

Unrestricted Report

ITEM NO: 12

Application No.
14/00612/FUL
Site Address:

Ward:
Central Sandhurst

Date Registered:
13 June 2014

Target Decision Date:
8 August 2014

29 Robin Lane Sandhurst Berkshire GU47 9AU

Proposal:

Erection of first floor side extension and single storey side extension.

Applicant:

Mrs Dawn McGrady

Agent:

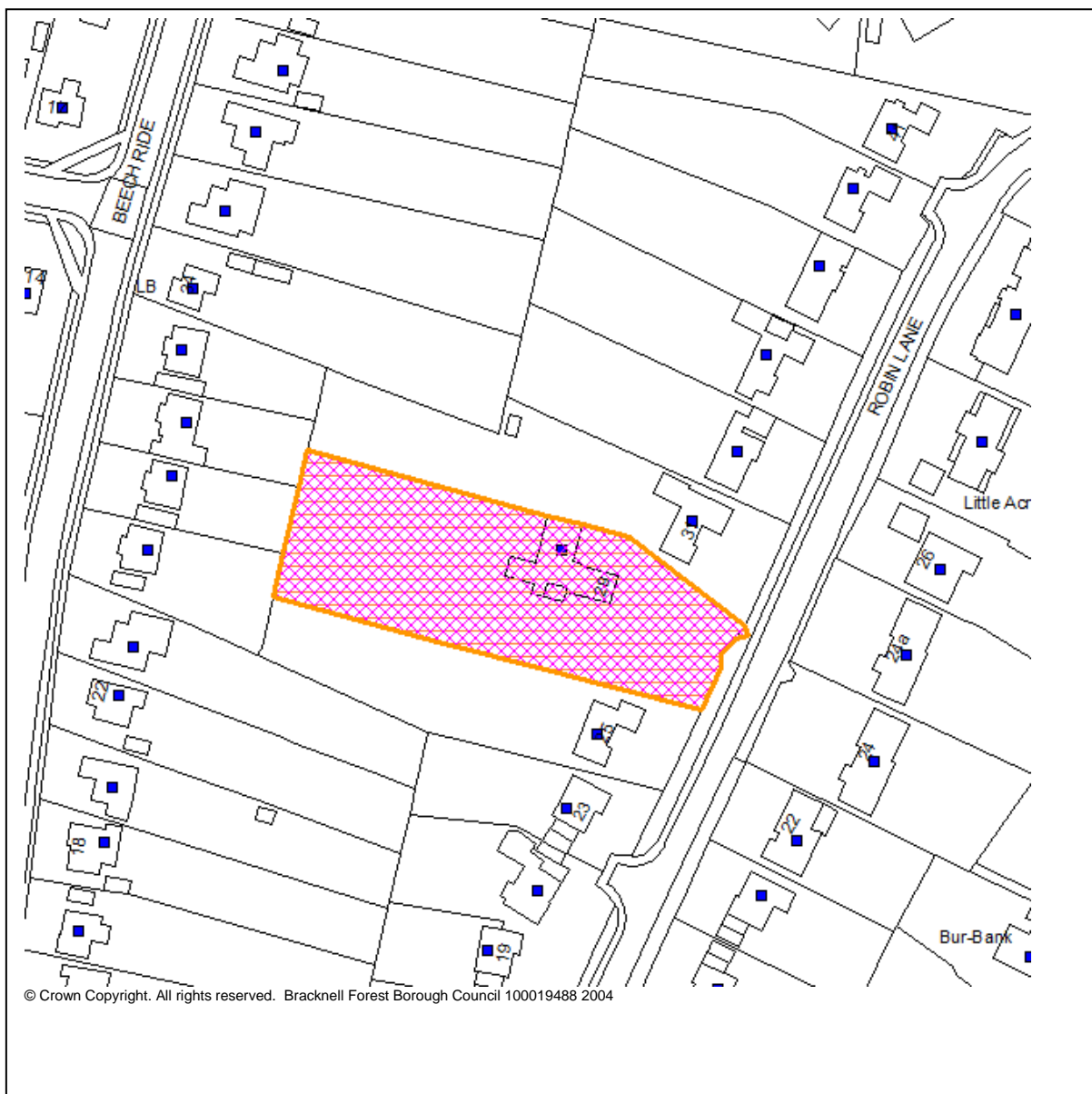
Mrs Judith Charles

Case Officer:

Laura Rain, 01344 352000

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

This application is reported to the Planning Committee as over 3 objections have been received.

2. SITE DESCRIPTION

29 Robin Lane is a detached two storey property set within a spacious plot located within a Character Area and an area of 'Special Housing Character'. The property is sited towards the northern boundary of the site. The surrounding area is residential, characterised by a mix of styles of large, detached properties. The property is screened to the frontage by a 1m high wall along part of the frontage to the south of the driveway entrance, 2m high gates and 1.8m high wall to the north of the driveway.

