

# Agenda Item 49.

Application Number	Expiry Date	Parish	Ward
231643	20/12/2023	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, 13 December 2023
<b>REPORT PREPARED BY</b>	Assistant Director – Place and Growth
<b>RECOMMENDATION</b>	<b>APPROVAL subject to conditions and informatives</b>

## SUMMARY

### Preamble

- 1) The subject application seeks to demolish the existing dwelling and detached garage and erect a detached dwelling and outbuilding. The application was initially listed by Councillor Rebecca Margetts for Planning Committee on the following grounds:
  - *“The scale and mass of the proposed property are excessive for the plot.*
  - *The property proposed is 3 floors and therefore out of keeping with the street scene. Most neighbouring properties are chalet style bungalows or 2 floor properties.*
  - *The height of the building will cause overlooking into neighbouring properties and loss of privacy.”*
- 2) The application was considered at the November 2023 Planning Committee whereby it was resolved *“That application 231643 be deferred to allow the Planning Committee to undertake a site visit to assess bulk, scale, mass, and street scene.”*
- 3) The members of the Planning Committee are due to undertake a site visit on the Friday before the December meeting.

### Additional Observations

- 4) The potential loss of light caused by the scheme was raised as a concern by a neighbouring resident during the November meeting. Further to the points made in the previous committee report (Appendix 2), a 45-degree test for loss of light has now been undertaken to further consider these concerns. This demonstrates that there would be no harmful impact for No. 204, as no part of the replacement dwelling is within this angle of obstruction. With respect to No. 206a, whilst the 45-degree line does intersect the proposed property, the section of the build that does so is single storey. On this

basis, it is not considered a refusal of the application is warranted as the level of light lost would not be detrimental to the living conditions of the neighbouring occupants.

- 5) Additionally, objections were raised with the accuracy of the measurements provided for the separation distances between the replacement dwelling and the adjacent side boundaries. It has been confirmed that the property would be positioned approximately 1 to 1.4 metres from the west boundary and approximately 0.9 to 1 metre from the east boundary. It should also be noted that the maximum height of the proposed dwelling would be approximately 8.55 metres, as opposed to the 8.65 metre measurement stated in the previous report.

## **Conclusion**

- 6) As concluded in the original officer report (Appendix 2), the proposed dwelling would not cause any significant harm the character of the area, nor the amenities of nearby neighbours. There are no additional considerations that would warrant an alternative recommendation to that of the November 2023 committee meeting and therefore the application continues to be recommended for approval.

## **APPENDICES**

**Appendix 1:** Condition and Informatives (as they were for the November 2023 committee)

**Appendix 2:** Original committee report (November 2023) and associated appendices, including:

- Conditions and Informatives
- Finchampstead Parish Council comments
- Existing and Proposed Plans

## **CONDITIONS and 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)

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