

Unrestricted Report

ITEM NO: 8

Application No.
14/01132/FUL
Site Address:

Ward:
Warfield Harvest Ride

Date Registered:
23 October 2014

Target Decision Date:
18 December 2014

**17 Anthony Wall Warfield Bracknell Berkshire RG42
3UL**

Proposal:

Erection of a single storey rear extension with a first floor extension over the garage.

Applicant:

Mr & Mrs Doherty

Agent:

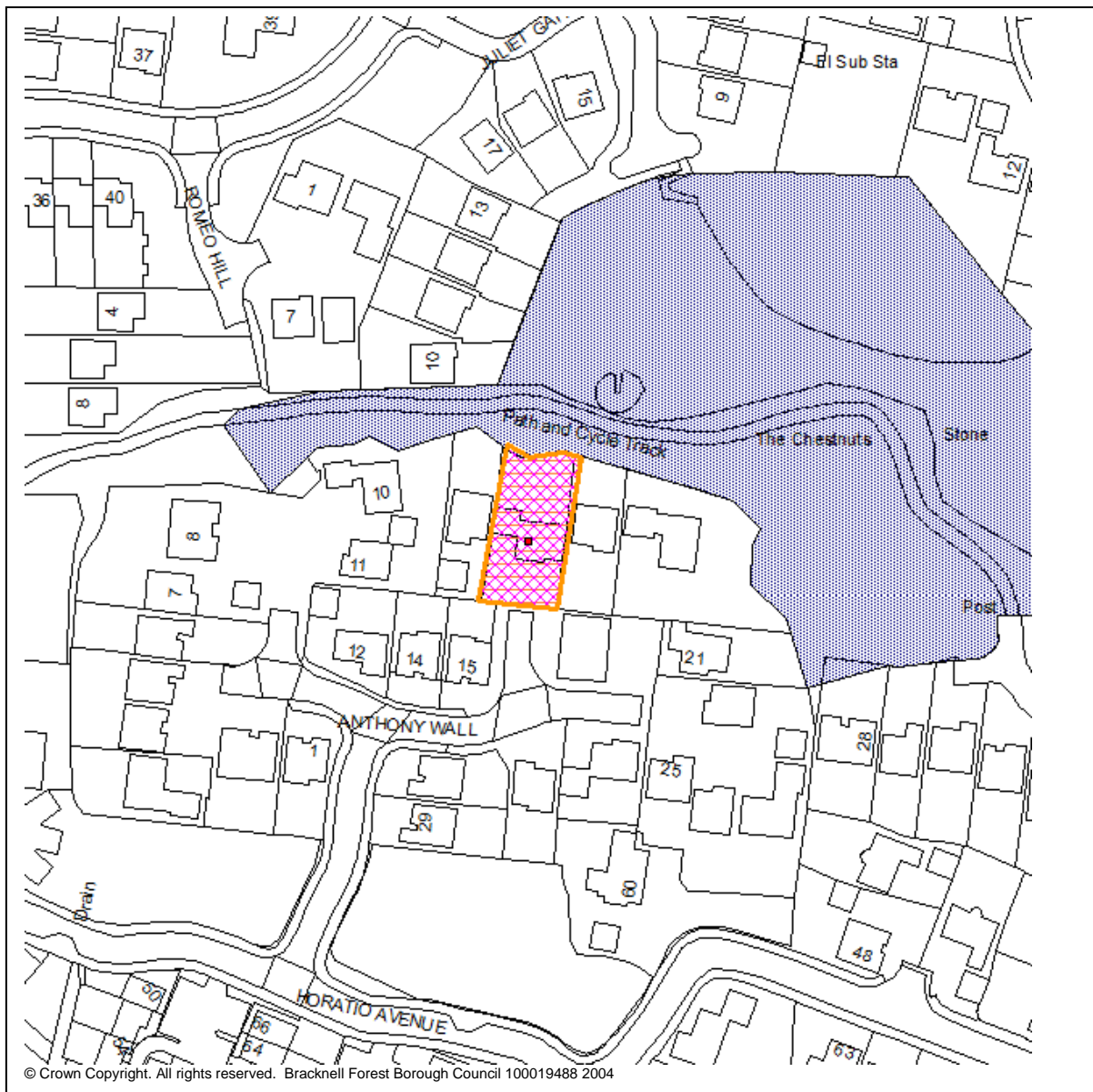
Helen Nightingale

Case Officer:

Gerald Hegarty, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. REASON FOR REPORTING APPLICATION TO COMMITTEE

Councillor Thompson has requested this application to be considered by the Planning Committee, due to concerns raised by Warfield Parish Council and No. 18 Anthony Wall that the development by reason of its size and mass represents an unacceptable enlargement of the property and its potential to cause loss of light to Nos. 16 and 18 Anthony Wall.

