

Unrestricted Report

ITEM NO: 7

Application No.

24/00154/FUL

Site Address:

Ward:

Swinley Forest Ward

Date Registered:

26th March 2024

Target Decision Date:

21st May 2024

29 Micheldever Way, Bracknell, Berkshire, RG12 0XX

Proposal:

Replacement of existing 2m high wooden fence following the removal of the existing conifer hedge to side of property

Applicant:

Kathleen Bavister

Agent:

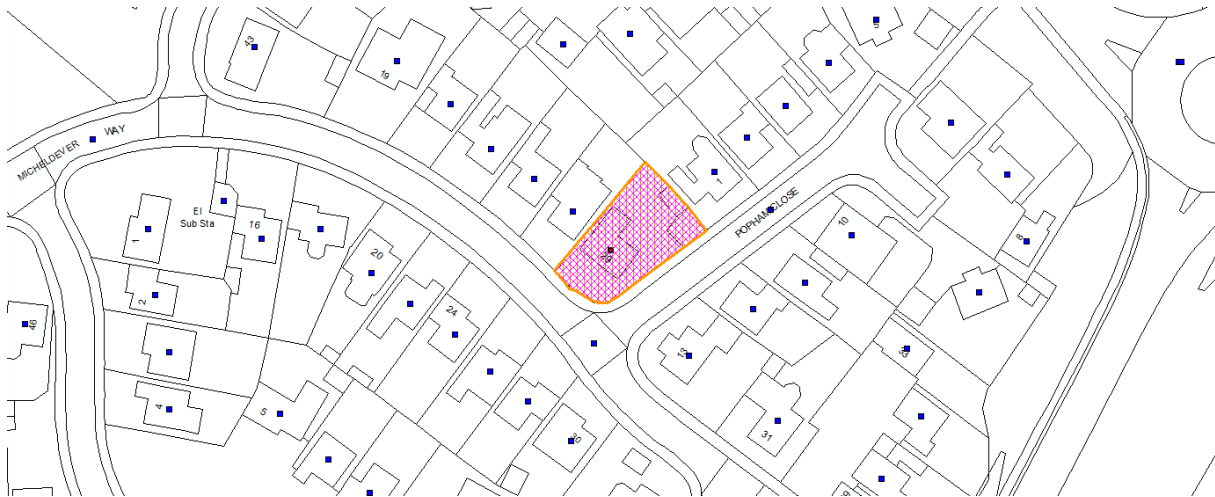
No details submitted

Case Officer:

Carly Cozens, 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 full planning permission for the replacement of an existing 2m high wooden fence following the removal of the existing conifer hedge to the side of the property.
- 1.2 The site, 29 Micheldever Way, is a 2-storey detached dwelling, located in Forest Park, Bracknell. The application site is located on a corner plot, adjacent to Popham Close. The application site is within the settlement boundary.
- 1.3 The application has been amended since first submission and is now considered to be satisfactory in terms of highway safety, impact on the character of the area and landscaping.

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

2.0 REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is being presented to Committee as more than 5 objections have been received.

3.0 PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within the defined settlement

- 3.1 The application relates to a detached house with a detached garage to the rear, located on the corner of Micheldever Way and Popham Close. The site is located within the settlement boundary.

4.0 Relevant Planning History

605364

Outline application for residential development of 163 acres of land including amenity and neighbourhood centre. Section 16/52. (No PD - Lovedean Court). Affects all Woodmancott Close. Affects all Wanstraw Grove. Approved 1981.

608865

Reserved Matters. Residential development on 7.3 acres of land comprising 72 dwellings roads and landscaping. Approved 1984.

