

Unrestricted Report

ITEM NO: 6

Application No.
14/01317/FUL
Site Address:

Ward:
Warfield Harvest Ride

Date Registered:
5 January 2015

Target Decision Date:
2 March 2015

**53 All Saints Rise Warfield Bracknell Berkshire RG42
3DS**

Proposal: **Erection of a part single, part two storey side extension**

Applicant: Mr & Mrs Mallach

Agent: Abracad Architects

Case Officer: Michael Ruddock, 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 application is reported to the Planning Committee as more than three objections have been received.

2. SITE DESCRIPTION

No.53 All Saints Rise is an end of terrace dwelling, one of a group of three terraced dwellings which have a shared access. Parking is located at the front of the properties, and each has a separate private garden to the rear. The site is bordered by the adjoining terraced dwelling of No.51 All Saints Rise to the east, and No.55 All Saints Rise to the west. No.55 is set further forward towards the front of the site and the highway than No.53. A further group of dwellings facing All Saints Rise to the east border the site to the south.

3. RELEVANT SITE HISTORY

No relevant planning history.

4. THE PROPOSAL

The proposed development is for the erection of a part single storey, part two storey extension to the side of the property. The extension would project 2.8m to the side of the property and would have an overall depth of 7.2m, set 0.5m back from the front elevation. It would be set in by 1.5m at first floor level, giving this element a depth of 5.7m, set 2.0m back from the front elevation. The extension would have an overall height of 6.7m which would be 0.8m lower in height than the main dwelling, and the single storey element would have a height of 3.5m. The extension would provide a new kitchen and dining room at ground floor level, and an additional third bedroom with en suite at first floor level.

As originally submitted, the proposal was for a two storey extension set back 0.5m from the front elevation, and has been amended to set back the first floor element 2.0m from this elevation creating a ground floor element with a depth of 1.5m. The height of the extension has also been reduced from 7.4m to 6.7m.

5. REPRESENTATIONS RECEIVED

Warfield Parish Council

Recommend refusal as the proposed extension by reason of its size and mass represents an unacceptable enlargement of the property.

Other Representations

Three neighbour objections have been received that can be summarised as follows:

- The proposed development would result in a detrimental effect on the amenities of the residents of the neighbouring properties both to the west and the south, by reason of loss of light, overbearing and overlooking.
- The scale of the development would be out of character with the surrounding area by reason of its size and mass.
- Increase in issues with water drainage.

[OFFICER COMMENT: The site is not located within a Flood Zone, and it is not considered that the amount of built form proposed would result in any significant drainage issues. The other issues are dealt with in the report.]

6. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

The Highways Officer was consulted on the application, and has no objection to the proposed development.

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 SALP which sets out the need to take a positive approach to considering development proposals which reflect in the presumption in favour of sustainable development as set out in the NPPF, 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.53 All Saints Rise 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 impacts upon residential amenities of neighbouring properties and character and appearance of surrounding area together with 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 dwelling and would therefore be visible in the streetscene. The extension would be set 0.8m lower in height than the main dwelling and set back 2.0m from the front elevation at first floor level. It is considered that this design would result in an extension that would appear subordinate to the host dwelling and would not appear out of keeping with the design of the existing dwelling.

The existing dwelling is set back over 11m from the highway as existing, and the extension would be set further back still. It is not considered that such an extension with a width of 2.8m, set 0.8m lower in height than the host dwelling would result in an overly prominent feature in the streetscene. It is noted that a number of properties on All Saints Rise have been enlarged with either two storey or first floor extensions. Although these extensions have related to detached dwellings rather than terraced dwellings, as the extension is considered to be acceptable in terms of its design it is not considered that it would appear out of keeping with the existing streetscene on All Saints Rise.

It is therefore not considered that the development would result in an adverse impact on the character and appearance of the area, and the development 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.

As the extension would not project forward or rear of the existing dwelling it would not be visible from the front or rear facing windows of the neighbouring terraced properties to the east. With regard to No.55 All Saints Rise to the west, the extension would project closer to both the common boundary between the properties and the rear elevation of the neighbouring property. At present No.53 is set off the boundary by 4.0m and there is a gap of 7.4m between the two dwellings.

The extension would be set off the boundary with No.55 by 1.2m and set off the neighbouring dwelling by 4.4m. In accordance with guidance contained within the British Research Establishment Document 'Site Layout Planning For Daylight and Sunlight: A Guide to Good Practice (2011) a 45 degree line drawn on the horizontal plane from the midpoint of the nearest rear facing window at No.55 would intersect the extension, as demonstrated on the proposed site plan. However a 45 degree line drawn from the point of intersection towards the window would not overshadow any part of the window, and it is therefore not considered that the extension would result in an unacceptable loss of light to the rear facing windows at that property. Furthermore, as demonstrated on the proposed floor plan at the point of intersection the extension would be set off the rear of the neighbouring dwelling by 8.6m.

The extension would project closer to the western boundary than the existing dwelling, however it is not considered that the additional impact of the extension on the rear of these properties, bringing the dwelling 2.8m closer to the boundary than at present,

would result in such an unduly overbearing effect that refusal of the application on this basis is warranted. The reduction in the height of the extension and set back at first floor level has also reduced the amount of built form that would be visible from the west. No windows are proposed in the side elevation, and although a rooflight is proposed this would be more than 1.8m from floor level and would not offer a view into the neighbouring property. Conditions will be imposed to ensure that this situation remains the case. It is not considered that the front facing window in the extension would result in an unacceptable loss of privacy to No.55 as the angle between this window and the rear elevation of the neighbouring property would be too oblique.

In respect of the properties to the rear, the extension would be no closer to the boundary than the existing dwelling and as such it is not considered that it would result in an unacceptable loss of light or additional overbearing impact to these properties. Only one additional rear facing window is proposed which would serve a shower room. As this window would be set 13m off the rear boundary it is not considered that it would result in an unacceptable loss of privacy to the neighbouring properties. It is therefore not considered that a condition requiring this window to be glazed with obscure glass and fixed shut is necessary. In any case, this window is no nearer the rear boundary than the existing rear facing windows.

Concerns have been raised regarding drainage however it is not considered that the built form proposed would result in an unacceptable increase in this issue that would warrant refusal of the application. Furthermore the site is not located within a Flood Zone.

It is therefore not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties. It would therefore not be contrary to 'Saved' BFBLP 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 two or three bedrooms (as is the case with No.53 All Saints Rise), a parking requirement of two off street spaces is set out. The increase in the number of bedrooms from two to three does not give rise to any additional parking requirement, therefore no further parking is required as a result of the proposed development. Access to the rear of the site would be maintained.

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

12. COMMUNITY INFRASTRUCTURE LEVY

Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new

development. The amount payable varies depending on the location of the development within the borough and the type of development.

CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

As the proposal would involve an existing dwelling and at 29.4 square metres of additional floor area it would not result in an extension of over 100 square metres of gross internal floor space, the development is therefore not CIL liable.

13. CONCLUSIONS

It is not considered that the development would result in an adverse impact on the character and appearance of the area, the amenities of the residents of the neighbouring properties or highway safety. It is therefore not considered that the development would be contrary to CSDPD Policies CS7 and CS23, BFBLP 'Saved' Policies EN20 and M9 or the NPPF.

14. 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 27th February 2015:
MAL/02 (Rev B)
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) (England) Order 2015 (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 west 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 roof window in the west facing side elevation of the proposed development shall at all times be a high level window having a sill height of not less than 1.7 metres above internal floor.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

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. 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. High level 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