2. SITE DESCRIPTION

No. 17 Anthony Wall is a detached dwelling located to the north east of the highway. There is parking available within the attached double garage and to the front of the garage. The surrounding area is residential. The site is adjacent Nos. 16 and 18 Anthony Wall. It is noted that there is a protected tree on the rear boundary of the site, referred to as T20 of TPO 393.

3. RELEVANT SITE HISTORY

There is no planning history relevant to the proposed development.

4. THE PROPOSAL

Full planning permission is sought for the erection of a single storey rear extension, forming a family room, and a first floor extension over the existing double garage attached to the side of the dwelling, forming a bedroom with an en-suite and a dressing room. The proposed rear extension would have a maximum depth of 3.1 metres, would be 9.5 metres in width and have a height of 3.6 metres. The proposed first floor extension would have a maximum depth of 5.5 metres, would be 5.6 metres in width and would form an overall height of 6.6 metres.

5. REPRESENTATIONS RECEIVED

No. 18 Anthony Wall have objected to the application and are concerned that the proposed rear extension would cause a loss of light to their kitchen and would be overbearing on their property, due to its size and proximity to the dwelling. In addition, they also feel that the proposed first floor extension would be out of keeping in the street scene and be out of character within the immediate area.

6. SUMMARY OF CONSULTATIONS RESPONSES

Warfield Parish Council

Warfield Parish Council recommend refusal for the following reasons:

1. The proposed extension by reason of its size and mass represents an unacceptable enlargement of the property.
2. The proposed first floor extension over the garage would impact on a neighbouring property (16 Anthony Wall), resulting in a loss of light to that property.
3. The proposed single storey rear extension would severely impact on a neighbouring property (18 Anthony Wall), resulting in a considerable loss of light to the kitchen of that property.

Tree Officer

The Tree Officer has no objection to the application, subject to a condition securing the installation of protective fencing before and during construction works.

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

Policy CP1 of the SALP 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.

CSDPD 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. 17 Anthony Wall is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD 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, etc. These matters are assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

Policy CS7 of the CSDPD and Saved Policy EN20 of the BFBLP 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 paragraph 56 and 57 of the NPPF.

The proposed rear extension would be sited to the rear of the dwelling, some 11.3 metres from its rear boundary. Due to its siting and modest size, it would not appear obtrusive in the street scene.

The proposed first floor extension would not increase the overall depth of the dwelling. Furthermore, it would be lower than the host dwelling (which has a height of 8.2 metres), appearing subservient to the host dwelling. In addition, it is considered that the proposed design, siting and massing would be sympathetic to the character of the host dwelling.

The design and scale proposed are considered to be sympathetic to the host dwelling house including the proposed materials to be used.

It is noted that there are examples of single storey rear extensions in the surrounding area, including Nos. 10 and 12 Anthony Wall and both Nos. 18 and 19 Anthony Wall have a first floor element above their existing garages. Therefore, the proposed development would not be out of character in the surrounding area.

The proposal therefore 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

BFBLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. This is consistent with the NPPF.

The proposed first floor extension would be built up to the boundary with No. 16 Anthony Wall and the roof would extend into the boundary of No. 16 Anthony Wall, however, notice was served on the property on 22/10/2014.

The proposed first floor extension would be 5.5 metres in depth and would form an overall height of 6.6 metres. The proposed first floor extension would be visible to No. 16 Anthony Wall, however, it is considered that the proposed development would not appear visually intrusive to the detriment of the residential amenity of No. 16, as although the rear garden of No. 16 would be visible from the proposed rear bedroom and bathroom windows, Nos. 10 and 17 Anthony Wall already have first floor views into the rear garden of No. 16 at present and the proposed first floor extension would not worsen the existing situation in this part of Anthony Wall. It is noted that there is a window on the west gable wall side elevation of No. 16 Anthony Wall that faces the application site. This window, serving a bathroom, would have a loss of light as a result of the proposed development, however, bathroom windows are not considered habitable rooms in planning terms and thus are not protected from potential loss of light from new development. Moreover, the relative orientation of the two dwellings means that no overbearing or significant overshadowing are considered likely to occur as a result of the proposed development. The proposed first floor extension would be visible and set approx. 9.6 metres from the boundary with No. 18 Anthony Wall. However, it is not considered that the proposed first floor extension would affect the residential amenity of No. 18 Anthony Wall, as only a section of the first floor extension would be seen from No. 18 and there are no side windows on its proposed west elevation that faces No. 18. The proposed first floor extension would be visible to No. 10 Juliet Gardens, however it is not considered that the proposed development would result in an adverse impact on the residential amenity of No. 10, due to the trees and vegetation situated in between the application site and No. 10 and a separation distance of some 24.5 metres.

