

ITEM NO: 11

Application No.
11/00577/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
25 August 2011

Target Decision Date:
20 October 2011

**Oaklands Farm Maize Lane Warfield Bracknell
Berkshire RG42 6BE**

Proposal: **Erection of single storey side extension forming annex.**

Applicant: Mrs C Collins

Agent: Walsingham Planning

Case Officer: Sarah Horwood, 01344 352000

environment@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)

1 RELEVANT PLANNING HISTORY (If Any)

611733 Validation Date: 18.06.1987
Outline application for erection of a farmhouse.
Approved

612973 Validation Date: 19.01.1988
Erection of detached farmhouse.
Approved

10201 Validation Date: 17.02.1965
Access
Approved

621757 Validation Date: 19.06.1996
Section 73 application to allow occupation of dwelling by a person not engaged in agriculture or forestry without compliance with condition 8 of planning permission 611733.
Unconditional Approval

11/00398/FUL Validation Date: 09.06.2011
Erection of single storey side extension forming annex.
Refused

2 RELEVANT PLANNING POLICIES

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>PPG (No.)</i>	<i>Planning Policy Guidance (Published by DCLG)</i>
<i>PPS (No.)</i>	<i>Planning Policy Statement (Published by DCLG)</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>SEP</i>	<i>South East Plan</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN20	Design Considerations In New Development
BFBLP	EN8L	Dev On Land Outside Settlements
BFBLP	H5L	New Dwellings Outside Settlements
BFBLP	M9	Vehicle And Cycle Parking
BFBLP	M4L	Highway Measures New Development
BFBLP	R4	Provision Of Open Space Of Public Value
BFBCS	CS6	Limiting the Impact of Development
BFBCS	CS10	Sustainable Resources

BFBCS	CS12	Renewable Energy
BFBCS	CS9	Development on Land Outside Settlements
BFBCS	CS24	Transport and New Development
BFBCS	CS8	Recreation and Culture
SEP	CC7	Infrastructure and Implementation

3 CONSULTATIONS

(Comments may be abbreviated)

Transportation Officer

Refer to officer report

Environmental Policy Officer (SPA)

Refer to officer report

Warfield Parish Council

Recommend permission is conditional: the annex is occupied in conjunction with the existing property.

4 REPRESENTATIONS

None received to date.

5 OFFICER REPORT

This application has been reported to the Planning Committee at the request of Councillor Dudley.

i) PROPOSAL

Permission is sought for the erection of a single storey side extension forming an annex. The proposed annex would consist of a sitting room, bedroom and en-suite bathroom. A single storey link extension is proposed which would provide access between the main house and the annex. The dimensions of the annex would be 8m wide by 7.5m deep, with a ridge height of 4.7m.

The size of the annex has not been revised following the refusal of previous application 11/00398/FUL, however the kitchen has been removed from the annex and a flat roof link extension is now proposed between the annex and main house. The previous application was refused on the grounds of the proposal being considered tantamount to the creation of a new dwelling within a Countryside location and for failure to mitigate against the impact of development with section 106 contributions.

The annex is required by the applicant to allow the applicant's mother to live on site. Due to the design of the building the applicant's mother would maintain a level of independency within the annex. The kitchen within the main house would be relied upon for cooking, washing, etc. It is stated that the annex is designed as such as a more integral extension would add cost and disruption to the main house, particularly

given the house services enter the building along the north eastern side where the extension would have to be connected, along with the boiler. In the supporting statement (para 4.4) it is stated that it is not intended that Mrs Collins and her mother fully share the main house as this would deprive her mother of any degree of independence.

ii) SITE

Oaklands Farm is located at the junction of County Lane and Maize Lane. The site is accessed from Maize Lane where there are electronic gates and brick piers at the entrance into the site. The boundary facing onto County Lane is denoted by 3m high fencing. There is a parking area to the front and side of the property. To the north-east of the site are existing detached agricultural buildings which have permission to be used for the private stabling and riding of the horses by the occupiers of Oaklands Farm, along with a ménage (granted permission by 620504 and 624202).

iii) PLANNING CONSIDERATIONS

(1) Principle of development

Oaklands Farm is sited outside the existing settlement boundary and within land designated as CS5 land - Land north of Whitegrove and Quelm Park, identified for a comprehensive, well designed mixed use development, including residential and employment uses.

