

Agenda Item 120.

Application Number	Expiry Date	Parish	Ward
200753	18/05/2020	Ruscombe	Remenham, Wargrave and Ruscombe

Applicant	Mr and Mrs D Kinnersley
Site Address	2 Walnut Tree Close Ruscombe RG10 9PF
Proposal	Householder application for the proposed erection of a single storey rear extension with 5no. rooflights including interior alterations and changes to fenestration, plus first floor front extension with 3no. rooflights
Type	Householder
Officer	Baldeep Pulahi
Reason for determination by committee	Listed by Councillor Howe on the following grounds: <ul style="list-style-type: none"> • Overdevelopment of the site, • Overlooking of the neighbour's house, • Will cause a loss of light to the neighbour's house and garden • Not in keeping with Ruscombe Parish Council's emerging Neighbourhood Plan policies (all developments should be in keeping with the surrounding area) and • Would set a precedent for future extensions in the road

FOR CONSIDERATION BY	Planning Committee on Thursday 21 st May 2020
REPORT PREPARED BY	Assistant Director – Place

SUMMARY
<p>This application is before Committee as it has been listed by Councillor Howe. It has also been the subject of seven resident objections and an objection from Ruscombe Parish Council.</p> <p>The proposal for a single storey rear extension with 5no.rooflights and first floor front extension with 2no. rooflights would be subordinate to the main dwellinghouse and would be acceptable in terms of its impact upon the character of the area. It has also been demonstrated that the development would not have a detrimental impact on the amenity of the neighbouring properties therefore it is recommended this application is approved, as it would accord with the Council's Development Plan.</p>

PLANNING STATUS
<ul style="list-style-type: none"> • Modest development location • Bat Roost Habitat Area • Tree Preservation Orders

RECOMMENDATION

That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following Conditions and informatives:

Conditions:

1. Timescale

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

2. Approved details

This permission is in respect of the submitted application plans and drawings numbered Location and Site Plan 01, Existing Floor and Roof Plans 02, Existing Elevations 03, Proposed Block and Site Plan 04 Rev A, Proposed Floor and Roof Plans 05 received by the local planning authority on 23/03/2020 and Proposed Elevations 06 Rev B. received by local planning authority on 06/05/2020. The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure the development is carried out in accordance with the application form and associated details hereby approved.

3. External Materials to Match

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall be of a similar appearance to those used in the existing building unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason: To ensure that the external appearance of the extensions are satisfactory. Relevant policy – Core Strategy policies CP1 and CP3.

4. Parking

No part of the extensions hereby permitted shall be occupied or used until the vehicle parking space has been provided in accordance with the approved plans. The vehicle parking space shall be permanently maintained and remain available for the parking of vehicles at all times.

Reason: To ensure adequate on-site parking provision in the interests of highway safety, convenience and amenity. Relevant policy – Core Strategy policies CP3 & CP6 and Managing Development Delivery Local Plan Policy CC07.

5. Bats

The development is to be carried out in accordance with the details given in section 4.3 of the bat survey report (John Wenman Ecological Consultancy – Preliminary Bat Roost Assessment, Ref: R2480/a, March 2020) unless otherwise agreed in writing by the Council.

Reason: To ensure that bats a group of protected species are not adversely affected by the proposals Relevant policy – Core Strategy Policy CP3

Informatives:

1. The applicant is reminded that should there be any change from the approved drawings during the build of the development this may require a fresh planning application if the changes differ materially from the approved details. Non-material changes may be formalised by way of an application under s.96A Town and Country Planning Act 1990.
2. To protect the trees from the effects of construction, a barrier should be positioned beneath the furthest extents of the canopy dripline of the protected Hornbeam trees along the rear boundary for the duration of the project.
3. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.
4. 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 in the NPPF.

PLANNING HISTORY		
Application Number	Proposal	Decision
29942	Detached house and garage	Approved 19/05/1988
36822	Granny Annexe	Approved 26/04/1991

CONSULTATION RESPONSES	
WBC Ecology	No objections subject to conditions
WBC Highways	No objections subject to conditions
WBC Landscape and Trees	No objections

REPRESENTATIONS	
Ruscombe Parish Council	<ul style="list-style-type: none"> • Object to the proposal • Proposed extension is overdevelopment of the site • Overlooking the neighbouring property • Will cause a loss of light and privacy to the neighbour's house and garden • Not in keeping with Ruscombe Parish Council's emerging Neighbourhood Plan policies (Officer note: this does not carry weight as a material consideration at this stage) • Will set a precedent for future extensions in the road

