

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242859
Site Address:	2 Riverside, Wargrave Road, Remenham, Wokingham, RG9 3JD
Expiry Date:	15 May 2025 (EoT 29 May 2025)
Site Visit Date:	28 April 2025
Proposal: Householder application for the proposed installation of a pitched roof with rooflights to replace the existing flat roof and canopy, plus changes to fenestration.	

PLANNING CONSTRAINTS/STATUS

Bat Roost Habitat Suitability
Scale and Location of Development Proposals - Countryside
Green Belt
Tree Preservation Orders
Within 8m of River Thames
Flood Zone 3

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP3 – General Principles for Development CP7 – Biodiversity CP11 – Proposals Outside Development Limits - Countryside CP12 – Green Belt
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC09 – Development and Flood Risk TB01 – Development within the Green Belt TB23 – Biodiversity and Development
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List

PLANNING HISTORY

Application No.	Description	Decision & Date
24061	Siting of a building for use as a garden and boat store Plot 4 Wargrave Road.	Refused and

	Appeal Ref: 110330/A/90/168/295	Appeal Dismissed Feb 1991
001175	Proposed erection of single storey store and changing facility.	Approved 22nd March 2000
200737	Full planning application for the Extension to existing cabin including the enclosure of the previously existing veranda, extension of cabin over decking and extension of decking. (part-retrospective).	Refused 29th July 2020
203596	Certificate of lawful existing development for operational development comprising erection of a single cabin marked in the approximate position outlined in red on the attached plan, storage building in the approximate position outlined in blue on the attached plan and gazebo/raised decking marked in the approximate position outlined in green on the attached plan.	Approved 10th March 2021
211385	Certificate of Lawful Existing Use or Development for the erection of the main cabin building and its use as a residential dwellinghouse (Use Class C3) and use of the gazebo being incidental to the residential use of the main cabin.	Approved 6th July 2021
Appeal Ref: APP/X0360/C/2 1/3283127	Enforcement Notice to demolish an extension to the main cabin building, a veranda and raised platform, erected without planning permission.	Appeal Allowed 29 th December 2021

CONSULTATION RESPONSES

Internal

WBC Landscape and Trees – No Objection

External

N/A

REPRESENTATIONS

Parish/Town Council	No objection but would like the Council to consider: Impact on the lower roof levels of properties nearer to Marsh Lock as seen from the Thames Path and its likely impact on future applications. <i>Officer comments: The impact of the proposal on the Countryside, Green Belt and character of the area are discussed in the main</i>
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	<i>report.</i> - Screening from the nearest adjacent property 1m away. <i>Officer comments: The impact of the proposal on neighbouring amenity is discussed in the main report.</i> % Volume increase. <i>Officer comments: The volume increase of the dwelling in relation to the Green Belt is discussed in the main report.</i> - Potential for enlarged roof-space to be used for a bedroom. <i>Officer comments: The proposed plans show that that the cabin would be single storey, and no additional bedrooms are proposed.</i> (a) Fire and safety issues. <i>Officer comments: The proposal would need to comply with Building Regulations, and this is a separate process to Planning.</i>
Ward Member(s)	No comments received
Neighbours	One comment received. No objection in principle, however the application misrepresents the neighbouring property at 3 Riverside: - No. 3 was not built with 'under croft' parking, the height of the structure was determined from an EA flood assessment and the 100-year flood plan. The area underneath is usable for temporary/casual storage. <i>Officer comments: The use of the 'under croft' at no.3 is not a material consideration of this application.</i> - Planning permission for 3 Riverside was granted on the condition that the architectural style and finish were like the original structure, therefore it is a square box of a similar brown cladded construction with a flat roof and overhangs. <i>Officer comments: The impact of the proposal on the Green Belt, Countryside and character of the area are discussed in the main report.</i> - A pitched roof would add to the volume and conflict with the requirement to maintain 'openness' of the Green Belt. <i>Officer comments: The volume increase of the dwelling in relation to the Green Belt is discussed in the main report.</i> - The proximity of the new roof is extremely close to the border with 3 Riverside. Water run-off from the pitched roof has the potential to spill unless guttering is installed.

