

## Unrestricted Report

### ITEM NO: 08

Application No.  
**14/00994/FUL**

Ward:  
Crown Wood

Date Registered:  
19 September  
2014

Target Decision Date:  
14 November 2014

Site Address:

**6 Higher Alham Bracknell Berkshire RG12 0GR**

Proposal:

**Erection of a part first floor and part two storey side extension**

Applicant:

Mrs Susan Andrews

Agent:

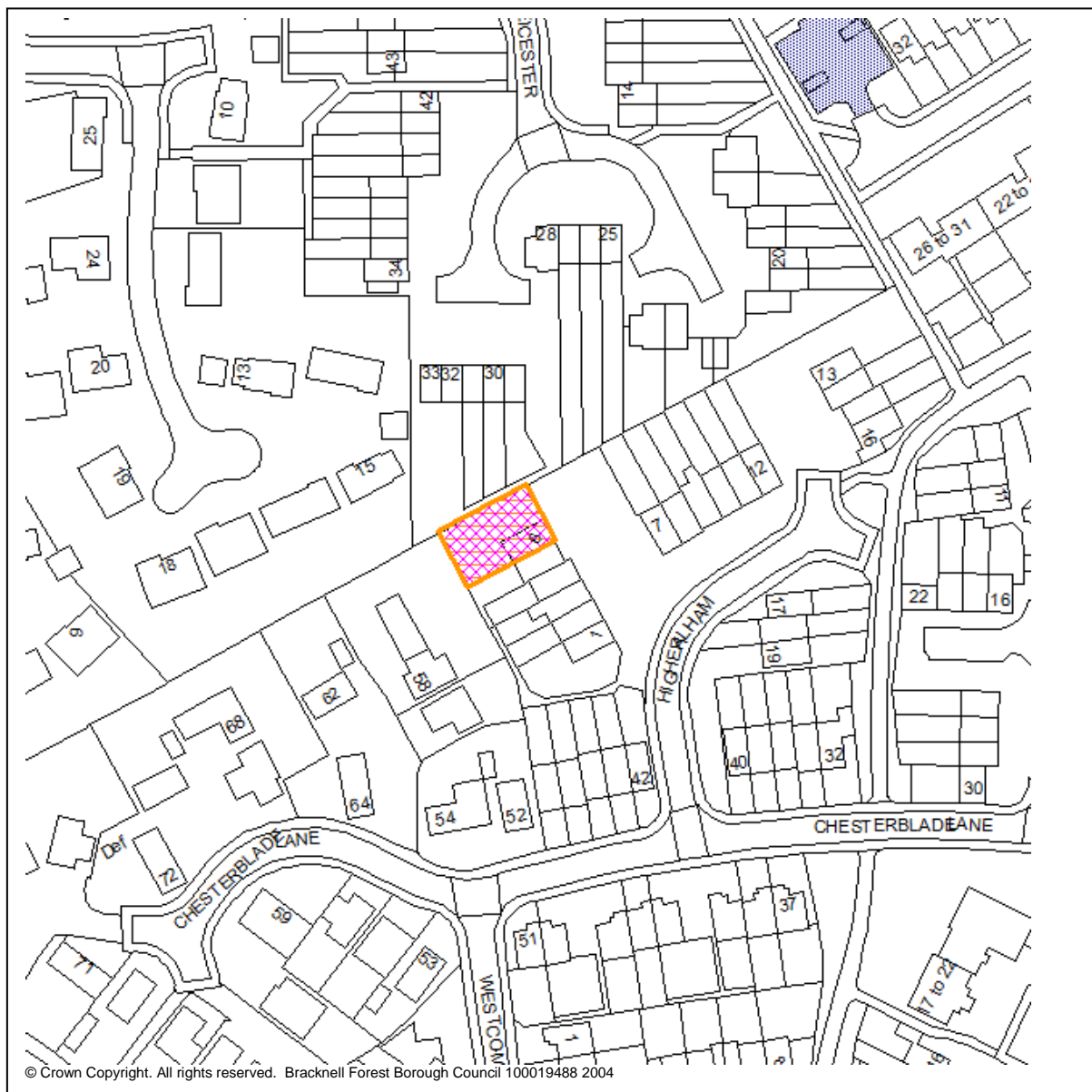
(There is no agent for this application)

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 as more than three objections have been received.

### **2. SITE DESCRIPTION**

No.6 Higher Alham is an end of terrace dwelling with a detached garage located to the side. A parking area is located in front of the garage and a private garden to the rear. The site is bordered by the adjoining dwelling of No.5 to the south, and the rear of properties fronting Leicester (No.29-No.33) to the north. There is a row of trees along the northern boundary, however none of these are protected by Tree Preservation Orders.

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

Application 09/00770/FUL - Erection of 3 no. bedroom dwelling attached to existing dwelling. This application was withdrawn after concerns were raised with regard to highways, trees and biodiversity.

