

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	241865
Site Address:	12 Shepherds Hill, Woodley, Wokingham, RG6 1BB
Expiry Date:	18 September 2024
Site Visit Date:	29 July 2024
Proposal: 'Full application for proposed three bedroom detached dwelling with associated parking and landscaping following the demolition of the existing detached garage.	

PLANNING CONSTRAINTS/STATUS

Contaminated Land Consultation Zone
Green Routes and Riverside Paths
Affordable Housing Thresholds
Bat Roost Habitat Suitability
Scale and Location of Development Proposals – Woodley (Major Development Location)
Great Crested Newt Consultation Zone – Amber Risk Zone
District Town and Local Centres – Shepherds Hill
Nuclear Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
Green Routes and Riverside Paths Consultation Zone

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 CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity 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 CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB05 – Housing Mix TB06 – Development of Private Residential Gardens TB07 – Internal Space Standards

	TB21 – Landscape Character TB23 – Biodiversity and Development
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Woodley Design Statement

PLANNING HISTORY

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

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No comments received
WBC Drainage – No objection subject to condition(s)
WBC Highways – No objection subject to condition(s)
WBC Landscape and Trees
WBC Ecology – No comments received
WBC Emergency Planning – No comment, outside of DEPZ
WBC CIL – General CIL commentary
WBC Cleaner and Greener – No comments received
WBC Ecology Newts – No objections

External

Office for Nuclear Regulation – No comment, outside of DEPZ
Thames Water Utilities Ltd
West Berks Emergency Planning Officer – No comment, outside of DEPZ
AWE Burghfield – No comment, outside of DEPZ

REPRESENTATIONS

Parish/Town Council	The Planning & Community Committee have considered this application and wish to object on the grounds that they believe the entry and exit from this proposed property onto the roundabout would be dangerous in view of the lack of driveway space, even considering the proposed turning circle.
Ward Member(s)	No comments received
Neighbours	Two objections received raising the following: - Loss of light - Concerns about disruption due to construction (Officer comment: This will be addressed by a Construction Method Statement.) - Overlooking

APPRAISAL

Site Description:

The application site consists of approximately 245sqm of land to the rear of no.12 Shepherds Hill's rear garden. The land is currently laid with a number of overgrown

shrubs and trees, with the northern border enclosed by close boarded fencing. No.12's existing garage is also located on the land, accessed by a single width driveway that faces onto the northern side of the Shepherds Hill roundabout.

The character of the area is a diverse mix of both residential properties and commercial units scattered around the oval roundabout. Dwellings range from single storey, semi-detached hipped roof bungalows to two storey gable roofed dwellings that range between semi-detached and detached.

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 settlement limits 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 (MDDL P):

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 seeks to avoid inappropriate development of residential gardens where there is harm to the local area. Permission would only be granted where there is a positive contribution to the built form and surrounding spaces, integration with the layout of the surrounding area, appropriate hard and soft landscaping, amenity space, building separation and compatibility with the general building height.

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).

However, in acknowledging the requirements of paragraph 11(d)ii) and the tilted balancing exercise which must be undertaken as a result of paragraph 11 being engaged, the underlying reasons for the shortfall in deliverable sites must also be clearly stated.

The substantive reason for such an identified shortfall is due to significant over delivery of housing in recent years. This has inevitably reduced the bank of planning permissions that remain and therefore the short-term deliverable housing land supply. The shortfall is not a result of past under delivery, but past over delivery. Therefore, given this context, the weight to be attached to any benefits identified should be tempered depending on the scale, location and nature of the particular proposal being considered.

Having established the tilted balance is 'tempered', Paragraph 11d(ii) requires the proposals to be considered against the policies of the NPPF taken as a whole and the three pillars of sustainable development. These will inform the planning balance exercise carried out at the end of this report.

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 Woodley 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:

Policy Context:

With regards to well-designed places, paragraph 130 of the NPPF states planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

Similarly, paragraph 139 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and

supplementary planning documents such as design guides and codes. This is supported by paragraph 129 of the NPPF too, which states:

“Area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places.”

The National Design Guide section B1, paragraph 67 also states that the built form of well-designed places should relate well to:

- the site, its context and the opportunities they present;
- the proposed identity and character for the development in the wider place;

Paragraph 68 follows on from this stating that houses and streets should establish an appropriate relationship with the pattern, sizes and proportions of existing houses in the local area.

Policy CP1(1) only supports development that maintains or enhances the high quality of the environment, with policy CP3 supporting development of an appropriate mass, layout, built form, height and character to the area CP3(a) and which makes a positive contribution to the sense of place contributes to the buildings and spaces themselves and in the way they integrate with their surroundings CP3(f).

The Borough Design Guide Supplementary Planning Document provides further guidance for developers with general guidance that development should respond positively to its site and local context (G1) and respond positively to the local character of the area (G2).

R22 of the Borough Design Guide SPD also notes that backland development must not harm the existing character of the local area, relate positively to the existing layout and urban form, maintain the quality of environment for existing residents and create a satisfactory living environment.

Proposed Dwelling:

The proposed dwelling would be detached in nature with a traditional gable roof form. On the frontage, a smaller gable roofed two storey protrusion is proposed that would connect to a mono-pitch roofed single storey side element that would extend the width of the dwelling's eastern elevation. To the rear, a 1.7 metre mono-pitch roofed single storey element is also proposed.

The external elevations would be made up of a contrasting mix of red-brick and white render. The roof would be finished with grey composite slate roof tiles.

The front driveway would consist of a 2no. vehicle turntable to allow vehicles to enter and exit the site in forward gear.

Assessment:

The proposed dwelling is notably narrow in width for a two storey detached dwelling. That being said, the size of the residential plot proposed plus the overall scale of both the dwelling and the garden is not out of keeping with the residential character of the roundabout and this is assisted by the subservient roof form and material choices

proposed which would be commensurate/in-keeping with the adjacent neighbouring dwellings.

The dwelling would maintain the same building line as the adjacent no.32 Shepherds Hill which is welcomed. Views from vehicles travelling westward would be numerous but they would be fleeting due to the cornered approach and the form of the dwelling would not be an alien addition to the street scene as there is little to no uniformity in the architectural character of the surrounding buildings.

Policy TB06 of the MDD Local Plan seeks to avoid inappropriate development of residential gardens where there is harm to the local area and requires proposals to have positive contribution to the built form and surrounding spaces, integration with the layout of the surrounding area, appropriate hard and soft landscaping, amenity space, building separation and compatibility with the general building height. Based on the assessment above, the proposals are compliant with these requirements subject to conditions. The impact of the development would have an acceptable impact on the character of the area.

Neighbouring Amenity:

Overlooking:

The proposed first floor rear windows would retain an equidistant back-to-back distance of 22 metres from nos.12 and 14 Shepherds Hill to the immediate south, this is acceptable and in accordance with the Borough Design Guide's recommendations to ensure privacy and prevent enclosure.

2no. first floor windows are proposed, both are obscured and would serve either a hallway or a bathroom. Subject to conditions ensuring their obscurity and limitations to their opening height, there are no overlooking concerns regarding this fenestration.

The front facing fenestration would overlook the road and the commercial units on the opposite side of the road. This is acceptable.

Loss of Light & Overbearing:

To the immediate west of the site is the most northern corner of no.14's rear garden that is heavily vegetated. Given the generous depth of their garden, there are therefore no anticipated adverse loss of light or overbearing concerns in this regard.

Further west is no.26 Shepherds Hill. The dwelling would retain a separation distance of approximately 12 metres from no.26's eastern side elevation which is more than sufficient to overcome any anticipated adverse loss of light or overbearing concerns.

To the immediate east of the proposed dwelling is no.32 Shepherds Hill. Accurate 45 degree lines have been provided which demonstrates there would be no adverse loss of light to the neighbouring property's rear elevation.

On no.32's western elevation lies the entrance door, 2no. obscured first floor windows that either serve bathrooms or secondary openings to other habitable rooms and a secondary kitchen window. Due to the orientations of the neighbouring property and the proposed dwelling, there would be some minor loss of light to the no.32's western side elevation but as all of the fenestration impacted is low in amenity value, the

impact is acceptable and does not warrant a reason for refusal.

Likewise, the dwelling would retain a 1.9 metre first floor separation distance from the boundary shared with no.32. Compared with the limited amenity value of the windows, there is also no anticipated overbearing impact.

Highway Access and Parking Provision:

Access/Highway Safety:

The existing rear access/dropped kerb will be utilised which is acceptable.

Visibility splays of 2.4m x 70m have been demonstrated to the left of the carriageway. Despite it does not covering the required visibility splays of the 40mph speed limits of London Road, it does not worsen the existing visibilities of vehicles/pedestrians and instead represents a betterment on the existing situation, particularly facilitated by the turntable which will allow vehicles to exit the site in forward gear which is not possible with the current access.

Subject to compliance with the splays, there are no objections on Highway Safety grounds.

Additionally, due to the constrained nature of the site, a construction method statement will be conditioned.

Parking:

According to the WBC Car Parking Standards, the development of such scale in Urban location will require two driveway parking within the red line boundary. Each parking space shall have minimum dimensions of 5.0m x 2.5m.

2no. driveway parking spaces are proposed on the turning table. The turntable will be conditioned to ensure it remains in operable condition.

Cycle Parking:

Cycle Parking provision has been provided in an accessible location to the rear of the garden. This is acceptable.

Refuse Collection:

Kerbside refuse collection arrangement will remain suitable for this site, which is acceptable.

Amenity Space:

External:

The Borough Design Guide's minimum garden length of 11 metres is a generally accepted guideline for private garden space, provided the space is usable.

The proposed garden space is approximately 10.1 metres deep but is also 7.9 metres wide. Whilst the garden does not meet the BDG's guidelines, this is ultimately just guidance and discretion, especially in urban location such as this one, can be exercised. Neighbouring garden depths also fall much lower than that proposed (no.32 has a garden depth of 8.7 metres whereas no.26's is 9.3 metres) and the garden would benefit from a south-facing orientation.

Overall, the rear garden depth would be sufficient to serve the occupants of the dwelling and would be acceptable.

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.

The overall GIA, bedroom sizes and the cumulative living, kitchen and dining spaces all meet the minimum standards outlined in TB07 which is acceptable.

Flooding and Drainage:

The site is located within Flood Zone 1 and has a low risk of surface water flooding. WBC Drainage have no objections to the proposals providing a drainage scheme is secured via condition. This will be imposed on the decision notice.

Landscape and Trees:

An Arboricultural Impact Assessment and Method Statement have been submitted in support of this application (All Arboriculture, 29th August 2024). WBC Landscape and Trees are satisfied that the vegetation adjacent to the site can be adequately protected during and after construction. Compliance with the statement will be secured via condition.

Due to the removal of several small shrubs from the frontage of the site, WBC Landscape and Trees have requested a landscaping scheme that includes details of planting adjacent to the site's driveway/access. There is minimal space on the frontage to provide additional planting and whilst this does represent a technical breach of Policy CC03 of the MDD Local Plan, the weight applied to this breach is limited as the green infrastructure loss would have a minimal impact on the prevailing character of the area.

Ecology:

Great Crested Newts (GCNs):

The site is located within an Amber Risk Zone for GCNs. Despite this, the surrounding commercial environment is not suitable for use by the protected species and therefore there is no anticipated harm to this protected species as a result of the development's construction.

General Biodiversity Enhancements:

Paragraph 185 of the NPPF states that plans should identify and pursue opportunities for securing measurable net gains for biodiversity. This will be secured via planning condition.

Planning Balance:

The proposed development is acceptable in principle and is located in a sustainable location. The only material harm noted is the minor lack of external garden space and the minor loss of green infrastructure but apart from this, the development is acceptable on all other material grounds, subject to conditions.

On balance, the benefits of the proposed scheme would demonstrably outweigh the

harm caused and therefore this application is recommended for approval.

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:	Yes
Recommendation:	Approval
Date:	6 September 2024
Earliest date for decision:	15 August 2024

Recommendation agreed by: (Authorised Officer)	<i>MC</i>
Date:	06.09.2024