

Unrestricted Report

ITEM NO: 6

Application No.
14/00857/FUL
Site Address:

Ward:
Central Sandhurst

Date Registered:
31 July 2014

Target Decision Date:
25 September 2014

**1 Cornbunting Close College Town Sandhurst
Berkshire GU47 0XZ**

Proposal: **Erection of outbuilding forming workshop**

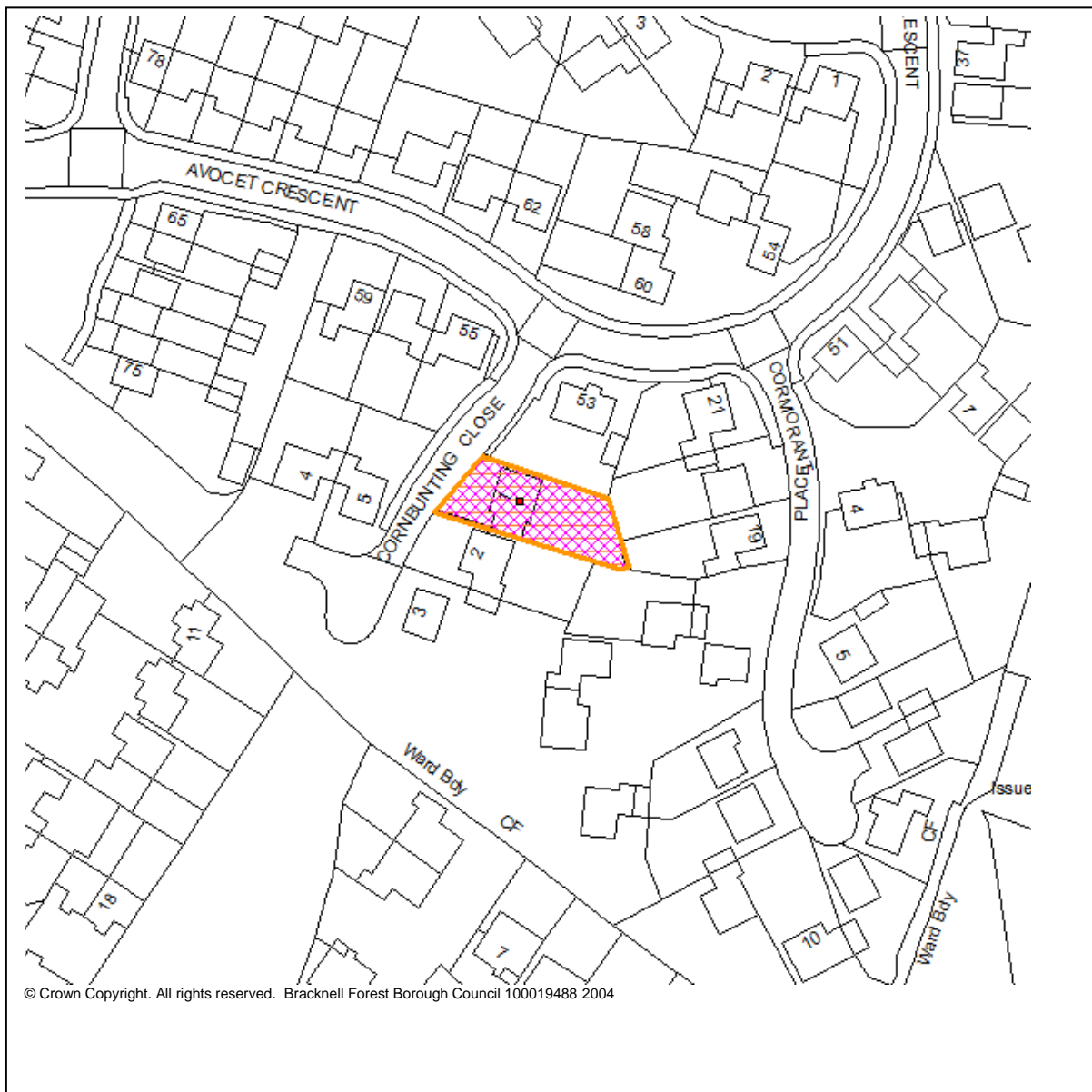
Applicant: Alec Aslett

Agent: (There is no agent for this application)

Case Officer: Sarah Horwood, 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

The proposal is reported to the Planning Committee as it has received more than 3 objections.

2. SITE DESCRIPTION

1 Cornbunting Close is a detached two storey dwelling located in a residential cul-de-sac. There is a conservatory to the rear of the dwelling. The rear garden is enclosed by 1.8m high fencing and there is a shed along the eastern boundary of the site.

