

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242069
Site Address:	Annexe, 14 Wyatt Crescent, Earley, Wokingham, RG6 3WH
Expiry Date:	11 October 2024
Site Visit Date:	30 August 2024
Proposal: Full application for the proposed change of use from a garage to facilitate two residential flats ancillary to the main dwelling, along with associated parking and landscaping (retrospective).	

PLANNING CONSTRAINTS/STATUS

Contaminated Land Consultation Zone
Affordable Housing Thresholds
Bat Roost Habitat Suitability
Scale and Location of Development Proposals – Earley (Major Development Location)
Great Crested Newt Consultation Zone – Amber Risk Zone
Nuclear Consultation Zone – 12km Zone
Public Open Space
Landfill Gas Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones – 7km Linear Mitigation Zone
JCEB Mineral Safeguarding Areas

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 CP4 – Infrastructure Requirements CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP8 – Thames Basin Heaths Special Protection Area 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 CC05 – Renewable Energy and Decentralised Energy Networks CC06 – Noise CC07 – Parking

	CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB07 – Internal Space Standards TB23 – Biodiversity and Development
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List

PLANNING HISTORY

Application No.	Description	Decision & Date
No relevant planning history for the site.		

CONSULTATION RESPONSES

Internal

WBC Drainage – No objection subject to condition(s)
WBC Highways – Request further information (see main body of report below)
WBC Landscape and Trees – No comments received
WBC Ecology – No comments received
WBC CIL – Development is not CIL liable

External

None consulted

REPRESENTATIONS

Parish/Town Council	ETC raises objection to this application and recommends that WBC refuses the application for the following reasons: 1: The proposed bedsit units of approx. 30sq.m. and 36sq.m. are inadequate in area when assessed against the Nationally Described Space Standards, and would adversely impact the amenity of future occupants, as supported by Policy TB07. 2: The proposed car parking is considered inadequate in that the provision of two parking spaces in tandem for the bedsit dwellings would be inconvenient to use by two separate households with consequence that one car is likely to be parked in the street, in this already severely constrained former PPG3 development, contrary to Policy TB07, and contrary to section P1 of the Borough Design Guide in that the parking would not be accommodated satisfactorily and contrary to Section P3, as the tandem parking would not be convenient for the users. 3: The proposed accommodation is not provided with private amenity space for the occupants, to the detriment to their amenity, contrary to Policy CP3,
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	and as supported by Section R16 in the Borough Design Guide.
Ward Member(s)	No comments received
Neighbours	One representation received from a resident raising the following concerns: - Concerns about lack of internal floorspace - Concerns about lack of parking provision and impact on on-street parking

APPRAISAL

Site Description:

The application site consists of a three storey dwelling located on the western end of Wyatt Crescent, Earley. The site includes a private access drive that leads to a two storey detached garage which is subject of this application.

Proposal Description:

This application seeks approval for the proposed change of use of the existing two storey garage into 2no. 1-bedroom studio flats. Whilst the description of development refers to ancillary flats, they would not be ancillary to the dwelling and would be new properties in their own right.

It is noted that additional fenestration has been installed on the ground floor northern and western elevations of the building that are not indicated on the proposed plans. These are addressed in further detail below.

Principle of Development:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plans for the area are the Wokingham Borough Core Strategy 2010 and the Managing Development Delivery Local Plan 2014. At a national level, the National Planning Policy Framework (NPPF) constitutes guidance which the Local Planning Authority (LPA) must have regard to. The NPPF does not change the statutory status of the development plan as the starting point for decision making but is a material consideration in any subsequent determination.

Core Strategy 2010:

The site is located within the settlement limits of Shinfield and as such the principle of development should be acceptable according to Policy CP9 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.

Managing Development Delivery Local Plan 2014 (MDDLPL):

Policy CC01 of the MDD Local Plan 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.