Ward Members	<p><u>Listed by Councillor Howe on the following grounds:</u></p> <ul style="list-style-type: none"> • Overdevelopment of the site, • Overlooking the neighbour's house, • Will cause a loss of light to the neighbour's house and garden • Not in keeping with Ruscombe Parish Council's emerging Neighbourhood Plan policies (all developments should be in keeping with the surrounding area) • Would set a precedent for future extensions in the road
Neighbours	<p><u>Seven representations of objections received from the residents from the residents of no. 1, 1a, 3, 5, 6 and 7 Walnut Tree Close on the following grounds:</u></p> <ul style="list-style-type: none"> • Overdevelopment of the site • Height, size and dominance of the proposal will be out of keeping with the other houses on the close • Loss of daylight/sunlight and overshadowing which will impact front and garden of no. 3 Walnut Tree Close • Loss of privacy • Plans are not correct as the bay window is not shown on the block plan therefore the 45 degree angle is incorrect • Extension will set a precedent for the remaining houses • It would be difficult to avoid damage to the mature trees on site

PLANNING POLICY		
National Policy	NPPF	National Planning Policy Framework
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP3	General Principles for Development
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP9	Scale and Location of Development Proposals
Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping
	CC07	Parking
	TB21	Landscape Character
	TB23	Biodiversity and Development
Supplementary Planning Documents	BDG	Borough Design Guide

PLANNING ISSUES
<p>Description of Development:</p> <ol style="list-style-type: none"> 1. The proposal includes the erection of a single storey rear extension with 5no. rooflights including interior alterations and changes to fenestration and a first floor front extension with 3no. rooflights. 2. The proposed single storey rear extension would be 2 metres deep, 10.8 metres wide and 3.6 metres high and would be set in by 1.2 metres from the southern boundary and 0.80 metres from the northern boundary. 3. The proposed first floor extension would be 7 metres deep, 5 metres wide and 3.4 metres high and would be set in by 1.5 metres from the southern boundary and 6.9 metres from the northern boundary.

Principle of Development:

4. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan (MDD) Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.
5. Policy CC02 of the MDD sets out the development limits for each settlement as defined on the policies map and therefore replaces the proposals map adopted through the Core Strategy, as per the requirement of policy CP9. Policy CP9 sets out that development proposals located within development limits will be acceptable in principle, having regard to the service provisions associated with the major, modest and limited categories. As the site is within a modest development location, the proposal is acceptable in principle, subject to a consideration of the relevant impacts, as detailed below.

Character of the Area:

6. Policy CP3 of the Core Strategy states that development must be appropriate in terms of its scale, mass, layout, built form, height and character of the area and must be of high quality design.
7. Walnut Tree Close is a residential cul-de-sac estate of an open and spacious nature which comprises of detached dwellings similar in design.
8. The application site comprises of a two storey detached dwelling and garage forward of the dwelling sited in a somewhat concealed location at the end of the cul-de-sac. The dwelling itself is an L-shaped property that already projects forward at ground floor level from the main house.
9. The Borough Design Guide states that any alteration and extension to an existing building should be well-designed, respond positively to the original building, contribute positively to the local character and relate well to the neighbouring properties.
10. R23 of the Borough Design Guides states that front extensions are generally only acceptable where the building is set well back from the street frontage in a large plot or where the building is set further back from the street than the prevailing building line. The Borough Design Guide further advises that front extensions should generally be no more than single storey in height and should not project significantly forward of the building line.
11. Due to the less prominent location of the application site at the end of the cul-de-sac and with the dwelling set back from the main street frontage by at least 12 metres, the first floor front extension would be limited in its visibility in the streetscene. The properties are also staggered back so that the extension sits behind the building lines of Nos. 3, 4 and 5 and the extension would sit above an existing single storey forward projection. Moreover, the extension does not represent excessive bulk and would not cause adverse harm to the character and appearance of the host property or the wider street scene.

12. The proposed single storey rear extension would be a modest addition to the property and whilst it adjoins Garraway Close to the rear, it would not be visible in the streetscene and would not result in any adverse impact on the character and appearance of the area.

Residential Amenities:

13. The dwelling adjoins two storey dwellings to the northern (side) and eastern (front) boundaries but also adjoins a plant nursery to the south (side) and a road to the west (rear). The impacts upon these properties is limited and not unreasonable in this context.

Rear Extension

14. R23 of the Borough Design states rear extensions should not project more than 4 metres from the main rear wall where close to a side boundary.

