

## Unrestricted Report

### ITEM NO: 14

Application No.  
**15/00455/NMA**

Ward:  
Little Sandhurst And  
Wellington

Date Registered:  
5 May 2015

Target Decision Date:  
2 June 2015

Site Address:

**2 Grove Farm Cottages Lower Sandhurst Road  
Sandhurst Berkshire GU47 8JG**

Proposal:

**Non material amendment to planning permission 14/00917/FUL for  
larger roof lanterns and additional first floor window to rear.**

Applicant:

Mr and Mrs Pulleyn

Agent:

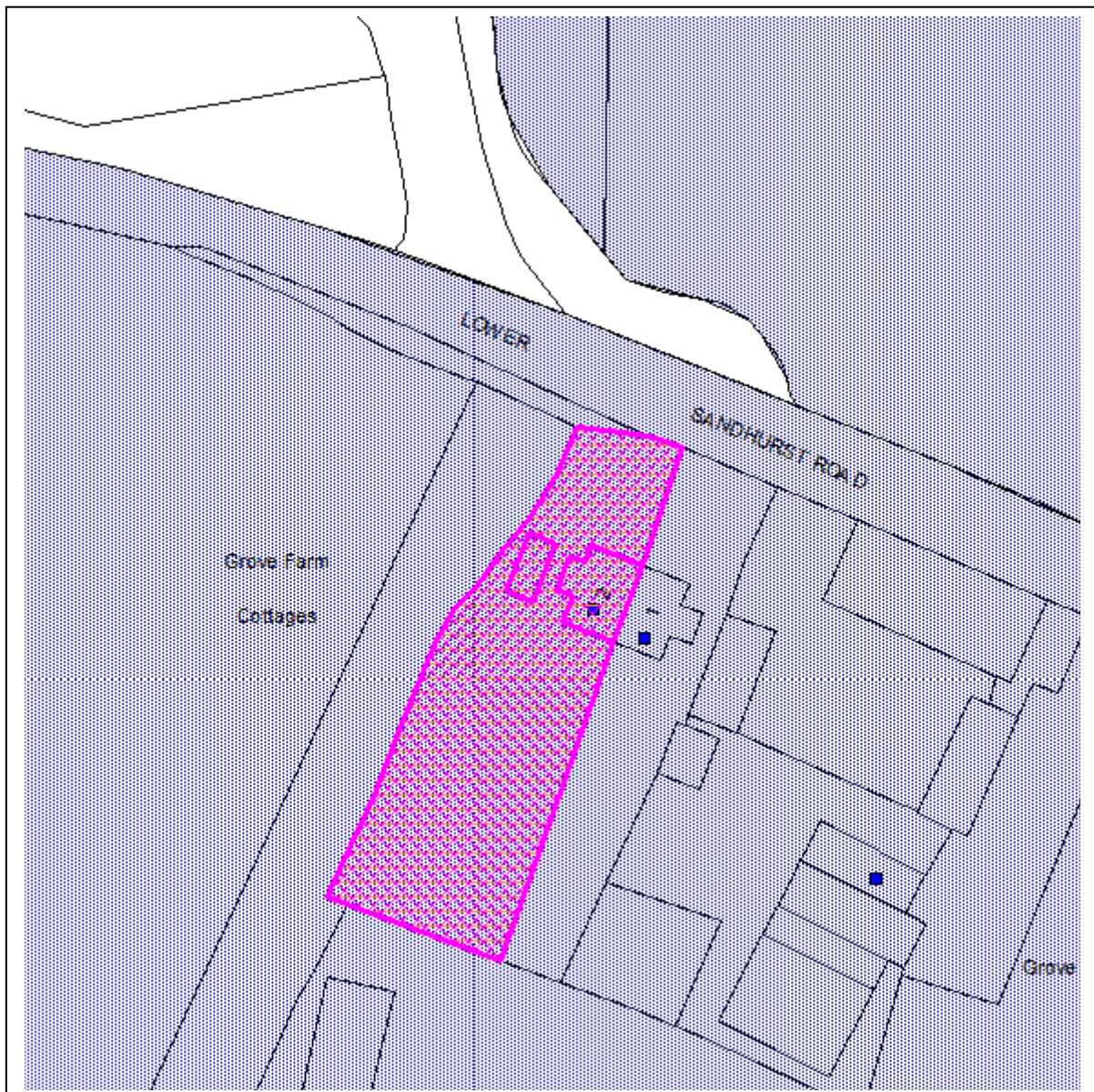
Mr Alistair Lloyd

Case Officer:

