

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242781
Site Address:	256 Nine Mile Ride, Finchampstead, Wokingham, RG40 3NT
Expiry Date:	28 December 2024
Site Visit Date:	8 November 2024
Proposal: Householder application for the proposed raising and replacing of existing flat garage roof.(Retrospective)	

PLANNING CONSTRAINTS/STATUS

Water Utility Consultation Zones
Contaminated Land Consultation Zone
Local Authorities
Green Routes and Riverside Paths
Affordable Housing Thresholds
Bat Roost Habitat Suitability
Borough Parishes
Scale and Location of Development Proposals
Farnborough Aerodrome Consultation Zone
Great Crested Newt Consultation Zone
Nuclear Consultation Zone
Tree Preservation Orders
Borough Wards
Landscape Character Assessment Area
SSSI Impact Risk Zones
Thames Basin Heaths SPA Mitigation Zones
Green Routes and Riverside Paths Consultation Zone
Great Crested Newt Consultation Zone Minor

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 CP7 – Biodiversity CP8 – Thames Basin Heaths Special Protection Area CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits
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 CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage

	TB21 – Landscape Character TB23 – Biodiversity and Development
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM3 - Protection of Habitats and Species DM4 - Protection of Designated Landscape DM5 - Protection of the Countryside DM14 - Ancillary development 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
	There is no relevant planning history.	

CONSULTATION RESPONSES

Internal

None consulted.

External

None consulted.

REPRESENTATIONS

Parish/Town Council	No objection (21/11/2024).
Ward Member(s)	No comments received.
Neighbours	One letter of objection (20/11/2024). Concerns include: - Inaccurate plans. - No drain water pipe. - Roof not only consisting of felt. - Potential for noise.

APPRAISAL

Site Description:

The application site consists of a two-storey, chalet style bungalow located at the end of a long entrance driveway on the southern side of Nine Mile Ride, Finchampstead. The property is located on a backland development to the rear of nos.258, 260 and 262 Nine Mile Ride. The rear of the plot backs onto a number of dwellings located on Heath Ride.

The property is well set back from the main road by more than 150m and is well screened by dense hedging and mature trees on all boundaries. There is no prevailing character to the property types and styles in the local area. Many of the properties have already benefited from alterations, extensions and replacement dwellings.

The application site is located in designated Countryside as well as in the Finchampstead North Development Plan.

Proposal:

This application seeks retrospective approval for a replacement garage roof which includes raising the height of the roof from approximately 2.67m to a maximum height of 2.91m. The garage has retained a flat roof form and there are no changes to the footprint of the garage.

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 outside the settlement boundary and in the countryside. Policy CP11 of the Core Strategy does not permit development outside of development limits, however exceptions to this include where:

- 4). In the case of residential extensions, does not result in inappropriate increases in the scale, form or footprint of the original building;

The other sections of the policy do not apply in this instance.

Character of the Area:

The application seeks retrospective approval for a replacement garage roof. As part of the works, the height of the garage was increased to above which would be allowed under Schedule 2, Part 1, Class E (buildings incidental to the enjoyment of a dwellinghouse), of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). E.1 (e) states that permitted development is not permitted if:

- The height of the building, enclosure or container would exceed –
(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse.

The garage is located approximately 0.75m from the shared boundaries along the southwestern corner of the site and has a maximum height of approximately 2.91m. Therefore, a retrospective planning application has been submitted for determination.

CP3 of the Core Strategy states that proposals should be of an appropriate scale of mass, built form and character. The Council's Borough Design Guide (BDG) SPD gives advice on residential developments.

Core Strategy Policy CP11 aims to protect the separate identity of settlements and maintain the quality of environment outside settlement boundaries, generally by restricting development, except for residential extensions.

The criteria for assessing development proposals includes not resulting in inappropriate increases in the scale, form or footprint of the original building.

The proposed changes are to the existing garage which is located in the southwestern corner of the plot and adjoins the rear gardens of a number of properties on Heath Ride. The changes to the garage roof are relatively minor and increase the height of the roof by approximately 0.24m. There is no change to the footprint of the garage. Therefore, there is no encroachment into designated Countryside.

The garage has a flat roof form and is not of such an excessive scale that it adversely impacts the existing open character of the garden. There are very limited views of the garage from the public realm as it is set back more than 179m from Nine Mile Ride and surrounded by mature vegetation, as such, it has a limited visible impact upon the landscape. It is also noted through aerial photography, that there are similar sized outbuildings associated with other properties within the local area. Given this, and the small scale of the changes, it is considered the scheme does not detrimentally impact the character of the host dwelling or local area.

Third Party Concerns

One third party raised concern regarding the accuracy of the submitted plans. However, the plans have been submitted to a scale which is accurate and approved within the Local Validation requirements. The comments refer to a drainage pipe shown to the rear of the garage and the roof also consisting of a plastic fascia board. There is only one drainpipe shown on the plans which is located on the western elevation close to the front. Fascia boards are a fundamental and generally accepted component of a roofing system. Located below the eaves to encase the roof edging. This was observed during the Officer's site visit and is an acceptable feature of the roof.

Comments were also made regarding previous development at the site. The determination of this application will only assess what is proposed. Comments regarding other development cannot be made under this application.

Concern was also raised regarding the potential for noise from the garage and adjoining outbuilding from the playing of drums.

It is a human right that the occupants of the host dwelling and neighbouring properties have the right to the use their property, garage/outbuilding and garden space. The local authority cannot control what activities occupants choose to participate in. Also, the proposal is for alterations to the garage roof and not the use of the building.

The following articles of the Human Rights Act 1998 are considered to be relevant in this case:

Part 1 Article 8 - the right to respect for private and family life, home, and personal correspondence.

Part 2 Article 1 of the First Protocol - the right to protection of property, including peaceful enjoyment of possessions.

Both of these rights could be outweighed when considering the general interest and the rights and freedoms of others.

Part 11, Section 149 provides the following 'Public sector equality duty' on authorities:

"(1) - A public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act.
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it. "

It is therefore necessary for the authority, in consideration of this report, as with consideration of any other proposal, to ensure that the above requirements have been met.

There are no equality or human rights issues arising from approving the application.

Neighbouring Amenity:

Overlooking, Loss of Light & Overbearing:

The closest properties to the garage are Bracken House and Evergreen, located on Heath Ride. They are more than 21m to the southwest of the garage. The shared boundary is vegetated with dense hedging and trees. Therefore, the minor changes to the existing garage roof would have no more loss of light, overbearing or overlooking impact to neighbouring properties than the existing arrangements.

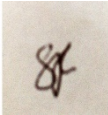
Conclusion:

For the reasons set out above, the proposal is acceptable as it accords with local plan 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:	12 December 2024
Earliest date for decision:	25 November 2024

Recommendation agreed by: (Authorised Officer)	
Date:	12.12.24