGHT, DAYLIGHT AND NOISE

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

❖ LBE5 SUNLIGHT AND DAYLIGHT

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

Appendix 5

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

APPEAL REF: APP/X0360/A/02/1101898
APPLICATION NUMBER: F2002/6718
SITE ADDRESS: No.90 The Delph, Lower Earley

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

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

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

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

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

Reasons

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

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

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

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

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

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT : Dr and Mrs Stow

APPEAL SITE : 90 The Delph, Lower Earley, Reading

REASON FOR APPEAL : Refusal of planning permission for the erection of a two storey side and rear extension.

LOCAL PLANNING AUTHORITY REFERENCE : F/2002/6718

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/02/1101898

1.00 LOCATION AND SITE DESCRIPTION

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

1.02 No. 90 The Delph is a link-detached house via the side garage. The attached neighbour is No.91.

2.0 Relevant Planning History

2.01 The dwelling was originally built in 1980. The only relevant planning history is application for change of use of land to the rear of the plot to residential and the re-positioning of a fence (98/67388/F), which was granted conditional approval in May 1998

2.02 In August of 2002 the appeal planning application (F/2002/6718) for the erection of a two storey side and rear extension was refused under delegated powers for the following reason.

Reason

"The proposal would by virtue of its bulk, massing and siting would form an overbearing presence to the detriment of the amenity of the adjacent occupiers. As such it would be contrary to policy LBE2 of the Loddon Area Local Plan and to policy WOS3 of the Wokingham District Local Plan (deposit draft)."

3.0 Policy Background

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

Loddon Area Local Plan (Adopted 5th May 1995)
The Loddon Area Local Plan forms the statutory basis for the operation of planning policy in this part of the district.

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

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

WOS3 – Development control Principles

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

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

LBE2 – Inappropriate design

The Inspector recommended no changes to this policy.

4.0 Case for the Local Authority

4.01 The application has two elements, a two-storey side and a two-storey rear extension. The council has no objection to the side element; it is the rear element, which is considered to be overbearing.

4.02 From the rear of the dwelling house the extension would project 1.20m on the ground floor and 3.5m on the first floor. The eaves and ridge height of the extension would match those of the main dwelling. This would make the extension 6.7m high with a full gable end. A high level window would face No.91.

4.03 The extension is considered to form a dominant and obtrusive feature, which would produce an overbearing effect conspicuous from the amenity area immediately to the rear of No.91 and from the rear 1st floor windows. This rear patio area is a very private space and the forming of a 6.7m high with a bulky gable roof extension adjacent to it would result in a loss of amenity for the occupiers of No.91.

5.0 Comments on the appellants statement

5.1 No statement to comment upon.

6.0 Conclusion

6.01 The proposed two-storey rear extension would by virtue of its bulk, massing and siting would form a prominent and overbearing feature detrimental to the outlook and amenity of the occupiers of No.91 The Delph.

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

7.0 Conditions in the event planing permission is granted (see appendix 5)

APPENDICES

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

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Dr & Mrs Stow
SITE: 90 The Delph, Earley
APPLICATION NO.: 6718
PROPOSAL: Proposed 2 storey side extension to dwelling & 2 storey rear extension

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Little Hungerford:

Mrs D Buckley – Carpenter

Mr D Swindells

Mr C Edmunds

Clerk(s) of Parish / Town Council of Earley:

Mr R Raymond, Earley Town Council Office, Radstock House, Radstock Lane, Earley RG6 2UL

Environmental Design, WDC

The Owner / Occupiers of the following addresses in The Delph:

5, 10, 82, 87 – 91 & 96 - 100

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT : Dr and Mrs Stow

APPEAL SITE : 90 The Delph, Lower Earley, Reading

REASON FOR APPEAL : Refusal of planning permission for the erection of a two storey side and rear extension.

LOCAL PLANNING AUTHORITY REFERENCE : F/2002/6718

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/02/1101898

1.00 LOCATION AND SITE DESCRIPTION

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

1.02 No. 90 The Delph is a link-detached house via the side garage. The attached neighbour is No.91.

2.0 Relevant Planning History

2.01 The dwelling was originally built in 1980. The only relevant planning history is application for change of use of land to the rear of the plot to residential and the re-positioning of a fence (98/67388/F), which was granted conditional approval in May 1998

2.02 In August of 2002 the appeal planning application (F/2002/6718) for the erection of a two storey side and rear extension was refused under delegated powers for the following reason.

