

Unrestricted Report

ITEM NO: 9

Application No.
12/00294/FUL

Ward:
Hanworth

Date Registered:
28 March 2012

Target Decision Date:
23 May 2012

Site Address:

12 Octavia Bracknell Berkshire RG12 7YZ

Proposal:

Erection of single storey rear extension forming conservatory.

Applicant:

Mr and Mrs M Butler

Agent:

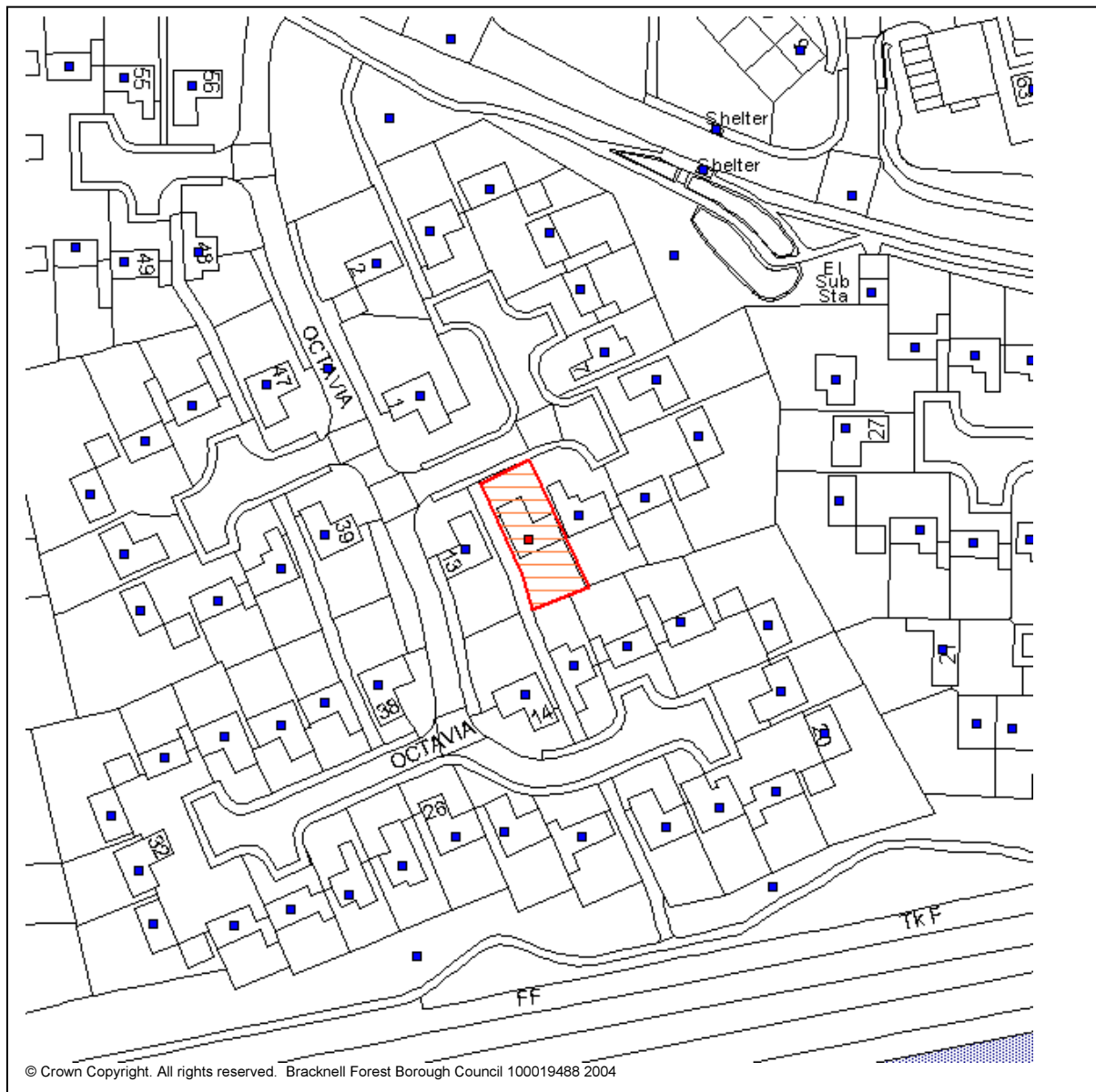
Mr N Marsh

Case Officer:

Nick Kirby, 01344 352000

environment@bracknell-forest.gov.uk

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



1 RELEVANT PLANNING HISTORY (If Any)

03/00564/FUL Validation Date: 02.06.2003

Erection of first floor front extension.

Part PD Removed.

Approved

619905 Validation Date: 01.06.1994

Erection of first floor front extension including new roof over existing dormer and replacement of flat roof on existing rear extension with a pitched roof.

Approved

605093 Validation Date: 29.04.1980

Two storey front extension forming new drawing room with bedroom over.

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	CS7	Design
SEP	CC6	Sustainable Communities and Character of Environment

3 CONSULTATIONS

(Comments may be abbreviated)

Bracknell Town Council

Bracknell Town Council recommended refusal stating the proposal constituted over development and was unneighbourly.

4 REPRESENTATIONS

A letter has been received objecting to the application which may be summarised as follows:

The proposed extension would adversely affect the daylight received by the neighbour. Due to its siting, the proposed conservatory would not allow for access to its side elevation.

5 OFFICER REPORT

This application is reported to the Planning Committee at the request of Councillor Baily due to concern that the proposal would constitute overdevelopment that would adversely impact on the amenity of neighbouring residents.

i) PROPOSAL

Erection of a single storey conservatory with a ridge height of 3.2m, an eaves height of 2.1m and a projection from the host dwelling's rear wall of 3m.

ii) SITE

The site is a detached two storey dwelling which has been extended to the front and rear previously. An existing single storey projection exists on the south west of the dwelling leaving a small gap adjacent to the boundary where the proposal is to be sited. No. 12 is set approximately 0.2m higher than number 11 Octavia.

iii) PLANNING CONSIDERATIONS

(1) Principle of the development

The site lies within the area defined as settlement on the Bracknell Forest Borough proposals map (Feb. 2008) and is therefore acceptable in principle, subject to no adverse impact on the amenity of the neighbours, occupiers, character of the area, highway safety etc.

(2) Impact on character and appearance of the area

The proposal is set within an enclosed rear garden and will have a minimal impact in this respect. It would infill an existing area to the side of a rear extension adjoining the neighbouring property. The proposal is not considered to constitute overdevelopment, subject to an acceptable impact on the neighbour's amenity.

(3) Effect on the amenity of neighbouring residential property

The site level difference between no. 12 and no. 11 Octavia will mean the conservatory will appear approximately 20cm higher to the neighbour than as drawn on the plan.

The existing boundary fence separating the two properties is approx. 1.8m high with a 0.2m trellis on top. The proposed eaves of the conservatory would be set at a height of 2.1m meaning only 30 cm of the conservatory's side elevation would be visible to the resident of no. 11 taking into account the site levels, before the roof pitches away from the boundary to a height of 3.2m. Given the minimal dimensions of the conservatory, it is not considered the proposal would appear unduly overbearing to the neighbour above the existing boundary treatment.

In terms of daylight, a 45 degree line was drawn on a vertical plane down from the ridge of the extension at its closest point to the boundary towards the neighbour's kitchen window. This window is the primary source light for a kitchen which has a table

and chairs and is considered to constitute a habitable room. This approach accords the Building Research Establishment Report document entitled 'site layout planning for daylight and sunlight'. This line did not encroach on the adjacent window suggesting the residents would not experience a significant loss of daylight that warrants refusal of the application.

The conservatory is set close to the north east boundary. Side access to the conservatory for maintenance/cleaning is not a mandatory requirement and any access arrangements to the neighbour's property for maintenance/cleaning would be a civil matter to be dealt with outside the planning process. An informative will be attached to this permission advising the applicant that planning permission does not grant rights to access the neighbour's land.

The proposed side facing windows are 1.7m above floor level which is an industry assumed eye level. Given the height of these windows, the proposal is not considered to cause significant overlooking.

(iv) CONCLUSIONS

The site is within the settlement boundary where extensions are acceptable in principle and the proposal is not considered to constitute overdevelopment. Given the minimal size of the extension and the level of existing boundary treatment, it is not considered the proposal would have an adverse impact on the living conditions of neighbouring residents.

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 and other submitted details received by the Local Planning Authority on 28/03/12:

Site location plan, 107/2, 107/3, 107/1,

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

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:

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 Development Plan Document:
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 the innovative design to create a high quality built environment which promotes a sense of place.

Guidance contained in the National Planning Policy Framework has been taken into account.

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

The following considerations have been taken into account:

The proposal will not adversely affect the character or visual amenity of the area given its location in the rear garden or the amenity of neighbouring residents given the minimal bulk of the extension. The planning application is therefore approved.

Informative(s):

01. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to carry out any works on, over or under your neighbour's land or property without first obtaining their consent, including the need to comply with any requirements under the provisions of 'The Party Wall etc Act 1996'.
02. Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

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