

## Unrestricted Report

### ITEM NO: 10

Application No.  
**21/00566/FUL**  
Site Address:

Ward:  
Harmans Water

Date Registered:  
2 June 2021

Target Decision Date:  
28 July 2021

**3 Lyndhurst Close Bracknell Berkshire RG12 9QP**

Proposal:

**Proposed part single, part two storey rear and side extension, single storey front entrance porch and change of use of amenity land.**

Applicant:

Mr Michael Akrawi

Agent:

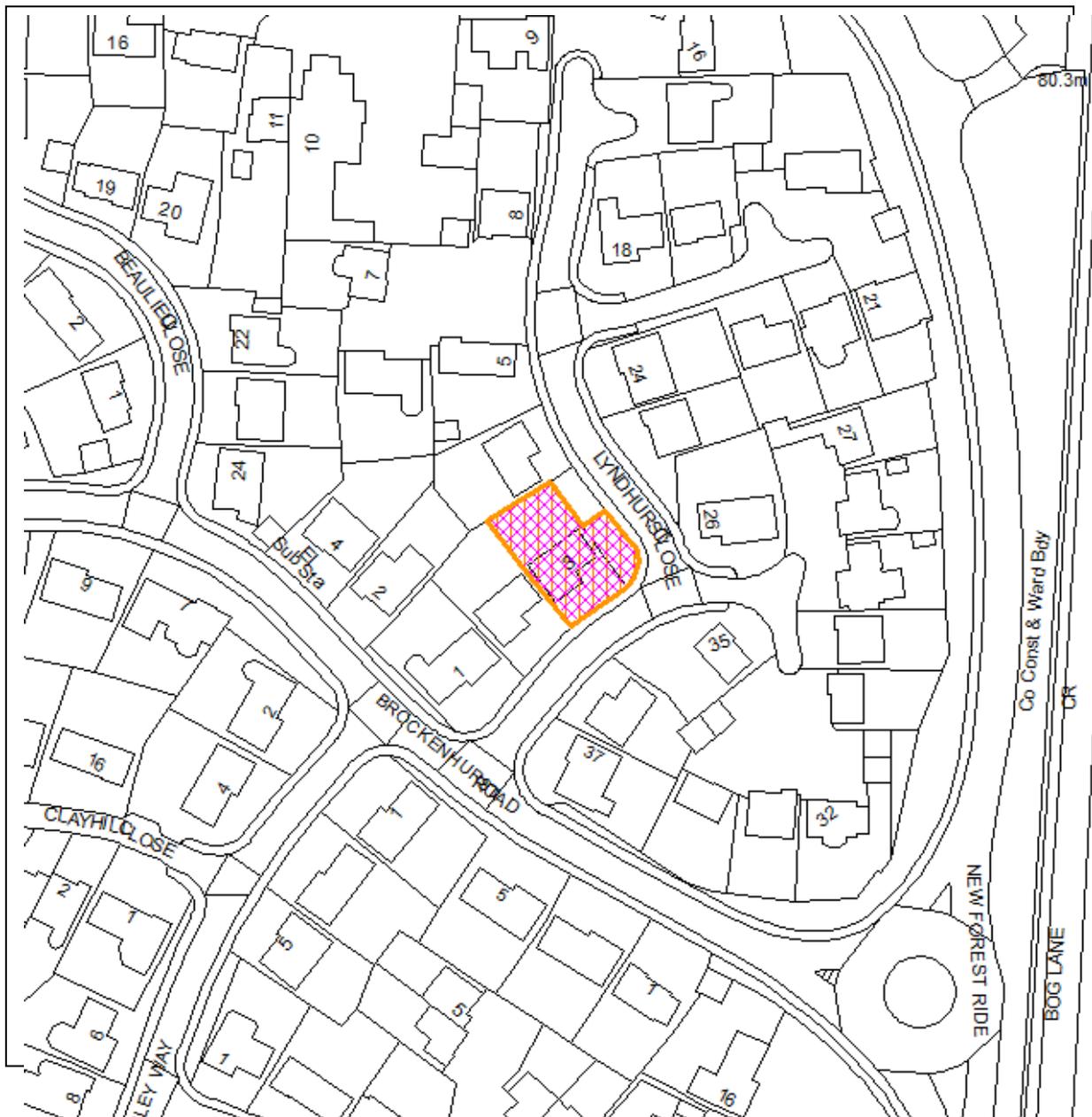
Mr Graeme Skipper

Case Officer:

Shelley Clark, 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. SUMMARY**

- 1.1 The proposal is for the erection of a part single, part two storey side extension, single storey front entrance porch and change of use of amenity land. The proposed development is within the settlement boundary. The proposal would not be liable for SPA contributions and CIL payments.

<b>RECOMMENDATION</b>
Planning permission be granted subject to the conditions set out in Section 11 of this report.

### **2. REASON FOR REPORTING APPLICATION TO COMMITTEE**

- 2.1 The application has been reported to the Planning Committee at the request of Councillor Dudley, Councillor Turrell and Councillor Mattick. They are concerned at the size and bulk of the extension and the loss of amenity land which is considered to be out-of-keeping in this area.

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

<b>PLANNING STATUS</b>
Within settlement boundary

- 3.1 No. 3 Lyndhurst Close is a detached dwelling on a corner plot located within a residential area, which is itself within a defined settlement as set out in the Bracknell Forest Borough Policies Map (2013). It is an existing 4-bedroom property with integral garage. Neighbouring properties are nos. 2 Lyndhurst Close and 4 Lyndhurst Close (the latter being located to the rear of the site).

### **4. RELEVANT SITE HISTORY**

- 4.1 The relevant planning history is set out below:

615411

Part two storey, part first floor side extension forming enlarged garage with bathroom over, bedroom with en-suite bathroom and dressing room over.

Approved 14.11.1989

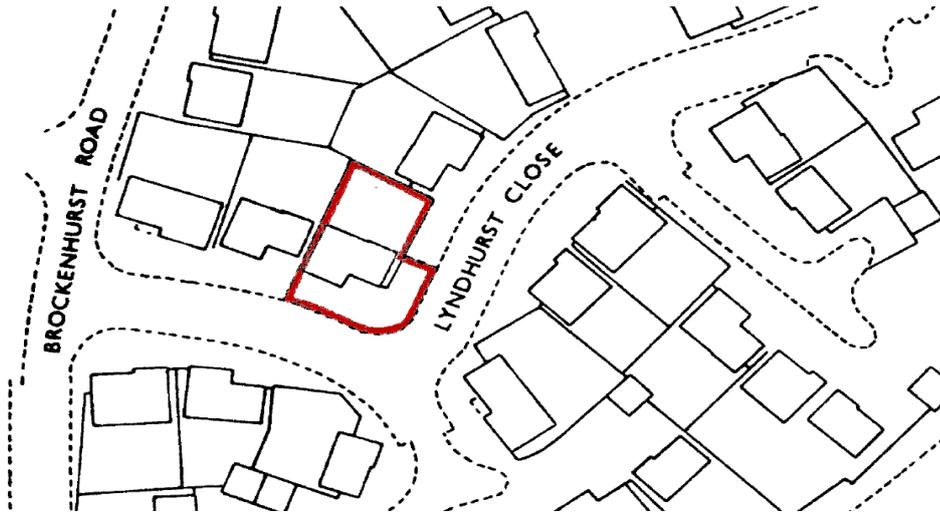
### **5. THE PROPOSAL**

- 5.1 The proposal is for a two-storey side extension which will extend to the existing boundary fence. The existing fence along the side boundary will be moved 1.5 metres towards the road, which will mean that part of the area of landscaping/public amenity space will be included within the residential curtilage of the property. The applicant has stated that at present, the internal width of the existing garage is inadequate for two cars (being 5m) and that as such the proposal seeks to rectify this situation by creating a useable double garage with an internal width of 6m and an internal depth of 6m, which can only be achieved by increasing the overall width of the building beyond the existing flank wall. There will be a new side entrance into the property and the design will mean that there is a

