

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	250511
Site Address:	48 Nightingale Road, Woodley, Wokingham, RG5 3LU
Expiry Date:	22 April 2025
Site Visit Date:	Not required unless objection received
Proposal: Application for the prior approval of the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.00m, for which the maximum height would be 2.80m and the height of the eaves 2.40m.	

PLANNING HISTORY

Application No.	Description	Decision & Date
0/247/58	Outline Planning permission	17/04/1959 – C/A
218/60	Layout Planning permission	01/12/1960 – C/A
237/60	Semi – detached house	29/12/1960 – C/A
147/61	Layout road and sewage planning permission	05/10/1961 – C/A
R/266/61	Garages	28/12/1961 – App
R/8/63	Landscapes roads hedges.	24/01/1963 – App

REPRESENTATIONS

Neighbours	None received
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			Yes	No
s.55	1	Does it constitute development?	✓	
s.191	2	Would it be contrary to an enforcement notice?		✓
s.187a Art.3 (4)	3	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
Art.3 (5)	4	Are the building operations involved in the construction of the original building lawful?	✓	
Art.3 (6)	5	Does it involve the formation, laying out or material widening of a means of access to an existing highway which is a trunk or classified road, or creates an obstruction to the view of persons using any highway used by vehicular traffic, so as to be likely to cause danger to such persons?		✓

			Yes	No
Art.4	6	Is there an 'Article 4 Direction' in effect for the site?		✓
Sch.2 Pt. 1 A	7	Does it consist of enlargement, improvement or other alteration of a dwellinghouse?	✓	
A.1(a)	8	Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)?		✓
A.1(b)	9	Would the total area of ground covered by buildings (other than the original dwelling) exceed 50% of the total area of the curtilage?		✓
A.1(c)	10	Would the height of the part of the dwellinghouse enlarged, improved or altered exceed the height of the highest part of the roof of the existing dwellinghouse?		✓
A.1(d)	11	Would the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse? Permitted development rights for householders: technical guidance, states that: <i>"Where there is a flat roof, a similar approach should be taken for measuring eaves: Eaves height is measured from the ground level at the base of the outside wall to the point where that wall would meet the upper surface of the flat roof."</i> <i>"For the purpose of measuring height, the eaves of a house are the point where the lowest point of a roof slope, or a flat roof, meets the outside wall."</i> In light of the above, for the purpose of this Class A assessment, the height of the eaves of the proposed single storey rear extension is taken from the top of the structure. The proposed plans clearly demonstrate that extension would protrude above the eaves of the existing dwellinghouse. As such, from the information submitted with this application for a certificate of lawfulness, the proposal fails to meet the criteria specified in A.1 (d), Part 1, Schedule 2 of the General Permitted Development Order.	✓	
A.1(e)	12	Would the enlarged part of the dwellinghouse extend beyond a wall which - (i) fronts the principal elevation of the original house; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse?		✓
A.1(f)	13	If the enlarged part of the dwellinghouse is single storey, would it either: (i) extend beyond the rear wall of the original dwellinghouse by more than: 4 metres in the case of a detached dwellinghouse 3 metres in the case of any other dwellinghouse; or		✓

			Yes	No
		(ii) exceed 4 metres in height		
A.1(g)	14	For a dwellinghouse not in article 2 (3) land (incl conservation area) if the enlarged part of the dwellinghouse is single-storey, would it either (i) extend beyond the rear wall of the original dwellinghouse by more than: 8 metres in the case of a detached dwellinghouse 6 metres in the case of any other dwellinghouse; or (ii) exceed 4 metres in height NB: As per Para A.4 of Part 1 of for development that exceeds the limits in para A.1 (f) (question 13) but is allowed by para A.1 (g) (question 14) Prior Approval via the 'Neighbours Notification Scheme' is required		✓
A.1(h)	15	If the extension would be more than a single storey would it: (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of the rear boundary of the curtilage.	N/A	N/A
A.1(i)	16	Would the enlarged part of the dwellinghouse would be within 2 metres of the boundary with an eaves height in excess of 3 metres?		✓
A.1(j)	17	Would the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse and: (i) exceed 4 metres in height, (ii) have more than a single storey, or (ii) have a width greater than half the width of the original dwellinghouse		✓
A.1(k)	18	Would the development consist of or include: (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse.		✓
A.2(a)	19	Article 2(3) land (inc. conservation areas): a. Would the development consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles?	N/A	N/A
A.2(b)	20	b. Would the extension extend beyond a wall forming a side elevation of the original dwellinghouse?	N/A	N/A
A.2(c)	21	c. Would the extension have more than a single storey and extend beyond the rear wall of the original dwellinghouse?	N/A	N/A
	22	Would it affect or be within the Root Protection Area of a TPO'd tree? <i>* Does not affect Article 3 permission but separate TPO approval will likely be needed.</i>		✓

APPRAISAL

Site Description: One storey, semi-detached bungalow property.

Land/ Property Designations:

- There are no listed buildings at the site and the property is not within a Conservation Area or other 'Article 2(3) land' (Town and Country Planning (General Permitted Development) Order 2015).
- The site is not subject to any wildlife or habitat designations.
- The site is situated within the limited development location of Woodley.

Conclusion: All adjoining neighbouring properties were consulted on 11 March 2025 and given the statutory 21 days to respond. No objections have been received, however, the proposal fails to meet the criteria set out in Schedule 2, Part 1, Class A of the General Permitted Development Order 2015 (as amended), as explained in further detail above. As such, prior approval for the proposed development is refused.

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

Recommendation:	Refuse
Date:	14 April 2025
Earliest date for decision:	1 April 2025

Recommendation agreed by: (Authorised Officer)	
Date:	14/04/25