

## Unrestricted Report

### ITEM NO: 09

Application No.  
**19/00964/FUL**  
Site Address:

Ward: Warfield Harvest Ride  
**14 Burnt House Gardens Warfield Bracknell**  
**Berkshire RG42 3XY**

Date Registered: 11 November 2019  
Target Decision Date: 6 January 2020

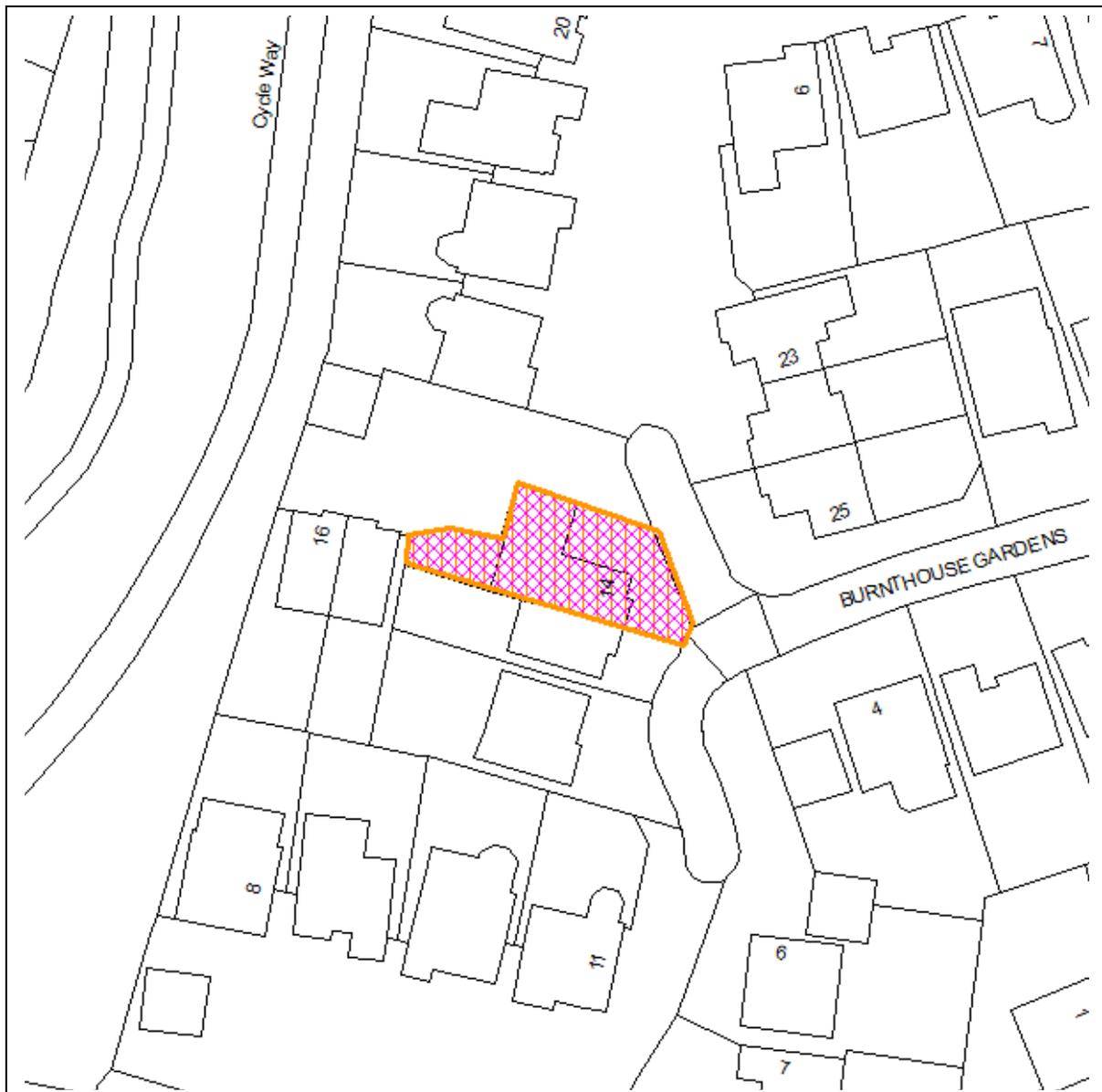
Proposal: **Erection of single storey rear extension with rooflight following demolition of existing conservatory.**

Applicant: Ms Anita Happs

Agent: Neil McGibbon

Case Officer: Edgar Starmes, 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)



## **1. SUMMARY**

- 1.1 Full planning permission is sought for the erection of a single storey rear extension with rooflight following demolition of existing conservatory.
- 1.2 The development would not result in a significantly adverse impact on the character or appearance of the surrounding area or the amenities of the residents of the neighbouring occupiers.