Reason

"The proposal would by virtue of its bulk, massing and siting would form an overbearing presence to the detriment of the amenity of the adjacent occupiers. As such it would be contrary to policy LBE2 of the Loddon Area Local Plan and to policy WOS3 of the Wokingham District Local Plan (deposit draft)."

3.0 Policy Background

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

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

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LBE2 – Inappropriate design

The Inspector recommended no changes to this policy.

4.0 Case for the Local Authority

4.01 The application has two elements, a two-storey side and a two-storey rear extension. The council has no objection to the side element; it is the rear element, which is considered to be overbearing.

4.02 From the rear of the dwelling house the extension would project 1.20m on the ground floor and 3.5m on the first floor. The eaves and ridge height of the extension would match those of the main dwelling. The roof would also have a gable end. A high level window would face No.91.

4.03 The extension is considered to have an overbearing presence on the attached neighbour No.91. Due to the long projection, gabled roof and position on the boundary with No.91, the extension would form a bulky and prominent feature visible from the rear 1st floor windows of No.91 detrimental to their amenity.

5.0 Comments on the appellants statement

5.1 No statement to comment upon.

6.0 Conclusion

6.01 The proposed two storey rear extension would by virtue of its bulk, massing and siting would form a prominent and overbearing feature detrimental to the outlook and amenity of the occupiers of No.91 The Delph.

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

7.0 Conditions in the event planing permission is granted (see appendix 5)

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

APPEAL REF: APP/X0360/A/02/1101898
APPLICATION NUMBER: F2002/6718
SITE ADDRESS: No.90 The Delph, Lower Earley

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

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

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

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

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

Reasons

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

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

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

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

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

1.4 QUALITY AND CONSERVATION OF THE BUILT ENVIRONMENT



NEW DEVELOPMENT, REDEVELOPMENT AND REFURBISHMENT

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

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

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

❖ *LBE1 DESIGN OF NEW DEVELOPMENT*

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

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

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





Babtie

Public Services Division

4.8 The provision of suitable small recycling facilities, such as bottle and can banks, in association with development acceptable under other policies in this Plan, will contribute towards meeting a target of recycling at least 25% of the County's household waste by the year 2000 as proposed in Policy W2 (35% by 2007). The nature and type of facilities will depend on the type of development and the waste management systems being used. However, the facilities may include two separate elements :

- local recycling facilities for the public to deposit different types of recyclable material; and
- facilities for source separation and storage of different types of waste.

4.9 Policy LD2 will normally apply to the following categories of development:

(i) housing proposals for 100 or more dwellings;

(ii) new development, redevelopment or refurbishment of shopping centres or facilities where the floorspace of existing and new development amounts to 500 sq.metres or more;

(iii) business, industrial, distribution or storage development involving a net increase in floorspace of 500 sq.metres or more;

(iv) major transport, leisure, recreation, tourist or community facilities;

(v) car parks for the public including 'park and ride' schemes with over 200 spaces; and

(vi) appropriate smaller developments which frequently attract a significant number of people (e.g. community or shopping schemes).

ENVIRONMENTAL IMPACT

4.10 The County Council considers that even where proposals for development may be acceptable in principle within the provisions of other policies in the Structure Plan and in local plans, local planning authorities need to be satisfied that proposals will not have any significant adverse environmental impact.

Environmental Impact of Development

Policy LD3 **Development proposals will only be permitted where they do not give rise to an unacceptable impact on the environment, including serious harm to the character or appearance of an area, or the amenities of neighbouring land uses.**

4.11 In a highly constrained County such as Berkshire, most major development is likely to have a significant impact, either by itself or cumulatively, and environmental assessments may be required for a wider range of development than that specifically referred to in Circular 15/88 in order to determine the acceptability of proposals.

