

ITEM NO: 13

Application No.
15/01262/FUL
Site Address:

Ward:
Ascot

Date Registered:
12 January 2016

Target Decision Date:
8 March 2016

Land Adjacent To 23 Darwall Drive Ascot Berkshire

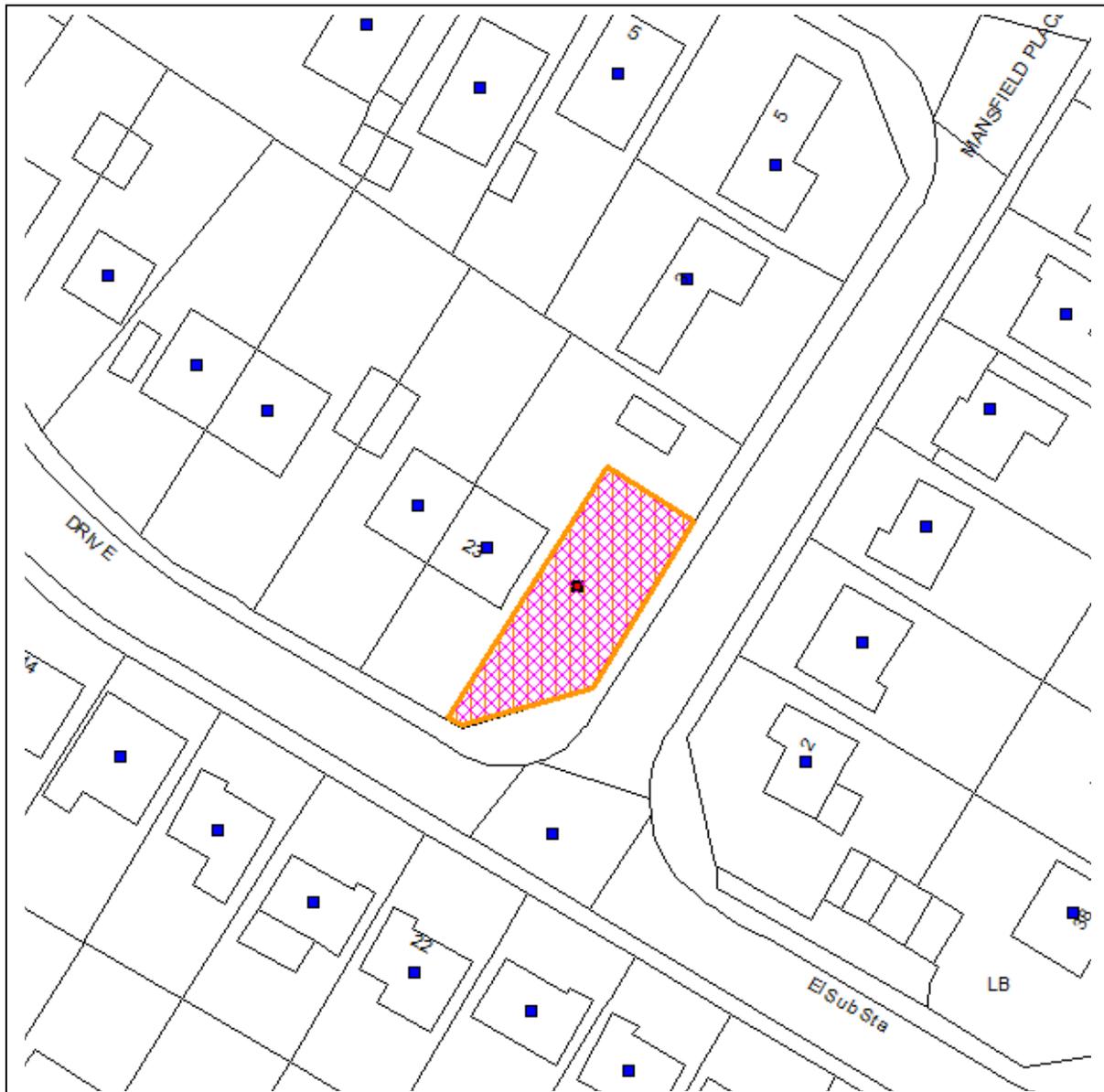
Proposal: **Erection of detached residential dwelling and associated car parking.**

