

**COMMITTEE REPORT
ITEM NUMBER: 101**

APPLICATION NO. 21/01253/HOU
LOCATION **13 Bramling Avenue Yateley Hampshire GU46 6NX**
PROPOSAL Erection of a first floor side extension and single storey rear extension.
APPLICANT Mr Nicholas Grieves
CONSULTATIONS EXPIRY 10 August 2021
APPLICATION EXPIRY 6 September 2021
WARD Yateley West
RECOMMENDATION **Grant**



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. **Please Note: Map is not to scale**

BACKGROUND

Background

The application has been referred to the Council's Planning Committee as Councillor Harwood is the agent.

The Site

The application site comprises the residential property of 13 Bramling Avenue, a two-storey detached house of a typical modern estates' appearance. It has an open frontage accommodating 2 driveway parking spaces, and an integral garage.

The site is within a residential area of Yateley and the property was built at the same time as neighbouring properties. It is not within a conservation area, not subject to Article 4 directions restricting development, and not within the setting of any listed buildings.

There are no protected trees on or close to the site. It is within Flood Zone 1 and a Causal Flood Area.

The property history suggests that the permitted development rights for the property are not restricted by earlier planning approvals.

Proposals

First floor front / side extension and single storey rear extension. Canopy to existing porch.

The first floor extension would be positioned over the integral single garage, effectively infilling the area between the previous first floor extension (approved under 90/19824/FUL), and the original property. It would be 2.8m wide and 4m deep, with a gable ended roof and a ridge height of 6.7m.

The rear extension would be 3.7m wide, 4m deep and 2.9m high. It would be flat roofed and feature a roof lantern.

The porch canopy would provide a pitched roof to the existing front part of the garage, the downstairs WC and the porch.

Materials would match the external appearance of the host property.

The original house was constructed as a 3 bedroomed dwelling and a fourth bedroom was added in the early 1990s. The current proposal would retain 4 bedrooms; the room shown as a study and to be converted to an en-suite was originally a third bedroom.

Relevant Planning History

10/00915/EXT : Application to extend the life of planning permission 07/00759/FUL for Erection of first floor side extension and erection of front porch. Granted 10.06.2010

07/00759/FUL : Erection of first floor side extension and erection of front porch. Granted 14.06.2007

90/19824/FUL : First Floor extension to dwelling. Granted 18.09.1990

66/04693/H4: Erection of 291 dwellings on approximately 25.5 acres (10.32 HA) of land between Firgrove Road and School Lane. Granted 12.12.1966

69/04693/H13 : Erection of 74 houses and garages (formerly plots 238 to 311 Firgrove Estate Yateley). Granted 19.11.1969.

CONSULTEES RESPONSES

Yateley Town Council

OBJECTION

Members felt that the parking plan is unworkable.

Ecology Consult (Internal)

The property appears to be a modern (approx 1970's) detached dwelling in sub-urban location. The nearest woodland is approximately 180m away adjacent to Yateley Green, although this is separated by the residential dwellings. The property has hanging tiles on the front elevation, a small area of these will be impacted by the proposed new porch 'roof', but these are likely well-lit by the nearby streetlamp reducing suitability for bats.

I have reviewed the submitted Bat Statement which states there are 'no visible entrance holes or evidence of nesting or roosting within the roof void'.

Considering the property age, location and impact of the proposed works, I do not believe formal bat survey is required for this application. However, I would advise a precautionary approach to bats. If permission is granted, and a bat is subsequently discovered, works should stop immediately, and Natural England be contacted. Further survey and / or licensing may be required for the works to proceed.

On the above basis, I have no objection to this application on the grounds of biodiversity.

NEIGHBOUR COMMENTS

No neighbour representations were received.

POLICY AND DETERMINING ISSUES

PLANNING POLICY AND GUIDANCE

The development plan for the site and relevant development plan policies are as follows:

Hart Local Plan (Strategy and Sites) 2032 (HLP32):

- SD1 Sustainable Development
- NBE4 Biodiversity
- NBE5 Managing Flood Risk
- NBE9 Design
- INF3 Transport

Saved Policies from the Hart Local Plan (Replacement) 1996-2006 (HLP06):

- GEN1 General Policy for Development

National Planning Policy Guidance (NPPG) informs that: An emerging neighbourhood plan is likely to be a material consideration in many cases.

The emerging Yateley, Darby Green & Frogmore Neighbourhood Plan 2020 - 2032 contains the following policies relevant to the proposal:

- Policy YDFNP1 - Delivering Sustainable Development
- Policy YDFNP2 - Limiting Climate Change
- Policy YDFNP3 - Promoting Biodiversity
- Policy YDFNP4 - Design Principles in New Development
- Policy YDFNP9 - Flood Risk

The following guidance has also informed the LPAs assessment:

National Planning Policy Framework (NPPF) (July 2021):

- Section 2 - Achieving sustainable development
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

- Planning Practice Guidance (PPG)
- Hart District Council Parking Provision Interim Guidance (PPIG, 2008)
- Hart Planning Technical Advice Note - Privacy, Daylight and Sunlight: The 45 and 25 Degree Guideline
- Hart District Council Strategic Flood Risk Assessment, December 2016
- The Urban Characterisation and Density Study for Hart
- Hart's Climate Change Action Plan
- Hart's Equality Objectives for 2021 - 2023

PLANNING ASSESSMENT

The main planning considerations are:

- Principle of development
- Design and character of the area
- Residential amenity
- Highway safety and parking
- Biodiversity impacts
- Flooding and drainage

Principle of Development

The site is located within the urban settlement boundary of Yateley; it is therefore considered that the principle of development is acceptable, subject to compliance with relevant development plan policies and that no unacceptable harm to residential amenity, the environment, highway safety or any other material planning considerations arise.