4.12 Circular 15/88, which explains the provisions of the Town and Country Planning (Assessment of Environmental Effects) Regulations advises that environmental assessments need to be carried out for development proposals which are likely to have significant environmental impacts by virtue of their nature, size and location. To enable the local planning authorities to make such assessments, relevant proposals should be accompanied by "environmental statements" on the lines set out in Schedule 3 to the Regulations. The Circular gives a broad indication of the type and scale of project which may require an environmental assessment, although it is recognised that an assessment may also be needed for smaller development proposals where they are likely to give rise to significant environmental effects.

4.13 It will be up to the local planning authorities to determine the size, location and types of development for which an environmental assessment will normally be required. The environmental statement provided by a developer with a planning application should examine the impacts of the proposed development and make clear how measures to ameliorate these impacts have been incorporated into the design of the development, so that the local planning authorities can properly undertake an environmental assessment. Judgement as to whether on balance a particular proposal is likely to have an unacceptable impact on the environment will depend upon the size, location and type of development being considered.

4.14 Many proposals which do not necessitate a full environmental statement as specified in Schedule 3 to the Regulations may, nevertheless, have a substantial environmental impact either individually or cumulatively with other schemes. In such cases, planning applications will need to be accompanied by sufficient relevant information for their impact to be assessed by the local planning authority.

4.15 The County Council, as highway authority, will ensure that the environmental impact of new transport schemes or improvements is minimised. Improvements to the highway network will need to take account of the broader environmental implications, as well as the transport benefits of any scheme.

Environmental Impact of Transport Schemes

Policy LD4 **The County Council will seek to ensure that the environmental impact of any transport scheme is kept to the practical minimum by comprehensive planning.**

4.16 Steps to be taken in seeking to minimise the potential environmental impact of transport improvements will include careful alignment, design and use of materials, together with comprehensive landscaping and forms of lighting and signage that are as unobtrusive as possible.

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

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

The Environment of the Built-up Areas

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

Protection and Enhancement of the Environment of Built-Up Areas

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

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

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

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

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

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

Environment

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

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

Environmental Nuisance

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

Protection from Environmental Nuisance

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

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

Flooding

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

The Planning Inspectorate

For offical use only Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/02/0101898 **GRID REF:** _____

APPEAL BY: Dr & Mrs Stacy

SITE: 90 The Delph, Lower Earley

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

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

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

6. Is the appeal site within an approved Green Belt or AONB? Please specify which	~~YES~~ / NO
7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	~~YES~~ / NO
8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State? If YES, please attach details and, where necessary, give our reference numbers.	~~YES~~ / NO
b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.	~~YES~~ / NO
9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	~~YES~~ / NO
10. Does the appeal relate to an application for conservation area consent?	YES / NO
11.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?	~~YES~~ / NO Grade I / II* / II
b. Would the proposed development affect the setting of a listed building? 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.)	~~YES~~ / NO
12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	YES / NO
13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	~~YES~~ / NO
b. If YES, was English Heritage consulted? Please attach a copy of any comments.	~~YES~~ / NO
14.a. Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of English Nature.	~~YES~~ / NO
b. Are any protected species likely to be affected by the proposals? If YES, please give details.	~~YES~~ / NO

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

a	Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	~~YES~~ / NO Sch1 Sch 2 col 1
b.	Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	~~YES~~ / NO
c.	Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.	~~YES~~ / NO

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

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?	03/12/02	
b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	2	
ii) the planning officer's report to committee		✓
iii) any relevant committee minute		✓
17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY		
Do you intend to send another statement about this appeal? If NO, please send the following information:-	YES / ~~NO~~	
a. In non-determination cases:		
i) what the decision notice would have said;		
ii) how the relevant development plan policies relate to the issues of this appeal.		
b. In all cases:		
i) the relevant planning history;		
ii) any supplementary reasons for the decision on the application;		
iii) matters which you want our Inspector to note at the site visit.		
18. THE MAYOR OF LONDON CASES ONLY		
a. Was it necessary to notify the Mayor of London about the application? If YES, please attach a copy of that notification.	YES / NO	
b. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction.	YES / NO	

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

Signature: _____ on behalf of Wokingham Unitary ~~Council~~

Date sent to us and the appellant 25/10/02 Our ref: F/2002/6718

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

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

Tel. (0118) 974 6448 (Direct Line)
Date. October 25, 2002
My ref. F/2002/6718
Your ref.

