

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	250007
Site Address:	12 Culver Lane, Earley, Wokingham, RG6 1DS
Expiry Date:	6 March 2025
Site Visit Date:	31 January 2025
Proposal: Householder application for the erection of a modified outbuilding to form a residential annexe. (Part retrospective)	

PLANNING CONSTRAINTS/STATUS

Water Utility Consultation Zones
Contaminated Land Consultation Zone
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
Historic Flooding Points Consultation Zone
JCEB Mineral Safeguarding Areas

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 CP9 – Scale and Location of Development Proposals
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC07 – Parking
Other	Borough Design Guide Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document

PLANNING HISTORY

Application No.	Description	Decision & Date
214084	Householder application for the proposed development for a single storey mono pitched	Application Withdrawn- 15

	roof to lean on existing games room (retrospective)	February 2022
220567	Householder application for the single storey rear detached building (Retrospective).	Refused and enforce- 26 April 2022
242319	Pre-application advice for proposed side and rear extensions to existing bungalow, and addition of one floor to create a two-storey dwelling with additional habitable loft space.	Replied- 27 September 2024
242558	Full application for the proposed a replacement two-storey dwelling following demolition of the existing dwelling.	Approved- 27 February 2025

ENFORCEMENT HISTORY

Application No.	Description	Decision & Date
222270 APP/X0360/C/2 2/3303787	Without planning permission, the erection of a building and associated hardstanding as shown hatched blue in the approximate location on the attached plan.	Allowed 27/09/23
232615 APP/X0360/C/2 3/3331731	Without planning permission, the erection of a building and associated hardstanding as shown hatched blue in the approximate location on the attached plan (available online).	Dismissed 23/09/24

CONSULTATION RESPONSES

Internal

WBC Drainage: No objection subject to conditions

WBC Highways: No objection

WBC CIL: See CIL section of report

External

None consulted

REPRESENTATIONS

Parish/Town Council	Earley Town Council: No objection subject to the following conditions. The outbuilding hereby approved shall only be used incidental to the host dwelling, and shall not be let as a separate unit of accommodation, without prior approval by
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	WBC, to ensure adequate parking is provided and to protect the amenity of neighbouring properties, pursuant to Policies CP3 and CC07. For this outbuilding to remain ancillary to 12 Culver Lane, no pedestrian access to the adjacent dwelling shall be provided to protect the privacy and amenity of the current and future occupants of that adjacent dwelling, as supported by Policy CP3. ETC would also express their concerns about this structure becoming a separate dwelling. Officer report: An ancillary condition will be part of the decision notice to ensure the outbuilding shall only be used as ancillary accommodation to the main dwelling house and shall not be used, sold or sub-let as separate dwelling. Given the reduced size, scale and massing of the outbuilding it would appear an ancillary feature to the main dwelling and would be a subservient feature to the main dwelling which would not appear as a separate dwelling.
Ward Member(s)	No comments received
Neighbours	No comments received

APPRAISAL

Site Description: The application site is within the major settlement area of Earley. From the street scene, dwellings are set back from the frontage by appreciable front driveways and soft landscaping features. As a result, despite being heavily built up, there is a strong sense of openness and legibility to the surrounding area. Dwellings on Culver Lane mostly consist of bungalows and two-storey detached properties that are located on large plots with appreciable garden depths.

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.

The site is located within settlement limits and as such development for an ancillary outbuilding should be acceptable providing that it complies with the principles stated

in the Core Strategy.

Purpose of outbuilding: Within the appeal decision (APP/X0360/C/23/3331731) the inspector states *“Few details were supplied however of the purpose of the proposed replacement outbuilding and its incidental quality in relation to the enjoyment of the bungalow. The Government’s Technical Guidance, which assists in interpreting the GPDO, advises that a purpose incidental to a dwelling would not cover normal residential uses, such as separate self-contained accommodation or primary living accommodation such as a bedroom, bathroom, or kitchen. In the absence of such facilities, any replacement outbuilding is highly likely to have a considerably smaller footprint and consequently scale, compared to the current building. Moreover, in the absence of further details it is not possible to ascertain whether such an outbuilding would be required for a purpose incidental to the enjoyment of the bungalow”*

Within the submitted Design and Access statement, the proposed residential annexe will be for the applicant’s dependant elderly relative so that she can continue to be cared for by her family at home. It would be used for an individual that would integrate into or be part of the main household. The outbuilding contains a bedroom, lounge, small kitchen and shower room, with the relative eating meals in the main house. The submitted plans show that there would be a level of facilities for independent occupation.

Since the previous enforcement appeal, the side boundary fence has been reinstated which results in the building being enclosed within the rear garden of the host dwelling. Prior to this there was access to the building via the neighbouring house, which resulted in the creation of a building that was not being used ancillary to the main property.