Application 10/00318/FUL - Erection of 2 storey side extension. This application was refused for three reasons, these being insufficient parking, failing to protect and enhance biodiversity and it not being demonstrated that it would not result in an adverse impact on existing trees.

Application 10/00580/FUL - Erection of two storey side extension. This application was withdrawn due to similar concerns with regard to trees and biodiversity.

### **4. THE PROPOSAL**

The proposed development is for the erection of a part first floor, part two storey extension to the side of the property. The extension would project 5.0m to the side of the dwelling with a depth of 9.2m and a height of 7.7m. The existing ground floor garage and sunroom to the rear would be incorporated into the extension.

As stated, the garage would remain at ground floor level with two bedrooms at first floor level. Due to changes to the existing internal layout, there would only be a net increase of one bedroom, from three to four.

During the course of the application its design has been amended to ensure that the eaves of the extension are the same as the host dwelling. The extension has also been set 0.4m lower in height than the host dwelling and 0.4m back from the front elevation. Finally, a new door to the garage has been moved from the front elevation of the side.

### **5. REPRESENTATIONS RECEIVED**

Four letters of objection and one letter of representation have been received from local residents. The reasons for objection can be summarised as follows:

- The extension would result in a loss of amenity to the properties to the north due to its proximity to the boundary.

- The development would result in a loss of privacy to the properties to the east.
- A condition of the original planning permission was that a 5m strip remain along the boundary with the properties to the north which was intended to be a private garden to No.6. The application would be contrary to this. This area provides a habitat for wildlife.
- The size of the extension could result in it being converted to a separate dwelling, as the garage could easily be converted to habitable accommodation.
- Insufficient parking is provided, and parking problems that are already experienced on Higher Alham would get significantly worse.
- The proposal would be an over-development of the site which would set an undesirable precedent.
- Concerns that a business is being run from the property, and that the development would be in support of this.

[OFFICER COMMENT: *The subdivision of the extended dwelling into two dwellings would require planning permission.*]

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

Bracknell Town Council have provided a consultation response on the application, and recommend refusal on the grounds that this is an overdevelopment of the site, it is un-neighbourly, with potential loss of communal parking and further damage to existing trees and shrubs (some have already been removed). There is also a concern that there could be an alienation of the development from the main building in the future, to form a separate dwelling, with a potential lack of adequate parking.

Winkfield Parish Council also provided a consultation response on the application, and recommend refusal on the same grounds as Bracknell Town Council.

The Highways Officer recommends conditional approval.

## **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, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the Site Allocations Local Plan 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.

Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements. No.6 Higher Alham is located within a defined settlement as designated by

the Bracknell Forest Borough Policies Map. Therefore, the principle of development on this site is acceptable. Due to its location and nature, the proposal is considered to be in accordance with SALP Policy CP1, Core Strategy Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF but details such as no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, remain to be assessed below.

## **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 paragraph 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, and therefore these policies can be afforded significant weight.

The extension would project to the side of the property and would therefore be visible in the streetscene. The extension would be set 0.4m lower in height than the host dwelling and set back 0.4m from the front elevation, and such an extension is considered to appear subordinate. Furthermore the amendments to the design have ensured that the height of the eaves is the same as existing, and it is considered that such a design is acceptable.

Concerns have been raised with regard to the width of the extension, which would have a similar width to the main dwelling. However it is noted that the nearby dwelling of No.1 Higher Alham has also been extended to the side, and this extension has a similar width to the dwelling it serves. Although this extension is set further back from the front elevation, an extension of such a width is considered to be in keeping with the streetscene in this location. Although concerns have been raised with regards to the proximity to the boundary of the extension, it would be no closer than the existing detached garage.

With regard to the issues raised that the extension could form a separate dwelling or could support a business being run from the property, both these uses would require planning permission in their own right. A door providing access to the garage has been moved to the rear of the side elevation to reduce the likelihood of this occurring, and a condition will be imposed to ensure that the garage is retained for the parking of vehicles at all times (see below). No separate access to the new first floor accommodation, such as a staircase, is shown. At the time of the site visit, there was nothing on site to indicate that a business was being run from the dwelling.

As such it is considered that the proposed garage builds upon and would be in sympathy with the character and appearance of the local area, and would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

## **10. RESIDENTIAL AMENITY**

BFBLP 'Saved' Policy EN20 (vii) 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 BFBLP 'Saved' Policy 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 paragraphs 56 to 66 of the NPPF.

The extension would not project forward or rear of the existing dwelling, and it would therefore not be visible from the front or rear facing windows of the adjoining dwelling to the south at No.5 Higher Alham. Although it may be visible from No.7 to the east, due to the distance between the dwellings it is not considered that it would result in an unacceptable loss of light to the rear facing windows of that property.

The existing dwelling is set approximately 17m off the boundary with No.7, and the extension would be set slightly further away from this boundary. It is not considered that an extension with such a set off would appear unduly overbearing when viewed from the rear of this property. Furthermore it would not result in an unacceptable loss of light to the rear facing windows of this property. Guidance contained within the BFC leaflet 'Extending Your Home: A Householders Guide states that windows should not overlook boundaries less than 10m away. As the extension would be set over 17m off the boundary with No.7 it would comply with this guidance.

