

Application Number	Expiry Date	Parish	Ward
182236	13/12/2018	Wokingham Town	Evendons;

<b>Applicant</b>	Mr and Mrs Hira
<b>Site Address</b>	8 Medway Close, Wokingham, RG41 3TP
<b>Proposal</b>	Householder application for proposed erection of single storey front extension, first floor front and side extensions, conversion of existing garage to provide habitable accommodation and internal alterations.
<b>Type</b>	Full
<b>PS Category</b>	21
<b>Officer</b>	Stefan Fludger
<b>Reason for determination by committee</b>	Listed by Councillor Chris Bowring

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 12 December 2018
<b>REPORT PREPARED BY</b>	Assistant Director – Place

ADDENDUM REPORT
<p><u>Background:</u></p> <ol style="list-style-type: none"> <li>1. The determination of this application was deferred by the Planning Committee on 14<sup>th</sup> November 2018 in order that a site visit could be made to assess the impacts of the development on the adjacent neighbour and the character of the area. The application was originally listed by Councillor Chris Bowring in the event it was recommended for approval.</li> </ol> <p><u>Additional information:</u></p> <ol style="list-style-type: none"> <li>2. Following the application being deferred, the development proposal has not changed. However, additional information has been submitted to address concerns regarding a neighbouring objection from the occupants at number 9 Medway Close, specifically relating to loss of light. Chartered surveyor's letter dated 21/11/2018 agrees with the assessment made in the original officers report, that sufficient daylight distribution would be retained in the neighbouring habitable room should this application be approved and the proposal would not result in harm contrary to BRE Guidance. Additionally it is agreed that approved development on the side of the neighbour would inevitably take light from the applicant's site.</li> <li>3. It is considered that the additional information provided further supports the application. The reason for deferral was to undertake a site visit to assess the impacts of the development on the adjacent neighbour and the character of the area. Following this, the application is recommended for approval.</li> </ol>

## RECOMMENDATION

**That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:**

### **Conditions and informatives:**

#### *Conditions:*

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

2. This permission is in respect of the submitted Location Plan, received by the local planning authority on 06/08/2018 and revised plan and drawing named 'Site Plan' REV A, received by the Local Planning Authority on 23/10/2018 and revised plan numbered 01 REV C, received by the Local Planning Authority on 24/10/2018 The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall be of a similar appearance to those used in the existing building unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the external appearance of the building is satisfactory. Relevant policy: Core Strategy policies CP1 and CP3.

4. Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows or similar openings shall be constructed in the first floor level or above in the north east elevation of the extensions hereby permitted except for any which may be shown on the approved drawing(s).

Reason: To safeguard the residential amenities of neighbouring properties. Relevant policy: Core Strategy policy CP3

5. The 2 en-suite windows in the north east elevation of the development hereby permitted shall be fitted with obscured glass and shall be permanently so-retained. The windows shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the windows are installed and shall be permanently so-retained.

Reason: To safeguard the residential amenities of neighbouring properties. Relevant policy: Core Strategy policy CP3.

6. The hard surfacing hereby permitted shall be constructed from porous materials or provision shall be made to direct water run-off from the hard surface to a permeable

or porous area within the curtilage of the development, and the hard surfacing shall thereafter be so-maintained.

Reason: To prevent increased flood risk from surface water run-off. Relevant policy: NPPF Section 10 (Meeting the Challenge of Climate Change, Flooding and Coastal Change) and Managing Development Delivery Local Plan policies CC09 and CC10

*Informatives:*

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. This is a matter for the developer. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see - <http://www.wokingham.gov.uk/planning/developers/cil/cil-processes/>.
2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

## Appendix 1 – Officer Report:

Application Number	Expiry Date	Parish	Ward
182236	15/11/2018	Wokingham Town	Evendons;