(2) Effect on the residential amenities of neighbouring properties

Oaklands Farm is set on a corner plot location. The nearest neighbouring properties are to the south of the site at Mary Mead some 40m away. The proposed extension would therefore not be considered to have an adverse impact upon the residential amenities of neighbouring properties.

(3) Impact on character and appearance of surrounding area

The proposed single storey extension would be set back 22m from Maize Lane and would be 4.7m in height, however would not be considered to appear unduly prominent within the street scene due to its single storey height and the screening provided by existing hedgerow and trees along the western boundary of the site facing Maize Lane.

The proposed annex would be physically linked to the main dwellinghouse by a walkway with 1 door into the annex and 1 door into the main house and also a flat roof. The link extension between the main house and the annex could easily be severed by the removal/blocking up of the internal doors so that the annex becomes a self contained, separate residential unit of accommodation. There is a door in the side elevation of the annex leading into the lounge which could be used to provide access into the annex if the link between the annex and main house were to be severed. As such, the annex is not considered to be adequately integrated into the main house and as such does not constitute ancillary accommodation to the main house.

It is acknowledged that the kitchen has been removed from this revised scheme, however given the size of the extension has not been revised, there would be sufficient space internally to install kitchen facilities so that the annex becomes a separate, self contained unit of accommodation which would allow independent living by the occupier without reliance on the main house. As such, the annex would still be considered to be tantamount to the creation of a new dwelling.

The site is located within land outside of defined settlement, known as Countryside pending the adoption of urban extension to Warfield. The erection of new dwellings outside the defined settlement boundaries will not be permitted unless it is in connection with the use of the land for agriculture or forestry. This proposal is considered to be tantamount to the creation of a new dwelling within a Countryside location which would not be for the purposes of agriculture or forestry and as such, the proposal would be contrary to policies EN8 and H5 of the BFBLP.

Given the proposal has been assessed as the creation of a new residential unit of accommodation, the site is identified as being located within the CS5 Urban Extension (Land at Warfield), which is being formally allocated through the Site Allocations DPD. The Warfield SPD provides detailed guidance on the delivery of development on CS5 land and is being prepared in parallel with the SA DPD. The SPD will include detailed master planning for the whole of this area, including Oaklands Farm. The Warfield SPD will identify what elements of this infrastructure will be provided, indicate locations where appropriate, and measures setting out how they will be delivered. In conclusion, development proposals within the CS5 area will only be acceptable if they indicate how they will engender, rather than preclude, comprehensive mixed use development including the appropriate, and adequate contribution they will make to infrastructure planning for the area. Pending the adoption of the SPD to ensure the proper implementation for the CS5 area, development proposals for anything other than "acceptable countryside uses" (based on Core Strategy Policy CS9 and 'saved' Local Plan Policy EN8) should be opposed on the grounds of prematurity.

(4) Highway implications

The application proposes to construct a 1 bedroom annexe attached by a link extension to the existing 4 bedroom house. The drawings show that the annex will be part of the existing dwelling which would require 3 parking spaces to comply with the Bracknell Forest Borough Parking Standards (2007). However, although the annex has no kitchen, it would be possible to create 2 separate dwellings which would require an additional parking space to comply with the BFC standards but as this is a large site with ample space for additional parking the proposals will be acceptable.

The development will generate approximately 2 additional vehicle movements/day. However if the dwelling was divided approximately 5 additional movements would be generated and impact on the transport infrastructure would need to be offset by securing a highway contribution of £1600 through a S106 agreement.

(5) SPA implications

This application is within the area subject to Core Strategy Development Plan Document Policy CS5 and the emerging Warfield Supplementary Planning Document. The development as a whole requires a bespoke solution to the SPA including the redevelopment of this site as part of the wider development. However in the event a s106 agreement needs to be provided the following standard template appropriate assessment is necessary as follows.

The Council, in consultation with Natural England, has formed the view that that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath SPA is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects. This site is located approximately 4.17 km 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. Therefore, an Appropriate Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the site.

In line with the Council's Special Protection Area Technical Background Document (June 2007) and Chapter 11 of the Limiting the Impact of Development SPD (July 2007) (LID), the project as proposed would not adversely impact on the integrity of the site provided: Prior to the permission being granted an applicant enters into a Section 106 Agreement based upon the Template S106 Agreement within Limiting the Impact of Development SPD; this is set out at Appendix B and the Second and Third Schedules of LID.

The Template S106 requires a contribution of £1,279/net dwelling to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. The open space works at The Cut Cluster is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The Template S106 also requires occupancy to be restricted until the works and measures are in place.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis. This application for 1 X 2 bedroom dwellings will require an additional financial contribution of £399.

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is $£1279 + £399 = £1678$.

Natural England has agreed that if the plans are implemented as stated in the SPA Avoidance and Mitigation Strategy and the Strategic Access Management and Monitoring Agreement, with certain monitoring requirements, Natural England "will stop objecting to consultations on housing applications in those areas of the Borough which have mitigation in line with the avoidance strategy."

Therefore, the Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) permission may be granted.

(6) Sustainability implications

As the proposal is being treated as tantamount to the creation of a new dwelling, then policies CS10 and CS12 of the CSDPD would apply.

Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, i.e. Code for Sustainable Homes Level 3. Formal assessment of dwellings against the Code for Sustainable Homes must be carried out by an accredited assessor (accredited by BRE). The assessment has several stages: Pre-assessment Estimator, Design Stage Assessment, and Post Construction Review. All stages should be covered, and the assessments submitted to the Council.

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.

If planning permission was to be granted then conditions would be recommended to address these policies.

(7) Limiting the impact of development

A Supplementary Planning Document entitled 'Limiting the Impact Upon Development' was adopted in July 2007. This document recommends that contributions are sought for any net gain in dwellings depending upon their impact upon the local services and infrastructure. This document is a material consideration.

The following S106 legal contributions would therefore be required given the proposal would be considered as the creation of a new residential dwelling:

Transport: £1600

Open space: £1000

SPA: £1678 (including SAMM)

Total contributions of £4278

A S106 legal agreement has not been submitted with the application.

iv) CONCLUSION

The proposed annexe due to its internal layout would be considered to be tantamount to the creation of a new dwelling within a Countryside location which would be contrary to policies EN8 and H5 of the BFBLP. Further, a s106 legal agreement has not been submitted with the application to mitigate against the impact of development.

The application is therefore recommended for refusal.

6 RECOMMENDATION

That the application be **REFUSED** for the following reason(s):-

01. The proposed development which is considered to be tantamount to the creation of a new dwelling is not acceptable in principle and would result in an inappropriate form of development and would adversely affect the rural character and visual amenities of the area. The proposal would therefore be contrary to Policy CC6 of the South East Plan, Policies EN8 and H5 of the Bracknell Forest Borough Local Plan and Policy CS9 of the Core Strategy Development Plan Document.
02. The proposed development which is considered to be tantamount to the creation of a new dwelling would unacceptably increase the pressure on highways and transportation infrastructure and public open space. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures and open space, the proposal is contrary to Policy CC7 of the South East Plan, Policies R5 and M4 of the Bracknell Forest Borough Local Plan and CS6, CS8, and CS24 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).

03. The occupants of the development which is considered to be tantamount to the creation of a new dwelling would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicants have not satisfactorily mitigated the development to comply with Limiting the Impact of Development Supplementary Planning Document (July 2007). In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would therefore be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan and Policy CS14 of the Core Strategy Development Plan Document.

Informative(s):

01. This refusal is in respect of drawing nos. E, 3, 4, 2911/01 A and Planning Statement received 25 August 2011 by the Local Planning Authority.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk