

## **DELEGATED OFFICER REPORT**



**WOKINGHAM  
BOROUGH COUNCIL**

|                                                                                                                                                                                      |                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <b>Application Number:</b>                                                                                                                                                           | 250239                                         |
| <b>Site Address:</b>                                                                                                                                                                 | 41 Appleby Walk, Shinfield, Wokingham, RG7 1UZ |
| <b>Expiry Date:</b>                                                                                                                                                                  | 27 August 2025                                 |
| <b>Site Visit Date:</b>                                                                                                                                                              | 2 June 2025                                    |
| <b>Proposal:</b> Householder application for proposed erection of an outbuilding to the rear of the dwelling. Followed by the extension of the existing garage.(Part-Retrospective). |                                                |

### **PLANNING CONSTRAINTS/STATUS**

Contaminated Land Consultation Zone  
 Scale and Location of Development Proposals – Modest Dev. Loc. (Spencers Wood)  
 Great Crested Newt Consultation Zone  
 Strategic Development Locations  
 Tree Preservation Orders – TPO-1602-2017  
 Landscape Character Assessment  
 SSSI Impact Risk Zones  
 Thames Basin Heaths SPA Mitigation Zone  
 JCEB Mineral Safeguarding Area

### **PLANNING POLICY**

|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>National Policy</b>                           | National Planning Policy Framework (NPPF)<br>National Planning Policy Guidance (NPPG)                                                                                                                                                                                                                                                                                                                                                |
| <b>Core Strategy (CS)</b>                        | CP1 – Sustainable Development<br>CP3 – General Principles for Development<br>CP8 – Thames Basin Heaths Special Protection Area<br>CP9 – Scale and Location of Development Proposals                                                                                                                                                                                                                                                  |
| <b>MDD Local Plan (MDD)</b>                      | CC01 – Presumption in Favour of Sustainable Development<br>CC02 – Development Limits<br>CC03 – Green Infrastructure, Trees and Landscaping<br>CC04 – Sustainable Design and Construction<br>CC06 – Noise<br>CC07 – Parking<br>TB21 – Landscape Character<br>TB23 – Biodiversity and Development                                                                                                                                      |
| <b>Wokingham Borough Local Plan Update (LPU)</b> | SS1 – Sustainable development principles<br>SS3 – Development within or adjacent to major and modest settlements<br>CE1 – Design principles for efficient buildings<br>CE3 – Environmental standards for residential development<br>NE3 – Thames Basin Heaths Special Protection Area<br>NE4 – Trees, woodland, hedges and hedgerows<br>NE5 – Landscape and design<br>DH1 – Place making and quality design<br>HC8 – Noise pollution |

|              |                                                                                                                                                                                                                                    |
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|              | HC9 – Contaminated land and water<br>HC10 – Odor, fumes and dust                                                                                                                                                                   |
| <b>Other</b> | Borough Design Guide Supplementary Planning Document<br>CIL Guidance + 123 List<br>Sustainable Design and Construction Supplementary Planning Document<br>A Vision for Our Villages: Ryeish Green, Spencers Wood, Three Mile Cross |

## PLANNING HISTORY

| Application No. | Description                                                                                                                                                                                          | Decision & Date        |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 130163          | Full planning permission for the erection of 276 dwellings with associated access landscaping and open space following demolition of existing dwelling and ancillary buildings (214a Hyde End Road). | Approved<br>22/07/2014 |

## CONSULTATION RESPONSES

### Internal

WBC Highways – No objection subject to conditions. *Officer comments: This is assessed within the main report below.*

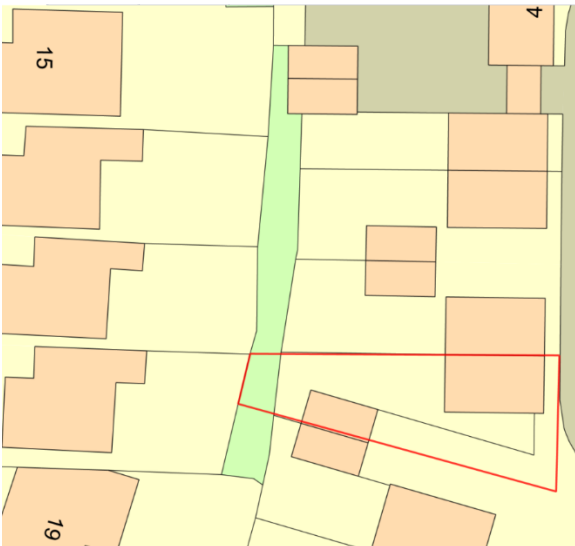
WBC Landscape and Trees – No objection.