Based on the supporting information submitted, the outbuilding would have a functional connection with the main dwelling, the proposed outbuilding is located to the rear of the main dwelling and could not be used independently from the main house without entering the main house or disturbing the occupants of it. The annexe is subservient to the main house. It is within the same ownership and curtilage with no boundary demarcation or subdivision of the garden. Furthermore, the inspector also stated within the appeal decision *“there is little to indicate that the building is intended to be a separate dwelling”*.

Paragraph 2.37 of the Core Strategy states that:

We expect a significant increase in the numbers of older people and those with disabilities in Wokingham Borough over the next 20 years. In particular the numbers of those over 85 will rise by over 100%. We need to find new, cost-effective ways, to provide the necessary support and care to these members of our community. Our aim is to reduce the proportion of people who are cared for in residential and nursing homes and to enable people to stay in their own homes (including extra care and supported housing) with the accessible care and support they need.

The residential annex ensures that the applicant’s elderly dependant relative can stay in the family home, looked after by her relatives with the care and support she needs, reducing the need for a nursing home place in accordance with this Core Strategy aim.

In conclusion, considering the above points raised it's considered that the residential annex would be used ancillary to 12 Culver Lane and therefore it is considered that the proposal would be acceptable in principle.

An ancillary condition will be implemented as part of the decision notice to ensure the outbuilding shall only be used as ancillary accommodation to the main dwelling house and shall not be used, sold or sub-let as separate dwelling.

Character of the Area: Within the appeal decision (APP/X0360/C/23/3331731) the inspector raised concerns about the bulk and scale of development and the urbanising impact the building would have on the character of the area, concluding: *"the building causes unacceptable harm to the character and appearance of the surrounding area. This does not accord with criterion in Policy CP1 of the Wokingham Core Strategy (CS), as the high quality of the environment is not maintained. The building also does not accord with criterion in CS Policy CP3, as the mass, layout and built form is not appropriate to the area's character nor is it of high-quality design. Furthermore, the building does not accord with Policy TB06 of the Wokingham Managing Development Delivery Local Plan, as it does not contribute positively to the character of the area"*.

The following changes are proposed to the existing outbuilding:

- Demolition of part of the building to introduce a 750mm gap between the proposed annexe and the neighbouring outbuilding at no. 10.
- Demolition of rear storage area to provide a 1.9m gap to the rear boundary.
- Removal of front portion of roof and covered veranda.
- Lowering of ridge height so that it sits lower than the ridge height at no. 10.

The bulk and scale of the development will be reduced at the front and rear along with an overall reduction in height. Furthermore, the provision of a gap between the annexe and the larger outbuilding at no. 10, the buildings are no longer read as one, thus appearing as a more subservient outbuilding to the main dwelling.

There will be a 1.9m separation to the rear boundary and a 0.75m separation with the outbuilding at no. 10, which is in the same ownership.

Given the reduced size, scale and massing of the outbuilding, its detachment and functional link to the host dwelling, it would, on balance appear an ancillary feature to the main dwelling and would be a subservient feature to the main dwelling which would not harm the character of the area.

Neighbouring Amenity:

Overlooking: The north elevation openings would look onto the garden and rear of the main dwelling and the east elevation screened by the fence, thus no overlooking.

Loss of Light/ Overbearing: The overall height and bulk of the structure has reduced along with setbacks from the residential boundaries to the south and west, further

reducing perception of the structure from neighbouring dwellings and not considered to result in harmful loss of light or overbearing concerns.

Highway Access and Parking Provision: The proposed alterations do not result in any additional habitable rooms. The annexe shall remain ancillary to the main dwelling and utilise the existing level of parking available to the front of the site.

Drainage & Flooding: The development is in Flood zone 1 and medium risk from surface water flooding according to the Environment Agency mapping. There may be increase in impermeable area and we would have no objection to the principle of the development but as Drainage details have not been provided and the existing drainage details has not been mentioned, the officer has recommended a drainage system details condition which is part of the decision notice.

Amenity Space: The proposal reduces the amount of amenity space available to the property, but it would still be roughly rectangular in shape, receive sunlight for part of the day and be able to accommodate typical garden activities as set out in the Borough Design Guide. Therefore, the reduction in amenity space is not considered to have a harmful impact on the amenity of the occupier.

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 proposed development will be liable for CIL based on the measurements of the floorplans listed below.

Proposed Plans 1596.04

Total Floorspace – 33.61sqm

CIL exemption is only available prior to the commencement of development. Therefore, this is not available for retrospective applications. Additionally, CIL charges become due on the commencement of development in the instance of retrospective applications full payment is due on the date of planning approval.

Please note that any changes to the floorplans listed above will require a review of the CIL calculations. CIL is calculated and measured based on the approved floorplans listed within the decision notice.

Should you have any queries regarding CIL, please contact.

Developer.contributions@wokingham.gov.uk

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:	Approved
Date:	4 March 2025
Earliest date for decision:	30 January 2025

Recommendation agreed by: (Authorised Officer)	<i>MC</i>
Date:	06.03.2025