

Unrestricted Report

ITEM NO: 7

Application No.
22/00778/FUL

Ward:
Ascot

Date Registered:
16 September
2022

Target Decision Date:
20 January
2023

Site Address:

16 Kingswood Ascot Berkshire SL5 8AN

Proposal:

Section 73 application for the variation of condition 2 (Approved Plans) of planning permission 21/00668/FUL to allow for the increase the ridge height of the single storey orangery by 0.15m.

Applicant:

Mr Bo Feng

Agent:

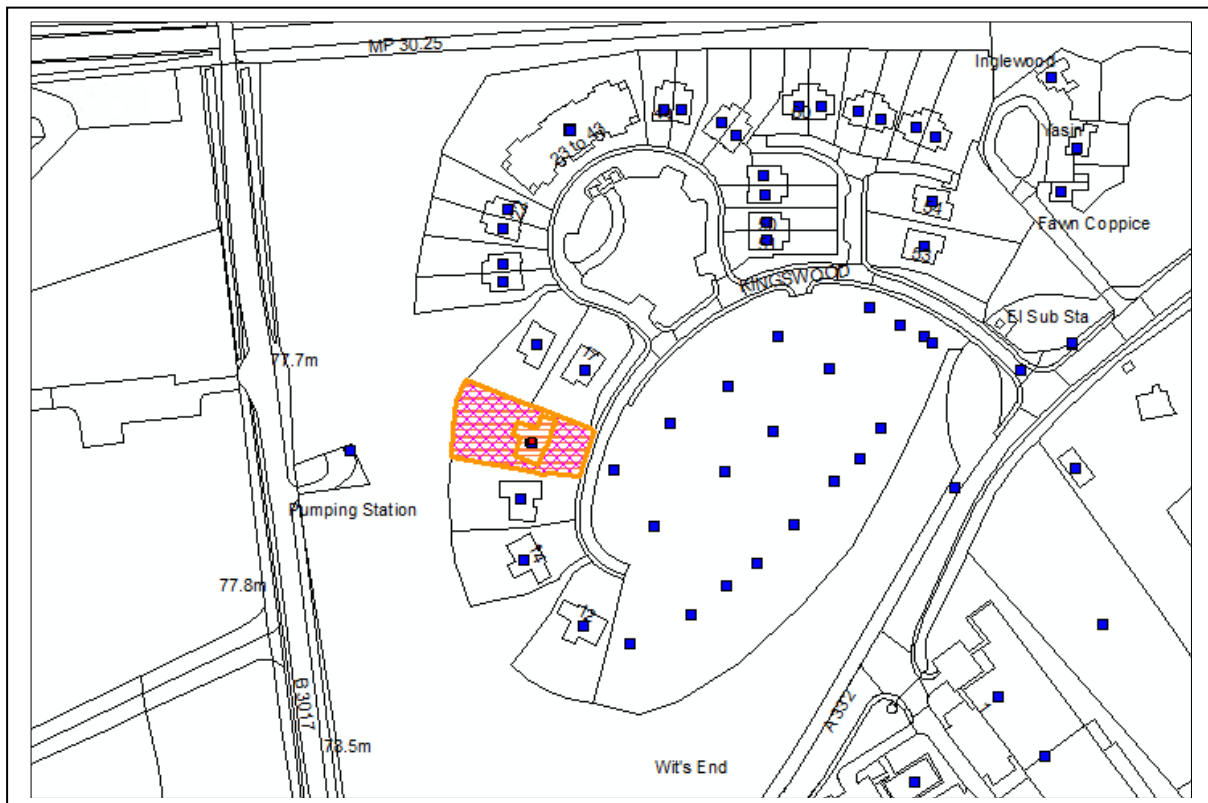
Mr Craig Rowell

Case Officer:

Louise Fuller, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1.0 SUMMARY

1.1 This application seeks to vary condition number two (approved drawings) of planning permission reference: 21/00668/FUL. This application seeks an increase in height of the orangery by 0.15m. No other alterations or enlargements are sought under this application.

1.2 The application site lies within the Green Belt outside of the settlement boundary.

RECOMMENDATION
It is recommended to approve the application subject to the conditions set out in Section 11 of this report.

2.0 REASON FOR REPORTING APPLICATION TO PLANNING COMMITTEE

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

3.0 PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
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.

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."

(Officer Note: The property does not benefit from Permitted Development Rights)

21/00668/FUL:

Proposed single storey orangery extension.

Decision- Granted

(Officer Note: Proposed a 27% uplift in floor space over the original dwelling)

22/00492/NMA:

Application for non-material amendment to 21/00668/FUL to change the external wall finish to rendered white.

