

## Unrestricted Report

### ITEM NO: 14

Application No.  
**12/00211/FUL**  
Site Address:

Ward:  
Priestwood And Garth

Date Registered:  
12 March 2012

Target Decision Date:  
7 May 2012

**Christine Ingram Gardens Bracknell Berkshire RG42  
2LY**

Proposal: **Installation of 6no. dormer windows in roof of Block B.**

Applicant: Cover Homes Ltd

Agent: Mr Peter M Salmon

Case Officer: Margaret McEvit, 01344 352000

[environment@bracknell-forest.gov.uk](mailto:environment@bracknell-forest.gov.uk)

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



## 1 RELEVANT PLANNING HISTORY (If Any)

03/01129/OUT

Validation Date: 25.11.2003

Outline application (including details of siting and means of access) for the erection of 2no. two storey buildings each accommodating 6 flats and 1no. building accommodating 12 flats with associated parking and access onto Lakeside.

**Refused**

05/00069/REM

Validation Date: 26.01.2005

Submission of details of design, external appearance, landscaping and means of access for the erection of 2 x two storey blocks of 6 flats and 1 x block of 12 flats pursuant to outline planning 03/01129 approved under appeal.

**Approved**

05/00707/OUT

Validation Date: 28.07.2005

Outline application (including details of siting, landscaping and means of access) for the erection of 1no. block of 8 flats with associated parking and bin storage following demolition of existing dwelling (this application provides for 2no. additional flats in Building C - to be built in the roofspace - over and above those approved under 03/01129/OUT and 05/00069/REM with 2no. additional car parking spaces and revised bin store locations).

**Refused**

06/00210/REM

Validation Date: 06.03.2006

Submission of details of design, external appearance and landscaping for the erection of 1no block of 8no. flats with associated parking and bin storage pursuant to outline planning permission 05/00707/OUT.

**Approved**

06/00517/FUL

Validation Date: 07.06.2006

Erection of wrought iron gates supported by brick piers (max height 2.325m) with associated wing walls/railings at entrance to site from Lakeside.

**Refused**

06/00849/FUL

Validation Date: 18.09.2006

Erection of wrought iron gates supported by brick piers (max height 2.325m) with associated wing walls/railings at entrance to site from Lakeside (revised proposal with pedestrian gate).

**Approved**

08/00511/FUL

Validation Date: 20.05.2008

Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A, 2no. one bedroom flats in Block B). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

**Refused**

09/00180/FUL

Validation Date: 24.03.2009

Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A, 2no. one bedroom flats in Block B). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

**Refused**

11/00015/FUL

Validation Date: 29.12.2010

Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A, 2no. one bedroom flats in Block B). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

**Refused**

11/00630/CLPUD

Validation Date: 08.09.2011

Application for a certificate of lawfulness for the proposed use of roof space of Block B for residential purposes ancillary to Nos: 29 and 31 and the insertion of 4 velux windows.

**Approved**

## **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>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</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
BFBCS	CS1	Sustainable Development Principles
BFBCS	CS7	Design
SEP	CC6	Sustainable Comms. & Character of Env.

## **3 CONSULTATIONS**

(Comments may be abbreviated)

### Bracknell Town Council

Recommend refusal,

The 6 proposed dormer windows in the second floor roof elevations will adversely impact the amenities and cause overlooking for neighbouring residents. It is unclear why the developer wishes to install dormer windows at this level and without clear details plans of the proposed use of the roof space Bracknell Town Council recommend refusal of this application.

## **4 REPRESENTATIONS**

10 letters of objection have been received raising the following material considerations:

- the appearance of the building would change to 3 storey which is out of keeping with the area
- dormer windows would result in overlooking of nearby properties
- concerns over the future use of the roof space

## 5 OFFICER REPORT

This application has been referred to the Planning Committee because more than 3 letters of objection have been received.

### BACKGROUND

This site has been the subject of 6 previous applications to provide residential accommodation in the roof spaces of existing blocks of flats:-

05/00707/OUT. Addition of 2no. additional flats in Building C with 2no. additional car parking spaces and revised bin store locations).

Allowed on appeal. Inspector did not consider that the proposal would result in overlooking of neighbouring properties or unacceptable increase in traffic.