WOKINGHAM UNITARY
Aiming for Excellence

The Owner / Occupier
97 The Delph
Lower Earley
RG6 3AW

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: Dr & Mrs Stow
SITE: 90 The Delph, Lower Earley
PROPOSAL: Proposed 2 storey side extension to dwelling & 2 storey rear extension

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

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

If you wish to make further representations, you may do so in writing, to Mrs M Pocock, The Planning Inspectorate, Room 3 / 03, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. You should, if possible, send three copies quoting reference **APP/X0360/A/02/1101898.** Comments received after **03/12/02** will not normally be seen by the Inspector & will be returned.

Documents relating to the appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 Mondays to Thursdays, & 08.30 to 16.00 Fridays).

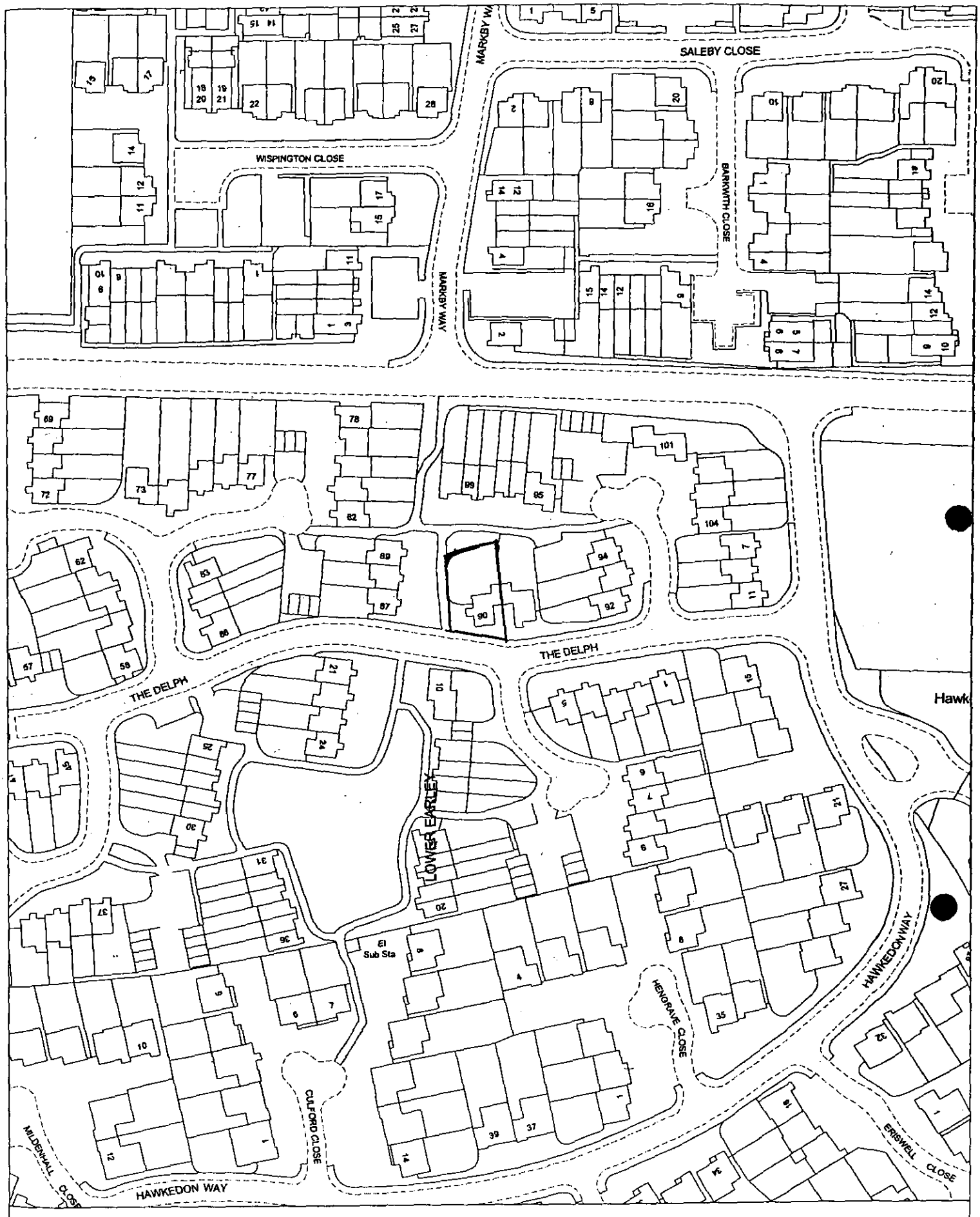
A free booklet, "Guide to taking part in planning appeals", is available from this office.

