

Unrestricted Report

ITEM NO: 12

Application No.
13/00505/FUL
Site Address:

Ward:
Priestwood And Garth

Date Registered:
20 June 2013

Target Decision Date:
15 August 2013

Block A Christine Ingram Gardens Bracknell Berkshire RG42 2LX

Proposal:

Creation of 1no. two bedroom apartment in roof space and merging of existing 2no. two bedroom apartments to form 1no. three bedroom apartment, with associated installation of 3no. dormer windows and alterations to car parking layout (total number of units to remain at 26).

Note for clarification: This application is for an alteration to planning permission 12/00873/FUL to increase the number of bedrooms in the roof space apartment from one to two.

Applicant:

Cover Homes Ltd.

Agent:

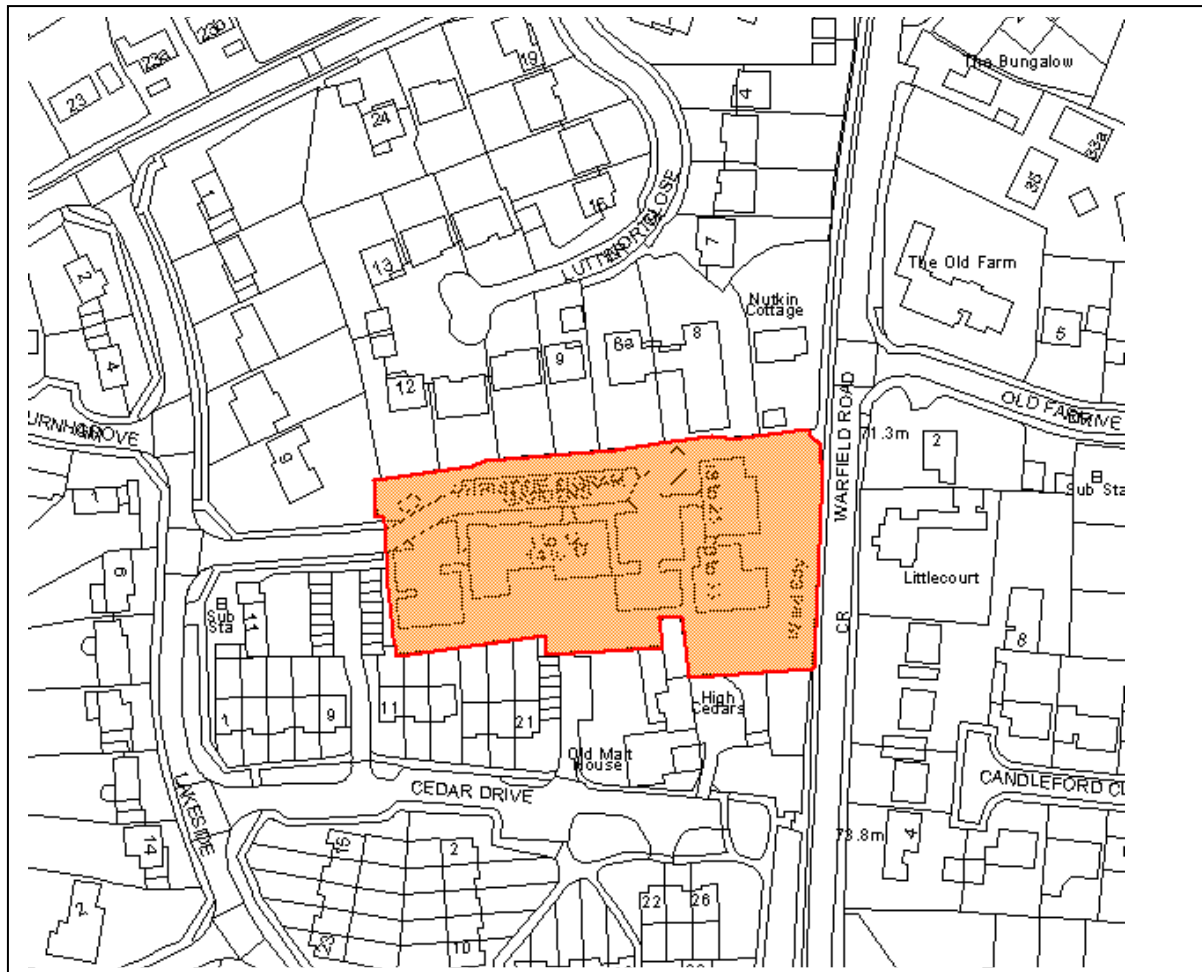
Mr Peter Salmon

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)

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

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

06/00849/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

07/00370/FUL Validation Date: 17.04.2007
Erection of single storey enclosure forming cycle store at Christine Ingram Gardens.

