

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	251579
Site Address:	36 Erleigh Court Gardens, Earley, Wokingham, RG6 1EH
Expiry Date:	29 August 2025
Site Visit Date:	10 July 2025
Proposal: Full application for the proposed change of use of existing property into a sui generis HMO (7 or more occupants) dwelling. (retrospective)	

PLANNING POLICY	
National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP4 – Infrastructure Requirements CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP9 – Scale and Location of Development Proposals CP17 – Housing Delivery
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 CC06 – Noise CC07 – Parking TB07 – Internal Space Standards
Wokingham Borough Local Plan Update (LPU)	SS1 – Sustainable development principles SS2 – Spatial strategy and settlement hierarchy SS3 – Development within or adjacent to major and modest settlements SS10 – Meeting our housing needs CE1 – Design principles for efficient buildings CE3 – Environmental standards for residential development C5 – Parking and electric vehicle charging H1 – Housing mix, density and standards H7 – Specialist accommodation H8 – Conversion and sub-division of buildings H12 – Residential development of existing private gardens FD1 – Development and flood risk (from all sources) NE4 – Trees, woodland, hedges and hedgerows NE5 – Landscape and design DH1 – Place making and quality design
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Sustainable Design and Construction Supplementary Planning Document

PLANNING HISTORY		
Application No.	Description	Decision & Date
162646	Retrospective application for the proposed first floor side and rear extensions to dwelling.	Approve 02/12/2016
161662	Householder application for the proposed conversion of garage to habitable accommodation. (Retrospective)	Approved 23/12/2016
130291	Application to extend implementation date of planning consent F/2010/1603 for a further 3 years. (Proposed erection of two storey rear and first floor side extensions to dwelling plus rear dormer extension.)	Approved 30/09/2013
100564	Proposed erection of two storey rear and first floor side extensions to dwelling plus rear dormer extension.	Approved 27/08/2010
081552	Proposed erection of single storey side/rear extension to dwelling plus conversion of garage to habitable room.	Approved 03/11/2008

CONSULTATION RESPONSES	
Internal	
WBC Highways – No objection, subject to conditions.	
External	
None.	

REPRESENTATIONS	
Parish/Town Council	Objection. Concerns relate to: - Intensification of the site would be detrimental to neighbouring amenity and local character. - Inadequate parking and highway safety.
Ward Member(s)	One Councillor objection. Concerns include: - Inadequate parking. - Outbuilding becoming an independent dwelling.
ACER Whitegates Residents Association	Objection. Concerns relate to: - Insufficient parking. - Removal of soft landscaping. - The visible impact of the outbuilding to neighbouring properties.
Neighbours	One third party comment querying whether the outbuilding has planning permission or is permitted development.

APPRAISAL
Site Description:

The application site consists of a two-storey semi-detached dwelling located on the western side of Erleigh Court Gardens, Earley.

The road comprises semi-detached properties of a similar age and style. Over time, many of the properties have been altered and extended in a variety of forms and designs.

The application site is set back from the road behind a paved driveway providing off-street parking.

Background:

The property already functions as a House in Multiple Occupancy and has permission for up to six occupants. This could include single occupancy and family groups such as an extended family. As existing, there is the potential for each of the six occupants to have one vehicle each.

The outbuilding is existing, and the proposal includes changing the use of the outbuilding to form habitable living accommodation forming part of the Sui Generis HMO. The main house and outbuilding are linked through the use of shared parking, shared garden, shared side access and shared utilities. Therefore, the link has not been severed and still reads as one planning unit.

Proposal:

This application seeks retrospective approval for the change of use of the property as a Class C4 House in multiple occupation (up to 6 residents) to a Sui Generis House of Multiple Occupancy (HMO) for 7+ occupants. The main house comprises a shared kitchen and living room, five double bedrooms with en-suite/bathrooms, one single bedroom and en-suite, plus detached outbuilding providing one double bedroom, living room, bathroom and kitchen.

There are four shared parking spaces to the front of the property and a shared garden to the rear.

One third party questioned whether the outbuilding is permitted development or has planning permission. The outbuilding was constructed in approximately 2008, and its construction does not form part of this application. This application proposes a change of use of the outbuilding to habitable living accommodation. It should be noted that permitted development rights still exist for Class C4 – houses in multiple occupation.