### External

None

## REPRESENTATIONS

|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parish/Town Council | <p>Shinfield Parish Council object to the planning application on the following grounds:</p> <ul style="list-style-type: none"> <li>• Encroachment on the amenity land at the rear of the property.<br/><i>Officer Comments: The moving of the fence was assessed during an Enforcement case ref: RFS/2024/089142, and it was deemed there was no breach of planning control.</i></li> <li>• A tree survey should be requested to ensure no damage is done to the existing trees.<br/><i>Officer comments: An arboricultural report and tree protection plan were submitted on 05/08/2025.</i></li> <li>• There appears to be no access to the proposed office.<br/><i>Officer comments: The proposed office has now been removed from the proposal.</i></li> </ul> |
| Ward Member(s)      | No comments received                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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| Neighbours | <p>Two neighbours have commented on this application outside of the consultation period. Their comments are still summarised below:</p> <ul style="list-style-type: none"> <li>• The proposed works are over a ditch, and the moving of the fence is a land grab.<br/><i>Officer comments: The moving of the fence was assessed during an Enforcement case ref: RFS/2024/089142, and it was deemed there was no breach of planning control.</i></li> <li>• The ditch, which is amenity land, has been built over.<br/><i>Officer comments: The moving of the fence was assessed during an Enforcement case ref: RFS/2024/089142, and it was deemed there was no breach of planning control. The land in question at the rear of the site is owned by the applicant. It was not identified as 'amenity land' in the original planning permission (despite being coloured green – see Fig 1. below) and serves no other beneficial purpose.</i></li> </ul>  <p>Fig. 1: Extract of Block Plan showing application site</p> |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## APPRAISAL

### Description of Development:

This application seeks retrospective permission for the proposed erection of a single storey rear extension to the garage to provide an extension to the garage and a living area.

Originally, the application was also seeking permission to erect a new extension beyond the existing one to provide an office space. Following conversations with the Council's Landscape and Trees Officer, and the submission of a tree survey, it was deemed that the proposed extension would encroach within the RPA of the TPO tree that is located to the rear of the site. Therefore, the scheme was amended to remove the office element and now permission is only being sought for the existing extension.

**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 rear extension to the garage does not adhere to R16 design principle within the Borough Design Guide (BDG) in relation to separation distances as the proposal is set right on the boundary with both neighbouring properties. However, given its proportionate scale and unimposing design, it is deemed that the extension would have an acceptable impact on the appearance of the garage and wider area. Additionally, the proposal is to the rear of the property and garage where it would not be visible from the public realm, and this further demonstrates that the proposal poses no harm to the character of the area.

**Neighbouring Amenity:**

The proposed single storey rear extension to the garage would extend a maximum of 3 metres from the rear of the existing garage (2.3 metres when measured at the shortest distance). No windows are proposed on the side of the extension and given the single storey nature of the extension, there are no concerns with regards to overlooking or loss of light. To avoid being overbearing, guidance in the BDG states that the eaves height of single storey extensions should not exceed 3 metres within 2 metres of a side boundary. The proposed development is set right on the boundary with both neighbouring properties, but with the extensions maximum height being 2.5 metres, it demonstrates that it complies with this guidance relating to overbearing. Overall, the proposed rear extension to the garage poses no harm to neighbouring amenities.

**Residential Amenity Space:**

The proposals would not adversely impact on the usability of the site's rear amenity space for current and future occupiers as a garden length of 11.5 metres is retained from the rear of the dwelling to the extension.

**Highway Access and Parking Provision:**

The Council's Highways Officer has no objection to the garage extension, however, they have recommended a condition to ensure that the extension remains ancillary to the main dwelling and that it is not sold, leased or disposed of separately. The proposal does not demonstrate that it could be used as a separate unit of accommodation and

therefore it is considered unreasonable and unnecessary to impose such a condition. Accordingly, the condition is not recommended.

**Landscape and Trees:**

The Council's Landscape and Trees Officer initially raised objection to this application and requested further information with regards to the TPO ash tree that is located to the rear of the site. An Arboricultural Report and Tree Protection Plan were submitted during the application process, but the Landscape and Trees Officer was not satisfied that the proposed further rear extension for the proposed office could be accommodated without significantly impacting upon the RPA of the TPO tree.

The proposed office element was subsequently removed from the proposal, and the application now only seeks retrospective permission for the extension that has already been carried out. The Landscape and Trees Officer was reconsulted on this approach and they are now happy for the application to be approved for the extension works that have already been carried out, as the extension has only had a limited impact on the TPO tree.

**Conclusion:**

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

**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 reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. 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:                       | 4 November 2025 |
| Earliest date for decision: | 7 May 2025      |

|                                                               |                                                                                   |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------|
| <b>Recommendation<br/>agreed by:<br/>(Authorised Officer)</b> |  |
| <b>Date:</b>                                                  | 04/11/25                                                                          |

**PLANNING CONSTRAINTS/STATUS**

*Insert where relevant*