3. RELEVANT SITE HISTORY

02/00755/FUL approved September 2002 for part two storey, part single storey side extension and single storey front extension.

4. THE PROPOSAL

Full permission is sought for the erection of an outbuilding forming workshop.

It would be 3.8m wide at its widest and 4.2m deep at its deepest. It would have varying eaves heights of between 1.78m at the lowest and 2.4m at the highest points with a maximum ridge height of 4m. A high level window is proposed in the western elevation and a dormer window proposed in the northern elevation which would be obscure glazed and fixed shut.

The outbuilding would be located in the south-eastern corner of the rear garden, closest to the boundaries with nos. 17, 19 and 20 Cornbunting Close and would be set in 1m from the boundaries with these properties. There was an existing outbuilding in the same location which has been removed, however the concrete base remains and the proposed outbuilding would be sited on the existing base.

The outbuilding would be used for private purposes by the applicant ancillary to the residential use of the dwelling, not for commercial purposes.

The outbuilding as originally proposed was considered to be overbearing to adjoining properties due to its height. As a result of discussions with the applicant, the eaves height of the outbuilding and the bulk of the roof have been reduced on the north, east and west elevations, along with a reduction in the size of the window on the front elevation of the building. An amended plan showing these alterations were received on 5 January 2015 by the Local Planning Authority.

5. REPRESENTATIONS RECEIVED

Sandhurst Town Council was consulted on the application and recommend refusal for the following reasons:

- i) the size of the development is visually intrusive to the character of the area;
- ii) approval would create a precedent;
- iii) concern regarding acceptable access to the workshop;
- iv) members are concerned that this could be made habitable in the future and have overlooking issues;
- v) concerns heavy machinery should not be used outside normal hours and with any hazardous materials used.

5no. letters of objection received which raise the following concerns and can be summarised as follows:

- Overbearing impact
- Overlooking and loss of privacy
- Height of outbuilding
- Appearance
- Noise and air pollution caused due to use of outbuilding
- Drainage issues
- Set precedent
- Use of outbuilding - private or commercial use. If it were for commercial purposes, could lead to parking issues. Could be used for granny annexe/residential use.
- Restricted access to workshop for emergency services if emergency arose

Officer note: issues of setting a precedent and restricted access for emergency vehicles are not planning considerations. The proposed use of the outbuilding for a granny annexe/residential use may require planning permission; however the application must be assessed as applied for - this being an outbuilding used for private purposes and ancillary to the dwelling at 1 Cornbunting Close.

6. 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

7. 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 SALP Policy CP1, which 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 consistent with the NPPF. Regard will also need to be had to Policy CS1 of the CS relating to sustainable development principles, which is considered to be consistent with the NPPF (and can be afforded full weight).

1 Cornbunting Close is located within a defined settlement as designated on the Bracknell Forest Borough Policies Map which establishes the principle for development, in relation to CS Policy CS2. Due to its location and nature, the proposal is considered to be in accordance with Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety, etc. These matters are assessed below.

8. 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 and therefore can be afforded full weight.

The proposed outbuilding would be sited in the rear garden of the site and therefore would not appear visible in the street scene due to its siting. It would be a brick built outbuilding with timber supports and tiled roof which would be acceptable.

The proposed outbuilding would be used for private purposes by the applicant, not for commercial use and therefore an outbuilding used in an ancillary capacity to a residential dwelling would not be considered out of character in a residential area.

There is a conservatory to the rear of the dwelling along with an existing small timber shed in the rear garden of the site. The proposed outbuilding would have an approximate footprint of 16sqm and when cumulatively taken with the existing conservatory and shed would not result in overdevelopment of the site.

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.

9. RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 (vii) refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. This is consistent with the NPPF and can therefore be afforded significant weight.

The proposed outbuilding would be sited 11m from the rear elevation of no. 2 Cornbunting Close and on the western elevation facing no. 2 would be 4m in height. The proposed outbuilding would appear visible when viewed from the rear elevation and rear garden of no. 2, however in view of the separation distance to the rear elevation of no. 2, the proposed outbuilding would not appear unduly overbearing to the detriment of no. 2. A high level window is proposed in the western elevation of the outbuilding facing no. 2; however due to its height this window would not result in overlooking and loss of privacy to no. 2.