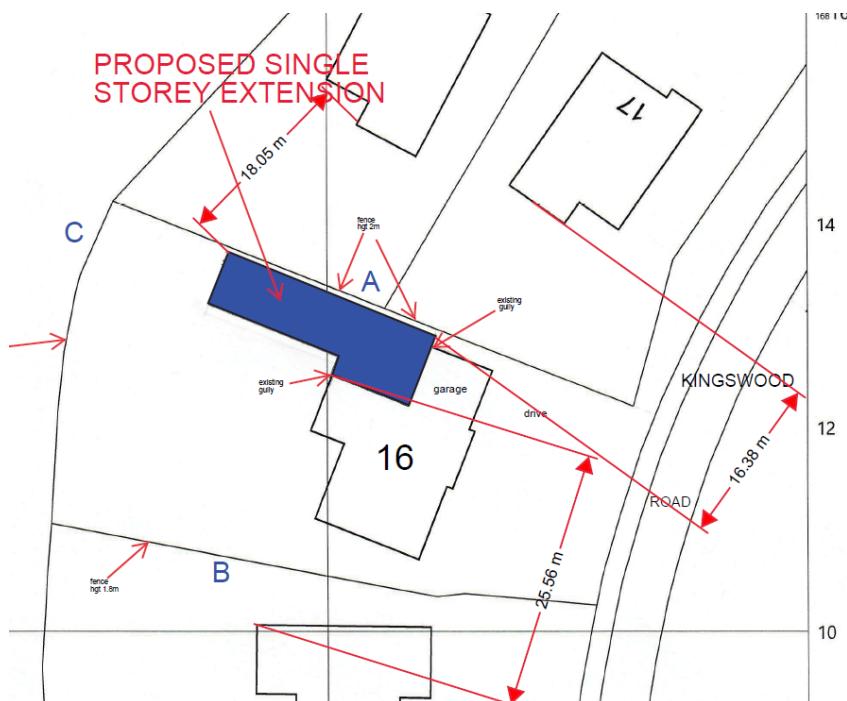
Decision- Granted and Implemented

5.0 THE PROPOSAL

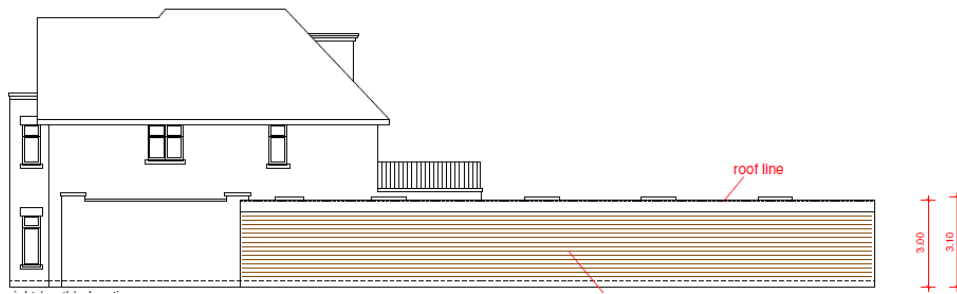
5.1 This application seeks to vary condition number two (approved drawings) of planning permission reference: 21/00668/FUL. This application seeks an increase in height to the roof of the orangery by 0.15m. No other alterations or enlargements are sought under this application.

5.2 Planning permission was granted for a single storey rear orangery extension which measured on the approved plans as 22 metres in depth, 7.4 metres in width, with a height of 3m. It is noted the height to the apex of the roof lights was 3.15m. There was also a roof overhang of 0.80 metres.

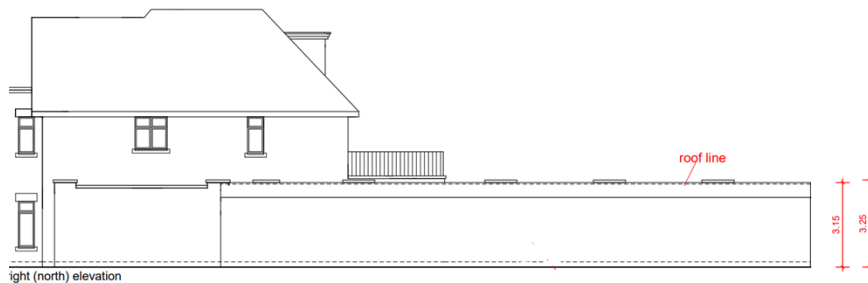
5.3 This section 73 application seeks to increase the ridge height to 3.15m. This in turn, will increase the height to the apex of the roof lights to 3.25m.



Block Plan with annotated distances between neighbouring dwellings



Side elevation as approved under planning permission 21/00668/FUL showing the orangery has a height of 3m.



Proposed side elevation showing the proposed height increase of the orangery.