<b>Applicant</b>	Mr and Mrs Hira
<b>Site Address</b>	8 Medway Close, Wokingham, RG41 3TP
<b>Proposal</b>	Householder application for proposed erection single storey front extension, first floor front and side extensions, conversion of existing garage to provide habitable accommodation and internal alterations.
<b>Type</b>	Full
<b>PS Category</b>	21
<b>Officer</b>	Stefan Fludger
<b>Reason for determination by committee</b>	Listed by Councillor Chris Bowring

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 14 November 2018
<b>REPORT PREPARED BY</b>	Assistant Director – Place

<b>SUMMARY</b>
<p>The application is before the committee as it has been listed by Councillor Chris Bowring in the event it is recommended for approval because of concerns relating to neighbouring amenity.</p> <p>The application property is a 2 storey, detached dwelling on Medway Close in Wokingham Town. It is within the settlement boundary. The proposal is for a first floor side/front extension, and single storey front/rear extensions.</p> <p>The report concludes that the proposal is in accordance with relevant policy regarding the character of the area, neighbour impacts, highways impacts, landscape impacts and ecological impacts. Therefore the proposal is recommended for conditional approval.</p>

<b>PLANNING STATUS</b>
<ul style="list-style-type: none"> <li>• Major development location</li> <li>• Wind turbine safeguarding zone</li> <li>• Special Protection Area –7 km</li> <li>• Minerals consultation zone</li> </ul>

<b>RECOMMENDATION</b>
<p><b>That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:</b></p> <p><b>Conditions and informatives:</b></p> <p><i>Conditions:</i></p>

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).*

2. This permission is in respect of the submitted Location Plan, received by the local planning authority on 06/08/2018 and revised plan and drawing named 'Site Plan' REV A, received by the Local Planning Authority on 23/10/2018 and revised plan numbered 01 REV C, received by the Local Planning Authority on 24/10/2018 The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.*

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall be of a similar appearance to those used in the existing building unless otherwise agreed in writing by the local planning authority.

*Reason: To ensure that the external appearance of the building is satisfactory.  
Relevant policy: Core Strategy policies CP1 and CP3.*

4. Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows or similar openings shall be constructed in the first floor level or above in the south west elevation of the extensions hereby permitted except for any which may be shown on the approved drawing(s).

*Reason: To safeguard the residential amenities of neighbouring properties.  
Relevant policy: Core Strategy policy CP3*

5. The 2 en-suite windows in the south west elevation of the development hereby permitted shall be fitted with obscured glass and shall be permanently so-retained. The windows shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the finished floor level of the room in which the windows are installed and shall be permanently so-retained.

*Reason: To safeguard the residential amenities of neighbouring properties.  
Relevant policy: Core Strategy policy CP3.*

6. The hard surfacing hereby permitted shall be constructed from porous materials or provision shall be made to direct water run-off from the hard surface to a permeable or porous area within the curtilage of the development, and the hard surfacing shall thereafter be so-maintained.

*Reason: To prevent increased flood risk from surface water run-off. Relevant policy: NPPF Section 10 (Meeting the Challenge of Climate Change, Flooding and Coastal Change) and Managing Development Delivery Local Plan policies CC09 and CC10*

*Informatives:*

1. The development hereby permitted is liable to pay the Community Infrastructure Levy. This is a matter for the developer. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. Anyone can formally assume liability to pay, but if no one does so then liability will rest with the landowner. There are certain legal requirements that must be complied with. For instance, whoever will pay the levy must submit an Assumption of Liability form and a Commencement Notice to Wokingham Borough Council prior to commencement of development. For more information see - <http://www.wokingham.gov.uk/planning/developers/cil/cil-processes/>.
2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF.

#### RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision
27676	Single storey extension	Approved – 12/06/1987
180182	Householder application for proposed erection single storey front extension, first floor front and side extensions, conversion of existing garage to provide habitable accommodation and internal alterations.	Withdrawn – 16/04/2018

#### SUMMARY INFORMATION

**For Residential**

Site Area: 0.0366 hectares

Existing parking spaces: 3

Proposed parking spaces: 3

#### CONSULTATION RESPONSES

WBC Biodiversity	No objection.
WBC Highways	No objection.
WBC Tree & Landscape	No objection.