Applicant: Mr M Rumsby

Agent: Mr T Rumble

Case Officer: Michael Ruddock, 01344 352000

development.control@bracknell-forest.gov.uk

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

1. SUMMARY

1.1 The proposed development is the erection of a detached dwelling on land adjacent to No.23 Darwall Drive. The application is an alternative scheme to that approved under application 15/00248/FUL and would provide a two storey dwelling with parking located to the rear.

1.2 The proposed development relates to a site within the settlement boundary. It is not considered that the development would result in an adverse impact on the streetscene or the character and appearance of the area. The relationship with adjoining properties is acceptable and it is not considered that the development would result in an unacceptable impact on highway safety. Relevant conditions will be imposed in relation to sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application is reported to the Planning Committee as more than three objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within Defined Settlement
Within 5km of the SPA

3.1 The application site comprises land adjoining No.23 Darwall Drive, which was previously under the ownership of that property, on the corner of the junction between Darwall Drive and Mansfield Place. No.23 Darwall Drive itself is a semi detached bungalow, and the land formed part of a garden area to the side and rear of that property, enclosed by a brick boundary wall.

3.2 Grassed amenity areas are located to the front and side of the property, and parking is located to the rear of the site in the form of a detached garage with hardstanding in front, accessed from Mansfield Place.

3.3 Aside from No.23 Darwall Drive, the application site is bordered to the rear by No.3 Mansfield Place and the adopted highway to the south east. Further properties are located close to the site on the opposite side of the adopted highway, such as No.2 and No.4 Mansfield Place.

4. RELEVANT SITE HISTORY

4.1 Application 14/00212/FUL - Erection of a single storey side extension and porch, replacement of door with window on front elevation, and erection of garage following demolition of existing garage and shed - APPROVED 2014

4.2 Application 15/00248/FUL - Erection of a detached bungalow on land adjacent to 23 Darwall Drive with parking to the rear following demolition of existing garage – APPROVED 2015 (with Legal Agreement).

5. THE PROPOSAL

5.1 The proposed development is for the erection of a detached two storey dwelling on the land adjacent to No.23 Darwall Drive. The dwelling would have a width of 8.18m, a depth of 11.5m and a height of 6.49m. The application is an alternative scheme to the dwelling approved under application 15/00248/FUL, and for comparison purposes that dwelling had a width of 7.08m, a depth of 9.9m and a height of 5.4m.

5.2 As such, the dwelling would be 1.1m greater in width, 1.6m greater in depth and 1.19m greater in height than that approved. Although the dwelling would have a greater height than that approved under application 15/00248/FUL, due to the lower ground level and that it would be sunk 0.7m into the ground it would have the same ridge level as No.23 Darwall Drive.

5.3 The proposed dwelling would provide a hallway, lounge and kitchen/dining area at ground floor level, with two bedrooms and a bathroom at first floor level. No additional bedrooms are proposed over the previously approved scheme.

5.4 As originally submitted the dwelling had a flat roof element with half hips to the side. This has been amended to the current design, which includes a gable to the front with a pitched roof to the rear and rear facing dormers. The amended design has also reduced the depth of the dwelling by 0.9m and due to reduced floorspace at first floor level the number of bedrooms has been reduced from three to two with an en suite removed.