08/00511/FUL. Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A, 2no. one bedroom flats in Block B). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

Dismissed on appeal. The inspector considered that there would be no harm to residential amenity as a result of the insertion of velux windows or dormer windows and that changes to the parking area would have little overall effect on the visual amenity of the area. The inspector considered that the additional 6 units would result in a net increase of 30 residential units on the site. This exceeds the threshold where affordable housing should be provided as part of the development and no affordable housing provision had been made.

08/00789/FUL. Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A, 2no. one bedroom flats in Block B). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

Application refused. The decision was made before the appeal decision for the previous application 08/00511/FUL and was on the basis of loss of landscaping on the site to accommodate additional car parking, failure to provide affordable housing on the site and failure to enter into a S106 Agreement to secure infrastructure contributions.

09/00180/FUL. Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A, 2no. one bedroom flats in Block B). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

Appeal dismissed. The inspector agreed with the inspector determining application 08/00511/FUL that there would be no harm to the character or appearance of the site or wider area and no significant overlooking or loss of privacy for neighbouring properties. The inspector considered that the contribution offered by the applicant towards affordable housing provision was inadequate and that the Council's approach to considering viability in assessing the proposal and the affordable housing requirement.

11/00015/FUL. Conversion of roof space of blocks A and B to provide 6no. additional flats (3no. one bedroom flats and 1no. two bedroom flat in Block A, 2no. one bedroom

flats in Block B). Provision of 9 additional car parking spaces and 10 additional cycle spaces and relocation of visitor cycle store.

Members will recall that this application was refused by the Planning Committee at the 16 February 2012 meeting on the grounds of overdevelopment of the site, failure to secure adequate levels of affordable housing and failure to secure contributions towards local services and infrastructure.

### **(i) PROPOSAL**

This full application proposes the installation of 6 dormer windows in the roof of block B. The roof space does not contain living accommodation, but a recent Certificate of Proposed Lawful Use or Development (CLPUD) established that works to convert the roof space of Building B into ancillary living accommodation for units 29 and 31 and the insertion of 4 velux windows are not development as set out in S55 (2) of the town and Country Planning Act 1990. Planning permission for such works is not therefore required. The installation of dormer windows would serve ancillary accommodation linked to units 29 and 31 in block B, Internal stairs have been shown on floor plans that link the roof space accommodation to flats 29 and 31.

### **(ii) SITE**

The 0.42 ha site was originally occupied by two dwellings but has now been developed as 3 blocks of flats giving a total of 26 flats. Block C includes 2 flats within the roofspace. The original application to develop the site 03/01129/OUT and a subsequent application 05/00707/OUT to add to flats within the roofspace of block C were allowed on appeal.

The site is relatively flat and contains a number of trees covered by a TPO. It is bounded by the A3095 Warfield Road to the east, on the other side of which lies Littlecourt (a listed building). A further listed building, Old Malt House, lies to the south. The northern edge of the site is bounded by the back gardens of properties fronting on to Lutterworth Close. Vehicular access to the site is via a road linking to Lakeside.

### **(iii) PLANNING CONSIDERATIONS**

#### **(1) Principle of the development**

The site lies within a defined settlement boundary where residential development will be acceptable in principle.

Policy CS7 of the Core Strategy DPD seeks a high quality of design for all developments in Bracknell Forest. The dormer windows are designed to replicate the dormer windows already included in building C and are sympathetic in size to the windows in building B.

The dormer windows will serve second floor accommodation to flats 29 and 31 and can be accessed from internal staircases from these flats. The proposal will not permit the roof space to be occupied as self contained flats, for which separate planning permission would be required.

## **(2) Transportation considerations**

The proposal relates only to the insertion of dormer windows and does not increase the number of residential units on the site. No increase in vehicle trip rates or requirement for additional parking spaces is likely as a result of this proposal.

## **(3) Impact on character and appearance of the area**

The dormer windows are positioned with 2 windows on the north and south elevations and 1 window on the west and east elevations. The positions of the dormer windows are the same as shown in the 6 planning applications referred to above where permission was sought to convert the roof space of the block to provide additional living units.

In considering a subsequent appeal on the site for the provision of a further 6 units within the roof spaces of blocks A and B (09/00180/FUL) the inspector agreed with the conclusions in the earlier appeal that there would be no harm to the character and appearance of the site or wider area.

"I agree with the previous Inspector that there would be no harm to the character and appearance of the site or wider area and no significant overlooking or loss of privacy for neighbouring occupiers if the proposal went ahead" (para. 5).