Policy TB06 of the MDD Local Plan states that the Council will resist inappropriate development of residential gardens where development would cause harm to the local area. Proposals for new residential development that includes land within the curtilage or the former curtilage of private residential gardens will only be granted planning permission where:

- a) The proposal makes a positive contribution to the character of the area in terms of:
 - i) The relationship of the existing built form and spaces around buildings within the surrounding area;
 - ii) A layout which integrates with the surrounding area with regard to the built up coverage of each plot, building line(s), rhythm of plot frontages, parking areas, and
 - iii) Existing pattern of openings and boundary treatments on the site frontage
 - iv) Providing appropriate hard and soft landscaping, particularly at site boundaries.
 - v) Compatibility with the general building height within the surrounding area
 - vi) The materials and elevational detail are of high quality, and where appropriate distinctive and/ or complementary
- b) The application site provides a site of adequate size and dimensions to accommodate the development proposed in terms of the setting and spacing around buildings, amenity space, landscaping and space for access roads and parking
- c) The proposal includes access, which meets appropriate highway standards
- d) The proposal does not lead to unacceptable tandem development
- e) The design and layout minimises exposure of existing private boundaries to public areas and avoids the need for additional physical security measures.

National Planning Policy Framework (2024):

The latest published assessment of housing land supply concluded a deliverable supply of 3.2 years as of the 31st March 2023.

The National Planning Policy Framework (NPPF) states under paragraph 11 that where a local planning authority is unable to demonstrate a five-year supply of deliverable housing sites, the most important policies relating to the application may be viewed as being out of date. It continues to advise that unless there are specific policies in the NPPF protecting the land subject to the application, that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF. This presumption in favour of sustainable development outlined in paragraph 11 of the NPPF is commonly referred to as the 'tilted balance' as harm and benefits are not weighed equally, but tilted according to paragraph 11(d)ii).

Paragraph 123 of the NPPF encourages planning policies and decisions to promote an effective use of land in meeting the need for homes. The following paragraph outlines the need for planning policies and decisions to promote and support the development of under-utilised land, especially if this would help to meet identified needs for housing where land supply is constrained.

Summary:

The principle of the proposed development within the settlement boundary of Shinfield is supported in principle by Policy CP9. Notwithstanding the above, the development would represent sustainable development in terms of the principle of development.

Character of the Area:

Wyatt Crescent and the surrounding estate is a varied mix of detached, semi-detached, terraced and flat/apartment dwellings with varying roof heights. Therefore, the principle of 2no. additional 1-bedroom flats in the estate would not have an adverse impact on the character of the area, particularly as very little external alterations to the building and site's appearance are proposed.

Amenity Space:

Internal:

Policy TB07 of the MDD and R17 of the SPD require adequate internal space to ensure the layout and size achieves good internal amenity. Minimum standards are also set nationally by the Nationally Described Space Standards (NDSS).

TB07 outlines that the minimum Gross Internal Area (GIA) for 1-bedroom flats is 50sqm. The NDSS is however stricter than TB07, requiring a minimum of 37sqm if the flats have shower rooms, which both flats proposed do.

The ground floor flat has a GIA of 33.5sqm including the under stairs storage and only 30sqm without it. The first floor flat only has a GIA of 34.5sqm despite the proposed plans indicating a GIA of 37.6sqm.

The GIA's of both flats fall short of both the Council's space standards and the minimum standards outlined within the NDSS, resulting in inadequate living conditions for the occupiers of the flats.

The ground floor flat would only have two small windows that serve the main living space; one of the windows faces exclusively north and therefore would received no natural light, it would also only have a harsh outlook of an immediately adjacent boundary fence. The other window installed faces west and immediately abuts an adjacent shed structure and would receive minimal light due to the heavy amount of dense vegetation screening the site's western border with the adjacent Public Open Space,

R18 of the Borough Design Guide requires dwellings to be designed to provide appropriate levels of daylight and sunlight to new and existing properties. The proposals fail to achieve this, to the detriment of the occupier's amenities.

Overall, the proposals would provide an unsatisfactory living environment for future occupiers, to the detriment of their amenities. The proposals are therefore contrary to Policies CP1 and CP3 of the Core Strategy 2012, TB06 of the MDD Local Plan, The Borough Design Guide SPD and Section 12 of the NPPF.

