

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	250955
Site Address:	1 Sellafeld Way, Earley, Wokingham, RG6 3BT
Expiry Date:	25 June 2025
Site Visit Date:	6 May 2025
Proposal: Prior approval submission for the erection of an additional storey to create first floor habitable accommodation with a maximum height of 6.8m.	

PLANNING CONSTRAINTS/STATUS

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

PLANNING POLICY/LEGISLATION

Town and Country Planning Act 1990 (as amended)

Section 55	Provides that 'development' includes the carrying out of building operations on land, and 'building operations' includes structural alterations or additions to buildings.
Section 57	Planning permission is needed for all development of land.
Section 187a	Enforcement for breach of conditions

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Section 7	Prior approval applications: time periods for decision
Article 3	In conjunction with Schedule 2, Part 1 Class AA grants planning permission for the enlargement of a dwelling house by the construction of additional storeys
Article 4	Provides that the planning authority may give direction to restrict the effect of Article 3

PLANNING HISTORY

Application No.	Description	Decision & Date
16072	Erection of 95 dwellings and garage together with roads and footpaths	02/10/81

18087	Temporary use of unit 1-5 and 29 as site sales complex	Approved 29/09/82
18088	Revision of house type	Approved 29/09/82

CONSULTATION RESPONSES

Internal

WBC Highways: No objection subject to conditions

Highways do not consider the proposal to have a significant impact in respect of highway safety and as such there is no objection to the prior approval submission.

There is an existing access via a private driveway, and this is to be retained.

There is an existing double garage and driveway parking for two vehicles within the red line boundary. The level of parking has been reviewed against WBC parking standards, for the proposed number of habitable rooms, and is considered acceptable.

A condition has been recommended for the garage to be retained for parking at all times, but it does not meet the tests as the proposal doesn't impact on the existing parking arrangement. Hence, why it's not been included.

External

None consulted

REPRESENTATIONS

Parish/Town Council	Earley Town Council: Object as it is considered that the mass, built form and height of this proposal causes significant harm to the character of the area on this prominent corner location, creating a disharmonious relationship with the adjacent dwellings when considered against the provisions of Condition AA.2 (3) (a) (ii) of the relevant Permitted Development Order, and is contrary to Policies CP1 and CP3 in that they fail to maintain or enhance the quality of the environment, fail to provide an attractive scheme, and are generally inappropriate, fail to contribute to a sense of space and fail to integrate with the surrounding character of development. It is considered an alternative, well considered design under a full application would be more appropriate. Officer response: Addressed in report
Ward Member(s)	No comments received
Neighbours	3 Objections Property Value Impact upon residential amenity, loss of privacy and light of

	light Traffic and Parking Concerns Overdevelopment, impact upon the character of the area Officer response: Property value not a material planning consideration WBC Highways had no objection Impact upon residential amenity, loss of privacy and light of light as well as impact upon the character of the area addressed in report.
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PART AA.1 APPRAISAL

Town and Country Planning Act 1990 (as amended)			Yes	No
1	s.55	Does it constitute development?	✓	
2	s.191	Would it be contrary to an enforcement notice?		✓
3	s.187a Art.3 (4)	Would it be contrary to any condition imposed by any planning permission granted or deemed to be granted?		✓
The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)			Yes	No
4	Art.3 (5)	Are the building operations involved in the construction of the original building lawful?	✓	
5	Art.4	Is there an 'Article 4 Direction' in effect for the site?		✓
6	Sch.2 Pt. AA	Does it consist of the enlargement of a dwellinghouse consisting of the construction of— (a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys; or, (b) one additional storey, where the existing dwellinghouse consists of one storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction?	✓	
7	AA.1 (a)	Has permission to use the dwelling house as a dwelling house only been granted by virtue of Class M, N, O, P, PA, or Q of Part 3 of Schedule 2?		✓
8	AA.1 (b)	Is the dwelling house located on: (a) article 2(3) land; or (b) a site of special scientific interest?		✓
9	AA.1 (c)	Was the dwellinghouse constructed before 1st July 1948 or after 28th October 2018;		✓
10	AA.1 (d)	Has the existing dwelling house been enlarged by the addition of one or more storeys above the original dwelling house, whether in reliance on the permission granted by Class AA or otherwise?		✓
11	AA.1 (e)	Following the development would the height of the highest part of the roof of the dwellinghouse exceed 18 metres?		✓