Approved

12/00583/FUL Validation Date: 19.07.2012
Installation of 11no. dormer windows in roof of Block A
(Affects 1 - 12 and 14 - 17)

Approved

12/00871/FUL Validation Date: 29.10.2012
Creation of 1no. one bedroom flat in roof space of Block A (unit 8) and merging of units 1 and 2 to form 1 no. three bed flat (unit 1) in Block A and installation of dormer windows

Approved

12/00873/FUL Validation Date: 29.10.2012
Creation of 1no. one bedroom flat in roof space of Block A (unit 7) and merging of units 4 and 5 to form 1 no. three bed flat (unit 4) in Block A and installation of dormer windows

Approved

12/00874/FUL Validation Date: 29.10.2012
Creation of 1no. one bedroom flat in roof space of Block A (unit 16) and merging of units 9 and 12 to form 1 no. three bed flat (unit 9) in Block A and installation of dormer windows

Approved

12/00875/FUL

Validation Date: 29.10.2012

Creation of 1no. one bedroom flat in roof space of Block A (unit 17) and merging of units 24 and 25 to form 1 no. three bed flat (unit 24) in Block C and installation of dormer windows

Approved

13/00491/PAC

Validation Date: 14.06.2013

Application for Prior Approval for the change of use of B1(a) (Building) to C3 (Dwelling House).

(No Decision – Application Currently Under Consideration)

13/00506/FUL

Validation Date: 20.06.2013

Creation of 1no. two bedroom apartment in roof space and merging of existing 2no. two bedroom apartments to form 1no. three bedroom apartment, with associated installation of 3no. dormer windows and alterations to car parking layout (total number of units to remain at 26).

Note for clarification: This application is for an alteration to planning permission 12/00874/FUL to increase the number of bedrooms in the roof space apartment from one to two.

(No Decision – Application Currently Under Consideration)

Appeal

Validation Date:
24.08.2007

Use of existing barn for sales office and administration purposes ancillary to estate at Christine Ingram Gardens.

Appeal Allowed

Reference:

07/00050/REF

Appeal

Validation Date:
21.08.2008

Reference:

08/00053/REF

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

Appeal

Validation Date:
09.09.2009

Reference:

09/00038/REF

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

Appeal

Validation Date:
13.06.2011

Reference:

11/00024/REF

Continued use of existing barn for sales office and administration purposes ancillary to estate at Christine Ingram Gardens for a period of three years

Appeal Allowed

Appeal

Validation Date:
27.03.2012

Reference:
12/00010/REF

Section 73 application to vary to Condition 03 of appeal decision 2154986 which states "The parking spaces 19, 20, 39, 40, 41 and 42 shall be at least 4.8m long and 2.4m wide, shall be completed within three months of the date of this decision that the area shall not thereafter be used for any purpose other than the parking of vehicles" to allow a further six months.

Appeal

Validation Date:
02.11.2012

Reference:
12/00035/NON

Application for a certificate of lawfulness for the proposed merging of units 26 and 27 to form 1 three bedroom flat and formation of 1 no. one bedroom flat in roof space of Block B.
Appeal In Progress

Appeal

Validation Date:
06.12.2012

Reference:
12/00039/REF

Creation of 1 no. one bedroom flat in roof space of Block B and reduction of number of units in Block C by altering 3 no. two bedroom flats to 1 no. three bedroom and 1 no. two bedroom flat. Total number of units remains at 26.

Appeal

Validation Date:
29.05.2013

Reference:
13/00023/NON

Section 73 application for the continued use of existing barn for sales office and administration purposes ancillary to estate at Christine Ingram Gardens and provision of additional car parking without compliance with condition 1 of appeal decision APP/R0335/A/11/2154986 which states that "The premises shall not be occupied at any time other than for sales and administration purposes ancillary to the residential use of Christine Ingram Gardens". (For clarification: The application is to remove condition 1 to allow B1 office use of the barn).

