[redacted]



:X SYSTEMS LTD

APPLICATION NO:
F/2000/1989

LOCATION:
Torwood Tintagel Road, Finchampstead Wokingham.

APPLICANT:
Mr Roberts C/O R G Butler & Associates

PROPOSAL:
Proposed erection of caravan canopy to front of dwelling

EARLIEST DATE FOR DECISION: **12/08/2000**

APPLICATION WILL HAVE EXPIRED ON: 11/09/2000

CASE OFFICER: ~~**Mrs B Polnik**~~

Elaine Connor

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr Roberts
C/O R G Butler & Associates
11 Strathmore Drive
Charvil
READING
Berkshire
RG10 9QT

Application Number: F/2000/1989

Parish:	**FINCHAMPSTEAD**
Location:	**Torwood, Tintagel Road, Finchampstead, Wokingham**
Proposal:	**Proposed erection of caravan canopy to front of dwelling**

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

Reason

1. It is considered that the proposed development given its siting forward of the main building line would form an obtrusive feature which would have a negative impact upon the street scene. It is also considered that the proposed canopy would appear overbearing to the residents of the neighbouring dwelling 'Westways'.

As such the proposal is contrary to Policies SBE1, SBE2 and STV1 of the South East Area Local Plan. Policies OS1 and EN1 of the Berkshire Structure Plan and Policies WOS2, WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

John Mitchell
Development Control Manager
Date: 08/09/2000

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

Appeal Decision

Site visit made on 11 June 2001

by Laurence Wilbraham DipTP MRTPI

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

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 25 JUN 2001

Appeal Ref: APP/X0360/A/01/1057167
Torwood, Tintagel Road, Finchampstead

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr R Roberts against the decision of Wokingham District Council.
- The application ref: F/2000/1989, dated 10 July 2000, was refused by notice dated 8 September 2000.
- The development proposed is erection of a caravan canopy.

Summary of Decision: The appeal is dismissed.

Procedural Matters/Preliminary Matters

1. The caravan canopy has already been built and I therefore intend to deal with the appeal under Section 73A of the Town and Country Planning Act 1990 to retain development already carried out.

Main Issue

2. I consider the main issue to be the effect of the caravan canopy on the appearance of the street scene and on the living conditions of the adjacent dwelling Westways with regard to outlook.

Development Plan and other Planning Policies

3. The development plan comprises the Berkshire Structure Plan and the South East Area Local Plan (1994). The structure plan contains policy OS1 which seeks to improve the quality of life in the county; and policy EN1 which seeks to protect the character and quality of the environment. The local plan contains policy SBE1 which seeks to ensure that new development is of a high standard of design; policy SBE2 which seeks to ensure that development respects its surroundings; and policy STV1 which seeks to restrict new development to identified settlements.

4. The local plan is currently under review and Proposed Amendments to the Wokingham District Local Plan (Deposit Draft) were published in February 2000. These contain policy WOS2 which seeks to restrict new development to existing settlements; policy WOS3 which seeks to ensure that new development respects its surroundings; and policy WBE1 which seeks to ensure a high standard of design in new development.

Reasons

5. Tintagel Road is an unmade road serving residential development along its length. Its character is essentially rural due to the width and condition of the road, the absence of pavements and street lighting, the set back of the dwellings from the road, and the

substantial tree and shrub cover within the front gardens of the dwellings.

6. Apart from the caravan canopy there are no other structures or buildings within the front gardens of the dwellings along Tintagel Road. The canopy is of a substantial size, being over 3 m high, 3m wide and 7.75 m long. Although it is screened to some degree by the dense shrub cover on the frontage of the appeal site, it stands adjacent to the western boundary and is visible across the front garden of the adjacent house, Westways, from Tintagel Road. In view of its size and position well forward of the existing buildings nearby it appears, in my opinion, out of keeping with its surroundings and detracts from the character and appearance of the street scene in conflict with development plan policy.

7. The canopy is situated about 11 m from the nearest part of Westways and the vegetation within the garden to this dwelling close to the western boundary provides an element of screening to the structure. Although the canopy is relatively tall it does not have a solid roof or walls and in view of this, the distance from Westways, and the screening effect of vegetation, I do not consider that the canopy has an unacceptable impact on the outlook for occupiers of that dwelling.

8. On the main issue I have found that the canopy does not have an unacceptable impact on the living conditions of the occupiers of Westways but this does not outweigh the harm which has resulted to the street scene.

9. I have also had regard to all other matters raised but have found nothing of sufficient weight as to override the conclusions which have led to my decision.

Formal Decision

10. In exercise of the powers transferred to me I hereby dismiss this appeal.

Information

11. A separate note is attached setting out the circumstances in which the validity of this decision can be challenged in the High Court within six weeks of this decision.

INSPECTOR

Received by Wokingham District Council

Application No: F/2000/1989

Proposal:
Proposed erection of caravan canopy to front of dwelling

Location:
Torwood, Tintagel Road, Finchampstead, Wokingham.

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

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

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

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Mrs B Polnik P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 12/08/2000. Written comments submitted will become available for public inspection.

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

Head Planning and Transportation

19 July 2000

Application Number F/2000/1989
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal
			It is considered that the proposed
			development given its siting
			forward of the main building line
			would form an obtrusive feature
			which would have a negative
			impact upon the street scene.
			It is also considered that the prop.
			canopy would appear overbearing
			to the residents of the neighbouring
			dwelling 'Westways'.
			As such the proposal is contrary to
			policies SBE1 & SBE2 of the SEALP;
			& policies EOS1 & EN1 of the BSP; &
			policies WOS2, WOS3 & WBE1 of
			WDLP (D.D).

John Mitchell
8/9/00

RECORD OF SITE VISIT

SITE ADDRESS: Torwood Tintagel Road Finchampstead Wokingham.

APPLICATION NUMBER: F/2000/1989

OFFICER: Mrs B Polnik

DATE OF SITE VISIT: 11.8.00

1 SITE/STATUTORY NOTICE DISPLAYED ? yes.

2. DESCRIPTION OF SURROUNDINGS
mature, established residential area.
mixture of housing types.

3. DESCRIPTION OF SITE/BUILDING
modern 2 st. detached dwelling
screened to the front with dense planting
shrubs & coniferous trees

4. RELATIONSHIP TO ADJOINING PROPERTIES
WESTWAYS - located to the S.W.
- 1.8m board fence with Torwood - reduces to 1m close to entrance to site.

5. SITE CONSTRAINTS

TREES

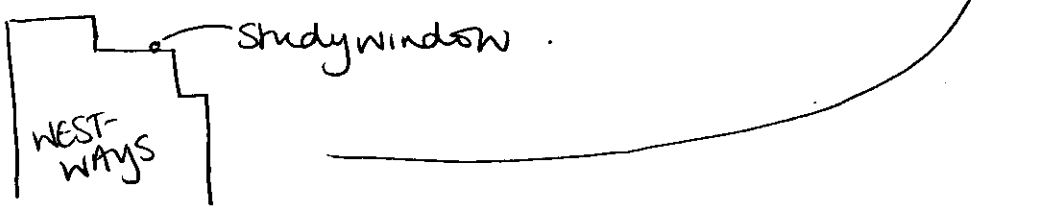
ACCESS/PARKING

LEVELS

BOUNDARY TREATMENT

OTHERS

TINTAGEL ROAD



WORK SHEET FOR : Mrs B Polnik

Application Number : F/2000/1989

Applicant : Mr Roberts C/O R G Butler & Associates.

Location : Torwood, Tintagel Road, Finchampstead, Wokingham.

Proposal : Proposed erection of caravan canopy to front of dwelling

Site Notice Displayed ? :	YES	NO	DATE
	✓		11.8.00

Date of Neighbour Notifications : .....

Date of Site Visit : .....

Date Registered : 17/07/2000

Earliest Date for Decision : 12/08/2000

Latest Consultation Date/Site Notice Expiry Date : 12/08/2000

This application will have expired on: 11/09/2000. 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 :

P. COUNCIL: Object on grounds that dev. would be an obtrusive feature in the st. scene.

ENV. DESIGN: No objection.

OBS LETTER: 1 - see file.

HIGHWAYS: No objection

Planning Issues : IDENTIFIED SETTLEMENT

* IMPACT UPON ST. SCENE.
* " " NEIGHB. PROPS.

POLICIES:

BSP: OS1 & ENI

SEALP: SBE1 & SBE2 & STV1

WDLP: WOS2, WOS3 & WBE1.

Application Number: F/2000/1989

PROP: ERECTION OF CARAVAN CANOPY.

Appraisal :

The application being considered proposes a canopy structure to be incorporated into the existing 2m high side boundary fence with 'Westways' The proposed canopy would be approximately 7.75m long & 3.2m wide & would stand approx. 3m high.

IMPACT UPON ST. SCENE :

The application site located along Tintagel Road, is & naturely landscaped to the front boundary with the highway. Presently a caravan is stored on hardstanding to the front of the dwelling. The scheme proposes a permanent structure approx. 3m high to be constructed right up to the exising 2m high boundary fence with Westways. It is proposed that trellis would be added to the existing fence so that it would stand at the same height as the canopy.
It is considered that although the site is well screened to the front some of the trees to the NW corner of the site are sparsely covered ~~[illegible]~~ & provide views through to the construction when approaching the site from the S.W
It is therefore considered that this development forward of the main building line would have a negative impact upon the street scene & character of the area.

IMPACT UPON NEIGHB. PROPS.
Although a degree of screening is provided by vegetation along the side boundary with 'Westways' & further is offered in the applicants efforts to add trellising to the top of the existing fence with planting it is considered that a fence this height along part of the boundary along with the bulk of the mass of the development would create a discordant feature which would be overbearing upon the residents of 'Westways.'

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

R. G. Butler & Associates
architectural designers

11 Strathmore Drive
Charvil Reading
Berkshire RG10 9QT
Tel/Fax. 0118 934 3040

11th July 2000

Wokingham District Council
Planning Department
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Sir

Re: Torwood, Tintagel Road, Wokingham

My client has parked his touring caravan in front of his house for several years in approximately the location shown on the drawings. However, because of all the dense planting and trees he is forever cleaning the outside of the caravan and would like to erect a simple canopy over it.

The proposal includes trellis above the existing 2 m high fence and planting variegated ivy to grow over that trellis to lessen it's impact upon the neighbour during winting time when other planting is a little depleted. The view will be improved from that which has existed for several years because the caravan has been there anyway without this additional screening.

Yours faithfully

R. G. Butler

enc

17 JUL 2000* 1989

HIGHWAYS CONSULTATION SHEET

From: Mrs B Polnik **Date:** 19 July 2000

Application Number: F/2000/1989

Proposal: Proposed erection of caravan canopy to front of dwelling

Parish: FINCHAMPSTEAD PARISH

Site Address:
Torwood, Tintagel Road, Finchampstead, Wokingham.

Applicant:
Mr Roberts C/O R G Butler & Associates.

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

✓ below as applicable;

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

NO OBJECTIONS.

Signed: _____ **Print name:** ADAM COSSINS

25/07/00.

TO: DEVELOPMENT CONTROL FROM: Environmental Design

Mrs B Polnik DATE: 16th August 2000

Location:	Torwood, Tintagel Road, Finchampstead
Proposal:	Proposed Erection of caravan canopy to front dwelling
Application Number:	F/2000/1989

In response to your consultation dated 19th July 2000 for the above application, the tree and landscape comments are as follows:

I have on objections to the proposal in principle. The proposed site for the caravan canopy is well screen by evergreen planting along the site boundaries and no existing landscape feature should be affected by the proposal.



ROBERT PETROW
Consultant Landscape Architect

Alun G Hicks BSc (Econ), FCA
Telephone: 0118 977 3712
e-mail: alun@westways42.freeserve.co.uk

PLANNING SERVICES | RPT
POL | LS
DC | ENF
APP
CS
03 AUG 2000
COPIES TO: | ACK:
FILE:

Westways
Tintagel Road
Finchampstead
Wokingham
Berks
RG40 3JJ

5th August 2000

Mr John Mitchell
Development Control Manager
Wokingham District Council
Planning Services
PO Box 157
Shute End
Wokingham
Berks
RG40 1WR

Dear Mr Mitchell,

Reference F/2000/1989

I write with regard to the above application for the construction of a caravan canopy along the boundary between the properties known as Torwood and Westways.

I am concerned that such a structure so close to the boundary and at a height of 3m (plus the depth of the canopy), will be stark, over-bearing and out of character with the overall setting; this will be particularly the case in winter when the trees are without foliage.

In order to meet Mr & Mrs Roberts requirements whist softening the visual impact I suggest:

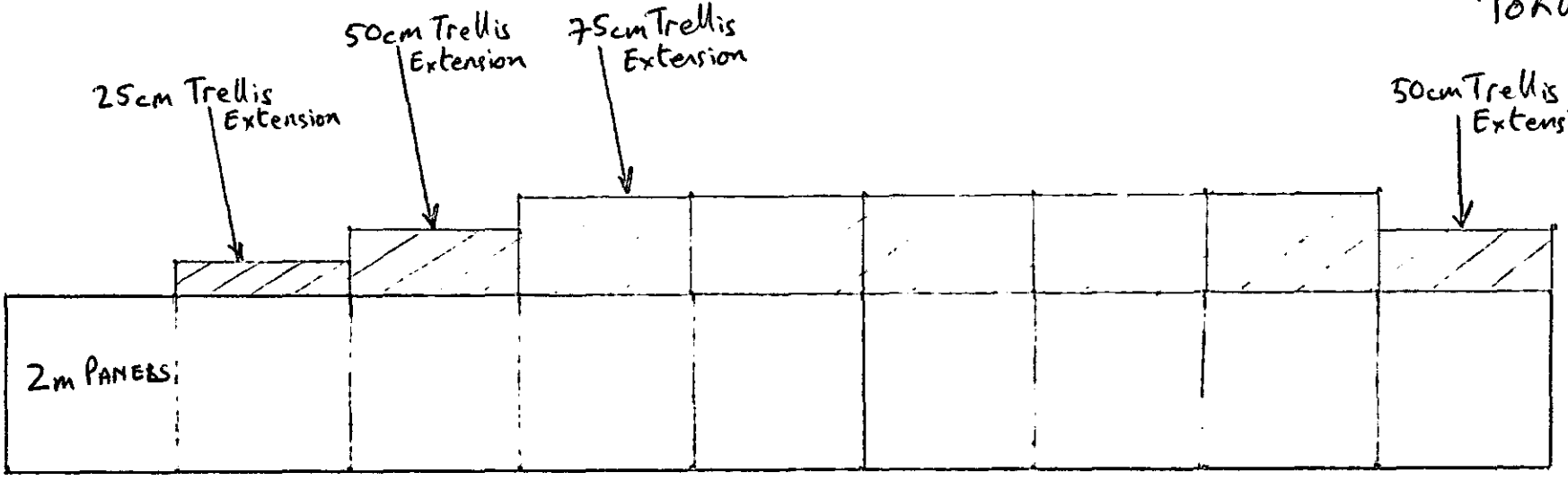
i) The canopy is re-sited approximately 2m closer to the boundary along Tintagel Road and approximately 2m away from the boundary between Westways and Torwood (the key limiting factor being two established pine trees – see attached illustration).

ii) The four low level fence panels which start the boundary fence between Westways and Torwood from Tintagel Road should be replaced with full size panels. The proposed trellis extension of the fence should commence from the second panel in from Tintagel Road and continue for 7 further panels. The trellis extension should be stepped and not extend more than approximately 75cm above the height of the fence panels (see attached illustration).

Yours sincerely,

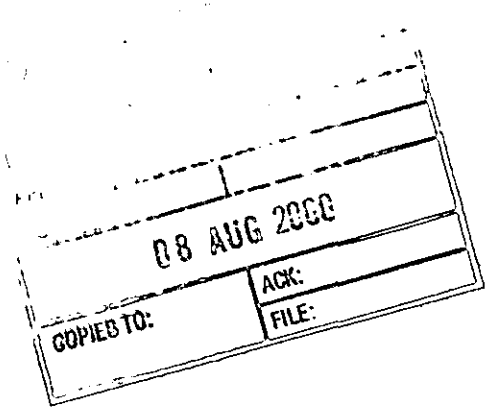
PANEL FENCING.

