

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	251472
Site Address:	28 Tennyson Road, Woodley, Wokingham, RG5 3RH
Expiry Date:	21 August 2025
Site Visit Date:	12/05/2025
Proposal: Householder application for the proposed engineering operations to re-level the rear garden and facilitate the formation of a patio with associated retaining structures (Retrospective).	

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP3 – General Principles for Development CP9 – Scale and Location of Development Proposals
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC04 – Sustainable Design and Construction CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation
Wokingham Borough Local Plan Update (LPU)	SS1 – Sustainable development principles DH1 – Place making and quality design
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List

PLANNING HISTORY

Application No.	Description	Decision & Date
251582	Full application for the proposed erection of a 2m replacement fence. (Retrospective)	Awaiting decision.

240417	Application for a certificate of lawfulness for the proposed single storey rear extension. (Part Retrospective)	Approved, 24/04/2024
232765	Application for a certificate of lawfulness for the proposed erection of a single storey rear extension.	Application Withdrawn, 15/01/2024
PLANNING ENFORCEMENT HISTORY		
RFS/2024/0898 06	Extension built & brick wall & fence at front of property without PP	Closed on 08/07/2025

CONSULTATION RESPONSES

Internal

WBC Highways – No objections.
WBC CIL – No comments received.

External

None consulted.

REPRESENTATIONS

Parish/Town Council	Woodley Town Council – No objections.
Ward Member(s)	No comments received
Neighbours	No comments received

APPRAISAL

Site Description and Proposed Development:

The application site relates to a two storey, detached property located in an established residential area, sited at the junction of Tennyson Road and Keats Road. The surrounding area is characterised by detached and semi-detached properties set in discernible groupings which are distinguished by repeated house type.

This retrospective planning application has been submitted following an enforcement investigation (ref: RFS/2024/089806) into the unauthorised construction of a front brick wall, boundary fencing, and ground re-levelling works within the garden area.

This application seeks retrospective planning permission for engineering operations comprising the re-levelling of sections of the rear garden to facilitate the creation of a paved patio area, stepped access, and associated retaining structures.

It is noted that the side boundary close boarded fencing is currently the subject of a separate full planning application (ref: 251582).

Principle of Development:

The National Planning Policy Framework has an underlying presumption in favour of

sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

The site is located within settlement limits and as such the development should be acceptable providing that it complies with the principles stated in the Core Strategy. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale of activity, mass, layout, built form, height, materials and character to the area in which it is located and must be of high quality design without detriment to the amenities of adjoining land uses and occupiers.

Character of the Area:

The works are contained wholly within the rear garden and, owing to the presence of side boundary fencing, are not visible from the public realm. As such, the development does not adversely affect the character or visual amenity of the surrounding area. In addition, parts of the garden have been retained as soft landscaping, which helps preserve the residential character of the site and provides a balance between hard and soft surfaces.

The scale and domestic nature of the works are consistent with alterations typically associated with residential garden spaces and do not represent an over-intensification of the site. Accordingly, the proposal is considered acceptable in terms of its impact on the character of the area

Neighbouring Amenity:

As the ground level of the new patio area has been lowered, the proposals do not give rise to any material overlooking or loss of light concerns. This includes views from the rear stepped access, which remain screened by the existing boundary fencing. Furthermore, the works would not result in any loss of light or create an overbearing impact on neighbouring properties.

Amenity Space:

Whilst the works would result in a modest reduction in the amount of functional garden space, the remaining area would still be of a sufficient size to accommodate typical activities such as sitting out, children's play, clothes drying, and outdoor storage. As such, the proposals would not adversely affect the reasonable enjoyment of the property by current or future occupiers.

Community Infrastructure Levy (CIL):

When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The Public Sector Equality Duty (Equality Act 2010):

In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION

Conditions agreed:	Not required
Recommendation:	Approval
Date:	10 August 2025
Earliest date for decision:	22 July 2025

Recommendation agreed by: (Authorised Officer)	
Date:	20/08/25