Design and character of the area

Policy NBE9 of the HLP32 and saved policy GEN1 of the HLP06 seek to ensure that developments will be permitted where they are in keeping with local character by virtue of their design, scale, massing, height and prominence of the proposal is in character with the local area.

The aspects of policy YDFNP4 of the emerging Yateley, Darby Green & Frogmore Neighbourhood Plan 2020 - 2032 which are relevant to the proposal supports development

which respects surrounding buildings in terms of scale, height, form and massing, and adopts contextually appropriate materials and details.

The proposal would add additional bulk to the property at first floor, increasing the volume of the already extended house. By virtue of the set down of the ridge line however, it would maintain a subservient appearance to the main house. The design and materials would match the existing property, respecting the appearance of the host, and of neighbouring properties. The porch canopy would be visually in-keeping. Overall, the alterations to the front of the property are considered acceptable in terms of design.

It is a material consideration that a first floor front / side extension and works to the porch were approved under 07/00759/FUL and 10/00915/EXT. There are minor differences between the approved and proposed schemes: there is an increase in the ridge height from 6.4m to 6.7m, a change from hipped roof end to gable, and a change in the porch canopy design, from hipped to straight edged.

While the Development Plan has been revised since those decisions were made, the policy changes and minor alterations do not constitute a material change to the acceptability of the scheme.

The rear extension would be within the size limits for a single storey rear extension under permitted development allowances. It is a material consideration that the rear extension could be constructed without the need for express planning permission. Notwithstanding, by virtue of its dimensions and position, the rear extension would be considered an acceptable form of development in design terms, and would not significantly reduce the open space about the site, ensuring that in combination, the separate aspects of the proposal would not result in over-development and would achieve a high quality design and positively contribute to the overall appearance of the local area.

Residential Amenity

Saved policy GEN1 permits development subject to the proposal not materially detracting from the amenities of adjoining dwellings by virtue of its siting and massing or loss of privacy.

By virtue of the orientation of nos. 11 and 13 Bramling Avenue to each other, the front extension would meet the existing first floor extension at a distance of 3.7m from the closest part of no.11. The application site angles away from no.11 so the further from the property, the less the impact. There would be a gradual increase in distance from the side boundary, of approximately 0.8m to 1.7m, along the length of the extension, mitigating the effect of the extension on the residents of no.11.

Weight is given to the 2007 approval, which was recommended for refusal by the case officer on the basis of overshadowing and harm to outlook to no.11. This recommendation was overturned at the Planning Committee following a Member's site visit.

The spatial relationship between nos 11 and 13 has not changed since the 2007 decision. The alterations to the roof form would not be anticipated to result in a greater amenity impact than the previous scheme. The depth of the extension and distance to the boundary (albeit increasing) would have the potential to result in some loss of outlook. Overshadowing impacts would be mitigated by the orientation of the extension to no.11 (it would be to the north), and the existing spatial relationship. Given these matters, which are lent weight by the 2007 decision, and with the benefit of an officer site visit, it is considered that the amenity impacts arising from the front extension would not be so significant as to warrant refusal of the proposal.

The rear extension would be positioned 0.9m from the shared boundary with no.15 Bramling Avenue. By virtue of the depth of the extension, the structure would breach the 45 degree line for overshadowing, however the impact would be mitigated by the flat roof form.

It is a material consideration that the extension would be within the size limits for single storey rear extensions to detached dwellings that could be constructed as permitted development. The rear extension would not be anticipated to result in unacceptable overshadowing. There would be no overlooking or loss of outlook impacts resulting from the extension.

On balance, the proposal would not be considered to result in neighbour amenity impacts significant enough to warrant refusal of the scheme. To ensure that the development does not give rise to unacceptable overlooking impacts in future, a condition restricting the creation of openings in the first floor side elevation of the extension is appropriate.

Highway Safety and Parking

Policy NBE9 of the HLP32 supports development which includes sufficient well-designed facilities / areas for parking. Policy INF3 supports development which provides appropriate parking provision, in terms of design and layout. Draft Yateley Neighbourhood Plan policy YDFNP4 supports development which provides adequate cycle and vehicle parking in accordance with the latest adopted HDC standards.

The Hart District Council Parking Provision Interim Guidance (PPIG) identifies the site as being located in Zone 2. The proposal would not lead to a net increase in the number of bedrooms so the current parking arrangements are considered satisfactory. These consist of a single garage which is long enough to accommodate cycle storage, and two open spaces at the front of the house, which is all laid to hardstanding.

