

Unrestricted Report

ITEM NO: 5

Application No.
13/00608/FUL
Site Address:

Ward:
Warfield Harvest Ride

Date Registered:
22 July 2013

Target Decision Date:
16 September 2013

**15 Plantagenet Park Warfield Bracknell Berkshire
RG42 7UU**

Proposal: **Conversion of garage into habitable accommodation.**

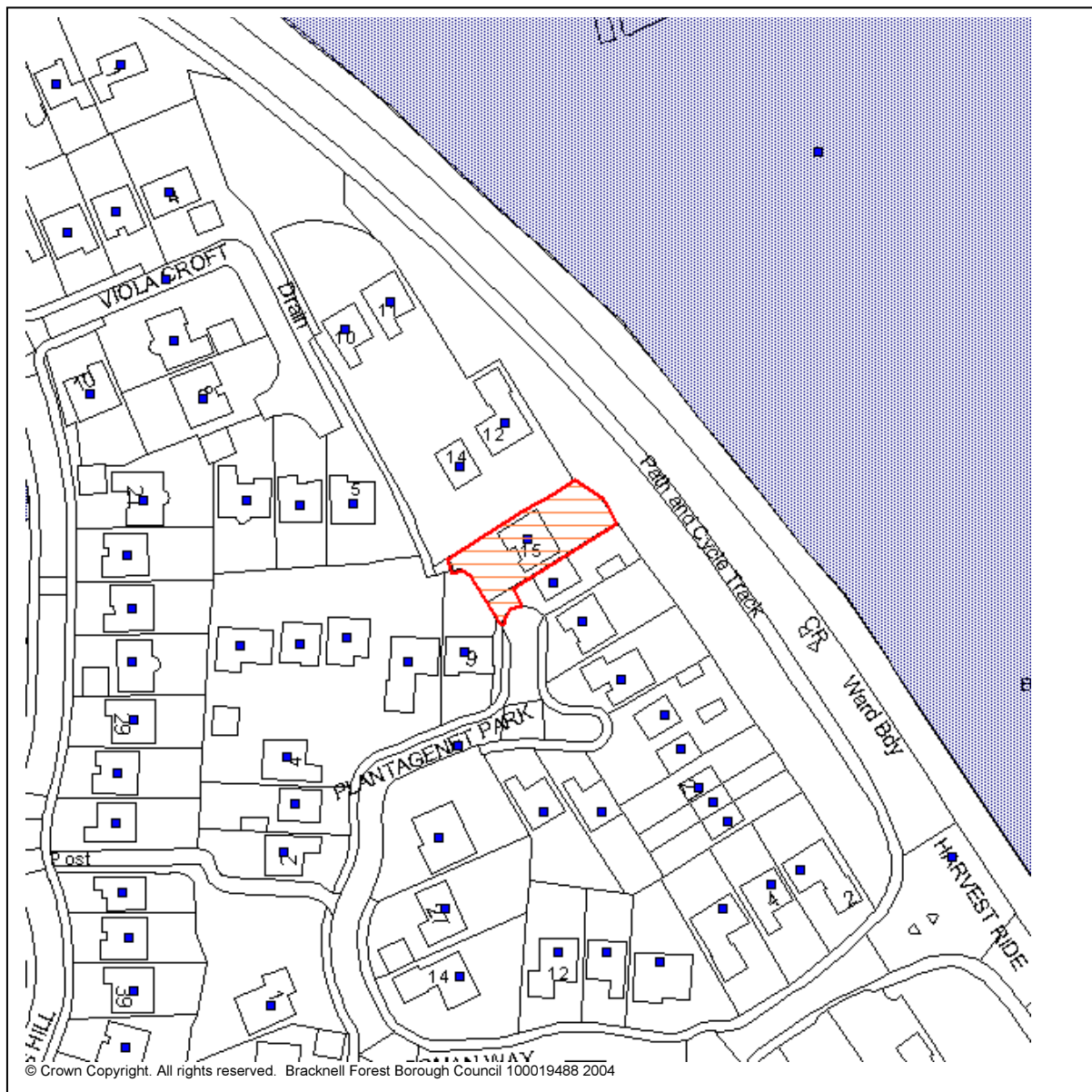
Applicant: Mr I McDonough

Agent: Mr J Henden

Case Officer: Sarah Horwood, 01344 352000

environment@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been reported to the Planning Committee at the request of Councillors Thompson, Barnard and McLean due to highway concerns.

