

Unrestricted Report

ITEM NO:

Application No.  
21/00668/FUL  
Site Address:

Ward:  
Ascot

16 Kingswood Ascot Berkshire SL5 8AN

Date Registered:  
1 July 2021

Target Decision Date:  
26 August 2021

Proposal:

Proposed single storey orangery extension.

Applicant:

Mr Bo Feng

Agent:

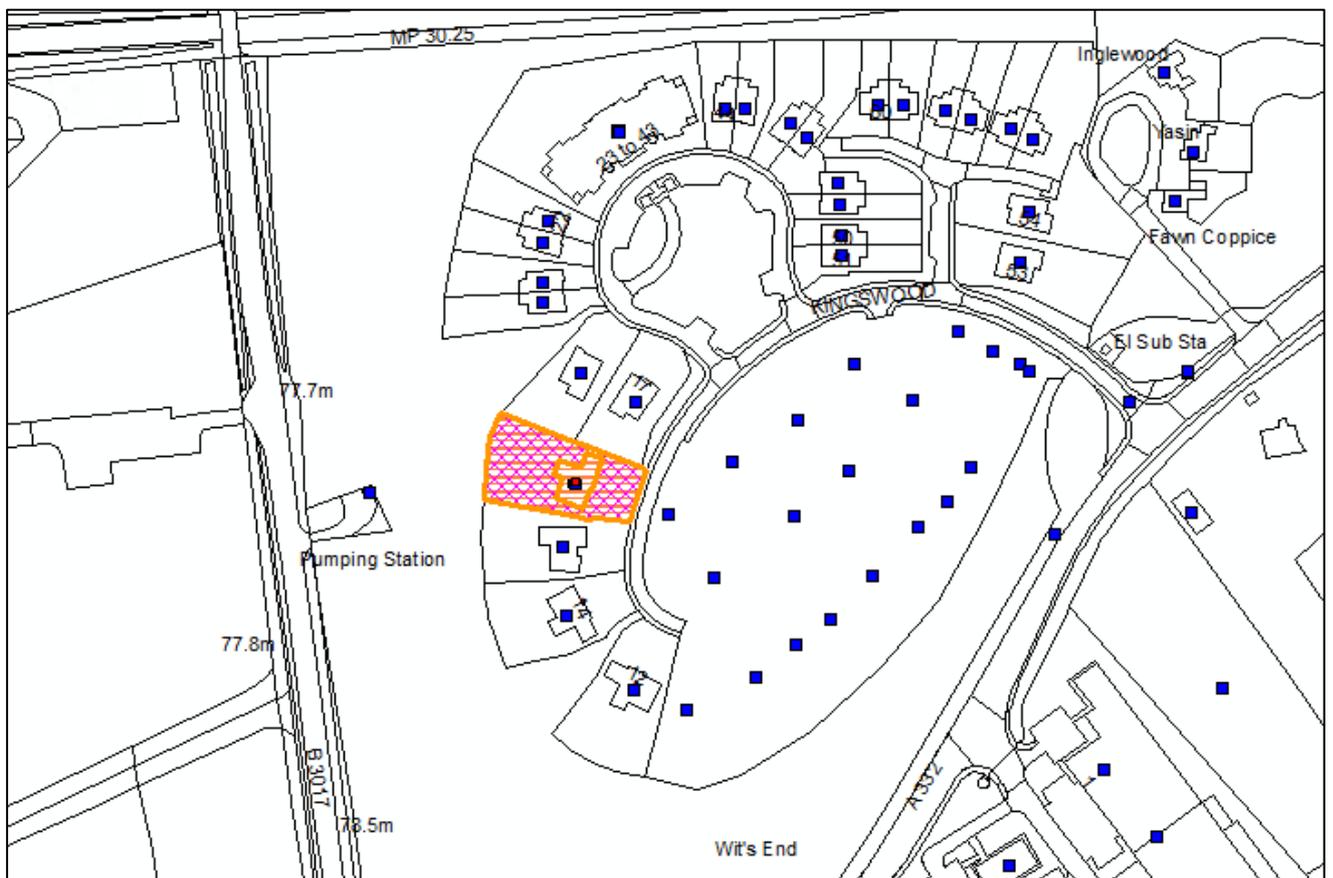
Mr Craig Rowell

Case Officer:

Alexander Ralph, 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

### 1.0 SUMMARY

1.1 The proposal is for the erection of a single storey orangery extension.

1.2 The proposed development is within the Green Belt outside of the settlement boundary. It is not considered that the development results in an adverse impact on the streetscene or the character and appearance of the area, nor would it adversely impact on the residential amenity of neighbouring occupiers. The relationship with adjoining properties is acceptable and adequate parking can be provided.

