

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242684
Site Address:	14 Heatherway, Crowthorne, Wokingham, RG45 6HG
Expiry Date:	19 December 2024
Site Visit Date:	6 June 2024
Proposal: Householder application for the proposed insertion of 1no. first floor window.	

PLANNING CONSTRAINTS/STATUS

Water Utility Consultation Zones
Scale and Location of Development Proposals – **Crowthorne**
Great Crested Newt Consultation Zone – **Green Risk Zone**
Tree Preservation Orders
Landscape Character Assessment Area
SSSI Impact Risk Zones

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG) National Design Guide
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 CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB23 – Biodiversity and Development
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List

PLANNING HISTORY

Application No.	Description	Decision & Date
221398	Householder application for the proposed erection of a two storey rear/side extension to incorporate a Juliet balcony, extension of 3no existing flat roof dormers, erection of a porch and flat roof canopy, garage conversion into	Refused 22/06/22

	habitable space and changes to fenestration	
222188	Householder application for the proposed two storey rear/side extension, canopy to create porch to front, garage conversion to create habitable accommodation and changes to fenestration following demolition of the chimney.	Approved 13/09/22
230281	Application for submission of details to comply with the following condition of planning consent 222188 dated 13/09/2022. Condition 5. Protection of trees.	Approved 22/03/23
231010	Application for non-material amendment to planning consent 222188 for changes to fenestration and cladding.	Approved 02/05/23
231486	Application for non-material amendment to planning consent 222188 to allow changes to fenestration, guttering/fascia and cladding.	Refused 12/07/23
231760	Application for non-material amendment to planning consent 222188 for changes to the height of the rear south-facing first floor windows, plus the addition of obscure glazed balustrades to these windows.	Approved 23/08/23
232265	Application for non-material amendment to planning consent 222188 for the addition of rooflights.	Refused 21/09/23
232312	Application for non-material amendment to planning consent 222188 for the addition of rooflights to the flat roof.	Approved 11/10/23
241242	Householder application for proposed insertion of 1no. first floor window to the western elevation of the dwelling (retrospective).	Refused 18/07/24

REPRESENTATIONS

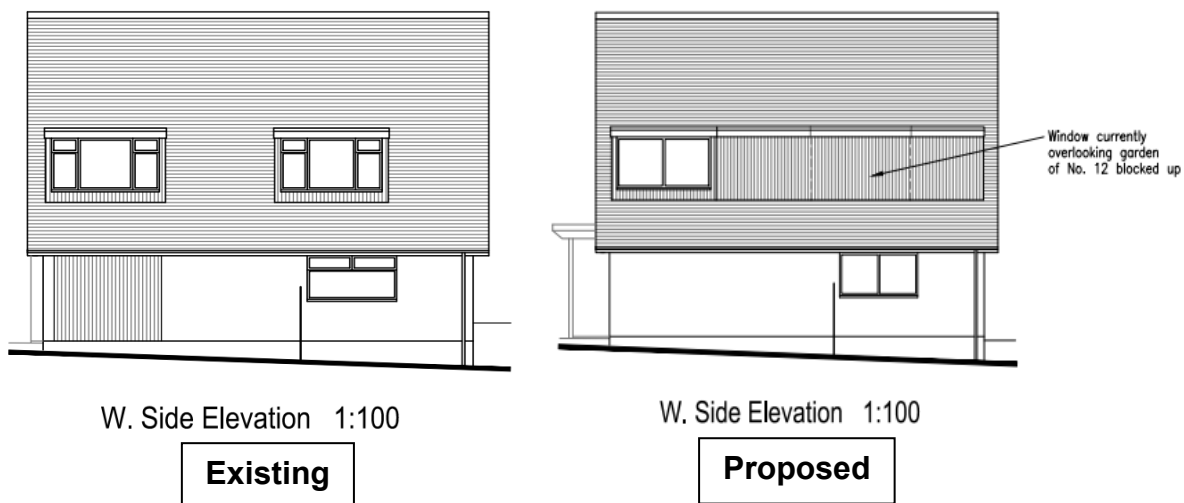
Parish/Town Council	No objections
Ward Member(s)	No comments received
Neighbours	No comments received

APPRAISAL

Site History:

Application 222188 was approved in September 2022 for the proposed erection of a two storey rear/side extension, front porch canopy, garage conversion to create habitable accommodation and changes to fenestration following demolition of the chimney.

Of particular interest is the fact that application 222188 involved the removal/infilling of an existing first floor dormer window on the western elevation of the dwelling. The existing and proposed western elevations from 222188 can be seen below:



The existing floor plans for application 222188 confirmed that the western dormer window was the only opening to 'bedroom 3'. The approval of 222188 approved the relocation of the primary window to the southern rear elevation which the Case Officer noted within the Officer Report was an improvement on the privacy impact onto no.12 Heatherway (page 4).

The application site has had a lengthy planning history since the approval of application 222188; several non-material amendment applications (NMAs) have been submitted (four approved) to vary numerous minor details of the proposals. None of the NMAs approved however altered the provision of fenestration on the western elevation.

Most recently, in July 2024, application 242142 was refused for the retrospective reinstatement of the bedroom window. The grounds for refusal surrounded the fact that the whilst the window originally served as the primary opening for the bedroom, the works completed in associated with 222188 relocated this primary opening to the southern rear elevation. Therefore, it was necessary, to protect the amenities of the adjoining no.12 Heatherway and their privacy, to obscure this window. As the works were retrospective, this was not possible and therefore the window resulted in adverse overlooking impacts.

Proposal Description:

This application seeks approval for the proposed insertion of a side facing window, previously refused by application 242142. This time, the works are not retrospective; The larger window pane proposed would be obscurely glazed/fixed shut, whereas the smaller pane would be obscured and would have a high level restricted opening (example seen below):



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 insertion of 1no. window would have a negligible visual impact on the area and is well screened from the immediate street scene.

Neighbouring Amenity:

Overlooking:

As outlined above, the previous transparent and casement window proposed provided a direct, close and uninterrupted view of no.12 Heatherway's primary amenity space and rear fenestration with a separation distance of only 3 metres, to the detriment of the neighbour's amenities and privacy.

With regards to the current window proposed, it is considered that the obscurity and high level opening would adequately protect the amenities of no.12 Heatherway by reason of overlooking; outlook from the window would be extremely skewed when opened and would only outlook onto the side access for the application site.

Overall, the proposals are considered acceptable on overlooking grounds, overcoming the reason for refusal associated with application 222188.

An obscure window could result in a perception of overlooking but there is some intermittent vegetation and there has been a window in this location historically. No objection from the neighbour has been received regarding the current proposal.

Loss of Light and Overbearing:

Due to the nature of the proposals, there are no concerns on these grounds.

Amenity Space:

The proposals would not affect the usability of the dwelling's rear amenity space.

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:	26 November 2024
Earliest date for decision:	14 November 2024

Recommendation agreed by: (Authorised Officer)	<i>MC</i>
Date:	28.11.2024

