

# Agenda Item 44.

Application Number	Expiry Date	Parish	Ward
231643	15/11/2023	Finchampstead	Finchampstead South;

<b>Applicant</b>	Mr C Lucanu
<b>Site Address</b>	206 Nine Mile Ride Finchampstead Wokingham RG40 3PX
<b>Proposal</b>	Full application for the erection of a detached dwelling and outbuilding following demolition of the existing property.
<b>Type</b>	Full
<b>Officer</b>	James Fuller
<b>Reason for determination by committee</b>	Listed by Councillor

<b>FOR CONSIDERATION BY</b>	Planning Committee on Wednesday, 8 November 2023
<b>REPORT PREPARED BY</b>	Assistant Director – Place and Growth
<b>RECOMMENDATION</b>	<b>APPROVAL subject to conditions and informatives</b>

<b>SUMMARY</b>
<p>This planning application is brought before the Planning Committee as the application has been listed by the Local Councillor, Rebecca Margetts.</p> <p>This application seeks permission for the demolition of the existing bungalow, and for the erection of a replacement three storey, five-bedroom dwelling. The proposed scheme also includes the erection of a detached outbuilding in the rear garden.</p> <p>The proposed replacement dwelling would not adversely impact the character of the area or result in any undue harm to the residential amenities of neighbouring properties. The planning issues section of this report provides further details of these considerations.</p> <p>Subject to conditions, the application is recommended for approval.</p>

<b>NO RELEVANT PLANNING HISTORY</b>
-------------------------------------

<b>DEVELOPMENT INFORMATION</b>
Site Area – 650m <sup>2</sup> Existing Use – Residential Proposed Use – Residential Existing Dwellings – 1 Proposed Dwellings – 1 Net Increase in GIA – 220.48m <sup>2</sup> Parking Spaces (existing) – Minimum 3 Parking Spaces (proposed) – Minimum 3

<b>CONSTRAINTS</b>
Modest Development Location Green Route

<b>CONSULTATION RESPONSES</b>
WBC Environmental Health – No object subject to conditions

WBC Highways – No objection subject to conditions  
WBC Landscape & Trees – Objection raised  
WBC Drainage – No objection subject to a condition  
WBC CIL – Information only

## REPRESENTATIONS

**Finchampstead Parish Council:** Object to this application on the following grounds:

- It is overdevelopment of the plot.
- The proposal is for a 3 storey house which is contrary to FNDP Policy D1, relating to building heights where the development of 3 storey (and above) housing will generally only be supported within the area of the Strategic Development Location (that part within Finchampstead Parish) and the Gorse Ride regeneration area.
- It is out of keeping with the street scene.

**Local Members:** Objection raised on the grounds that the property is excessive for the plot and out of keeping with the street scene. Further concern is raised with the overlooking potential of the property.

**Neighbours:** Two objection letters received. These contained the following concerns:

- The dwelling will impact upon the privacy of neighbours.
- The scheme will devalue neighbouring properties.
- The construction work will impact the landscaping features on neighbouring plots.
- The height of the three-storey property will be out of character with this area of Nine Mile Ride.
- The dwelling would be extended to 1 metre of the neighbouring building, No. 206a, and this will close the gap between the buildings.
- The proposal significantly reduces the amount of garden space available to No. 206.
- The proposal represents overdevelopment.
- There will be overlooking of neighbouring plots.
- There will be a loss of light to neighbouring properties.

## PLANNING POLICY

**National Planning Policy Framework**  
**National Design Guide**  
**National Planning Practice Guidance**

### **Core Strategy (CS)**

CP1 – Sustainable Development  
CP3 – General Principles for Development  
CP6 – Managing Travel Demand  
CP7 – Biodiversity  
CP9 – Scale and Location of Development Proposals  
CP10 - Improvements to the Strategic Transport Network.

