

**ITEM NO: 6**Application No.  
**18/00089/FUL**Ward:  
Winkfield And  
CranbourneDate Registered:  
26 January 2018Target Decision Date:  
23 March 2018

Site Address:

**Land Adjacent To 3 Toonagh Winkfield Street  
Winkfield Windsor Berkshire**

Proposal:

**Section 73 application for the variation of condition 2 (approved plans) and 3 (material samples) of planning permission 15/00329/FUL for the erection of a new detached 3 bedroom dwelling with associated access and landscaping on land adjacent to 3 Toonagh, following the demolition of the existing garage. [For clarification: the application is for change of materials and form]**

Applicant:

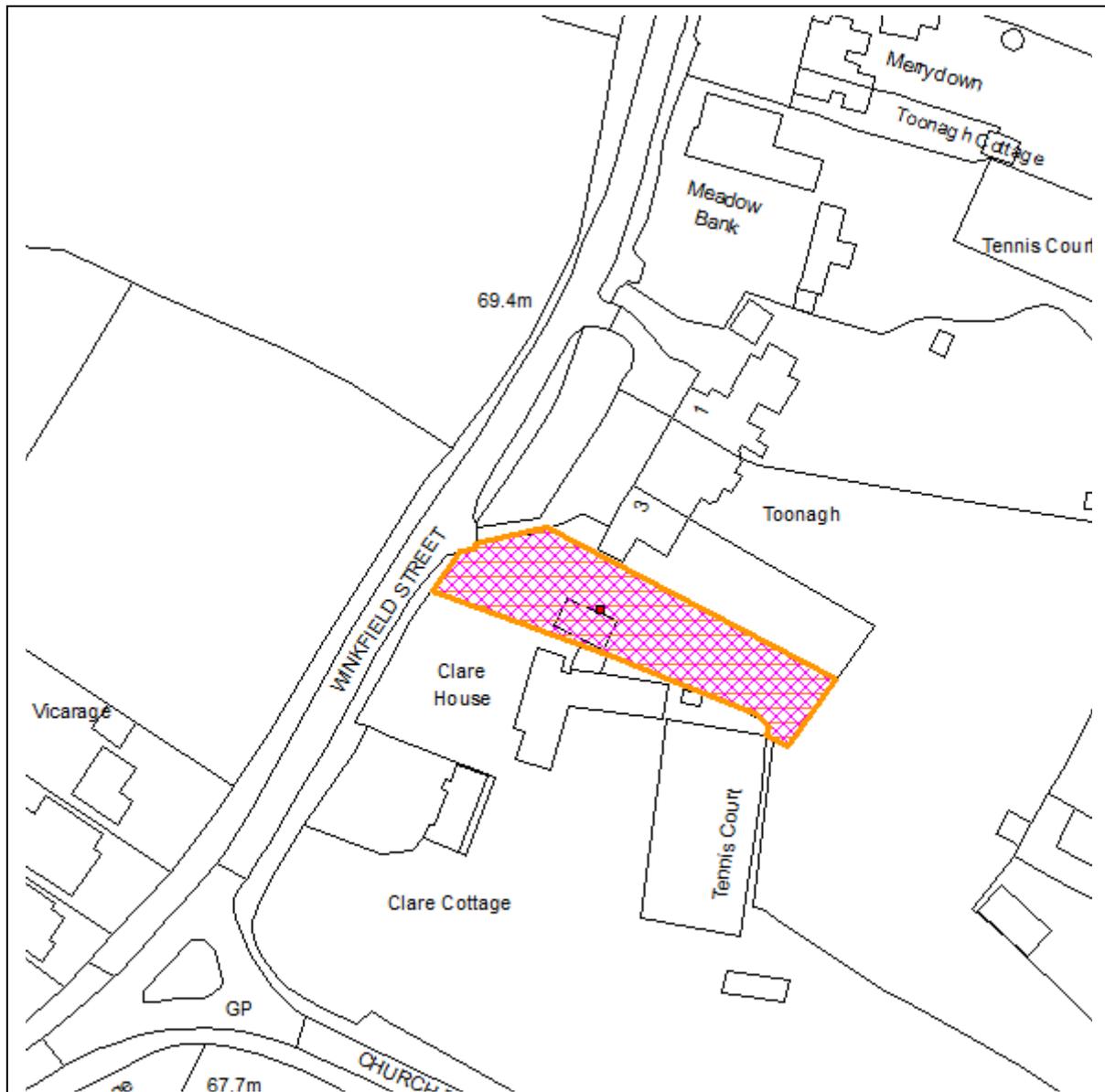
Mr Francis Ong

Agent:

Mr Michael Petch

Case Officer:

Michael Ruddock, 01344 352000

[development.control@bracknell-forest.gov.uk](mailto:development.control@bracknell-forest.gov.uk)**Site Location Plan** (for identification purposes only, not to scale)

## **OFFICER REPORT**

### **1. SUMMARY**

- 1.1 The proposal concerns a Section 73 planning application to vary conditions 2 and 3 of planning permission 15/00329/FUL. Condition 2 concerns the approved plans and condition 3 concerns the materials.
- 1.2 The site is located in the Green Belt and the principle of the development was accepted under the previous application. The impact of the development on the character and appearance of the area is considered acceptable. The amendments would not result in any additional impact on residential amenity, highway safety, biodiversity or trees subject to conditions.

<b>RECOMMENDATION</b>
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Planning permission be granted subject to conditions in Section 11 of this report
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### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

- 2.1 The application is reported to the Planning Committee as more than five objections have been received.

### **3. PLANNING STATUS AND SITE DESCRIPTION**

<b>PLANNING STATUS</b>
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Within Green Belt (Green Belt Village)
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Area E (Maidens Green / Winkfield) in the Northern Villages Study Area of the Character Area Assessments SPD
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More than 5km from the Thames Basin Heath SPA
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- 3.1 The application site is an area of land to the south west side of No.3 Toonagh and was previously under the ownership of that property. Toonagh is a group of three dwellings of which No.3 is the southern-most, and the land is in between that dwelling and the neighbouring site of Clare House. A detached garage was previously located on the land which has its own access from Winkfield Street. A number of trees are located at the front of the site however none are protected by Tree Preservation Orders.

### **4. RELEVANT SITE HISTORY**

- 4.1 Relevant planning history for the site is summarised as follows:

Application 14/01245/FUL for the erection of a new detached 4 bedroom dwelling with associated access and landscaping on land adjacent to 3 Toonagh, following the demolition of the existing garage – REFUSED 2015

Application 15/00329/FUL - Erection of a new detached 3 bedroom dwelling with associated access and landscaping on land adjacent to 3 Toonagh, following the demolition of the existing garage – APPROVED 2015

Application 16/00002/COND - Details pursuant to condition 3 (Materials), 4 (Floor Levels), 8 (Cycle Parking), 9 (Sustainability Statement), 10 (Energy Demand Assessment) and 12 (External Lighting) of planning permission 15/00329/FUL.

## 5. THE PROPOSAL

- 5.1 The application seeks a variation to Condition 2 and Condition 3 of previous planning permission 15/00329/FUL. Condition 2 secured the plans approved under the previous application, and a Condition 3 secured details of materials. Condition 3 was subsequently discharged under application 16/00002/COND.
- 5.2 The dwelling as now proposed would have the same footprint as the approved dwelling and as such would have the same width of 9.2m and depth of 11.5m. It would also have the same height of 6.8m as the previous approval. The revised scheme would also retain the main design features of the approved dwelling such the hipped roof design with a gable feature to the front, a dormer in the front elevation, a chimney to the side and a terrace to the rear.
- 5.3 The main changes to the proposal would be to the materials and fenestration, with the overall effect of giving the dwelling a more modern appearance than as approved. Previously the dwelling was to have white rendered elevations with a brick plinth and charcoal grey plain roof tiles. White uPVC was proposed for the fenestration.
- 5.4 As now proposed the elevations would be constructed in handmade red bricks with handmade red clay tiles to the roof. The fenestration would be finished with charcoal grey frames with the windows and doors having a more modern design than as previously approved. Changes are also made to the position of some of the doors and windows, and a side dormer has been replaced with a rooflight.
- 5.5 During the course of the application the proposed materials have been amended, with light red bricks and charcoal grey tiles originally proposed.



## 6. REPRESENTATIONS RECEIVED

### Winkfield Parish Council:

- 6.1 WPC is content to leave this to the expertise of the Officer.

### Other representations:

- 6.2 Nine letters of objection have been received from neighbouring properties. The reasons for objection can be summarised as follows:
- The revised plans are not in keeping with the character and appearance of the area. No similar characteristics to the historical village and are not in keeping with the environment. New properties should be sympathetic to the adjoining properties and those in the street.
  - Proposed changes appear to be an effort to build the cheapest house possible with no consideration or appreciation of the neighbouring surroundings. Previous approval was more in keeping with the area.
  - Previous new builds have been high quality and sympathetic to the street.
  - Cramped development, close to the boundaries with the neighbouring properties. Plot size would be out of keeping with other properties in the immediate neighbourhood.
- [OFFICER COMMENT: It is noted that these comments were made prior to the materials being amended. No further comments have been received since the amended plans were published.]*

## **7. SUMMARY OF CONSULTATION RESPONSES**

- 7.1 No internal consultations were required.

## **8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION**

- 8.1 The key policies and associated guidance applying to the site are:

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Green Belt	CSDPD CS9, BFBLP GB1, GB3	CS9 consistent, GB1 not entirely consistent, GB3 not consistent (see below)
Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Residential Amenity	Saved policy EN20 of BFBLP	consistent
Highway Safety	CS23 of CSDPD, Saved policy M9 of BFBLP	consistent
Biodiversity	CS1 and CS7 of CSDPD	consistent
Trees	BFBLP EN1, EN20	consistent
Sustainability	CS10, CS12 of CSDPD	consistent
<b>Other publications</b>	National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Design SPD, Character Area Assessments SPD, Design SPD, Parking Standards SPD	

- 9.1 The key issues for consideration are:
  - i Principle of the Development
  - ii Impact on character and appearance of the area
  - iii. Impact on Crowthorne Conservation Area
  - iv Impact on residential amenity
  - v Transport implications
  - vi Biodiversity Considerations
  - vii Effect on Trees
  - viii Sustainability
  - ix Community Infrastructure Levy

### **i. Principle of the development**

- 9.2 The principle of the development was assessed and accepted under application 15/00329/FUL. This permission remains extant and is therefore a material consideration in the determination of the current application, however for clarity the assessment of the principle of the development is repeated under this new application.
- 9.3 The site is located in the Green Belt, as defined on the adopted Policies Map, and therefore Policy CS9 of the Core Strategy Development Plan Document (CSDPD) (February 2008) and 'Saved' Policy GB1 of the Bracknell Forest Borough Local Plan (BFBLP) (January 2002) are relevant. Policy CS9 of Core Strategy sets out a presumption against inappropriate development in the Green Belt and is considered to be generally consistent with the NPPF. BFBLP 'Saved' Policy GB1 continues this stance but sets out a list of exceptions, in terms of buildings, subject to various criteria. This list of exceptions does not include new dwellings or infilling in villages.
- 9.4 The NPPF states at para. 89 that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to certain exceptions. These exceptions include 'limited infilling in villages'. As such 'Saved' Policy GB1 is not entirely consistent with the NPPF in the context of this application.
- 9.5 The BFBLP deals with residential development that constitutes infilling in 'Saved' Policy GB3. However, this policy relates to Green Belt villages. 'Saved' BFBLP Policy GB3 is not consistent with the approach advocated by the NPPF in terms of the treatment of villages in the Green Belt. The site is located within a cluster of dwellings and other facilities known as Winkfield. Although 'Saved' Policy GB3 is not consistent with the NPPF (as indicated above), Church Road, Winkfield is listed as a Green Belt village.
- 9.6 Whilst the NPPF does not define infilling, para 4.51 of the supporting text to 'Saved' Policy GB3 defines infilling as building on undeveloped single plots of land for residential purposes which closes existing small gaps in an otherwise built up frontage. The infill plot should be comparable in size and shape to those developed plots which adjoin the site, and must have an existing frontage to a suitable road. It goes on to state that when determining the character of a particular locality, matters such as density, siting relationships, design and external appearance should be considered.
- 9.7 The proposed plot is between two existing dwellings along an existing frontage to an adopted highway. No. 3 Toonagh is part of a small terrace of properties that originally formed a large detached dwelling that was subsequently converted in the 1950s. The

plot is the side garden within the ownership of No. 3 Toonagh. The approximate distance between 3 Toonagh and the neighbouring property (Clare House) is 17m. Clare House is built close to its shared boundary with 3 Toonagh's side garden. The proposed dwelling would close this gap, resulting in a gap of 4m between 3 Toonagh and the new dwelling, with both dwellings set 2.0m off the boundary, and 3.5m between the new dwelling and the boundary with Clare House. The surrounding area is characterised by linear low density development. Although the adjacent dwellings appear to comprise of larger plots, there are plots of a similar nature to that proposed in the street.

