

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242569
Site Address:	14 Annexe, Wyatt Crescent, Earley, Wokingham, RG6 3WH
Expiry Date:	31 December 2024
Site Visit Date:	30 August 2024
Proposal: Householder application for the proposed conversion of the existing detached garage to ancillary habitable accommodation along with changes to fenestration (part-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**

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
020407	Proposed erection of 149 residential units, formation of new access, associated landscaping and open space.	Non-Determination Appeal – Allowed 04/06/2003
030541	Proposed erection of 149 residential units, formation of new access and associated amenity space. Amendment to consent 020407.	Approved 20/11/2003
031027	Proposed erection of 149 residential units, formation of new access and associated amenity space. (Amendment to consent 030541)	Approved 20/02/2004
050073	Proposed erection of 149 residential units, formation of new access and associated amenity space. amendment to consent 031027	Approved 29/06/2005
242069	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).	Refused 17/09/2024

CONSULTATION RESPONSES

Internal

WBC Drainage – No objections

WBC Highways – No objection subject to condition(s)

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. By reason of the lack of internal space, failure to meet national and local minimum space standards; with the net area of the single person first floor bedsit only achieving 31.94sq.m. net, based on the scaled application drawings; and limited provision of natural
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	light, the proposals would provide an unsatisfactory living environment for future occupiers of the flat, to the detriment of their amenities. The proposals are therefore contrary to Policies CP1 and CP3 of the Core Strategy, TB06 and TB07 of the MDD Local Plan, Borough Design Guide SPD, Technical housing standards – Nationally Described Space Standard and Section 12 of the NPPF. 2. Insufficient information has been submitted to demonstrate acceptable parking and turning space is available for the existing and future occupiers and does not prove that the development would not have a detrimental impact on highway safety due to vehicles being forced to reverse along a long and dog-legged driveway onto a shared surface public highway. The proposals are therefore contrary to policies CP1, CP3 and CP6 of the Core Strategy, TB06 and CC07 of the MDD Local Plan and section 9 of the National Planning Policy Framework. 3. By reason of the immediate proximity of the first floor flat's north- eastern window to the adjacent neighbouring property, the proposals would have unacceptable overlooking impacts on the private rear amenity space and rear elevations of no.14 Wyatt Crescent, to the detriment of their amenities. The proposals are therefore contrary to policies CP1 and CP3 of the Core Strategy, TB06 of the MDD Local Plan, R22 of the Borough Design Guide SPD and the National Planning Policy Framework. If WBC are minded to approve this application the following conditions are requested: 1: The submission and approval of a parking plan and its implementation, prior to first occupation of the first floor bedsit. 2: The ground floor of the structure as hereby approved shall only be used as ancillary accommodation to the main dwelling house and shall not used, sold or sub-let as a separate dwelling. <i>Reason: A further separate unit of accommodation of this nature may not be acceptable in this location in the interests of the amenities, character of the area and highway safety in accordance with Core Strategy Policies CP1, CP3, CP4, and Managing Development Delivery Local Plan Policies CC01, CC07, TB07, TB08.</i>
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Ward Member(s)	No comments received
Neighbours	One objection received on the following grounds: - No information on parking provision, site is spatially constrained.

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.

Internally, the garage originally included a double garage at ground floor (served by the retained garage doors), with a small area of habitable space at first floor level including an open plan living area, bathroom and small kitchenette.

Proposal Description:

This application seeks part-retrospective approval for the proposed conversion of the ground floor garage to habitable accommodation, creating ancillary habitable space to the main dwelling across both the ground and first floors. External and internal alterations are proposed to facilitate this, including:

- Installation of ground floor windows (retrospective)
- Partial wall demolition to facilitate internal access between the ground and first floors.
- Creation of extended kitchen area at ground floor level.
- Removal of bathroom at ground floor level.
- Removal of kitchenette at first floor level.

This application follows a recently refused application for the use of the building for 2no. flats (reference: 242069) that was refused on the following grounds:

1. By reason of the lack of internal space; failure to meet national and local minimum space standards; and limited provision of natural light, the proposals would provide an unsatisfactory living environment for future occupiers of the flats, to the detriment of their amenities. The proposals are therefore contrary to Policies CP1 and CP3 of the Core Strategy, TB06 of the MDD Local Plan, Borough Design Guide SPD, Technical housing standards – Nationally Described Space Standard and Section 12 of the NPPF.
2. Insufficient information has been submitted to demonstrate acceptable parking and turning space is available for the existing and future occupiers and that the development would not have a detrimental impact on highway safety due to vehicles being forced to reverse onto and across a shared surface public highway. The proposals are therefore contrary to policies CP1, CP3 and CP6 of the Core Strategy, TB06 of the MDD Local Plan and section 9 of the

National Planning Policy Framework.

3. By reason of the immediate proximity of the first floor flat's north-western window to the adjacent neighbouring property, the proposals would have unacceptable overlooking impacts on the private rear amenity space and rear elevations of no.14 Wyatt Crescent, to the detriment of their amenities. The proposals are therefore contrary to policies CP1 and CP3 of the Core Strategy, TB06 of the MDD Local Plan, R22 of the Borough Design Guide SPD and the National Planning Policy Framework.

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.

The site is located within the settlement limits of Earley 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.

Character of the Area:

The only external alterations proposed include additional ground floor windows on the north-eastern and north-western elevations of the garage building. These alterations would have a negligible visual impact on the character of the area.

The use of the building for ancillary residential accommodation does not raise any character issues providing its use as ancillary accommodation, largely facilitated by the reasons for refusal related to application 242069 and the amount of amenities within the building, is conditioned to ensure it is not sold or sub-let as an independent residential dwelling.

Neighbouring Amenity:

Overlooking:

Whilst the outlook from the first-floor north-western window previously resulted in adverse overlooking impacts onto no.42 Brown Mead to the immediate north-east under application 242069, this was because it would have been used as a primary opening for the independent residential flat proposed at the time.

In this instance, the use of the first-floor space would not be notably different to its original consented use when the dwelling/estate was first approved. The space would remain within the same planning unit as the main dwelling and overall, the overlooking impacts from the already consented window does not raise any adverse concerns.

Loss of Light and Overbearing:

The nature of the proposal warrants no concerns on these grounds.

Highway Access and Parking Provision:

WBC Highways raise no objections to the proposals; the use of the building as ancillary accommodation would not have a significant impact on the remaining level of driveway parking that would be acceptable (as per WBC Parking Standards) to serve the existing dwelling and proposed annexe.

Amenity Space:

External:

The proposals would not harm the usability of the site's rear amenity space which would remain adequate to serve the existing dwelling and proposed annexe.

Internal:

Application 242069 was refused on the grounds that the internal habitable space proposed was insufficient to adequately serve the occupiers of the flats (reason for refusal 1).

Whilst Earley Town Council have raised this objection for a second time, the proposals are no longer for 2no. new dwellings, rather it is for an ancillary habitable use of the building which does not require an assessment against Nationally Described Space Standards.

As a result of the above, there are no objections on internal amenity grounds.

Flooding and Drainage:

The site is located within Flood Zone 2. WBC Drainage raise no objections to the proposals as they pose no further flood risk to the site.

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.

Community Infrastructure Levy (CIL):

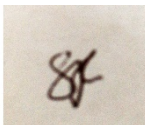
When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed 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:	11 December 2024
Earliest date for decision:	30 October 2024

Recommendation agreed by: (Authorised Officer)	
Date:	11.12.24