TORWOOD



TINTAGEL ROAD

WESTWAYS


08 AUG 2000
COPIES TO:
ACK:
FILE:

DELEGATED

FROM: Mrs B Polnik

DATE: 19 July 2000

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/1989

Proposal: Proposed erection of caravan canopy to front of dwelling.

Site Address: Torwood, Tintagel Road, Finchampstead, Wokingham.

Applicant: Mr Roberts C/O R G Butler & Associates.

Your observations are required in respect of this application **by 12/08/2000**

PLANNING SERVICES	TLS
POL	ENF
DC	
APP	
CS	
14 AUG 2000	
COPIES TO:	ACK:
	FILE:

Objection on the ground that the proposed canopy would be ~~an~~ obtrusive feature to the street scene.

SIGNED: C.S. Cl DATE: 11-8-00

Clerk To Finchampstead Parish/Town Council.

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

Tel: 0118 974 6450

Date: **19 July 2000**

My ref: F/2000/1989

CONFIDENTIAL

Councillor Charlesworth
3 Rowan Drive
Crowthorne
RG45 6RY

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

Dear Councillor

Application Number: F/2000/1989
Torwood, Tintagel Road, Finchampstead, Wokingham.
Proposed erection of caravan canopy to front of dwelling

I write to let you know that the above mentioned house holder 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 may wish the application to be listed for consideration by the Development Control Sub-Committee. This form must be received no later than 28 days from the date of this letter.

If you have any questions please do not hesitate to contact **Mrs B Polnik** on **0118 974 6450.**

Yours faithfully,

John Mitchell

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Mrs B Polnik** Application Number: **F/2000/1989**
Torwood, Tintagel Road, Finchampstead, Wokingham.
Proposed erection of caravan canopy to front of dwelling

I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Charlesworth

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

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

Tel: 0118 974 6450

Date: **19 July 2000**

My ref: F/2000/1989

CONFIDENTIAL

Councillor Cundy
Bumbles
Longwater Lane
Finchampstead
RG40 4NX

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

Dear Councillor

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If you have any questions please do not hesitate to contact **Mrs B Polnik** on **0118 974 6450**.

Yours faithfully,

John Mitchell

John Mitchell
Development Control Manager

LISTING FORM

Case officer: **Mrs B Polnik** Application Number: **F/2000/1989**
Torwood, Tintagel Road, Finchampstead, Wokingham.
Proposed erection of caravan canopy to front of dwelling
I wish this application to be listed should the officers recommendation be for_____
and my reason(s) are_____
_____
_____

Signed: _____ Date: _____
Councillor Cundy

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



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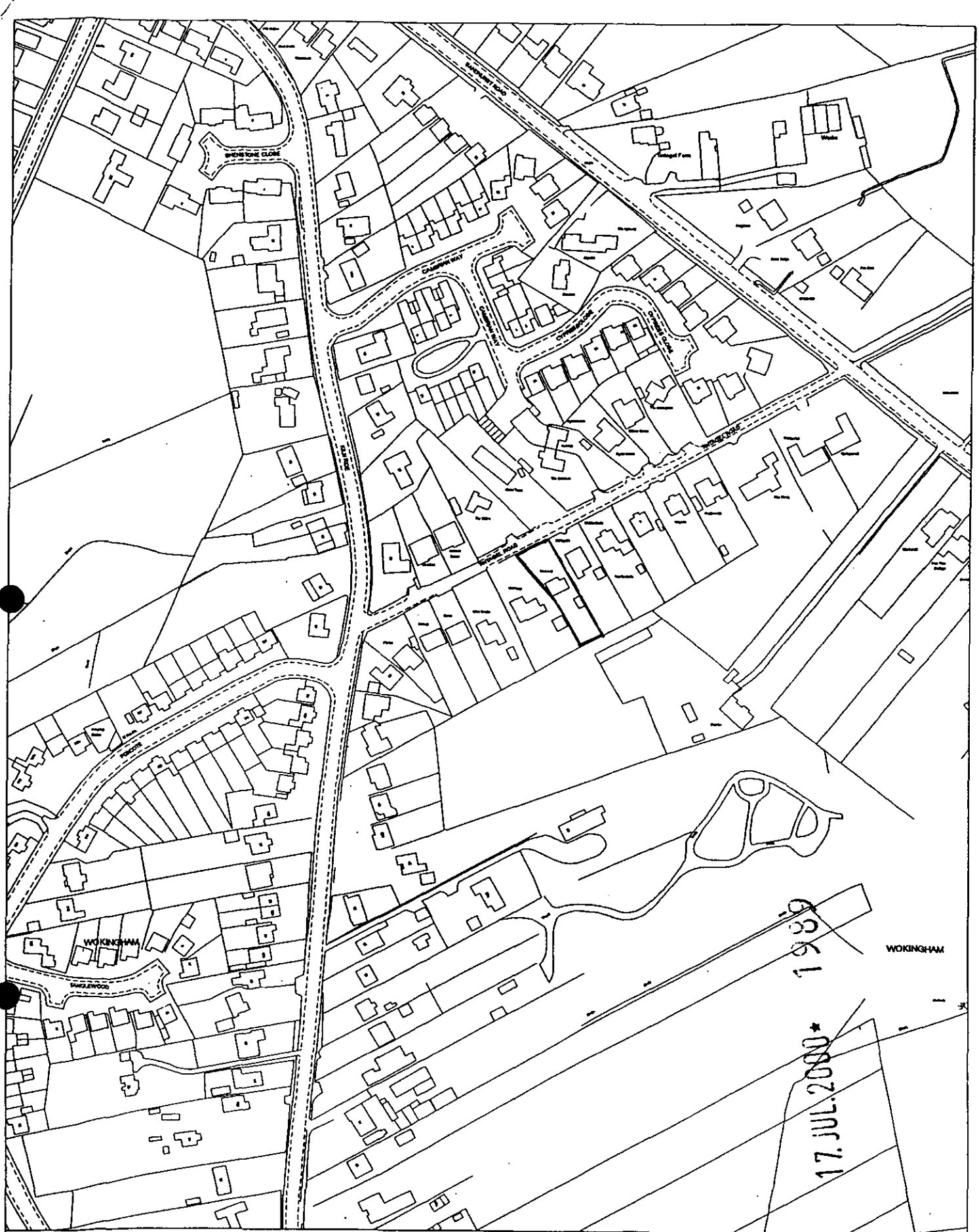
Development Control Section, Environmental Services, Wokingham District Council.

18 July 2000 17. JUL. 2000* 1989

Scale: 1 : 1250

N W E S



Site Plan, Scale: 1 to 2500

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Wokingham District Council, Licence No. LA086134
Date: 27 May 1998

Applicationo	Name & Address
F/2000/1989	A Hicks Westways Tintagel road Finchampstead RG40 3JJ

App. refused
Letter sent 20/09/00

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date:	17 JUL 2000
Officer: BP EC	Application No. F/2000/1989

Map No. 94 Site 0.08
Easting: ..... Flood Pln .....
Northing: ..... Mineral .....

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State
☐ Incorrect Fee ☐ Invalid ☐ PD

Description:
(F) PROPOSED ERECTION OF CARAVAN CANOPY TO FRONT OF DWELLING

Location: TORWOOD TINTAGEL ROAD

Parish: ~~WOKINGHAM~~ FINCHAMPSTEAD Ward: Finchampstead North

19.7.2000
21/7

Applicant: MR ROBERTS

Fee Received 95-00 (7) Required ..... Additional ..... Refund .....

Enforcement Section to be notified ☐ tick if required

Additional information required for validation

		Reason	Requested	Received
1	1:2500 OS location plan showing property edged in blue/red			
2	1:500 block plan showing existing & proposed dev. + adj. Properties			
3	Forms unsigned			
4	Correct S 66 certificate			
5	Elevation plans	other elevations.	19.7.	
6	Floor plans			
7	Metric scale disclaimer			
8	Encroachment letter			
9	Miscellaneous			

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area .....

Listed Building 1 2 2*

Advertisement Required .....

Date Site Notice Sent : 19.7.2000 ✓21/7

Parish Council Informed - YES / NO ✓21/7

INTERNAL CONSULTATIONS

Building Control .....

Landscape ✓ .....

Trees ✓21/7 .....

Conservation Officer .....

Environmental Health .....

Housing .....

Leisure & Cultural services .....

Public Rights of Way .....

Property .....

District Secretary (only if called in by SOS) .....

Policy & Plans .....

Strategic Planning (JSPU) .....

Minerals (BABTIE) .....

Archaeological Site (BABTIE) : .....

Education .....

Social Services ✓ .....

Highways ✓21/7 .....

EXTERNAL CONSULTATIONS

Adjacent D P A : .....

Adjacent Parish : .....

Southern Electricity Board .....

British Gas .....

PSA Oil Pipeline .....

Transco : .....

Environment Agency .....

Rail Track .....

Police Arch. Liaison Officer .....

HERITAGE BODIES

The Georgian Group .....

Ancient Monuments Society .....

Council for British Arch. .....

RCHME .....

Telecommunications (NRPB) : .....

Sport England : .....

OTHERS:

.....

.....

No pre-apps.

NEIGHBOURS:

✓21/7 S/N + The Haven, Silver Trees, Farindon, Westways } Tintagel Road, Finchampstead ✓

Caister, Sandhurst Road, Finchampstead

ADDRESS TORWOOD TINTAGEL ROAD

PARISH FINCHAMPSTEAD 1.4.86

PLOT No.

ORD. SHEET No. SU. 8065 99

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
133/73	ROBINS & SON LTD.	O/APP. DETACHED HOUSE	6.2.73	N/A REF.
555/73	"	O/APP. DETACHED BUNGALOW	10.5.73	N/A C/A
1884/73	"	BUNGALOW & GARAGE	8.1.74	APP. C/A
02452	MR. R. ROBERTS	CARAVAN	17.4.75	N/A T.P. 30.6.76
02505	"	DETACHED HOUSE & GARAGE	12.6.75	N/A REF.
03174	"	"	2.11.75	N/A C/A
BR3518	"	"	14.10.75	APP. N/A
07800	"	S/STOREY EXTENSION	16.3.78	N/A C/A
BR8300	"	" "	13.4.78	APP N/A
BRA373	"	DOUBLE GARAGE	27.2.86	APP N/A

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

17.JUL.2000* 1989

Environmental Services

For office use only.
Application number: 17.JUL.2000* 1989

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	MR R. ROBERTS
	Address and postcode	TORWOOD TINTAGEL ROAD WOKINGHAM
	Phone number	
2	Agent's Name	RG BUTLER & ASSOCIATES
	Address and postcode	11 STRATHMORE DRIVE CHARVIL READING RG10 9QT
	Phone number	0118 934 3040
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.	TORWOOD TINTAGEL ROAD WOKINGHAM
4	Give brief details of the proposal for example, two storey side extension. About the application	CARAVAN CANOPY.
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.	TRANSLUSCENT ROOF TIMBER FRAME
7	Will the proposal change the pedestrian or vehicle access to the site? Please show details of the existing access and any proposed changes on the plans.	Yes ☐ No ☑
8	Will the car parking provision at the site be changed? If Yes, please show details of any changes on the plans.	Yes ☐ No ☑

3544 Crystal Mark
Clarity approved by Plain English Campaign

Please turn over

9	How many bedrooms does the property have?	Existing: N/A	Proposed:
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

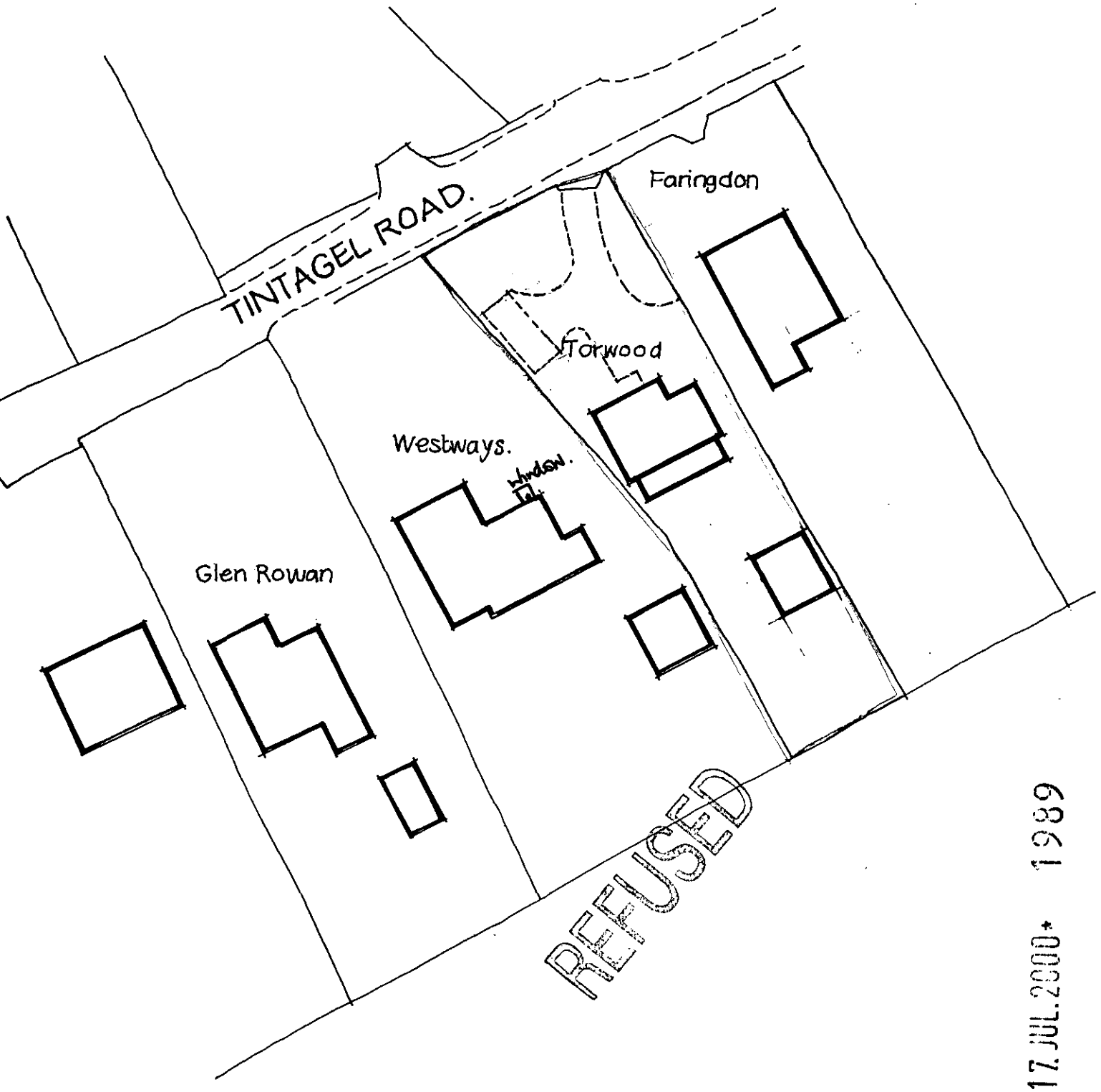
None of the land forms part of an agricultural holding.

Your signature: R O'Brien

on behalf of R Roberts esq

Date 10-7-00

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



17 JUL 2000 1989
REFUSED

BLOCK PLAN. 1:500.

Proposed caravan canopy at
TORWOOD TINTAGEL ROAD WOKINGHAM.