5.5 A 7.81m garden is shown to the rear of the dwelling, and a parking area with two parking spaces for both the proposed dwelling and the existing dwelling at No.23 Darwall Drive would be located at the rear of the garden, in a similar position to the existing detached garage and parking. 1.2m high railings with low level boundary planting would be included to the front and side of the dwelling, with a 1.8m high fence enclosing the rear garden.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council:

6.1 Recommend refusal as the application is considered to be out of keeping with the character and openness of the area.

Other representations:

6.2 Three letters of objection were received from neighbouring residential properties. The reasons for objection can be summarised as follows:

- Larger than what was previously approved and out of keeping with the neighbouring properties. Size and scale of the development not appropriate for the land space.
- Side elevation would be closer to the houses across the street than any other property in Mansfield Place, and the dwelling would overlook the properties opposite.
- Overlooking of the properties to the rear.
- Detrimental impact on congestion, traffic and parking.
- Would take away garden space and reduce openness, resulting in reduced visibility for vehicles.

A further objection was originally received from No.23 Darwall Drive, however following the submission of amended plans this objection was withdrawn.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highways Officer

Recommend conditional approval.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The key policies and associated guidance applying to the site are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP.	consistent
Residential Amenity	Saved policy EN20 of BFBLP	consistent
Highway Safety	CS23 of CSDPD, Saved policy M9 of BFBLP	consistent
Sustainability	CS10, CS12 of CSDPD	consistent
SPA	NRM6 of SEP, CS14 of CSDPD, EN3 of BFBLP	consistent
Other publications	National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Parking Standards SPD, Thames Basin Heaths SPA Avoidance and Mitigation SPD, Planning Obligations SPD.	

9.1 The key issues for consideration are:

- i Principle of the Development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport implications
- v Sustainability
- vi SPA
- vii Community Infrastructure Levy

i. Principle of the development

9.2 The site 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 the character and appearance of the surrounding area, residential amenities of neighbouring properties, highway safety etc. These matters are assessed below.

ii. Impact on the character and appearance of the area

9.3 The dwelling would be sited adjacent to an existing bungalow, one of a group of four bungalows fronting Darwall Drive. While the design of the dwelling would differ from these, it would be similar to the properties opposite as well as a number of properties on Mansfield Place in respect of the front gable feature incorporated into the roof design. Although dormers do not appear to be a feature in the local streetscene, these would not be significant

additions and would be sited on the rear elevation. As such they would not be a prominent feature in the streetscene.

9.4 With regard to the height, whilst the overall height of the dwelling would be greater than the adjacent bungalows, the ground level of the dwelling would be lower due to a levels difference between the sites and that it would be sunk into the ground. As a result, the ridge level of the dwelling would be no higher than the properties to the side, and the new dwelling would be read as having the same height when viewed from the front. Furthermore, the majority of the surrounding properties comprise two storey dwellings, much greater in height and scale than these bungalows and the proposed dwelling. As such it is not considered that the height and scale of the dwelling would appear out of keeping with the streetscene in this location.

9.5 It is acknowledged that the dwelling would be sited in a gap between No.23 Darwall Drive and Mansfield Place and as a result would have a greater impact on the streetscene than as existing. However it is not considered that the additional impact would be so harmful that refusal of the application would be warranted. The dwelling would be set back 3.4m from the highway to the side and to some extent would be screened by planting.

9.6 During the course of the application the design has been amended to incorporate a gable to the front and a pitched roof, rather than the previous design that incorporated a flat roof element with half hips. The amended roof design has significantly reduced the bulk of the roof especially when viewing the dwelling from the side, and it is considered that the amended design is much more in keeping with the streetscene than that originally proposed. It is not considered that a dwelling of the design now proposed would appear overly prominent in the streetscene. Although it would be larger than the dwelling originally approved under application 15/00248/FUL it is not considered that the enlargements proposed are so significant that refusal of the application would be warranted.

9.7 The dwelling would project approximately 1m forward of No.23, however this is not significantly different to the dwelling that was approved under application 15/00248/FUL. The front garden would be enclosed by 1.2m high railings, and it is noted that properties nearby have similar enclosures. For example, No.21 Darwall Drive has a fence and gate enclosing the front of the site, and both No.13 and No.15 Darwall Drive have white railings to the front with vegetation behind. The proposed railings would be softened by low level boundary planting behind, and as such development is characteristic of the area these are considered acceptable.

