

## Unrestricted Report

### ITEM NO: 7

Application No.  
**13/00814/FUL**

Ward:  
College Town

Date Registered:  
16 September  
2013

Target Decision Date:  
11 November 2013

Site Address:

**14 Madox Brown End College Town Sandhurst  
Berkshire GU47 0GJ**

Proposal:

**Erection of two storey rear extension, following demolition of  
existing conservatory.**

Applicant:

**Note for clarification: This application is a re-submission of  
planning application 13/00546/FUL.**

Mr & Mrs Darren Kinsella

Agent:

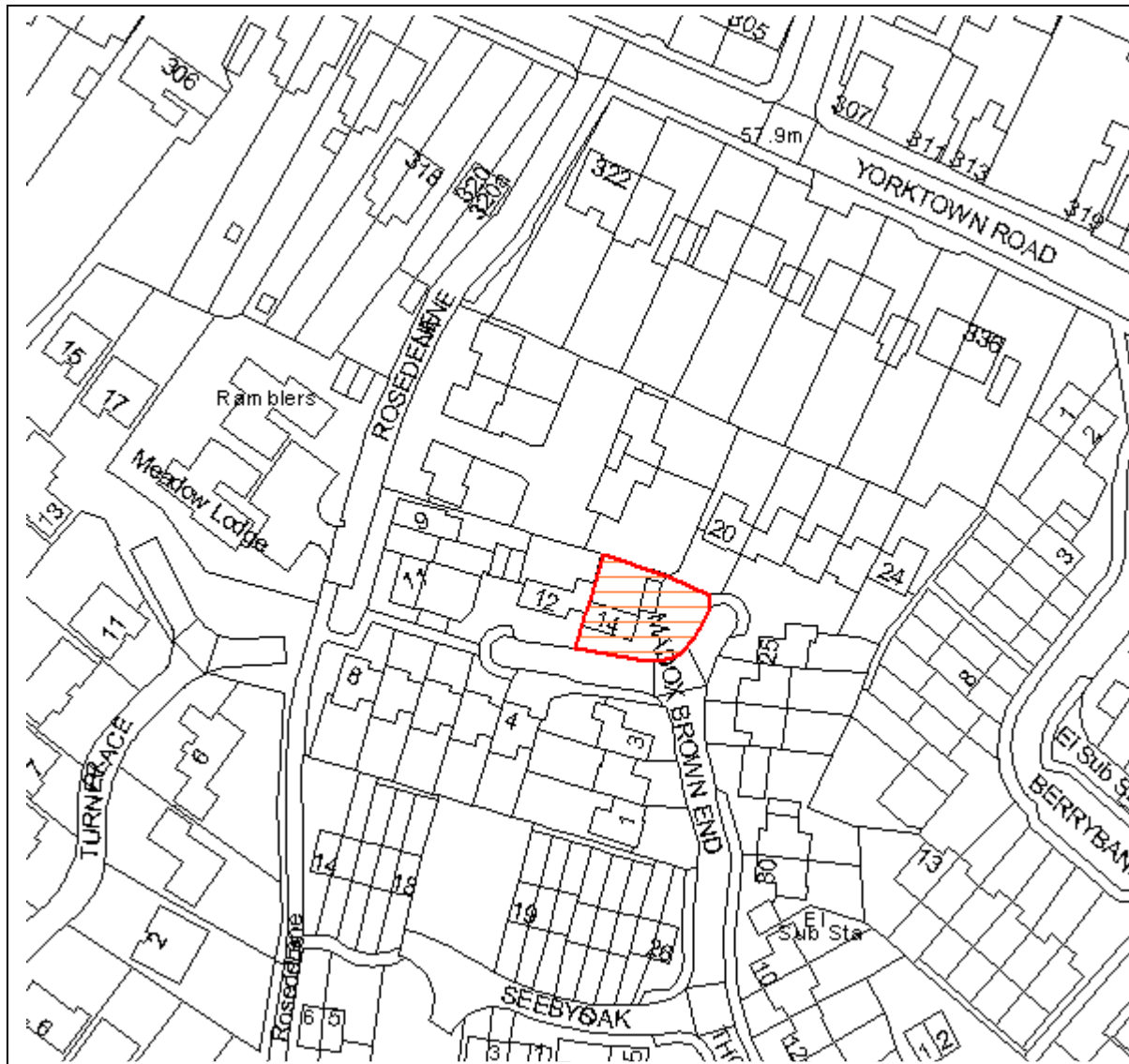
Yateley Drawing Service Ltd

Case Officer:

Simon Roskilly, 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)

13/00546/FUL

Validation Date: 08.07.2013

Erection of two storey rear extension, following demolition of existing conservatory.

**Refused**

## 2 **RELEVANT PLANNING POLICIES**

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN20	Design Considerations In New Development
BFBLP	M9	Vehicle And Cycle Parking
BFBCS	CS1	Sustainable Development Principles
BFBCS	CS2	Locational Principles
BFBCS	CS7	Design
BFBCS	CS23	Transport
SALP	CP1	Presumption in Favour of Sustainable Development

## 3 **CONSULTATIONS**

(Comments may be abbreviated)

### Sandhurst Town Council

Considered No Objection

## 4 **REPRESENTATIONS**

1no. letter of objection was received from no. 12 Madox Brown End where the owner of the property expressed the following concerns:-

1. The proximity of the proposed structure requires construction work to take place immediately adjoining my property. This is unacceptable to me. [Case officer comments: This is not considered to be a planning consideration]

2. The new structure will be two storey, with a wall and roof erected that will block light from the east into both the garden and the master bedroom of my property. The size of the extension would appear overbearing.

3. The extent of the proposed extension will increase to a significant degree the size of the property in relation to those of its surroundings.

4. The proposed extension would overshadow Koru (a property to the rear).

These concerns are addressed in the report below:

## 5 **OFFICER REPORT**

This application is reported to the Planning Committee at the request of Councillor Blatchford and Councillor Dudley, who are concerned that the extension due to its proximity and bulk may be overbearing and unneighbourly.

## **i) PROPOSAL**

Full planning permission is sought for the erection of a two storey rear extension following demolition of an existing conservatory. The two storey rear extension would extend out 3m from the rear of the dwelling, located close to the boundary with no. 12 Madox Brown End. However the extension would not encroach beyond the residential curtilage of the application site. The proposed two storey extension would provide an additional family room on the ground floor and a replacement 3rd bedroom at first floor level. Overall there would be no net gain in bedrooms.

The proposal is a resubmission of a similar proposal (13/00546/FUL) previously refused for the following reason:-

The proposal by reason of its siting and design, would result in an unacceptable level of overlooking of private amenity space to the detriment of the living conditions of the occupants of Koru, Rosedene Lane. The proposed development would therefore be contrary to Policy EN20 of the Bracknell Forest Borough Local Plan and National Planning Policy Framework policy 7.

The current proposal is a two storey rear extension of the same dimensions to the one refused. However there is no longer a rear facing window overlooking a property at the rear (Koru, 5 Rosedene Lane); and instead there is a side facing window looking east onto part of the cul-de-sac.

## **ii) SITE**

The site contains a two storey detached dwelling with an attached single storey garage to the side. There is currently a conservatory at the rear of the dwelling adjacent to the boundary with no. 12 Madox Brown End. Boundary treatment with no. 12 consists of a garage wall and a 1.8m high panel fence. The boundary treatment with Koru, 5 Rosedene Lane, a property to the rear, consists of a 1.8m high panel fence.

## **iii) PLANNING CONSIDERATIONS**

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

Policy CP1 of the Site Allocations Local Plan (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. This is in conformity with the NPPF.

The site is located within Defined Settlement as designated by the Bracknell Forest Borough Policies Map. The proposal is considered to be in accordance with Core Strategy DPD Policies CS1 (Sustainable Development) and CS2 (Locational Principles) and the NPPF. Therefore development of the site is acceptable in principle, subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc. These matters are assessed later in this report.

