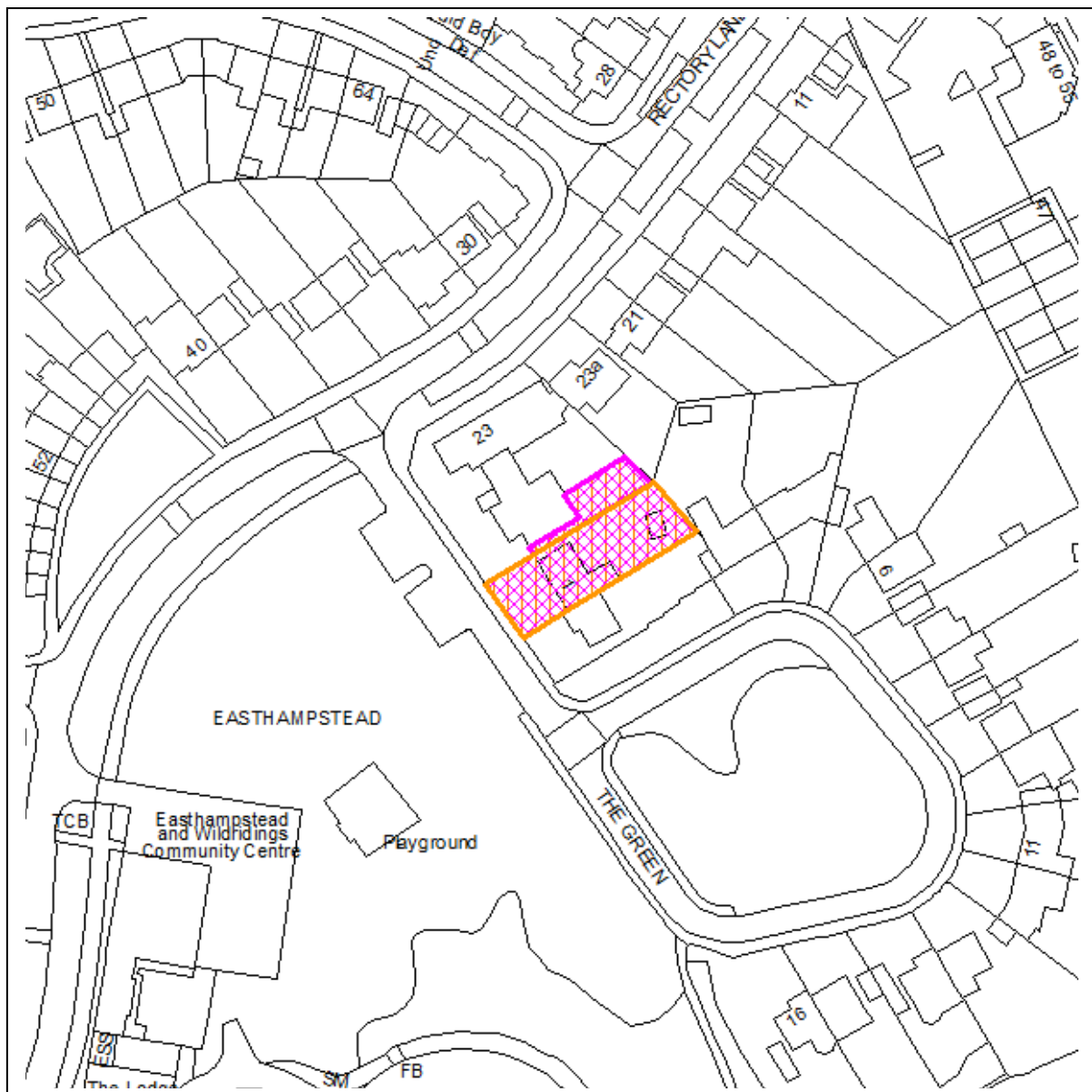


ITEM NO: 6Application No.
18/00898/FULWard:
Old BracknellDate Registered:
10 September
2018Target Decision Date:
5 November 2018Site Address: **1 The Green Bracknell Berkshire RG12 7BG**Proposal: **Sub-division of existing house to form two self contained dwellings, erection of two storey side extension and part two storey, part single storey rear extension.**