Appeal In Progress

2 RELEVANT PLANNING POLICIES

Key to abbreviations

BFBCS	Core Strategy Development Plan Document
BFBLP	Bracknell Forest Borough Local Plan
RMLP	Replacement Minerals Local Plan
WLP	Waste Local Plan for Berkshire
SPG	Supplementary Planning Guidance
SPD	Supplementary Planning Document
MPG	Minerals Planning Guidance
DCLG	Department for Communities and Local Government
NPPF	National Planning Policy Framework
SALP	Site Allocations Local Plan

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	M9	Vehicle And Cycle Parking
BFBLP	EN20	Design Considerations In New Development
BFBCS	CS7	Design

BFBCS CS23 Transport
SALP CP1 Presumption in Favour of Sustainable Development

3 CONSULTATIONS

(Comments may be abbreviated)

Bracknell Town Council

Recommend refusal:

Overdevelopment of site. Parking concerns. Against original plan. Concerns over loss of privacy for adjacent residents.

Transportation Officer

Refer to officer report

4 REPRESENTATIONS

2no. objections received which raise the following:-

- Dormer windows will overlook properties on Lutterworth Close.
- Dormer windows put in Block B are unsightly.
- The applicant has made too many applications on this site
- Just 9 months ago the applicant raised the application referred to for a one bedroom flat (12/00873/FUL) and now wants to change that to a 2 bed flat. Not asking initially for what is now requested looks like an abuse of the planning process - and causes BFC and local residents unnecessary effort. No explanation or reason is given about why the change is needed.
- Overdevelopment
- Requirement for additional parking
- Requirement for SPA contributions which are bedroom related
- Use of conditions

One general comment received which raises the following:-

- Ensure that conditions attached to planning permission 12/00873/FUL are carried over to any consent you are minded to give.
- Also this should be viewed in conjunction with 13/00491/PAC which would increase the number of units to 27 so that the applicants are not able to avoid providing for affordable housing as made clear in previous appeal decisions on this site.

5 OFFICER REPORT

This application has been reported to the Planning Committee at the requests of Councillor Dudley, Councillor Finch and Councillor Brown to ensure a consistent approach is taken.

i) BACKGROUND AND SITE HISTORY

The planning history relating to the site is as follows:

03/01129/OUT refused March 2004 for 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. Allowed at appeal.

05/00069/REM approved May 2005 for 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.

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 refused for addition of 2no. additional flats in the roof of Building C at second floor level 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 refused for 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 refused for 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.

09/00180/FUL refused for 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 was appropriate and to be preferred to the appellants' approach.

11/00015/FUL refused for 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.

12/00536/CLPUD approved for application for a certificate of lawfulness for the proposed use of loft space for residential purposes ancillary to units 4, 6, 12 and 15 of Block A, installation of internal staircases and installation of 8 velux windows.

12/00583/FUL approved for installation of 11no. dormer windows in roof of Block A.

4no. further applications have been approved at the Planning Committee in December 2012 for merging existing flats within Block A and relocating flats into the roof space of this block (1 bedroom self contained flats) served by dormer windows - refs: 12/00871/FUL, 12/00873/FUL, 12/00874/FUL and 12/00875/FUL.

ii) PROPOSAL

Full permission is sought for the creation of 1no. two bedroom flat in the roof space of Block A following the merging of flat nos. 4 and 5 (both 2 bedroom flats at first floor level) in Block A to form one 3 bedroom flat, the installation of 3no. dormer windows serving the proposed roof space flat and the creation of 1no. additional parking space.

The principle of merging flat nos. 4 and 5 into 1no. 3 bedroom flat and the creation of 1no. 1 bedroom flat in the roof space of Block A was established by application 12/00873/FUL. This proposal would increase the number of bedrooms in the flat in the roof space from 1 to 2 bedrooms.

3no. dormer windows are proposed in the north, south and west elevations of the building, these windows would serve the kitchen/living room and the 2no. bedrooms of the proposed flat. The principle of dormer windows on Block A has already been established by planning permission refs: 12/00583/FUL for the "Installation of 11no. dormer windows in roof of Block A" and 12/00873/FUL. For information, the dormer windows proposed by this application are sited in the same position as that approved by application 12/00873/FUL.