1no. dormer window is proposed in the northern elevation of the outbuilding facing no. 53 Avocet Crescent. This would be set 6m from the rear boundary of no. 53. The proposed dormer window would be obscure glazed and fixed shut and therefore would not result in overlooking and loss of privacy to no. 53 and its rear garden. A planning condition is recommended to ensure this window is obscure glazed and fixed shut at all times. The proposed outbuilding would be set 6m from the rear boundary of no. 53 and some 16m from the rear elevation of no. 53. Whilst the outbuilding would appear visible to no. 53, it would not appear unduly overbearing given the aforementioned separation distances.

The proposed outbuilding would be set 1m from the rear boundary of the site with an 8m separation distance to the existing conservatory of no. 17 Cormorant Place sited to the side of the dwelling at the closest point. The garden of no. 17 is located to the side of the dwelling. The southern elevation of the outbuilding would be 1.7m in height to the eaves of the outbuilding increasing to 4m in height 3m from the boundary with no. 17. The proposed outbuilding would appear visible viewed from the rear garden of no. 17, however given the highest part of the outbuilding would be set in 3m from the boundary with the roof pitching away from the boundary with no. 17, the proposed outbuilding would not appear so unduly overbearing to the detriment of no. 17. As a fallback position, the applicant could erect a 4m high outbuilding with dual pitched roof located

2m from the boundary under permitted development which would be more imposing and overbearing than the scheme as proposed.

The proposed outbuilding would be set 1m from the rear boundary of the site with a 14m separation distance to the rear elevation of no. 19 Cormorant Place and 17m separation distance to the rear elevation of no. 20 Cormorant Place. It would have an eaves height of 2.4m set 1m from the boundary with nos. 19 and 20 increasing to 4m in height approximately 3m in from this boundary. In view of these separation distances, the proposed outbuilding would not appear unduly overbearing to nos. 19 and 20. No windows are proposed in the east elevation of the outbuilding so no overlooking and loss of privacy would result to nos. 19 and 20.

The proposed outbuilding would be used for private purposes by the applicant; not for commercial purposes. As such, no detrimental level of noise, disturbance and pollution would result connected to its use for private purposes. Should issues of noise and pollution result once the building is constructed and put to use; this could be investigated by the Council's Environmental Health department.

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.

10. TRANSPORT IMPLICATIONS

Policy CS23 of the CSDPD seeks to increase the safety of travel. This is consistent with the NPPF.

Saved Policy M9 of the BFBLP ensures that development provides satisfactory parking provision. A further material consideration for parking provision is provided in the Council's adopted Parking Standards SPD (2007). The NPPF refers to local authorities setting their own parking standards for residential development.

The proposed outbuilding would be used for private purposes by the applicant and would not be used for commercial purposes; as such it would not generate vehicular movements connected to a commercial use and would not require additional parking provision.

For the reasons given above the proposal is considered to be in accordance with Policy CS23 of the CSDPD, Saved Policy M9 of the BFBLP and the NPPF and would not result in highway implications.

11. TREE IMPLICATION

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

There is a tree in the rear garden of no. 19 Cormorant Place close to where the proposed outbuilding would be sited. The concrete base for the outbuilding is already in situ and therefore no additional impact would result to the root protection area of this tree. There may be some pruning required to the tree where it overhangs the boundary of the application site however the applicant would be within his legal rights to do so and it would not impact upon the long term health of the tree.

As such, the proposal is considered to be in accordance with Policy EN1 of the BFBLP and the NPPF and would not result in an adverse impact to existing trees.

12. CONCLUSIONS

The proposed outbuilding would not result in adverse impacts to the residential amenities of adjoining properties and the character and appearance of the surrounding area. The proposed outbuilding would be used for private purposes and would not require additional on site parking provision or generate increased traffic to and from the site and no adverse impact would result to an existing tree. As such, the proposal is considered to be in accordance with CS1, CS2, CS7 and CS23 of the CSDPD, Saved Policies EN1, EN20 and M9 of the BFBLP and Policy CP1 of the Site Allocations Local Plan, all in accordance with 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 approved plans received by the Local Planning Authority on 5 January 2015:

drawing no JSD-14-69/01

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

03. The outbuilding hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwellinghouse, known as 1 Cornbunting Close Sandhurst GU47 0XZ.

REASON: The proposal would involve intensification of the site
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

04. The dormer window in the north elevation of the development hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). It shall at all times be fixed with the exception of a top hung openable fanlight.

REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]

05. The window in the western elevation of the proposed development shall at all times be a high level window having a sill height of not less than 1.7 meters above internal floor level.

REASON: To prevent the overlooking of neighbouring property.
[Relevant Policies: BFBLP EN20]

06. 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 in the northern, eastern, southern and

western elevations of the outbuilding except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

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. Use of outbuilding
 4. Obscure glass and fixed shut window
 5. High level window
 6. Restrictions on windows

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