15. The proposed single storey rear extension would be 2 metres deep, 10.8 metres wide and 3.6 metres high. It would be set in by 1.2 metres from the southern boundary to the nursery and 0.80 metres from the northern boundary (at no.3 Walnut Tree Close). The height of the extension is not excessive and the boundary setbacks are adequate such that the rear extension would not have an adverse impact on the residential amenities of the immediate neighbours in terms of loss of light or being unduly overbearing.

16. The proposed rear extension will include new doors at the rear and new windows on the side, this will not have a significant overlooking impact due to their position on the ground floor level and presence of existing boundary treatments between the properties.

First Floor Front Extension

Overlooking

17. R15 of the Borough Design Guide require the retention of visual privacy to habitable rooms with separation of 22m to the rear and 10m to the street. R23 states that the side walls must not contain windows especially at the first floor level.

18. The proposed first floor front extension would contain two windows, (part window, part roof light which would not be seen above the profile of the roof) on the northern side elevation at the first floor level facing towards no. 3 Walnut Tree Close within 6.7m of the boundary. There are no side facing windows within the corresponding gable ended side elevation of no. 3 Walnut Tree Close but there is still clear and uninterrupted overlooking across the side boundary towards the front garden area; however this is across the frontage and the private amenity space for the occupiers of no. 3 Walnut Tree Close is located to the rear garden.

19. The Borough Design Guide states that to maintain a sense of privacy from a front to front elevation situation should be a minimum of 10 metres. Although there is not strictly a front to front elevation between the application site and the neighbouring property, a distance of 13 metres between the proposed windows and the existing

ground floor windows in the side elevation of no 3 Walnut Tree Close would be maintained and thus this would not warrant a sufficient reason for refusal.

Loss of light

20. R18 of the Borough Design Guide aims to protect sunlight and daylight to existing properties with no material impact on levels of daylight in the habitable rooms of adjoining properties. First floor extensions must not obstruct a 45 degree line back towards a habitable window of the adjoining property.
21. Due to the less prominent location of the application site at the end of the cul-de-sac and the sufficient separation distance of 6.9 metres to the neighbouring property to the north, the proposed first floor front extension would not result in a loss of light towards no. 3 Walnut Tree Road with the measurements taken off the submitted plans confirming that the proposed first floor front extension would comply with the 45 degree rule.
22. The proposal will not have a detrimental impact on the annexe at no.1 Walnut Tree Close to the east of the site.

Overbearing/Sense of enclosure

23. R16 of the Borough Design Guide requires separation distances of 1m to side boundaries and 11m to the rear boundary.
24. The proposed first floor front extension would be set in by 6.9 metres from the northern boundary (at no.3 Walnut Tree Close) and by 1.5 metres from the southern boundary, which is a nursery. As such the proposal would comply with the recommendations set out in the Borough Design Guide and would not result in an overbearing impact on the neighbouring properties.

Highways Access and Parking provision:

25. The proposal involves a net increase of one bedroom but the existing parking spaces, including the retention of the double garage provides 3 parking spaces that accords with the requirements of Appendix 2 of the MDD Local Plan and is acceptable to the Council's Highways Officer.

Landscape and Trees:

26. There is a Tree Preservation Order in the rear garden relating to 3 Hornbeams reference: TPO 516/1989 that are shown as being along the rear garden boundary.
27. The development proposals include a single storey extension to the rear but it will not put these trees under threat. At the suggestion of the Council's Tree Officer, Informative 2 is included as a recommended safeguard to ensure the trees are protected throughout the construction process.

Amenity Space for future occupiers:

28. The proposal would increase the footprint of the dwelling however the remaining amenity space would be of a size that would accord with the Borough Design Guide (minimum depth of 11 metres) and would be able to accommodate typical garden activities.

Ecology:

29. The application site is located in habitat which matches that where bat roosts have previously been found in the borough.
30. The bat survey report (John Wenman Ecological Consultancy –Preliminary Bat Roost Assessment ref: R2480/a March 2020) has been undertaken to an appropriate standard and concludes that subject to the pre-cautionary measures set out in Section 4.3 of the report, the proposals are unlikely to affect roosting bats and no objection are raised on ecological grounds.
31. The implementation of the recommendations will be secured via Condition 5.

Community Infrastructure:

32. The proposal would result in an extension of under 100sqm and as such would not be CIL liable.

The Public Sector Equality Duty (Equality Act 2010)

33. In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts upon protected groups as a result of the development.

CONCLUSION

34. The proposal would remain subordinate to the main dwellinghouse and would be acceptable to the character of the area. It has been demonstrated that the development would not have a detrimental impact on the amenity of the neighbouring properties and it is therefore recommended this application is approved as it would accord with the Council's Development Plan.