



Planning

Planning Statement

Client:

Mr Shiraz Bashir

9 Emblen Crescent

Arborfield, RG2 9PA

*Variation of Condition no2. of Application Reference
213327*

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1. Introduction

- 1.1 This statement is produced to support a S73 application to vary condition no.2 of 213327 for *“Householder application for the proposed erection of a single storey side/rear extension with 6 no. roof lights following demolition of existing shed and single storey side extension, hip to gable loft conversion to create habitable accommodation with a rear dormer plus insertion of 1 no. roof light and changes to fenestration”* at 9 Emblen Crescent, Arborfield, Wokingham, RG2 9PA.
- 1.2 This planning statement will cover the background to the application and provide the necessary information to enable its determination by officers at the Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.
- 1.3 In addition to this planning statement, the application is accompanied by the appropriate planning application forms and ownership certificate, duly signed and completed, and the following documents prepared by TC Biggin Architecture:
- 1:1250 Site Location Plan
 - 1:100 Existing Floor Plans (Dwg no.175 100 Rev. A)
 - 1:100 Existing Elevations (Dwg no.175/101)
 - 1:500 Existing Site and Location Plans (Dwg. No 175/102 Rev. A)
 - Phasing Plan
- 1.4 The relevant application fee will be submitted by the applicant separately.

2. Site Location and Description

- 2.1 The application site comprises a 'wedge' shaped plot comprising a single family dwellinghouse orientated towards the south-west along Emblen Crescent.
- 2.2 The dwelling itself previously featured a single storey side extension which was demolished as part of the works which currently exist on site. The site now features a single storey side to rear extension.
- 2.3 The roof of the original dwelling has been recently retiled and a rooflight has been installed in its rear elevation, this is an operation unrelated to the extension of the dwelling and was utilised via Schedule 2, Part 1, Class C of the GPDO.
- 2.4 The application site is not within any notable planning constraints/designations.

3. Planning History

- 3.1 **Application Ref 213327** *Householder application for the proposed erection of a single storey side/rear extension with 6 no. roof lights following demolition of existing shed and single storey side extension, hip to gable loft conversion to create habitable accommodation with a rear dormer plus insertion of 1 no. roof light and changes to fenestration (**Granted 09/12/2021**)*

4. Development Proposals

- 4.1 The proposal seeks to vary condition 2 of 213327 to reflect the differences in the as built extension owing to differences in its fenestration and layout namely:
- The omission of a door and side windows in the side (north-western) elevation of the single storey extension;
 - Omission of a side window adjacent to the front door and provision of a wider front door;
 - Installation of a high level obscure glazed window in side (north-western) elevation;
 - Two panel floor to ceiling high windows replaced with four panel floor to ceiling high windows;
 - Internal changes to layout comprising a bathroom provided within the extension and retention of utility room in main dwelling (no internal staircase as part of phase 2);
- 4.2 Owing to these changes a phasing plan has been provided to ensure the development remains compatible with the development description of the original permission. Specifically the plan provides confirmation of the phases of the development. It is considered a phasing plan is required owing to the financial cost of the building meaning that phase 3 of the permission (the roof alterations to create habitable roofspace) are unlikely to be implemented in the near future but would remain extant on the property being severable elements of the original permission.

5. Policy Assessment

- 5.1 **Variation of Condition:** Section 73 of the Town and Country Planning Act 1990 (as amended) allows for the application for planning permission of development of land without complying with conditions subject to which a previous planning permission was granted.
- 5.2 Section 73(2) of the act states: "On such an application the local planning authority shall consider **only** the question of the conditions subject to which permission should be granted..." (emphasis added).
- 5.3 As such the principle of development or any other material considerations in relation to the original application are only to be considered in so far as their relevance to the condition(s) subject to this application.
- 5.4 It is reiterated Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In short, where a proposal accords with the Development Plan permission should be granted.
- 5.5 In this instance a variation is being submitted to regularise the changes in the extension compared to that that was originally approved. Owing to changes in the fenestration and layout and other alterations to the main dwelling (severing the other elements of the permission) it is considered the enlargement to the property has resulted in a different development to that approved and is required to be regularised.
- 5.6 It is considered the proposed variation is compatible with the operative part of the previous approval on site as all aspects would

still be able to be implemented albeit at a later date. It is proposed to vary condition 2 to the following:

*"This permission is in respect of the submitted application plans and drawings **175/100 Rev.B; 175/101 Rev.B; 175/102 Rev.B; 175/200; 175/201; 175/202; Phasing Plan – 9 Emblen Crescent** as varied by the Local Planning Authority on [date of approval]. 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.*

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans".