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

BFBLP Policy EN20 seeks to protect the amenity of surrounding properties and the adjoining area. This is consistent with the NPPF.

The main considerations in this respect are the relationship between the proposed extension with no. 12 Madox Brown End and Koru, 5 Rosedene Lane. An objection was received referring to overbearing and overshadowing concerns. The following analysis addresses the concerns raised in the objection.

The proposed two storey rear extension would be located adjacent to the boundary with no. 12 Madox Brown End where there is a single garage and then the rear garden of the dwelling including what is considered to be private amenity space. Normally an extension of this size could potentially appear overbearing and overshadow areas within the adjoining neighbouring property. However in this case due to the single garage belonging to no. 12 being located between the extension and the dwelling at no. 12 and their private amenity space there would be no unacceptable levels of overshadowing nor would the extension appear overbearing.

There would also be no overlooking as there would be no west or rear facing windows at first floor level. This could be conditioned to remain as such.

The proposed two storey rear extension would extend out 3m from the rear of the dwelling resulting in a rear elevation being 5.3m from the rear boundary with Koru, 5 Rosedene Lane and 12m from the dwellinghouse at Koru. However unlike the previous application that was refused there are no windows present in the rear elevation. Therefore the previous reason for refusal due to an unacceptable level of overlooking has been overcome. This could be conditioned to remain as such.

As there would be no adverse impacts upon any adjoining residential amenity the proposal is considered to be in accordance with Policy EN20 of the Bracknell Forest Borough Local Plan and the National Planning Policy Framework.

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

Bracknell Forest Borough Local Plan Policy EN20 and Core Strategy Policy CS7 seek to promote sympathetically designed development that respects its surroundings and subsequently does not result in any adverse impacts upon the character and appearance of the area. This is in conformity with the NPPF.

An objection was received referring to the extension being out of character with the surrounding area. The following analysis addresses the concerns raised in the objection.

The proposed two storey rear extension could be viewed from parts of Madox Brown End cul-de-sac. However as long as the materials are similar to those of the host dwelling then it is considered that the extension would be in-keeping with the area and as such there would be no adverse impacts upon the character and appearance of the area or the host dwelling.

As there would be no adverse impacts upon the character and appearance of the area the proposal is considered to be in accordance with Policy EN20 of the Bracknell Forest Borough Local Plan, Policy CS7 of the Core Strategy DPD and the National Planning Policy Framework.

### **(4) Highway implications**

Bracknell Forest Borough Local Plan Policy M9 and Core Strategy Policy CS23 seek to promote or retain safe highway access and suitable off road parking provisions, thus avoiding highway safety implications.

As the proposal does not impede on any existing parking provision and does not result in any net additional bedrooms there would be no highway implications and as such is considered to be in accordance with policy M9 of the Bracknell Forest Borough Local Plan and policy CS23 of the Core Strategy DPD and as such is in accordance with the National Planning Policy Framework. This is in conformity with the NPPF.

#### **iv) CONCLUSION**

The proposal is not considered to result in any adverse impacts upon any residential amenity, would have no adverse affects upon the character and appearance of the area and would result in no highway implications. It is therefore considered that the development is in accordance with Policy EN20, and M9 of the BFBLP, CS7 and CS23 of the CSDPD and Policy CP1 of the SALP and the NPPF.

The application is therefore recommended for conditional 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 and other submitted details received by the Local Planning Authority:-  
Site Location Plan (1:1250), Site Plan (1:500), Drawing no. HSE 3, Drawing no. RE 1, Drawing no. RP 6, Drawing no. G FP 4, Drawing no. F FP 5 and Drawing no. SE 2 received by LPA 16.09.13.  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no windows shall be constructed in the west and north facing elevations at first floor level or above of the extension hereby permitted except for any which are shown on the approved drawing(s).  
REASON: To prevent the overlooking of neighbouring property.  
[Relevant Policies: BFBLP EN20]
04. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be similar in appearance to those of the existing building.  
REASON: In the interests of the visual amenities of the area.  
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

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. No further details need to be submitted in respect of conditions 1, 2, 3 and 4 although they need to be complied with.

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)