Sarah Horwood, 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**

This application has been reported to the Planning Committee at the request of Councillor Birch.

### **i) BACKGROUND**

14/00917/FUL approved October 2014 for erection of a single storey rear and a 2 storey side and rear extension including insertion of roof lights, following the demolition of the existing conservatory.

The extensions approved by the aforementioned planning permission are nearing completion on site. During the course of the building works, the Local Planning Authority (LPA) were informed in April 2015 that works were being undertaken on site which were not in accordance with planning permission 14/00917/FUL with an increase in the size of the openings in the flat roof of the single storey rear extension where roof lanterns were being installed. The architect subsequently contacted the LPA about the changes made to the size of the roof lanterns and proceeded with the submission of a non material amendment application to increase the size of the roof lanterns, received by the LPA on 1 May 2015, ref: 15/00455/NMA.

The applicant was informed that any works which were being undertaken on site not in accordance with the plans approved by permission 14/00917/FUL were done at their own risk and expense, however the submission of the NMA allows the LPA to assess the amendments made to the size of the roof lanterns and their acceptability and any other proposed amendments.

### **ii) PROPOSAL**

In October 2009, changes to dealing with amendments to existing planning permissions were introduced - non-material amendments (NMA) and minor material amendments (MMA).

NMAs are not a new or replacement planning permission but an annexe to the original planning permission. Existing conditions can be altered or removed or new conditions imposed. There is no statutory consultation or publicity requirement for NMA applications, it is at the discretion of the LPA. LPAs have 28 days in which to determine a NMA, although a longer period can be agreed with the applicant where necessary.

Application 15/00455/NMA has been submitted to the LPA for a non material amendment to planning permission 14/00914/FUL relating to the following alterations:

- Increase in the size of 1no. roof lantern over the single storey flat roof extension over the orangery and the insertion of a roof lantern instead of skylight over the kitchen.
- Insertion of single panel window (obscure glazed) in the rear elevation of the existing dwelling at first floor level serving en-suite bathroom.

The NMA relates only to the amendments as applied for. Planning permission has already been granted for the extensions which are nearing completion on site and this NMA focuses solely on whether the amendments as applied for to the approved scheme are acceptable, with the assessment focusing on what was granted planning permission versus what has been constructed on site and whether there is any additional resulting harm due to the amendments.

The roof lantern over the orangery has increased in size from 2.5m x 1.5m approved by permission 14/00917/FUL to 4m x 2m (+4.25sqm increase in size) as installed on site.

The roof lantern over the kitchen has replaced a skylight originally approved by permission 14/00917/FUL and has increased in size from 1.2m x 1.2m approved by permission 14/00917/FUL to 2m x 2m (+2.56sqm increase in size) as installed on site.

The roof lanterns are approximately 0.5m to 0.6m in height and are white UPVC frames with clear glass.

The roof lanterns have already been installed.

The size of the roof lanterns have increased in order to provide more natural daylight into the single storey rear extension and the kitchen.

The additional single pane window in the existing rear wall of the dwelling at first floor level serving an en-suite bathroom is required after the internal layout of the dwelling has altered so that an en-suite is created to serve the master bedroom.