6.0 REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Winkfield Parish Council made the following observations:

1. It is noted that the variation to the approved plans as submitted now appears to include two orangeries, one of which does not have access from the main dwelling. WPC would therefore ask that a condition be applied preventing future alienation of this orangery from the main dwelling.
2. WPC would ask the officer to ensure that the proposals are compliant with all applicable Green Belt legislation and regulation.

Other representations

6.2 6 objections have been received from 6 separate postal addresses.

The material consideration raised can be summarised as follows:

- Height increase
- Overdevelopment of site
- Out of character
- Render not a common feature in the area

(Officer Note: This application is a section 73 application for a variation to the approved plans to allow for an increase in the height of the extension from 3m to 3.15m no other changes are sought under this application. 22/00492/NMA was approved, and this allowed for the render of the extension.)

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:

	Development Plan	NPPF
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
Supplementary Planning Documents (SPD)		
Parking Standards SPD		
Design SPD		
Other publications		
National Planning Policy Framework (NPPF)		
CIL Charging Schedule		
National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

i Background

9.2 Planning permission 21/00668/FUL was approved for a single storey rear orangery extension this measured at a maximum of 22 metres in depth, 7.4 metres in width, with a height of 3m. It is noted the height to the apex of the roof lights was 3.15m. There was also a roof overhang of 0.80 metres. This application is solely for the variation of condition 2 (approved plans) of the above referenced planning permission to allow for the increase in the height of the single storey orangery by 0.15m.

ii. Impact on the Green Belt and character and appearance of the area

9.3 This section 73 application seeks to allow for an increase in the height of the single storey orangery as approved under planning permission 21/00668/FUL from 3m to 3.15m.

9.4 The extension as approved under the original planning permission 21/00668/FUL (allowed for a 154m² orangery) this represented a 27% increase in the gross floor area of the original dwelling across its three floors (including a roof overhang). The volume of the orangery was 488m³. Based on the measurements referenced above, the orangery was not considered to represent a disproportionate extension in the Green Belt.

9.5 As, this section 73 application proposes an increase solely in the height of orangery to 3.15m, it will not increase the floor space of the extension itself. With the proposed height increase the orangery will have a total volume of 512m³. It is noted that, this is a moderate height increase with a 0.15% increase over the volume original approved and would not result in the proposed extension becoming disproportionate to the original dwelling. Therefore, it is not considered the height increase will have a significantly greater impact on the visual and spatial openness of the Green Belt as to warrant refusal on this ground.

9.6 As such, it is considered that this proposal would not conflict with Green Belt policy. The proposed development would therefore be in accordance with 'Saved' Policy GB1 of the BFBLP, Policy CS9 of the CSDPD and the advice contained within chapter 13 of the NPPF.

9.7 The proposed increase in the height of the orangery will not adversely affect the character and appearance of the surrounding area and is in accordance with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD and the advice contained within the NPPF.

iii. Impact on Residential Amenity

9.8 The block plan shows separation distances of approximately 16 metres and 18 metres between the application site and the two dwellings to the north of the application site. In terms of boundary treatment, there is a 1.7-metre high fence between the application site and the neighbouring dwellings to the north, a distance of 0.7 metres is retained between these two properties. Therefore it is considered that the single storey height of the extension, with the separation distance outlined above, means that no adverse impact on the residential amenities of the occupants of neighbouring residential properties located to the north will arise.

9.9 It is also noted that, there is a 1.8m fence running along the southern boundary of the application site. The nearest residential dwelling to the south of the application site is located approximately 25 metres away. As such, no adverse impact on residential amenity of the occupiers of this dwelling is considered to occur.

9.10 For the aforementioned reasons, the proposed increase in height of the works at single storey level of 0.15m is considered to comply with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the advice contained within the NPPG and the NPPF.

iv. Transport implications

9.11 The proposal does not increase the number of bedrooms at the dwelling or modify vehicle parking arrangements, therefore no issues relating to highway safety are considered to occur as a result of the proposed increase in height of the orangery.

v. CIL (Community Infrastructure Levy)

9.12 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.

9.13 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.

9.14 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 principle of a single storey extension in this location was established by the original permission. The proposed variation of condition 2 (approved plans) of planning permission 21/00668/FUL to allow for the increase in the height of the single storey orangery is considered to be acceptable.

10.2 The application is therefore recommended for conditional approval.

RECOMMENDATION

11. RECOMMENDATION

11.1 It is 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 24.01.2021, the date of the original planning permission 21/00668/FUL.

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:

Block Plan
Proposed Elevations
Proposed Elevations 2
Proposed Elevations 3
Proposed Elevations 4

Received 16.09.2022 by the Local Planning Authority.

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 match those outlined on the approved plans, received 10.06.2022 under 22/00492/NMA by the Local Planning Authority.

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