<b>RECOMMENDATION</b>
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Planning permission be granted subject to conditions in Section 11 of this report
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## **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

- 2.1 The application has been reported to the Planning Committee as it has received 9 objections.

## **3. PLANNING STATUS AND SITE DESCRIPTION**

<b>PLANNING STATUS</b>
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Within settlement boundary
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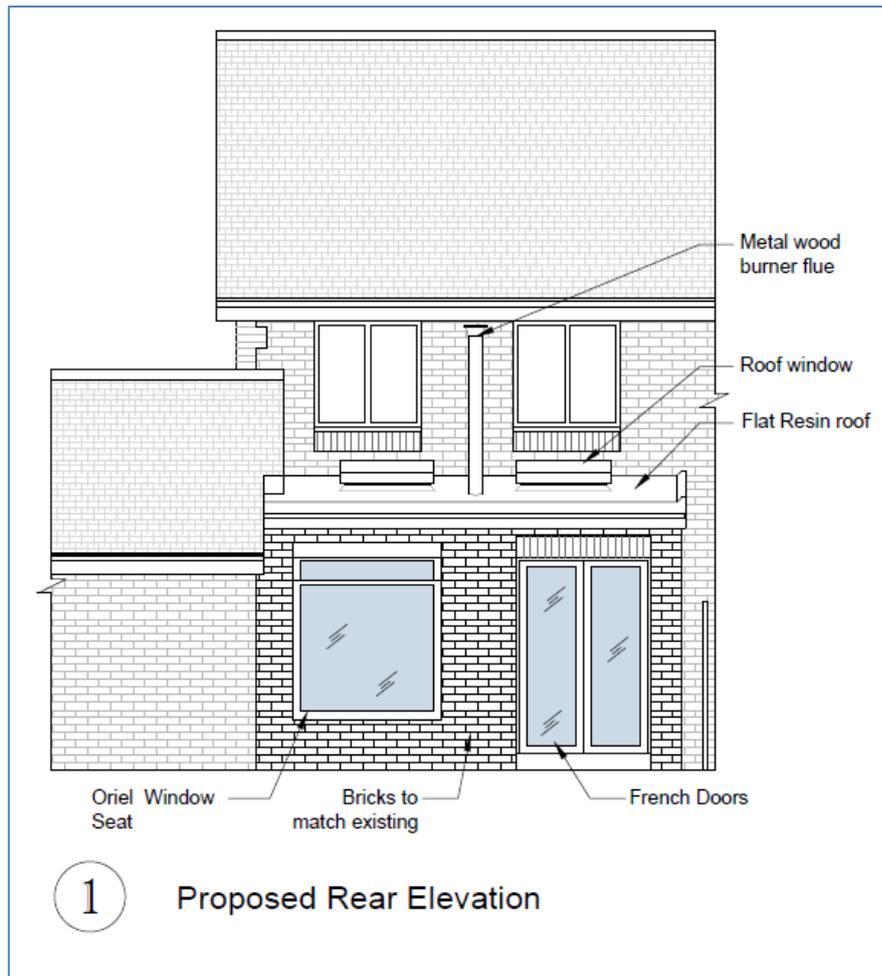
- 3.1 14 Burnt House Gardens is a semi-detached dwellinghouse located to the North West of the highway. The property is linked to 13 Burnt House Gardens. The property benefits from a driveway to the side and an attached garage. The surrounding area is predominantly residential.

## **4. RELEVANT SITE HISTORY**

- 4.1 There is no relevant planning history and there are no conditions restricting permitted development rights.