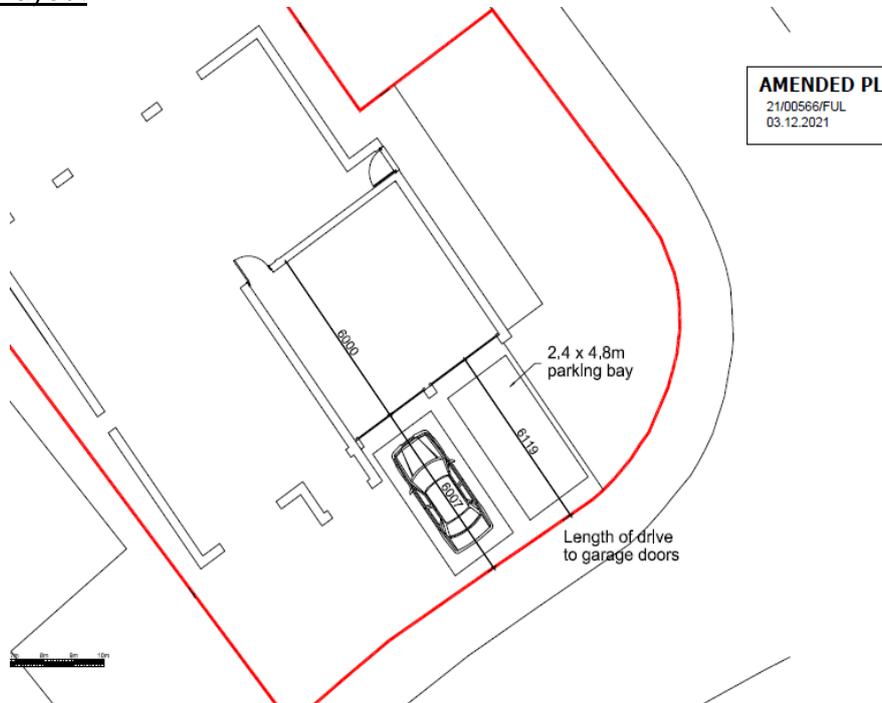
first-floor overhang. There will also be a single-storey rear extension, which will span the rear elevation, will have a depth of 4.3m and will be 3m high.

5.2 Since the submission of the application, an amended floor layout which shows the extent of the first-floor overhang and existing boundary line for clarification purposes has been received as well as a parking plan. The plan shows that the overhang will not encroach on the neighbouring property (no. 4 Lyndhurst Close). The applicant has also submitted a copy of his Title Plan showing the extent of land ownership.

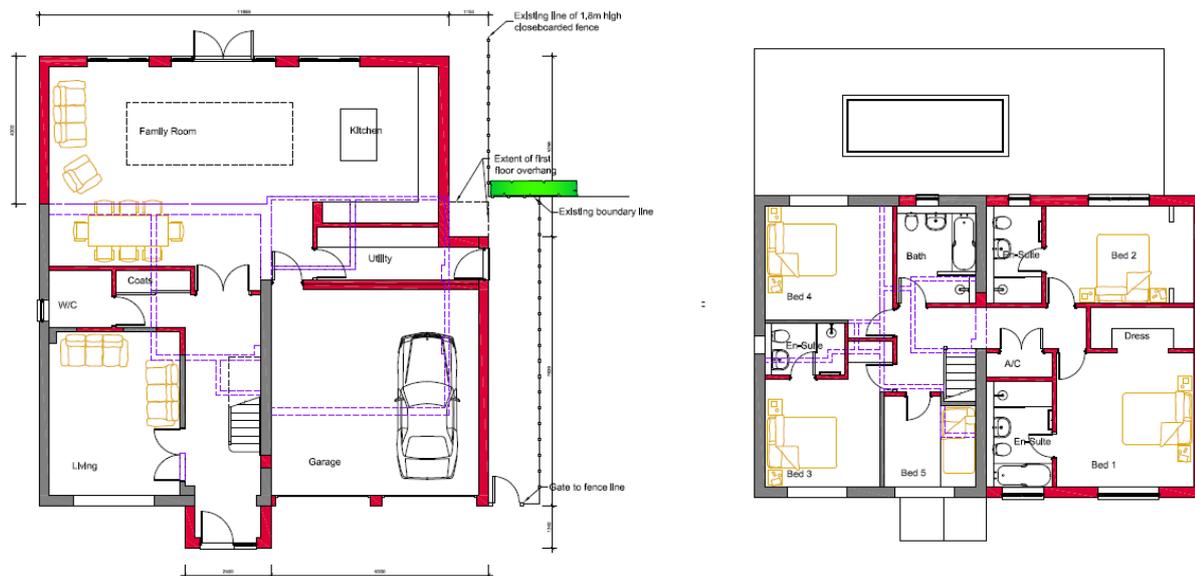
Title Plan



Parking layout



## Amended Floor Layout showing extent of overhang and neighbouring boundary



## 6. REPRESENTATIONS RECEIVED

### Winkfield Parish Council

6.1 Winkfield Parish Council requests that Officers carefully consider any impact on parking stress in the area, existing covenants on the land and the potential impact on neighbouring properties.

### Other responses received

6.2 5 objections have been received from 5 different addresses. The issues raised can be summarised as follows:

- The extension will be out-of-keeping with adjacent properties due to its size – including garden size.
- Extending the property in line with the front of the house, to the side and upwards would reduce visibility around the corner.
- Reducing the driveway length would mean vehicles would be parked closer to the footpath, again reducing visibility
- The likely increase in occupancy may result in additional motor vehicles that cannot be accommodated in the garage or on the driveway.
- The proposal will restrict light to no. 2 Lyndhurst Close as well as have an adverse impact on their privacy.
- Concerns about how the relocation of the fence will affect the land ownership of neighbouring properties (no. 4 Lyndhurst Close)
- There are covenants that restrict the width of the curtilage being extended into adjacent land.
- Has the potential to negatively impact the capacity of the existing joint sewer running between no. 2 and no. 3 Lyndhurst Close

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highway Authority:

- 7.1 A parking plan has been provided demonstrating where sufficient parking will be provided. The garage will need to be conditioned to be retained for parking of one car and for cycle parking. The Highway Authority has no objection subject to conditions.

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

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP,	Not fully consistent
	CS1, CS2 of CSDPD	Consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design	CS7 of CSDPD, Saved policies EN20 and H12 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)	

## 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 Any transport implications

### **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 CP1 of the Site Allocations Local Plan sets out that a positive approach should be taken to considering development proposals (which reflects the presumption in favour of sustainable development 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.

9.3 Core Strategy 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.

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

9.4 The application 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 or highway safety. The proposed scale of the building (as well as gable design) is not out of keeping in terms of scale and design with other properties in the street or surrounding streets.

No. 3 Lyndhurst with boundary fence and adjacent amenity land



View looking towards no. 3 and no 26 (on the opposite side of Lyndhurst Close)



No. 26 Lyndhurst Close



Junction of Lyndhurst Close with Brockenhurst Road



- 9.5 The existing fence along the side boundary will be moved 1.5 metres towards the road, which will mean that part of the area of landscaping/amenity land will be included within the residential garden of the property. The inclusion of this relatively small strip of land into residential curtilage is not considered to significantly impact the character and appearance of the area.
- 9.6 The proposed single-storey rear extension will be to the rear of the property and as only single-storey, will not readily be seen from the street. It is therefore considered that the development would not 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' Policies EN20 and H12, and the NPPF.

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

9.7 Due to its location, the proposed two-storey side extension will not have an adverse impact on neighbouring amenity in terms of loss of light or privacy or overbearing impact. The proposed single-storey rear extension will be approximately 3m high next to the boundary with no. 2 Lyndhurst Close, and again, due to its height, this extension is considered acceptable in terms of impact on the neighbouring amenity.

9.8 Concerns have been raised about encroaching onto neighbouring land. To avoid confusion about the proposed overhang of the first floor, the agent has shown the extent of overhang and how this will affect the neighbouring boundary. The extent of overhang will not encroach over the boundary with no. 4 Lyndhurst Close. Although land ownership/boundary disputes are not material planning considerations (although they may be considered under other legislation); the applicant has submitted a Land Registry Title Plan which appears to support the proposed floor layout. Existing covenants on the land and any impact on joint sewers are also not material planning considerations but may be considered under other legislation.

9.9 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

### **iv. Transport implications**

9.10 There is no requirement for additional parking spaces. The proposal is to increase the size of the garage to allow it to be a functional double garage measuring 6m x 6m. A parking plan and an officer site visit has demonstrated that there is 6m between where the garage doors will be located and the footpath and as such the Highway Authority has not objected.

## **10. CONCLUSIONS**

10.1 The proposed development is within the settlement boundary where the principle of development is acceptable.

10.2 The proposal is not considered to have an adverse impact on the streetscene or character and appearance of the area, neighbouring amenity in terms of loss of light, loss of privacy or overbearing impact or highway safety.

10.3 The application is therefore recommended for conditional approval as being in accordance with CSDPD Policy CS7 and CS23, BFBLP 'Saved' Policies EN20, H12 and M9, and the NPPF.

## **11. RECOMMENDATION**

**That the application be approved subject to the following conditions amended, added to or deleted as considered necessary:**

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 1990.

2. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents received by the Local Planning Authority on 2 June 2021, 20 August 2021, 3 December 2021 and 31 March 2022:  
21-16-04 received 2 June 2021  
21-16-01 A received 20 August 2021  
21-16-05 received 3 December 2021  
21-16-03 A received 31 March 2022

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

3. The materials to be used on the external surfaces of the development hereby permitted shall match those on the application form received by the Local Planning Authority on 2 June 2021.

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

### **Informatives**

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. The following conditions do not require details to be submitted, but must 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.