3. RELEVANT SITE HISTORY

Application 02/00598/FUL refused for the erection of 3no. five bedroomed dwellings with associated access onto Robin Lane and erection of detached double garage for no. 29.

Application 02/01017/FUL for the erection of 2no. five bedroomed houses with detached garages with associated access onto Robin Lane and erection of detached double garage for no. 29 was refused and the appeal dismissed.

Both applications were refused on the grounds that they would be out of keeping with the character of the area which is low density.

In the appeal decision relating to application 02/01017/FUL for the "erection of 2no. five bedroomed houses with detached garages with associated access onto Robin Lane", the Inspector states:

"Robin Lane has a distinctive character established by medium sized frontage dwellings being sited in large, leafy gardens...the properties at 25 and 29 Robin Lane have a slightly different appearance to those nearby, because there is a larger than usual side garden between 25 and 29 Robin Lane, and 29 Robin Lane is set back from the road...the site as it stands conforms to the general pattern of development and makes a positive contribution to the character and appearance of the area".

Application 02/00788/FUL for the erection of a detached double garage with accommodation in loft following demolition of existing garage and outbuilding was approved but has not been implemented. The garage approved was 1 1/2 storey with dormers serving the first floor and it was located in a similar position to that proposed by the current application.

Application 08/00922/FUL - Erection of new four bedroom dwelling house and erection of two storey extension to existing dwelling following demolition of garage. This application was withdrawn.

09/00622/FUL for the erection of a two storey side extension following demolition of existing garage. Approved but not implemented.

13/00646/FUL for the erection of single storey and two storey side extensions following demolition of existing attached garage, and erection of detached double garage to front of property. Approved at the January 2014 Planning Committee.

4. THE PROPOSAL

The proposal is for the erection of a first floor side and single storey side extension. Originally the scheme also involved a garage to the front. Amended plans have been received which remove the garage and also set in the side extension by 0.4m from the boundary with 31 Robin Lane.

At ground floor the single storey side extension would provide a hallway. An additional bedroom and bathroom would be provided at first floor level.

Whilst not subject to this planning application a two storey element is being demolished from the rear of the property.

5. REPRESENTATIONS RECEIVED

- Sandhurst Town Council on amended plans: Still considered no objection to the extension but the concerns over the garage being turned into habitable accommodation have now been dealt with by removal of the proposed garage.

For information the comments on the original scheme were: considered no objection providing no windows are added for later habitable accommodation.

5 letters of objection were received in respect of the original plans and raised the following issues:

- The footprint of the garage equates to a 4 bedroomed house.
- The garage is more like a small industrial unit.
- The proposed garage would be too big.
- The roof of the proposed garage would be visually intrusive within the street scene.
- The design of the proposed garage would not be in keeping with the neighbouring dwellings.
- The extension would result in a loss of privacy to neighbouring properties.
- The extension would be too close to the boundary with the neighbouring property.
- The extension would be overbearing.

Plans were amended to remove the garage and set the extension in from the boundary by 0.4m. Consultation was carried out on the amended plans and 1 letter was received with the following comments:

- The 0.4m proposed set in is not enough.
- The actual roof line needs to be lowered which would not have such a great overpowering influence on my garden.
- Any window other than a dormer window would not be acceptable.
- Loss of privacy to neighbouring property.

No letters were received which withdrew the original objections.

6. SUMMARY OF CONSULTATION RESPONSES

None required.

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This is also reflected in the Site Allocations Local Plan (SALP) Policy CP1. The latter also 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.

CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes.

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 NPPF and as a consequence are considered to carry significant weight.

The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map. 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, trees, etc. These issues are addressed elsewhere in this report.

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 (i) states that development should be in sympathy with the appearance and character of the local area. BFBLP 'Saved' Policy H4 deals with areas of 'Special Housing Character' stating that 'residential development will only be permitted where it would not undermine the quality of the area as a low density development with dwellings generally set in spacious surrounds...' The Character Areas Assessment SPD (2010) is a material consideration in decision making. It provides guidance to supplement Core Strategy Policy CS7 (Design).

The site falls within Area D: Central Sandhurst Character Area. This states that building lines are varied within the area and the architecture is inconsistent. Therefore there is no set building line or design that the proposal must accord with. Therefore the proposal is assessed on its own merits.

The site is also within an area of 'Special Housing Character' as set out in the Bracknell Forest Borough Policies Map due to the low density development of under ten units per hectare and dwellings generally being set in spacious surrounds.

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. Furthermore para. 64 of the NPPF states that development should only be granted when the design takes opportunities, where available, to improve the character and quality of an area and the way it functions. The policies can therefore be afforded significant weight.

