

## Unrestricted Report

### ITEM NO: 8

Application No.  
**14/00248/FUL**

Site Address:

Ward: Ascot  
Date Registered: 17 March 2014  
Target Decision Date: 12 May 2014  
**The Lodge Kings Ride Ascot Berkshire SL5 8AE**

Proposal: **Erection of single storey garden room.**

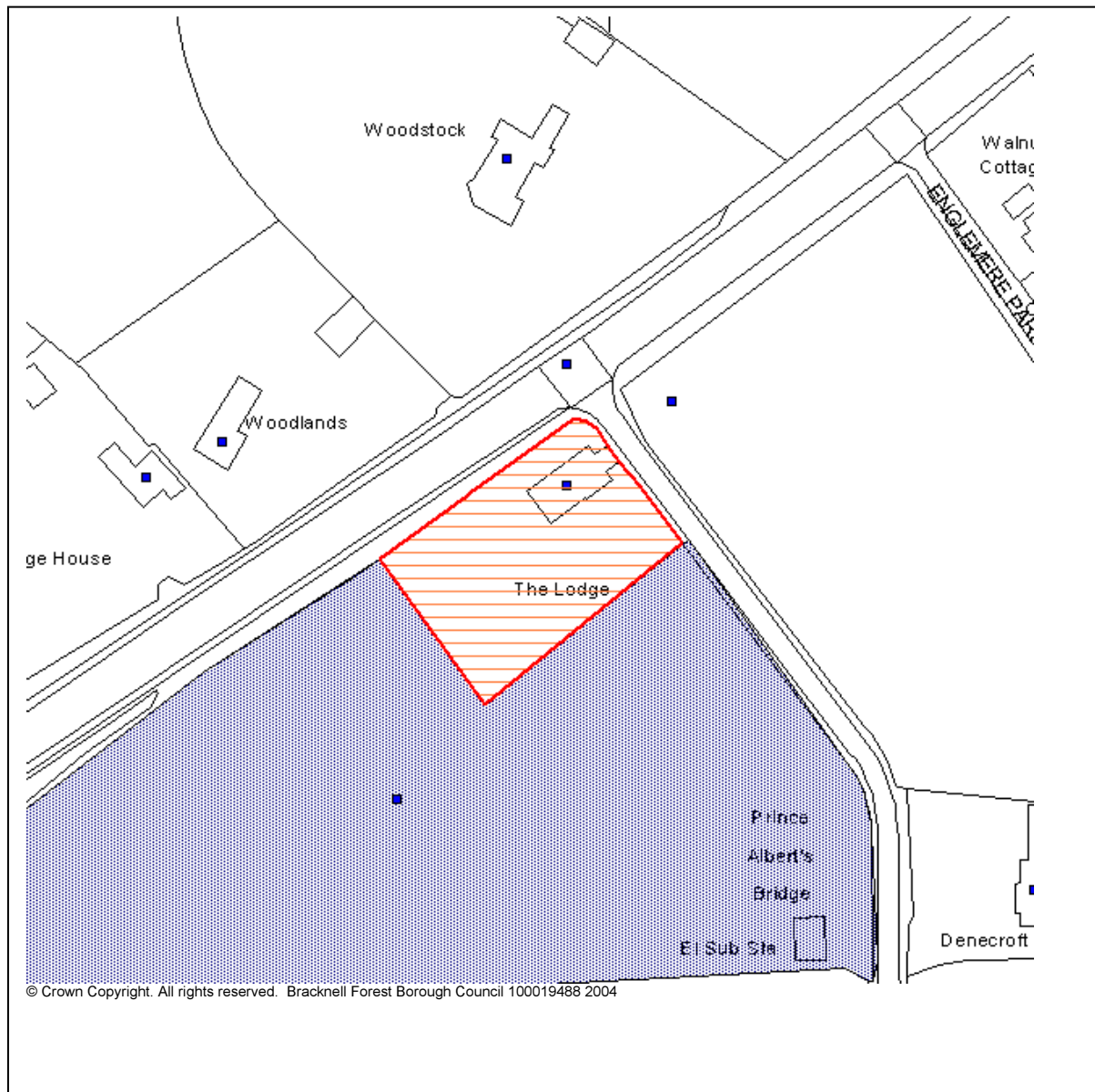
Applicant: Mr John Champion

Agent: Mr Graham Lake

Case Officer: Michael Ruddock, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto:Development.control@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 is reported to the Planning Committee at the request of Councillor Mrs Hayes as she does not consider that the proposed extension would result in a disproportionate addition over and above the size of the original dwellinghouse that would be detrimental to the openness of the Green Belt.