In respect of the properties to the north that front Leicester, the extension would be set approximately 20m off the rear elevation of the closest of these properties at No.29. As such it would not result in an unacceptable loss of light to the rear of these properties. Although the extension would be located close to the northern boundary of the site, due to this set off it is not considered that it would appear unduly overbearing when viewed from the private amenity area at the rear of the property. No windows are proposed in the side elevation of the extension, and a condition will be imposed to ensure that this remains the case, in the interests of the amenities of the residents of the neighbouring properties.

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 the development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or 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 (The SPD is a material consideration, and was adopted in 2007). 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, and can be afforded significant weight.

For a dwelling that has or exceeds four bedrooms (as is the case with No.6 Higher Alham), a minimum of three allocated parking spaces should be provided in accordance with the minimum measurements stated within the SPD.

The site is located at the end of a shared driveway. A garage is proposed at ground floor level which is larger than the existing garage, and larger than the required standards being 4.5m x 7.5m internally. The new garage provides a practical and usable vehicular parking space and is of sufficient size to also accommodate bin and cycle storage. The two driveway parking spaces are as existing. It is therefore

considered that three parking spaces are provided which meet the requirements of the Parking Standards SPD.

The Highways Officer has recommended that conditions be imposed requiring the garage and driveway parking to be retained for the parking of vehicles at all times, in the interests of highway safety. As outlined above, this would also ensure that this part of the extension could not be converted to habitable accommodation without planning permission.

It is therefore not considered that the development would result in an adverse impact on highway safety and would provide an acceptable level of parking. The development would therefore not be contrary to CSDPD Policy CS23, BFBLP 'Saved' Policy M9 or the NPPF.

## **12. EFFECT ON TREES**

BFBLP 'Saved' Policy EN1 seeks to ensure that the Borough's significant trees are protected. The NPPF refers to conserving the natural environment, therefore this policy is consistent with the NPPF, and can be afforded significant weight.

It is noted that previous applications have raised concerns with regard to the impact on trees. However the extended dwelling would not project any closer to the trees than the existing garage, and the only increase in footprint would be in the area between the dwelling and the existing garage. Furthermore the applicant has confirmed that the foundations for the existing garage are sufficient to accommodate a first floor extension above, therefore deeper foundations are not required. It is therefore not considered that there would be any additional impact on the rooting environment of these trees. In any case the trees are not protected by Tree Preservation Orders, nor is it considered that they would merit Tree Preservation Orders.

It is therefore not considered that the development would result in an adverse impact on trees worthy of retention, and the development would therefore not be contrary to BFBLP 'Saved' Policy EN1 or the NPPF.

## **13. BIODIVERSITY CONSIDERATIONS**

Policies CS1 and CS7 of the CSDPD seek to protect and enhance the quality of natural resources including biodiversity. This is consistent with the objectives of the NPPF, in particular to para. 109 and para. 118.

It is noted that previous applications have raised concerns with regard to the impact of the development on wildlife and biodiversity, however these concerns were related to the impact on the trees which is assessed above. In any case, the main objection from the Biodiversity Officer was to application 09/00770/FUL for a new dwelling, and not the subsequent applications for extensions. Biodiversity enhancements are only sought for extensions in exceptional circumstances, such as if it would have an impact on protected species.

It is not considered that the development would result in an adverse impact on biodiversity, and as such would not be contrary to CSDPD Policies CS1 and CS7 or the NPPF.

#### 14. CONCLUSIONS

It is not considered that the proposed development would result in an adverse impact on the character and appearance of the area, the amenities of the residents of the neighbouring properties, highway safety, trees or biodiversity. Conditions will be imposed to ensure that there would not be any loss of privacy to the neighbouring properties to the north through overlooking, and to ensure that the requirements of the Parking Standards SPD are met. A condition retaining the garage for parking at all times would also ensure that the extension could not be converted for use as a separate dwelling. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, and BFBLP 'Saved' Policies EN1, EN20 and M9, and the NPPF.

#### 15. RECOMMENDATION

The application is 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 approved plans received by the Local Planning Authority on 6th November 2014:

Proposed Layout with Parking (Rev 2)  
Proposed Elevations (Rev 2)

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 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the north facing side 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 property.

[Relevant Policies: BFBLP EN20]

05. The areas for parking shown on the approved layout, including that within the garage, shall be retained for the use of the parking of vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met, and to ensure that the extension could not be converted to a separate dwelling.

[Relevant Policy: Core Strategy DPD CS23, BFBLP M9, Parking Standards SPD]

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 subject to conditions, 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:
  01. Time Limit
  02. Approved Plan
  03. Materials
  04. Restrictions on side facing windows
  05. 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](http://www.bracknell-forest.gov.uk)