PART AA.1 APPRAISAL

12	AA.1 (f)	Following the development would the height of the highest part of the roof of the dwellinghouse exceed the height of the highest part of the roof of the existing dwellinghouse by more than: (i) 3.5 metres, where the existing dwellinghouse consists of one storey; or (ii) 7 metres, where the existing dwellinghouse consists of more than one storey?		✓
13	AA.1 (g)	Where the dwellinghouse is not detached and following the development would the height of the highest part of its roof exceed by more than 3.5 metres: (i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or (ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated?		✓
14	AA.1 (h)	Would the floor to ceiling height of any additional storey, measured internally, exceed the lower of— (i) 3 metres; or (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse?		✓
15	AA.1 (i)	Would any additional storey that is constructed be on anything other than the principal part of the dwellinghouse?		✓
16	AA.1 (j)	Would the development include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development?		✓
17	AA.1 (k)	Would the development include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations?		✓

PART AA.2 APPRAISAL

Development under Class AA is permitted subject to the following conditions under part AA.2 (2):

The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse

It is considered the submitted application form indicates that this would be the case.

The development must not include a window in any wall or roof slope forming a side elevation of the dwelling house.

It is considered the submitted plans indicate that this would be the case.

The roof pitch of the principal part of the dwellinghouse following the development must

be the same as the roof pitch of the existing dwellinghouse.

It is considered the submitted plans indicate that this would be the case.

Following the development, the dwellinghouse must be used as a dwelling house within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwelling house.

This is noted.

Development under Class AA is permitted subject to the following conditions under part AA.2 (3):

Before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

3 (a) (i) Impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light:

Overlooking: The proposal does not include any windows on the side elevations. The 4 windows to the front would overlook onto Rushey Way road and the 2 windows to the rear would overlook onto parking court and face the side blank wall of no.7 over 11m away. Therefore, the proposal would not result in harmful overlooking.

Overbearing: The proposal would be approx. 7.25m from front of no.3 and given the separation distances from the other neighbouring dwellings, the proposal is not considered to impact privacy.

Loss of light: For the initial consideration of windows opposite a proposed new extension, the British Research Establishment (BRE) Daylight and Sunlight Analysis guide advocates a 25–degree angle test.

The loss of light plan shows the relationship between the application plot and its nearest neighbour at No 3, where the vertical extension is set away from the neighbours plot. The nearest windows are a bathroom, and then to the kitchen of that property. The windows are currently impacted by the existing double garage roof therefore the proposed extension is unlikely to have any additional impact.

As shown on plan SW01:DL01, it is demonstrated that as the extension will lie to the northeastern end of the dwelling. The no.3 has its entrance at the middle and two windows, a bathroom, and then a kitchen on its northeastern elevation. The other opening is its entrance door with a sidelight, and which serves a hallway leading to other habitable rooms where their windows are located away from the extension and will not be affected by the proposal. There is approx. 8m from the proposed side extension to these windows, with little or no overshadowing expected due to the orientation and juxtaposition of the two properties.

3 (a) (ii) The external appearance of the dwelling house, including the design and architectural features of— (aa) the principal elevation of the dwelling house, and (bb) any side elevation of the dwellinghouse that fronts a highway:

The features of the existing building are to be carried up in the same roof form configurations as the existing building design, including the matching of materials, maintaining aesthetic consistency. The design respects the symmetry and proportionality of the existing building, retaining a coherent and harmonious appearance in relation to the existing building.