<b>RECOMMENDATION</b>
The Assistant Director: Planning be recommended to approve the application subject to the conditions set out in Section 11 of this report.

### 2.0 REASON FOR REPORTING APPLICATION TO THE ADVISORY PLANNING COMMITTEE

2.1 The application has been reported to the Advisory Planning Committee as more than five objections have been received.

### 3.0 PLANNING STATUS AND SITE DESCRIPTION

<b>PLANNING STATUS</b>
Outside settlement boundary
Within 5km of SPA
Situated within the Green Belt

3.1 The application site relates to a 5-bedroom detached dwelling located in the Green Belt. The site is not located within a Character Area.

### 4.0 RELEVANT SITE HISTORY

4.1 The relevant planning history is set out below:

16/00732/FUL:

Demolition of existing office buildings and redevelopment to provide 59 residential units (Class C3), associated internal estate road, car parking, landscaping and open space. Approved 2017.

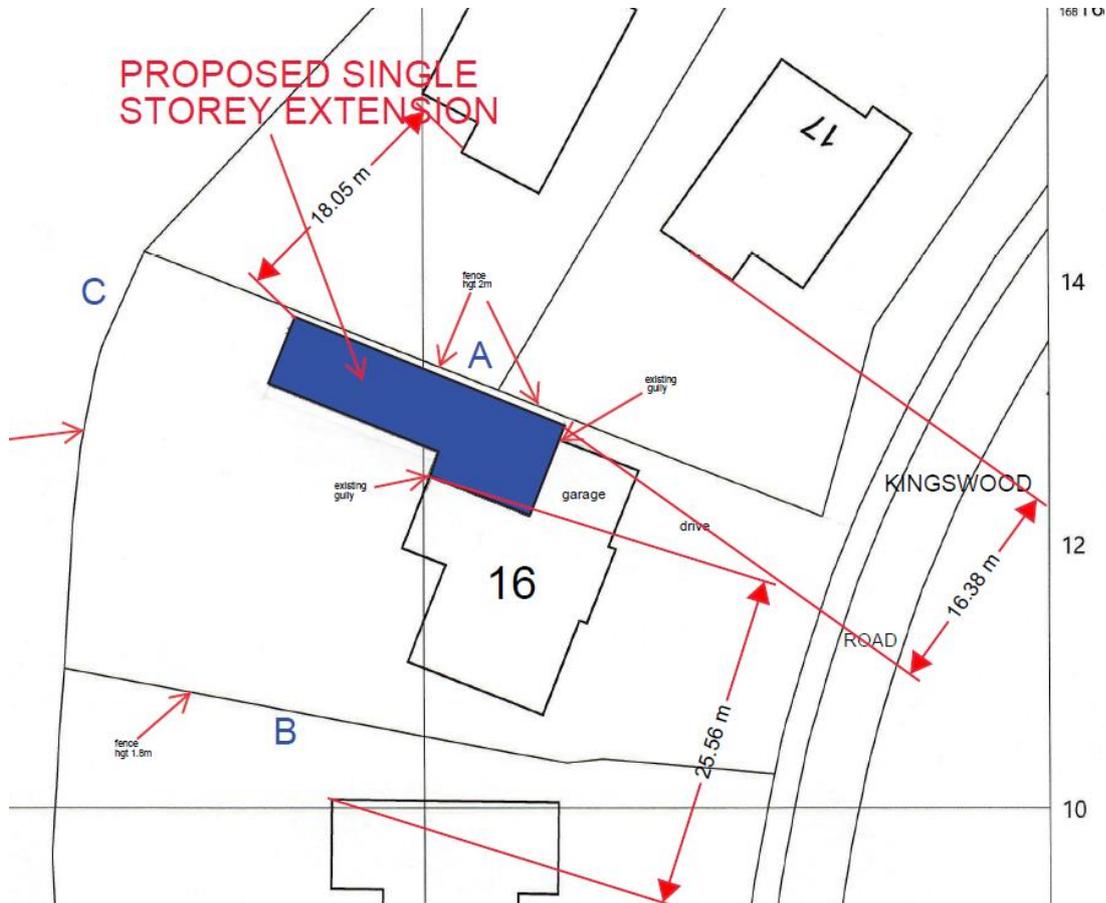
Condition 22 of the Planning Permission dated 3 April 2017 for application 16/00732/FUL states the following:

"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 enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 2015 Order shall be carried out to the dwellings hereby approved."

