

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	251020
Site Address:	2 Grange Cottages, Broadcommon Road, Hurst, Wokingham, RG10 0RD
Expiry Date:	24 June 2025
Site Visit Date:	21 May 2025
Proposal: Householder application for the demolition of existing garage and replacement with ancillary annex.	

PLANNING CONSTRAINTS/STATUS

Local Authorities
Archaeological Sites
Affordable Housing Thresholds
Bat Roost Habitat Suitability
Borough Parishes
Scale and Location of Development Proposals
Great Crested Newt Consultation Zone
Ground Water Zones
Nuclear Consultation Zone
Borough Wards
Landscape Character Assessment Area
SSSI Impact Risk Zones
Archaeological Sites 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 CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC03 – Green Infrastructure, Trees and Landscaping CC07 – Parking TB23 – Biodiversity and Development
Other	Borough Design Guide Supplementary Planning Document CIL Guidance

PLANNING HISTORY

Application No.	Description	Decision & Date
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250492	Application for a certificate of lawfulness for the proposed loft conversion to create habitable accommodation including 1no. rear dormer, erection of a single storey rear extension plus insertion of roof lanterns following demolition of existing conservatory.	Approved - 23 April 2025
22977	Erection of a new garage	Approved – 26 October 1989
29585	Erection of a detached double garage at the rear and side of property	Approved – 19 January 1988

CONSULTATION RESPONSES

Internal

WBC Highways – requested further information

External

None

REPRESENTATIONS

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

APPRAISAL

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.

Whilst the building has been described as an ancillary annex to the main dwelling, it is necessary in this instance to consider whether the proposal would be a householder application or whether or not the development would be tantamount to creating a separate new dwelling.

This issue has been acknowledged by similar appeal decisions in the past, including an Inspector determining Planning Appeal Ref. APP/L3815/C/15/3141285 for the erection of an outbuilding, who stated that: *“Irrespective of whether the term “annex” is used to describe the building, the fact remains that if the building were to provide all the normal facilities for self-contained day to day living, , it would be a dwelling for the purposes of planning law.”*

Considering the proposal, the building would be physically separated from the main house and include all day-to-day living facilities required for independent living.

The building is physically detached from the main dwelling by 41m and this provides a substantive detachment from the main house. The distance separating the building to the dwelling would make it undesirable and impractical to share facilities on a frequent day-to-day basis, particularly in inclement weather conditions and during hours of darkness. It would also involve the requirement to either leave the main house doors unlocked or for the occupiers of the building to have a separate key to access the house.

From the officer's site visit, there would also be a significant degree of separation by reason of the plot layout, which comprises of different sections. The proposed building would be located beyond the existing garden boundary, in a section of the plot that is separated by a fence, shrubbery and a substantial garden shed. This area of the plot is essentially the driveway of the dwelling, as there is no off-street parking provision at the front of the dwelling. Due to the layout of the development, the occupants of the building and the dwelling would live in the respective buildings with little/no interaction or disturbance to the other. It would be accessed independently and screened by the previously mentioned fence and shrubbery, so that there would be no direct overlooking between the side windows of the proposal and the dwelling. Disregarding the garden features that provide screening, the sheer distance between the dwelling and the proposed annex would allow significant privacy, as is shown below, in a photo from the edge of the patio of the dwelling, the existing garage can barely be seen.



Photo from the dwelling's patio edge



Separation
between garden
and driveway
area of plot

The aerial photo below shows how the building would be located different section garden to the main lawn. As can be seen, the proposed building would also be connected directly to a side access track that circumvents the main garden space of the property.



Google Image copyright 2025.

The building could be accessed without entering the main property, through a shared track that runs along the rear of the row of terraced properties - as shown above from site photos and satellite imagery. This access path links directly to the rear section of the site where the building would be located.

Taking the above points into consideration, the occupier(s) of the proposed building would live in the property contained from the main dwelling and vice versa.

Moving onto consider the functional link to the main dwelling, the proposal would have a bathroom, kitchen, bedroom and living space – all the facilities required for separate day-to-day living. There is no functional reason for the occupiers of the building to enter the main dwelling as it is self-contained.

In *Gravesham Borough Council v Secretary of State for the Environment* (1982) P&CR 142, McCulloch J in the High Court was required to consider the definition of a dwelling house. He held that a distinctive characteristic of a dwelling house was its ability to afford to those who used the facilities required for day-to-day private domestic existence. This is the case with the proposals applied for under this application.

Even if the building were to be used by a family member, the physical and functional detachment and isolation from the main dwellinghouse, along with the self-containment of the building would result in a separate day-to-day use as a new dwellinghouse.

Policy CP11 of the Core Strategy states that development proposals outside of

settlement limits will not normally be permitted unless it falls within one of the exceptions. This is to maintain the quality of the environment, and to prevent development in areas away from existing development limits as they are not generally well located for the facilities and services. As the proposal would be for a new dwelling, it does not fall within any of the limited exceptions and therefore conflicts with this policy.

CP11 does permit residential extensions providing they do not result in inappropriate increases in the scale, form or footprint from the original building. Even if the development were not considered a new dwelling, it is tantamount to one. The form and function of a building being occupied akin to a separate dwelling would result in an inappropriate increase in scale and form when considered against the original property – which is a modest terraced cottage in the countryside.

In addition to the above, the proposal therefore cannot be approved under a householder application as neither the correct application form or fee have been submitted for a new dwelling.