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

Yours faithfully

Denise Gumbrell

Appeals Assistant



Site Plan, Scale: 1 to 1250

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Date: 25 October 2002

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S

PLANNING APPLICATION COMMENTS SHEET FOR F/2002/6718. (Case Officer:Phillip Taylor)

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

WOKINGHAM UNITARY
Aiming for Excellence

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

PLANNING SERVICES	RPT
POL	TLS
DC	
CS	
15 JUL 2002	
COPIES TO	ACK 16/7/02
	FILE:

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

COMMENTS ON APPLICATION: F/2002/6718

YOUR NAME: MR & MRS W. BARFOOT

YOUR ADDRESS: (if these details are incorrect please amend)
88 THE DELPH
LOWER EARLEY
READING
RG6 3AW

PLEASE RETURN YOUR COMPLETED FORM TO:

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

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

Comments: We are very concerned about the access of our private drive which we fear will be used by heavy lorries carrying bricks (The tarmac on this is only 2" thick.) Incidentally, our deeds state that all three residents are responsible for the maintenance of their own part. This being shown clearly on the deeds. Ours is a small cul-de-sac and we need access to our drive at all times (we being a retired couple.)

Continue over the page if more room required

PLANNING APPLICATION COMMENTS SHEET FOR F/2002/6718. (Case Officer:Phillip Taylor)

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

WOKINGHAM UNITARY
Aiming for Excellence

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HIGHWAY SAFETY.
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PLANNING SERVICES	RPT
POL	TLS
DC	
CS	
15 JUL 2002	
COPIES TO	ACK 16/7/02
	FILE:

THINGS WE **CAN'T** TAKE INTO CONSIDERATION WHEN DETERMINING A PLANNING APPLICATION;
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MATTERS SUBJECT TO MARKET COMPETITION (we can't refuse an application on the basis that its approval would harm other commercial activity of a similar nature in the area).
THE SPECULATIVE USE OF A DEVELOPMENT AFTER IT HAS BEEN BUILT.
RADIO OR TELEVISION INTERFERENCE CAUSED BY A DEVELOPMENT.
SUBSIDENCE TO NEIGHBOURING PROPERTIES.

COMMENTS ON APPLICATION: F/2002/6718

YOUR NAME: MR & MRS W. BARFOOT

YOUR ADDRESS: (if these details are incorrect please amend)
88 THE DELPH
LOWER EARLEY
READING
RG6 3AW

PLEASE RETURN YOUR COMPLETED FORM TO:

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

Comments: We are very concerned about the access of our private drive which we fear will be used by heavy lorries carrying bricks (The tarmac on this is only 2" thick.) Incidentally, our deeds state that all three residents are responsible for the maintenance of their own part. This being shown clearly on the deeds. Ours is a small cul-de-sac and we need access to our drive at all times (we being a retired couple.)

Continue over the page if more room required

The Planning Inspectorate

66598

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

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

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

Your Ref: F/2002/6718

Our Ref: APP/X0360/A/02/1101898

Date: 27 February 2003

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY DR & MRS STOW
SITE AT 90 THE DELPH, LOWER EARLEY, READING, RG6 3AW

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

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

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

Phone No. 0117 372 8252

Fax No. 0117 372 8139

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

Yours faithfully

KF

Mrs Margaret Pocock

COVERDL1

Tel. (0118) 974 6448 (Direct Line)
Date: December 2, 2002
My ref: F/2002/6718
Your ref: APP/X0360/A/02/1101898

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

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

Dear Mrs Pocock

APPEAL BY: Dr & Mrs Stow
SITE: 90 The Delph, Lower Earley

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: October 25, 2002
My ref: F/2002/6718
Your ref: APP/X0360/A/02/1101898

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

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

Dear Mrs Pocock

APPEAL BY: Dr & Mrs Stow
SITE: 90 The Delph, Lower Earley

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. October 25, 2002
My ref: F/2002/6718
Your ref: 02/47