	<i>Officer comments: Although the proposal would increase the surface area of the roof, the footprint of the building would not be affected, and it would not be reasonable to condition additional surface water drainage measures in this instance. Moreover, Part H of Building Regulations 2010 covers both foul water and surface water drainage, including rainwater runoff.</i> • The application states that no hedges will be removed or pruned. There would be access issues for construction this close to the hedge and border. <i>Officer comments: The tree officer has commented that landscaping will not be adversely affected by the development.</i> • The new roof will add considerable mass to the existing structure. Perhaps a lower pitch angle to the roof might be considered. <i>Officer comments: The proposed roof height is discussed in the main report.</i>
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APPRAISAL

Site Description:

A single storey two bedroomed detached cabin located on the Wargrave Road in Remenham and opposite Park Place,5 a Designated Historic Park. It is in Flood Zone 3, designated Countryside, and Green Belt. The boundary fence facing the highway is approximately 1.8m in height and the property has shared vehicular access with no.1 and no. 3 Riverside. The plot slopes downwards towards the river and the cabin is on lower ground than the highway. The cabin has river frontage and is enclosed by mature hedges on either side. It is clad in dark stained wood and has a flat roof, a balcony and decking (Figure 1). A gazebo is sited forward of the cabin and there are 2 no. outbuildings at the rear of the plot.



Figure 1 View of cabin and river from riverbank

Site History:

Applying the definition of 'previously developed land' in the NPPF and Dartford BC v Secretary of State for Communities and Local Government [2017] EWCA Civ141 this site is previously developed land. It consists of an existing dwelling with a flat roof.

Figure 2 shows the cabin alterations that have been implemented since 2010.



Figure 2 Layout alterations to ground floor at 2 Riverside between 2010 and 2024.

A part retrospective planning application to enclose the veranda, extend the cabin and decking was refused in 2020, and allowed on Appeal in 2021. A CLUED was also issued in 2021 permitting use the cabin as a residential dwellinghouse (Use Class C3) and for the use of the gazebo to be incidental to the residential use of the main cabin.

Proposal:

Replacement of the existing flat roof and canopy with a pitched roof comprising grey slate tiles and 4 no. rooflights; plus, an additional window to the front ground floor elevation. The roof height from ground level to the top of the pitch would be approximately 5.9m; the overall volume increase compared to the original building being 153m³ or 49%. The roof width would measure 9.9m and the length would measure 13.8m. It would have a gable on each end of the side elevation and 2 no. gables details on the southwest facing elevation.

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.

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.

Development within the Green Belt

The application site is located within designated Green Belt and outside of settlement limits in the Countryside. The government attaches great importance to Green Belts with national policies for the protection of Green Belt land covered by Chapter 13 of the NPPF. Paragraph 142 of the NPPF states that, "The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence". Paragraph 143 of the NPPF states that the Green Belt serves 5 purposes, the one most relevant to this proposal is, "(c) to assist in safeguarding the countryside from encroachment".

Paragraph 153 of the NPPF states that, "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." When considering any planning application, LPAs must ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Paragraph 153 further states that, "Very special circumstances will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate unless one of eight exceptions applies. In this case, the most relevant exception is "(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building"

Paragraph 155 of the NPPF states that, "The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.
- b) There is a demonstrable unmet need for the type of development proposed.
- c) The development would be in a sustainable location.
- d) Where applicable the development proposed meets the 'Golden Rules' requirements"

In this case, it is considered that the proposal, comprising a pitch roof to an existing residential dwelling, would not fall within the exceptions set out in paragraph 155 and therefore they are not relevant to this proposal.

In returning to the assessment of paragraph 154, similar principles over proportionate increases are reflected in Core Strategy policy CP12 and MDD Local Plan policy TB01. The NPPF does not define what can be considered a "disproportionate addition" in size. Policy TB01 defines a "limited" addition as one that is cumulatively 35% or less in volume compared to the original building, and as such could be viewed as not "disproportionate" in size. Although the supporting text to Policy TB01 is specifically directed towards proposal for residential extensions, it remains a useful comparative

tool to assist in assessing harm to the Green Belt. Policy TB01 further clarifies that with regard to the construction, alteration or extension of buildings ancillary to a dwelling, changes should not result in disproportionate additions to the original building(s) or cause a detrimental to the scale of the dwelling or to the scale of development on the site.

In this case, the original building proposes enlargement through the erection of a pitch roof to replace a flat roof. Volume calculations for the existing dwelling and proposed development have been submitted as part of this application (see Table 1 below). The proposed volume increase for this application is 49% above the size of the original dwelling, and this exceeds the 35% limit imposed under Policy TB01. It is therefore recognised that the proposal would amount to 'inappropriate' development in the Green Belt when assessed under Policy TB01, and therefore the proposal would only be found as acceptable if there are 'very special circumstances or a genuine fallback position.

Table 1 – Comparison between original and the proposed volumes.

	Original	Proposed
Footprint	113m ²	113m ² +0%
Volume	311.5m ³	464.5m ³ +49%
Max Ridge Height	3.23m	5.95m +36.76%

The fallback position is considered below in more detail.