## **5. THE PROPOSAL**

- 5.1 The proposed rear extension would have a maximum depth of approximately 4.10 metres, a maximum width of approximately 4.5 metres, a maximum height of approximately 3.3 metres and a maximum eaves height of approximately 2.9 metres. The proposed extension includes a wood burner with a flue that would extend to a maximum of 4.7 metres above ground floor level.



## 6. REPRESENTATIONS RECEIVED

### Warfield Parish Council

6.1 Warfield Parish Council commented on the application and raised no objection

### Other representations

6.2 There have been a total of 9 objections raised to the proposed development, 3 of which are from neighbouring occupiers and 6 of which are from other residents within the Borough.

6.3 The objections can be summarised as:

- Loss of light to number 13 Burnt House Gardens
- View of the flue for the wood burner being an eyesore
- Harmful emissions from the wood burner, causing air pollution in the general area and towards number 13 Burnt House Gardens.
- Overbearing development towards number 13 Burnt House Gardens
- The flue in particular would be out of keeping with the character of the area
- Overdevelopment of the site
- The window seat will look directly into the lounge of number 13 Burnt House Gardens.
- Access to the property for building works encroaching onto neighbouring properties.

## 7. SUMMARY OF CONSULTATION RESPONSES

### Environmental Health

7.1 Environmental Health were consulted and raised no objection.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and associated policies are:

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CS1 and CS2 of the CSDPD	Consistent
Design	CS7 of the CSDPD,	Consistent
Amenity	'Saved' policies EN1, EN25 and EN20 of the BFBLP	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Bracknell Forest Parking Design Supplementary Planning Document		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) 2019 Building Research Establishment: Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (BRE SLPDS)		

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Residential Amenity

### **i. Principle of Development**

9.2 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). Policy CS2 of the CSDPD states that development will be permitted within defined settlements. This is provided that the development is consistent with the character, accessibility and provision of infrastructure and services within that settlement. The above policy is considered to be consistent with the NPPF, and as a consequence is considered to carry significant weight.

9.3 The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers and upon the character and appearance of the area.

### **ii. Impact on Character and Appearance of Surrounding Area**

- 9.4 There is evidence of other rear extensions within the wider area and rear conservatories are in view from the front and rear garden of the development site at numbers 10 and 11 Burnt House Gardens. There is also a rear conservatory at the development site which this extension would replace, therefore the proposed built form would not be considered out of keeping with the character of the area or streetscene. The main built form of the development would be largely screened from the public highway at the front of the property by the host dwellinghouse and garage and be only partially visible from the highway to the side of the property. The flue component would be visible from the highway to the side of the property and readily visible to the neighbouring occupiers.
- 9.5 The development itself would be in the same location as an existing conservatory and there would only be a marginal increase in built form. The roof of the rear extension would have a very shallow sloping profile downwards away from the dwellinghouse. The height of the proposed extension would be 0.1 metres lower than the existing conservatory, with the exception of the flue.
- 9.6 There would be 2 rooflights added in the roof and the flue for the wood burner would project approximately 1.8 metres above the proposed roof. There are no side windows proposed. On the rear elevation there would be a set of French doors added and an oriel window seat which would project beyond the main rear elevation of the development by approximately 0.4 metres.
- 9.7 On the side elevation of the dwellinghouse facing the highway there is a proposed change in size to the existing first floor hallway window; it has been confirmed that this will be obscure glazed.
- 9.8 In the main, the materials would match the existing dwellinghouse, the flat roof will be of fibre reinforced resin. The external walls will be of facing brickwork to match existing. The window in the stairwell will be double-glazed with low emissivity obscured glass and have a PVCu frame to match the existing. The oriel window and sliding door in the extension will be double glazed with low-emissivity glass and powder coated aluminium frames.