These changes are shown on drawing received by the LPA on 1 May 2015: drawing no. PUL/15/02

The adjoining property at 1 Grove Farm Cottages were consulted on the NMA and have objected on the following grounds (summarised):

- Works have not been undertaken in accordance with the approved planning permission
- Materials are inappropriate and out of keeping with the character of the cottages
- Size and scale of roof lanterns has detrimental impact on area
- Impact to privacy - clear line of sight from the bedroom window of no. 1 Grove Farm Cottage into both the orangery and kitchen areas of No.2 and vice versa through overlooking.
- Appear that the intent was always to build the apertures at this size and scale given the continuation of the roof build despite the intervention of the Council.
- The scale of the works are overbearing
- First floor window would impact privacy of rear garden of no. 1.
- The submitted drawings show different detail for the porch arrangement, than is currently approved but the revised planning application makes no mention of this. The roof overhang is greater in depth in the now 'as-built status' than detailed on the drawings and as such increases the bulk nature of the new build as viewed from both the highway, and No.1 Grove Farm Cottage.
- Works have not been monitored by the Council

*Officer note:*

- The current NMA relates to the increase in the size of the roof lanterns and the insertion of an additional window at first floor level. The alteration to the porch on the front elevation and the increased canopy overhang do not form part of this current NMA application and the applicant would have to remedy this matter through the submission of a further appropriate application.*
- The Council do not have the resources to monitor every build in the Authority. If the Council receives a complaint about works not being undertaken in accordance with a planning permission, then an investigation is subsequently undertaken and appropriate action taken where necessary. In this instance, a NMA has been submitted to remedy the works undertaken which deviate from the approved plans as part of permission 14/00917/FUL.*

### **iii) SITE**

2 Grove Farm Cottages is a two storey semi-detached dwelling located to the south of Lower Sandhurst Road. The extensions approved by permission 14/00917/FUL are nearing completion on site. There is a parking area to the front of the dwelling. Site levels decrease from north to south through the site so that the rear garden sits at a lower level to that of the house.

### **iv) PRINCIPLE OF DEVELOPMENT**

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. This is consistent with the NPPF.

The site is located within Land outside of a defined settlement, known as Countryside as designated by the Bracknell Forest Policies Maps.

The principle of extensions to the dwelling have been established by permission 14/00917/FUL.

### **v) RESIDENTIAL AMENITY**

The roof lanterns do not result in loss of privacy and overlooking into the first floor rear facing bedroom window at no. 1 Grove Farm Cottages given anybody standing in the kitchen or orangery would be at ground floor level looking up towards a first floor window and views into that room are not possible. The existing bedroom window at no. 1 at first floor level due to its positioning has partial views into the ground floor kitchen and orangery through the roof lanterns. The increase in the size of the roof lanterns has only increased the loss of privacy to the applicants when using the kitchen/orangery from the existing first floor rear facing window at no. 1, not increased the risk of loss of privacy or overlooking to no. 1.

The roof lanterns are located under an existing first floor rear facing bedroom window at no. 1. The roof lanterns are visible from the first floor window due to their size, colour and design, however do not appear unduly overbearing viewed from the first floor window as they are located in the flat roof of a single storey rear extension and are approximately 0.6m in height. The bedroom window at no. 1 looks down onto the roof lanterns and they do not appear unduly overbearing from this first floor window. Planning permission has been granted for a smaller roof lantern over the orangery and whilst the increase in size of the roof lantern from 2.5m x 1.5m to 4m x 2m increases the visual prominence of the roof lantern, it is not so significant and the fallback position is to install the smaller roof lantern which would still be visible from the bedroom window at no. 1, albeit smaller.

The roof lanterns are located in the existing single storey rear extension constructed under permission 14/00917/FUL. The extension projects in line with the rear elevation of an existing single storey rear extension at no. 1. The roof lanterns project 0.6m above the flat roof of the extension, however do not appear unduly overbearing when viewed from the rear garden of no. 1 due to their modest height and their positioning on an extension which projects in line with the existing extension at no. 1.

The installation of a single panel window on the rear elevation of the dwelling at first floor level to serve an en-suite bathroom does not require planning permission in its own right given it would be installed in the existing rear wall of the dwelling. Notwithstanding this, the window would be installed in the rear elevation of the dwelling at first floor level and there is already an existing first floor rear facing window 0.7m closer to the boundary with no. 1 Grove Farm House which serves a bedroom.

As such, the retention of the larger roof lantern over the orangery and the installation of a roof lantern in place of a skylight over the kitchen and the installation of a single pane window to serve an en-suite bathroom at first floor level in the rear elevation do not result in significantly increased harm to the residential amenities of no. 1 Grove Farm Cottages over and above that of the approved permission 14/00917/FUL.

#### **vi) IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA**

The increase in the size of the roof lantern over the orangery to the rear of the dwelling has increased its visual prominence when viewed from the rear of the dwelling as the width has increased by 1.5m and the length increased by 0.5m over and above the size of the roof lantern approved by permission 14/00917/FUL. The roof lantern is constructed from white UPVC.

Whilst the increase in the size of the roof lantern is acknowledged, the resulting harm to the visual amenities of the area is not so significant and the fallback position is for the applicant to revert back to the approved plans of permission 14/00917/FUL for a roof lantern which is 2.5m x 1.5m as opposed to 4m x 2m as installed on site. The roof lantern is located on the flat roof of the single storey rear extension and is approximately 0.6m high. Given its modest height and its location on a flat roofed single storey extension, it does not appear so obtrusive to the detriment of the surrounding area.

The roof lantern which has been installed over the kitchen is located behind the roof lantern over the orangery and has been installed in place of a skylight. Given its positioning behind the orangery roof lantern, it does not appear readily visible when viewed from the rear elevation of the dwelling.

The installation of white framed UPVC roof lanterns are not considered out of keeping on a residential dwelling. The roof lantern over the orangery as approved by permission 14/00917/FUL would have been of the same colour and material.

The roof lanterns are sited to the rear of the dwelling and are not readily visible from the highway on Lower Sandhurst Road. There is a public footpath that runs to the rear of the site some 180m away, the roof lanterns would appear visible from this public vantage point, however given the 180m separation distance, they would not appear so obtrusive over and above what was approved by permission 14/00917/FUL.

The insertion of 1no. single pane window in the rear elevation of the dwelling at first floor level to serve the en-suite bathroom due to its modest size does not appear prominent on the rear elevation of the dwelling. Given the siting of the window to the rear, it does not appear visible from the front and side of the dwelling. There is a public footpath that runs to the rear of the site some 180m away, however the window would not appear readily visible from this public vantage point in view of the separation distances.

As such, the retention of the larger roof lantern over the orangery and the installation of a roof lantern in place of a skylight over the kitchen are not considered to unduly

detract from the character and appearance of the surrounding area to such a degree as to be unacceptable.

The fallback position is to revert back to the installation of a smaller roof lantern over the orangery and a skylight over the kitchen as approved by permission 14/00917/FUL, however the resulting harm of what has been implemented on site is not so adverse as to be unacceptable.

#### **vii) HIGHWAY IMPLICATIONS**

The amendments to the size of the roof lanterns on the single storey rear extension and insertion of 1no. window on the rear elevation of the dwelling at first floor level do not affect on-site parking provision and generate no requirement for additional on-site parking provision.

#### **viii) FALLBACK POSITION**

The alterations are considered to be non-material in nature and are not considered to result in increased material harm to the residential amenities of neighbouring properties or the character and appearance of the surrounding area.

In the event that the NMA is not considered acceptable, the fallback position is for the applicant to apply for planning permission for the amendments to the size of the roof lanterns on the single storey rear extension and insertion of 1no. window on the rear elevation; or to revert back to the approved plans as part of permission 14/00917/FUL. The Council cannot demonstrate that significant harm has resulted to the residential amenities of neighbouring properties or the character and appearance of the surrounding area as a result of the amendments for them to be unacceptable.

#### **ix) CONCLUSION**

The increase in the size of the roof lanterns on the single storey rear extension and insertion of 1no. window on the rear elevation of the dwelling at first floor level are considered to constitute non-material amendments.

### **RECOMMENDATION**

01. Non-Material Amendment 15/00455/NMA relates only to the following approved plans received by the Local Planning Authority on 1 May 2015:

drawing no. PUL/15/02

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

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)