

Application Number	Expiry Date	Parish	Ward
222138	18 Jan 2023	Finchampstead	Finchampstead North;

Applicant	Mr and Mrs Brant
Site Address	6 Johnson Drive, Finchampstead, Wokingham
Proposal	Householder application for proposed single storey detached outbuilding with roof lantern to the eastern boundary (Retrospective).
Type	Full
Officer	Cameron Young
Reason for determination by committee	Listed by Councillor

FOR CONSIDERATION BY	Planning Committee on Wednesday 11 January 2023
REPORT PREPARED BY	Operational Lead Development Management
RECOMMENDATION	APPROVAL subject to conditions and informatives

SUMMARY

The proposed outbuilding would provide a garden room/study, fitness room, shower and WC incidental to the host dwelling. Under this Householder planning application, no change of use is proposed. The scale and design of the outbuilding is proportionately subservient to the main dwellinghouse. Being located to the rear, it would also not be visible from a public viewpoint. Therefore, no harm to the character and appearance of the host dwelling, street scene or surrounding countryside would occur.

There are no concerns with regards to potential impacts on residential amenity due to the significant separation distances retained with neighbouring properties. Furthermore, the outbuilding would be screened and its visual appearance softened by mature and established vegetation and trees which are taller than the outbuilding.

WBC Landscape and Trees and WBC Ecology have raised no objection to the proposal.

The application is therefore recommended for conditional approval

RELEVANT PLANNING HISTORY

Application No.	Description	Decision & Date
030610	Proposed erection of 2 storage buildings to replace 7 existing storage building and open storage area.	Approved 29/10/03
051575	Proposed first floor extension to dwelling and 2 storey side extension with rear conservatory.	Refused 11/04/05
051784	Proposed first floor extension to dwelling and single storey rear extension to dwelling. New pitched roof over existing garage.	Dismissed at appeal 03/05/06

061122	Proposed raising of roof to create first floor with front and rear dormer windows and single storey rear extensions to dwelling, plus raising of roof to garage	Approved 25/07/06
171698	Householder application for proposed erection of detached car port and store.	Approved 02/08/17

DEVELOPMENT INFORMATION	
Site Area:	1.26 ha
Existing parking space:	4 parking spaces
Proposed parking spaces:	No additional parking spaces proposed
CONSTRAINTS	Water Utility Consultation Zones Heathrow Aerodrome Consultation Zone Affordable Housing Thresholds Bat Roost Habitat Suitability Countryside Farnborough Aerodrome Consultation Zone Nuclear Consultation Zone Tree Preservation Orders Local Plan Update Submitted Sites SSSI Impact Risk Zones Thames Basin Heaths SPA Mitigation Zones Green Routes and Riverside Paths Consultation Zone Electricity Sub Station

CONSULTATION RESPONSES	
WBC Giles Sutton:	No objection subject to conditions.
WBC Landscape and Trees:	No objection in relation to the proposal's potential impact on the adjacent TPO trees

REPRESENTATIONS

Town/Parish Council: Finchampstead Parish Council: No objection.

Local Members: Councillor Margetts: It is a development in the countryside and should not be allowed. It is in clear breach of planning policy and should be refused. No further development should be allowed on this site

Neighbours: 1, 3 20, 22 & 25 Johnson Drive.

All strongly object to the proposed development. Previous applications have proceeded without planning permission. It would set a very poor example for the local authority to permit

unauthorised construction of a further building on this site. The area in question is outside the settlement boundary and Wokingham has already designated land for development. The proposed building, although described as being for residential use, might actually be used for commercial/industrial purposes. This application in retrospect shows complete contempt and disregard of the council by the flouting of the building regulations and planning laws.

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

CP11 – Proposals Outside Development Limits (Inc Countryside)

MDD Local Plan (MDD)

CC01 – Presumption in Favour of Sustainable Development

CC02 – Development Limits

CC03 – Green Infrastructure, Trees and Landscaping

CC07 – Parking

CC10 – Sustainable Drainage

TB21 – Landscape Character

TB23 – Biodiversity and Development

Other

Borough Design Guide Supplementary Planning Document

CIL Guidance + 123 List

PLANNING ISSUES

Site Description:

1. 6 Johnson Drive is a two-storey dwelling located in Finchampstead within the countryside. The proposal seeks retrospective approval for a single storey detached outbuilding with roof lantern to the eastern boundary. The trees on the eastern boundary of the site in which the retrospective detached building is located, are protected by an area TPO (1522/2016).
2. The outbuilding has already been partly constructed with its external walls, roof timber and windows openings in place (refer to Figure 1 below). The outbuilding has been constructed on the concrete slab. The pre-existing concrete slab was originally 200mm thick and was increased in depth to support the new structure by adding new material on top of the existing slab. The slab has been in place for many years. The applicant supplied a photo of the structure from 2022 and Google Earths archive confirmed the presence of this slab at least as far back as 2013 (refer to Figure 2).
3. Figure 1: Pictures of Proposed Outbuilding



4. Figure 2: Google Earth Image 2013 and 2020 & Original Concrete Slab

Below: Google Earth image 2013



Below: Google Earth image 2020



Below: applicant photo from 2022:



Proposal Description:

5. Permission is sought for an outbuilding that would be single-storey with a 30-degree pitched roof finish with slates. The building would accommodate a garden room/study, fitness room, shower and WC. Its external dimensions would be approx. 5.30m in length, 10.30m in width and 3.60m in height. The applicant has confirmed that the proposed outbuilding would be solely used for purposes incidental to the main dwellinghouse, 6 Johnson Drive- no change of use is proposed.
6. The external walls are proposed to be rendered within oak timber trim boards and facing brick plinth to match the materials on the existing house. The proposed

outbuilding would be sited under/close to the canopy of the TPO (1522/2016) on the eastern boundary of the site.

Principle of Development:

7. 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.
8. The proposal seeks an outbuilding for residential purposes, within a residential plot. Therefore, the proposal is acceptable in principle subject to wider consideration against local plan policies.

Impact upon Countryside:

9. The site is located in the countryside and is therefore to be considered under Policy CP11 of the adopted Core Strategy which states that development outside defined settlement boundaries will be strictly controlled. Where acceptable in principle the countryside can accommodate some forms of development without detriment provided that the development type, form and design are sensitive to the location. Policy CP11 states that development would be restricted, although allows certain developments of a suitable scale that relates to its context and character as supported in the supporting Borough Design Guide. Moreover, the policy supports development in the countryside subject to the fact it does not lead to excessive encroachment or expansion of development away from the original buildings.
10. In this regard, the positioning of outbuilding is proportionately subservient to the main dwelling and it does not lead to an excessive form of encroachment or expansion of development away from the original buildings. The proposal sits within the established property boundary and is located to the rear of the existing dwelling and is well screened by existing mature vegetation. It is therefore considered that it would not lead to an excessive encroachment into the open countryside (additional volume shown in Figure 3).

11. Figure 3: Countryside Volumes

Volume Calculations for Countryside Development

Planning application reference no: 222138

Volume of original dwelling = 1060 cum cubic metres

Volume of any extensions already constructed = 350 cum ^{FIRST FLOOR} cubic metres

Total existing volume = 1410 cubic metres

Volume of proposed development (the subject of this application) = 26 ¹³⁸ cubic metres

Additional volume = 448 cubic metres

12. The proposed additional volume be an increase of 448 cubic meters on site which is deemed acceptable in this instance and hence the proposal complies with CS Policy CP11.

Character and appearance:

13. Core Strategy Policy CP3 states that planning permission will be granted for proposals that are of an appropriate scale of activity, mass, layout, built form, height, materials and character, 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. Policy CP1 of the Core Strategy requires developments to maintain or enhance the high quality of the environment.
14. The existing dwelling is two storey and clearly retains its position as the dominant structure on this residential plot. Hence, the proposal is a suitably proportionate addition to this residential property given its subservient appearance and nature.
15. Moreover, being located at the rear it wouldn't be visible from the public realm. Hence, the proposal would not have an adverse impact on the character of the host property or surrounding area.
16. In conclusion, the proposal meets the recommendations of the Borough Design Guide and is line with policy CP1, CP3 and CP11 of the Core Strategy.

Neighbouring Amenity:

17. Core Strategy Policy CP3 states that development proposals should not result in a detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life. The Council's Borough Design Guide (BDG) stipulates that a minimum back-to-back distance of 22m and a minimum of 12m to flank wall to rear of dwelling should be provided to maintain privacy and limit the sense of enclosure.
18. The proposal is single storey and does not give rise to an unacceptable level of overlooking, overbearing or overshadowing. The proposal is approx. 71.90m from the property at the rear 293 Nine Mile Ride (outlook shown in Figure 4) and the side of the proposal is approx. over 60m from the rear of 287a and 287b Nine Mile Ride (outlook shown in Figure 5). Furthermore, the outbuilding is located to the rear of the host dwelling and not visible from a public viewpoint and mature established vegetation and trees which are taller than the height of the outbuilding which acts as natural screening, therefore posing no threat with regards to neighbouring amenities (as shown in Figure 1 and Figure 6).
19. The side windows for the shower room and WC to the rear looking toward 293 Nine Mile Ride will be of obscured glazing to mitigate any potential overlooking.

20. Figure 4: Outlook of the rear of the outbuilding looking onto 293 Nine Mile Ride



21. Figure 5: Outlook of outbuilding looking onto rear of 287a and 287b Nine Mile Ride



- 22.** Figure 6: Evidence of natural screening and that established vegetation and trees are taller than the height of the outbuilding



- 23.** There is no harm to the amenities of neighbouring dwelling in compliance with Policy CP3 and with guidance within the BDG.

Residential Amenity:

- 24.** The Council's Borough Design Guide seeks a minimum garden length of 11.0m. The host dwelling exceeds these requirements as the garden length is approx. 16m. The proposal reduces the amount of amenity space available to the property, but it would still be roughly a 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.

Landscape and Trees:

25. Policy CC03 aims to protect and retain existing trees, hedges and other landscape features as well as existing Green Routes. Core Strategy Policy CP3 aims to create a sense of place in the way buildings integrate with their surroundings including the use of appropriate landscaping.
26. The trees on the eastern boundary (rear) of the site in which the retrospective building is located, are protected by an area TPO (1522/2016).
27. Following a request for additional information by the Council's Tree & Landscape Officer, the applicant has submitted an arboricultural assessment in accordance with BS 5837:2012 to consider the impact of the new building, including foundations on the existing protected trees.
28. At first the applicant needed to submit an arboricultural assessment to be made in accordance with BS 5837:2012 to consider the impact of the new building, including foundations on the protected trees.
29. The Retrospective Arboricultural Impact Assessment by GHA Trees dated 16th November 2022 identifies that the building was constructed on an existing concrete slab which was increased in depth by adding material to the top of the existing slab, thereby not having any additional impact on the roots of the protected trees adjoining the site. The Council's Tree & Landscape Officer has assessed this report and concurs with its findings.
30. It has also been confirmed that no machinery has operated in the RPA's (root protection areas) of the protected trees and no pruning has been required to install the structure.
31. In light of the above, the proposal would not cause harm to existing significant trees in compliance with Policy CC03 and hence the proposal is acceptable in this respect.
32. The Council's Tree & Landscape Officer has assessed this report and concurs with its findings.

Ecology:

33. Policy TB23 of the MDD Local Plan requires the incorporation of new biodiversity features, buffers between habitats and species of importance and integration with the wider green infrastructure network. Policy CP7 states that sites designated as of importance for nature conservation at an international or national level will be conserved and enhanced and inappropriate development will be resisted.
34. The Council's Ecologist has assessed this application and notes that the development has been sited on an area of hardstanding and amenity grassland, both of which have limited ecological value. As such, no objections on ecology grounds has been raised.

35. However, the outbuilding is bordered by woodland to the east which is likely to be used by foraging and commuting bats (and other wildlife). These could be affected any additional new lighting proposed and, in this particular instance, a condition should therefore be imposed to ensure that details of any new external lighting proposed does not adversely affect wildlife and is submitted to and approved by the LPA before installation
36. A condition is also recommended to secure acceptable details of biodiversity enhancements (to include one bird and one bat boxes) and their implementation on site within 3 months of the date of the permission. Such a condition would be in accordance with paragraph 180 of the NPPF, which states that “opportunities to incorporate biodiversity in and around developments should be encouraged” a condition should be set to ensure that enhancements for wildlife are provided within the new development.

Conclusion:

37. In summary, the proposal is considered to not harm the character of the area nor neighbouring amenities. The proposal also complies with CP1, CP3, CP11 and the Borough Design Guide. Subject to conditions, therefore the application is recommended for approval.

<p>The Public Sector Equality Duty (Equality Act 2010)</p> <p><i>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.</i></p>
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APPENDIX 1 - Conditions / informatives

APPROVAL subject to the following conditions and informatives:

Conditions and Reasons (conditions agreed by applicant on 24/11/22)

1. Approved details - This permission is in respect of the submitted application plans and drawings numbered 22207-2 01 REV B & 22207-2 02 received by the local planning authority on 03/08/22. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with 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.

2. Details of biodiversity enhancements, to include one bird and one bat boxes, tiles or bricks on and around the new building, shall be submitted to and approved in writing by the council. A brief letter report confirming that the approved boxes, bricks or tiles have been installed, including a simple plan showing their location and photographs of the boxes, bricks or tiles in situ, shall be submitted to and approved in writing by the Council within 3 months from the date of this decision.

Reason: To incorporate biodiversity in and around developments in accordance with paragraph 180 of the NPPF.

3. Prior to the installation of any external lighting, a report detailing the lighting scheme and how this will not adversely affect wildlife shall be submitted to and approved in writing by the Council. The report shall include the following figures and appendices:

- A layout plan with beam orientation*
- A schedule of equipment*
- Measures to avoid glare*

An isolux contour map showing light spillage to 1 lux. The approved lighting plan shall thereafter be implemented as agreed. Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF

Informatives

1. The development accords with the policies contained within the adopted / development plan and there are no material considerations that warrant a different decision being taken.

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. This planning application has been the subject of positive and proactive discussions with the applicant in terms of:

Extending the determination period of the application to allow for a Retrospective Arboricultural Impact Assessment to be undertaken and submitted for consideration;

The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

APPENDIX 2 - Parish Council Comments (Where relevant)

Finchampstead Parish Council: The Council has no objections.

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