

## Unrestricted Report

### ITEM NO: 9

Application No.  
**13/00373/FUL**  
Site Address:

Ward:  
Harmans Water

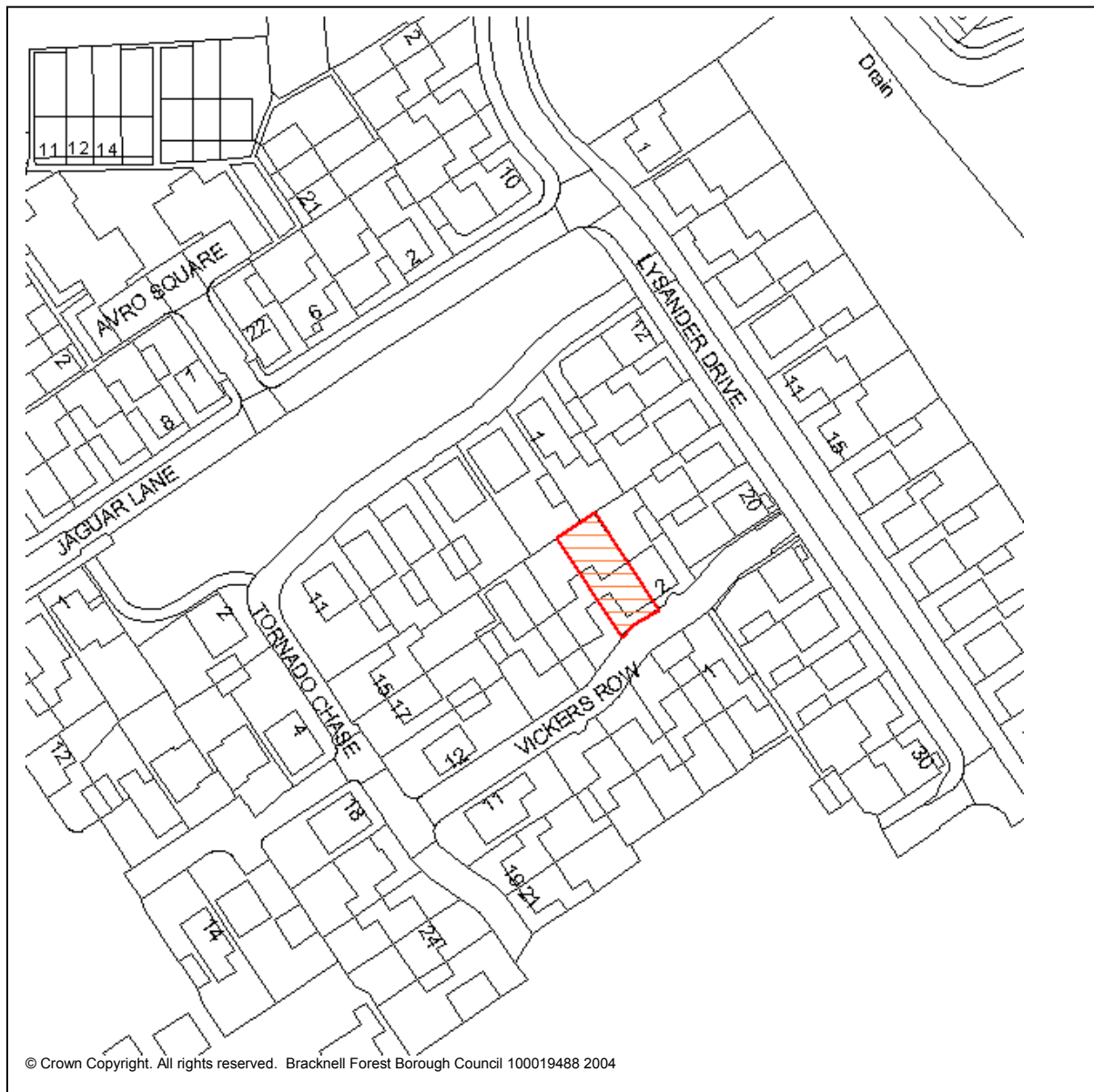
Date Registered:  
11 May 2013

Target Decision Date:  
6 July 2013

**4 Vickers Row Bracknell Berkshire RG12 9PQ**

Proposal: **Erection of 2.6 metre high lean-to on rear elevation. (retrospective)**  
Applicant: Mr John Murdoch  
Agent: (There is no agent for this application)  
Case Officer: Sarah Horwood, 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)

None.

## 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>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN20	Design Considerations In New Development
BFBCS	CS7	Design
NPPF		National Planning Policy Framework

## 3 **CONSULTATIONS**

(Comments may be abbreviated)

### Bracknell Town Council

Considered No Objection

## 4 **REPRESENTATIONS**

1no. letter of objection received which raises the following:

- We note that it is described as a pergola, which we believed to be a structure with an open roof over which climbing/trailing plants are grown. In our limited experience pergolas are typically constructed of wood. The structure referenced above appears to be of a white powder coated metal construction and has a sloping opaque corrugated Perspex roof. In this regard it has more of the appearance of a conservatory, particularly when viewed from our property.
- It has a towering imposing appearance, as it has been built up to the property line and as a result rises above the fence only one metre from our patio doors, which are the primary window and source of light for the lounge. It has been built on decking and consequently is still approaching half a metre above the fence at its lowest point. The gutter for the roof also overhangs the fence into our garden. Further to this it reaches 3.5 metres into the garden, which is almost one third of the total length.
- It can be seen from all points in the lounge and has an overbearing impact on our family's enjoyment of the garden from both the lounge and in the garden itself. It also casts an additional shadow across the rear of our property, putting the patio into shade where it was previously in the evening sun.
- We were not aware of the intention to build this structure and saw it rise above the fence over two days early this year. Had we been consulted we would have suggested it being preferably of a completely open wooden construction, if it is indeed a pergola, or perhaps having a gabled roof, which would be lower at the fence adjoining our property. This would be more sympathetic with all of the surrounding houses (one of which has a conservatory), all of which have gabled roofs. Indeed the above-mentioned

conservatory has a gabled roof that is below the height of the fence at the edges. Alternatively, if the existing structure were not to come all the way to the property line it would also have a less overbearing impact on our property and cast considerably less of a shadow.

## **5 OFFICER REPORT**

This application is reported to the Planning Committee at the request of Councillor Turrell and Councillor Kensall over concerns relating to the size of the structure and that it was built without planning permission.

### **i) PROPOSAL**

Full permission is sought for the retention of a lean-to extension erected to the rear of the property at 4 Vickers Row. The extension projects 3.6m from the original rear wall of the dwelling, is 6m wide and between 2.6 and 2.8m high. The structure is supported by posts and has a polycarbonate corrugated roof.

The structure requires planning permission as the property is semi-detached and the extension projects more than 3m beyond the rear wall of the property - at 3.6m deep. It therefore requires planning permission under Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

### **ii) SITE**

4 Vickers Row is a two-storey property with an integral garage located on the northern side of the highway. The surrounding area is residential, characterised by a mix of two and three-storey dwellings.

### **iii) PLANNING CONSIDERATIONS**

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

The site is located within Defined Settlement as designated by the Bracknell Forest Policies Map whereby the principle of development is acceptable subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.

Policies CS7 of the Core Strategy Development Plan Document and EN20 of the Bracknell Forest Borough Local Plan are relevant and are considered consistent with the National Planning Policy Framework. Policy CP1 of the Site Allocations Local Plan is also relevant.

Policy CP1 of the SALP sets out that a positive approach to considering development proposals which reflect in the presumption in favour of sustainable development as set out in the NPPF should be taken, and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

#### **(2) Effect on residential amenities of neighbouring properties**

The structure projects 3.6m from the rear wall of the dwelling and is set close to the boundary with the adjoining property at 2 Vickers Row. There is an existing 1.8m high timber fence which denotes the common boundary between nos. 2 and 4 Vickers Row. Between 0.8m and 1m of the structure is visible over the existing 1.8m high fence but

given the structure is open sided, it is not considered to appear unduly overbearing to the adjoining property over the existing fence. Further, given the maximum height of the roof at 2.8m, that the roof is polycarbonate and that the structure is open-sided, it does not result in a loss of daylight or overshadowing to the patio doors or rear garden at no. 2 Vickers Row (closest to the boundary) that would be considered detrimental to the residential amenities of the owner/occupier. The structure is visible when viewed from the lounge and garden of no. 2, however the visual prominence of the structure is not considered to appear so detrimental as to warrant refusal of the application.

The structure requires planning permission as it is 3.6m long. If the structure were reduced in depth by 0.6, it would not require planning permission (it would be permitted development). This is the fall-back position, however due to the design and height of the structure, it is considered acceptable.

An objection was raised that the guttering of the structure overhangs the fence with no. 2 Vicker Row. The applicant has confirmed that the guttering does not overhang the adjoining property but has cut the guttering back so it is set back from the fenceline.

The structure projects 3.6m from the rear wall of the dwelling and does not project beyond the rear of the existing integral garage serving the property. The garages of nos. 4 and 6 Vickers Row are linked and are of the same depth. As such, the structure does not appear visually prominent to the adjoining property at no. 6 Vickers Row.

The structure is set 8m from the rear boundary of the site which converges onto the rear boundary of nos. 1 and 3 Tornado Chase. The structure is set approximately 20m from the rear elevations of nos. 1 and 3 and in view of these separation distances and the maximum height of the structure at 2.8m, it does not appear visually intrusive to the detriment of nos. 1 and 3 Tornado Chase.

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

The structure has been erected to the rear of the property and as such it is not readily visible from the front elevation of the property and the public highway.

It is a structure of modest design, constructed from 4 supporting posts and a polycarbonate roof with open sides. The structure is not considered to detract from the appearance of the host dwelling or adjoining properties to the detriment of the surrounding area.

#### **iv) CONCLUSION**

The lean-to extension is not considered to appear so unduly prominent to the adjoining property at no. 2 Vickers Row as to warrant refusal of the application. Further, it does not result in loss of daylight and overshadowing due to its design and height. It is therefore not considered that the development is contrary to policy EN20 of the BFBLP, CS7 of the CSDPD and policy CP1 of the SADPD.

The application is therefore recommended for unconditional approval.

## **6 RECOMMENDATION**

That **UNCONDITIONAL APPROVAL** be granted.

Informative(s):

01. 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.
02. This approval is in relation to drawings and photographs received 13 May 2013 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](http://www.bracknell-forest.gov.uk)