609323

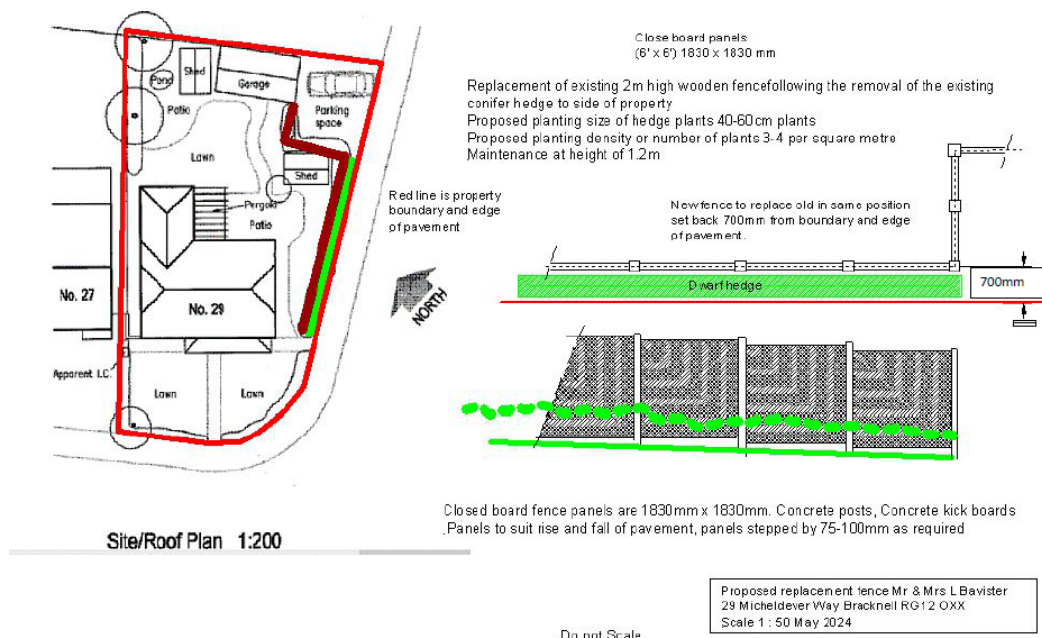
Reserved Matters. Residential development on 7.3 acres comprising 69 dwellings with associated road works. Affects 19-39 odd only Micheldever Way. Approved 1985.

04/01190/FUL

Erection of two storey rear extension and pergola following demolition of existing conservatory. Approved 2004.

5. The Proposal

- 5.1 The application involves replacing the existing rotting fence panels to the side of the property and replacing them like for like with soft timber wooden fence panels with concrete posts and gravel board, with soft landscaping in front (low privet hedging) to soften the street scene as shown on the plan below.



- 5.2 The applicant has stated in support of their application that the existing hedge is overgrown and covers 30% of the footpath, with the addition of vehicles parked on the pavement it makes it difficult to walk from the current driveway to the rear to the front door.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

- 6.1 WPC commented on the application and recommended refusal for the following reasons:

The proposal is out of keeping with the defined character of the area and is contrary to

policy W2.B.6 of the WNP. Boundary treatment should maintain the pattern of varying sizes of frontages with an emphasis on soft landscaping.

[Officer Note: The impact of the development on the character of the area and compliance with policy W2.B.6 is addressed in section 9ii].

6.2 6 letters of objection have been received from nearby residents. They raise the following concerns:

- The wall is out of keeping with the area
- Dominating within the streetscene
- Visually obtrusive
- Restrictive covenant **[Officer Comment: this is not a planning consideration]**

6.3 Amended plans were received from the agent on the 2nd June 2024. These omitted the previously proposed brick wall (referred to above) and show the existing fence to be replaced in the same position with a new fence with a low privet hedge in front. Re-consultation was undertaken on the basis of the amended plan.