It is considered that the proposed extensions would be acceptable as they are in keeping with the host dwelling and set far enough back within the plot so not to appear visually prominent within the street scene. A condition is proposed to ensure that the materials of the extension are in keeping with the host dwelling. The proposed extensions would not have a detrimental impact upon the spacious character of the area.

It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area or the host dwelling and would be in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN20 and H4, the Character Areas Assessment SPD and the NPPF.

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 (vii) 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 policy can therefore be afforded significant weight.

The dwelling is located on a very large plot.

To the rear (west) there is a distance of 51m to the rear boundary. As such the proposed extension at first floor would not have a detrimental impact upon properties to the west by reason of loss of privacy, loss of light or overbearing impact.

To the front the extension would be 65m to the properties opposite. As such the proposed first floor extension would not have a detrimental impact upon properties to the east by reason of loss of privacy, loss of light or overbearing impact.

To the north the proposed extension would run along the shared boundary with no 31, set in by 0.4m at the rear corner, and 0.6m at the front corner. There are proposed 2 side facing windows which serve the proposed bedroom. As these would be secondary sources of light a condition (no.5) is recommended requiring these windows to be obscure glazed to ensure that there would be no loss of privacy created by the proposal. A further condition removing permitted development rights for additional windows is also recommended.

The rear elevation of no 31 is set 16m in front of the front elevation of the proposed extensions. As such, given this relationship, there would be no loss of light as a result of the proposal.

Due to the staggering of the properties, with the rear of no. 31 being 16m from the front of the garage of no 29, there would be no overbearing impact or loss of light created by the proposal.

It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, subject to the recommended conditions, and is therefore in accordance with BFBLP 'Saved' Policy EN20 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 29 Robin Lane), a minimum of 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.

This site has sufficient space for three vehicles to currently be parked and this would remain if the proposed extensions were built.

For the reasons given above the proposal is considered to be in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9 and the NPPF. Furthermore it would meet the requirement of the Parking Standards SPD (2007).

12. TREES

The site is covered by Tree Preservation Order 3.

CSDPD Policy CS1 states that development will be permitted which inter alia protects and enhances the quality of natural resources and the character and quality of local landscapes. CSDPD Policy CS7 states that development will be permitted which enhances the landscape. BFBLP 'saved' Policy EN1 supports the retention of trees which are important to the character and appearance of the landscape and BFBLP 'saved' Policy EN20 requires development to retain beneficial landscape features. These policies are consistent with the core principles of the NPPF to conserve and enhance the natural environment, and can be afforded significant weight.

No works are proposed immediately adjacent to protected trees and no tree removals are proposed. Provided tree protection conditions are attached to any grant of planning permission, the proposal would be in accordance with the above development plan policies and the NPPF.

13. CONCLUSIONS

The proposal is considered to be acceptable in principle and it is considered that the development would not result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties, on highway safety or on trees. It is therefore considered that subject to the recommended conditions the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies EN1, EN20, H4 and M9, the associated SPDs and the NPPF.

The application is therefore recommended for conditional 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 plans:

Drg no 03 Rev B received by the LPA 15.07.2014

Drg no 04 Rev A received by the LPA 15.07.2014

Site Location Plan received by the LPA 06.06.2014

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.

REASON: In the interests of the visual amenities of the area.

[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

04. 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 additional windows, similar openings or enlargement thereof shall be constructed in the north elevation of the extension hereby permitted except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

05. The first floor windows in the north elevation serving the bedroom hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) to a height of 1.7m from floor level. The windows shall at all times be fixed to a height of 1.7m from internal floor level.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

06. No development (including initial site-clearance) shall take place until a detailed scheme, and programme for its implementation for the protection of existing trees to be retained, in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner) through to completion of the construction works and the completion of any hard landscaping works. The submitted scheme shall include the following:

a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development.

b) All proposed tree removal and retention

c) Minimum 'Root Protection Areas' of all existing trees to be retained within the site and on neighbouring land adjacent to the proposed development, calculated in accordance with BS5837 recommendations.

d) Plans of a minimum scale of 1:200 showing the proposed locations of protective barrier(s), constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction

Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.

e) Proposed ground protection measures in accordance with Section 6 (Figure 3) of BS 5837:2012.

f) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.

g) Illustration(s) of the proposed fencing structure(s) to be erected.

The development shall be carried out in accordance with the approved scheme and programme.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

07. The protective fencing and other protection measures specified by condition 6 shall be erected prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. No activity of any description must occur at any time within these areas including but not restricted to the following: -

a) No mixing of cement or any other materials.

b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.

c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.

d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.

e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.

f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.

h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. Conditions 06 and 07 contain requirements which must be met prior to commencement of development.

Development must be carried out in accordance with conditions 01, 02, 03, 04 and 05.

Conditions 04, 05, 06 and 07 contain ongoing requirements.

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