The proposed first floor extension would be visible to Nos. 15, 20 and 27 Anthony Wall, however, it is not considered that the proposed first floor extension would affect the residential amenity of Nos. 15, 20 and 27 Anthony Wall due to the size and scale of the proposed works and no overlooking would result from the proposed first floor extension, as there is a separation distance of approx. 13 metres from the boundary of No. 15 and approx. 40 metres from the boundary with No. 27, and due to its position in relation to No. 20.

The proposed rear extension would be set approx. 0.2 metres from the boundary with No. 18 Anthony Wall and would be set approx. 5.3 metres from the boundary with No. 16 Anthony Wall. The proposed rear extension would be 3.1 metres in depth and would have a height of 3.6 metres. The proposed rear extension would be visible to Nos. 16 and 18 Anthony Wall, however, it is considered that the proposed rear extension would not appear visually intrusive to the detriment of the residential amenity of Nos. 16 and 18, as no overlooking would result from the proposed development due to the boundary screening, including 1.8 metre wooden boundary fencing and trees and vegetation, bordering the application site and Nos. 16 and 18. In addition, there is

a side window on the east side gable wall elevation of No. 18 Anthony Wall that faces the application site. This window, serving a utility room, would have a loss of light as a result of the proposed development, however, utility rooms are not considered habitable rooms in planning terms and thus are not protected from potential loss of light from new development. Furthermore, the relative orientation of the three dwellings means that no overbearing or significant overshadowing are considered likely to occur as a result of the proposed development.

The proposed rear extension would be visible to No. 10 Juliet Gardens, however it is not considered that the proposed development would result in an adverse impact on the residential amenity of No. 10, due to the trees and vegetation situated in between the application site and No. 10 and a separation distance of some 24.5 metres.

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

11. IMPACT ON TREE

BFBLP 'Saved' Policy EN1 seeks to ensure that the Borough's significant trees are protected. Section 11 of the NPPF refers to conserving the natural environment, therefore this policy is consistent with the NPPF.

The applicant has indicated his intention to install decking to the rear of the new extension and consequently the Tree Officer has no objection to the application concerning its impact on the root protection area of the protected beech tree on the applications site's rear boundary, subject to the installation of protective fencing before and during construction works. This will be secured by condition.

Therefore, it is not considered that the proposed development would be contrary to BFBLP 'Saved' Policy EN1 or the NPPF.

12. CONCLUSIONS

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 or the amenities of the residents of the neighbouring properties. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2 and CS7, BFBLP 'Saved' Policies EN1 and EN20, and the NPPF.

Therefore recommend 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:
D/2034 Proposed Roof Plan / Block Plan, received on 23 October 2014

Revised Drawing D/2034/1/A Proposed Floor Plans and Elevations, received on 04 December 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 first floor extension, hereby permitted shall be similar in appearance to those of the existing building.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of the existing adjoining tree 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. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:
- Accurate trunk positions and canopy spreads of all existing trees near the conservatory within influencing distance.
 - Proposed location/s of 2.4m high protective barrier/s, constructed as a minimum in accordance with Section 6 (Figure 3), British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' 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.
 - Illustration of the proposed protective barrier to be erected.
 - Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
 - The fenced off area clearly annotated as a Tree Protection Areas / Construction Exclusion Zone.
 - Notes regarding restrictions which apply to Tree Protection Area/Construction Exclusion Zone. See attached guidance.
- The development shall be carried out in full accordance with the approved scheme.
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.
05. No development (including initial site clearance) shall commence until a programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- Induction and personnel awareness of arboricultural matters.
 - Identification of individual responsibilities and key personnel.
 - Statement of delegated powers.
 - Timing and methods of site visiting and record keeping.
 - Procedures for dealing with variations and incidents.
- The program of arboricultural monitoring shall be undertaken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the Local Planning Authority.
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 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. Materials
03. Whilst notice has been served on the adjoining neighbour, including No. 16 Anthony Wall, the applicant is advised that this permission does not give any property rights to build on or encroach over or under the adjacent property.
04. Please note that a tree on the boundary of this site is protected by a Tree Preservation Order. The legislation protecting these trees overrides Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification). Prior written consent must be obtained from the Council's Tree Service before undertaking any works which require the removal/ and or pruning of a protected tree or may affect / cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description, foundations for garden structures, including decking areas, construction of retaining walls, topsoil stripping, excavation/ alterations to existing ground conditions of any other description near trees. Any pruning, removal of a protected tree as a result of such works, without the necessary consent or any damage arising from non compliance with this requirement may be liable to prosecution by the Council.

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