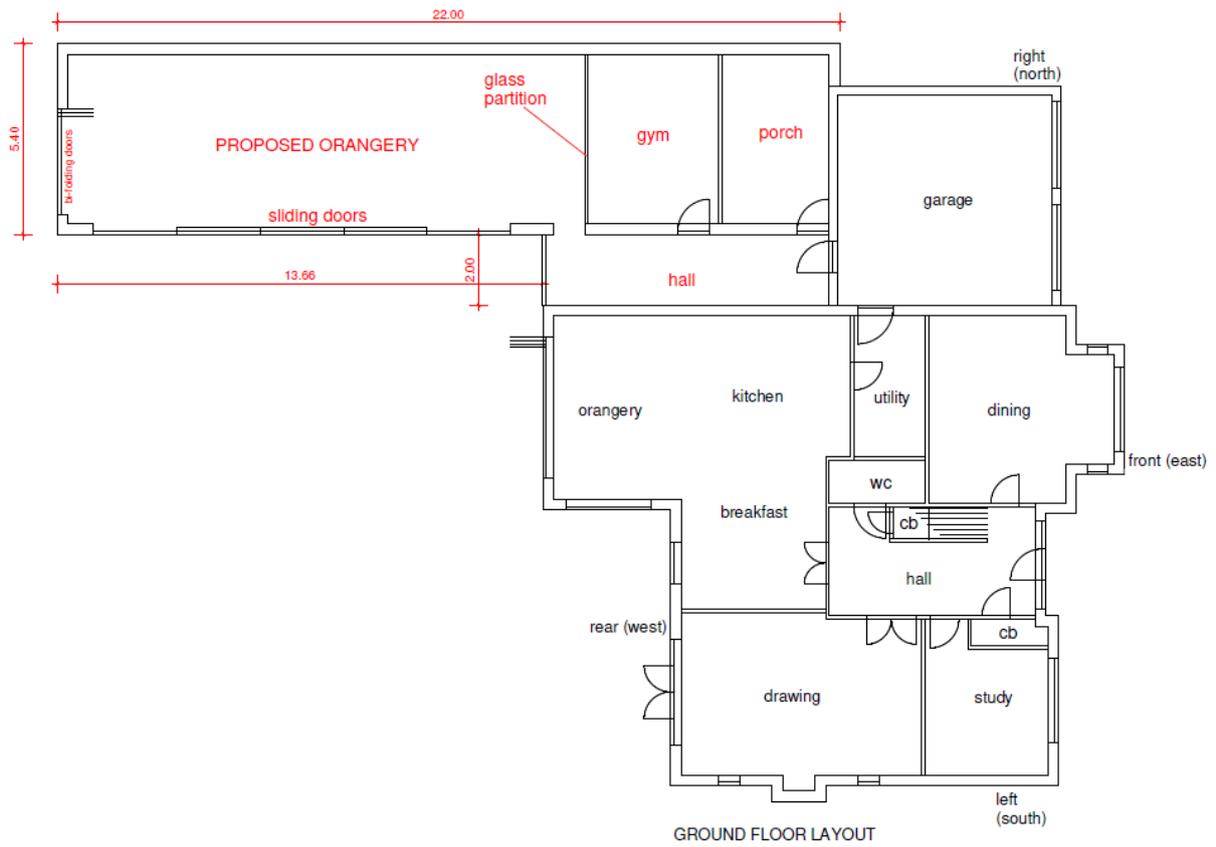
Therefore, the property does not benefit from Permitted Development Rights.