465/2

X SYSTEMS LTD

APPLICATION NO.1989

Name of appellant:
Mr R Roberts

Site address:
Torwood, Tintagel Rd

Proposal:Proposed erection of caravan canopy to front of dwelling

Case Officer:EC

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Decision
Date
Date Commenced
Date Completed

CONDITIONAL APPROVAL

Appeal Decision

Site visit made on 11 June 2001

by Laurence Wilbraham DipTP MRTPI

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

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 25 JUN 2001

Appeal Ref: APP/X0360/A/01/1057167
Torwood, Tintagel Road, Finchampstead

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr R Roberts against the decision of Wokingham District Council.
- The application ref: F/2000/1989, dated 10 July 2000, was refused by notice dated 8 September 2000.
- The development proposed is erection of a caravan canopy.

Summary of Decision: The appeal is dismissed.

Procedural Matters/Preliminary Matters

1. The caravan canopy has already been built and I therefore intend to deal with the appeal under Section 73A of the Town and Country Planning Act 1990 to retain development already carried out.

Main Issue

2. I consider the main issue to be the effect of the caravan canopy on the appearance of the street scene and on the living conditions of the adjacent dwelling Westways with regard to outlook.

Development Plan and other Planning Policies

3. The development plan comprises the Berkshire Structure Plan and the South East Area Local Plan (1994). The structure plan contains policy OS1 which seeks to improve the quality of life in the county; and policy EN1 which seeks to protect the character and quality of the environment. The local plan contains policy SBE1 which seeks to ensure that new development is of a high standard of design; policy SBE2 which seeks to ensure that development respects its surroundings; and policy STV1 which seeks to restrict new development to identified settlements.

4. The local plan is currently under review and Proposed Amendments to the Wokingham District Local Plan (Deposit Draft) were published in February 2000. These contain policy WOS2 which seeks to restrict new development to existing settlements; policy WOS3 which seeks to ensure that new development respects its surroundings; and policy WBE1 which seeks to ensure a high standard of design in new development.

Reasons

5. Tintagel Road is an unmade road serving residential development along its length. Its character is essentially rural due to the width and condition of the road, the absence of pavements and street lighting, the set back of the dwellings from the road, and the

substantial tree and shrub cover within the front gardens of the dwellings.

6. Apart from the caravan canopy there are no other structures or buildings within the front gardens of the dwellings along Tintagel Road. The canopy is of a substantial size, being over 3 m high, 3m wide and 7.75 m long. Although it is screened to some degree by the dense shrub cover on the frontage of the appeal site, it stands adjacent to the western boundary and is visible across the front garden of the adjacent house, Westways, from Tintagel Road. In view of its size and position well forward of the existing buildings nearby it appears, in my opinion, out of keeping with its surroundings and detracts from the character and appearance of the street scene in conflict with development plan policy.

7. The canopy is situated about 11 m from the nearest part of Westways and the vegetation within the garden to this dwelling close to the western boundary provides an element of screening to the structure. Although the canopy is relatively tall it does not have a solid roof or walls and in view of this, the distance from Westways, and the screening effect of vegetation, I do not consider that the canopy has an unacceptable impact on the outlook for occupiers of that dwelling.

8. On the main issue I have found that the canopy does not have an unacceptable impact on the living conditions of the occupiers of Westways but this does not outweigh the harm which has resulted to the street scene.

9. I have also had regard to all other matters raised but have found nothing of sufficient weight as to override the conclusions which have led to my decision.

Formal Decision

10. In exercise of the powers transferred to me I hereby dismiss this appeal.

Information

11. A separate note is attached setting out the circumstances in which the validity of this decision can be challenged in the High Court within six weeks of this decision.



INSPECTOR

The Planning Inspectorate

RIGHT TO CHALLENGE THE DECISION

The attached appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for redetermination. It does not follow necessarily that the original decision on the appeal will be reversed when it is redetermined.

You may wish to consider taking legal advice before embarking on a challenge. The following notes are provided for guidance only.

Under the provision of section 288 of the Town and Country Planning Act 1990, or section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the grounds:

1. that the decision is not within the powers of the Act; or

2. that any of the `relevant requirements' have not been complied with; (`relevant requirements' means any requirements of the 1990 Acts or of the Planning Tribunals Act 1992, or of any order, regulation or rule made under those Acts).

The two grounds noted above mean in effect that a decision cannot be challenged merely because someone does not agree with the Inspector's judgement. Those challenging a decision have to be able to show that a serious mistake was made by the Inspector when reaching his or her decision; or, for instance, that the inquiry, hearing or site visit was not handled correctly, or that the appeal procedures were not carried out properly. If a mistake has been made the Court has discretion not to quash the decision if it considers the interests of the person making the challenge have not been prejudiced.

It is important to note that such an application to the High Court must be lodged with the Crown Office <u>within 6 weeks</u> from the date of the decision. This time limit cannot be extended.

An appellant whose appeal has been allowed by an Inspector should note that `a person aggrieved' may include third parties as well as the local planning authority.

If you require further advice about making a High Court challenge you should consult a solicitor, or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London WC2 2LL. Telephone: 020 794 76000.

INSPECTION OF DOCUMENTS

It is our policy to retain case files for a period of one year from the date of the Inspector's decision. Any person entitled to be notified of the decision in an inquiry case has a legal right to apply to inspect the listed documents, photographs and

plans within 6 weeks of the date of the decision. Other requests to see the appeal documents will not normally be refused. All requests should be made quoting our appeal reference and stating the day on which you wish to visit, to:

Room 4/09 Kite Wing,
Temple Quay House, 2 The Square,
Temple Quay,
Bristol BS1 6PN.

Please give at least 3 working days notice and include a daytime telephone number, if possible.

COMPLAINTS TO THE INSPECTORATE

Any complaints about the Inspector's decision, or about the way in which the Inspector has conducted the case, or any procedural aspect of the appeal should be made in writing and quoting our appeal reference, to:

The Complaints Officer,
Quality Assurance Unit,
Room 4/09 Kite Wing,
Temple Quay House, 2 The Square,
Temple Quay, Bristol BS1 6PN.

You should normally receive a reply within 15 days of our receipt of your letter. You should note however, we cannot reconsider an appeal on which a decision has been issued. This can be done following a successful High Court challenge as explained overleaf.

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION (THE OMBUDSMAN)

If you consider that you have been unfairly treated through maladministration by us you can ask the Ombudsman to investigate. The Ombudsman cannot be approached direct; reference can be made to him only by an MP. While this does not have to be your local MP (whose name and address will be in the local library) in most cases he or she will be the easiest person to approach. Although the Ombudsman can recommend various forms of redress he cannot alter the Inspector's decision in any way.

COUNCIL ON TRIBUNALS

If you feel there was something wrong with the basic procedure used for the appeal, a complaint can be made to the `Council on Tribunals', 22 Kingsway, London WC2B 6LE. The Council will take the matter up if they think it comes within their scope. They are not concerned with the merits and cannot change the outcome of the appeal decision.

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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 0117-3728443

GTN 1371-6079

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

Your Ref: F/2000/1989

Our Ref: APP/X0360/A/01/1057167

Date: 25 June 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR R ROBERTS
SITE AT TORWOOD, TINTAGEL ROAD, FINCHAMPSTEAD, WOKINGHAM, RG40 3JJ

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

The attached leaflet explains the right of appeal to the High Court against the decision and how the documents can be inspected.

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

The Complaints Officer
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 6219

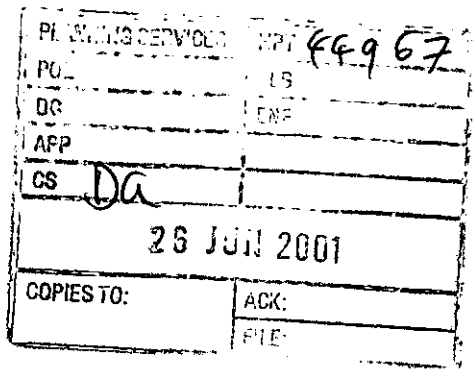
E-mail: Complaints@planning-inspectorate.gsi.gov.uk

DG

Yours faithfully

Mr S Campbell

COVERDL1



Tel. (0118) 974 6448 (Direct Line)
Date: March 2, 2001
My ref: F/2000/1989
Your ref: APP/X0360/A/01/1057167

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

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

Dear Miss Groves

APPEAL BY: Mr R Roberts
SITE: Torwood, Tintagel Rd, Finchampstead

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. February 1, 2001
My ref: F/2000/1989
Your ref:

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

R G Butler & Associates
11 Strathmore Drive
Charvil
Reading
RG10 9QT

Dear Sirs

APPEAL BY: **Mr R Roberts**
SITE: **Torwood, Tintagel Rd, Finchampstead**

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

Tel. (0118) 974 6448 (Direct Line)
Date: February 1, 2001
My ref: F/2000/1989
Your ref: APP/X0360/A/00/1057167

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

Environmental Services Department
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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 Miss Groves

APPEAL BY: Mr R Roberts
SITE: Torwood, Tintagel Road, Finchampstead

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

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. January 24, 2001
My ref. F/2000/1989
Your ref.

A Hicks
Westways
Tintagel Road
Finchampstead
RG40 3JJ

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,

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY: Mr R Roberts
SITE: Torwood, Tintagel Rd, Finchampstead
PROPOSAL: Proposed erection of caravan canopy to front of dwelling

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

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

As your interests may be affected, you can give your views on the appeal in writing to Miss A Groves The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ. You should, if possible, send three copies quoting reference APP/X0360/A/00/1057167. Comments received after 05/03/01 will not normally be seen by the Inspector & will be returned.

The application, decision notice, and the appellant's grounds of appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 16.00 on Fridays).

A free booklet, Guide to taking part in Planning Appeals, is available from this office.

If you wish to be notified of the result of the appeal, you should write to the Planning Inspectorate requesting a copy of the decision.

Yours faithfully

Denise Gumbrell



Site Plan, Scale: 1 to 1250

This copy has been produced specifically for the map return scheme purposes only. No further copies may be made.

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Date: 24 January 2001

N
W E
S

The Planning Inspectorate

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

PLANNING SERVICES | HPT
POI Direct Line | TLS 0117 9876079
DC Switchboard | ENF 0117 9878000
APP Fax No | 0117 9878443
CS GTN | 1374 6079
23 JAN 2001
COPIES TO: | ACK: FILE:

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

Your Ref: F/2000/1989

Our Ref: APP/X0360/A/01/1057167

Date: 22 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR R ROBERTS
SITE AT TORWOOD, TINTAGEL ROAD, FINCHAMPSTEAD, WOKINGHAM, RG40 3JJ

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 to me, 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.

You must **submit** the following documents within this timetable:

Within 2 weeks from the starting date -

You must notify interested persons who were consulted at application stage and those who made comments 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 and supporting documents to the appellant and me (including relevant development plan policies when appeals are against non-determination).

Within 6 weeks from the starting date -

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

Within 9 weeks from the starting date -

You and the appellant must submit 2 copies of any final comments on each other's statement and 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. I will forward the LPA'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. In most cases the visit will be arranged within 12 weeks of the **starting date**.

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

G. Nall

PT Miss A Groves

102(BPR)

The Planning Inspectorate

PLANNING APPEAL FORM

For official use only
Date received

Please send each appeal on a separate form

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

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

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

A. APPELLANT DETAILS

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

Name Mr. R. ROBERTS

Address TORWOOD
TINTAGEL ROAD
FINCHAMPSTEAD WOKINGHAM

Postcode RG40 3JJ

Your reference

Daytime phone no

Fax no

E-mail address

B. AGENT DETAILS (if any)

Name R G BUTLER & ASSOCIATES

Address 11 STRATHMORE DRIVE
CHARVIL
READING

Postcode RG10 9QT.

Your reference

Daytime phone no 0118 934 3040

Fax no DITTO.

E-mail address

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT

Date of the planning application 10/7/00

LPA's application reference no F/2000/1989

Date of LPA's decision notice (if issued) 8/9/00

D. APPEAL SITE ADDRESS

Address TORWOOD
TINTAGEL ROAD FINCHAMPSTEAD
WOKINGHAM

Postcode RG40 3JJ

National grid reference SU 804658

(Please see the key on an Ordnance Survey map for instructions; this should be 2 letters and 6 numbers, eg TQ 298407)

E. DESCRIPTION OF THE DEVELOPMENT

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

CARAVAN CANOPY

Size of the whole appeal site (*in hectares*)

0.08

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

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 which you do not like. ☐
3. Refuse approval of details listed under a previous outline planning permission. ☐
4. Grant approval of details listed under a previous outline planning permission subject to conditions which you do not like. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

   or 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. GROUNDS OF APPEAL

If you want your appeal dealt with by the written procedure, your **FULL STATEMENT MUST** be made, otherwise we will return the appeal form. You should give a clear explanation of why you disagree with each of the LPA's reasons for not granting permission, if appropriate. Please continue on a separate sheet(s) if you need to and attach them to this form. If you have requested a hearing or an inquiry, please provide a brief outline of your case.

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* ✔

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 notice 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 notice served	Date the notice was served

PLEASE SIGN BELOW

I confirm that this section has been fully completed and the details of the ownership of the appeal site are correct, to the best of my knowledge

Signed R G Butler (on behalf of) MR R ROBERTS

Name (in capitals) R G BUTLER Date 12.01.01

Please turn over

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. Copies of **plans, drawings and documents** sent to the LPA as part of the application. ☑
6. 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. 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). ☐
11. 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. ☐

_____

_____

K. PLEASE SIGN BELOW

(Unsigned forms will be returned. Signed forms 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 documents to the LPA – ***N.B.*** *if you do not, your appeal will not normally be accepted.*
2. I confirm that section J has been fully completed.
3. I will send 2 copies of any further documents relating to this appeal to the Inspectorate.

Signed R.G Butler. (on behalf of) MR R ROBERTS.

Name (in capitals) RG BUTLER Date 12.01.01

G. GROUNDS OF APPEAL (continued)

H. CHOICE OF PROCEDURE

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 tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☑

Can the whole site be seen from a road or other public land and there is no need for the Inspector to enter the site (eg to take measurements or to enter a building)? If yes, please tick the box. If so, we will arrange an unaccompanied site visit. ☑

2. HEARING ☐

Although you may prefer a hearing, we will decide whether a hearing is suitable for your appeal after consulting the LPA.

3. INQUIRY ☐

Please give reasons why you think an inquiry is necessary.

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
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  Houlton Street
  BRISTOL
  BS2 9DJ
  Fax no: 0117 987 8769

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  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 as they will have everything which you sent them at application stage, but send them any supporting documents not previously sent to them as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

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1) Tell you if it is valid.

2) Write to you and the LPA and tell you the procedure for your appeal.

3) Tell you the timetable for us receiving further information or representations.
If your representations are received after the deadline, they will not normally be seen by our Inspector and will be returned to you.

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

5) Tell you our Inspector's decision.

Published by the Planning Inspectorate September 2000

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

Your Ref: F/2000/1989

Our Ref: APP/X0360/A/01/1057167

Date: 31 May 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR R ROBERTS
SITE AT TORWOOD, TINTAGEL ROAD, FINCHAMPSTEAD, WOKINGHAM, RG40 3JJ

I enclose third party correspondence relating to the above appeal. I apologise for the delay in the forwarding of this correspondence.

Yours faithfully

Simon Campbell

Miss A Groves

211AL(BPR)

44035.

PLANNING SERVICES	HPT
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WESTWAYS
Tintagel Road
Finchampstead
Wokingham
Berks
RG40 3JJ

26th February 2001

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Dear Miss Groves,

Ref: APP/X0360/A/00/1057167

I write with regard to the appeal referenced above. My wife and I jointly own and reside at Westways, which is the property adjacent to Torwood and most affected by the erection of a caravan canopy/car port.