External:

It is acknowledged that the 2no. flats proposed would have little to no external amenity space; the applicant has confirmed they will not have access to no.14 Wyatt Crescent's rear garden.

Despite this, 1no. bedroom flats in urban areas such as this generally do not have any associated outdoor amenity space and this is reflected in the layout of the estate the site is located within. The lack of external amenity space therefore does not warrant a reason for refusal.

Highway Access and Parking Provision:

The proposals involve the creation of 2no. flats and the subsequent conversion of no.14 Wyatt Crescent's double garage accommodation.

WBC Highways, as per the Council's Parking Standards, require 3no. parking spaces for no.14 due to the size of the house and the number of habitable rooms. These are accommodated on the existing driveway adjacent to the detached garage building:



Each flat proposed would require 1no. parking space each, taking the total required provision on site to five spaces.

WBC Highways have raised concerns regarding the parking provision for the 2no. flats and the existing property, particularly as no details have been provided in this regard. When cars are parked on site for these 3 dwellings there would be insufficient space for vehicles to turn around and leave in a forward gear, especially when considering delivery, refuse or emergency vehicles.

Reversing out would not be safe option as it would require reversing around the bend of a narrow access road and continuing reversing along the public highway of Wyatt Crescent past the junction in road where there is a 90-degree bend with limited visibility for a reversing vehicle. This section of the road is also a shared surface with pedestrians and provides a pedestrian link to areas of open space and a playground immediately to the south. Having vehicles reverse out onto this section of the public highway, which is a shared surface and link to public open space, would impact highway and pedestrian safety.

As on-street parking in this location would not be supported as it is already an issue

in this estate, the cars associated with the 2no. flats are required to park within the site. The only space large enough to accommodate them would be the turning area for no.14's existing driveway which would block them in and impact their ability to use their driveway and access properly. The parking could also block the ability for emergency vehicles to enter the site in an emergency.

Overall, insufficient information has been submitted to enable the implications of the development to be fully assessed with respect to parking, turning and accessibility for motor vehicles. The proposals are therefore contrary to policies CP1 and CP6 of the Core Strategy and section 9 of the National Planning Policy Framework.

Neighbouring Amenity:

Overlooking:

The proposed ground floor flat would only overlook the adjacent boundary treatment which is acceptable.

However, the first-floor accommodation includes 1no. eastern side window that directly overlooks no.14's rear amenity space. Whilst the overlook currently is acceptable as the site operates as a singular residential unit, the proposals would change this and the outlook from the window would come from a separate unit of residential accommodation to the main dwelling, resulting in an unacceptable loss of privacy for no.14 Wyatt Crescent.

Loss of Light & Overbearing:

The nature of the proposals do not involve any increases in ground floor footprint or massing. There are therefore no loss of light or overbearing concerns.

Flooding and Drainage:

The site is located within Flood Zone 2. WBC Drainage have no objections to the proposals providing a drainage strategy is secured via condition. This condition would not appear necessary in the event of an approval as the proposals do not involve any increases in impermeable area, resulting in no further flooding risk.

Landscape and Trees:

No vegetation would be harmed by the proposed development.

Ecology:

The nature of the proposals would not result in any ecological implications.

Planning Balance:

Residential development in this location is considered acceptable in principle as the site is located within the settlement boundaries of Earley. However, there are notable areas of harm in the form of lack of internal space and light for future occupiers, plus adverse overlooking and parking provision/highway safety concerns (as outlined above) that afford substantial negative weight in the planning balance.

There would be social and economic benefits in the form of additional housing stock and the subsequent consumer spend. These benefits are however very limited due to the small number of dwellings proposed and the fact that they are residual consequences of any residential development.

Overall, the several areas of material harm outlined above would significantly and demonstrably outweigh the limited benefits of the scheme. The proposals are therefore recommended for refusal.

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:	Refusal
Date:	17 September 2024
Earliest date for decision:	12 September 2024

Recommendation agreed by: (Authorised Officer)	<i>MC</i>
Date:	17.09.2024