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

Nicholas J Bundy
Woolhampton Design Centre
Station Rd
Woolhampton
RG7 5 SE

Dear Sir

APPEAL BY: **Dr & Mrs Stow**
SITE: **90 The Delph, Lower Earley**

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

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

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

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

PLANNING
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DC Des
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23 OCT 2002

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

Your Ref: F/2002/6718

Our Ref: APP/X0360/A/02/1101898

Date: 22 October 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY DR & MRS STOW
SITE AT 90 THE DELPH, LOWER EARLEY, READING, RG6 3AW

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

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

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

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

Within 2 weeks from the starting date -

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

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

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

Within 6 weeks from the starting date -

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

Within 9 weeks from the starting date -

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

Site visit arrangements

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

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

Planning obligations - Section 106 agreements

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

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

Yours faithfully

Mrs Margaret Pocock

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62292

The Planning Inspectorate

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

PI
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DOE

For official use only
Date received

PLANNING APPEAL FORM

18 OCT 2002

If you need this document in large print, on audio tape, in Braille or in another language, please contact our diversity helpline on 0117 372 8939.

Please use a separate form for each appeal

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

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

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

A. APPELLANT DETAILS

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

Name Dr & Mrs. Stow

Address 90 The Delph, Lower Earley, Reading, Berkshire.

Postcode RG6 3AW

Daytime phone no 0118 3766943

Fax no

E-mail address

B. AGENT DETAILS (if any)

Name Nicholas J Bundy

Address Woolhampton Design Centre, Station Road, Woolhampton, Reading, Berkshire

Postcode RG7 5SE

Your reference 02/47

Daytime phone no 0118 9713363

Fax no 0118 9714077

E-mail address nick@nicholas-j-bundy.com

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA Wokingham District Council

Date of the planning application 22/05/02

LPA's application reference no F/2002/6718

Date of LPA's decision notice (if issued) 14/08/02

D. APPEAL SITE ADDRESS

Address 90 The Delph, Lower Earley, Reading, Berkshire

Postcode RG6 3AW

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

E. DESCRIPTION OF THE DEVELOPMENT

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

2 storey side extension + 2nd storey rear extension

Size of the whole appeal site (in hectares)

0.03

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

59.52

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

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

   or

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

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

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

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

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

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

2. HEARING ☐

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

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

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

3. INQUIRY ☐

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

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

Please turn over

H. GROUNDS OF APPEAL

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

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

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

Please continue on a separate sheet if necessary.

The site contains a link detached 2 storey dwelling situated on a corner plot within an estate location.

The property is separated from the neighbouring dwelling of No. 91 by 2 attached single garages. The proposed rear extension would project 3.5m past the rear of the original dwelling. The distance of the proposed 2 storey rear extension from the adjoining boundary is 2.55m, and 5.22m to the neighbouring dwelling.

The owner occupiers of No. 91 do not object to the Applicants' proposals.

It is noted that general householder planning guidance advises that a minimum distance of 2 metres from the boundary of neighbouring dwellings be achieved to 2 storey extensions, in order to reduce any potential negative impact to an acceptable level.

The distance of this proposed rear 2 storey extension from the boundary, and the further spatial separation of these dwellings afforded by the garages, serves to significantly negate any overbearing impact or detriment to the amenity of the residents of No. 91.

In context, this proposal is considered to be neither contrary to policies LBE2 or WOS3.

I. APPEAL SITE OWNERSHIP DETAILS

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

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

CERTIFICATE A ☑

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

OR

CERTIFICATE B ☐

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

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

CERTIFICATES C and D ☐

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

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

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

✔

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

OR

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

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

J. ESSENTIAL SUPPORTING DOCUMENTS

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

✔

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

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

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

_____

_____

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

_____

_____

_____

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

K. PLEASE SIGN BELOW

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

1. I confirm that I have sent a copy of this appeal form and relevant documents to the LPA *(if you do not, your appeal will not normally be accepted).*
2. I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature _____ (on behalf of) Dr & Mrs Stow

Name (in capitals) N J Bundy Date 9th October 2002

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

NOW SEND:

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

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

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

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid and who is dealing with it.
2) Tell you and the LPA the procedure for your appeal.
3) Tell you the timetable for us receiving further information or representations.