5.7 The original approval was found to comply with the following policy considerations:

- Residential Amenity;
- Design/Character
- Garden Depth;
- Separation Distance;
- Adopted Parking Standards

5.8 It is considered the only consideration to be reassessed is Design/Character (Character and Appearance of the Area) and impacts to neighbouring amenity (including separation distance), with the other matters already being found acceptable in the original permission.

5.9 **Character and Appearance of the Area:** Policy CP1 of the CS states planning permission will be granted for development proposals that maintain or enhance the high quality of the environment.

- 5.10 Policy CP3 of the CS states that planning permission will be granted for proposals that are of an appropriate scale, mass, layout, built form, height, materials and character to the area.
- 5.11 The phase 2 development would provide a single storey side to rear extension with a predominantly gable roof form with smaller flat roofed elements. The extension itself is large with a differing roof form to the main dwellinghouse, however, owing to orientation and shape of the plot, much of the massing would be mitigated and cannot be considered to be in a prominent siting.
- 5.12 The extension would have the appearance of an ancillary garage sited along the side boundary of the site particularly as the ridge height of the extension remains below the ridge height of the original dwelling as originally approved.
- 5.13 The differences to the extension comprise its fenestration and layout (and layout of rooms in the main dwelling), internally the extension remains part of one planning unit and has removed the second entrance to the unit. This has coincided with the installation of a bathroom in the extension in place a utility room. As such a two pane (with high level opening) obscure glazed window has been installed. Facing the side boundary this would not have any detrimental impact to the appearance of the extension.
- 5.14 The other changes to the fenestration of the extension comprise the installation of a front door (no side windows) which is circa 0.2m wider than the approved application. Owing to the wider door being in place of a side window the rhythm and overall area of 'openings' remains as acceptable as the approved permission, whilst providing a symmetrical appearance to the entrance to the dwelling. It is considered this amendment whilst materially different does not result

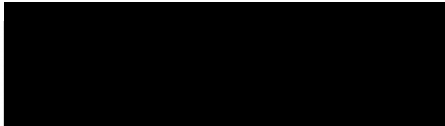
in any detrimental impact to the appearance of the extension and the dwelling.

- 5.15 Finally, the floor to ceiling high glazed doors were originally a two panel design these now comprise four panels respectively. This change has not increased the height or width of the as approved openings and as such is considered to not have any detrimental impact to the character of the extension nor the area.
- 5.16 The phase 3 development would remain the same as previously approved with the exception of being viewed in conjunction with the phase 2 development however, its relationship with the extension would remain the same and still be considered acceptable (the condition to ensure materials to match throughout the development being re-imposed would ensure the overall material finish of the development would remain).
- 5.17 In summary the proposed scheme complies with policies CP1 and CP3 of the Core Strategy.
- 5.18 **Impact to Residential Amenities:** Policy CP3 of the CS requires development to be without detriment to the amenities of adjoining land owners and occupiers.
- 5.19 As per the approved application there is a footpath separating the site from the north-western dwelling no.8. As such, the extension would not cause any visual impact or bulk to cause a loss of light or outlook to the neighbouring property.
- 5.20 The window serving the bathroom in the extension is obscure glazed and is only able to open at a high level however, it only faces the boundary treatment adjacent to the footpath and would not cause any loss of privacy to neighbouring occupiers.

- 5.21 The remaining amendments to the fenestrations and roof alterations would not directly face any neighbouring land uses and have sufficient set backs as to not cause any loss of amenity to neighbouring properties. As such, the proposal complies with Policy CP3 of the CS.