### **2. SITE DESCRIPTION**

The Lodge is a detached dwelling located adjacent to the junction between Kings Ride and Prince Albert Drive. Access to the site is gained from Prince Albert Drive with parking located to the rear of the dwelling on a driveway and within a detached garage. The property is partially obscured when viewed from Kings Ride by a hedge across the front of the property. The site is not bordered by any residential properties, the closest property being Woodlands on the other side of Kings Ride to the north west. The Lodge is located within the Green Belt.

### **3. RELEVANT SITE HISTORY**

Application 619892 for the erection of two single storey extensions was approved in 1994. These extensions are the 'kitchen' and 'lounge' as shown on the submitted plans.

Application 01/01103/FUL for the erection of a single storey front and side extension was approved in 2002. This extended the two larger bedrooms and provided an additional room adjacent to the third bedroom, as shown on the submitted plans.

Application 06/00776/FUL for the erection of a single storey extension forming a conservatory was refused in 2006. An appeal against this decision was dismissed.

### **4. THE PROPOSAL**

The proposed development is for the erection of a single storey extension to the property forming a garden room. The extension would be located to the south western side of the dwelling and would increase the visible width of the dwelling when viewed from Kings Ride. It would have a width of 4.5m with a depth of 3.7m and a height of 3.6m.

### **5. REPRESENTATIONS RECEIVED**

Winkfield Parish Council was consulted on the application and have no objection to the proposed development.

No letters of representation from neighbouring residents have been received in respect of the proposed development.

### **6. SUMMARY OF CONSULTATION RESPONSES**

No further consultation responses were received.

### **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)

## 8. PRINCIPLE OF DEVELOPMENT

Policy CP1 of the Site Allocations Local Plan sets out that a positive approach to considering development proposals should be taken which reflects the presumption in favour of sustainable development as set out in the National Planning Policy Framework (NPPF) and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

The Lodge is located within the Green Belt, as defined on the adopted Policies Map, and therefore 'Saved' Policy GB1 of the Bracknell Forest Borough Local Plan (BFBLP) (January 2002) and Policy CS9 of the Core Strategy (February 2008) are relevant. These policies seek to protect the Green Belt from inappropriate development. 'Saved' Policy GB1 lists certain types of building that might be acceptable depending on their scale, form, effect, character, siting and transport considerations. These include limited extensions to existing dwellings.

As set out above, Policy CS9 of the Core Strategy and 'Saved' Policy GB1 of the BFBLP set out a presumption against inappropriate development in the Green Belt and GB1 sets out a list of exceptions which include limited extension to existing dwellings. The explanatory text states "An extension or alteration is not inappropriate in the Green Belt so long as it does not result in disproportionate additions over and above the size of the original building. For the purposes of this policy, the Borough Council will normally consider any increase to be "disproportionate" if it exceeds 40% of the gross floor area of the original building." Original building is defined as 'the building as it existed on or before 12 May 1980.

Paragraph 88 of the NPPF states that 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm in the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'

Paragraph 89 of the NPPF also lists certain buildings that might not be inappropriate which include 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'. As such in this case, Policies CS9 and GB1 (in terms the principle of protecting the Green Belt from inappropriate development) are considered to be generally consistent with the aims of the NPPF, and significant weight can be afforded to these policies in respect of extensions to existing dwellings (in relation to para. 215 of the NPPF). However, the NPPF defines 'original building' as 'a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. This takes precedence over the definition set out in the explanatory text to BFBLP Policy GB1.

As stated, the floor area of the 'original building' is relevant when considering the proportionality of the dwelling as altered and its impact on the Green Belt. The 'original building' had a floor area of 76.73 square metres. The 1994 extension increased this by 52.26 square metres and the 2001 extension by a further 25.87 square metres. This is an overall floor area increase of 78.13 square metres over and above the original dwelling which proportionately represents an increase of approximately 102% over and above the original dwelling. The proposed conservatory would increase the floor area by a further 16.65 square metres which proportionately would represent an increase of approximately 123% over and above the original dwelling.