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

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

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

Published by the Planning Inspectorate March 2001

Printed in the UK March 2001 on paper comprising 25% post consumer waste and 100% ECF recycled paper.

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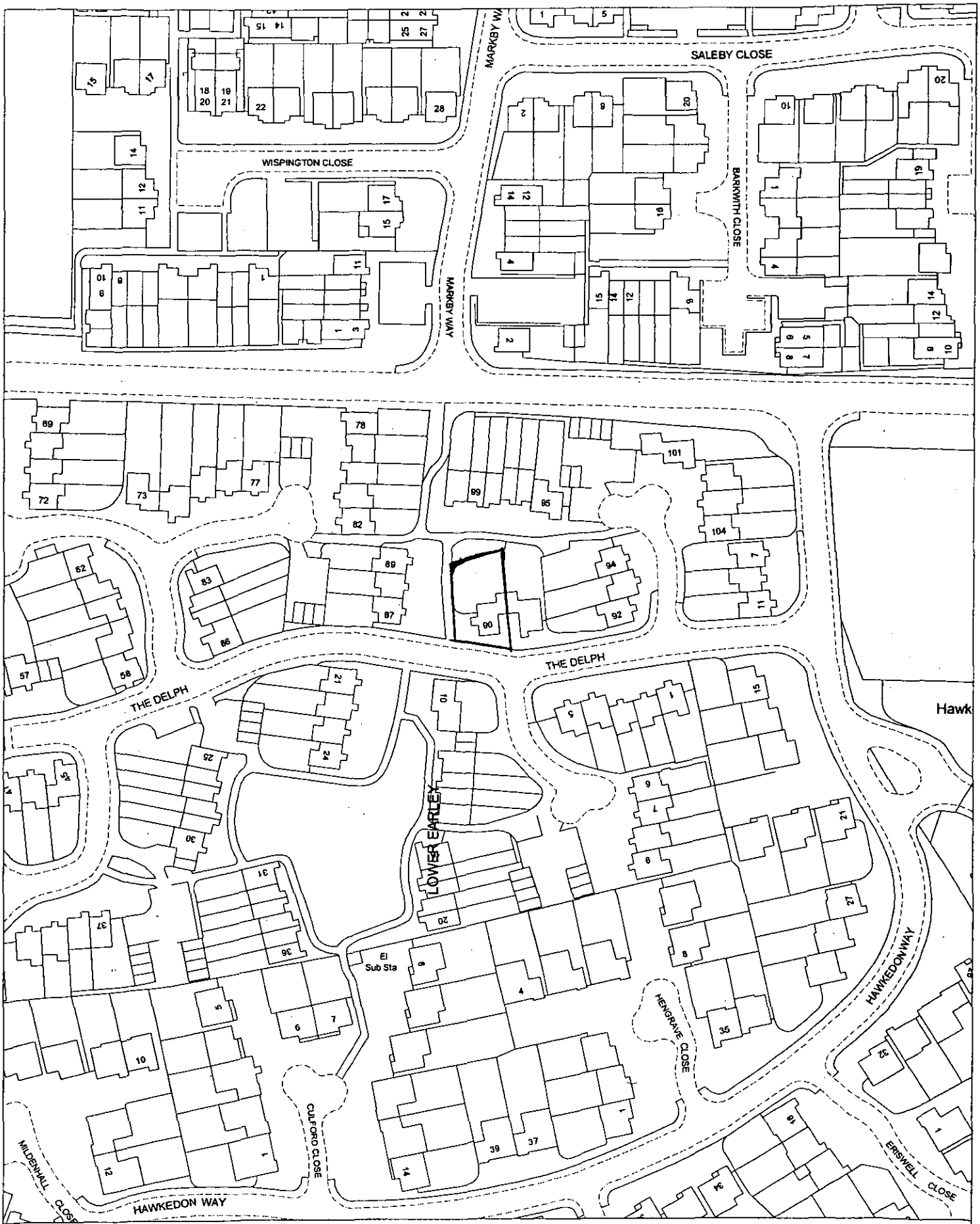
St Clements House
2-16 Colegate
Norwich NR3 1BQ



Site Plan, Scale: 1 to 1250

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Date: 25 October 2002

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