Background

- In the summer of 2000 Mr Roberts applied for planning permission to erect a "caravan canopy" (in reality a very large, high car port) to the front of his house and along the boundary separating Torwood and Westways.
- Despite reservations about the need for and desirability of such a structure, in the interests of good neighbourliness, I chose not to submit an uncompromising objection, but proposed changes to the proposal so as to make the structure less obtrusive.
- Wokingham Planning Services subsequently refused permission on the grounds that the proposed development would be obtrusive, have a negative impact on the street scene and be overbearing to the residents of Westways.
- Early in December 2000 construction of a caravan canopy/car port commenced. **The caravan canopy/car port as constructed is neither sited in accordance with the original application nor does it take account of my proposals.**
- By letter dated 24th January 2001 I was advised that an appeal had been lodged with the Planning Inspectorate.

Nature of Area

Tintagel Road, Finchampstead is a residential area that has been carefully developed. Most plots have small clumps of established trees, usually to the front of the dwellings, which do much to enhance the quality of the environment in what is a quite densely built-up area. Clearly, the over-development of such plots would be out of character and compromise the general quality and woodland ambiance of the area.

Response to Submissions of R G Butler & Associates (agents of the appellant)

1. Covering letter to application dated 11th July 2000.

   This letter states that the proposal includes "....trellis above the existing 2m high fence.... to lessen [the] impact upon the neighbour". It also states that "the view will be improved from that which has existed for several years because the caravan has been there anyway without additional screening".

   Response: The drawings submitted with the application show the caravan canopy/car port being used to support an extended fence. Where the caravan canopy/car port has been sited however, precludes this possibility whilst extending the fence to 3m plus as envisaged in the application would be overbearing and out of keeping with the residential setting. Further, a fence of that height would be vulnerable to high winds unless constructed very robustly. It should also be noted that Mr Roberts does not own the fence in question and has no automatic right to change it.

   It is correct that the caravan has been parked on the plot for several years but until the caravan canopy/car port was constructed it had always been parked "long-ways on" to the fence presenting a much reduced profile from Westways. Now that the caravan canopy/car port has been constructed it is parked parallel to the fence and consequently has a much increased visual impact from Westways and the Street.

2. Letter dated 6th October 2000.

   The letter refers to alternatives to the caravan canopy/car port being more unacceptable but notes that the caravan has been parked on the plot for some years without protection of a canopy. The letter also states that "there are already other examples of similar structures only a stones throw from Torwood".

   Response: Modern caravans and motor vehicles are built for outdoor use and it is questionable if they need to be housed at all and indeed, as is acknowledged, Mr Roberts has kept an un-housed caravan for some years. The suggested alternatives to the canopy/car port are impractical because it would not be possible to easily cover the caravan with a tarpaulin (given the fixed aerial on the caravan necessitating the canopy being so high) and a system of temporary poles are unlikely to accommodate high winds. The only real alternative is for Mr Roberts to house the caravan at appropriate covered off-site premises during the winter months when it is not used.

   It is something of an exaggeration to claim that there are other similar structures in the vicinity. The only similar structure is a canopy/car port at a property on nearby Kiln Ride (see photograph 'A' attached) which is much smaller and of a less substantial construction, it is not overbearing to neighbours or obtrusive and does not compromise the setting by extending beyond the building line.

3. Written representations on behalf of the applicant. Section 5 deals with Consideration of Material Issues.

   - 5.1 states that the primary issue is the location of the proposed caravan canopy/car port and that the local authority considers it out of character with the setting.

     It is my view that this caravan canopy/car port (which is now a reality, contrary to permission being refused) compromises an important feature of the area (namely, the woodland appearance), is inappropriate in scale (height/area) and is therefore not integrated into the local context. Furthermore, it does not show sensitivity to the residents of Westways (see photograph 'B' attached) because:
     - it deprecates the visual amenity.
     - it is overbearing.
     - it does not provide for the proper disposal of rainwater which, given the area and slope of the roof, will accumulate in the area of the fence.

   - 5.2 states that the caravan is used for touring and when not in use has for several years been parked in the front garden.

     The caravan is used about 30 days a year and, as already noted, has until recently been parked long-ways on (i.e. not parallel) to the partitioning fence and was significantly less obtrusive both from Westways and from the Street.

   - 5.3 states that the caravan and canopy/car port would not be seen when approaching the site from the Sandhurst Road end of Tintagel Road. It would also not be seen from Tintagel Road immediately in front of the property. It is only when approaching from the east that such a structure could be seen until additional planting matures.

     Photograph 'C' attached shows the extent to which the caravan and canopy/car port can be seen from Tintagel Road and from the point of entry to Westways. The additional planting will take years to mature and indeed may never adequately screen the caravan and canopy/car port from the street.

I would appreciate being notified of the result of this appeal and request a copy of the decision in due course.

Yours sincerely,

A G Hicks

The Planning Inspectorate

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Houlton Street
Bristol BS2 9DJ
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Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/1989

Our Ref: APP/X0360/A/01/1057167

Date: 27 March 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR R ROBERTS
SITE AT TORWOOD, TINTAGEL ROAD, FINCHAMPSTEAD, WOKINGHAM, RG40 3JJ

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

Yours faithfully

41710

DG

Miss A Groves

217L(BPR)

24th. March 2001

28 MAR 2001

The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol B52 9DJ

Your ref: APP/X0360/A/01/1057167

L.A.ref: F/2000/1989

Dear Madam

Re: Torwood, TintagelRoad, Finchampstead

In the Local Authority's statement they make the point that no such structures in Tintagel Road other than this proposal. However Tintagel Road is an unmade road with a very poor surface and consequently No through traffic uses the road. Thus only other residents and dog walkers might see the structure through the dense planting.

The nearest similar structure approximately 90 metres away as the crow flies at No. 27 Kiln Lane is clearly open to a busy estate road used by hundreds of people, and has obviously not been cause for complaint.

Yours Faithfully

R.G. Butler

Appendix 1: Site plan (1:1250)



Site Plan, Scale: 1 to 1250

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Date: 24 January 2001

N W E S

Appendix 2: Extract from the Berkshire Structure Plan



BERKSHIRE STRUCTURE PLAN 1991-2006





Babtie

3.7 Sustainable levels, forms and locations for development are therefore sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within the environmental and other limits described in Chapter 2.

3.8 This approach is considered appropriate in view of :

- the limited capacity of the County to absorb further development;
- the need to husband land so that there is scope for development beyond 2006;
- the cumulative impact of development on existing communities, on the transport network and on pollution;
- the extent of existing commitments;
- uncertainties as to the timing and extent of recovery from the recent recession;
- changing economic factors which may affect people's aspirations and ability to form new households in separate accommodation;
- emphasis in the Regional Guidance on sustainable development, respecting environmental constraints and reducing rates of development in the west of the region.

3.9 Wthin this framework it is intended that scope and flexibility should be provided for helping to meet local housing needs, to secure and maintain a balanced local economy and to allow the provision of a wide range of job opportunities.

The Overall Strategy

Policy OS1 **The overall strategy of the Plan is to seek sustainable development and improvement to the quality of life in Berkshire by pursuing the following objectives :**

(i) to restrain development to levels that respect the limits set by environmental, infrastructure and other constraints upon the development of land;

(ii) to give priority within (i) to meeting Berkshire's economic and social needs, including the provision of low-cost housing and wider employment opportunities;

(iii) to protect and enhance the character and quality of Berkshire's landscape, environment and heritage;

(iv) to steer development to locations which minimise the need for travel and can be well served by public transport;

(v) **to conserve natural resources;**

(vi) **to minimise pollution;**

(vii) **to seek improvements to infrastructure, services and amenities;**

(viii) **to promote an appropriate balance between all forms of transport by continuing to develop an integrated transport strategy.**

MAIN THEMES OF THE STRATEGY

3.10 The main themes of the Structure Plan strategy are outlined below and developed in more detail in subsequent chapters. Environmental concerns are reflected in policies in all sections of the Plan. References to policies in the Plan of particular relevance are listed under each sub-heading.

Restraining Levels of Growth

3.11 The Plan seeks to keep growth down to levels which can be accommodated within the limits set by environmental, infrastructure and other considerations (Policies OS1; LD1, LD3, LD6, LD7; H1, H2; BU1; TC1; R1; M1, M3).

3.12 A restrained level of growth will generally take less open land for development, generate less traffic and waste and help towards reducing pollution, energy consumption, the depletion of water resources and the demand for minerals and aggregates. It will also allow more scope for catching up in the provision of social and physical infrastructure (subject to the environmental acceptability of proposals and availability of the necessary resources).

3.13 This approach is in line with key objectives in the regional planning guidance for the South East, in which it is suggested that levels of development should respect the region's valuable environmental features and avoid the wasteful use of land and other natural resources. The regional guidance also states that a reducing rate of growth is appropriate in the west of the region to enable infrastructure and services to catch up with rapid rates of development in the recent past.

3.14 The overall housing provision for the period 1991-2006 was increased by the County Council from 37,000 to 40,000 dwellings in response to a direction issued by the Secretary of State for the Environment on 29 June 1995. While the Council has welcomed the fact that the Secretary of State has not pressed it to accept the total of 48,000 dwellings recommended by the Panel which conducted the Examination in Public in 1993, it remains concerned that increasing the provision above 37,000 dwellings could have serious environmental consequences contrary to the overall objectives of the Structure Plan.

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

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

The Environment of the Built-up Areas

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

Protection and Enhancement of the Environment of Built-Up Areas

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

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

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

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

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

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

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

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

Environmental Nuisance

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

Protection from Environmental Nuisance

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

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

Flooding

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

Appendix 3: Extract from the South East Area Local Plan

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994



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

1.4 QUALITY & 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 buildings, 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. 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 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 involving 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/required to establish the wider context within which applications will be considered.

❖ *SBE1 DESIGN OF NEW DEVELOPMENT*

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

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

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

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

❖ *SBE2 INAPPROPRIATE DESIGN*

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

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

ENVIRONMENTAL IMPROVEMENT

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

1.4.05 Often the more attractive and successful urban 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, local shopping centres in particular, where comprehensive development 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.



❖ SBE3 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.

❖ SBE4 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.

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

❖ STV1 'IDENTIFIED SETTLEMENTS'

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

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

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

❖ STV2 DEVELOPMENT IN RURAL AREAS

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

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

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

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

(D) MINERAL EXTRACTION,

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

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

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

Appendix 4: Extract from the Wokingham Distrcit Local Plan (Deposit Draft)



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**

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

B) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

C) CONSERVING AND ENHANCING THE PATTERN OF TOWN AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

D) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

E) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

F) ~~TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION~~ **(PA 1/3)**

F1) TO CONSERVE NATURAL RESOURCES **(PA 1/3)**

F2) TO MINIMISE POLLUTION (PA 1/3)

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

H) TO ENCOURAGE AND SUSTAIN BALANCED RURAL COMMUNITIES **(PA 1/1)**

I) TO DEVELOP BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES **(PA 1/2)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside ~~or has special reason to locate there~~ *OR FOR WHICH A RURAL LOCATION IS ESSENTIAL.* **(PA 1/4)** Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

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

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

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

(iii) be physically and socially cohesive.

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

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

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

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

1.12A LANDSCAPING SCHEMES SHOULD BE COMPRISED PREDOMINANTLY, IF NOT WHOLLY, OF LOCALLY NATIVE SPECIES. **(PA 1/5)**

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.

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.

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78
APPEAL BY
Mr R. Roberts

Against the REFUSAL of
Wokingham District Council
To Permit
The erection of a caravan canopy to front
of dwelling at
Torwood, Tintagel Road, Finchampstead,
Wokingham, Berkshire

Written representations on behalf of the applicant

L.A. Ref: F/2000/1989

R. G. Butler & Associates
11 Strathmore Drive
Charvil
Reading
RG10 9QT

1. Introduction

1.1 This appeal relates to a full application for the erection of a canopy over a caravan in the front garden of a detached dwelling.

1.2 The application was submitted to the Local Authority on the 10th July 2000 and was refused on 8th September 2000 for the following reason :-

It is considered that the proposed development given it's siting forward of the main building line would form an obtrusive feature which would have a negative impact upon the street scene. It is also considered that the proposed canopy would appear overbearing to the residents of the neighbouring dwelling 'Westways'.

As such the proposal is contrary to Policies SBE1, SBE2 and STV1 of the South East Area Local Plan. Policies OS1 and EN1 of the Berkshire Struture Plan and Policies WOS2, WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

2. Description of Site and Surroundings

Tintagel Road is situated to the south of Wokingham and runs east to west from Kiln Ride to Sandhurst Road (A321).

2.1 Tintagel Road is an un-made up road with a mixture of residential properties on both sides. Styles and sizes differing depending upon the age of individual houses.

2.2 The front garden of Torwood contains dense screen mature planting and some mature trees.

2.3 The appeal site is approx. 0.08 Ha. It has a frontage of 18 m onto Tintagel Road and a depth of 57 m.

The building line of the property is set back 20 m from the front boundary.

3. Planning History and Background

3.1 Torwood was built by it's present owner in 1975 and since that date the property has been extended to the rear.

The original single garage situated to the rear of the house has been extended to become a double garage.

3.2 On receipt of the refusal, the agent did write to Wokingham District Council asking if perhaps a temporary approval might be appropriate. No reply was received.

During a telephone conversation, the Area Planning Officer did say that should such a structure be approved, then the Local Authority would have no control over any subsequent conversion into a garage. It was pointed out by the Agent that this is what planning conditions were for.

4. Relevant Planning Policies

4.1 The South East Area Local Plan is the currently approved plan containing policies that are more detailed. It was adopted in 1994 and is in the process of being reviewed.

4.2 Chapter 1.4 deals with the quality and conservation of the built environment and two policies are relevant to this appeal.

4.3 Policy SBE1 seeks a high standard of design appropriate to the character of the area. Development should make a positive contribution to it's setting, contribute to a safe and attractive environment and retain important features compatible with good design.

4.4 Policy SBE2 presumes against design which is inappropriate in terms of it's relationship with adjoining sites and buildings, or which would adversely affect character by virtue of siting, scale, form, massing, materials, colour or texture.

4.5 The Wokingham District Local Plan (Deposit Draft) is currently subject of a local enquiry. In the interim, it's policies have been adopted for the purposes of development control.

4.6 Policy WOS2 allows development within identified settlements subject to the provisions of other policies in the plan.

4.7 WOS3 requires all development proposals to be appropriate in scale, integrated into their local context, retain important features, provide additional landscaping and be of a high quality of design.

4.8 Policy WBE1 requires good contemporary design, which respects it's local context. The elements to be considered are listed in the policy and include environmental impact, visual impact, landform, townscape, layout and amenity.

4.9 **The Berkshire Structure Plan 1991 - 2006** contains strategic policies relating to the area within which the appeal site is located. There are, understandably, no specific policies referring to out-buildings.

4.10 Policy EN1, however, is concerned with the environment of built-up areas. The policy seeks to protect existing character and calls for development that is appropriate in scale, form, impact, character and siting to it's location. This includes a high standard of design, layout and landscaping.

5. Consideration of Material Issues

5.1 It is clear from the refusal notice that the primary issue in this case is the location of the proposed canopy. The Local Authority considers it would be obtrusive, resulting in it appearing out of character in it's setting.

5.2 The caravan is frequently used by the owners for touring and when not being used has for several years been parked in the front garden.

5.3 The caravan and canopy would not be seen when approaching the site from the Sandhurst Road end of Tintagel Road. It would also not be seen from Tintagel Road immediately in front of the property. It is only when approaching from the east that such a structure could be seen until additional planting matured.

5.4 There is a similar example of a caravan canopy within a 3 minute walk form the site at No. 27 Kiln Ride. The canopy is in front of the building line, against the side boundary of the site and in full view of the road. The caravan does not have the benefit of screen planting. However, it does not appear offensive and has obviously not been a planning problem.

There are other examples in the area of carports and even a garage well in front of the building line, but No. 27 Kiln Ride resembles this appeal closest.

5.5 The proposal was to build the canopy sufficiently far from the boundary that fast growing climbing plants could be grown up a trellis in order to screen the structure and soften it's profile facing west-ways.