## **MDD Local Plan (MDD)**

CC01 – Presumption in Favour of Sustainable Development

CC02 – Development Limits

CC03 – Green Infrastructure, Trees and Landscaping

CC04 – Sustainable Design and Construction

CC06 – Noise

CC07 – Parking

CC09 – Development and Flood Risk

CC10 – Sustainable Drainage

TB21 – Landscape Character

TB23 – Biodiversity and Development

## **Joint Minerals and Waste Plan (JMWP)**

### **Other**

Borough Design Guide Supplementary Planning Document

Finchampstead Neighbourhood Development Plan

## PLANNING ISSUES

### Site Description:

1. The application site is current occupied by a three-bedroom detached bungalow and a detached garage. There is residential garden to the rear of the property and driveway parking for at least three vehicles to the front of the property.
2. The immediate street scene is residential in nature and is made up of a complete range of housing types, including modest bungalows and large detached dwellings.
3. To the west of the site is a small retail area.

### Description of Proposal:

4. The proposal involves the following works:
  - Demolition of the existing property and garage.
  - Erection of a three-storey dwelling comprising the following:
    - Ground floor comprising an open plan kitchen and family area, a snug room, a study, a utility room, a bathroom, and storage space.
    - First floor comprising four bedrooms, one bathroom and two ensembles.
    - A second floor comprising a master bedroom, an ensuite and a walk-in wardrobe.
  - Erection of an outbuilding in the rear garden.

### Principle of Development:

5. 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 should be approved without delay, unless material considerations indicate otherwise.
6. The site is located within settlement limits and as such the development is acceptable in principle subject to compliance with the wider objectives of the relevant Development Plan documents.

### Character of the Area:

7. 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.
8. Relevant to this application, the FNDP states that the development of 3 storey (and above) housing will generally only be supported within the area of the Strategic Development Location (that part within Finchampstead Parish) and the Gorse Ride regeneration area. Policy D2 states that any development proposals should be located and designed to maintain the separation of settlements and to complement the relevant landscape characteristics.

9. In the immediate vicinity of the development, there is a bungalow at No. 206A Nine Mile Ride, and two larger, two storey properties at Nos. 204 & 208 Nine Mile Ride. The remaining properties on the opposite side of the highway include a mixture of two storey and single storey dwellings (some of which are chalet style with loft accommodation). This reflects the wider character of Nine Mile Ride, which has a variety of property styles and ages. Like the existing bungalow and adjoining neighbours, the replacement dwelling would remain visible within the street scene and from public viewpoints, given the relative lack of vegetation across the front boundary of the site.
10. The replacement dwelling would have a maximum ridge height of approximately 8.65 metres, which would be an approximate 1.75 metre increase from the existing bungalow. This increase in height would facilitate the provision for three floors.
11. The erection of a three-storey dwelling in this section of Nine Mile Ride was a common objection in those representations received. The proposed second floor accommodation is provided within the roof space of a crown roof with a rear dormer window. This design provides the appearance of a two-storey property with a loft conversion.
12. With regard to its design, the dwelling has two projecting gables, a front open porch, a hipped roof with a flat crown, in addition to a flat roof dormer to the rear. The proposed dwelling is more modern in nature when compared to its adjacent neighbours and also the dwelling as it stands today, but the choice of materials such as white render and timber cladding would not appear unacceptable within the diverse street scene.
13. The property would be facilitated through the provision of a flat crown roof arrangement. Whilst this design form is often discouraged, in this instance, the size of the crown roof is considered acceptable. In any case, it should be noted that this is a common design feature within Nine Mile Ride, being utilised by many other dwellings, including No. 208, and therefore this would not be harmful to the varied character of the street.
14. Finchampstead Parish Council have raised a concern that the scheme represents an overdevelopment of the plot, and a neighbouring resident has commented on the extended width of the property. Despite these concerns, the spacious feel of the existing site has clearly been taken into account. The proposed property would respectively retain a 1.2 metre and 1.8 metre separation distance from the adjacent east and west boundaries. This is compliant with the Design Principle R16 of the Borough Design Guide, which advises that new housing must retain a 1 metre separation distance between flank wall and boundary, in order to limit a sense of enclosure.
15. Further to the above, the site has an approximate depth of 52 metres, whereas the replacement dwelling would only be approximately 16 metres in depth. The footprint is not drastically changing from the existing bungalow and a significant expanse of amenity space to the rear of the dwelling would be retained. It is important to note that there are many examples of larger dwellings in Nine Mile Ride that do not benefit from such sizable plots. It is therefore not considered that the scale of the property

relative to the size of the site is a matter for which raises concern, nor is the scheme therefore representative of overdevelopment.