Applicant: Mr & Mrs Chopra

Agent: Mr Graham Gray

Case Officer: Michael Ruddock, 01344 352000

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

OFFICER REPORT

1. SUMMARY

1.1 The application is for the erection of a two storey extension to the side of the property, the erection of a part two storey, part single storey extension to the rear of the property and the subdivision of the property to form two separate, self-contained dwellings.

1.2 The site is located within the settlement boundary and as such the development is acceptable in principle. It is not considered that it would result in an adverse impact on the character and appearance of the area in a conservation area, residential amenity or highway safety. A Section 106 legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable.

RECOMMENDATION

Delegate to the Head of Planning to Approve the application subject to the completion of a Section 106 agreement and the conditions in Section 11 of this report.

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

PLANNING STATUS

Within Defined Settlement

Within Easthampstead Conservation Area
--

Within Area E (Rectory Lane, Easthampstead) of the Bracknell Study Area within the Character Area Assessments SPD

Within 5km of the Thames Basin Heath SPA
--

3.1 No.1 The Green is a semi-detached dwelling with a hardstanding parking area located at the front of the site and a private garden to the rear. Access to the site is from The Green at the front of the site, which in turn is accessed from Rectory Lane. An existing hedge forms part of the front boundary of the site. It is bordered to the sides by the adjoining semi-detached dwelling of No.2 The Green to the south and a veterinary surgery to the north. At the rear of the garden, to the east, the site is bordered by No.3 The Green. The site also shares a border with the rear garden of 23A Rectory Lane.

4. RELEVANT SITE HISTORY

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

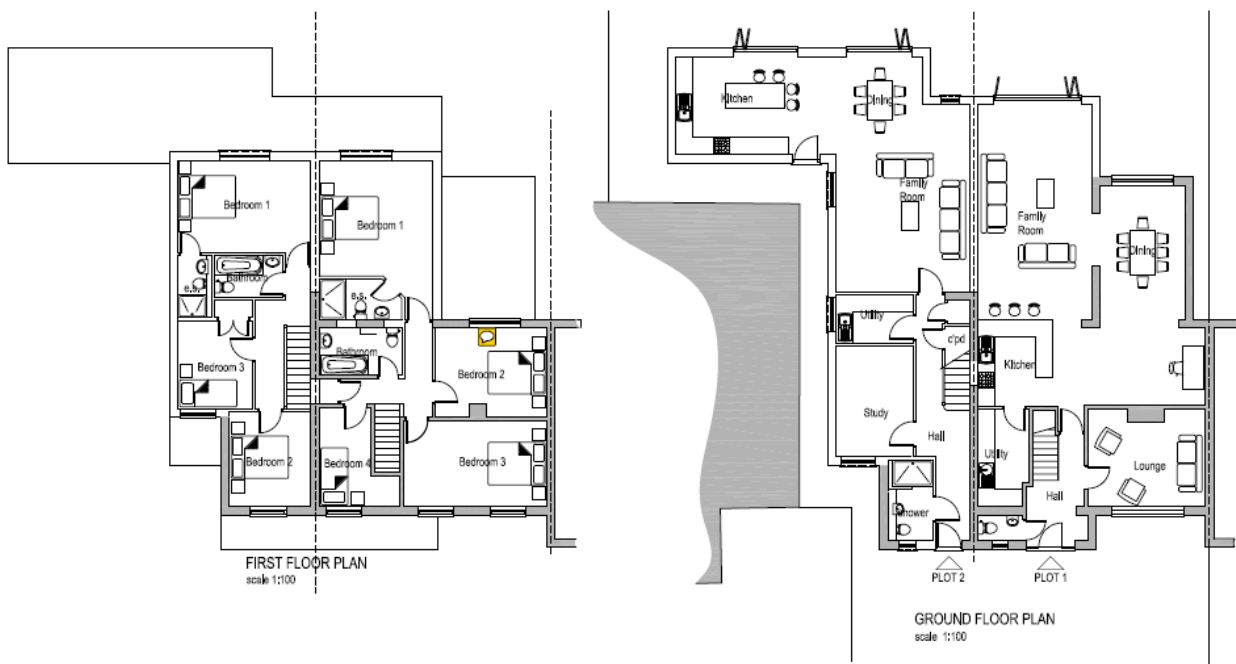
Application 615307 - Two single storey rear extensions forming utility room and family room. Infilling of passageway to form lobby – APPROVED 1989