An additional car parking space would be created on site (this would be required as the previous approved flat in the roof space comprised 1no. bedroom and the revised proposal would result in an additional bedroom in the roof space flat requiring 1no. additional parking space). This would result in an existing parking space which runs parallel to the existing access road serving the development being re-orientated 90 degrees to the road so that an additional parking space can be created alongside it.

For information, the total number of residential units on site within the 3 blocks of flats (Blocks A, B and C) would remain at 26.

iii) SITE

The site comprises 3 blocks of flats with associated car parking and landscaped areas. The access into the site is from Lakeside and is bound to the north and south by housing and to the east by Warfield Road.

iv) PLANNING CONSIDERATIONS

(1) Principle of development

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

Policy EN20 of the BFBLP and Policy CS7 of the CSDPD relate to design considerations in new proposals and are relevant considerations.

The Site Allocations Local Plan (SALP) was adopted July 2013 and is a relevant consideration. 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 impact of the 3no. dormer windows on the residential amenities of surrounding residential properties would be the same as that already assessed under approved applications 12/00583/FUL and 12/00873/FUL.

The 1no. dormer window proposed in the north elevation of Block A would be set 15m from the northern boundary of the estate, backing onto the residential gardens of properties on Lutterworth Close. There would be a 30m separation distance between 1no. dormer and the rear elevation of no. 11 Lutterworth Close and 34m to the rear elevations of nos. 9 and 10 Lutterworth Close. Council guidelines as outlined in "extending your home - a householders guide" state that a dormer window at second floor level should be no less than 30m from a neighbouring property and 15m from a boundary where it overlooks that boundary. In view of the separation distances to properties on Lutterworth Close, it is not considered that the dormer window would result in a level of overlooking and loss of privacy that would be detrimental to the residential amenities of these properties.

The 1no. dormer window proposed in the south elevation would be set 15m from the southern boundary and 30m from the rear elevations of nos. 17 to 21 Cedar Drive. There would be a 30m separation distance from the proposed dormer to High Cedars, Cedar Drive and 40m to Old Malt House, Cedar Drive at the closest points. In view of these separation distances to properties on Cedar Drive, it is not considered that the dormer window would result in a level of overlooking and loss of privacy that would be detrimental to the residential amenities of these properties.

The 1no. dormer window proposed in the west elevation would be set 20m from the western boundary of the site and there would be a separation distance of 50m from the dormer window to the rear elevation of no. 11 Lakeside. In view of this separation distance to no. 11 Lakeside, it is not considered that the dormer window would result in a level of overlooking and loss of privacy that would be detrimental to the residential amenities of these properties.

The 3no. dormer windows would be modest in size, projecting 1.5m from the existing roof plane and set some 0.7m lower than the existing ridge of the roof of the building. As such, they would not appear visually intrusive to neighbouring properties who have views over and across the site.

The proposed dormer windows would serve the living room/kitchen and 2no. bedroom of the flat proposed at second floor level. As such, it is considered that there would be a source of natural light to serve, in particular, the habitable rooms of the flat namely the living room and bedrooms, along with the proposed dormer windows providing natural ventilation. In summary, the proposed dormer windows would provide acceptable living conditions to the future occupier(s) of the flat at second floor level.

The provision of an additional parking space and reorientation of an existing parking space would not impact upon surrounding properties both on or off the site.

(3) Impact on character and appearance of surrounding area

The principle of dormer windows on Block A has already been established by planning permissions ref: 12/00583/FUL and 12/00873/FUL approved at the Planning Committee in October 2012 and December 2012. The 3no. dormer windows proposed in this current application to serve the flat at second floor level would be similar in appearance to the existing dormer windows in Blocks B and C and those approved by permissions 12/00583/FUL and 12/00873/FUL. Therefore the 3no. proposed dormers would not be considered to appear unsympathetic to the external appearance of the building at Block A nor to existing Blocks on site.

The proposed installation of 3no. dormer windows to serve the flat at second floor level would not involve raising the roof height of the building. Blocks B and C already include dormer windows in the roof and it is considered that this proposal on Block A would replicate the design and appearance of Blocks B and C with the provision of dormer windows at roof height.

The dormer windows would be modest in size, projecting 1.5m from the existing roof plane and set some 0.7m lower than the existing ridge of the roof of the building. As such, the dormer windows would not be considered to appear visually prominent when viewed from within the development or from public vantage points of surrounding highways at Lakeside, Cedar Drive, Lutterworth Drive and Warfield Road.