In terms of case law, various court cases have considered the concept of a fallback development as a material consideration. It is described in *Mansell v Tonbridge and Malling BC & Others* [2017] EWCA Civ 1314 as “familiar”. Paragraph 27 of that judgement by the Court of Appeal confirms that there should be a “real prospect” of a fallback development being implemented and that the decision maker should exercise their planning judgement as to whether that would be the case depending on the particular circumstance. There is no legal requirement for a landowner or developer to say precisely how any available permitted development rights would be utilised although on this occasion there is a relevant certificate of lawfulness which helpfully sets this out by confirming the location, scale and volume/floor space uplifts.

Paragraph 143 of the NPPF states that, “Green Belt serves 5 purposes”. These 5 purposes are laid out below

- a) to check the unrestricted sprawl of large built-up areas
- b) to prevent neighbouring towns merging into one another
- c) to assist in safeguarding the countryside from encroachment
- d) to preserve the setting and special character of historic towns
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

In this instance, there is no relevant fallback position for the following reasons:

- 1) Part retrospective planning permission was granted on Appeal in 2021 for the erection of an extension to the main cabin building, formation of veranda and erection of a raised platform. The volume of the permitted building is 311.5m³, whereas the volume of the proposal would be 464.5m³ which represents an increase of 49% and exceeds the 35% limit imposed under Policy TB01.
- 2) Permitted development rights for the site were removed in 2021 for Classes A, AA, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 3) The proposal would not serve to protect the 5 purposes of the Green Belt.

Furthermore, in spatial and visual terms, the increase in height, bulk and mass of the building would have a detrimental impact on the openness of the Green Belt when viewed by people travelling along the river or from public locations to the north of the site, including Park Place a designated Historic Park located immediately opposite.

To summarise, the scheme does not comply with Policy CP12 in relation to the Green Belt. In addition, there is no robust fallback position on this site and no very special circumstances have been identified by the applicant that would warrant approving the application in this instance. Furthermore, in spatial and visual terms, the height mass and bulk of the proposal would have a harmful impact on the openness of the Green Belt, something that has already been established by virtue of exceeding the 35% test.

Countryside and Character of the Area:

Countryside

The site is in Countryside and Core Strategy Policy CP11 states that to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not normally be permitted except where:

- 1) It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside-based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; and
- 2) It does not lead to excessive encroachment or expansion of development away from the original buildings; and
- 3) It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement; or
- 4) In the case of residential extensions, does not result in inappropriate increases in the scale, form or footprint of the original building.
- 5) In the case of replacement dwellings, the proposal must: i) Bring about environmental improvements; or ii) Not result in inappropriate increases in the scale, form or footprint of the original building.
- 6) Essential community facilities cannot be accommodated within development limits or through the re-use/replacement of an existing building.
- 7) Affordable housing on rural exception sites in line with CP9.

In this case, the proposal would not promote recreation or facilitate the increase of rural enterprises. However, it would not lead to excessive encroachment or expansion away from the original building; the increase in height would not differ significantly from the immediate neighbour; and the footprint would not be affected. Therefore, although the scheme does not fully comply with CP11, it would not cause significant harm to the Countryside, notwithstanding the impacts on the openness of the Green Belt discussed above.

Character of the Area

Core Strategy Policy CP3 states that planning permission will be granted for proposals that are of an appropriate scale of activity, mass, layout, built form, height, materials and character, together with a high quality of design without detriment to the amenities of adjoining land users, including open spaces or occupiers and their quality of life. Policy CP1 of the Core Strategy requires developments to maintain or enhance the high quality of the environment.

The Wokingham Borough Council Design Guide (BDG) provides some guidance on extensions which relate to design and scale. It states the following:

- Maximum eaves height and ridge height should be no more than those of the existing property.
- The rhythm of buildings and gaps between them along the street frontages is often important to the character of the area.
- The eaves and/or ridge height should not be raised in height unless buildings in the local context are significantly taller.

The site is located approximately 1km from Henley Bridge and the rear boundary abuts Wargrave Road in Remenham. The street scene is verdant with grass verges, trees and vegetation along one side of the road. There is a footpath on the other side and boundary treatments are fences approximately 1.8m in height with some dwellings also having tall vegetation to further restrict the view of dwellings located at a lower level behind and facing onto the river.



Figure 3 Google Street view taken from Wargrave Road in 2021 and annotated to show 2 Riverside outlined in red.



Figure 4 Google Earth image taken in 2021 and dwelling at no. 2 Riverside outlined in red.