Whilst the proposal would be very visible given its corner plot location along Rushey Way and the scale of the dwelling will increase. However, the proposal would still represent a modest and subordinate building in the context given the mixed and varied architectural design, styles and heights within the immediate area. The scale and form remain well proportioned and reflective of the existing design of the dwelling would not introduce a bulky or alien visual element.

3 (a) (iii) Air traffic and defence asset impacts of the development:

Due to the scale of the development and the location of the site it is not considered any harmful impact would arise with regard to air traffic and defence assets.

3 (a) (iv) Whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012⁴⁴ issued by the Secretary of State:

The development would not impact the identified views.

3 (b) before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated

This can be attached as a condition.

3 (c) the development must be completed within a period of 3 years starting with the date prior approval is granted;

This can be attached as a condition.

3 (d) the developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion

This is noted.

3 (e) that notification must be in writing and include—

- (i) the name of the developer;**
- (ii) the address of the dwellinghouse; and**
- (iii) the date of completion.**

This is noted.

PART AA.3 APPRAISAL

The provisions of paragraph AA.3 (prior approval process):

The application must be accompanied by-

- (a) a written description of the proposed development including details of any works proposed;*
- (b) a plan which is drawn to an identified scale and shows the direction of North, indicating the site and showing the proposed development; and*
- (c) a plan which is drawn to an identified scale and shows;*
 - (i) the existing and proposed elevations of the dwellinghouse*
 - (ii) the position and dimensions of the proposed windows and,*

A written description as contained in the application form along with the relevant plans have been submitted.

The local planning authority may refuse an application where, in the opinion of the authority—

- (a) the proposed development does not comply with, or*
- (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with the conditions, limitations or restrictions applicable to the development in question.*

As indicated above, satisfactory information has been submitted enabling the local authority to determine the application.

The local planning authority must notify each adjoining owner or occupier about the proposed development by serving on them a notice which:

- (a) describes the proposed development, including the maximum height of the proposed additional storeys;*
- (b) provides the address of the proposed development; and*
- (c) specifies the date, which must not be less than 21 days from the date the notice is given, by which representations are to be received by the local planning authority.*

a)

Letters were sent to neighbouring properties on 13 May 2020. Written representations have been received and addressed.

Where the application relates to prior approval as to the impact on air traffic or defence assets, the local planning authority must consult any relevant operators of aerodromes, technical sites or defence assets and where appropriate the Civil Aviation Authority and the Secretary of State for Defence.

This is noted.

Where an aerodrome, technical site or defence asset is identified on a safeguarding map provided to the local planning authority, the local planning authority must not grant prior approval contrary to the advice of the operator of the aerodrome, technical site or defence asset, the Civil Aviation Authority or the Secretary of State for Defence

This is noted.

Where the application relates to prior approval as to the impact on protected views, the local planning authority must consult Historic England, the Mayor of London and any local planning authorities identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State

This is noted.

The local planning authority must notify the consultees referred to in sub-paragraphs (6) and (8) specifying the date by which they must respond, being not less than 21 days from the date the notice is given

This is noted.

The local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application, which may include assessments of impacts or risks, statements setting out how impacts or risks are to be mitigated; or details of proposed building or other operations.

This is noted.

The local planning authority must, when determining an application, a) take into account any representations made to them as a result of any consultation under sub-paragraphs (6) or (8); b) have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in February 2019, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

Case law has established that the local planning authority can only have regard to matters relevant to the subject matter of the prior approval.

The site and access to the site lies outside the 5km buffer of the Thames Basin Heath (TBH) Special Protection Area (SPA), it would not trigger the requirement for an Appropriate Assessment in respect of impact on the TBH SPA.

There are no other particular aspects of the NPPF that would be able to be considered relevant to the subject matter of the prior notification application.

The site is not located in a potential contamination land zone.

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:	Prior approval not required
Date:	19 June 2025
Earliest date for decision:	22 May 2025

Recommendation agreed by: (Authorised Officer)	
Date:	