6. Conclusion

- 6.1 This statement has demonstrated that the proposed variation of condition application would result in a development that would not have any detrimental impact to the character of the area nor that of the amenities of neighbouring occupiers. As such, the development would still comply with the Development Plan and as such, planning permission should be granted without delay.
- 6.2 It is considered that the proposed scheme complies with relevant Development Plan Policies and is further supported by National Guidance. Therefore, it is respectfully requested that planning permission is granted.

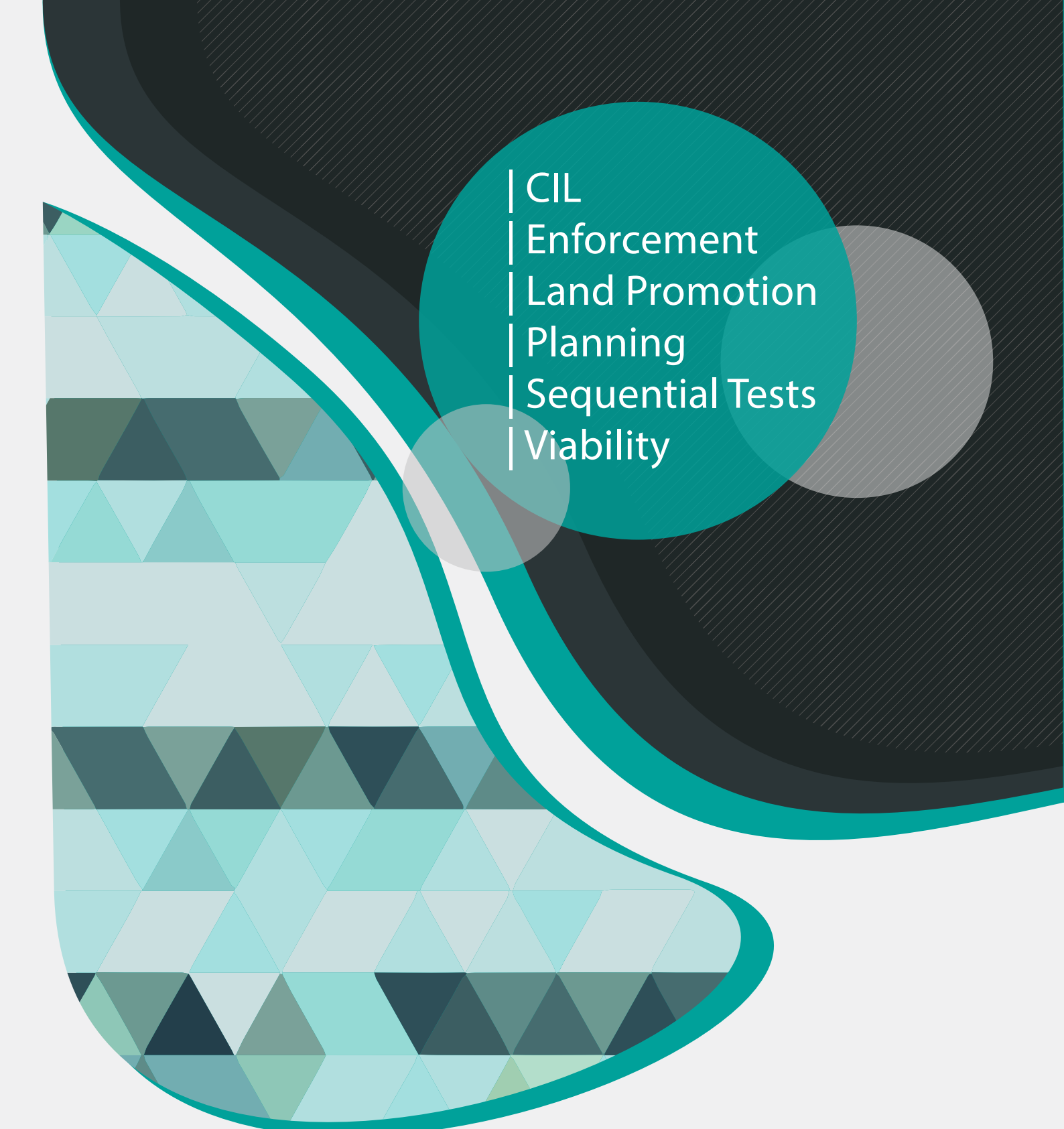


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