The proposed alterations to the parking layout would result in an existing parking space which runs parallel to the access road serving the development being re-orientated 90 degrees to the road so that an additional parking space can be created alongside it. These parking spaces would be the same as 6no. parking spaces (numbered 19, 20, 39, 40, 41 and 42 on the site layout plan) which replaced 3no. parking spaces originally parallel to the access road which had to be provided in connection with an appeal decision relating to refused application 11/00208/T for the use of the barn as a permanent B1 office use ancillary to the operation of the estate. The proposed alterations would have nominal impact upon the existing hard and soft landscaping on site and the alterations to the parking layout would not appear visible from outside of the site.

As such, the proposals would not impact upon the character and appearance of the surrounding area.

(4) Highway implications

The application would not result in an increase in the number of residential units within the development which would remain at 26; however there would be an increase in the number of bedrooms proposed in the roof space flat over and above that approved by previous permission 12/00873/FUL - from 1 bedroom to 2 bedrooms, resulting in a requirement for 1no. additional parking space in accordance with the Council's Parking Standards adopted July 2007.

An additional parking space is proposed which would be 2.4m wide and 4.8m long in accordance with Council Standards and the re-orientated parking space (space 18 on the site layout plan) would also be the same dimensions. These parking spaces would not impact upon any existing parking spaces on site and would not affect the access road serving the site. As such, no highway implications would result from the proposal.

(5) SPA implications

The application would not result in any implications on the SPA as there would not be a net increase in the number of residential units within the development as a result of this proposal. The increase in the number of bedrooms is acknowledged, however the trigger for SPA contributions results from a net gain in residential units, not a net gain in number of bedrooms.

v) CONCLUSION

The proposed merging of 2no. flats on the first floor of Block A into 1no. 3 bedroom flat, the relocation of 1no. flat into the roof space of Block A and the installation of 3no. dormer windows serving the relocated flat has already been approved under planning permission 12/00873/FUL and would not be considered to have an adverse impact upon the residential amenities of neighbouring properties or character and appearance of surrounding area. This proposal differs from the previous permission in that a two bedroom, not one bedroom flat is proposed in the roof space. An additional car parking space is proposed so that the proposal meets the Council's Parking Standards. The proposal would not result in highway safety implications or SPA implications.

The application is therefore recommended for approval.

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 20 June 2013:
drawing no. 171012-2A1
drawing no. 171012B1
Design and Access Statement
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. At no time shall the accommodation provided in unit 4 (formerly units 4 and 5) located on the first floor of Block A, Christine Ingram Gardens, Bracknell as shown on drawing no 171012-2A1 received by the Local Planning Authority on 20 June 2013 be altered so that any such flat shall comprise more than 3 bedrooms.
REASON: To ensure that the development is provided with adequate car parking in accordance with the Council's Parking Standards Supplementary Planning Document 2007.
04. The number of residential units upon the application site shall not exceed twenty six at any given time.
REASON: To prevent creation of additional independent units of accommodation without advance planning permission in the interests of proper planning.

05. Works to construct the dormer windows and form the flat at second floor level in Block A, Christine Ingram Gardens shall not be commenced until the reconfiguration of units 4 and 5 located on the first floor of Block A as shown on drawing no. 171012-2A1 received by the Local Planning Authority on 20 June 2013 into one unit have been completed and approval given in writing by the Local Planning Authority. The merger of units 4 and 5 in Block A into one unit shall thereafter be retained as such.
REASON: To prevent creation of additional independent units of accommodation without advance planning permission in the interests of proper planning.
06. Immediately after completion of works to reconfigure units 4 and 5 located on the first floor of Block A as shown on drawing no. 171012-2A1 received by the Local Planning Authority on 20 June 2013 into one unit, one external doorbell and postbox at the main entrance to Block A shall be removed so that one of each remains for the merged flat.
REASON: To prevent creation of additional independent units of accommodation without advance planning permission in the interests of proper planning.
07. The flat at second floor level in Block A, Christine Ingram Gardens shall not be occupied until the additional vehicle parking space has been surfaced and marked out in accordance with the approved drawing as shown on drawing no. 171012B1 received by the Local Planning Authority on 20 June 2013. The additional parking space shall thereafter be kept available for parking at all times.
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]

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.

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