Application 616937 - Two storey side extension – APPROVED 1991

5. THE PROPOSAL

5.1 The application seeks planning permission for the erection of a two storey extension to the side of the property, the erection of a part two storey, part single storey extension to the rear of the property and the subdivision of the property to form two separate, self-contained dwellings.

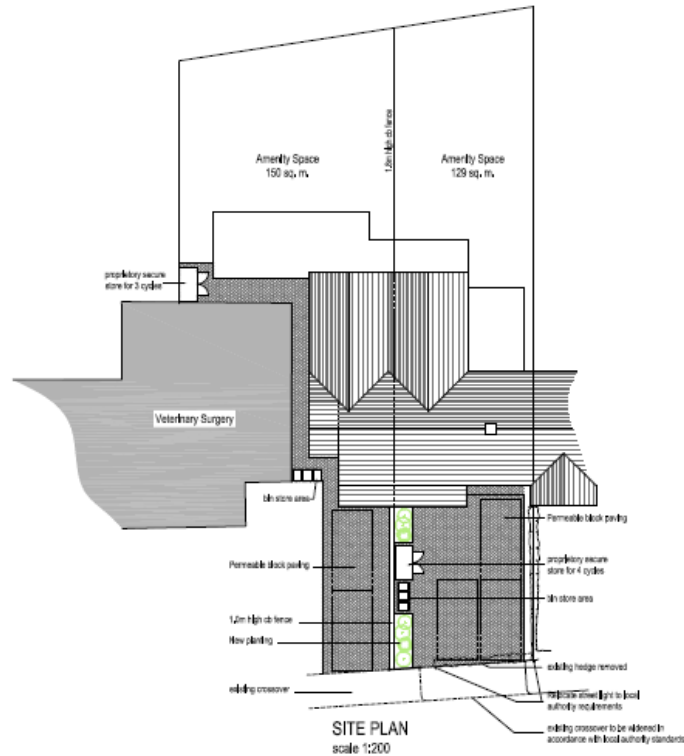
5.2 The property has previously been extended to both the side and rear, and the side extension would increase the overall width of the dwelling by 1.9m from 11.5m to 13.4m and would have a height of 6.1m. To the rear the two storey extension would project 5.9m beyond the rear wall of the original dwellinghouse, 0.9m beyond the rear projection of an existing single storey rear element. This extension would have a width of 9.5m forming two gables with a maximum height of 6.2m. A single storey element would project 3.6m further to the rear of this element with a width of 15.2m.



5.3 The extended property would be subdivided to form two separate dwellings. Plot 1, to the south of the site, would have a hall, lounge, kitchen, dining room and family room at ground floor level with four bedrooms, a bathroom and en-suite at first floor level. Plot 2 would have a study, hall, shower room, family room, dining area and kitchen at ground floor level with three bedrooms, an en-suite and a bathroom at first floor level.

5.4 The front of the site would be divided by a 1m high fence. Three parking spaces would be provided forward of Plot 1 and two spaces forward of Plot 2. The existing hedge would be removed to facilitate the parking and the existing dropped kerb widened to provide access. Bin and cycle storage areas would be provided at the front of the site for Plot 1, with areas of soft landscaping forward and rear of these. These facilities would be provided along the side access for Plot 2.

