

DELEGATED OFFICER REPORT



**WOKINGHAM
BOROUGH COUNCIL**

Application Number:	250005
Site Address:	52 Oatlands Road, Shinfield, Wokingham, RG2 9DN
Expiry Date:	5 August 2025
Site Visit Date:	5 February 2025
Proposal: Householder application for proposed single storey side extension, including changes to fenestration (retrospective).	

PLANNING CONSTRAINTS/STATUS

Bat Roost Habitat Suitability
Scale and Location of Development Proposals – Modest Dev. Location (Shinfield)
Landscape Character Assessment
SSSI Impact Risk Zones

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 CP7 – Biodiversity CP9 – Scale and Location of Development Proposals
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction TB23 – Biodiversity and Development
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Sustainable Design and Construction Supplementary Planning Document Shinfield Neighbourhood Plan

PLANNING HISTORY

Application No.	Description	Decision & Date
09015	Extension of kitchen, new porch and construction of bedroom over existing garage	Approved 31/08/1978
101889	Proposed erection of a single storey rear extension to dwelling, plus part garage conversion to habitable accommodation and front boundary wall.	Approved 30/11/2010

102078	Application for certificate of lawfulness for the proposed erection of a single storey rear extension and part garage conversion.	Refused 01/11/2010
240188	Householder application for proposed part single part two storey front extension, part single part two storey rear extension. garage conversion to create habitable accommodation, following demolition of front bay windows.	Approved 17/02/2024
250590	Householder application for proposed part single, part two story front extension, part single, part two storey rear extension. Along with changes to fenestration and demolition of the existing conservatory. (Part-retrospective).	Approved 14/05/2025

CONSULTATION RESPONSES

Internal

WBC Highways – No objection

External

None

REPRESENTATIONS

Parish/Town Council	<p>Shinfield Parish Council object to this application and state that there is a need to ensure that the appropriate party wall rights have been obtained.</p> <p><i>Officer comments: Boundary disputes and requirements of the party wall act are civil matters between landowners. These are not material planning considerations.</i></p>
Ward Member(s)	<p>Two Councillors have objected to this proposal on the following grounds:</p> <ul style="list-style-type: none"> • The proposal changes the nature of the building from detached to semi-detached. <p><i>Officer comments: This is down to interpretation and not a material planning consideration.</i></p> <ul style="list-style-type: none"> • The side extension adds to the overbearing impact. <p><i>Officer comments: this will be assessed in the main report below.</i></p> <ul style="list-style-type: none"> • The extension lessens the structural quality of the neighbouring property. <p><i>Officer comments: This is not a material planning consideration.</i></p> <ul style="list-style-type: none"> • There has been drilling into the neighbour's wall and the extension's roof is joined to no. 50. <p><i>Officer comments: The actions of sealing the roof and drilling into the garage wall would appear to be de minimis in planning terms. They cannot be accurately defined on plans because they are too small.</i></p>