6. Conclusions

6.1 Development inside settlement areas is acceptable in principle, subject to compliance with detailed criteria to ensure there is no harm to acknowledged areas of public importance.

6.2 The principle issue in this case is whether the location of the proposal will be out of keeping with the character of it's setting.

6.3 All development will have some effect. The question is whether it will be adverse. If it is not, then permission should be granted. If it is, then consideration should be given to the degree of impact, and, if necessary, whether this could be overcome by appropriate conditions.

6.4 It's location, coupled with appropriate planting, will not be detremental to visual amenity or the interests of neighbouring residents. The building will be assimilated into the street scene.

6.5 It is submitted, therefore, that there will be not detrement to any interests of acknowledged importance, and the proposal will not conflict with any of the relevant policies.

6.6 Consequently, it is requested that the appeal be allowed in accordance with section 54A of the Planning Act subject to any necessary conditions.

may also be material to decisions on individual planning applications and appeals.

5–002 This Planning Policy Guidance Note is a revision of PPG1 published in March 1992 that it supersedes. Its content has been refocused to provide a more strategic commentary on planning policy. It does not attempt to summarise policies set out elsewhere in regional planning guidance, other PPGs, mineral planning guidance and circulars. A full list of such guidance was published in the index of Planning Guidance in June.[1] This PPG:

- reaffirms the role of the planning system in meeting the needs of a growing and competitive economy, providing for new development such as housing, and in protecting the natural and built environment;
- emphasises the contribution of the planning system to achieving sustainable development;
- identifies ways in which mixed use development can be promoted;
- updates the guidance on the role of design considerations in planning particularly in the light of the Government's Quality in Town and Country Initiative;
- restates the limited circumstances in which it is appropriate to use planning obligations to secure development;
- gives guidance on the operation of the plan-led system; and
- contains new sections on the Citizens Charter and propriety.

References throughout this document to "the 1990 Act" are to the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.

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INTRODUCTION

5–003 1. A key role of the planning system is to enable the provision of homes and buildings, investment and jobs in a way which is consistent with the principles of sustainable development. It needs to be positive in promoting competitiveness while being protective towards the environment and amenity. The policies which underpin the system, summarised in the Note, seek to balance these aims. It will frequently be the case, in relation to a particular development proposal, that several economic, environmental, social or other factors need to be taken into account. This requires a framework which promotes consistent, predictable and prompt decision-making.

2. At the heart of this framework are development plans which aim to give a measure of certainty and predictability to the system. Section 54A requires

[1] EDITORIAL NOTE: reproduced in the *Encyclopedia* at the front of Volume 5.

that, where the development plan contains relevant policies, applications for development which are in accordance with the plan shall be allowed unless material considerations indicate otherwise. For the planning system to be effective, comprehensive coverage of up-to-date development plans is essential. 5-003

3. This Note begins by discussing sustainable development, mixed use and design, three themes which underpin the Government's approach to the planning system. It then provides a number of policy messages in relation to various particular land uses. More detailed guidance is given in the other Government planning policy notes and good practice guides listed in Annex B. Finally, it sets out the operational principles to be observed in the planning system.

THE GOVERNMENT'S APPROACH TO PLANNING

Sustainable development

4. Sustainable development seeks to deliver the objective of achieving, now and in the future, economic development to secure higher living standards while protecting and enhancing the environment. The most commonly used definition is "development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (World Commission on Environment and Development, 1987). The Government is committed to the principles of sustainable development set out in *Sustainable Development: The UK Strategy* (1994). 5-004

5. The *Strategy* recognises the important role of the planning system in regulating the development and use of land in the public interest. A sustainable framework should:

- provide for the nation's needs for commercial and industrial development, food production, minerals extraction, new homes and other buildings, while respecting environmental objectives;
- use already developed areas in the most efficient way, while making them more attractive places in which to live and work;
- conserve both the cultural heritage and natural resources (including wildlife, landscape, water, soil and air quality) taking particular care to safeguard designations of national and international importance;
- shape new development patterns in a way which minimises the need to travel.

6. The Government's planning guidance notes set out the planning framework within which local planning authorities are required to draw up their development plans and take decisions on individual applications to secure these objectives.

7. Urban regeneration and re-use of previously-developed land are important supporting objectives for creating a more sustainable pattern of development. The Government is committed to:

- concentrating development for uses which generate a large number of trips in places well served by public transport, especially in town centres, rather than in out of centre locations[2]; and
- preferring the development of land within urban areas, particularly on previously-developed sites, provided that this creates or maintains a good living environment, before considering the development of greenfield sites.[3]

[2] Editorial Note: policy on this theme is developed in PPG6, *Town Centres and Retail Developments* (1996).

[3] Editorial Note: this paragraph extends the sequential test, currently applied in PPG6 to retail development, to all development proposed for out-of-town sites: the theme is developed further in para. 27 below.

circumstances. Design policies and guidance should focus on encouraging good design and should avoid stifling responsible innovation, originality or
5–006 initiative. Such policies and guidance should recognise that the qualities of an outstanding scheme may exceptionally justify departing from them.

20. Further guidance on the expression of design policies in development plans and supplementary design guidance, and on the information relating to design which should be submitted with planning applications, is contained in Annex A.

KEY POLICY OBJECTIVES

Planning for industry and commerce

5–007 21. One of the Government's key aims is to encourage continued economic development in a way which is compatible with its stated environmental objectives. Industry and commerce have always sought locational advantage in response to various external factors. It is therefore important that the locational demands of businesses are taken into account in the preparation of development plans. In defining suitable locations for development, plan policies should take into account:

- the contribution to regenerating existing urban areas;
- access to customers;
- access to raw materials and suppliers;
- links with other businesses and the special needs of small businesses;
- the workforce catchment area;
- the availability of adequate infrastructure; and
- various transport considerations including the particular needs of the freight industry.

22. Development plans should also:

- encourage new enterprise and investment by setting out clear land-use policies for industrial and commercial development;
- provide for new development which will be consistent with the goals for transport policy outlined below; and
- ensure that new development is compatible with the objectives of sustainable development including the re-use of previously developed land and clean air.

Land use and transport

5–008 23. In order to achieve sustainable patterns of development and to help reduce the environmental impacts of transport, local authorities should integrate their transport programmes and land-use policies in ways which help to:

- reduce growth in the length and number of motorised journeys;
- encourage alternative means of travel which have less environmental impact; and hence
- reduce reliance on the private car.

The key objectives for the planning system are to:

- influence the location of different types of development relative to transport (and vice versa); and
- foster forms of development which encourage walking, cycling and public transport use.

Planning for housing

5–009 24. In preparing their development plans, local planning authorities should consider the land-use requirements of various types of social provision. For housing, the key objectives for the location of development and the allocation of land are:

Building Regulations 1991 imposes requirements on how non-domestic buildings should be designed and constructed to secure specific objectives for people with disabilities. It would be inappropriate to use planning legislation to impose separate requirements in these areas. The Department is assessing the practicality of extending Part M to cover new dwellings.

34. When a new building is proposed, or when planning permission is required for the alteration or change of use of an existing building, the developer and local planning authority should consider the needs of people with disabilities at an early stage in the design process. They should be flexible and imaginative in seeking solutions, taking account of the particular circumstances of each case. Resolving problems by negotiation will always be preferable, but where appropriate the planning authority may impose conditions requiring access provision for people with disabilities.[1] Such conditions should fulfil the tests set out in Circular 11/95.

OPERATIONAL PRINCIPLES

Introduction

35. This section of the document looks at various detailed aspects of the way the planning system operates to deliver its overall objectives. The main planning legislation is summarised in Annex C and more detailed advice on a number of procedural issues is set out in Annex D. **5–014**

Planning obligations and conditions

36. The Government recognises and upholds the rights of property and the privileges of ownership. Owners of land and property properly expect to be able to use or develop their land as they judge best unless the consequences for the environment or the community would be unacceptable. The Government therefore sees control of the right to develop land as a significant power which should be exercised in such a way that individual property owners are encouraged to enhance and improve their use of land and buildings. Planning obligations are useful instruments, where they are necessary to the development and fairly and reasonably related in scale and kind, as they can enable a property owner to overcome obstacles which would otherwise prevent planning permission from being granted. Planning obligations should be directly related to the proposed development.[2] Planning permission may not be bought and sold; local planning authorities should not allow their decisions to be affected by the offer of extra inducements; conversely, local planning authorities should not allow their development control powers to be used to require benefits from property owners which do not have land-use planning justification, or are unrelated to the development under consideration. **5–014/1**

37. In exercising control over development, conditions can be imposed on planning permissions only where there is a clear land-use planning justification for doing so. Generally, conditions should be used in preference to planning obligations, and in a way which is clearly seen to be fair, reasonable and practicable. One key test is whether a particular condition is necessary is if planning permission would have to be refused if the condition were not

[1] EDITORIAL NOTE: the advice in these two paragraphs mirrors that contained in the 1992 edition, paras. 55 and 56, but goes significantly further in encouraging local planning authorities to make use of planning conditions to resolve access problems. The 1992 edition observed that "The sphere of planning control is limited in this respect. Conditions attached to planning permissions which have no relevance to planning matters, will be *ultra vires*". But this view has changed. DOE Circular 11/95, *The Use of Conditions in Planning Permissions*, now has a model *Grampian* condition (no. 37) requiring that, before development is commenced, a scheme indicating access arrangements for disabled people should have been agreed with the local planning authority, and should have been implemented before the development is brought into use. The new PPG1 also cancels DCPN16, *Access for the Disabled*, and hence these paragraphs now become the principal source of planning policy advice on access for disabled persons.

[2] EDITORIAL NOTE: fresh advice on planning obligations, which is reflected in this paragraph, was issued in DOE Circular 1/97, *Planning Obligations*.

imposed. Otherwise, such a condition would need special and precise justification. Further advice on the proper use of conditions and planning obligations is contained in DOE Circulars 11/95 and 1/97.

38. Unless otherwise specified, a planning permission runs with the land and it is seldom desirable to provide for any other arrangement. Exceptionally, however, the personal circumstances of an occupier, or the difficulties of businesses which are of value to the character of the local community, may be material to the consideration of a planning application.[1] In such circumstances a permission may be made subject to a condition that it is personal to the applicant. Such arguments will seldom outweigh the more general planning considerations. If the proposed development entails works of a permanent nature, they will remain long after the personal circumstances of the applicant have ceased to be material.

[THE NEXT PARAGRAPH IS 5–015.]

The plan led system

Development plans and the determination of planning applications and appeals

5–015 39. The town and country planning system regulates the development and use of land in the public interest. The planning system, and the preparation of development plans in particular, is the most effective way of striking the right balance between the demand for development and the protection of the environment. Thus it has a key role to play in contributing to the Government's strategy for sustainable development by helping to provide for necessary development in locations which do not compromise the ability of future generations to meet their needs.

40. The Government is committed to a plan-led system of development control. This is given statutory force by section 54A of the 1990 Act. Where an adopted or approved development plan contains relevant policies, section 54A requires that an application for planning permission or an appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify granting a planning permission. Those deciding such planning applications or appeals should always take into account whether the proposed development would cause demonstrable harm to interests of acknowledged importance.[2] In all cases where the development plan is relevant, it will be necessary to decide whether the proposal is in accordance with the plan and then to take into account other material considerations. The status of plans which are not yet adopted or approved is covered on paragraph 48.

5–015/1 41. The objectives of the plan-led system can be summarised as:

- ensuring rational and consistent decisions;
- achieving greater certainty;
- securing public involvement in shaping local planning policies;
- facilitating quicker planning decisions; and
- reducing the number of misconceived planning applications and appeals.

[1] EDITORIAL NOTE: the language of this sentence is lifted from the speech of Lord Scarman in *Great Portland Estates plc v. Westminster City Council* [1985] A.C. 661.

[2] EDITORIAL NOTE: this expression comes originally from Ministry Circular 61/53, which stated: "Where there is no clear and specific reason for refusing permission or attaching conditions, the applicant should be given the 'benefit of the doubt'. . . . Development should always be encouraged unless it will cause demonstrable harm to an interest of acknowledged importance."

Because of the role of the development plan in determining the future location of development, it is important that anyone with an interest in the future pattern of development in the plan area should participate in its preparation and help to influence its emerging policies. Anyone has the right to object to plan proposals prior to their adoption or approval.

42. It is essential that plan policies and proposals are realistic and provide for choice and competition. The plan should focus on essential land-use issues and build in a degree of flexibility. Highly detailed policies which provide no flexibility may become outdated very quickly as circumstances change. Such policies may then delay or prevent necessary development. In some cases, the preparation of Supplementary Planning Guidance may be a more appropriate means of covering detailed issues to supplement the policies in plans. Such guidance should be consistent with the policies to which it relates. Supplementary Planning Guidance does not have the same status as an adopted development plan policy and should only be referred to in the reasoned justification for a policy.[1] However, it may be a material consideration in determining planning applications.

43. Under the 1990 Act, local planning authorities are required, in formulating the general policies in a structure plan or Part I of a unitary development plan, to have regard to any regional and strategic planning guidance, and to current national policies. The latter include Planning Policy Guidance notes (see Annex B) and Mineral Planning Guidance Notes. The 1990 Act requires a local plan to be in general conformity with the structure plan. **5–015/2**

44. Since the commencement of section 54A, the Secretary of State has been examining development plans carefully to identify whether their scope reflects national and regional planning guidance and whether there are conflicts with the guidance which do not appear to be justified by local circumstances. The Secretary of State is a statutory consultee in the preparation of development plans and can make objections to plan proposals prior to their adoption. He also has powers of intervention to direct that plan proposals shall be modified before adoption, altered or replaced after adoption, or that all or part of a plan shall be called-in for his own determination.

45. Whilst the Secretary of State expects to use his powers of direction sparingly, he will, if necessary, make a formal intervention.[2] Wherever possible, this will be done in time for changes to be made to the plan before adoption. However, where development plans are very close to adoption at the time new information (including guidance) becomes available, it may be preferable to adopt the plan and then to start a review.[3] This would avoid delaying the implementation of proposals not affected by the new information. The authority will then be expected to bring forward early proposals

[1] EDITORIAL NOTE: this paragraph heralds a return to respectability for Supplementary Planning Guidance, which was not mentioned in the 1992 edition, but appears in this edition not only here but also, in the guise of Supplementary Design Guidance, in Annex A. Supplementary planning guidance is recognised in PPG12, *Development Plans and Regional Planning Guidance* (1992), para. 3.18, which stresses that it should be consistent with the development plan and clearly cross-referenced to the relevant plan policy or proposal. The weight to be accorded to it will increase if it has been prepared in consultation with the public and has been the subject of a council resolution. But PPG12 stresses that such guidance "must not be used to avoid subjecting to public scrutiny, in accordance with the statutory procedures, policies and proposals which should be included in the plan. Plan policies should not attempt to delegate decisions to SPG or to development briefs". This latter practice was explicitly outlawed by the House of Lords in the *Great Portland Estates* case [1985] A.C. 661. Similar advice is given as to Supplementary Design Guidance in para. 3 of this Guidance.

[2] EDITORIAL NOTE: it is noteworthy that the following reassurance, which appeared in para. 29 of the 1992 version, has been omitted from the 1997 edition: "if no such intervention is made, local authorities may take it that the Secretary of State is content with the plan at the time of adoption and will, according to the appropriate circumstances of each case, attach commensurate weight to it in decisions he makes on appeals or called-in applications".

[3] EDITORIAL NOTE: this advice follows advice given to local planning authorities in January 1997, following confusion over the application of policies introduced by DOE Circular 13/96, *Planning and Affordable Housing*: see the Minister's statement of October 29, 1996, reproduced in the *Monthly Bulletin* for January 1997.

for alteration of the policies concerned. If necessary, the Secretary of State has powers to direct the preparation of proposals for alterations within a specified period. Where he decides not to intervene before adoption and the plan is allowed to proceed on the basis of earlier information, the Secretary of State will nevertheless have regard to more recent planning guidance in determining called-in applications or appeals.