It is therefore considered that the development would result in a disproportionate addition to the property over and above the size of the original dwelling both in terms of para. 89 of the NPPF and Policy GB1. The proposed development is therefore considered to be inappropriate development within the Green Belt, contrary to Core Strategy Policy CS9, BFBLP 'Saved' Policy GB1, and the NPPF and is therefore unacceptable in principle.

The NPPF (para. 87) sets out that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 states that 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm in the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. As set out above, the proposal is considered to be inappropriate development contrary to policy, however the remainder of this report considers whether there are any very special circumstances which outweigh the harm.

## **9. IMPACT ON CHARACTER AND APPEARANCE OF AREA**

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area.

These policies are considered to be consistent with the objectives set out within the NPPF. In addition para. 56 of the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live.

It is not considered that an extension of the size and scale proposed would appear overly prominent in the streetscene and it would be partially screened by the existing hedge at the front of the site. It would be lower in height than the existing dwelling and such an extension would appear subordinate to the main dwelling. However it is not considered that these considerations would represent 'very special circumstances' that would outweigh the potential harm to the Green Belt by reason of inappropriateness as outlined in the NPPF, CSDPD Policy CS9 and BFBLP 'Saved' Policy GB1.

Furthermore it is noted that application 06/00776/FUL was refused for the reason that "The proposed extension, by virtue of its size would result in a disproportionate addition over and above the size of the original dwellinghouse. The cumulative increase of previous extensions in conjunction with the current proposal would be detrimental to the open and rural character of the Green Belt, therefore contrary to policy GB1 of the Bracknell Forest Borough Local Plan and DP3 of the Berkshire Structure Plan." This proposal was very similar to that currently proposed.

This decision was appealed by the applicant, and the Planning Inspectorate dismissed the appeal. In reaching his decision the Inspector commented that extensions to the building have already been allowed which well exceed policy. As such, the Inspector did not consider that the proposal would form a 'limited extension' to the original building. He therefore concluded that the development would be inappropriate in the Green Belt and so, by definition, harmful. Given that Policy GB1 is considered to be generally consistent with the NPPF in respect of extensions in the Green Belt it is considered that this decision remains relevant.

In respect of 'very special circumstances' the Inspector concluded that the screening or visibility of the conservatory does not amount to a very special circumstance, nor does the proximity of the main road.

## 10. RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFPLP Policy 'Saved' EN20 is for the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. This is considered to be consistent with the core principle relating to design in paragraph 17 of the NPPF, which states that LPAs should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and consistent with the general design principles laid out in paras. 56 to 66 of the NPPF.

The conservatory would be located over 50m from the nearest residential property at Woodlands and would therefore not result in any harm to the neighbouring properties by means of loss of light or overbearing. As such it is not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties and it would be in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

However it is not considered that this represents a 'very special circumstance' that would outweigh the potential harm to the Green Belt by reason of inappropriateness as outlined in the NPPF, CSDPD Policy CS9 and BFBLP 'Saved' Policy GB1. Furthermore, in reaching his decision of dismissing the appeal against the refusal of application 06/00776/FUL, the Inspector concluded that the existence or otherwise of neighbours does not amount to a very special circumstance.

## 11. CONCLUSIONS

The proposed development is considered to be inappropriate development within the Green Belt which by definition is harmful, contrary to Core Strategy Policy CS9, BFBLP 'Saved' Policy GB1 and the NPPF and is therefore unacceptable in principle. There are no 'very special circumstances' that would outweigh the potential harm to the Green Belt by reason of inappropriateness.

## 12. RECOMMENDATION

The application is recommended for refusal.

### RECOMMENDATION

That the application be **REFUSED** for the following reason(s):-

#### Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

02. This refusal is in respect of Plan ref. 2269 TP/1 received by the Local Planning Authority on 6th March 2014.

03. The proposal by reason of its size and cumulative increase combined with existing extensions results in a disproportionate addition to the original dwelling which is by definition inappropriate development to the detriment of the openness of the Green Belt. The proposed development is therefore contrary to Policy CS9 of the Core Strategy Development Plan Document, 'Saved' Policy GB1 of the Bracknell Forest Borough Local Plan and 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](http://www.bracknell-forest.gov.uk)