#### REPRESENTATIONS

**Town/Parish Council:** No comments received

**Local Members:** Cllr Chris Bowring has listed this application for committee as he believes that there may be an adverse impact on neighbouring property 9 Medway Close, with respect of loss of daylight, overbearing and overlooking impacts.

**Neighbours:** Objections received from the occupants at number 9 Medway Close regarding the following:

- The first floor side/front extension would cause shading to the south west side of number 9 including the kitchen, cloak room and utility room on the ground floor and the upstairs bathroom and en-suite on the first floor, as well as the rear garden. Number 9 benefits from a right to light. The applicant has submitted insufficient information to assess the impact of the proposal on light levels reaching their property and a full daylight/sunlight assessment should be submitted. These issues are addressed in paragraphs 8, 9 and 10.
- The proposed upstairs side facing windows would overlook the en-suite and family bathroom and will cause noise disturbance to side windows. These issues are addressed in paragraph 14.
- The proposed front and side extensions would be overbearing to number 9. This issue is addressed in paragraphs 11, 12 and 13.
- The proposed front and side extensions would not be in keeping with the character of the area, including a lack of separation between upper floors, a lack of subservience and over development of the site. This issue is addressed in paragraph 5.
- The removal of the lawn for additional parking will erode the character of the area. This issue is addressed in paragraph 6.
- The proposed rear extension would overhang the boundary. This issue is addressed in paragraph 19.
- There are trees on the side of number 9 which would be negatively impacted by the development. This issue is addressed in paragraph 16.
- The property would not have sufficient amenity space. This issue is addressed in paragraph 17.
- The validity of the application is questioned as no arboricultural impact survey, daylight/sunlight assessment or SuDS plan have been submitted, the application plans do not have a scale bar and the materials to be used in the new hard surfacing has not been indicated. These issues are addressed in paragraph 19.

#### **APPLICANTS POINTS**

- None made.

#### **PLANNING POLICY**

National Policy	<b>NPPF</b>	National Planning Policy Framework
Adopted Core Strategy DPD 2010	<b>CP1</b>	Sustainable Development
	<b>CP2</b>	Inclusive Communities
	<b>CP3</b>	General Principles for Development
	<b>CP4</b>	Infrastructure Requirements
	<b>CP6</b>	Managing Travel Demand
	<b>CP7</b>	Biodiversity
	<b>CP9</b>	Scale and Location of Development Proposals
Adopted Managing Development Delivery Local Plan 2014	<b>CC01</b>	Presumption in Favour of Sustainable Development
	<b>CC02</b>	Development Limits

	<b>CC03</b>	Green Infrastructure, Trees and Landscaping
	<b>CC04</b>	Sustainable Design and Construction
	<b>CC07</b>	Parking
	<b>CC10</b>	Sustainable Drainage
	<b>TB01</b>	Development within the Green Belt
	<b>TB05</b>	Housing Mix
	<b>TB23</b>	Biodiversity and Development
Supplementary Planning Documents (SPD)	<b>BDG</b>	Borough Design Guide – Section 4
		DCLG – National Internal Space Standards

## PLANNING ISSUES

### Description of Development:

1. This application involves the extension of an existing dwelling at number 8 Medway Close, Wokingham, which is a detached property with parking to the front and a garden to the rear. The extensions consist of a single storey front extension, a first floor front extension, a first floor side extension, a single storey rear extension and the conversion of the existing garage to form habitable accommodation. The single storey front extension would be approximately 2.6 metres deep by 2.6 metres wide. The first floor element would be approximately 1.7 metres deep by 6 metres wide. The first floor side element would be approximately 1.8 metres wide and would run the full depth of the house. The single storey rear extension would be 3.2 metres long and 5.7 metres wide.

### Principle of Development:

2. 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 (MDD) 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.
3. Policy CC02 of the MDD sets out the development limits for each settlement as defined on the policies map and therefore replaces the proposals map adopted through the Core Strategy, as per the requirement of policy CP9. Policy CP9 sets out that development proposals located within development limits will be acceptable in principle, having regard to the service provisions associated with the major, modest and limited categories. As the site is within a major/modest/limited development location, the proposal is acceptable in principle.

### Character of the Area:

4. Policy CP1 of the Core Strategy states that planning permission will be granted for development proposals that *'maintain or enhance the high quality of the environment'*. Policy CP3 of the Core Strategy states planning permission will be granted if development is *'of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design'*



*without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life'.*

5. The neighbour at number 9 has objected to this proposal on the basis that they believe it would be harmful to the character of the area. Medway Close is typical of an area of formal suburbia in the Borough, with detached homes being set at varying angles to the cul-de-sac, with variation in plot shape and building style but repetition in building designs over the wider area. The Borough Design Guide suggests that extensions should usually be subservient to the host dwelling, however sometimes a seamless continuation is more appropriate. In any case, the design of the proposal should complement the existing building or provide a carefully considered contrast. In this instance the first floor side and front extensions are not typically subservient to the dwelling by virtue of not being set down from the roof of the existing house. However, by virtue of its modest width, the proposal is still subservient to the host dwelling. The setback of 1 metre from the side boundary further aids its subservience. Additionally it is suggested in the guide that front extensions are generally only acceptable where the proposal is set further back in the street than the prevailing building line and in a large plot. However, extensions must be assessed in their specific context. The surrounding properties have similar front protruding sections and therefore the proposed first floor front extension would not appear out of keeping and by virtue of its width compared to the main house, would appear subservient. The setback of the first floor side extension from the boundary would also prevent harmful terracing impacts. There is no established building line and neither of the front elements would protrude forwards of the neighbouring property, the single storey front extension being quite modest in size and scale and clearly subservient. It is therefore considered that these elements of the proposal would have an acceptable impact on the character of the area and are in accordance with the relevant policy.
6. The single storey rear extension would not attract significant public views and would be clearly subservient to the host dwelling and its design clearly reflects the design of the host dwelling. Therefore it is considered that this element of the proposal would have an acceptable impact on the character of the area and it is therefore in accordance with relevant policy. The applicant has demonstrated an additional parking space, which would result in the loss of an area of lawn. This is a modest change to the character of the area and would not result in significant harm.

#### **Residential Amenities:**

7. **Loss of Light:** All aspects of the proposal would be in relatively close proximity to number 9. The single storey rear element of the proposal would run alongside the adjacent conservatory at number 9, however this conservatory has a brick side wall with no windows and this means that no harmful loss of light would occur to this room. The rear wall of number 8 protrudes slightly beyond the rear wall of number 9 and therefore so would the proposed first floor side extension. However, reference to BRE loss of light guidelines using the 45 degree rule suggests that there would be no harmful loss of light to rear facing windows at number 9 compared to the existing situation.
8. This conservatory at number 9 is accessed via two open archways which connect to a room which runs the full width of the property. It should be noted that number 9 benefits from a recent permission (163277) to construct a single storey rear extension

across the width of that property, which would replace the existing conservatory. This would also have no side windows and therefore the currently proposed single storey rear extension would not cause a harmful loss of light to the rear extension at number 9 if this was to be constructed. The existing internal room was previously the living room. Reference to the approved plans for No. 9 suggests that the kitchen would be moved into the rear extension, with one of the existing internal archways being blocked up and the internal room being retained as the living room. However, it should be noted that while the rear extension has not been constructed, the internal room has been converted into a kitchen and not retained as the living room as demonstrated on the approved plans. Neither of the internal archways have been closed. The internal room is lit by a combination of light from a side facing window which looks out onto the existing brick wall of the application property and light from the conservatory, through the internal archways. The occupant at number 9 has expressed concern that light would be lost to the side facing window. It should be noted that the neighbour's side facing window inevitably takes light from the application site and the neighbour has constructed a conservatory onto the rear wall of the original house, which has reduced some of the light coming from what would have been the original rear facing window. However, the rear is still the main source of light to that room. The reliance on this window has been caused by development on the side of the neighbour. In any case, reference to BRE Loss of Light Guidelines using the 25 degree rule suggests that this window is already strongly impacted by both the existing single storey side section of the application property which abuts the boundary, as well as the upstairs side elevation. The new first floor side and front extensions would therefore likely have some impact on the amount of light reaching this window, however, given that it is already impacted by the existing side walls, it is not considered that any potential harm to the living conditions of the occupants over and above the existing harmful situation would be sufficient to substantiate the refusal of this application, this is especially the case as light is being taken from the application site and there is still sufficient light available through the rear facing archways to the conservatory.