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 major settlement limits and as such the principle of development in this location is acceptable providing that it complies with the wider

policy objectives contained within the Core Strategy and Managing Development Delivery (MDD).

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. The proposed development would provide functional space that is of an appropriate scale and use. The proposed outbuilding as habitable accommodation will be assessed the same as ancillary development e.g. a granny annexe to the main house. The outbuilding is accessed via the side access which is shared by all occupants and also provides access to the shared rear garden.

Local Plan Update

The Wokingham Borough Local Plan Update 2023-2040: Proposed Submission Plan was submitted to the Secretary of State for examination on 28 February 2025.

Character of the Area:

The proposed development would not result in any alterations or extensions to the existing property. As such, it is not considered that the proposal would result in any harm to the character and visual appearance of the site or the local area.

The Local Parish objected to the proposal for being an 'intensification' of the site. However, the property already functions as a Class C4 HMO property with the potential for up to six occupants, of which, a family group would be permitted as one of the six occupants, and each occupant could potentially have a personal vehicle. Therefore, the character of the property as an existing HMO would already generate comings and goings associated with up to six separate occupants and related car use. The use of the property as a Sui Generis HMO would result in the one additional bedroom and its occupants which would not intensify the existing use to such a degree that would detrimentally alter the character of the existing property.

The proposed plans accord with local plan policy and guidance by providing sufficient remaining amenity space, satisfies parking standards, and does not increase the scale or footprint of the existing building. However, with any grant of approval, it will be necessary to remove permitted development rights for Class E (outbuildings) in order to maintain planning control over any future outbuilding development on the site. In addition, it will also be necessary to impose the removal of Class A permitted development rights for rear extensions, to maintain an acceptable level of amenity space for a seven-bedroom Sui Generis HMO.

Neighbouring Amenity:

Overlooking, Loss of Light & Overbearing:

The proposed development would not result in any changes to the external elevations of the building. It is not proposed to increase the size of the existing building or insert any additional windows. As such, it is considered that the proposal would not result in any material harm to the residential amenity of nearby and adjoining residents in terms of overbearing impact, loss of light, overshadowing, sense of enclosure or loss of privacy and overlooking.

In addition, the proposed change of use of the outbuilding could already have functioned as a spare bedroom, therefore, any additional harm would not be detrimental to neighbouring properties in terms of overlooking, loss of light or loss of privacy.

Highway Access and Parking Provision:

Concerns have been raised regarding the level of proposed parking being inadequate to serve the proposed development. However, as has been discussed earlier in the report, as existing, the property operates as a Class C4 HMO which provides living accommodation for up to six occupants, each of which could potentially have a vehicle.

The proposal would not alter the existing on-site parking arrangements which provides four on-site vehicle spaces. The council's Highways officer was consulted and raised no objection to the proposal. They commented:

"The council does not have a specific parking standard for HMO's. Consistent with previous applications of this nature, Highways consider the most appropriate standard to be that for rented studio apartments, which requires 0.5 unallocated parking space/studio. Applying this parking standard to the proposed use per bedroom, requires 3.5 parking spaces. The submitted site layout provides 4 parking spaces and on that basis the level of parking is considered acceptable in this instance. All parking spaces shall remain unallocated.

Secure and covered cycle storage is required at a rate of 1 cycle space per bedroom. Highways request further details of the design and location of this, and also to demonstrate suitable pedestrian access to the cycle store(s). Alternatively, this could be secured through condition".

Therefore, despite concerns raised by the Local Parish and Ward Member with regard to the parking provision for the site, there are no objections on these grounds.

Internal space standards:

TB07 of the MDD Local Plan relates to internal space standards. This also indicates that development shall be consistent with those outlined in the BDG. National Space Standards set out that double bedrooms should be a minimum of 11.5 square metres and singles a minimum of 7.5 square metres.

The submitted Design Statement (dated June 2025) shows that bedrooms 1, 2, 4, 5, 6, and the outbuilding meet the minimum standards required for double bedrooms, and bedroom 3 meets the minimum standards required for a single bedroom. Each bedroom would also have its own en-suite bathroom/bathroom. Therefore, the proposal meets the standards required for their occupancy levels and would provide adequate internal space to serve current and future occupiers.