- 9.8 In view of the above, the proposal appears to constitute infilling within a village. As such the proposal is considered to be acceptable in principle, subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.
- 9.9 Para 4.38 of BFBLP 'Saved' Policy GB1 states 'Account will also be taken of the design and siting of the proposed extension, the visual character of the site and its surroundings, the prominence, visual and physical impact of the extension, the effect of the proposal on the open and rural character of the area in general and of the overall scale of development on the site'. These issues are discussed below.

## **ii. Impact on the character and appearance of the area**

- 9.10 The overall size, scale, footprint and location of the dwelling would be identical to the dwelling previously approved at this site and as such does not warrant any further assessment. The only impact that the proposed development would have on the character and appearance of the area would be through the proposed changes to the appearance of the dwelling.
- 9.11 With regard to the proposed materials, the red bricks to the elevations and the red clay tiles to the roof would both be in keeping with the streetscene, in particular with the neighbouring dwelling of Clare House. Although it is noted that the previous approval included Mock Tudor elements that paid regard to similar elements at Toonagh, it is considered that the use of red bricks and red clay tiles would be more in keeping with the streetscene in its wider context than the previously approved materials. Red tiles are more widely used on the neighbouring properties than the previously approved grey tiles, and red brick is more widely used on the neighbouring properties than white render. It is therefore considered that these materials are acceptable, and they shall be secured by condition.
- 9.12 The use of charcoal grey frames and the other alterations to the fenestration would have a more significant impact on the streetscene due to the modernising impact that these would have on the appearance of the dwelling. However it is not considered that a modern appearance should in itself warrant refusal of the application. Whilst the charcoal grey frames are not a feature of the surrounding dwellings, of which the majority have either white uPVC or wooden frames, it is not considered that these would result in an unsightly appearance that would warrant refusal of the application. It is considered that by using bricks and tiles that are similar in appearance to the neighbouring properties, the appearance of the dwelling builds on the existing character of the area but adds a more modern take on this with the fenestration.
- 9.13 The Character Area Assessments SPD for this area refers to a loose collection of individual houses set in large grounds, which vary in terms of architecture, period and setting. It is not considered that the proposed amendments to the dwelling would be contrary to this assessment and as such it is not considered that the development

would significantly alter the character of the area.

9.14 The Council's Design SPD sets out that where a contemporary approach is adopted then the quality of materials and detailing will be of particular importance. Design approach should be appropriate to the context and local character. Materials should relate to the form of the building and have a clearly identifiable role in its design. The applicants have set out that the materials will be carefully hand selected to be suitable to the local vernacular. It is considered that the materials would relate to the form of the building and have a clearly identifiable role in its design. As such it is not considered that the development would be contrary to the recommendations of the Design SPD.

- 9.15 The proposed materials are therefore considered acceptable, and samples shall be secured by condition. It is therefore not considered that the proposed alterations to the previous approval would result in an adverse impact of the character and appearance of the area. The development would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

### **iii. Impact on residential amenity**

- 9.16 As no changes to the height or footprint of the dwelling are proposed from the previous approval, the development would not give rise to any additional concerns regarding loss of light or overbearing.

- 9.17 The approved scheme had windows in both side elevations including a dormer which were secured by condition to be glazed with obscure glass and fixed shut. The current proposal has a rooflight in place of the dormer in the south west elevation. This window would face towards Clare House however it is shown to be a high level window over 1.7m from floor level. As such it would not be possible to overlook the neighbouring property from this window, and its height from floor level shall be secured by condition.

- 9.18 As with the previous application, additional side facing windows shall be restricted by condition. It is therefore not considered that the alterations would result in a detrimental impact on residential amenity and the development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

### **iv. Transport implications**

- 9.19 No alterations to the access and parking that were approved under the previous application are proposed. The parking was previously secured by condition and a similar condition is recommended, Cycle parking was approved under discharge of condition application 16/00002/COND and these previously approved details shall be secured by condition.