16. With regard to the rear of the property, both the single storey projection and dormer feature would have limited street presence, with views of both these structures being negligible from the public domain. In any case, the ground floor protrusion is of an unimposing design and is therefore an acceptable addition. The dormer feature would have a flat roof and would comply with the Borough Design Guide in that it would be set back from the sides of the roof, as well as set down from the ridge height of the host dwelling.
17. Due to the significant expanse of land to the rear of the dwelling, as described, the erection of the single storey outbuilding would not affect the useable amenity space available to the current or any future occupants of No. 206 Nine Mile Ride. The outbuilding would have a footprint of approximately 7.415 x 3.25 metres, with a maximum height of approximately 2.9 metres. It would be situated adjacent to the rear boundary and is well screened from view within the public realm and therefore would not impact the wider character of the area.
18. In light of the above and with due regard to the specific design of the replacement dwelling, the property would not be considered visually out of character or cause any discernible level of harm on the immediate character or appearance of the area.

### **Neighbouring Amenity:**

#### *Overlooking:*

19. The proposed property has been carefully designed to avoid any harmful outlook to neighbouring dwellings. There are two first floor side windows proposed, however, due to the non-habitable nature of the rooms these would serve, this does not amount to any privacy concerns.
20. There is fenestration to the rear of the property at both first and second floor level. The outlook from these windows would provide oblique views of the neighbouring properties rear gardens, however, this would not result in direct overlooking and is a standard arrangement for suburban streets such as Nine Mile Ride.

#### *Overbearing:*

21. It is important to note that the first and second floor component of the proposed dwelling do not extend any further into the rear of the site than the existing bungalow. However, the introduction of a single storey protrusion to the rear of the property would increase the run of built form adjacent to the side boundaries.
22. Due to the close proximity to the application site, the potential impact of this would be marginally greater for the occupants of No. 206a than the existing dwelling, but still not significant. Notwithstanding, the added single storey protrusion would be appropriately set in from the boundary, with a modest height of approximately 2.9 metres. On this basis, it is not considered the property would be adversely overbearing for the residents of No. 206a. Further consideration on this matter should be given to the fact the existing garage, set to be demolished, is in closer proximity to the shared boundary with No. 206a and is positioned further into the rear of the

site than the main dwelling. It can therefore be argued that the removal of the garage would reduce the sense of enclosure currently experienced by the adjacent occupants.

23. With regard to No. 204, the significant separation distance between the two properties would sufficiently offset any potential overbearing affect. The single storey protrusion would only slightly extend beyond the position of the existing conservatory, which is currently adjacent to the shared boundary with No. 204. As such, the additional impact would be limited.

#### *Loss of Light:*

24. There would be no adverse loss of light experienced by the occupants of No. 204 following the erection of the replacement dwelling, due to the separation distance between the two properties. The impact is further mitigated because the rear elevations of the dwellings are south facing.
25. When providing an assessment of the potential loss of light to No. 206a, it is important to note that the nearest door/window of the neighbouring property serves a non-habitable room. The fenestration that serves the nearest habitable room at No.206a is sufficiently distanced from the proposed dwelling, such that there would be no unacceptable loss of light. There may be a degree of overshadowing to a small section of the rear garden of No. 206a, however, given the large amount of amenity space the site benefits from, the majority of the garden would be unaffected by the proposed development.

#### **Highways:**

26. Following the submission of an amended parking layout, the Highways Officer has raised no objection to the scheme. The Officer has recommended several conditions which can be seen in Appendix 1 below.