2. SITE DESCRIPTION

15 Plantagenet Park is a detached dwelling with integral garage located in a residential cul-de-sac. The front of the property is laid partly to block paving providing parking for 2no. vehicles and the remainder is laid to lawn with some planting. There is an access road which runs to the front of the property serving nos. 10-14 Plantagenet Park.

3. RELEVANT SITE HISTORY

13/00536/CLPUD - Withdrawn for conversion of garage into habitable accommodation. This application was withdrawn as there is a restrictive condition relating to garage conversions on the planning permission for the estate (condition 4 of permission 619352).

4. THE PROPOSAL

Full permission is sought for the conversion of an existing integral garage into habitable accommodation.

The proposal would create a study at ground floor level. The existing garage door would be replaced with a 3 pane window.

The proposal requires planning permission as there is a restrictive condition on planning permission 619352 which restricts garage conversions.

5. REPRESENTATIONS RECEIVED

Warfield Parish Council recommend the application for refusal for the following reasons:

1. The proposed alternative parking provision is not adequate/sufficiently large and so the proposed conversion of the garage into habitable accommodation would result in the parking provision for the property falling below approved standards.
2. The proposed alternative parking provision is likely to result in cars overhanging the access driveway to further properties which could result in conflict with other residents/cars.
3. The proposal would result in an unnecessary loss of soft landscaping to the front of the property.

No further representations were received from neighbouring properties.

6. SUMMARY OF CONSULTATION RESPONSES

Highways officer: The Highways Authority recommend the application for refusal as a compliant car parking layout cannot be provided.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

Site Allocations Local Plan 2013 (SALP)

Retained Policies of the South East Plan 2009 (SEP)
Core Strategy Development Plan Document 2008 (CSDPD)
Saved Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)
Bracknell Forest Borough Policies Map 2013

8. PRINCIPLE OF DEVELOPMENT

SALP Policy CP1 refers to the presumption in favour of sustainable development as outlined within the National Planning Policy Framework (NPPF). SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible, and to improve the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013).

CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings and locating development in locations that reduce the need to travel.

CSDPD Policy CS2 states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.

These policies are considered to be consistent with the sustainable development principles of the National Planning Policy Framework (NPPF), and as a consequence are considered to carry significant weight.

As a result the proposed development is considered to be acceptable in principle, subject to no adverse impact on the street scene, amenity of neighbouring occupiers, highway safety, etc. These matters are assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

'Saved' Policy EN20 of the BFBLP and Policy CS7 of the CSDPD relate to design considerations in new proposals and are relevant considerations. These policies seek to ensure that developments are sympathetic to the character of the area and are of a high design. This is consistent with the NPPF.

The existing garage door would be replaced with a 3 pane window in the front elevation. Due to the nominal alterations to the external appearance of the garage and the set back of the garage from the main highway of 6m, the proposed alterations would not appear visually prominent in the street scene.

No alterations are proposed to the front of the property to provide additional parking and therefore no impact to the visual amenities of the surrounding area would result.

As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

10. RESIDENTIAL AMENITY

'Saved' Policy EN20 of the BFBLP and CS7 of the CSDPD states that developments should not adversely affect the amenity of surrounding properties. This is consistent with the NPPF.

The proposed alterations to the garage - insertion of 3 pane window to replace the existing garage door, would not have any impact upon surrounding residential properties by virtue of overlooking or visual prominence.

As such, the proposal would not be considered to affect the residential amenities of neighbouring properties and would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

11. TRANSPORT IMPLICATIONS

CSDPD Policy CS23 states that the LPA will seek to increase the safety of travel. BFBLP 'Saved' Policy M9 seeks to ensure that new development has sufficient car parking. To supplement this policy the adopted Parking Standards SPD (2007) sets out the advised levels and size of parking spaces for residential dwellings. For a dwelling that has or exceeds four bedrooms (as is the case with 15 Plantagenet Park), three allocated parking spaces should be provided in accordance with the minimum measurements stated within the document. The NPPF allows for LPAs to set their own parking standards for residential development and therefore the above policies are considered to be consistent with the NPPF.

The property contains 4 bedrooms. It faces onto an unadopted access road serving other properties in the cul-de-sac.

3no. parking spaces would be required in accordance with the Council's Parking Standards SPD 2007. There are 2no. existing spaces on an existing area of block paving and an additional parking space was originally proposed which would require the removal of an area of lawn. There is not sufficient depth to the frontage of the property to accommodate this additional parking space - the depth of the space being 4.4m, not 4.8m and any vehicle using the proposed parking space would protrude onto the access road to the front of the dwelling, detrimental to the users of the access road.