9. Were the single storey rear extension to be implemented at number 9, the approved plans indicate the use of the area as a living room (although this appears unlikely as a kitchen has been fitted in its place). One of the internal archways would be closed and this would further increase the neighbour's reliance on borrowed light. However, the other archway would be widened. Given the fact that the existing side window is already impacted by the side wall of number 8 and that light would remain available to this living room through the retention and enlargement of one of the internal archways (through the proposed roof lanterns and doors), it is not considered that any harm to the living conditions of the occupants over and above the existing harmful situation would substantiate a reason to refuse this application. Were the neighbour to implement their permission, it would be done so in the knowledge of this permission, were it to be granted.
10. There are a total of 5 other windows in the side wall of number 9, 3 downstairs and 2 upstairs. The upstairs windows serve bathrooms and the downstairs the old kitchen/present utility area and downstairs toilet (which are not habitable) and therefore any minimal potential loss of light caused to these windows would not substantiate a reason to refuse this application. The proposed single storey and first floor front extensions would not protrude forwards of the front wall of number 9, therefore no harmful loss of light would occur. Due to the aspect of the site, the

proposed single storey front and side extension may lead to a minor loss of some direct sunlight to the rear garden of number 9, however due to the existing site layout, this would only affect the rear garden for a short period of the day. The proposal is in accordance with the advice contained in the Borough Design Guide regarding retaining a metres gap between properties and the resulting relationship would not be unusual in a residential situation. Therefore it is not considered that any minor loss of direct sunlight caused would substantiate a reason to refuse this application. This is notwithstanding the objection from the neighbour.

11. **Overbearing:** As has been discussed, the proposed rear extension would run alongside the brick wall of the existing conservatory, or single storey rear extension were this to be constructed. The proposal would be hard up against the boundary but would not protrude beyond the rear wall of the conservatory or approved rear extension, meaning it would have little impact on the garden or rear facing windows.
12. As has been discussed, there is a side facing window which currently serves the kitchen, however the approval of the rear extension demonstrates that this was originally proposed to be a living room. In terms of overbearing impacts, this window is already severely impacted by the presence of the side wall of the application property and has little outlook. The proposal would not increase the proximity of number 8 to this window, but would result in additional bulk which would be viewed against the side wall of the existing property and only from very close to the window when looking up towards the sky. For this reason it is not considered that the proposal would result in sufficient harm or sense of enclosure to this room to substantiate refusal of this application when compared to the existing situation. This is further supported by the fact that room retains a good outlook through the internal archways and through the conservatory. Were the rear extension at number 9 to be implemented, the room would become more enclosed by virtue of the closure of one of the internal archways. That would be the neighbours choice to do so. However, the room would still benefit from a wider archway into the rear extension and large bi-folding doors would provide views out and into the garden. This is notwithstanding the objection from the neighbour.
13. The other side facing windows at number 9 do not serve habitable rooms and therefore no overbearing impact caused by the side and front extension would be harmful to the occupants of number 9 in a way which would substantiate a reason to refuse this application. This is notwithstanding the objection from the neighbour.
14. **Overlooking:** The additional windows in the rear wall of the proposal (in either the ground or first floors) would have a similar relationship with neighbours to the existing situation or would be largely screened by existing boundary treatments. Therefore they would not result in harmful overlooking to any neighbour. There would be two new windows in the side elevation, facing number 9 and the neighbour has objected to these. While any views into the bathroom and en-suite at number 9 would not substantiate a reason to refuse this application (as they are not habitable rooms) these windows may have some views down into the kitchen/living room. This can be dealt with by condition. Any noise created from these windows would be minimal and is not a material consideration in the context of these two residential properties. The Borough Design Guide's recommended front to front distance (10m) would be maintained between the new front facing windows and the neighbour to the front. For these reasons the proposal would not result in harmful overlooking impacts to any neighbour.

**Access and Movement:**

15. *Highway Safety and Parking:* There would be no increase in the number of bedrooms at the property however the garage would be lost, which contains one sub-standard parking space. The applicant has demonstrated an additional parking space in the front garden. The Council's Highways officer has recommended a condition to ensure that this is implemented and retained as such. However, reference to the Borough's parking standards suggests that the appropriate number of spaces for the resultant house is 2. The property already has 2 spaces which meet the requirements of the Borough Standards and therefore such a condition is not necessary and the existing level of parking on site is acceptable. The Highways Officer has raised no other Highway safety concerns with regards this residential extension.

**Landscape and Trees:**

16. The neighbour at number 9 has objected to this proposal based on the potential impact on trees along the boundary with their property. There are no protected trees either on or adjacent the application site. However, policy CC03 indicates that schemes should indicate how existing trees would be protected. The trees in question are a row of Leyland Cypress (*Leylandii*) trees close to the border between the application site and number 9 Medway Close (planted on the side of number 9) which are not demonstrated on the received plans. The proposed single storey rear extension would be 3.2 metres long and would abut the boundary with the neighbouring property. The trunk of the nearest tree is approximately 3.5 metres from the rear wall of number 8 and therefore it is likely that the proposal would have some impact on these trees. Consultation with the Council's Trees and Landscapes Officer has confirmed that they have no objection to the harm to or loss of these *Leylandii* and it is agreed that these non-native trees contribute little to the character of the area. Therefore there is no objection to the proximity of the extension in planning terms. Any harm to the neighbour's trees as a result of the proposal is a civil matter. The proposal is therefore acceptable in terms of its impact on nearby trees and is in accordance with CC03 of the MDD Local Plan.

**Amenity Space for future occupiers:**

17. The garden at the property would remain 11 metres in depth and roughly square, as recommended in the Borough Design Guide. Therefore the remaining garden would be acceptable.

**Ecology:**

18. Policy CP7 indicates that proposals which result in harm to protected species will be resisted. Bats are a European protected species. The application site is located within habitat that matches that where bat roosts have previously been found in the borough and there would be works to the roof. A bat survey has been submitted with this application which found no evidence of bats and concludes that the proposals are unlikely to have an adverse impact on bats as a protected species. The Council's Ecologist agrees with this assessment and has not objected to the proposal. It is therefore acceptable in this regard and is in accordance with the relevant policy.

**Other:**

19. The neighbour has raised concerns regarding the validity of this application, based on the view that additional information should be submitted regarding the fact that no arboricultural impact survey, daylight/sunlight assessment or SuDS plan have been

received. Additionally, the plans do not contain a scale bar and the single storey extension would overhang the neighbour's boundary. These documents are in the Local List, however they are not statutorily required and are not required in this instance given the small scale of the proposal and its specific impacts. The received plans are to scale and can be measured which is in line with statutory requirements. The SuDS plan is in specific relation to the additional hardstanding in the front garden. This can be dealt with by use of a condition to ensure that any hard standing is permeable. The single storey rear extension does appear to overhang the neighbour's boundary, however, certificate B has been signed and the requisite notice was served on the neighbour - any issues relating to land ownership is a civil matter not material to consideration of the application. Therefore the application is valid.