## 5.0 THE PROPOSAL

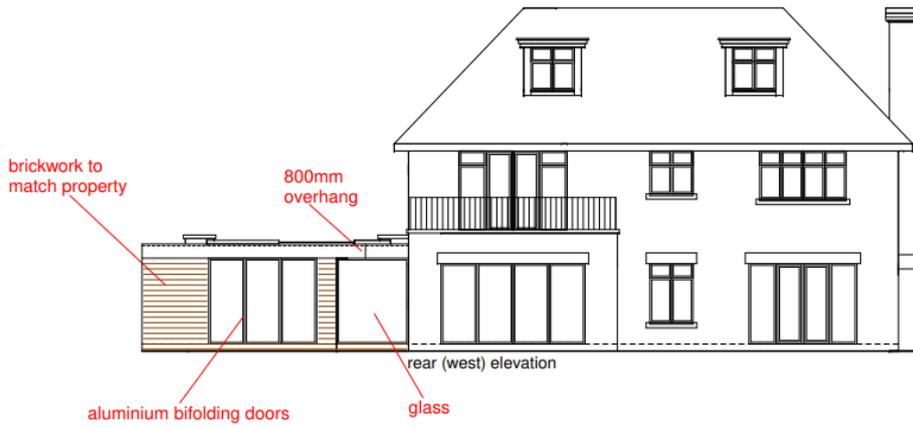
5.1 The proposal is for a single storey rear orangery extension that is proposed to measure a maximum of 22.00 metres in depth, 3.00 metres in height and 7.40 metres in width. There is also a roof overhang of 0.80 metres.



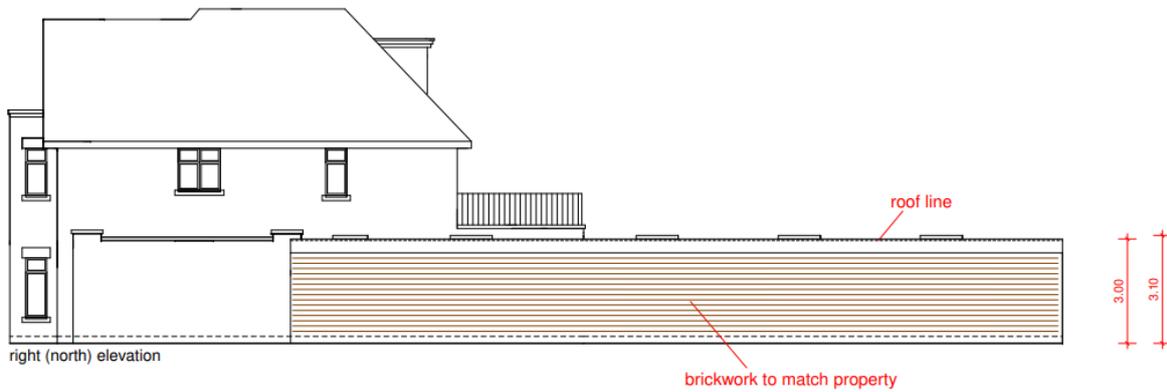
Block Plan with annotated distances between neighbouring dwellings.



Proposed Ground Floor Plan



1.20



Proposed Elevations

Site photos showing the location of the proposed extension:



## 6.0 REPRESENTATIONS RECEIVED

### Winkfield Parish Council

6.1 Winkfield Parish Council stated that they would leave determination of the application to the expertise of the officer, subject to the application being compliant with Green Belt legislation.

### Other representations

6.2 12 objections have been received from 12 addresses. The issues raised can be summarised as follows:

- Concern regarding the scale of the proposal.
- Concern regarding the loss of view due to the proposal.
- Concern regarding residential amenity of nearby dwellings being impacted.
- Concern regarding a restrictive covenant that prevents building in the garden of dwellings (Officer comment: Loss of view and restrictive covenants are not planning considerations).

## **7. SUMMARY OF CONSULTATION RESPONSES**

7.1 No statutory or non-statutory consultations have been carried out.

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

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP	Not fully consistent
	CS1, CS2 of CSDPD	Consistent
Green Belt	CS9 of CSDPD, Saved policy GB1 of BFBLP	Not fully consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
	Parking Standards SPD	
	Design SPD	
<b>Other publications</b>		
	National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)	
	CIL Charging Schedule	

## **9. PLANNING CONSIDERATIONS**

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport implications
- v Community Infrastructure Levy

### **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 (para. 2). Section 13 of the NPPF contains specific policies relating to

development within the Green Belt. Paras.147-149 set out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). The Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt.

9.3 Policy CS1 of the CSDPD sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes. This is consistent with the NPPF and as such can be afforded full weight.

9.4 16 Kingswood is located outside of a defined settlement on the Bracknell Forest Borough Policies Map (2013), within the Green Belt. Therefore Policy CS9 of the CSDPD and 'Saved' Policies GB1 and EN8 of the BFBLP are relevant. These policies seek to protect the Green Belt from inappropriate development.

9.5 Exception (c) of paragraph 149 of the NPPF states that extensions to a building might be acceptable provided that it does not result in disproportionate additions over and above the size of the original building.