9.8 The railings would continue along the side of the dwelling, with a 1.8m high close boarded fence enclosing the rear garden. Such boundary treatment to the rear of the site is considered to be in keeping with the streetscene in this location. The parking area would be located in the same location as the existing garage and hard standing, and whilst the area of hard standing would be enlarged it is not considered that this would be unacceptable, given that a number of properties fronting Mansfield Place have significant areas of hard standing at the front.

9.9 It is therefore not considered that the development would result in an adverse impact on the character and appearance of the area. The proposal would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

iii. Impact on residential amenity

9.10 The new dwelling would project approximately 1m forward of the front elevation and 1.8m beyond the rear elevation of No.23 Darwall Drive. As demonstrated on the Proposed Site Layout, a 45 degree line drawn from both the front and rear facing windows would not

intersect the new dwelling and as a result it is not considered that it would result in an unacceptable loss of light to the front facing windows of that property. Furthermore it is not considered that such a building projecting 1.8m to the rear of the neighbouring property would result in an undue overbearing effect when viewed from the rear of that property.

9.11 The dwellings fronting Mansfield Place to the south east of the site would face towards the side elevation of the dwelling. They would be set off the dwelling by a minimum of 16m and as a result the dwelling would not result in an unacceptable loss of light to the front facing windows of these properties. A first floor side facing window would face towards these properties, and concerns have been raised that this would result in a loss of privacy to the neighbouring properties. However this is a bathroom window shown to be glazed with obscure glass, and as such it would not result in an unacceptable loss of privacy. A condition will be imposed to ensure that this remains the case, and this will also cover a side facing landing window facing towards No.23. A further condition would restrict any additional first floor side facing windows.

9.12 Concerns have also been raised that the development would result in a loss of privacy to the property at the rear at No.3 Mansfield Place as a result of overlooking. However the rear facing windows would be located 13m from the boundary with that property which is considered acceptable. In any case they would face towards the front of the property which is publically visible, and there are no side facing windows that would be affected.

9.13 It is therefore not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

iv. Transport implications

9.14 The new dwelling would take access off Mansfield Place, which along with Darwall Drive is an adopted residential road subject to a 20mph speed limit. On street parking is unrestricted. In respect of the existing dwelling, an existing pedestrian path that provides access to the front and rear of the dwelling for bin and cycle storage would remain. A new path is shown for access to the front door of the new dwelling which is acceptable. Access to the rear garden for bin and cycle storage would be available through a side gate, with these details shown on the site plan. The bin and cycle storage areas will be conditioned for retention.

9.15 Two tandem 4.8m by 2.4m parking spaces are to be provided for the new dwelling which complies with the Council's Parking Standards. Two parking spaces are shown for the existing property which maintains the current level of parking and also complies with the Parking Standards. The parking for the new dwelling will be secured by condition. As the parking for the existing dwelling is not within the application site it cannot be secured by condition, however as it is shown at the same location as the existing parking for No.23 Darwall Drive (which is not secured by condition) this is not considered to be unacceptable.

9.16 The existing dropped kerb would need to be widened to provide access to the new parking spaces. This can be done by Bracknell Forest Council's Street Works Team and the applicant will be advised of this by way of an informative. The proposed fence to the rear of the new dwelling is shown as being splayed and this would enable pedestrian visibility splays to be achieved between vehicles exiting the driveway and pedestrians using the footway. Also, planting is proposed on the boundary with no. 3 Mansfield Place and part of this should be kept low for pedestrian visibility. A scheme of pedestrian visibility splays will be secured by planning condition prior to occupation of the development.

9.17 Finally, it is considered that a Construction Management Plan should be secured by condition due to the constraints of the site and its location in a residential area.

9.18 Subject to the recommended conditions, it is not considered that the development would result in an adverse impact on highway safety. The development would therefore not be contrary to CSDPD Policy CS23 or BFBLP 'Saved' Policy M9.

v. Sustainability

9.19 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards for water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. No such statement has been submitted in support of the application, therefore a condition is recommended requiring the submission of a Sustainability Statement prior to the occupation of the development in accordance with CSDPD Policy CS10 and the NPPF.