The proposals do not involve raising the roof height of the building. Building C includes dormer windows in the roof and it is considered that this proposal would replicate the design and appearance of building C in the provision of dormer windows at roof height. When considering the appeal for the proposal to include flats and dormer windows within the roof space of Block C (05/00707/FUL), the inspector considered the impact of the dormer windows on the character of the area and concluded that, "I see no reason why the design of the building should not reflect the character and appearance of the area with the formation of the additional flats within the roofspace and with the use of dormer windows. I see no conflict with Policy EN20 of the Local Plan for this reason."

## **(4) Effect on the amenities of neighbouring residential properties**

Concerns have been raised regarding overlooking from the proposed dormer windows onto properties immediately adjoining the application site.

In considering an appeal against the Council's refusal of application 08/00511/FUL, the inspector considered concerns that the proposed dormer windows in buildings A and B would impact on the residential amenities of properties close to the site.

The eastern elevation of Block B faces across Warfield Road towards Littlecourt, which is a listed building. The proposal does not include raising the height of this block, and it is considered that the inclusion of 2 dormer windows in this elevation facing towards Littlecourt will not have an adverse impact on the listed building.

The dormer windows in the south facing roof slope of Block B towards High Cedars would have views down into the front garden of this house. However, the inspector considered that this is not a particularly private area as it is open to views from the street. The inspector considered that there would be no material harm to residential amenity resulting from these dormer windows and possible overlooking or loss of privacy.

The dormer in the western elevation of block B is approximately 22-24 metres away from the side elevations of block A at roof level. Given the existing relationships between windows in this elevation and these buildings, this is not considered likely to result in any unacceptable increase in overlooking.

The dormer window in the north elevation is positioned approximately 8m from building C. These elevations have existing windows and the insertion of the dormer window on this elevation is not considered to raise new issues of loss of privacy.

This application proposes the same relationship between proposed dormer windows and existing properties and is considered to be acceptable, given Inspectors' previous comments on this matter.

#### **(iv) CONCLUSIONS**

The proposed development would not result in an increase in the footprint of the buildings or an increase in the number of flats. The use of the roof space as ancillary accommodation for flats 29 and 31 which are on the first floor of block B can take place without requiring planning permission. The works required to insert staircases into the roof space are internal works only and velux windows can be inserted without significantly altering the appearance of the building. The insertion of dormer windows, the only element requiring planning permission is not considered to result in unacceptable levels of overlooking of nearby properties. Any occupation of the roof space as self contained residential units would require specific planning permission.

## **6 RECOMMENDATION**

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 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 12.3.12  
\_ 5.4.12:  
719/1, 1A, 783/A4, 567/16e12  
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 development hereby permitted shall;
  - a) match those of the existing building, or
  - b) shall be as unless otherwise agreed in writing by the Local Planning Authority.REASON: In the interests of the visual amenities of the area.  
[Relevant Policies: SEP CC6, BFBLP EN20, Core Strategy DPD CS7]

#### **Summary Of Reason(s) For Decision:**

The following development plan policies have been taken into account in determining this planning application:

Bracknell Forest Borough Local Plan (saved policies):

EN20 – as it would be acceptable in terms of its impact upon the character of the area, and amenity of surrounding properties and adjoining area.

Core Strategy DPD

CS1 – which seeks to ensure that development makes efficient use of land and buildings, reduces the need for travel, promotes a mix of uses, conserves water and energy use, supports the economic wellbeing of the population, protects and enhances safety, natural resources, character of local landscape and historic and cultural features.

CS7 – which seeks to ensure that developments are of high quality design.

South East Plan

CC6 – which seeks development that will respect and enhance the character and distinctiveness of settlements and landscapes, and use innovative design to create a high quality built environment which promotes a sense of place.

NPPF

(Please note that this is not intended to be an exhaustive list).

The following material considerations have been taken into account:

Third party representations have been received on the grounds that the proposal would be out of keeping with the area, result in overlooking and loss of amenities for residents of nearby properties and questioning the future use of the roof space to be served by the proposed dormer windows. These comments were taken into consideration, however it is considered that the proposal would comply with BFBLP Policy EN20, Core Strategy DPD Policies CS1 and CS7 and SEP Policy CC6. The proposal will not adversely affect the character of the building, or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

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](http://www.bracknell-forest.gov.uk)