

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	241992
Site Address:	286A Nine Mile Ride, Finchampstead, Wokingham, RG40 3NT
Expiry Date:	Extended to 22 November 2024
Site Visit Date:	26/09/2024
Proposal: Householder application for proposed erection of a balcony to the first floor at the rear, followed by an elevated patio to include steps to garden level, with an increase in the fence panels and two heat pumps to be added and additional feature wall. Followed by a new front fence and boundary gate. (part-retrospective).	

PLANNING CONSTRAINTS/STATUS

Modest Development Location – Finchampstead North
Green Routes and Riverside Paths
Bat Roost Habitat Suitability
Great Crested Newt Consultation Zone
Nuclear Consultation Zone
Tree Preservation Orders
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones

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 CP4 – Infrastructure Requirements CP6 – Managing Travel Demand CP7 – Biodiversity CP8 – Thames Basin Heaths Special Protection Area CP9 – Scale and Location of Development Proposals
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 TB21 – Landscape Character TB23 – Biodiversity and Development
Joint Minerals	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation

and Waste Plan (JMWP)	DM15 - Site History
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Sustainable Design and Construction Supplementary Planning Document Finchampstead Neighbourhood Development Plan

PLANNING HISTORY		
Application No.	Description	Decision & Date
231278	Application to vary condition 2 of planning consent 222742 for the proposed erection of 1 no. residential dwelling and 1 no. outbuilding following demolition of existing dwelling. Condition 2 refers to approved details and the variation is to allow a 3m extension to the rear of the dwelling, and changes to fenestration. (Part Retrospective).	Approved 19/07/2023
230454	Full application for the proposed erection of a two-storey dwelling following demolition of the existing dwelling (Part retrospective).	Approved 28/04/2023
230404	Householder application for the proposed erection of single storey 3m rear extension.	Application Withdrawn 23/02/2023
222742	Full application for the proposed erection of 1 no. residential dwelling and 1 no. outbuilding following demolition of existing dwelling	Approved 10/01/2023
223161	Application for submission of details to comply with the following condition of planning consent 212572 dated 28/09/2021. Condition 6. Bat Licence. 7. Biodiversity Enhancements.	Approved 10/01/2023
223114	Application for submission of details to comply with the following condition of planning consent 212572 dated 28/09/2021. Condition 4 protection of trees Condition 5 Landscaping	Approved 12/12/2022
222924	Application for submission of details to comply with the following condition of planning consent 212572 dated 28/09/2021. Condition 3 Sustainable drainage	Approved 24/10/2022
212572	Full application for the erection of a two-storey dwelling with 6no. rooflights and detached double garage, following demolition of the existing dwelling	Approved 28/09/2021

CONSULTATION RESPONSES

Internal

WBC Enforcement – No comments
WBC Highways – No objection
WBC Landscape and Trees – No objection subject to condition
WBC CIL – Not CIL liable
WBC Ecology Householder – No comments received
WBC Environmental Health – No objection

External

None consulted

REPRESENTATIONS

Parish/Town Council	No objection
Ward Member(s)	No comments received
Neighbours	Several letters of objection from the occupants of no. 286 Nine Mile Ride (most duplicate) on the following grounds (summarised): - First floor balcony overlooking main patio area and garden - Elevated rear patio causes overlooking impact - Construction of the rear patio is inadequate as it is supported with wooden boards against the fence - Noise from 2no heat source pumps - Submitted picture of raised patio height is misleading; the elevation at our boundary fence is >300mm - The privacy screen for the first floor balcony only provides a temporary structure that can be easily removed <i>(Officer's note: construction details are not regulated by the Planning Act, therefore are not a material planning consideration. All other issues will be addressed below in relevant sections of the report.)</i>

APPRAISAL

Site Description:

The site is located on the southern side of Nine Mile Ride which is characterised by coherent plot sizes which comprises modest bungalows and chalet type 1.5 storey dwellings with landscaping and tree coverage. The application site comprises a recently built two storey detached replacement dwelling.