7.0 SUMMARY OF CONSULTATION RESPONSES

Highway Authority

No objection

Landscape Officer

No objection subject to condition

8.0 Main Policies and Other Documents Relevant to the Decision

8.1 The following development plan policies are relevant to the determination of the current application:

	Development Plan	NPPF
Residential amenity	Policy LP 50 of BFLP	Consistent
Design and character	Policy LP 28 of BFLP W1: A Spatial Plan for the Parish W2: Promoting High Quality Design in the Character Areas	Consistent
Trees and landscape	Policy LP 54 of BFLP	Consistent
Highway Safety	Policy LP 62 of BFLP	Consistent
Supplementary Planning Documents (SPD)		
Parking Standards SPD (2016)		
Design SPD (2017)		
Other publications		
National Planning Policy Framework (NPPF) 2023 and National Planning Policy Guidance (NPPG)		

9.0 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. Highway Safety considerations
- v. Landscaping considerations

i. Principle of development

9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map (2024). Due to its location and nature, the proposed development is considered acceptable in principle and in accordance with BFLP policies LP 1, LP 2, and LP 3, WNP policy W1 and the NPPF, subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties and highway safety. These matters are assessed below.

ii. Impact on character and appearance of the area

9.3 The application site lies within the Forest Park area and policy W2 of the Neighbourhood Plan identifies that within this character area, boundary treatments should maintain the pattern of varying sizes of frontages with an emphasis on soft landscaping.

9.4 The application proposes the replacement of the existing fence on the same line as existing and replacement of the existing conifer hedge with low level privet hedging.

9.5 As recognised in the WNP there are varying sizes of frontages with a variety of boundary treatments including walls, low hedges and fences. There are examples of fences within the streetscene.

9.6 The proposed fencing on the site of the existing, is not considered to have a material detrimental impact on the existing streetscene and the provision of hedging is considered to soften any visual impacts.

9.7 Given the fact that the application simply proposes the replacement of the existing fence and the provision of replacement planting, it is not considered that the proposal will have a detrimental impact on the Forest Park character area.

iii. Impact on Residential Amenity

9.8 The proposal is to replace the existing fence panels with closed board wooden fence panels to the side boundary with low privet hedging in front.

9.9 Due to the nature of the proposal, a replacement fence with low hedging would not result in any adverse impact to the residential amenities of the occupiers of neighbouring properties regarding possible overlooking, overbearing or overshadowing.

iv. Highway Safety

9.10 The proposed wooden fence and planting do not pose any risk to highway safety, therefore, the Highway Authority has no objection.

v. Landscaping Considerations

9.11 The Landscape Officer has confirmed that the proposed hedging is acceptable to screen the proposed fence and soften the parking areas. The proposed hedging would soften the visual impact the fence and ensure there remains emphasis on soft landscaping within the street scene.

9.12 The proposed soft landscaping can be secured by means of an appropriate landscaping condition.

10.0 CONCLUSIONS AND PLANNING BALANCE

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 occupiers of neighbouring properties or highway safety.

10.2 It is therefore considered that the proposed development complies with policies LP 2, LP 28 and LP 50 of the BFLP, policies W1 and W2 of the WNP and the NPPF. No other material considerations weigh against approving the application and accordingly the recommendation is for approval.

11. RECOMMENDATION

11.1 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 permitted shall be carried out only in accordance with the following approved plans and other submitted details.

Location Plan (1:1250) - received 25th March 2024

Site Plan and Elevations – (1:200), (1:50) - received 3rd June 2024

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

03. The materials to be used for the erection of the fence hereby permitted shall match those outlined within the email received from the applicant dated 21.05.2024.

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

[Relevant Policies: BFLP LP 28, LP 50]

04. The soft landscaping shown on the approved plan shall be implemented within the first planting season (1st October to 31st March inclusive) following the erection of the fence. The area shown for soft landscaping on the approved plans shall thereafter be retained as such and shall not be used for any other purpose. If within a period of 5 years from the completion of the development any soft landscaping dies, is removed, uprooted,

or destroyed it shall be replaced by plants of the same species and size as those originally planted and in the same place.

REASON: - In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFLP LP54]

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 plan
 3. Materials
 4. Landscaping
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.
05. Any incidental works affecting the adopted highway or requiring contractors, plant or material to occupy the adjoining adopted highway (including verge, footway, or crossover where present) shall be approved by, and a licence obtained from, the Highways and Transport Section, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at Highways.Transport@bracknell-forest.gov.uk to agree the 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 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.
06. It is recommended that the applicant obtains details of buried utilities in the area where the fence is proposed before commencing work.