

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	251055
Site Address:	45 Kestrel Way, Wokingham, RG41 3HA
Expiry Date:	3 July 2025
Site Visit Date:	18 October 2024
Proposal: Householder application for the proposed erection of a single-storey front extension, alongside a first floor front and side extension, and a part single part two storey rear extension; with the raising of the roof and insertion of a rear dormer and roof lights to facilitate a loft conversion, the conversion of the garage to habitable accommodation, changes to fenestration and removal of the porch canopy roof.	

PLANNING CONSTRAINTS/STATUS

Scale and Location of Development Proposals

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 CP6 – Managing Travel Demand 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 CC07 – Parking
Other	Borough Design Guide Supplementary Planning Document

NO RELEVANT PLANNING HISTORY

CONSULTATION RESPONSES

Internal

WBC Property Services – No comments
WBC Highways – No objection
WBC CIL – CIL liable development

External

None

REPRESENTATIONS

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

Neighbours	18 letters received, objecting to the development for the following reasons: • The proposed development is out of character with surrounding houses. • It represents a gross overdevelopment of the site. • The development would negatively impact the neighbours • The property is already being used as a base for a business, with frequent van and car traffic. • There is already an issue with parking. • There is no footpath at this part of the road, increasing safety concerns. • Restricted road space may impede access for waste disposal and emergency services. • The scale of the proposed development is viewed as wholly inappropriate for the area. • Impact upon neighbouring properties solar panels, and subsequent climate change impact. • Precedents provided by the applicant are considered to be invalid. • Concerns that the proposed dwelling is more akin to a HMO. • The development represents a replacement build, not an extension. • Increased noise pollution. • Impact on health.
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APPRAISAL

Context: The application site is situated within a wider residential estate in Wokingham and is occupied by a two-storey detached property.

The proposed scheme would seek to extend and alter the existing dwelling. The house would remain two storey, however, the design and form of the building would be altered.

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: When assessing the general form of the redesigned dwelling in isolation, this would remain as a standard suburban property, in keeping with its surroundings.

Notwithstanding the above, the increase in both height and width would increase the bulk of the dwelling and requires careful consideration.

With specific reference to the increase in ridge height, it should be noted that the Borough Design Guide (BDG) advises against the raising of ridge lines, unless local context allows for it. In this instance, the surrounding properties appear relatively similar, however, they are staggered around the cul-de-sac, therefore each one has a different dominance/perspective in the street scene. Street scene elevations have been provided within this application, which demonstrates that the height of the enlarged dwelling is appropriate in the context of the adjacent properties and the estate, as it is of a similar height to No.47.

To the rear of the dwelling, a first-floor gable roofed addition is proposed. Through pre-application discussions with the LPA, this has been altered from the previously proposed flat roof form. This amendment has notably improved this feature's relationship with the host dwelling as well as improving the design of the rear elevation, with it now appearing to be a well-considered and proportionate addition to the existing built form.

The proposed box dormer would be a visible addition to the roof, however, it would be conventional in its appearance and comply with guidance contained within the BDG. This states that '*dormer windows should generally be positioned within the main roof, by being set back from both eaves line and the sides of the roof*'. Similarly to the gable feature, its position to the rear of the property would limit its impact upon the wider character and appearance of the area.

The single storey flat roofed rear extension is of a standard modern design which would appear as an acceptable addition to the property. Further consideration for this aspect of the proposal is placed on its impact upon the amenities of the neighbouring occupants and is assessed below.

The full width front extension would not be an overly imposing addition to the existing property and would be commensurate with other extended frontages within the estate.

The proposed materials partly match those observed on the existing dwelling, however, there would be large areas of render introduced, particularly on the side and rear elevations. Many of the surrounding properties have incorporated render, such that this alteration would not be out of character within the estate. The dormer would utilise cedar board cladding, which although would be dissimilar to the other specified materials, would not have a significant impact on the appearance of the dwelling as seen from the street scene.

Overall, the proposal would have an acceptable visual impact and would comply with policies CP1 & CP3 of the Core Strategy.

Neighbouring Amenity: Significant concern has been raised by local residents regarding the impact of the proposed development upon neighbouring sites. A right of light report has been produced by a consultant, working on behalf of a neighbouring occupier, which seeks to demonstrate that the proposal would adversely impact No.43 Kestrel Way. This has been addressed within the Loss of Light & Overbearing section of this report.

Overlooking

The proposed dormer would provide oblique views of the adjacent resident's rear gardens, however, this would not result in direct overlooking.

The separation distance to No.13 Walnut Close, to the rear, would be approximately 27 metres, which exceeds the recommended minimum distance (26 metres) for two properties that share a rear-to-rear relationship, where the window in question is above first floor level. On this basis, it is considered that the overlooking impact would be acceptable in this instance.

There are two first floor side windows proposed, however, these are high level and obscured glazed. They would also both serve non-habitable rooms, such that there would be no overlooking risk.

Loss of Light & Overbearing

Due to the staggered nature of the building line, No.47 would be largely unaffected by the proposed development, as the application dwelling would remain set behind the rear of the aforementioned property.