Amenity Space:

The Council's minimum garden length of 11m is a generally accepted guideline for private garden space, provided it is usable. The garden space between the outbuilding and rear building line of the main house measures approximately 9.5m. It is noted that this falls marginally below the recommended 11m, however, the garden is a similar size

in width which provides a square shaped garden which is useable and of an overall sufficient size to allow a variety of activities.

A Ward Member raised concern with regard to the outbuilding becoming an independent dwelling. The outbuilding and main house still read as one planning unit. The outbuilding is not fenced off from the main house and is located in the rear shared garden. The shared garden is accessed by the occupants either via the shared kitchen in the main house or via the communal side access. The remaining shared garden space is sufficient to serve the development. However, as outlined earlier in the report, to protect and ensure an acceptable level of garden space is maintained in the future, as well as controlling the use as one planning unit, it is necessary to impose conditions to remove permitted development rights for Class A (rear extensions) and Class E.

Other:

The ACER Whitegates Residents Association raised concern regarding the removal of soft landscaping to the property frontage. Whilst this is duly noted, there are no protected trees on site and landscaping changes do not form part of this application. In addition, many of the properties along Erleigh Court Gardens have removed original front gardens to provide full width driveways. Examples include 7, 9, 18, 20, 28, 30, 32, 34, 38 and 40. Therefore, the existing driveway is sufficiently in-keeping with surrounding properties and acceptable.

Conclusion:

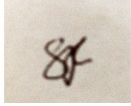
The proposed change of use is acceptable in principle and would provide satisfactory internal living conditions for future occupiers. The proposal would have an acceptable impact on the amenities of neighbouring occupiers, highway safety and parking, and on the local character. Subject to the imposition of conditions, the development is acceptable and 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.

RECOMMENDATION	
Conditions agreed:	Not required
Recommendation:	Approve

Date:	19 August 2025
Earliest date for decision:	28 July 2025

Recommendation agreed by: (Authorised Officer)	
Date:	22.8.25

PLANNING CONSTRAINTS/STATUS

Scale and Location of Development Proposals | Total count: 1

#	FEATURE_TYPE	NAME
1	Major Development Locations	Earley

Major Nuclear Sites Consultation Zone | Total count: 1

#	FEATURE_TYPE	FEATURE_NAME	PLANNING_NOTE
1	Consultation Zone - Major Nuclear Site	AWE: 12km Zone	This is the 12km Zone. A circular zone of 12km radius around all nuclear sites, for certain types of significant development due to the potential for such developments to pose an external hazard to sites.

Aerodrome Safeguarding: Heathrow Consultation Zone | Total count: 1

#	Height Band	Wind Turbine	Aviation
1	All works exceeding 150 metres (492.1 feet)	NO	YES

Risk of Flooding from Surface Water | Total count: 1

#	FEATURE_TYPE	FEATURE_NAME
1	Environment Agency Surface Water Flood Zones	1 in 1000 year risk extent

Great Crested Newt Impact Risk Zones | Total count: 1

#	FEATURE_TYPE	FEATURE_NAME	CONSULT
1	Great Crested Newt Impact Risk Zone	Amber	For Householder applications check HH Layer. Consult NatureSpace for all other types of development

Potentially Contaminated Land Zones | Total count: 1

#	FEATURE_TYPE	OBJECTID
1	Potentially Contaminated Land Consultation Zone	1

Water Utility Consultation Zones | Total count: 1

#	FEATURE_TYPE	FEATURE_NAME	CONSULT_WHEN
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1	Water Utility Consultation Zone	Thames Water Earley Consultation Zone	Any development
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Landscape Character Assessment 2019 | Total count: 1

#	FEATURE_TYPE	Name
1	Landscape Character Assessment 2019	Woodley-Earley Settled and Farmed Clay

Wards | Total count: 1

#	NAME	Closest Approximate Distance
1	Maiden Erlegh & Whitegates Ward	0 m

Parishes | Total count: 1

#	NAME	Closest Approximate Distance
1	Earley CP	0 m