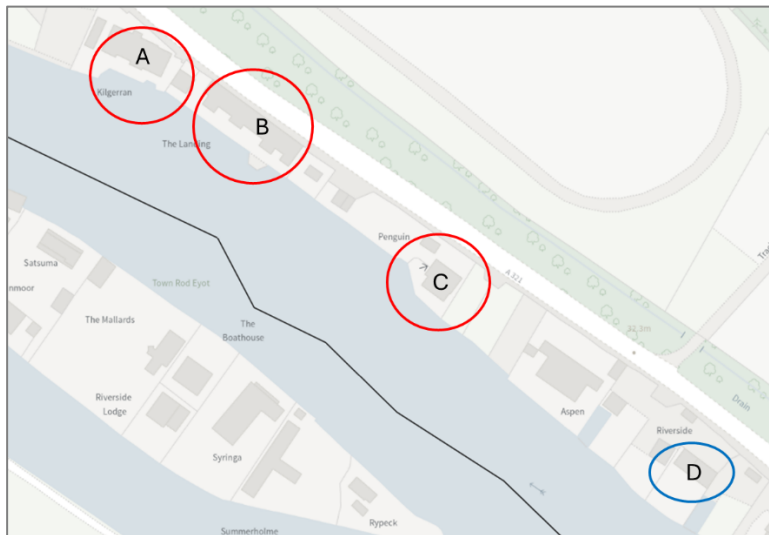


Figure 5: Buildings with hip roof and gable end outlined in red. Proposal site outlined in Blue: (A - Kilgarran), (B - Kelpie), (C - Penguin), (D - 2 Riverside)

Figure 3 shows that the neighbouring property at no.3 Riverside is already visible above the fence and can be seen from the road. The proposal would be approximately 0.3m above the roof line of no. 3 and visible from both the roadside and river. It would have a ridge height approximately 2.7m higher than existing and be 5.9m in height from ground level. Furthermore, some of the trees shown in Figure 4 have since been removed, reducing potential screening. However, the roof design would blend with existing buildings that have pitch roofs and gable designs in the immediate vicinity along the riverbank (locations shown in Figure 5). Also, the roof materials will be natural slate, and the gable ends will be infilled with wood cladding to be in keeping with the character of the area.

Overall, the proposal does not fully accord with Policies, CP1, CP3 and CP11 of the Core Strategy but would not cause significant harm in relation to the Countryside or the Character of the Area, notwithstanding the impacts on the openness of the Green Belt discussed above.

Neighbouring Amenity:

Core Strategy Policy CP3 states that development proposals should not result in a detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life. The Wokingham Borough Council Design Guide (BDG) also provides some guidance on extensions which relate to protecting residential amenity states that the height of single storey extensions should not exceed 3m within 2m of a side boundary.

Overlooking: The proposed roof would have 4 no. rooflights and there would be an additional window on the front elevation facing onto the river. The ground floor window will not face onto the neighbouring property and the roof lights would be more than 1.7m above the internal ground floor level. Therefore, the proposal would not increase overlooking.

Loss of Light: The 45-degree angle test is advocated within the *British Research Establishment's (BRE) publication Site Layout Planning for Daylight and Sunlight: a guide to good practice*, to assess impact on daylight and sunlight levels to neighbours potentially impacted upon by adjacent developments. The proposal would comply with the vertical 45-degree angle. Therefore, there would be no significant loss of daylight.

Overbearing: The side elevation of the cabin is approximately 1.2m from the boundary with no. 3 Riverside. Although the footprint of the property is not increasing, the increase in roof height of 2.7m would bring the maximum height of the side elevation to 5.95m which exceeds what is recommended in the BDG. Therefore, there would be some impact from overbearing.

Overall, the proposal would not fully comply with CP3 of the Core Strategy in relation to neighbour amenity.

Flooding and Drainage: The site is located within Flood Zone 3. However, the proposal would not increase the footprint of the dwelling and would not significantly increase the risk of flooding. Hence, the proposal is acceptable in this respect.

Landscape and Trees:

The Landscape and Trees Officer has no objection to the proposal and has commented that *"the site is located along a Green Route, there is a Group TPO 0002-1951 that spans the SW extent of the rear gardens of dwellings in this location between the river Thames and Wargrave Road, the Green Route. Neither the TPO nor the existing tree to the southeast will be affected by the proposals and no other landscape elements will be adversely affected."*

Ecology: The Ecology Officer has commented that *"I am satisfied that the survey methodology and effort are adequate for the Ecologist to conclude the building has few potential access points or roosting features and is considered to have 'no/very limited' suitability for hibernating bats and 'negligible' suitability for roosting bats."*

Provided that the development is implemented in accordance with the precautionary avoidance measures in the Recommendations section of the Updated Bat Roost Assessment, a no external lighting condition and informatives 17 and 19 are included and are included in the decision notice there are no ecological objections to the development as proposed."

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:	Refuse
Date:	23 May 2025
Earliest date for decision:	27 March 2025

Recommendation agreed by: (Authorised Officer)	
Date:	23/05/25