## **CONCLUSION**

Taking objections from the neighbours at number 9 Medway Close into account, it is considered that the design of the dwelling is acceptable. While there would be some impact on side windows at number 9 in terms of light levels and the increase in proximity, only one of the side facing windows serves a habitable room. This window is already significantly impacted by the proximity of the side wall of the application property and benefits from some light and outlook from other sources. Overlooking issues can be addressed by condition. Therefore the impact on the occupiers of number 9 would not be significant enough to substantiate a reason to refuse this application compared to the existing situation. The application is acceptable regarding trees and landscape issues, highways and parking and ecological issues. The proposal is therefore recommended for conditional approval.

## Appendix 2 – Letter from Chartered Surveyor;

Mr Fludger  
Wokingham Borough Council  
Shute End  
Wokingham  
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RG40 1BN



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21<sup>st</sup> November 2018

Dear Mr Fludger

Site Layout Planning for Daylight & Sunlight: A guide to good practice (the "BRE Guide") &  
Wokingham Borough Council Planning Application Ref: 182236 – 8 Medway Close, RG41

I am a Chartered Surveyor and specialist in the BRE guide. I have been instructed by Mr and Mrs Hira to consider the daylight, sunlight and overshadowing impact of their proposed massing on 9 Medway Close. The details of the proposed mass are those detailed on the Wokingham Borough Council planning website under reference 182236. I have also been furnished with a copy of your Planning Committee report (hereinafter referred to as the 'Report').

I have been provided with images of the existing property, demonstrating the relationship between numbers 8 and 9 Medway Close, and I have also reviewed the 9 Medway Close planning application referenced 163277.

In this instance, number 9 Medway Close proposes to amend their ground floor layout in such a way that it would locally increase reliance on a window that appears to be no more than 1000mm from the boundary, which is immediately adjacent the flank wall of number 8 Medway Close. Given the proximity to the boundary, this does not demonstrate well considered daylight and sunlight design. Whilst I understand that the proposals contained in 163277 have not been fully enacted, the proposed design shows a heavily glazed rear elevation and a large lantern light. I believe that coupled with the increased width of the eastern archway, this would likely ensure sufficient daylight distribution reaches the overall room area.

As a consequence of the construction of 182236, there may be a decrease in the evening sunlight and VSC<sup>1</sup> daylight to the lounge flank window. However, it is also the case that Appendix F of the BRE guide allows for the construction of a symmetrical mass of the

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<sup>1</sup> Vertical Sky Component



neighbouring property (see Fig. 1 below), where a window or windows is/are built close to the boundary and "taking more than their fair share of light"<sup>2</sup>. This is the case in this instance. I believe that because the flank wall of number 9 Medway Close is not of a gable/tapered design, and because it extends further in a southerly direction than 8 Medway Close, that such an exercise would be likely to demonstrate a similar or greater impact than the proposals contained in 182236.

I have also considered the overshadowing impact that the proposals would have on the rear amenity space of 9 Medway Close. Under normal circumstances, there may be some reduction in evening direct sunlight on the BRE Guide test date (21<sup>st</sup> March – the approximate spring equinox). The presence of the existing rear extension, and particularly the significant bank of tall evergreen vegetation within the neighbouring property will inevitably mean that the applicant's proposals do not unduly affect this amenity space.

Although I am already of the opinion that the proposals would be unlikely to unduly impact 9 Medway Close, it should be noted that paragraph 123 of the recent draft National Planning Policy Framework (July 2018) states that "authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight".

Having considered the documentation referenced above, and undertaken this desktop review, I can confirm that I am in agreement with the conclusion you come to in the 'Residential Amenity' section of the Report.

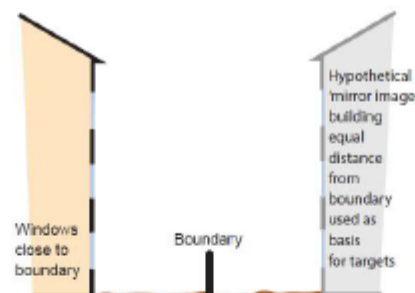


Fig. 01 – Excerpt from the BRE Guide demonstrating 'mirror-massing'

Yours sincerely

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Director

<sup>2</sup> Paragraph F3 of the BRE Guide.

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