5–015/3 46. It is important that, once plans are adopted or approved, they are kept up-to-date. Authorities need to have monitoring arrangements in place in order to decide when they need to bring forward proposals to alter or replace their existing plan. Positive steps should be taken on review to remove policies and proposals which, for varying reasons, have become out-of-date. The choice of locations and sites designated in local plans should be realistic. Sites in existing plans should be reviewed as part of the monitoring process and those which are no longer considered appropriate for their existing or proposed use should be reallocated to other, more realistic uses.

Economic considerations in development plans

5–015/4 In preparing development plans, authorities should take account of economic considerations, such as revitalising and broadening the local economy and stimulating employment opportunities. Planning authorities should have regard to the importance of encouraging industrial and commercial development if the national economy is to prosper, particularly when technological and other requirements of modern business are changing rapidly. All local economies are subject to change and the planning system should make adequate provision for this. Local authorities need to take into account the future needs of local business. A flexible approach with a range of sites available to business should be provided in plans, and authorities will want to ensure that in allocating sites there is a reasonable expectation of development proceeding. In rural areas, many small-scale activities can be accommodated without detriment to the environment and farm buildings may be suitable for adaptation to business use. It is important that planning policies with primarily economic priorities should provide for choice, flexibility and competition. Otherwise the market is unlikely to work efficiently.

[THE NEXT PARAGRAPH IA 5–016.]

Prematurity

5–016 47. Questions of prematurity may arise where a development plan is in preparation or under review, and proposals have been issued for consultation, but the plan has not yet been adopted or approved. In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity. This may be appropriate in respect of development proposals which are individually so substantial, or whose cumulative effect would be so significant, that to grant permission would prejudice the outcome of the plan process by predetermining decisions about the scale, location or phasing of new development which ought properly to be taken in the development plan context. A proposal for development which has an impact on only a small area would rarely come into this category; but a refusal might be justifiable where a proposal would have a significant impact on an important settlement, or a substantial area, with an identifiable character. Where there is a phasing policy in the development plan,[1] it may be necessary to refuse planning permission on grounds of prematurity if the policy is to have effect.

48. Other than in the circumstances described above, refusal of planning permission on grounds of prematurity will not usually be justified. Planning applications should continue to be considered in the light of current policies. However, account can also be taken of policies in emerging development plans which are going through the statutory procedures towards adoption (or approval). The weight to be attached to such policies depends upon the stage of plan preparation or review, increasing as successive stages are reached.

[1] Editorial Note: on this, see PPG12, *Development Plans and Regional Planning Guidance* (1992), paras 5.38 to 5.42.

For example:

- where a plan is at the consultation stage, with no early prospect of reaching deposit, then refusal on prematurity grounds would seldom be justified because of the lengthy delay which this would impose in determining the future use of the land in question; 5–016
- where a plan has been deposited but no objections have been lodged to relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted (or approved) and replace those in the existing plan. The converse may apply if there have been objections to relevant policies. However, much will depend on the nature of those objections and also whether there are representations in support of particular policies;
- where an Inspector has recommended in favour of relevant policies to which objection has been raised, refusal on prematurity grounds is unlikely to be justified for an application which is consistent with these policies.

49. Where planning permission is refused on grounds of prematurity, the planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the development plan process.

Other material considerations

50. "In principle . . . any consideration which relates to the use and development of land is capable of being a planning consideration. Whether a particular consideration falling within that broad class is material in any given case will depend on the circumstances" (*Stringer v. MHLG 1971*). Material considerations must be genuine planning considerations, *i.e.* they must be related to the purpose of planning legislation, which is to regulate the development and use of land in the public interest. The considerations must also fairly and reasonably relate to the application concerned (*R v. Westminster CC ex parte Monahan 1989*). Much will depend on the nature of the application under consideration, the relevant policies in the development plan and the surrounding circumstances. 5–017

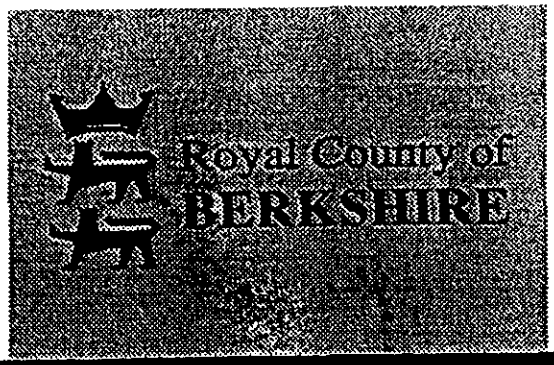
51. The Courts are the arbiters of what constitutes a material consideration. Over the years the scope of what can be regarded as material has been clarified by judicial authority. All the fundamental factors involved in land-use planning are included, such as the number, size, layout, siting, design and external appearance of buildings and the proposed means of access, together with landscaping, impact on the neighbourhood and the availability of infrastructure.

52. The Courts have also held that the Government's statements of planning policy are material considerations which must be taken into account, where relevant, in decisions on planning applications. These policy statements cannot make irrelevant any matter which is a material consideration in a particular case. But, where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them. If they elect not to follow relevant statements of the Government's planning policy they must give clear and convincing reasons (*E C Grandsen and Co Ltd v. SSE and Gillingham BC 1985*).

53. Emerging policies, in the form of draft Departmental Circulars and policy guidance, can be regarded as material considerations, depending on the context. Their very existence may indicate that a relevant policy is under review; and the circumstances which have led to that review may need to be taken into account.

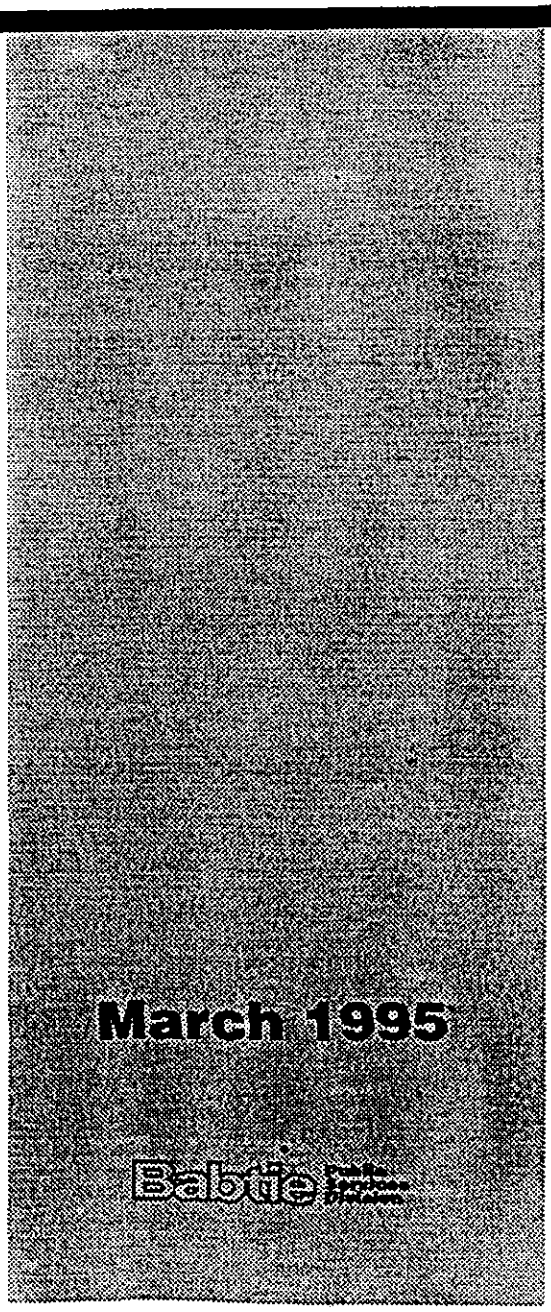
54.[19] If the development plan contains material policies or proposals and

[19] EDITORIAL NOTE: this paragraph draws together, without significant amendment, material in paras. 25 to 27 of the 1992 edition.



BERKSHIRE STRUCTURE PLAN 1991-2006

Revised Explanatory Memorandum and Policies as Proposed to be Adopted



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.

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

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

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

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

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

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

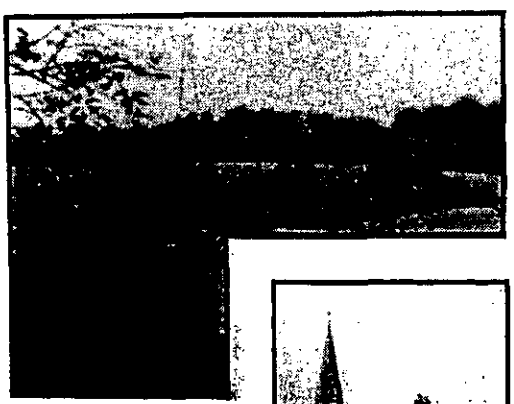
6.3 In order to secure improvements in the environment of built-up areas, local plans will need to include guidelines on a wide range of matters raised in the policy. Particular public concerns have been raised about the quality of design in new development and about increased densities in the built-up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

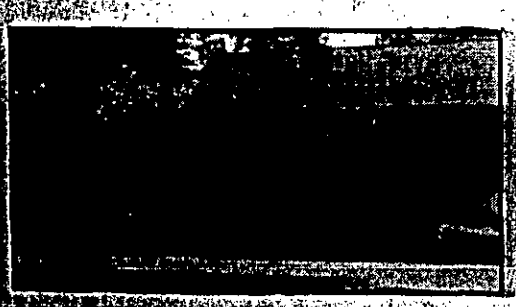
WOKINGHAM DISTRICT COUNCIL

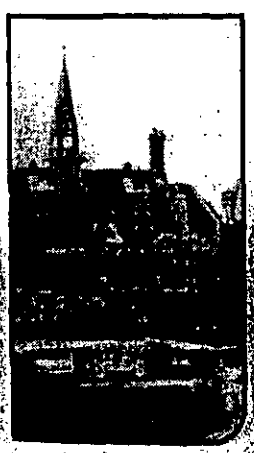
SOUTH EAST AREA LOCAL PLAN REVIEW

DEPOSIT DRAFT

JUNE 1990







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 (eg 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 buildings, 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. 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 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 involving 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 effect the urban fabric urban design briefs/appraisals will be prepared/required to establish the wider context within which applications will be considered.

SBE1 DESIGN OF NEW DEVELOPMENT

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

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

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

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

SBE2 INAPPROPRIATE DESIGN

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

Environmental Improvement

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

1.4.05 Often the more attractive and successful urban 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, local shopping centres in particular, where comprehensive development 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.

SBE3 REFURBISHMENT AND REDEVELOPMENT

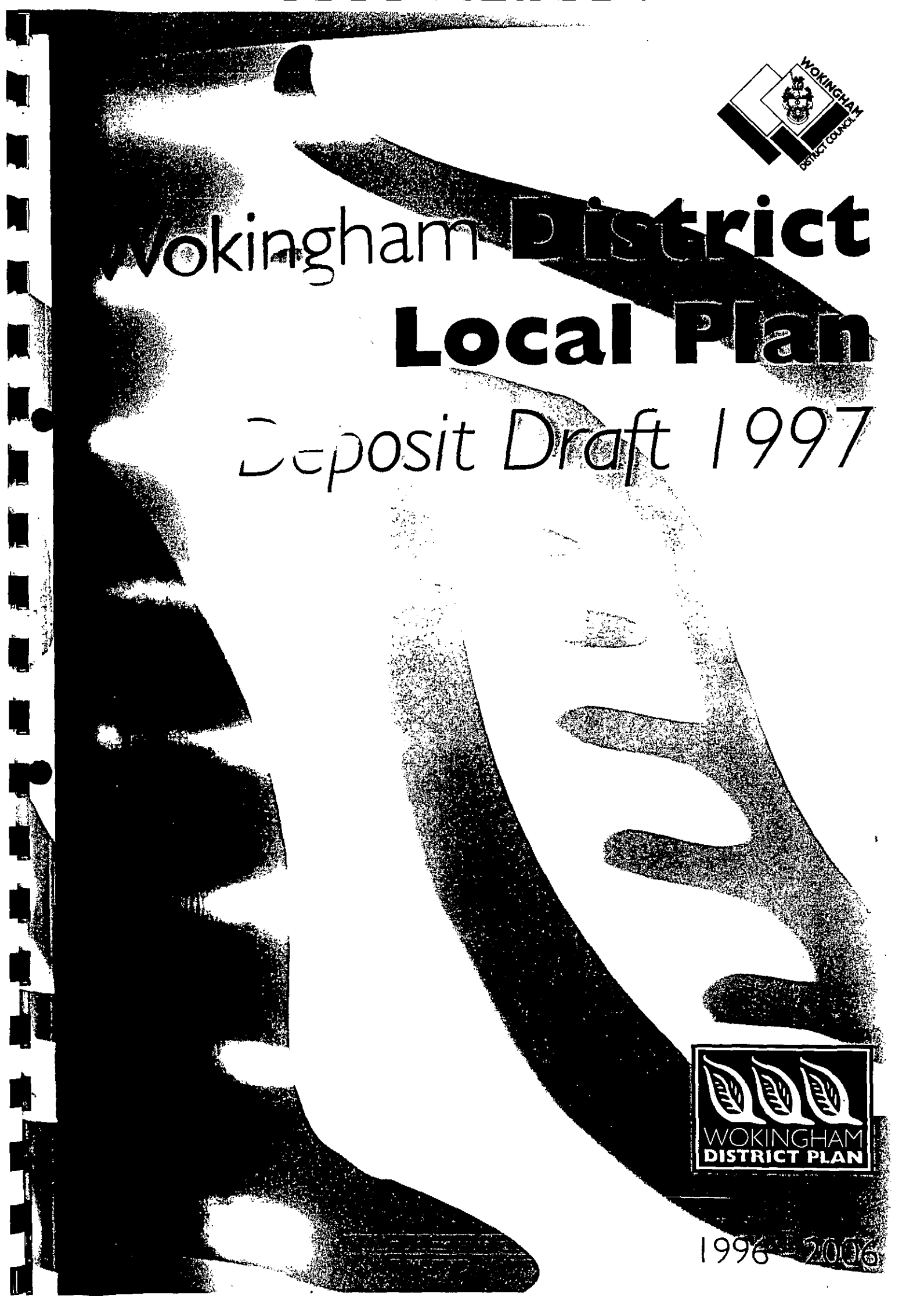
ENCOURAGEMENT WILL BE GIVEN TO THE REFURBISHMENT OR PARTIAL REDEVELOPMENT OF AREAS OR INDIVIDUAL SCHEMES WHERE A SIGNIFICANT ENVIRONMENTAL ENHANCEMENT WILL RESULT TO THE BENEFIT OF THE COMMUNITY.

SBE4 ENVIRONMENTAL ENHANCEMENT SCHEMES

ENVIRONMENTAL ENHANCEMENT SCHEMES WILL BE ENCOURAGED WITHIN THE PLAN AREA AS OPPORTUNITIES ARISE AND WILL INCLUDE THE AREAS 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 penetration 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



Wokingham District Local Plan

Deposit Draft 1997

WOKINGHAM DISTRICT PLAN

1996 - 2006

1.0 OVERALL STRATEGY

INTRODUCTION

1.1 In developing the District Local Plan the Council agreed an Overall Strategy (set out in para. 0.9) for the plan. The Overall Strategy seeks to slow down the rate of development within the District and to promote sustainable development in order to protect and enhance the quality of the environment within the plan area and also to meet the social and economic aspirations of the District.

1.2 In considering development proposals the achievement of sustainable development is a fundamental principle. However there are other issues that form part of the overall sustainable development approach which also need to be considered when dealing with development proposals. It is the aim of this chapter to set out the fundamental policies from which the remaining policies of the plan take their lead.

1.3 The plan area is under pressure to accommodate new homes, jobs, services and improved transport facilities and in doing so maintain a prosperous economy. It is important that local commerce and industry produces a dynamic local economy that makes a positive contribution to the character, environment and quality of life of those who live and work in the District.