#### **Landscape & Trees:**

27. The Trees & Landscape Officer has stated that they are unable to support the application, on the basis that their request from their consultation dated 09/08/2023 has not been addressed. The request was for the submission of an Arboricultural Impact Assessment (AIA). As there are no protected trees on the site, such a request is not considered necessary nor reasonable in order to make the scheme acceptable. Whilst some trees to the rear of the site may be impacted by the presence of a new outbuilding, the removal of these trees would not require planning permission and therefore would not warrant the council withholding planning permission on this basis.

#### **Drainage:**

28. The site is located in Flood Zone 1 and the Drainage Officer has no objection to the scheme in principle. However, as no drainage details have been submitted with the application, the Drainage Officer has recommended that a drainage strategy is submitted prior to commencement of the development.

## Environmental Health:

29. It is the role of the Environmental Health Officer (EHO) to be considerate of issues relating to public health and the environment, and if any environmental health factor will adversely affect future occupants of the application site or nearby properties.
30. The EHO is satisfied that ordinary living noise generated from the proposed dwelling should not be a concern.
31. They have recommended that a working hours condition is included, however, given the scale of the works, it is not considered there is sufficient justification for such a condition and this would not pass the tests for the imposition of planning conditions.
32. The property owner is to ensure that all waste is removed from site, no burning of waste is permitted as part of a building project.

## CIL:

33. The proposed development will be liable for CIL based on the floorplans listed below:
  - Existing Ground Floor Plan EX13-001
  - Proposed Outbuilding PL13-010
  - Proposed Ground Floor Plan PL13-001c
  - Proposed First Floor Plan PL13-002c
  - Proposed Second Floor Plan PL13/003c

The Net increase in GIA is 220.48sqm.

## Conclusion:

34. Due regard should be had to the fact the property has been carefully designed to give the impression of a two-storey property when viewed from the public realm, and it is concluded that no harm would be caused to character of the area. In addition, existing separation distances prevents any harm to the amenities of nearby neighbours, whilst the removal of the garage would reduce the sense of enclosure currently experienced by the adjacent occupants. There are no highways, environmental health or landscape concerns and no objection is raised to drainage.
35. For all the above stated reasons, the proposed replacement dwelling and outbuilding would accord with national and local planning policies and is therefore recommended for conditional approval.

### **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 the protected groups 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 upon protected groups as a result of the development.*

## APPENDIX 1 - Conditions / informatives

*APPROVAL subject to the following conditions and informatives:*

1. Timescale – 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 application plans and drawings titled/numbered (2062 PL13-004d) (2062 PL13-003c) (2062 PL13-002c) (2062 PL13-001c) (2062 PL13-200d) (2062 PL13-010) (Location Plan) (2062 PL13-101e) (2062 PL13-100e) (2062 PL10-005a) received by the local planning authority on 07/07/2023, 13/07/2023, 26/10/2023 & 27/10/2023. 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 associate details hereby approved.*
3. External materials - Before the development hereby permitted is commenced, samples and details of the materials to be used in the construction of the external surfaces of the building/s shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.  
*Reason: To ensure that the external appearance of the building is satisfactory.*  
*Relevant policy: Core Strategy policies CP1 and CP3.*
4. Parking and turning space to be provided  
No part of any building(s) hereby permitted shall be occupied or used until the vehicle parking and turning space has been provided in accordance with the approved plans. The vehicle parking and turning space shall be retained and maintained in accordance with the approved details and the parking space shall remain available for the parking of vehicles at all times and the turning space shall not be used for any other purpose other than vehicle turning.  
*Reason: To provide adequate off-street vehicle parking and turning space and to allow vehicles to enter and leave the site in a forward gear in the interests of road safety and convenience and providing a functional, accessible and safe development and in the interests of amenity. Relevant policy: Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.*
5. Cycle parking to be provided  
No building shall be occupied until secure and covered parking for cycles has been provided in accordance with the approved details. The cycle parking/ storage shall be permanently so-retained for the parking of bicycles and used for no other purpose.  
*Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy: NPPF Section 9 (Sustainable Transport) and Core Strategy policies CP1, CP3 & CP6 and Managing Development Delivery Local Plan policy CC07.*

6. Access surfacing

No building shall be occupied until the vehicular access has been surfaced with a permeable and bonded material across the entire width of the access for a distance of 10 metres measured from the carriageway edge.