Proposal:

Planning permission is sought for the following works, which are all (apart from the boundary fence panels) retrospective:

- installation of a first floor balcony in the rear elevation;

- an elevated patio with steps to the rear garden level;
- increase in the boundary fence panels
- installation of 2no heat pumps in the rear garden
- installation of a feature wall in the rear garden
- new front fence and gate

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.

The site is located within settlement limits and as such, the development should be acceptable 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:

Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high-quality design. This is reiterated in R1 of the Borough Design Guide SPD, which requires that development contributes positively towards and be compatible with the historic or underlying character and quality of the local area and in R11, which requires a coherent street character, including in terms of scale, rhythm, proportion, and height.

The application is for the installation of a raised patio and steps to the rear/sides of the dwelling, which would have a difference in level of 180mm (taken from the rear garden), as shown in Figure 1 below.



Figure 1

The raised patio extends towards the western side where a feature wall has been installed close to the west-side boundary as shown in Figure 2 below.



Figure 2

The two new air source heat pumps have been positioned within the new rear patio, towards the east-side boundary fence, the same fence where the additional timber mesh panels are proposed, for an increase in height of 500mm.

The new balcony at first floor measures 3.5m in width and 2.5m in length, and currently serves a bedroom. It has metal railing on all three sides, and with a privacy screen on its eastern side, which the site visit confirmed is made of a retractable fabric (i.e. not permanent).

The new front boundary comprises partly of black composite panels, with the main metal access gate set further back from the public pathway and flanked by brick wall and pillars which are finished in white render.

Apart from the new front boundary fence and gate, the rest of development subject of this retrospective application are located to the rear of the dwelling, mainly blocked by the existing dwelling and boundary fences of adjoining properties, whereby public views are very limited. Furthermore, the raised patio, increase fencing panels, heat pumps and feature wall can all be considered typical garden structures and as such, they are not considered to impose any negative impact on visual amenity or local character, in accordance with Core Strategy policy CP3 and the Borough Design Guide recommendations.

The front boundary treatments are similar to some others along the Ride, and so do not appear unduly out of keeping with the immediate context. Therefore, this element is also considered acceptable.

Neighbouring Amenity:

Loss of Light & Overbearing:

The site visit confirmed that the two heat pumps have been positioned in close proximity to the east side boundary shared with no. 286 Nine Mile Ride, approximately 7m from the ground floor rear doors/windows of this neighbouring property. However, given these elements are single storey and only slightly higher than the height of the existing boundary fence, it is not considered they raise any harmful impact upon no. 286 habitable rooms/immediate rear patio area in terms of loss of light or overbearing.

Likewise, the raised patio is a ground level element, and the new feature wall which is right up on the west side boundary is also just slightly higher than the boundary fence, so that no unacceptable impact is anticipated upon no. 284 Nine Mile Ride.

The new balcony in the rear elevation is located at first floor and significantly set in from both sides of the host dwelling (which is also set in from the side boundaries), in accordance with the Borough Design Guide recommendations, therefore this part of the development is not considered to result in any loss of light or overbearing impacts upon adjoining neighbouring amenities.

The application also proposes to raise the height of part of the existing east-side boundary fence, to include timber mesh panels of 500mm in height, as a way to help mitigate any overlooking concerns upon no. 286 (this will be discussed below). It is considered that this increase in height would not result in any overbearing or loss of light upon the rear amenity of no. 286, as it would be a mesh fence and would continue to be of a height commensurate with other typical garden fencing.

Overlooking:

The proposals include a new balcony at first floor level, which as previously mentioned is considerably set in from both sides of the host dwelling. The site visit confirmed that the single storey rear extension that serves as surface for the balcony has parapet walls on each end, which helps mitigate any views upon neighbouring rear gardens.