9.20 SDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. As highlighted in the Council's Sustainable Resource Management Supplementary Planning Document (<http://www.bracknell-forest.gov.uk/srm>), an energy demand assessment should be submitted and include the following:

- A prediction of the energy demand (in kWh) and carbon emissions (in kg/CO₂) for the site;
 - List of assumptions used i.e. whether these have come from Building Regulations or benchmarks;
 - Details of energy efficiency measures;
 - A prediction of the energy demand and carbon emissions for the site taking into account energy efficiency measures;
 - A feasibility study for all relevant renewable energy technologies;
- The choice of renewable energy systems proposed and the associated energy and carbon savings.

9.21 No such assessment has been submitted in support of the application, therefore a condition is recommended requiring the submission of an Energy Demand Assessment prior to the commencement of development in accordance with CSDPD Policy CS12 and the NPPF.

vi. SPA

9.22 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 4km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.23 In this instance, the development would result in a net increase of one two bedroom dwelling which results in a total SANG contribution of £1,601. The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £526.

9.24 The total SPA related financial contribution for this proposal is therefore £2,127. A Section 106 Legal Agreement was completed under application 15/00248/FUL to secure an

identical contribution which has been paid in full. Therefore no further financial contribution is required to mitigate against the impact on the development on the SPA.

9.25 As such the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP 'Saved' Policy NRM6, 'Saved' Policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

vii. Community Infrastructure Levy (CIL)

9.26 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.

9.27 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings. The proposed development involves the creation of an additional dwelling, and the development is therefore CIL liable. It is noted that the applicants have submitted a Self Build Exemption Claim in respect of CIL.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the local area or the amenities of the residents of the neighbouring properties. The proposed parking arrangements are considered acceptable, and the development would not result in an adverse impact on highway safety.

10.2 It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, CS14 and CS23, BFBLP 'Saved' Policies EN3, EN20 and M9, SEP Policy NRM6 and the NPPF.

11. 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 submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 04.04.16 and 06.05.16:

15-P1217-01 (Rev C)

15-P1217-02 (Rev D)

15-P1217-03 (Rev C)

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

03. No construction works shall take place until brick and tile samples to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

04. The first floor bathroom and landing windows in the north west and south east facing side elevations of the dwelling hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut up to a height of 1.7m from the internal floor level.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (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 west of south east facing side elevations of the dwelling 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]
06. The dwelling shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plan site layout.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
07. The dwelling shall not be occupied until a plan showing pedestrian visibility splays at the vehicular access has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
08. The dwelling hereby approved shall not be occupied until the associated vehicle parking for the proposed dwelling has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
09. The dwelling shall not be occupied until secure and covered refuse storage and parking for bicycles has been provided in accordance with the approved drawings. They shall be retained as such thereafter.
REASON: In order to ensure that refuse storage and bicycle facilities are provided.
[Relevant Policies: BFBLP M9, CSDPD CS23]
10. No construction works shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
 - (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and road safety.

[Relevant Policies: BFBLP EN20, M9, Core Strategy DPD CS23]

11. No part of the dwelling shall be occupied until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS10]

12. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy will be provided from on-site renewable energy production, has been submitted to and approved in writing by the Local Planning Authority. The dwelling as constructed shall be carried out in accordance with the approved assessment and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS12]

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:

1. Commencement
2. Approved Plan
4. Obscure glazing
5. Side facing windows
6. Access
8. Vehicular parking
- 9 Refuse and cycle storage

The applicant is advised that the following conditions require discharging prior to commencement of construction works:

3. Materials
10. Construction Management Plan
12. Energy Demand Assessment

The following condition requires discharge prior to the occupation of the dwelling hereby approved:

7. Visibility Splays
11. Sustainability Statement

03. The Streetcare Team should be contacted at the Environment, Culture and Communities Department, Time Square, Market Street, Bracknell, RG12 1JD,

telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.