POLICY FRAMEWORK

Strategic Policy

1.4 This approach accords with the overall approach to development adopted by Berkshire County Council in the *Berkshire Structure Plan 1991 - 2006* which states that:

> 'Sustainable levels, forms and locations of development are ... sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within ... environmental and other limits.' (Para. 3.7 of Berkshire Structure Plan 1991 - 2006).

POLICIES

1.5 The policies set out below aim to ensure that such an approach is achieved.

POLICY WOS1: SUSTAINABLE DEVELOPMENT

THE COUNCIL WILL ENSURE, WHERE POSSIBLE, THAT DEVELOPMENT IS SUSTAINABLE AND IMPROVES THE QUALITY OF LIFE WITHIN THE PLAN AREA BY PURSUING THE FOLLOWING OBJECTIVES:

a) TO CONTINUE TO SLOW DOWN THE RATE OF DEVELOPMENT WITHIN THE PLAN AREA TO ENSURE THAT THE BEST OF THE EXISTING ENVIRONMENT

Cont.

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

b) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

c) CONSERVING AND ENHANCING THE PATTERN OF TOWN AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

d) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

e) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

f) TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION

g) TO SEEK IMPROVEMENTS TO INFRASTRUCTURE, SERVICES AND AMENITIES.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside or has special reason to locate there. Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

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

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

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

(iii) be physically and socially cohesive.

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

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

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

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

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 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.

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.

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.

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.

Environmental Services

For office use only.
Application number:

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	MR R ROBERTS
	Address and postcode	TORWOOD TINTAGEL ROAD WOKINGHAM
	Phone number	
2	Agent's Name	RG BUTLER & ASSOCIATES
	Address and postcode	11 STRATHMORE DRIVE CHARVIL READING RG10 9QT
	Phone number	0118 934 3040
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.	TORWOOD TINTAGEL ROAD WOKINGHAM
4	Give brief details of the proposal for example, two storey side extension. About the application	CARAVAN CANOPY.

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.	TRANSLUSCENT ROOF TIMBER FRAME	
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: N/A	Proposed:
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: R G Bnaw on behalf of R ROBERTS esq

Date 10-7-00

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

R. G. Butler & Associates
architectural designers

11 Strathmore Drive
Charvil Reading
Berkshire RG10 9QT
Tel/Fax. 0118 934 3040

11th July 2000

Wokingham District Council
Planning Department
PO Box 157
Shute End
Wokingham
RG40 1WR

Dear Sir

Re: Torwood, Tintagel Road, Wokingham

My client has parked his touring caravan in front of his house for several years in approximately the location shown on the drawings. However, because of all the dense planting and trees he is forever cleaning the outside of the caravan and would like to erect a simple canopy over it.

The proposal includes trellis above the existing 2 m high fence and planting variegated ivy to grow over that trellis to lessen it's impact upon the neighbour during winting time when other planting is a little depleted. The view will be improved from that which has existed for several years because the caravan has been there anyway without this additional screening.

Yours faithfully

R. G. Butler

enc

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Mr Roberts
C/O R G Butler & Associates
11 Strathmore Drive
Charvil
READING
Berkshire
RG10 9QT

Application Number: F/2000/1989

Parish: FINCHAMPSTEAD

Location: Torwood, Tintagel Road, Finchampstead, Wokingham

Proposal: Proposed erection of caravan canopy to front of dwelling

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

Reason

1. It is considered that the proposed development given its siting forward of the main building line would form an obtrusive feature which would have a negative impact upon the street scene. It is also considered that the proposed canopy would appear overbearing to the residents of the neighbouring dwelling 'Westways'.

As such the proposal is contrary to Policies SBE1, SBE2 and STV1 of the South East Area Local Plan. Policies OS1 and EN1 of the Berkshire Structure Plan and Policies WOS2, WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

John Mitchell
Development Control Manager
Date: 08/09/2000

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

R. G. Butler & Associates
architectural designers

11 Strathmore Drive
Charvil, Reading
Berkshire, RG10 9QT
Tel/Fax. 0118 934 3040

6th October 2000

Wokingham District Council
Planning Department
PO Box 157
Shute End
Wokingham
RG40 1WR

For the attention of Elaine Connor

Dear Elaine

Re: Torwood, Tintagel Road, Wokingham F/2000/1989

Further to our recent discussion about the above refusal, I have been considering my client's options.

I hear what you say about such buildings in front gardens and in all my years in this business I have never applied for a "caravan canopy". However, the alternatives would seem more unacceptable than the structure that has been refused. The caravan, after all, has been parked there some years and will continue to be. In order to protect it during the winter from algae build up and pine needles, it could be covered with a tarpaulin which might be bright blue or red. Alternatively, my client could rig a system of temporary poles, spars and polythene sheeting in the form of a tent, which could not be described as development but would surely be unsightly.

The proposal was to construct something tidy and as discreet as possible that could carry some suitable planting to soften it's outline. The question of possible subsequent conversion to a garage could surely have been controlled with suitable planning conditions.

The other alternative might have been a renewable approval of perhaps three or five years. Many people eventually lose interest in caravanning and sell their caravans. Given those circumstances, such a simple structure could be removed when redundant.

My client informs me that there are already other examples of similar structures only a stones throw from Torwood.

Perhaps you could give me your views on the possibility of a limited term approval.

Yours sincerely

Dick Butler.

R. G. Butler



Site Plan, Scale: 1 to 2500

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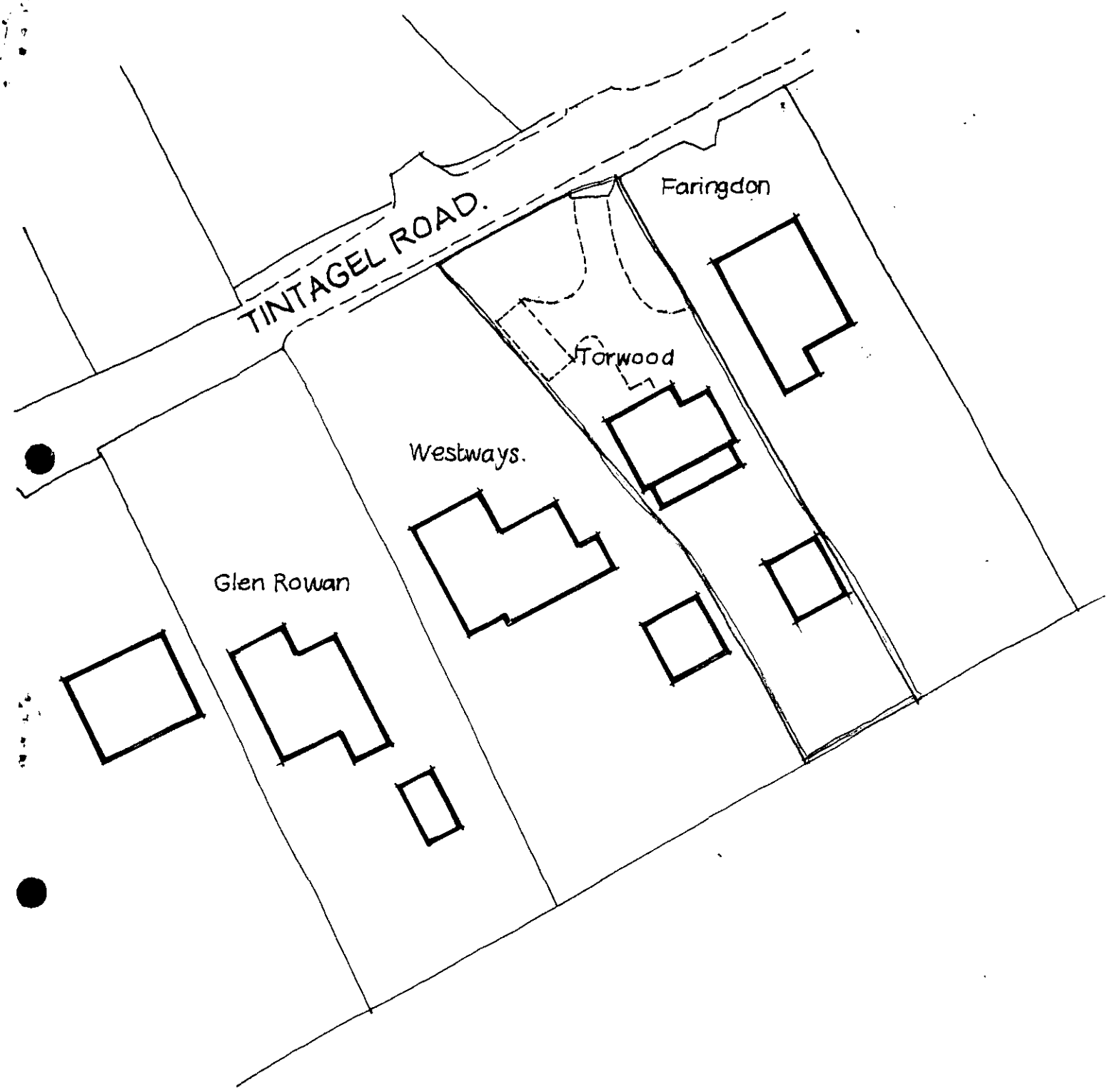
Wokingham District Council, Licence No. LA086134
Date: 27 May 1998



BLOCK PLAN. 1:500.

Proposed caravan canopy at
TORWOOD TINTAGEL ROAD WOKINGHAM.

465/2

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 78 APPEAL

APPELLANT : Mr R Roberts

APPEAL SITE : 'Torwood,' Tintagel Road, Finchampstead

REASON FOR APPEAL : Appeal against refusal of planning permission for the erection of a caravan canopy

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LOCAL PLANNING AUTHORITY REFERENCE: F/2000/1989

DEPARTMENT OF THE ENVIRONMENT TRANSPORT & THE REGIONS REFERENCE: APP/X0360/A/01/1057167

1.0 LOCATION AND SITE DESCRIPTION

1.1 The site which is the subject of this appeal is located along Tintagel Road, an unmade through road which links Kiln Ride to the main A321, Sandhurst Road.

1.2 Tintagel Road is a residential area located within the identified settlement, in the parish of Finchampstead. The area contains a mixture of housing types, and is characterised by its mature landscaping.

1.3 The site consists of a modern two storey detached dwelling, set back from Tintagel Road. To the front of the dwelling is an area of hardstanding, with landscaping beyond. This landscaping forms the boundary with Tintagel Road.

1.4 There is no planning history relevant to the consideration of this appeal.

2.0 Policy Background

2.1 On 8th September 2000, planning permission was refused under delegated powers for the following reason:

It is considered that the proposed development given its siting forward of the main building line would form an obtrusive feature, which would have a negative impact upon the street scene. It is also considered that the proposed canopy would appear overbearing to the residents of the neighbouring dwelling 'Westways.'

As such the proposal is contrary to Policies SBE1, SBE2 and STV1 of the South East Area Local Plan and Policies WOS2, WOS3, and WBE1 of the Wokingham District Local Plan (Deposit Draft).

2.2 This refusal of planning permission forms the basis of this appeal.

2.3 The Development Plan which applies to the area in which the appeal site is located comprises: Berkshire Structure Plan and the South East Area Local Plan. The Deposit Draft Wokingham District Local Plan will replace the adopted South East Area Local Plan.

2.4 Berkshire Structure Plan

The Berkshire Structure Plan (1991-2006) was adopted on 4th November 1995 and is the statutory Structure Plan for the area.

2.5 The following policies in the Berkshire Structure Plan are relevant in the consideration of this appeal:

OS1: The Overall Strategy

EN1: Protection & Enhancement of the Environment of built-up areas

2.6 South East Area Local Plan

The South East Area Local Plan was adopted on 15th April 1994 and is the statutory local plan for the area in which the site is situated. The

Planning and Transportation Committee at their meeting on 21 November 1996 resolved to "re-affirm the decisions of this Committee and the Council in relation to the current adopted local plans and to note that they will continue to carry weight as the most up to date adopted policies, except in relation to housing provision".

2.7 The following policies contained in the South East Area Local Plan is relevant in the consideration of this appeal:

STV1: Identified Settlements

SBE1: Design of new development

SBE2: Inappropriate Design

2.8 Draft Wokingham District Local Plan

The Draft Wokingham District Local Plan was placed on deposit from 21st October to 2nd 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 on 6th October 1998. The Inspector's report on the local plan inquiry is not expected until summer 2001 (with the exception of policy WSM1).

2.9 The following policies contained in the Wokingham District Local Plan (Deposit Draft) are relevant in the consideration of this appeal:

WOS2: General Development Principles

WOS3: Development Control Principles

WBE1: Development in its local context

3.0 The case for the Local Planning Authority

3.1 The Council considers that the proposal is unacceptable since it would detract from the visual amenity of the area and would therefore detract from the character of the area. It is also considered that the proposed development would be overbearing upon the neighbouring dwelling, 'Westways.'

3.2 The main issues to arise therefore are:

(a) Impact upon the street scene, and
(b) Impact upon the neighbouring dwelling

3.3 Impact upon the street scene

3.4 It is considered that the proposed structure to provide a shelter for the appellant's caravan will have a negative impact upon the street scene. Policy SBE1 of the South East Area Local Plan states that new development should make a positive contribution to its setting and the character of the area. This intention is reiterated in policy WBE1 of the Wokingham District Local Plan (Deposit Draft).

3.5 Although the site is well landscaped along the front, with Tintagel Road, most of the vegetation is deciduous, thereby providing sparse coverage during the winter months. This being the case it is considered that the proposed canopy will be within view from Tintagel Road when approaching the site from the southwest. It is considered that the proposed structure would form an obtrusive feature in the street scene and is likely to appear as a visually intrusive element especially in winter months.

3.6 It is therefore, considered that the proposed structure is contrary to policy SBE1 of the South East Area Local Plan and policy WBE1 of the Wokingham District Local Plan (Deposit Draft)

3.7 Impact upon Neighbouring dwellings

3.8 The scheme proposes a permanent structure approximately 3m high, to be constructed within very close proximity of the existing 2m high boundary fence with the neighbouring dwelling 'Westways.' Although a degree of screening is provided by vegetation along this side boundary and the applicants have proposed trellising to be placed along the portion of existing fence in order to allow for additional planting. Policy SBE2 of the South East Area Local Plan state that development which is inappropriate in terms of its relationship with adjoining sites and buildings will not normally be permitted. Policy WBE1 of the Wokingham District Local Plan (Deposit Draft) also states that regard must be had for the layout, form, scale and massing of the proposed development.

3.9 Although a degree of screening is provided by vegetation along this side boundary and the applicants have proposed trellising to be placed along the portion of existing fence in order to allow for additional planting, it is considered that a fence this height along part of the boundary would create a discordant feature, which would appear overbearing to the residents of 'Westways.' Therefore, the proposed structure is considered to be contrary to policy SBE2 of the South East Area Local Plan and policy WBE1 of the Wokingham District Local Plan (Deposit Draft).

4.0 COMMENTS ON THE APPELLANTS GROUNDS OF APPEAL

4.1 The appellant claims in their written representations that the Area Planning Officer stated that if such a structure were to be approved, the Local Planning Authority would have no control over any subsequent conversion into a garage. What the planning officer was infact trying to demonstrate was, that although the structure proposed was a 'canopy' its impact would be judged in the same way as for example a garage, since the structure could be consolidated at a later date without the need for planning consent.

4.2 The appellant also points out that there is a number of similar structures forward of the building line on Kiln Ride. However, the Council is mindful that there are no such structures along Tintagel Road. Given this it is considered that the proposed structure would be out of character with the surrounding area.

5.0 Conclusion

5.1 It is considered that the proposed structure by virtue of its scale and siting, would be an obtrusive and incongruous feature in the street scene, particularly as there are no such similar structures forward of any other dwellings along Tintagel Road.