Objections have been raised by the occupants of no. 286 with regard that the balcony overlooks their main patio area and garden, directly invading their privacy. In this respect, the submitted plans show a privacy screen which has been installed on the east-side of the balcony, to mitigate any views onto no. 286. As part of the site visit, the Planning Officer visited the neighbouring property no. 286, which confirmed that given the considerable separation distance of the balcony from the side boundary, views from it are mainly screened by both the parapet wall and the privacy screen (see Figure 3), so that there would not be significant views upon the main rear patio or habitable rooms of no. 286.



Figure 3 (as seen from 286 Nine Mile Ride looking towards the application site)

It is also noted that the balcony would only serve a bedroom, therefore it is unlikely it would be used at all times. Notwithstanding, following the site visit which shows the privacy screen that has been mounted is a retractable fabric, the applicant has submitted revised details for the privacy screen to be a solid permanent element measuring 2.45m in length x 2.3m in height. This is considered acceptable, and a condition will be added to secure the installation of this permanent privacy screen within 3 months of the granting of permission, and that it is permanently retained.

Objections have also been raised by the occupants of no. 286 with regard to the raised patio area in terms of it causing overlooking upon their property. The objection refers the fence only provides 1290mm screening as a result of the raised patio. In this regard, the submitted plans show that the existing east side fence is proposed to be increased in height by installing timber mesh panels of 500mm in height. This would take the overall height of the fence (from no. 286's side) to 1790mm, which would be considered adequate to mitigate any potential views upon the private amenities of this neighbouring property. A condition will be added to secure the installation of the mesh panels within 3 months of the granting of permission.

Noise:

The proposal includes the installation of 2no air source heat pumps, which have been positioned within the rear patio of the subject dwelling, and closer to the east side boundary. Objections have been raised by the occupants of no. 286 over potential noise nuisance from these elements upon their property.

The WBC Environmental Health Officer has been consulted on this application. Following review of the original information for the heat pumps submitted in support of the application, the EH Officer requested that, in line with the Government advice, it was required for the applicant to provide the Microgeneration Certified Scheme (MCS), to demonstrate that the heat pumps in this location would not be a noise nuisance to the nearest residential properties (in this case no. 286).

The MCS has been provided by the applicant's installer (Spire Renewables); it has been reviewed by the WBC Environmental Health Officer, who indicates that the MCS

assessment shows a pass under the MCS Scheme. As such, as per the current Government guidelines, the Officer raises no objections on noise grounds to the installation of the air source heat pumps where they clearly pass the MCS assessment.

Highway Access and Parking Provision:

The WBC Highways Officer indicates that there is no change in the number of habitable rooms as a result of the works from the originally approved permission for the replacement dwelling, and the driveway has sufficient space to retain three car parking spaces within the red line, which is acceptable in accordance with the Council's parking standards.

The new entrance gate is set back from the service strip, so no impacts on the public highways and the visibility splays are expected.

Following initial comments from the WBC Highways Officer relating to the proposed dropped crossing, the applicant has submitted a revised Block Plan showing the new dropped crossing to have a width of 3.6m, in line with the WBC Traffic Management team requirements. Separate consent will be required from the Traffic Management team for the proposed width and location of the new dropped crossing should the planning application is approved; this will be added as an Informative.

Landscape and Trees:

The site is on a Green Route. A substantial beech tree grows on the front east boundary, it is subject to Tree Preservation Order (TPO) 1913/2022. The WBC Trees & Landscape Officer has advised that the driveway and parking location is an improvement on previous consented applications as they are further away from the TPO tree. The change means that the previously approved landscape plan submitted for the discharge of conditions Ref. 223114 is redundant, therefore the Officer has recommended a condition for updated landscaping details to be submitted.

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:	21 November 2024
Earliest date for decision:	31 August 2024

Recommendation agreed by: (Authorised Officer)	<i>JMM</i>
Date:	21 November 2024