### **v. Biodiversity Considerations**

- 9.20 The previous application was accompanied by an Ecological Report which confirmed that the site is of little ecological value and there is negligible potential for bats to be using any trees of buildings on the site. As such, no biodiversity mitigation was required. The proposed development would not affect this previous assessment.

### **vi. Effect on Trees**

- 9.21 The trees at the front of the site are not protected by Tree Preservation Orders, and the application would not alter the relationship of the development with the trees which was previously considered acceptable. The tree screen to the frontage would be retained, and the access from Warfield Street exists at present. Although some tree removal is required to accommodate the driveway and parking these are not considered to be significant. As such the development would not be contrary to BFBLP 'Saved' Policy EN1 or the NPPF.

#### **vii. Sustainability**

- 9.22 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, cover water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. This is considered to be consistent with the NPPF which states in para 95 "To support the move to a low carbon future, local planning authorities should actively support energy efficiency improvements to existing buildings. CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. Again, this Policy is consistent with para 95 of the NPPF.
- 9.23 Conditions were imposed on the previous approval requiring these details to be submitted for approval, and these conditions were discharged under application 16/00002/COND. The details that were submitted previously to discharge these conditions will be secured by condition under this application.

#### **viii. Community Infrastructure Levy**

- 9.24 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.
- 9.25 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings. The development involves a net increase in dwellings and as such is CIL liable.

### **10. CONCLUSIONS**

- 10.1 The principle of the development was accepted under the previous application. The proposed development would not alter the size or location of the dwelling and the amendments would not result in any additional impact on residential amenity, highway safety, biodiversity or trees subject to conditions. The alterations would change the appearance of the dwelling however it is not considered that this would result in an unacceptable impact on the character and appearance of the area.
- 10.2 As such the development would not be contrary to CSDPD Policies CS1, CS7, CS9 or CS23, BFBLP 'Saved' Policies EN1, EN20 and GB1 or the NPPF. Conditions 2 and 3 of the previous permission will be varied as applied for. Other previous conditions of the development approved under application 15/00329/FUL will be imposed again where necessary.

### **11. RECOMMENDATION**

11.1 That the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date (11 June 2015) of the original planning permission 15/00329/FUL  
REASON: A section 73 application cannot be used to vary the time limit for implementation therefore this condition must remain unchanged from the original permission.

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 26 January 2018, 20 March 2018 and 3 April 2018:

00118-A02-001/A

00118-A01-002

00118-A00-002

00118-A00-003

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. The development shall be carried out in accordance with the schedule of materials as set out on plan reference 00118-A02-001/A received by the Local Planning Authority on 20 March 2018.

REASON: In the interests of the visual amenities of the area.

[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A and B of Part 1 of the Second Schedule of the 2015 Order shall be carried out.

REASON: The site is located within the designated Green Belt where strict controls over the form, scale and nature of development apply.

[Relevant Policies: BFBLP GB1, Core Strategy DPD CS9]

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the north east or south west facing side elevations of the dwelling hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

06. The rooflight in the south west facing side elevation of the building shall at all times be high level windows having a sill height of not less than 1.7 metres above internal floor level.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

07. The dwelling shall not be occupied until the associated vehicle parking and turning space has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

08. The development shall be implemented in accordance with the approved covered and secure cycle parking facilities received by the Local Planning Authority on 6 January 2016 under application 16/00002/FUL and retained as such thereafter.  
REASON: In the interests of accessibility of the development to cyclists.  
[Relevant Policies: BFBLP M9]
09. The development shall be implemented in accordance with the approved Sustainability Statement received by the Local Planning Authority on 6 January 2016 under application 16/00002/FUL and retained as such thereafter.  
REASON: In the interests of sustainability and the efficient use of resources.  
[Relevant Policy: Core Strategy DPD CS10]
10. The development shall be implemented in accordance with the approved Energy Demand Assessment received by the Local Planning Authority on 6 January 2016 under application 16/00002/FUL and retained as such thereafter.  
REASON: In the interests of sustainability and the efficient use of resources.  
[Relevant Policy: Core Strategy DPD CS12]
11. The development shall be implemented in accordance with the approved external lighting details received by the Local Planning Authority on 6 January 2016 under application 16/00002/FUL and retained as such thereafter.  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: CSDPD CS1, CS7]

Informative(s):

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 within the National Planning Policy Framework.
2. No details are required to be submitted in relation to any of the above conditions; however they are required to be complied with.