

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242906
Site Address:	Tennis Courts, Silver Fox Crescent, Woodley, Wokingham, RG5 3JA
Expiry Date:	16 January 2025
Site Visit Date:	26 November 2024
Proposal: Application to vary conditions 2, 3 and 4 of planning permission 241301 for the proposed erection of 1 no. self-build detached dwelling. Condition 2 refers to the approved details, 3 to external materials, 4 to boundary treatments and the variation is for alteration of the elevations and inclusion of a first floor to the dwelling, plus changes to the wording of conditions 3 and 4 to reflect submitted details.	

PLANNING CONSTRAINTS/STATUS

Local Authorities
Affordable Housing Thresholds
Borough Parishes
Scale and Location of Development Proposals – Major Development Location (Woodley)
Great Crested Newt Consultation Zone
Nuclear Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
JCEB Mineral Safeguarding Areas

PLANNING POLICY

National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP4 – Infrastructure Requirements 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 CC05 – Renewable Energy and Decentralised Energy Networks CC06 – Noise CC07 – Parking

	CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB05 – Housing Mix TB07 – Internal Space Standards TB21 – Landscape Character TB22 – Sites of Urban Landscape Value TB23 – Biodiversity and Development TB25 – Archaeology
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation DM3 - Protection of Habitats and Species DM4 - Protection of Designated Landscape DM5 - Protection of the Countryside DM6 - Green Belt DM7 - Conserving the Historic Environment DM8 - Restoration of Minerals and Waste Developments DM9 - Protecting Health, Safety and Amenity DM10 - Flood Risk DM11 - Water Resources DM12 - Sustainable Transport Movements DM13 - High Quality Design of Minerals and Waste Development DM14 - Ancillary development DM15 - Site History
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Sustainable Design and Construction Supplementary Planning Document Woodley Design Statement

PLANNING HISTORY		
Application No.	Description	Decision & Date
241301	Full planning application for the proposed erection of 1 no. self- build detached dwelling.	Approved 11/09/2024
223639	Full planning application for the proposed erection of 4 no. self-build three-bedroom detached dwellings with associated parking and landscaping	Withdrawn 16/01/2023
230874	Full planning application for the proposed erection of 1 no. self- build four-bedroom detached dwelling with detached garage and parking	Approved 25/08/2023
230875	Full planning application for the proposed erection of 1 no. self- build four-bedroom detached dwelling with detached garage and parking.	Approved 25/08/2023
230861	Full planning application for the proposed erection of 1 no. self- build four-bedroom detached dwelling with detached garage and parking.	Approved 24/08/2023

232386	Application to vary condition 2, 11, 12, and 14 of planning consent 230874 for the Full planning application for a phased development of 1 no. self- build four-bedroom detached dwelling with detached garage and parking and access road. Condition 2 Approved details, 11 Construction method statement, 12 Archaeology Investigation statement and 14 Drainage statement. The variation is to add phasing of the build to the application and condition wording.	Approved 30/11/2023
232390	Application to vary condition 2, 11, 12, and 14 of planning consent 230875 for the Full planning application for a phased development of 1 no. self- build four-bedroom detached dwelling with detached garage and parking and access road. Condition 2 Approved details, 11 Construction method statement, 12 Archaeology Investigation statement and 14 Drainage statement. The variation is to add phasing of the build to the application and condition wording.	Approved 30/11/2023

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No comments received

WBC Drainage – No comments to make

WBC Highways – No objection

WBC Landscape and Trees – Revised information required in relation to soft landscaping

WBC CIL - Any changes to CIL will be calculated following planning approval based on the measurements taken from the floorplans detailed in the decision notice

WBC Ecology – No comments received

External

Berkshire Archaeology – No requirement for further information in relation to archaeology

REPRESENTATIONS

Two rounds of consultation were carried out on this application. The revised scheme now incorporates two front facing dormers and a reduction in the rear facing window of bedroom 1. It also removes reference to condition 5 (landscaping). The intention was to alter the wording of condition 5 to make it a compliance condition. However, owing to the comments raised by the WBC T&L Officer, additional work is required to satisfy this condition and therefore it remains a pre-commencement condition and would need to be discharged at a later date.