The more relevant consideration is the impact to No.43. The occupier of this address instructed a Right of Light Consultant to carry out a report on their behalf, seeking to demonstrate that the proposal would adversely affect the daylight and sunlight received by the adjacent site. In summary, this report covers both the preliminary 25 & 45 degree tests for loss of light as stipulated by Building Research Establishment (BRE) guidelines, and concludes with a request that the application is accompanied by a formal daylight, sunlight and overshadowing assessment prepared in accordance with the BRE guide. It should be noted that the report does not in itself state that the current

proposal would lead to a detrimental loss of light to No.43. The Council has undertaken their own assessments and measurements from the submitted documents to inform the below assessment.

The primary document used to consider daylight and sunlight is BRE Report BR 209 'Site Layout Planning for Daylight and Sunlight, a guide to good practice'. This guidance is advisory in nature and is intended to assist with good design and the BRE recognise that there is no formal requirement to comply with the advice it contains.

The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstances the developer or planning authority may wish to use different target values.

In the case of the 25-degree test undertaken, weight should be placed on the relationship between the neighbouring property and the existing dwelling, with due regard to the tight pattern of development that is already present within the estate.

The built form of the existing property already fails to satisfy the 25-degree test for the identified window. The added impact upon the neighbouring property would be limited in this respect. Regardless of this failure to comply, some loss of light to this window is acknowledged, however, this window is a high-level window on the living room stairwell which serves as a secondary light source to the living room. The primary light source being the patio doors on the rear elevation. Given the secondary nature of this window, the level of light loss would not result in an unacceptable degree of harm to residential amenity therefore is compliant with policy CP3.

Despite the objections raised, it should be noted that the depth of the dwelling at first floor level is being extended no further than the existing rear wall adjacent to the shared boundary with No.43. Accordingly, the first-floor element of the proposed dwelling would only slightly protrude beyond the rear of No.43, and an attempt to demonstrate that there would be no loss of light through compliance with the BDG and the BRE 45° test has been provided through the submitted first floor plan.

This highlights that the existing rear wall at first floor would marginally intersect the 45 degree line. However, there would be no added infringement to the neighbouring dwelling and therefore no greater harm caused in this regard.

The BRE guidance thresholds state that a loss of more than 50% light to a window of a habitable room would be considered significant and have a potentially detrimental impact. In this case, there may be a marginal loss of light to the first floor bedroom of No.43 but this is a minor reduction and not considered to be harmful to the amenity of the occupiers.

Whilst a line of 25 and 45 degrees would be breached as a result of the proposals, these measurements are guidance rather than policy, and so is applied on a case by case basis. In this instance, the breach is not considered a robust basis to refuse the scheme given its compliance with local policy in other respects, the existing relationship

between the properties, and that the neighbouring property would still have adequate access to natural light.

Raised Patio

The proposed plans depict a raised patio. The patio would be raised 300mm from ground level. Provision has been made to protect the amenities of the residents at No.47 through the inclusion of a privacy screen along the edge of the raised patio and this can be secured through an approved details condition. A raised wooden deck already exists to the rear of property level with the threshold of the patio doors. Whilst the proposed patio would be slightly higher, due to its limited height and amenity screen it would not cause any significant harm to the amenity of adjoining occupiers.

Notwithstanding the above assessment, under the General Permitted Development Order (GPDO), a raised platform/decking in a garden is considered permitted development (does not require planning permission), as long as it is no more than 300mm above the ground.

Solar Panels

Further concern has been raised as to the impact of the proposed development upon the solar panels installed on the roof of No.43, with claims that the panels would be adversely impacted throughout the winter months.

While it is acknowledged that the performance of solar panels is dependent on adequate sunlight exposure, there is currently no statutory right to light for solar panels under planning legislation, however this is a material planning consideration. Planning decisions must balance the benefits of renewable energy infrastructure with other considerations such as land use efficiency, design and neighbour amenity.

The potential overshadowing effect has been considered in terms of orientation, height, and proximity of the proposed development to the affected panels. In this instance, the solar panels are located on the northwest roof slope of No.43 which already limits the amount of direct sunlight they receive throughout the day.

Given the position and orientation of the proposed development relative to the affected roof slope, any additional overshadowing is expected to be limited, occurring mainly during the late afternoon or early evening. The impact on the panels' overall performance is therefore likely to be minimal.

Furthermore, the relatively modest increase in the ridge height of approximately 0.8 metres, whilst retaining the 1.5 metre separation between the two properties, would prevent any detrimental overshadowing in this respect.

Taking all of this into account, the proposed development is not considered to result in a materially harmful loss of sunlight to the neighbouring solar panels. The scheme is therefore acceptable in planning terms and compliant with relevant policies relating to amenity and sustainability.

Highway Access and Parking Provision: The applicant proposes to remove the existing garage of dimension 5.3m x 2.4m and increase the numbers of habitable rooms from 6 to 9. As the existing garage does not fully meet the council's requirement for car parking, there would be no loss of garage parking space. The existing access arrangement will be retained.

According to the WBC Car Parking Standards, the development as proposed would require three parking spaces within the red line boundary. The proposed parking provisions are sufficient to meet the council's parking requirements by utilising the existing dropped crossing, which is acceptable.

Conclusion: For all the above, the proposal is acceptable, and the application is recommended for approval.

Community Infrastructure Levy (CIL): This application will be liable for CIL based on the measurements taken from the submitted floorplans.

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:	18 June 2025
Earliest date for decision:	28 May 2025

Recommendation agreed by: (Authorised Officer)	
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Date:	19 June 2025
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