### **iii. Residential Amenity**

- 9.9 Due to the siting of the proposed rear extension the main property potentially affected by overbearing or overshadowing impacts would be number 13, Burnt House Gardens, the adjoining neighbour. A loss of light assessment has been undertaken in line with BRE Guidelines.
- 9.10 A 45 degree line was drawn on the horizontal plane from the rearmost extent of the extension as shown on the block plan towards the closest window serving a habitable room at the affected residential property. This line intersects the development, therefore a 45 degree line was drawn on the vertical plane from the mid-point of the sloped roof towards this window. If the line intersects more than half of the window, it would be considered that the development would result in an adverse impact on the occupiers with regards to loss of light. However; in this case the line did not cover more than 50% of this rear window, and therefore would not warrant a reason for refusal on this basis. There is also a secondary source of light to the rear room at number 13, Burnt House Gardens via a further window on the rear elevation.
- 9.11 The flue would be a visually prominent feature to the neighbouring residents, however the right to a view is not a material planning consideration. Further to this there is a permitted development fall-back position that entitles a householder to

install a chimney or a flue to a dwellinghouse under Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended); this permits the installation of such a structure as long as it would not exceed the highest part of the existing roof by 1 metre or more. The flue would not exceed the roof of the original house. Due to this fall-back position it would not be reasonable to refuse the application based on the appearance and location of the flue. The flue could be implemented without planning permission in the future if the extension was granted without the flue component.

- 9.12 The development would also not be considered unduly overbearing towards the residential amenity of the neighbouring property number 13 Burnt House Gardens. It would be sited on the footprint of the existing conservatory and is lower in height (except the flue component). There is only a marginal positional change of approximately 0.2 metres further towards the boundary line between the properties.
- 9.13 The proposed development would not be considered overdevelopment of the site, there is a similar fall-back position of permitted development for the rear extension if it was 4 metres in depth, there is only a 0.1 metre difference which would not justify a refusal for this application as it is only marginally deeper than what could be built under Permitted Development.
- 9.14 Being a ground floor level extension, the proposed window seat would not enable the resident to look directly into the neighbour's garden, it would not be raised and there is a fence in place to provide screening.
- 9.15 The Environmental Health Officer was consulted regarding the proposed flue and has stated that the proposed application for a wood burner and associated parts is subject to the Building Regulations 2010 including the position and height of the flue in relation to neighbouring properties. The proposed location for the works does not fall within an Air Quality Management Area (AQMA). Once operational, smoke emitted associated with the burner could still be subject to investigation and potential enforcement under various legislation including the Environmental Protection Act 1990 (statutory nuisance). Therefore the applicant is advised to install a burner that is efficient and to use authorised fuels:  
<https://smokecontrol.defra.gov.uk/fuels.php?country=england>.
- 9.16 On this basis the proposed scheme would not be considered harmful and refusal would not be warranted on this basis. The applicant has further advised in writing that the proposed 'wood/solid' fuel burner will be installed in accordance with the building regulations and will be both modern and efficient.
- 9.17 The objection regarding access to the development site is not a material planning consideration.

## **10. CONCLUSIONS**

- 10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the host dwelling or surrounding area, nor would the development result in an adverse impact on the residential amenity of the neighbouring occupiers. It is therefore considered that the proposed development complies with 'Saved' policies EN1, and EN20, EN25 of the BFBLP, Policies CS2 and CS7 and CS23 of the CSDPD and the NPPF.

## **11. RECOMMENDATION**

11.1 The application is recommended to be **APPROVED** subject to the following conditions:

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 and other submitted details, received 29th November 2016:

Site Plan and Location Plan, Drawing Number: 1901-D00, Rev B (Received 20/01/2020)

Proposed Ground Floor Option 1, Drawing Number: 1901-D02, Rev A (Received 20/01/2020)

Proposed Elevations – Rear and side, Drawing Number: 1901-D05

Proposed Elevations – Side North, Drawing Number: 1901-D06

Proposed Section, Drawing Number 1901-D07

Planning response to objections (Received 21/01/2020)

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 similar in appearance to those of the existing dwelling.

REASON: In the interests of the visual amenities of the area.

[Relevant Policies: BFBLP 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. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
04. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.
05. The proposed development is subject to the Building Regulations 2010 including the position and height of the flue in relation to neighbouring properties.
06. The applicant is advised to install a burner that is efficient and uses authorised fuels <https://smokecontrol.defra.gov.uk/fuels.php?country=england> and it is recommended that carbon monoxide alarms are installed at the same location as the burner.

