

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	241957
Site Address:	35 Kennedy Place, Wokingham, Wokingham, RG40 1LG
Expiry Date:	2 October 2024
Site Visit Date:	20 August 2024
Proposal: Householder application for proposed erection of wooden gazebo. Followed by an increase of patio area to rear garden and entrance steps to property (Retrospective).	

PLANNING CONSTRAINTS/STATUS

Water Utility Consultation Zones
Local Authorities
Heathrow Aerodrome Consultation Zone
Affordable Housing Thresholds
Borough Parishes
Scale and Location of Development Proposals
Great Crested Newt Consultation Zone
Nuclear Consultation Zone
Strategic Development Location
Borough Wards
Landscape Character Assessment Area
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 CP2 – Inclusive Communities CP3 – General Principles for Development CP4 – Infrastructure Requirements CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP8 – Thames Basin Heaths Special Protection Area CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits CP12 – Green Belt CP13 – Town Centres and Shopping CP14 – Growth and Renaissance of Wokingham Town Centre CP15 – Employment Development CP17 – Housing Delivery
MDD Local	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits

Plan (MDD)	CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB06 – Development of Private Residential Gardens TB23 – Biodiversity and Development
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM3 - Protection of Habitats and Species DM5 - Protection of the Countryside DM10 - Flood Risk DM15 - Site History
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Sustainable Design and Construction Supplementary Planning Document North Wokingham SDL SPD

PLANNING HISTORY

Application No.	Description	Decision & Date
140863	HYBRID APPLICATION FOR OUTLINE AND FULL PERMISSION OUTLINE APPLICATION (All Matters Reserved) for a development comprising of up to 300 residential dwellings, up to 800 square metres of restaurant/public house (use class A3 and A4), public open space and landscaping, allotments, acoustic mitigation comprising an earth bund and acoustic fence, surface water drainage, foul water pumping stations, land reserved for park and ride and a Suitable Alternative Natural Greenspaces (SANGs) at Stokes Farm (7.91 ha). FULL PERMISSION For the Eastern section of the full Northern Distributor Road including proposed junctions with London Road and Binfield Road.	Approved 27/03/2015

CONSULTATION RESPONSES

Internal

WBC Landscape and Trees – No objection (02/09/2024).
WBC CIL – Not CIL liable (08/08/2024).

External

None consulted.

REPRESENTATIONS

Parish/Town Council	No comments received.
Ward Member(s)	No comments received.

Neighbours	No comments received.
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APPRAISAL

Site Description:

The application site consists of a two storey, detached property located on Kennedy Place, part of the North Wokingham Strategic Development Location (SDL) site. The dwelling is in an established residential area with the northern end of the road characterised by detached properties that are similar in design and appearance. The application site is also located in designated Countryside.

Proposal:

This application seeks retrospective approval for the erection of a gazebo, enlarged patio area, changes to the rear garden fence and front steps to include a raised flower bed.

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 in the North Wokingham SDL allocation, but also within designated countryside and outside of settlement limits where in order to protect the separate identity of the countryside and maintain the quality of the environment, proposals must comply with Core Strategy Policy CP11.

The policy states that proposals outside of development limits will not normally be permitted except where:

'It does not lead to excessive encroachment or expansion of development away from the original buildings'.

The other parts of CP11 are not relevant here.

Character of the Area:

The host dwelling is part of the North Wokingham SDL allocation. The properties in Kennedy Place differ in form but are all similar in style through the repetition of design features and materials.

As stated above, Core Strategy Policy CP11 states that proposals outside development limits will not normally be permitted except where one or more of the specified exceptions apply.

The proposed gazebo would have a part pitched roof (maximum height 3.28m), part flat roof form and would be open sided. The proposed gazebo would be located on the western side of the rear garden alongside the existing garage of no.36 Kennedy Place.

The gazebo would be constructed of timber with grey concrete tiles to match the host dwelling. The position of the gazebo to the rear of the host dwelling and to the side of the pitched roof garage of no.36 means there would be limited views of the structure from the public realm. Therefore, it would not be prominent within the street scene and would have little detrimental impact on the character of the host dwelling or local area.

The changes to the rear garden fence include a replacement timber slatted fence along the rear boundary. The fence would have a maximum height of 2.3m and would not be out of keeping with the original timber close board fence. The garage of the host dwelling and garage of no.36 would largely screen any view of the fence from the road. Therefore, this element of the scheme would not appear obtrusive or overly dominant within the street scene and are acceptable.

The proposed changes to the front of the property include replacing and widening the original entrance steps and incorporating a raised flower bed. These changes retain planting which contributes to the semi-verdant character of the road and open green space directly opposite the site. Therefore, the changes to the front would have no detrimental impact on the prevailing character of the host dwelling or street scene.

The extension of the patio area and artificial grass to the rear are considered modest alterations that would not be visible from the road and are acceptable.

Neighbouring Amenity:

Overlooking:

There are no overlooking or loss of privacy concerns that would be generated by the proposal.

Loss of Light and Overbearing:

The gazebo would be located on the shared boundary with no.36 Kennedy Place. The gazebo is positioned to the side of the pitched roof garage of no.36 and as such, the roof of the garage blocks the view and any impact of the structure from the occupiers of no.36.

The gazebo extends to the rear western corner of the garden. Directly behind the garden is a shared alleyway for the residents of a row of terraced properties on Oak Avenue to access their rear gardens. In addition, the gazebo would be more than 13m from the rear fenestration of nos.97 and 99 Oak Avenue. Therefore, the gazebo would have no discernible impact on the amenity space of these neighbouring properties. The same would apply to the relatively minor increase in fence height along the rear boundary of the host dwelling. Furthermore, the properties along Oak Avenue to the rear of the application site are positioned at a higher level. Therefore, further limiting any detrimental overbearing or overshadowing impacts to the occupiers of nos.97 and 99 Oak Avenue from the fence or gazebo.

Highway Access and Parking Provision:

The proposal does not alter the parking arrangements and WBC Highways were not consulted for this application.

Landscape and Trees:

The Trees and Landscape officer was consulted for the application and raised no objection to the proposal and commented “The site is within a recent development. There are no protected trees on the site and no landscape features are affected by the development”.

Conclusion:

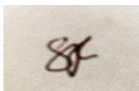
For the reasons set out above, the proposal is acceptable as it accords with local policy and guidance.

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:	Approve
Date:	23 September 2024
Earliest date for decision:	30 August 2024

Recommendation agreed by: (Authorised Officer)	
Date:	25.9.24