*Reason: To avoid spillage of loose material onto the highway, in the interests of road safety. Relevant policy: Core Strategy policy CP6.*

7. Electric vehicle charging

Prior to commencement of development, details for an Electric Vehicle Charging Strategy serving the development shall be submitted for approval in writing by the Local Planning Authority. This strategy should include details relating to on-site infrastructure, installation of charging points and future proofing of the site unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In order to ensure that secure electric vehicle charging facilities are provided so as to encourage the use of sustainable modes of travel. Relevant policy Core Strategy policies CP1, CP3 & CP6.*

8. Drainage details

No development shall take place until full details of the drainage system for the site have been submitted to and approved in writing by the LPA. The details shall include:

1. Calculations indicating the existing runoff rate from the site.
2. BRE 365 test results demonstrating whether infiltration is achievable or not.
3. Use of SuDS following the SuDS hierarchy, preferably infiltration.
4. Full calculations demonstrating the performance of soakaways or capacity of attenuation features to cater for 1 in 100 year flood event with a 40% allowance for climate change and runoff controlled at existing rates, or preferably better.
5. If connection to an existing surface water sewer is proposed, we need to understand why other methods of the SuDS hierarchy cannot be implemented and see confirmation from the utilities supplier that their system has got capacity and the connection is acceptable.
6. Groundwater monitoring confirming seasonal high groundwater levels in the area.
7. A drainage strategy plan indicating the location and sizing of SuDS features, with the base of any SuDS features located at least 1m above the seasonal high water table level.
8. Details demonstrating how any SuDS for this development would be managed throughout the lifespan of the development and who will be responsible for maintenance.

The approved scheme shall be implemented prior to the first occupation of the development and shall be maintained in the approved form for as long as the development remains on the site.

*Reason: To prevent increased flood risk from surface water run-off. Relevant policy: NPPF (2019) Section 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Core Strategy policy CP1 and Managing Development Delivery Local Plan policies CC09 and CC10.*

9. Incidental accommodation

The outbuilding hereby approved shall be used for incidental purposes only to the main dwellinghouse and shall not be used, sold or sub-let as a separate dwelling.

*Reason: A separate unit of accommodation of this nature may not be acceptable in this location in the interests of the amenities, character of the area and highway safety in accordance with Core Strategy Policies CP1, CP3, CP4, and Managing Development Delivery Local Plan Policies CC01, CC07, TB07, TB08.*

## **Informatives**

1. 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.
2. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to gain access or carry out any works on, over or under your neighbour's land or property without first obtaining their consent, and does not obviate the need for compliance with the requirements of the Party Wall etc. Act 1996.
3. The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.
4. Bats are a protected species under the Conservation of Habitats and Species Regulations 2017 (as amended). Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.
5. The development hereby permitted is liable to pay the Community Infrastructure Levy. The Liability Notice issued by Wokingham Borough Council will state the current chargeable amount. A revised Liability Notice will be issued if this amount changes. 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, failure to do this will result in penalty surcharges being added. For more information see the Council's website - Community Infrastructure Levy advice page. Please submit all CIL forms and enquiries to [developer.contributions@wokingham.gov.uk](mailto:developer.contributions@wokingham.gov.uk).

## **APPENDIX 2 - Parish Council Comments**

### Finchampstead Parish Council Comments:

*'Object to this application on the following grounds:*

- *It is overdevelopment of the plot.*
- *The proposal is for a 3 storey house which is contrary to FNDP Policy D1, relating to building heights where the development of 3 storey (and above) housing will generally only be supported within the area of the Strategic Development Location (that part within Finchampstead Parish) and the Gorse Ride regeneration area.*
- *It is out of keeping with the street scene.'*