Neighbours	<p>During the initial consultation period, four neighbours' comments on this application and these comments are summarised below:</p> <ul style="list-style-type: none"> • The state of the private road after construction vehicles have demolished it is unacceptable and needs to be repaired. <i>Officer comments: This is not a material planning consideration.</i> • The height of the fence at the front of the property is above permitted heights. <i>Officer comments: This has been raised separately with the applicant and subsequently resolved outside of this planning application process.</i> • The new boundary fence has been constructed on land not owned by no. 52. <i>Officer comments: Boundary matters are civil matters to be resolved between neighbours and the Council are unable to get involved with these.</i> • The front elevation of the house is not as we saw on the original plans. <i>Officer comments: Application 250590 was submitted to amend the discrepancies between approved drawings and the dwelling as built.</i> • A window has been inserted at first floor level which overlooks the neighbouring property, and this isn't shown on the plans <i>Officer comments: This window was applied for under application 250590 and is now correctly shown on the plans as part of this application.</i> • Excessive lighting has been installed at the front and rear of the property. <i>Officer comments: This application hasn't been submitted to apply for external lighting installed at the property. Moreover, such lighting is often considered de minimis and wouldn't require planning permission. Any excessive nuisance caused by the Light spill could potentially be controlled under Environmental Health regulations.</i> <p>Following the receipt of revised plans and further consultation, three neighbours have commented on this application and their comments are summarised below:</p> <ul style="list-style-type: none"> • The works have been completed without any permission. <i>Officer comments: The description of this application states that the proposal is retrospective.</i> • The extension looks like it has been built without any Building Regulations Approval.
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	<p><i>Officer comments: Not a material planning concern, however, the Council's Building Control team have been informed of the work undertaken here.</i></p> <ul style="list-style-type: none"> • The property has been built without a 100mm gap and has actually connected to it without any Party Wall Act agreement. <p><i>Officer comments: Boundary disputes and party wall requirements are civil matters between landowners. These are not material planning considerations.</i></p> <ul style="list-style-type: none"> • The extension undermines the structural integrity of the neighbouring property. <p><i>Officer comments: Boundary disputes and party wall requirements are civil matters between landowners. These are not material planning considerations.</i></p> <ul style="list-style-type: none"> • The proposal will impact upon the value of neighbouring properties. <p><i>Officer comments: Not a material planning consideration.</i></p> <ul style="list-style-type: none"> • The changing of the property to link-detached is out of keeping with other properties on Oatlands Road. <p><i>Officer comments: This will be assessed within the 'Character of the Area' section of the main report.</i></p> <ul style="list-style-type: none"> • The neighbouring property benefits from a legal easement to access the flank wall, for the purposes of maintenance and repair. <p><i>Officer comments: Not a material planning consideration.</i></p> <ul style="list-style-type: none"> • The roof, ceiling and doors of the extension are attached to the neighbouring property. <p><i>Officer comments: Not a material planning consideration, boundary and Party Wall matters are civil matters to be resolved between neighbours.</i></p> <ul style="list-style-type: none"> • The applicant has drilled into the neighbour's garage wall. <p><i>Officer comments: Not a material planning consideration.</i></p> <ul style="list-style-type: none"> • The applicant has drilled into the neighbour's garage wall. <p><i>Officer comments: Not a material planning consideration. The action of drilling into the garage wall would appear to be de minimis. This cannot be accurately defined on plans because it is too small.</i></p> <ul style="list-style-type: none"> • The boundary line on the ground floor plan is to the left of the neighbour's wall demonstrating that the wall is on the neighbour's land and belongs to the neighbour. <p><i>Officer comments: Boundary disputes are civil matters that the Council will not get involved in. Additionally, the red line on the location plans (and indeed Land</i></p>
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	<i>Registry plans) shows that the property boundary line is on the neighbour's wall.</i>
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APPRAISAL

Description of Development:

This application seeks permission to erect a single storey side extension to the existing dwelling.

Application 240188 was approved on 17/02/2024. The works were not carried out in accordance with the approved plans, hence, when this application was submitted the existing and proposed plans showed a different extensions to what was approved under application 240188. This application was subsequently made invalid, and application 250590 was submitted to amend the discrepancies between the approved plans from application 240188 and the dwelling as it had been built out on site. Following the approval of application 250590, and the receipt of revised plans, this application was validated again.

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 proposed single storey side extension does not adhere to R16 design principle within the Borough Design Guide (BDG) in relation to separation distances as the proposal is directly on the boundary with the neighbouring property 50 Oatlands. However, given its proportionate scale to the host dwelling, limited height and unimposing design, it is deemed that the side extension would have an acceptable impact on the appearance of the dwelling and wider area.

As the proposed extension is at ground floor only, it would not result in any potential terracing impact with its neighbour no. 50 Oatlands Road. This is because the existing separation distance at first floor level would be retained thereby ensuring the most important pattern and rhythm of spaces between built form along this part of the street is adhered to, also noting that several other properties in the street have been extended with ground floor elements that extend up to their neighbour's boundaries, including the neighbouring property no. 50. Additionally, with the brickwork and render to match the existing dwelling, it is further demonstrated that the proposed ground floor side extension poses no significant harm to the character of the area.

Neighbouring Amenity:

The proposed side extension is single storey in nature and does not project beyond the front or rear of the neighbouring property. Therefore, it is deemed that there are no significant impacts on neighbouring amenities with regards to overbearing or loss of light. No windows are proposed on the side of the extension and therefore there are no concerns on overlooking grounds. Overall, the proposed side extension poses no harm to neighbouring amenities either in respect of overlooking, overbearing presence or overshadowing/loss of daylight issues.

Residential Amenity Space:

The proposal would not adversely harm the usability of the site's rear amenity space for current or future occupiers.

Conclusion:

For the reasons stated above, the proposal is acceptable in local plan policy terms and therefore is recommended for approval.

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.

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.

RECOMMENDATION

Conditions agreed:	Not required
Recommendation:	Approve
Date:	22 July 2025
Earliest date for decision:	1 July 2025

Recommendation agreed by: (Authorised Officer)	
Date:	23/07/25

PLANNING CONSTRAINTS/STATUS

Insert where relevant