There are 2 existing parking spaces to the front of the dwelling on the existing block paving which measures 6m wide by 5.1m deep. As such, 2no. parking spaces, each being 2.4m wide by 4.8m deep are provided, along with space for pedestrian access to the front door. However, there is insufficient depth to provide a parking space to the front of the dwelling on the existing area of grass and therefore 3no. parking spaces could not be provided on site.

Consideration has been given to an appeal decision dated 17 June 2013, relating to 35 Worcestershire Lea, and a proposed garage conversion which was refused by the LPA for failure to provide sufficient parking in accordance with the Parking Standards SPD. The property required 3no. parking spaces, however only 2 could be provided on site. The Inspector allowed the appeal as it was not considered that a hazard to highway safety would result given there was on street parking in the immediate area and therefore a more flexible approach could be taken to permit on street car parking to provide an additional parking space required by the proposal.

In paragraph 6 of the appeal decision, the Inspector states: "I had no evidence from the Council that the available on street car parking spaces were fully taken up such that one additional on street parking space for this proposal would not be achievable". Paragraphs 7 and 8 state: "the supporting text to the Local Plan Policy M9 says 'there may be

circumstances were a more flexible approach to parking standards is justified'. In the absence of substantial evidence of a potential hazard to highway safety arising from this proposal, the availability of on-street parking spaces, and the slow traffic speeds along these roads...the proposal would not harm highway safety and the free flow of traffic".

Another appeal decision dated 10 January 2014, relating to 43 Worlds End Hill, is a further example of where a more relaxed approach to the Council's Parking Standards has been adopted by another appeal Inspector. The proposal related to a two storey rear extension increasing the number of bedrooms at the property from 3 to 4, requiring 1no. additional parking space which could not be provided on site. Paragraph 5 of the appeal decision states "the 1 space shortfall to standard is marginal in the context of the local area". Paragraph 6 goes onto state "traffic speeds should be low here, due to the character and layout of the street, so most on street parking would not cause a safety problem".

There are no parking restrictions on Plantagenet Park with no yellow lines or waiting restrictions on either the main highway or the access road that runs to the front of the application site serving nos. 10 to 14 Plantagenet Park. As such, the third parking space required at this site could be provided on the highway in the immediate vicinity of the dwelling at no. 15, most notably on the access road that serves nos. 10 to 14. This access road is 5m wide, wide enough for 2no. vehicles to pass by and therefore a third parking space on the access road would not restrict vehicular access to nos. 10 to 14 and would not obstruct the free flow of traffic. The application site is located at the end of a cul-de-sac where due to bends in the road and the narrow width of the road, vehicles would be travelling at slow speeds. In light of the appeals at 35 Worcestershire Lea and 43 Worlds End Hill, it is considered that in this instance at this site, a flexible approach to the parking standards should also be adopted as the Council cannot demonstrate highway safety issues resulting from a third parking space provided on street. This in turn would mean that the area of soft landscaping to the front of the dwelling would be retained in the interests of the visual amenities of the surrounding area. On balance, it is therefore considered that 2no. parking spaces at this site would be acceptable, with a third parking space provided on street in the immediate area due to the low traffic speeds in the area, the availability of on street parking and no obstruction to other highway users and the flow of traffic if vehicles were parked on the highway. A condition would be imposed to ensure that the 2no. existing parking spaces on site are retained.

In summary, the LPA cannot demonstrate that highway safety implications would result.

12. CONCLUSIONS

The proposed garage conversion would not result in impact to the residential amenities of neighbouring properties and would not impact upon the character and appearance of the surrounding area. In relation to parking, in this instance the LPA have adopted a flexible approach to the Parking Standards given the specific circumstances at the application site and surrounding area and do not consider that adverse highway safety implications would result from the proposal. As such, the proposal is considered to be in accordance with Saved Policies EN20 and M9 of the BFBLP, CS7 of the CSDPD and Policy CP1 of the Site Allocations Local Plan, all in accordance with the NPPF.

The application is therefore recommended for approval.

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 22 July 2013 and 3 February 2014:

- proposed front elevation
- proposed floor plan
- block plan

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

03. The 2no. existing parking spaces as shown on the block plan received by the Local Planning Authority on 3 February 2014 shall be retained for the use of the parking of vehicles at all times.

REASON: To ensure that satisfactory on site parking is provided.

[Relevant Policy: BFBLP M9]

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 details are required to be submitted in relation to the following conditions; however they are required to be complied with:

1. Time limit
2. Approved plans
3. Retention of parking

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