5.2 In respect of the issues pointed out in this statement, it is considered that the proposal is, as such, contrary to Policies OS1 and EN1 of the Berkshire Structure Plan, policies STV1, SBE1 and SBE2 of the South East Area Local Plan and policies WOS2, WOS3 and WBE1 of the Wokingham District Local Plan (Deposit Draft).

5.3 For the above reasons the Inspector is respectfully requested to Dismiss this appeal.

Appendices

Appendix 1: Site plan (1:1250)

Appendix 2: Extract from the Berkshire Structure Plan

Appendix 3: Extract from the South East Area Local Plan

Appendix 4: Extract from the Wokingham Distrcit Local Plan (Deposit Draft)

Appendix 1: Site plan (1:1250)



Site Plan, Scale: 1 to 1250

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Date: 24 January 2001

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W E
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Appendix 2: Extract from the Berkshire Structure Plan

BERKSHIRE STRUCTURE PLAN 1991-2006

Babtie

3.7 Sustainable levels, forms and locations for development are therefore sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within the environmental and other limits described in Chapter 2.

3.8 This approach is considered appropriate in view of :

- the limited capacity of the County to absorb further development;
- the need to husband land so that there is scope for development beyond 2006;
- the cumulative impact of development on existing communities, on the transport network and on pollution;
- the extent of existing commitments;
- uncertainties as to the timing and extent of recovery from the recent recession;
- changing economic factors which may affect people's aspirations and ability to form new households in separate accommodation;
- emphasis in the Regional Guidance on sustainable development, respecting environmental constraints and reducing rates of development in the west of the region.

3.9 Wthin this framework it is intended that scope and flexibility should be provided for helping to meet local housing needs, to secure and maintain a balanced local economy and to allow the provision of a wide range of job opportunities.

The Overall Strategy

Policy OS1 **The overall strategy of the Plan is to seek sustainable development and improvement to the quality of life in Berkshire by pursuing the following objectives :**

(i) to restrain development to levels that respect the limits set by environmental, infrastructure and other constraints upon the development of land;

(ii) to give priority within (i) to meeting Berkshire's economic and social needs, including the provision of low-cost housing and wider employment opportunities;

(iii) to protect and enhance the character and quality of Berkshire's landscape, environment and heritage;

(iv) to steer development to locations which minimise the need for travel and can be well served by public transport;

(v) **to conserve natural resources;**

(vi) **to minimise pollution;**

(vii) **to seek improvements to infrastructure, services and amenities;**

(viii) **to promote an appropriate balance between all forms of transport by continuing to develop an integrated transport strategy.**

MAIN THEMES OF THE STRATEGY

3.10 The main themes of the Structure Plan strategy are outlined below and developed in more detail in subsequent chapters. Environmental concerns are reflected in policies in all sections of the Plan. References to policies in the Plan of particular relevance are listed under each sub-heading.

Restraining Levels of Growth

3.11 The Plan seeks to keep growth down to levels which can be accommodated within the limits set by environmental, infrastructure and other considerations (Policies OS1; LD1, LD3, LD6, LD7; H1, H2; BU1; TC1; R1; M1, M3).

3.12 A restrained level of growth will generally take less open land for development, generate less traffic and waste and help towards reducing pollution, energy consumption, the depletion of water resources and the demand for minerals and aggregates. It will also allow more scope for catching up in the provision of social and physical infrastructure (subject to the environmental acceptability of proposals and availability of the necessary resources).

3.13 This approach is in line with key objectives in the regional planning guidance for the South East, in which it is suggested that levels of development should respect the region's valuable environmental features and avoid the wasteful use of land and other natural resources. The regional guidance also states that a reducing rate of growth is appropriate in the west of the region to enable infrastructure and services to catch up with rapid rates of development in the recent past.

3.14 The overall housing provision for the period 1991-2006 was increased by the County Council from 37,000 to 40,000 dwellings in response to a direction issued by the Secretary of State for the Environment on 29 June 1995. While the Council has welcomed the fact that the Secretary of State has not pressed it to accept the total of 48,000 dwellings recommended by the Panel which conducted the Examination in Public in 1993, it remains concerned that increasing the provision above 37,000 dwellings could have serious environmental consequences contrary to the overall objectives of the Structure Plan.

6 ENVIRONMENT AND CONSERVATION

MAINTAINING ENVIRONMENTAL QUALITY

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

The Environment of the Built-up Areas

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

Protection and Enhancement of the Environment of Built-Up Areas

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

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

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

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

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

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

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

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

Environmental Nuisance

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

Protection from Environmental Nuisance

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

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

Flooding

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

Appendix 3: Extract from the South East Area Local Plan

SOUTH EAST AREA LOCAL PLAN

Adopted 15 April 1994

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

1.4 QUALITY & 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 buildings, 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. 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 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 involving 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/required to establish the wider context within which applications will be considered.

❖ *SBE1 DESIGN OF NEW DEVELOPMENT*

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

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

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

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

❖ *SBE2 INAPPROPRIATE DESIGN*

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

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

ENVIRONMENTAL IMPROVEMENT

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

1.4.05 Often the more attractive and successful urban 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, local shopping centres in particular, where comprehensive development 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.



❖ SBE3 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.

❖ SBE4 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.

❖ SBE5 SUNLIGHT AND DAYLIGHT

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT, REDEVELOPMENT AND

❖ STV1 'IDENTIFIED SETTLEMENTS'

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

WOKINGHAM
FINCHAMPSTEAD NORTH
PINEWOOD
FINCHAMPSTEAD
BARKHAM HILL

LIMITING THE SPREAD OF DEVELOPMENT

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

❖ STV2 DEVELOPMENT IN RURAL AREAS

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

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

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

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

(D) MINERAL EXTRACTION,

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

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

(G) PUBLIC UTILITIES THAT CANNOT BE LOCATED ELSEWHERE,

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

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

Appendix 4: Extract from the Wokingham Distrcit Local Plan (Deposit Draft)



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**

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

B) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

C) CONSERVING AND ENHANCING THE PATTERN OF TOWN AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

D) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

E) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

F) ~~TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION~~ **(PA 1/3)**

F1) TO CONSERVE NATURAL RESOURCES **(PA 1/3)**

F2) TO MINIMISE POLLUTION (PA 1/3)

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

H) TO ENCOURAGE AND SUSTAIN BALANCED RURAL COMMUNITIES **(PA 1/1)**

I) TO DEVELOP BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES **(PA 1/2)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside ~~or has special reason to locate there~~ *OR FOR WHICH A RURAL LOCATION IS ESSENTIAL.* **(PA 1/4)** Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

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

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

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

(iii) be physically and socially cohesive.

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

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

1.10 Areas of sporadic development exist within the plan area which involve very few properties and/or are dominated by areas of undeveloped rural land either between, or to the rear and in front of properties causing them to be characterised by a loose settlement pattern, or to form a narrow strip of development in what is a distinctly rural area. These areas of development have not been included within the identified settlements.

POLICY WOS2: GENERAL DEVELOPMENT PRINCIPLES

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

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

Implementation: Through the development control process.

Monitoring: Planning applications determined.

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

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

1.12A LANDSCAPING SCHEMES SHOULD BE COMPRISED PREDOMINANTLY, IF NOT WHOLLY, OF LOCALLY NATIVE SPECIES. **(PA 1/5)**

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.

POLICY FRAMEWORK

National Policy

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

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

Strategic Policy

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

Supplementary Planning Guidance

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

THE BUILT ENVIRONMENT

DESIGN PRINCIPLES

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

POLICY WBE1: DEVELOPMENT IN ITS LOCAL CONTEXT

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

a) ITS ENVIRONMENTAL IMPACT

b) ITS VISUAL IMPACT

c) ACCESSIBILITY

Cont.

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

e) THE LOCAL TOWNSCAPE

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

g) SAFETY AND SECURITY

h) THE PRIVACY AND AMENITY OF THE EXISTING ENVIRONMENT

i) SUPPLEMENTARY PLANNING DESIGN GUIDANCE ADOPTED BY THE COUNCIL.

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

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

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

POLICY WBE2: IMPROVING ON THE LOCAL CONTEXT

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

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

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

POLICY WBE3: CHARACTER OF LARGE SCALE DEVELOPMENT

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

Cont.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Mr R Roberts
SITE: Torwood, Tintagel Rd, Finchampstead
APPLICATION NO.: 1989
PROPOSAL: Proposed erection of caravan canopy to front of dwelling

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Finchampstead North

Mr R Cundy

Mr T Charlesworth

Clerk(s) of Parish / Town Council of Finchampstead

Mrs C S Cole, Memorial Hall, The Village, Finchampstead, Wokingham, Berks, RG40 4JU

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

Environmental Design- Landscape

A. Hicks, Westways, Tintagel Rd, Finchampstead, RG40 3JJ

The Planning Inspectorate

For official use only
Date received

QUESTIONNAIRE

To be used for all appeals made on or after August 2000

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/00/1057167 **GRID REF:** SU 804658

APPEAL BY: MR R ROBERTS

SITE: TORWOOD TINTAGEL RD FINCHAMPSTEAD

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks of the 'starting date' given in our letter. 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'.

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

1. Do you agree to the written representations procedure?	YES / [redacted]
OR Do the you wish to be heard by an Inspector at: a. a local inquiry?	[redacted] / NO
or b. a hearing?	[redacted] / NO
2. a. If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land?	YES / [redacted]
b. From your knowledge of the issues, would our Inspector need to enter the site for any reason e.g. to view/measure any dimensions from within it?	[redacted] / NO
3. Does the appeal relate to an application for approval of reserved matters?	[redacted] / 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?	[redacted] / 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 Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	~~YES~~ / NO Sch 1 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 1of 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;	1	
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. A list of any conditions or limitations you would agree to if the appeal were to be allowed;	1	
l. 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?		05\03\01
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*	3	
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 / [redacted]
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
a. 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 DISTRICT Council

Date sent to us and the appellant 01\02\01 OUR REF: F\2000\1989

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The Copyright Unit
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St Clements House
2-16 Colegate
Norwich NR3 1BQ

Conditions for Torwood, Tintagel Road (F/2000/1989), should the appeal be allowed

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

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

HIGHWAYS CONSULTATION SHEET

From: Mrs B Polnik **Date:** 19 July 2000

Application Number: F/2000/1989

Proposal: Proposed erection of caravan canopy to front of dwelling

Parish: FINCHAMPSTEAD PARISH

Site Address:
Torwood, Tintagel Road, Finchampstead, Wokingham.

Applicant:
Mr Roberts C/O R G Butler & Associates.

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

✓ below as applicable;

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

NO OBJECTIONS.

Signed: _____ **Print name:** ADAM COSSINS

25/07/00.

TO: *DEVELOPMENT CONTROL* FROM: Environmental Design

Mrs B Polnik DATE: 16th August 2000

Location:	Torwood, Tintagel Road, Finchampstead
Proposal:	Proposed Erection of caravan canopy to front dwelling
Application Number:	F/2000/1989

In response to your consultation dated 19th July 2000 for the above application, the tree and landscape comments are as follows:

I have on objections to the proposal in principle. The proposed site for the caravan canopy is well screen by evergreen planting along the site boundaries and no existing landscape feature should be affected by the proposal.

ROBERT PETROW
Consultant Landscape Architect

FROM: Mrs B Polnik

DELEGATED

DATE: 19 July 2000

FINCHAMPSTEAD PARISH CONSULTATION SHEET

Application Number: F/2000/1989

Proposal: Proposed erection of caravan canopy to front of dwelling.

Site Address: Torwood, Tintagel Road, Finchampstead, Wokingham.

Applicant: Mr Roberts C/O R G Butler & Associates.

Your observations are required in respect of this application **by 12/08/2000**

PLANNING SERVICES	TLS
POL	ENF
DC	
APP	
CS	
14 AUG 2000	
COPIES TO:	ACK:
	FILE:

Objection on the ground that the proposed canopy would be an obtrusive feature to the street scene.

SIGNED: C.S. Cl

DATE: 11-8-00

Clerk To Finchampstead Parish/Town Council.

Alun G Hicks BSc (Econ), FCA
Telephone: 0118 977 3712
e-mail: alun@westways42.freeserve.co.uk

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Westways
Tintagel Road
Finchampstead
Wokingham
Berks
RG40 3JJ

5th August 2000

Mr John Mitchell
Development Control Manager
Wokingham District Council
Planning Services
PO Box 157
Shute End
Wokingham
Berks
RG40 1WR

Dear Mr Mitchell,

Reference F/2000/1989

I write with regard to the above application for the construction of a caravan canopy along the boundary between the properties known as Torwood and Westways.

I am concerned that such a structure so close to the boundary and at a height of 3m (plus the depth of the canopy), will be stark, over-bearing and out of character with the overall setting; this will be particularly the case in winter when the trees are without foliage.

In order to meet Mr & Mrs Roberts requirements whist softening the visual impact I suggest:

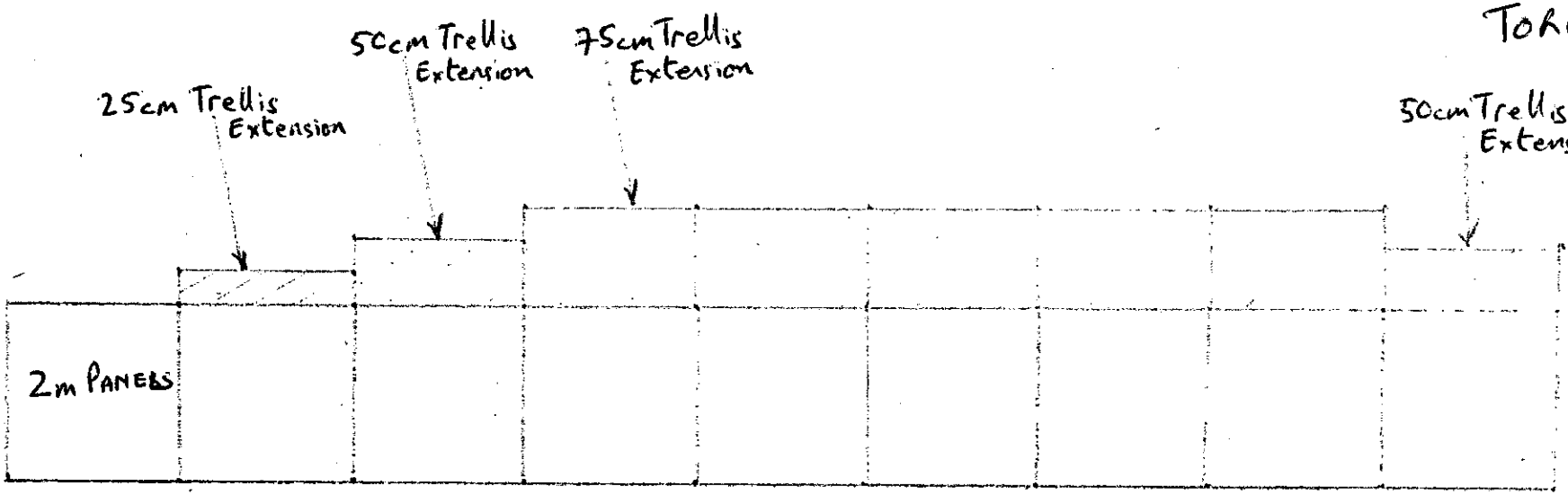
i) The canopy is re-sited approximately 2m closer to the boundary along Tintagel Road and approximately 2m away from the boundary between Westways and Torwood (the key limiting factor being two established pine trees – see attached illustration).

ii) The four low level fence panels which start the boundary fence between Westways and Torwood from Tintagel Road should be replaced with full size panels. The proposed trellis extension of the fence should commence from the second panel in from Tintagel Road and continue for 7 further panels. The trellis extension should be stepped and not extend more than approximately 75cm above the height of the fence panels (see attached illustration).

Yours sincerely,

PANEL FENCING.

TORWOOD



TINTAGEL ROAD

WESTWAYS