Parish/Town Council	No objection raised to original consultation or re-consultation.
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Ward Member(s)	No comments received to original consultation or re-consultation
Neighbours	1 comment received in response to the original consultation relating to the following matters: - Proposal will make the dwelling a house not a chalet bungalow Officer comment: <i>The original approved dwelling was for a bungalow. This scheme would see the creation of a chalet bungalow.</i> - Will impact privacy of surrounding properties Officer comment: <i>This will be discussed in the report</i> - Means that other proposed properties on this site will want a first floor which goes against the original plans Officer comment: <i>Such changes may require planning permission and each application would be assessed on its merits.</i> - New owners may decide to extend further into the roof space meaning even more loss of privacy Officer comment: <i>This is not a material consideration. Such alterations are speculative and may require permission in their own right.</i> 1 objection received in response to re-consultation relating to the following matters: - Would result in a loss of privacy and outlook for established properties Officer comment: <i>This will be discussed in the report.</i> - No changes or adaptations should be allowed and would be a mockery of the planning process Officer comment: <i>The planning process allows for variations and changes to approved plans, subject to the correct formal application being submitted (which has been done in this case). Variations/ changes will be accepted should the proposal be acceptable in relation to planning policy. Should the proposed changes not be acceptable in relation to planning policy and material planning considerations, an amendment application may not be accepted by the LPA.</i>

APPRAISAL

Site Description:

The application site was formerly occupied by the Woodley Lawn Tennis Club and is in a backland plot surrounded by residential properties to Silver Fox Crescent, Roslyn Road, and Woodlands Avenue. The site is accessed via a track between 38 and 40 Silver Fox Crescent. The site is currently grassland with some overgrown vegetation but no built structures are on site.

The surrounding area varies between one and two storey bungalows, detached dwellings, and semi-detached dwellings on deep plots and within a typical post-war suburban layout.

There are no listed buildings on or adjoining the site, it is not located within a Conservation Area and is not within an area of high flood risk. A Tree Preservation Order is located to the south of the site protecting a woodland (TPO-0003-1951).

Proposal:

Planning permission was granted for 1 no. self-build two-bedroom detached dwelling with associated parking. Variations are sought to this approved scheme. Namely condition 2 (approved plans) and making condition 3 (materials) and condition 4 (boundary treatment) compliance conditions (originally pre-commencement conditions) to reflect the details submitted.

3 other dwellings have been approved at the site (see planning history) but were all permitted under separate applications. A layout showing all 4 dwellings is below:



Proposed dwelling in context with the other 3 dwellings permitted on the wider site

The changes sought to the approved scheme are:

- Changes to the approved plans to incorporate a first floor with 2 front facing dormers and a rear window along with other minor alterations such as the removal of a ground floor window on the rear elevation to be replaced with a door and an EV charger to be added externally to the elevations.
- Alteration of the wording of condition 3 and 4 to make them compliance conditions, as presently they are pre-commencement conditions. These

conditions relate to details pertaining to external materials and boundary treatment.

Condition 5 (landscaping) was also proposed to be varied to make it a compliance condition, however this was removed from the proposal due to the revised information that would be required to achieve this at this stage.

The proposal was amended during the course of the application to incorporate 2 front dormers (to improve living standards within the proposed bedrooms) and a reduction in the first-floor rear facing window to prevent overlooking to neighbouring properties.

Assessment

The principle of development was discussed and considered in the report for the application. Since the original application was granted, the NPPF (2024) was published. This version of the NPPF has a greater emphasis on boosting the supply of homes and therefore there is no reason for the LPA to adopt an alternative view on the principle of development.

As such, this application (and assessment) will only focus on the proposed changes in the development and their impact on material considerations.

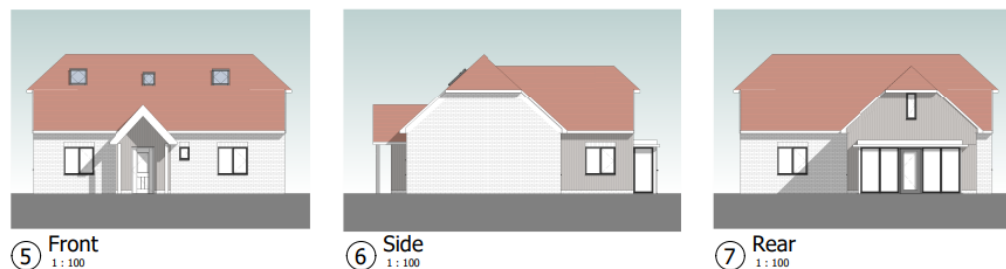
Character of the Area:

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. Policy R9 and NR5 of the Borough Design Guide SPD note that height, bulk, and massing should respond to the local context and the prevailing heights in the area.

The proposal would see the addition of two front facing dormers. These would be of a modest scale and appropriately positioned in the roof scape. The other permitted dwellings on the wider site are of a similar style and form and therefore in design terms, the proposal would respond to those in the vicinity. Whilst the proposal would see the creation of a first floor, the overall height of the dwelling would be as originally permitted.



Above: The proposed dwelling under this variation application (showing front facing dormers)



Above: The front and rear elevations of the dwelling as originally approved under application 241301

The other design changes (as listed in the 'proposal' section of this report) are considered to be minor and no concern is raised by Officers. Owing to the back land location of the site, the dwelling would have limited visibility in the Silver Fox Crescent street scene and overall the changes are not to have an adverse impact on the character of the area above and beyond the permitted scheme.

An external materials schedule has been submitted and shows the dwelling would be finished in Freshfield Lane Multi brick and red tile with a stone driveway. Furthermore, boundary treatment has been selected in the form of a natural coloured closed boarded timber fence. These materials are considered acceptable in the prevailing varied context and therefore conditions 3 and 4 can be amended to read as compliance conditions.

The proposal is therefore acceptable in design terms and in relation to the character of the area, in accordance with policy CP3 of the Core Strategy and the Borough Design Guide.

Neighbouring Amenity:

Policy CP3 of the Core Strategy aims to protect neighbouring amenity.

In an effort to improve the standard of accommodation for future occupiers of the dwelling (as originally only rooflights were proposed to serve the x2 front facing bedrooms), the two front facing dormers are now proposed. Owing to the siting of the dwelling, at an angle with those also permitted on the site, there would be no direct window conflict or overlooking issues. In relation to dwellings at Roslyn Road (nos. 39 – 49), the dormers would face in the direction of a number of rear amenity spaces. However there would be a just under 20m separation distance between the dormers at the rear boundary of these properties. Separation distance between the dormers and rear facing windows would be approx. 50m which well exceeds minimum separation distances in the Borough Design Guide (policies R15 and R16). Whilst there would inevitably be some overlooking to these neighbouring amenity spaces, views into amenity spaces is commonplace in residential areas such as this. To mitigate harm, outlook from the dormers would not be concentrated on one neighbouring amenity space (owing to the positioning of the dwelling) and furthermore these neighbouring garden areas are of a good depth (approx. 29m)

meaning that there will be parts of these (particularly the part of the garden closest to the associated house) that would be in limited view from the dormer windows. Lastly, the dwelling would be a chalet bungalow as opposed to a full two storey dwelling and therefore will not sit as high, and consequently outlook would be more low ranging. As such, the proposal is considered acceptable in relation to these neighbouring properties on Roslyn Road in respect of privacy and overlooking.

Concern was initially raised by Officers regarding with the rear facing first floor window to serve bedroom 1 as it would have direct and uninterrupted views across multiple amenity spaces (those on Silver Fox Crescent, nos. 32 – 38). These garden spaces are also reasonably short in depth (approx. 7-8m), unlike those in Roslyn Road discussed above, and therefore the entirety of their amenity space would be exposed. To address this, the window has been reduced in size (to a high level; just under 2m from floor level) and rooflights included. This will give future occupiers sufficient light and some outlook at high level. Whilst in terms of outlook, the fenestration arrangement is not ideal in bedroom 1, on balance future occupiers would have a good standard of accommodation overall with the layout of other first floor rooms and ground floor living areas. The shortfall of a good level of outlook in bedroom 1 is outweighed by the improvements the scheme demonstrates in relation to protecting privacy of, and protecting privacy of, established neighbours on Silver Fox Crescent.

In terms of overbearing and loss of light, the proposed design alterations are not considered to result in adverse impacts to established neighbours or those dwellings permitted on the wider site.

As such, the revised scheme is considered to be acceptable in relation to neighbouring amenity, in line with policy CP3 of the Core Strategy.

Highway Access and Parking Provision:

Policy CC07 of the MDD states that development should be provided with sufficient parking. Policy CP6 of the Core Strategy states that development should not have an adverse impact on the wider highway network.

WBC Highways have reviewed the proposal. As a result of the proposed first floor, the number of habitable rooms will increase from the permitted scheme, from 4 to 7. The two originally proposed parking spaces will be retained in the proposed layout which is sufficient for the increased number of habitable rooms.

As no boundary treatment has been proposed on/ along the highway boundary, no negative impacts to highway safety are expected.

As such, the proposal is acceptable from a highway perspective, in line with policies CC07 and CP6 of the Core Strategy.

Other:

All conditions attached to the original planning permission will be re-attached, with just those applied to be varied being altered (conditions 2, 3 and 4).

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:	Approve variation subject to changes to conditions 2, 3 and 4 of planning permission 241301. All other conditions to remain unaltered.
Date:	9 January 2025
Earliest date for decision:	6 January 2025

Recommendation agreed by: (Authorised Officer)	
Date:	09/01/25