Character of the Area:

The impact of the development has been assessed in accordance with the conclusion reached above. Whilst the proposal cannot proceed under a householder application, The impact of the proposed fully self-contained unit is nevertheless considered below.

Policy CP1 of the Core Strategy requires proposals to maintain and enhance a high quality environment and 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. R1 and RD1 of the Borough Design Guide SPD requires that development contribute positively towards and be compatible with the historic or underlying character and quality of the local area and R11 requires a coherent street character, including in terms of scale, rhythm, proportion and height.

Policy TB06 states that *'the Council will resist inappropriate development of residential gardens where development would cause harm to the local area.'* It also sets out that the proposal makes a positive contribution to the character of the area in terms of a several key issues – theses will be referred to later in this section.

Para 75 of the NPPF States, plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

The Borough Design Guide SPD states at 4.10 *'by its nature and location, it is difficult for 'backland' development to reflect existing character.'* It also sets out that individual back development on a piecemeal basis *'is unlikely to be able to take up opportunities to contribute to the character of the area,'*

Given the level of accommodation and degree of functional and physical separation from the main dwelling the proposed development would not be seen as an ancillary annex, but a separate independent dwelling located in the rear garden that would

appear as incongruous in the context of the area. As this development is small, it is not considered that this would cause any detrimental impact on the character of the area. There is an example nearby to the rear of number 4 Grange Cottages, where a much larger dwelling has been approved than the one proposed in this application, albeit with a much bigger plot to work with.

Neighbouring Amenity:

Overlooking:

The proposal is single storey and therefore overlooking would be similar to what occurs in the existing rear garden/driveway area, although there would be an increased intensity given the unit would provide full time occupation at the top of the rear garden. Notwithstanding, Any view provided from proposed windows would be similar to that provided from standing in the garden as existing.

Loss of Light and Overbearing:

The annexe is proposed to be close to the boundary fence with number 1 for approximately a length of 5 metres. It will have a gabled roof with a ridge height of approximately 4 metres and an eaves height of approximately 2.1 metres, which complies with the borough design guide. It will be situated approximately 0.5 metres from the boundary at its closest point, which is contrary to borough design guidance. However, as it is so far into the plot, situated well away from the main amenity space of the neighbour at number 1, and mostly screened by solid boundary treatment, the impact on loss of light and overbearing is deemed to be acceptable.

Highway Access and Parking Provision:

The WBC Highways officer has requested further information before determination of this application, but as this application is being recommended for refusal, this extra information has not been sought from the applicant.

The Highways officer raised concerns around the access arrangements as the dwelling is accessed by car via a shared track that is not in the dwelling's ownership. There are also concerns around the parking provision as the proposal involves the removal of the existing car port. The applicant has shown 2 spaces on the plans, which would normally be deemed acceptable for a dwelling of this size, however this may not be sufficient to serve the new independent dwelling as well, as it would be considered a new, independent dwelling in the eyes of the LPA.

Policy CP9 of the Core Strategy states *'the scale of development proposals in Wokingham borough must reflect the existing or proposed levels of facilities and services at or in the location, together with their accessibility.'*

Policy CP6 of the Core Strategy states that *'planning permission will be granted for schemes that:*

- a) Provide for sustainable forms of transport to allow choice;*
- b) Are located where there are or will be at the time of development choices in the*

mode of transport available and which minimise the distance people need to travel;'

The supporting information in policy CP6 states:

'Paragraph 2.16 recognises that the borough has one of the highest car ownership rates of any English local authority. To reduce the likelihood that these vehicles will be used and to encourage modal shift, it is important to ensure all proposals achieve sustainable development'

'To help achieve sustainable development, proposals likely to generate significant demands for travel movements should be located in areas with best access to existing good services. This means that people can have the widest range of choice in selecting transport modes and help reduce the use of the private car. The availability of good existing public transport services has been considered in drafting the strategy for the Borough.'

The proposal is tantamount to a new dwelling and it would be unsustainably located in the countryside away from any walkable facilities or services. There is no network of footpaths, street lighting, cycle lanes or good bus services/stops. The occupants would be reliant on private motor vehicles for all day-to-day needs and would fail to create a modal shift away from private car use.

The application site is considered to be poorly located with regard to access to facilities and services and the occupiers of the building would be overly reliant on private motor vehicles. The proposed development would conflict with policies CP1, CP2, CP3, CP6 and CP11 of the Core Strategy, CC02 of the MDD Local Plan, the Borough Design Guide SPD and section 8 & 9 of the NPPF.

Conclusion:

The proposed new building would be tantamount to the creation of an additional dwelling in the countryside that is physically and functionally independent and separate from the main dwellinghouse, resulting in an inappropriate form and scale of development that cannot be considered householder development. It would be in an unsustainable location where there is a lack of facilities or amenities, no public transport or network of footpaths, which will lead to a high dependence on private vehicle use and result in unsustainable pattern of development. The development is contrary to policies CP1, CP2, CP3, CP6 and CP11 of the Core Strategy, CC02 and TB06 of the MDD Local Plan, the Borough Design Guide SPD and section 8, 9 and 12 of the NPPF.

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	
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Conditions agreed:	Not Required
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Recommendation:	Refuse
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Date:	12/6/25
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Earliest date for decision:	22 May 2025
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Recommendation agreed by: (Authorised Officer)	<i>MC</i>
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Date:	24.06.2025
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