Yateley Town Council has concerns that the parking plan is unworkable, however given the lack of front boundary treatments and the extent of hardstanding, two cars can be accommodated at the front of the house, albeit at different angles to the proposed parking arrangement.

The proposal development is therefore acceptable in terms of parking and highway safety.

Biodiversity impacts

HLP32 Policy NBE4 informs that all development proposals will be expected to avoid negative impacts on existing biodiversity and provide a net gain where possible. Draft Policy YDFNP3 of the Yateley Neighbourhood Plan states that development proposals should demonstrate a net gain in biodiversity appropriate to the scale of the development and in line with any statutory requirements.

The application was supported by a non-ecologist bat assessment which confirmed the absence of bat activity. The Council's Ecologist raised no objection, confirming that a formal bat survey is not required but advising that if a bat is discovered, works should stop immediately, and Natural England be contacted.

On the basis of the Ecologist's comments, the LPA can be reasonably assured that the works would not result in loss of biodiversity. An informative will be added to the decision in the event that permission is granted, regarding biodiversity gain.

Flooding and drainage

HLP32 Policy NBE5 permits development which over its lifetime would not increase the risk of flooding elsewhere and will be safe from flooding. Draft Policy YDFNP3 of the Yateley Neighbourhood Plan supports development which avoids increasing the risk of flooding from any source and will be safe from flooding for the lifetime of the development.

The site is entirely within Flood Zone 1, which includes land having a less than 1 in 1,000 annual probability (0.1% Annual Exceedance Probability) of river flooding.

The Hart District Council Strategic Flood Risk Assessment identifies Yateley as one of the top four urban areas at risk of surface water flooding in Hart and accordingly, it has been identified as a Causal Flood Area (CFA). In CFAs, stricter management of surface water runoff is to be applied. A pro-forma which is to be completed for developments in CFAs provides options to developers for indicating how surface water betterment techniques will be incorporated into their scheme.

The proposal is not anticipated to have a significant impact on surface water runoff, however in the absence of a completed pro-forma indicating how surface water runoff betterment will be achieved with the development, an informative will be added to the decision in the event that permission is granted, to advise the applicant that such measures are required.

Other Matters

Climate Change

The proposal will have no direct impact on Climate Change issues.

Equalities

The proposal will have no direct impact on equalities issues.

CONCLUSION

Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (Planning and Compulsory Purchase Act 2004 38(6) and NPPF paras. 2 and 47).

The proposal meets the policy requirements of the Development Plan for Hart, is acceptable in terms of all other material considerations and is recommended for conditional approval.

RECOMMENDATION - Grant

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 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the

following plans and documents:

- o Existing and proposed plans and elevations, dated June 2021
- o Proposed block plan received 26 Aug 2021
- o Design and access statement, dated June 2021

Reason:

To ensure that the development is carried out in accordance with the approved plans and particulars.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in type, colour, texture and bond, those on the existing building, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure a satisfactory visual relationship of the new development with the existing building and to satisfy saved policy GEN1 of the Hart District Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning General Development (England) Order 2015 (as amended) (or any Order revoking or re-enacting this Order with or without modification) no additional openings shall be created in the side first floor elevation of the extension hereby permitted, without the prior written authority of the LPA.

Reason:

In the interest of the privacy of the occupiers of the adjoining properties and to satisfy saved policy GEN1 of the Hart District Local Plan.

INFORMATIVES

- 1 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance: The applicant was advised of the necessary information needed to process the application and, once received, the application was acceptable and no further engagement with the applicant was required.
- 2 You may require Building Regulations Consent and we advise that you should contact Building Control on 01252 398715.
- 3 The applicant is advised to make sure that the works hereby approved are carried out with due care and consideration to the amenities of adjacent properties and users of any nearby public highway or other rights of way. It is good practice to ensure that works audible at the boundary of the site are limited to be carried out between 8am and 6pm Monday to Friday, 8am and 12 noon on Saturdays with no working on Sunday and Bank Holidays. The storage of materials and parking of operatives vehicles should be normally arranged on site.
- 4 As the approved works would be built close to or on the common boundary, the applicants attention is drawn to the requirements of the Party Wall Act. For further information go to www.communities.gov.uk/publications/planningandbuilding/partywall

- 5 As the site is within a Causal Flood Area, for which stricter management of surface water runoff is advised. The applicant is encouraged to install surface water runoff betterment provisions as part of the development, such as rainwater butts.
- 6 Hart District Council has declared a Climate Emergency. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider district. The applicant is encouraged to explore all opportunities for implementing the development approved by this permission in a way that minimises impact on climate change.
- 7 The applicant is advised that under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017, bats are a protected species and it is illegal to intentionally or recklessly damage, disturb or destroy a bat or its habitat. If any evidence of bats is found on site, Natural England must be informed and a licence for development obtained from them prior to works continuing. For further information go to www.naturalengland.org.uk or contact Natural England (S.E. regional office) on 0238 028 6410. The applicant should consider installing bat boxes in suitable positions on site to provide roosting opportunities for bats, in the interest of biodiversity gain.