9.6 The BFBLP expands on Policy GB1 of the BFBLP in the commentary, explaining that an extension or alteration is not inappropriate in the Green Belt as long as it does not result in disproportionate additions over and above the size of the original building. For the purposes of this policy, the Local Planning Authority will normally consider any increase to be "disproportionate" if it exceeds 40% of the gross floor area of the original building.

9.7 The term 'original' is defined in para 4.39 of the BFBLP as the building as it existed on or before 12th May 1980. This definition is inconsistent with Annex 2 of the NPPF as this refers to the building as it existed on 1st July 1948 or, if constructed after 1st July 1948, as it was built originally, and as such the NPPF definition will be applied as it is more up to date.

9.8 In this case when all floors of the dwelling are taken into account, the extension represents a 27% increase in the gross floor area of the original dwelling across its three floors (including a roof overhang) and as such is considered not to be a disproportionate extension in the Green Belt. Therefore, the proposal is acceptable in principle. Matters such as the impact on the character of the area, residential amenity and highway safety are assessed below.

## **ii. Impact on character and appearance of the area**

9.9 While the extension can be considered sizeable, it can therefore not be considered that an adverse impact on the streetscene would result (although it projects beyond a side elevation of the garage, it is not immediately visible in the streetscene). Objection comments cite a loss of a view as the proposal would be seen from neighbouring occupiers' dwellings if approved, but this is not a material planning consideration.

9.10 Materials would match those on the existing dwelling and combined with the fact the proposal is not prominent when viewed from the streetscene it is not considered that the development would result in an adverse impact on the character and appearance of the area or the host property, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

### **iii. Impact on Residential Amenity**

9.11 The plans show separation gaps of approximately 16.00 metres and 18.00 metres between the application site and the two dwellings to the north of the application site. With the 3.00 metre height of the extension plus this separation, it would not be considered that the residential amenity of these occupiers would be adversely impacted. This is because the proposed extension would not be close enough to create issues such as loss of light to habitable rooms, nor would it be unduly overbearing. There is a 2.00 metre high fence between the application site and the neighbouring dwellings to the north, and the gap to the boundary of these two properties is approx 0.70 metres. There is a 1.80-metre high fence to the southern boundary

9.12 The nearest dwelling to the south of the proposal is located approximately 25.00 metres away and it would therefore not be considered to cause an adverse impact on residential amenity of the occupiers of this dwelling.

9.13 The proposal is considered to comply with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

### **iv. Transport implications**

9.14 The proposal does not increase the number of bedrooms at the dwelling or modify vehicle parking arrangements, therefore there are no issues relating to highway safety.

### **v. CIL (Community Infrastructure Levy)**

9.15 Bracknell Forest Council introduced charging for its 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.

9.16 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including those that involve the creation of additional dwellings.

9.17 In this case, the proposal would not be CIL liable as it does not comprise the creation of new dwellings.

## **10. CONCLUSIONS**

10.1 The proposed development is located outside the settlement boundary and within the Green Belt. However, the proposal is not considered to be disproportionate as it does not exceed 40% of the floor area of the original dwelling. The proposal would also not have any adverse impact on the character of the area, residential amenity of neighbouring occupiers or highway safety.

10.2 The application is therefore recommended for conditional approval.

## **11. RECOMMENDATION**

11.1 That the Assistant Director: Planning be recommended to **APPROVE** the application subject to the following conditions: -

1. 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.

2. The development shall be carried out only in accordance with the following approved plans, and other submitted details, received on 26.07.2021 and 06.09.2021 by the Local Planning Authority.

Drawings received on 26.07.2021:

BLOCK PLAN  
PROPOSED ELEVATIONS  
PROPOSED GROUND FLOOR PLAN  
PROPOSED ROOF PLAN  
SITE PLAN

Drawings received on 06.09.2021:

EXISTING & PROPOSED FIRST FLOOR LAYOUT  
EXISTING & PROPOSED SECOND FLOOR LAYOUT

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

3. 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]

Informatives:

1. 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.

2. Although they must be complied with, no details are required to be submitted in relation to the following conditions:

01. Time Limit
02. Approved Plans
03. Materials

3. 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.

4. This is a planning permission. Before beginning any development the applicant may also need separate permission(s) under Building Regulations or other legislation. It is the applicant's responsibility to check that there are no covenants or other restrictions that apply to the property.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed on-line at the Council's Time Square office during office hours or online at [www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk)