
Appeal Decision

Site visit made on 20 June 2025 by Mr F Bradford BA (Hons) MRTPI

Decision by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2025

Appeal Ref: APP/X0360/D/25/3364233

91 Reading Road, Woodley, Wokingham, RG5 3AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Danny Fisher against the decision of Wokingham Borough Council.
 - The application Ref is 250141.
 - The development proposed is the erection of an annexe to rear for use ancillary to the main dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of an annexe to rear for use ancillary to the main dwelling at 91 Reading Road, Woodley, Wokingham, RG5 3AE in accordance with the terms of the application, Reference 250141, and the plans submitted with it, subject to the following conditions;
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the Arboricultural Impact Assessment and Method Statement BS5837:2012 AAAIA91RE (Dated 14.01.2025).
 - 3) The development hereby permitted shall be carried out in accordance with drawing numbers: A01, 24/949-04, PP-04, PP-01 (Proposed Rooftop Plan (Annex)), PP-01 (Proposed Ground Floor Plan), and PP13713009v1.
 - 4) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. A01.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. I have not been provided with a copy of Policy TB06 to consider. However, I consider that in obtaining this from the council's website neither party would be prejudiced.

Main Issue

4. The main issues are whether the proposed development would be ancillary to the host dwelling and the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

Ancillary Accommodation

5. The proposed annexe would be a single storey one bedroomed unit and would be located to the end of No. 91's rear garden. Its footprint would be subservient to the host dwelling and would contain a bedroom with ensuite bathroom as well as a combined kitchen, dining, and living area.
6. The appellant has stated that the annexe would be occupied by their parents. As such, a familial link between the proposed development and host dwelling would be present. Whilst the occupiers would be a couple and may not be fully reliant on the host dwelling's occupants, there is nevertheless an established familial link to the occupier of the host dwelling. Further, although the prospective occupiers currently live off site, this is not in itself an indication that the proposed development would not be ancillary to the host dwelling.
7. Its siting within the rear garden also establishes its close connection with the host property which would lead to frequent interactions and comings and goings between both buildings' occupants. Whilst the separation distance would be 17 metres, the overall length and width of the garden is generous. As such, 17 metres represents a proportionate distance between the proposed development and host dwelling to establish a close connection in the context whilst affording an expected degree of independence to its occupiers.
8. Furthermore, it is expected that the doors of either the host dwelling or proposed development would be locked in any instance for security. As such, regardless as to whether a key is required to gain access would not represent a substantive indication as to whether the annexe is ancillary to the main dwelling or not.
9. The annexe would also share some facilities with the host dwelling, such as the garden. Though some fencing that had once sub-divided the garden remains, its extents have largely been removed. In itself, the remaining fencing does not subdivide the garden and the evidence before me does not propose any future subdivision. As such, I consider that the garden would be a shared facility with the host dwelling.
10. Whilst the annexe could be accessed by foot and vehicle through the side gate and track, this already exists to serve the detached garage located at the end of the garden. I see no reason as to why the occupiers of the annexe would not use the main entry from the host dwelling and share the existing parking facilities. Furthermore, the existing side access runs underneath a section of the first floor of the main dwelling, limiting the opportunity for subdivision of the site.
11. The *Gravesham BC v SEE & O'Brien* [1983] judgement identified the distinctive characteristic of a dwellinghouse was its ability to afford to those who used it the facilities required for day-to-day private domestic existence. However, the *Uttlesford DC v SSE & White* [1992] judgement considered that, even if the accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling. The cases demonstrate that whether a planning unit is created is a matter of fact and degree. Whilst the development may contain all of the key necessary components to be independently occupied as a dwelling and is of similar size to that recommended by

the space standards, this does not imply that a self-contained residential unit would be created.

12. The description of development proposed is for an annexe. A new self-contained residential unit has not been applied for and is therefore not before me to assess. Consequently, the proposed development would be ancillary to the host dwelling and would not be a dwelling in its own right.

Character and Appearance

13. The area around the appeal site is characterised by similar sites of dwellings with rear gardens. Some of these gardens benefit from outbuildings which vary in size. Whilst the garden of the appeal dwelling already contains an outbuilding by way of the detached garage, the garden itself is generous in size. As such, the proposed development would maintain a large proportion of functional garden area which would not be at odds with the prevailing character or appearance of the area, nor result in a cramped form of back land development.
14. For these reasons, I do not find that the proposed development would harm the character and appearance of the area. Therefore, I find no conflict with the local development plan with particular regard to following policies: CP1 (Sustainable development) and CP3 (General Principles for development) of the Wokingham Core Strategy, which, among other things, aims to ensure development maintains a high quality environment and is appropriate in terms of its scale, mass, layout, built form, height, and character and appearance; and TB06 (Development of Private Residential Gardens) of the Managing Development Delivery document, which, amongst other things, aims to ensure development within private gardens makes a positive contribution to the character and appearance of the area in terms of its relationship to the existing built form and spaces around buildings and plot coverage and that it does not result in unacceptable tandem development; or guidance contained within Section 4 of the Borough Design Guide (2012).

Other Matters

15. Concerns had been raised by third parties as to the development's effects on the health and stability of trees Nos. 3 and 4 (as identified within Arboricultural Impact Assessment and Method Statement BS5837:2012 AAAIA91RE (Dated 14.01.2025)). Within their original assessment, the council did not find harm to trees on the caveat that suitable conditions could be imposed in the event that the application was approved. Based on the evidence before me, I see no reason why the conditioning of the aforementioned Arboricultural document would not protect the health of these trees, in line with the council's assessment.

Conditions

16. A condition is required to ensure that the development accords with the statutory requirement that development starts no later than three years from the date of this decision. A condition is also required to ensure that development is carried out in accordance with the submitted plans, for certainty and in the interests of enforcement. Furthermore, a condition requiring external facing materials to match those detailed on the submitted plans has been included, to ensure an appropriate appearance for the development.

17. In the interests of protecting the health of trees, I have imposed a condition ensuring that development is carried out in accordance with the Arboricultural Impact Assessment and Method Statement BS5837:2012 AAAIA91RE (Dated 14.01.2025). I have not included the additional condition wording requested by the council as it would duplicate the requirements of the arboricultural statement, which has in itself has already been conditioned to be accorded with.
18. I have reviewed the condition requesting a use restriction of the outbuilding as ancillary. In this instance, an ancillary residential annexe has been applied for and as such that is what is allowed under this permission. The use of the outbuilding as an independent planning unit has not been applied for and would need further planning permission in itself. As such, I do not consider this condition would be necessary for the proposed development. Consequently, I also do not consider this condition would be necessary to ensure highway safety in terms of parking, as suggested by the highways department, given that the council's acceptability was based on the annexe being ancillary to the host dwelling.

Conclusion and Recommendation

19. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Finlay Bradford

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

E Grierson

INSPECTOR