5.5 Private amenity space would be provided to the rear of both properties, which would be subdivided by a 1.8m high close boarded fence.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 Recommend refusal for the following reasons:

1) Allowing 2 three bedroomed houses to be created on a site designed for a four bedroom house that is already on a well-developed site would be overdevelopment and disproportionate to the character of the conservation area.

2) Councillors also feel although the property has a large garden area, allowing more residential living space on this plot will only exacerbate the traffic, parking and access problems which are already prevalent in this close as it is shared with a veterinary surgery and adjacent doctor's surgery.

Other representations:

6.2 Thirteen objections letters of objection have been received from eleven separate addresses. The reasons for objection can be summarised as follows:

- The change from two semi-detached dwellings to a terrace of three dwellings would have an adverse impact on the character of the area in a Conservation Area. The Green does not have the capacity for an additional house.
- Development would be contrary to the Easthampstead Conservation Area Appraisal.
- Design and scale of the extension is out of character with the surroundings.
- Loss of the hedge would be out of keeping with the area. Other properties have previously been required to keep their hedges when applying for development proposals.
- Proposal is an overdevelopment of the site.
- Development would be overbearing.

- Impact on the amenities of local residents through a loss of privacy and increase in noise and disturbance. Increase in anti-social behaviour.
- The development would provide insufficient parking and would result in an adverse impact on parking provision in the area to the detriment of highway safety. Parking is already an issue both for the existing dwellings and the nearby vet's/doctor's surgery.
- Impact on highway safety due to an intensification of the use of the site.
- Existing dwelling has been previously used as an HMO, and there is a concern that the two dwellings could also be used as such with resulting impacts on character and highway safety.

[OFFICER COMMENT: The application is for two separate dwellings in C3 use and should be assessed as such. It would be unreasonable of the Local Planning Authority to refuse the application on grounds relating to the dwellings becoming HMOs when that is not what is being applied for.]

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 Recommend conditional approval.

Historic Buildings/Conservation Officer

7.2 Recommend conditional approval.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
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
Other publications	National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG), Design SPD, Parking Standards SPD, Character Area Assessments SPD, Easthampstead Conservation Area Appraisal	

9. PLANNING CONSIDERATIONS

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 residential amenity
- iv Transport implications
- v SPA
- vi Community Infrastructure Levy

i. Principle of the development

9.2 The site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon the character and appearance of the surrounding area including the conservation area, residential amenities of neighbouring properties, highway safety etc. These matters are assessed below.

ii. Impact on the character and appearance of the area

9.3 The side extension would be visible from the front of the site, however the increase in width over the existing dwelling would be 1.9m which is not considered significant. The extension would be set back from the front elevation of the dwelling by 2.9m and set 1.1m lower in height and it is considered that such an extension would appear subordinate to the host dwelling. It is not considered that the side extension would result in an unacceptable impact on the streetscene.

9.4 The remainder of the development would be located to the rear of the site and would not be visually prominent from public areas. Although significant additions are proposed to the dwelling, it is not considered that the proposed extensions would appear out of keeping with the character of the existing dwelling in terms of their size and design. A significant private amenity area would remain and it is not considered that the application proposes disproportionate additions to the property that could not be comfortably accommodated within the site.

9.5 The application also proposes to subdivide the extended dwelling to create two separate, self-contained dwellinghouses. A concern has been raised that this would be overdevelopment however it is considered that the application proposes acceptably sized amenity areas to the rear and parking areas to the front. Although side access would not be possible for Plot 1, bin and cycle storage areas are shown to the front which would be screened by soft landscaping and are considered acceptable. It is therefore considered that the plot is of sufficient size to accommodate two separate dwellings. Although the majority of the front of the site would be given over to hardstanding, this is not considered to be out of keeping with the area given the large area of hardstanding serving the adjacent vet's and doctor's surgeries.

9.6 Concerns have been raised that the proposal would create a terrace of three dwellings which would be out of keeping with the area. Although it is accepted that all the properties on The Green are semi-detached, the area has a mixed character with the Point Royal flats 100m to the south of the site and the Easthampstead Neighbourhood Centre 120m to the west. Rectory Lane also has a mix of terraced and semi-detached properties. As such it is not considered that the subdivision of the property to create a terrace of three would be out of keeping with the character of the area.

9.7 The development would require the removal of a hedge at the front of the site to facilitate access to the parking area. Whilst the removal of such elements is generally not encouraged, regard needs to be had to the fact that the hedge could be removed without planning permission at any time and as such it would be unreasonable for the Local Planning Authority to refuse the application on these grounds. It is noted that some replacement planting is proposed at the front of the site, and details of the planting shall be secured by condition.

9.8 Regard also needs to be had to the location of the site within the Easthampstead Conservation Area. This was designated in 1996 in order to preserve the character and appearance of the core of Easthampstead and provide closer controls over development in the area. The Conservation Area Appraisal describes the character and appearance of the area which is centred around Rectory Lane. It was one of the first Conservation Areas in the UK to encompass a cluster of relatively modern buildings which were built as part of the creation of Bracknell New Town. The

area is valued for its place in social history as part of the 'new town movement' and as a relatively complete example of such a new town and its architectural quality. The listed building of Point Royal, located opposite the site, is a focal point of the conservation area.

9.9 The Council's Conservation Officer has assessed the proposals and considers that the proposed built form would be well screened from the main views from within the Conservation Area and would not adversely affect the setting of the Point Royal listed building. No objection is raised subject to the materials matching the existing dwelling, which shall be secured by condition.

9.10 It is noted that the Conservation Area Appraisal describes The Green as '1950s semi-detached housing' however this is a summary of the area and at no point does this exclude the principle of an existing dwelling being subdivided. The chapter of the appraisal that specifically refers to The Green makes no recommendation in this regard and it is not considered that the development would be contrary to this appraisal.

9.11 The site is also located within Area E (Rectory Lane, Easthampstead) of the Bracknell Study Area within the Character Area Assessments SPD however this makes no specific recommendations regarding The Green and mainly focuses on retaining the open space around Point Royal and the original built form. The area is described as having a variety of terraces, semi-detached and detached houses. The development would not be contrary to the recommendations of this SPD.

9.12 As such it is not considered that the development would result in an adverse impact on the character and appearance of the area. The proposal would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

iii. Impact on residential amenity

9.13 The development would be visible from the neighbouring sites to the side and rear, although it is noted that the adjacent site to the north is a veterinary surgery and as such no assessment needs to be made regarding the impact on that site in this regard.

9.14 With regard to the adjoining semi-detached dwelling of No.2 The Green, the side extension would not be visible from the neighbouring site. The rear extension would project 5.9m beyond the rear elevation of the neighbouring property and would be set 3.9m off the boundary, to the side of an existing single storey rear element. Due to this set off, a 45 degree line drawn from the midpoint of the nearest rear facing window at No.2 would not intersect the extension and as such the development would not result in an unacceptable loss of light to the rear facing windows of that property. Furthermore it is considered that the set off of 3.9m would ensure that the development would not appear unduly overbearing when viewed from the rear of the neighbouring property.

9.15 The extended elements would be set well away from the other neighbouring dwellings at No.3 The Green and No.23A Rectory Lane and would not result in an unacceptable loss of light to or unduly overbearing effect on these properties.

9.16 No side facing windows are proposed at first floor level. Such windows would result in a loss of privacy to No.2 The Green and as such a condition is recommended removing Permitted Development rights for such windows. Side facing windows in the north facing elevation would not face towards residential properties and would not be a concern. The rear facing first floor windows would be located a minimum of 13.9m from the boundary with No.3 The Green which is acceptable for there to be no loss of privacy to the residents of this property.

9.17 The private amenity areas proposed to the rear are considered acceptable in size, and it is considered that the development would provide an acceptable level of amenity for future occupiers of the properties.

9.18 It is therefore not considered that the development would result in an unacceptable impact on residential amenity. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

iv. Transport implications

9.19 The property takes access off an adopted residential cul-de-sac on which there are no parking restrictions. On street parking has been observed and it is considered that the area is likely to be busy throughout the day given the proximity of the vet's and the doctor's surgeries to the site. The dropped kerb would be widened to ensure separate access to both dwellings, with the extended access serving Plot 1. This is considered acceptable and shall be secured by condition.

9.20 The proposed site plan shows three parking spaces for the four bedroom dwelling and two spaces for the three bedroom dwelling. The spaces measure off the plans as 2.4m by 4.8m with space for pedestrian access to the front door. Bin storage and cycle parking is also provided for both dwellings. The proposal complies with the requirements of the Parking Standards SPD. The parking shall be secured by condition.

9.21 It is noted that objections have been raised to the proposal due to parking being an issue in the area as existing. However as the proposal would provide parking in accordance with the Council's Parking Standards SPD it is considered acceptable in this regard, and the development would not exacerbate parking issues within the area.

9.22 It is therefore not considered that the development would result in an adverse impact on highway safety. As such it would not be contrary to CSDPD Policy CS23, BFBLP 'Saved' Policy M9 or the NPPF.

v. SPA

9.23 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 2km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.24 An Appropriate Assessment has been carried out for this development in accordance with the Habitats Regulations 2017. Without any appropriate avoidance and mitigation measures the Appropriate Assessment concludes that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse the planning application.

9.25 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures which Natural England will spend upon the SPA land. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.26 In this instance, the development would result in a net increase of 1no. three bedroom dwelling and 1no. four bedroom dwelling replacing the existing five bedroom dwelling which results in a total SANG contribution of £5,064. The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £466.

9.27 The total SPA related financial contribution for this proposal is therefore £5,530. A draft Section 106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG are completed has been submitted. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP 'Saved' Policy NRM6, 'Saved' Policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area SPD, the Planning Obligations SPD and the NPPF.

vi. Community Infrastructure Levy

9.28 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.

9.29 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 of one dwelling and as such is CIL liable.

10. CONCLUSIONS

10.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the character and appearance of the surrounding area or be contrary to the Easthampstead Conservation Area Appraisal. It would not result in an adverse impact on residential amenity or highway safety.

10.2 As such the development would not be contrary to CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies EN20 and M9 or the NPPF.

11. RECOMMENDATION

11.1 **Following the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990 relating to:-

- Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA).

That the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 15 November 2018:

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

03. The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall be of similar appearance those of the existing dwelling.

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

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

04. No construction works shall commence until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

REASON: In the interests of good landscape design and the visual amenity of the area.

[Relevant Policies: BFBLP EN20, CSDPD CS7]

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 south facing side elevation of the rear extension hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

06. Plot 1 shall not be occupied until a means of vehicular access has been constructed in accordance with the approved details.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

07. No dwelling shall be occupied until the vehicle parking has been set out in accordance with the approved drawing. The spaces shall be retained as such thereafter and shall not be used for any purpose other than parking.

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. No dwelling shall be occupied until secure and covered parking for bicycles and storage for refuse has been provided in accordance with the approved drawings. It shall be retained as such thereafter.

REASON: In order to ensure bicycle facilities and refuse storage are provided.

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

Informative(s):

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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 the following conditions; however they are required to be complied with:

1. Time Limit
2. Approved Plans
3. Materials
5. Side facing windows
6. Access
7. Parking
8. Cycle parking/refuse storage

The applicant is advised that the following conditions require discharging prior to commencement of construction works:

4. Landscaping

3. The applicant should note that the Bracknell Forest Council's Street Works Team should be contacted at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.

In the event of the S106 agreement not being completed by 31 March 2019, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018).