

**Draft Extract of Minutes from the meeting of the Planning Committee held on 11 May 2022**

***Sam Akhtar declared a prejudicial interest in this item.***

**Proposal:** Application to vary condition 2 of application 212989 for the proposed erection of a single storey rear extension with 1 no. roof light following demolition of existing conservatory and existing rear extension (part retrospective). Condition 2 refers to the approved plans and the variation is to allow an increase in the height of the roof. (Retrospective)

**Applicant:** Mr Hargunus

The Committee considered a report about this application, set out in agenda pages 197 to 208.

The Committee were advised that there were no updates contained within the Supplementary Planning Agenda.

Mike Heath, Charvil Parish Council, spoke in objection to the application. Mike stated that everyone should expect that planning applications would follow the letter and spirit of the law, and it was his opinion that this application did not follow the spirit of the law. Mike stated that there had been a series of 5 planning applications and two retrospective applications had been carried out. Mike felt that the current property would not have been granted approval in its current form due to a variety of failings and mis-designs. Mike stated that a Wokingham Borough Council (WBC) planning enforcement officer had agreed that the property was in breach of their planning permission, which had still not been rectified to date. Mike added that this was the second of two retrospective planning applications, and understood that only one retrospective application should be allowed. Mike stated that this was an issue that concerned residents on a local level, and asked that the application be refused.

Danny Murphy, neighbour, spoke in objection to the application. Danny stated that a thin Perspex roof had been placed over the unauthorised structure in 2016, which was later replaced with felt which he had mistakenly not objected to at the time. In July 2021 the height of the boundary wall was increased with no notification, consent or planning permission. Danny added that the retrospective application included inaccurate drawings which did not show the changes on the western boundary. Danny was of the opinion that enforcement and planning officers knew of these differences however they chose to ignore them and instead approve the incorrect designs. Danny stated that predictive obtrusive angles of the roof structure were visible from the street. Danny felt that retrospective application upon retrospective application should not be considered in accordance with local planning enforcement guidance. Danny stated that his garden was very small, and any increase to the height of the neighbouring wall had a real and evidenced detrimental impact on his and his family's amenity. Danny queried how planning officers were now recommending approval after an enforcement

officer was shocked on his visit on January when stating that the development would never be signed off and requested it be rectified. Danny was of the opinion that this application had made a mockery of the whole planning process, and queried how an informed decision could possibly be made when previous plans had omitted key changes to the design of the scheme. Danny stated that this whole process had placed a huge emotional toll on his family, and had even made them consider moving house.

Jeff Asemi, Agent, spoke in support of the application. Jeff objected to some of the language used by others to describe the application property, including reference to it being used as a hotel which had no substance. Jeff stated that the original rear ground floor extension consisted off a conservatory of 3m in height and a side extension with a pitched roof to the boundary of 2.85m in height. Jeff stated that the replacement ground floor extension was lower, at 2.9m and 2.75m at the other end. The planning and enforcement officer had visited the site prior, during and after the installation of the roof covering. The original building had the guttering running adjacent to number 12, meaning the surface water would travel from the centre of the extension sideways to the boundary.

Sam Akhtar, Ward Member, commented on the application. Sam stated that this had been an emotive issue for both the applicant and neighbours. Sam added that he hoped that both parties could resolve their differences once the application had been determined by the Planning Committee.

***Sam Aktar left the room for the remainder of this item.***

Andrew Mickleburgh stated that applicants needed to be aware of the risks and potential consequences of relying on retrospective planning applications. Andrew queried whether the materials used to construct the skylight were a similar colour to those used for the rest of the roofing. Brian Conlon, Operational Lead – Development Management, stated that the materials and skylight could be secured via condition, whilst the skylight was not normally classed as the main roof.

Stephen Conway proposed that the application to be deferred to allow a site visit to be undertaken to better understand the context of the site and any impact on the neighbouring dwelling. This proposal was seconded by Chris Bowring and upon being put to the vote the motion was carried.

**RESOLVED** That application number 220654 be deferred to allow a site visit to be undertaken to better understand the context of the site and any impact on the neighbouring dwelling.