

Unrestricted

Date Published: 17 April 2015



PLANNING COMMITTEE

22 JANUARY 2015

SUPPLEMENTARY REPORT

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**BRACKNELL FOREST BOROUGH COUNCIL
PLANNING COMMITTEE
22nd January 2015
SUPPLEMENTARY REPORT**

Correspondence received and matters arising following preparation of the agenda.

Item No: 5

13/00966/FUL

Binfield House Nursery Terrace Road North Binfield Bracknell Berkshire

ISSUE DATE: 20 JANUARY 2015

Additional Information

Bracknell Forest Council at its Council meeting on 25 February 2015 will be considering the proposal to commence charging for its Community Infrastructure Levy (CIL) on 6th April 2015. If this planning application is determined on or after 6th April 2015 it may be liable to pay the Levy.

Item No: 6

14/00857/FUL

1 Cornbunting Close College Town Sandhurst Berkshire GU47 0XZ

ISSUE DATE: 20 JANUARY 2015

Additional representations:

Following the receipt of amended plans on 5 January 2015, neighbours were re-consulted on the amendments.

4no. letters of objection have been received in relation to the amended plans. The letters of objection in relation to the amendments are from the original objectors to the scheme and raise the following matters:

- sets a precedent
- noise issues
- eyesore
- height and size of building is the issue
- disposal of rainwater still a concern
- other outbuildings could be erected by neighbours to maintain privacy and block out height of proposed outbuilding

ISSUE DATE: 22 JANUARY 2015

Additional representations

Following the receipt of amended plans on 5 January 2015, Sandhurst Town Council were re-consulted on the amendments and reiterate refusal on the following grounds:

- i) the size of the development is visually intrusive to the character of the area;
- ii) approval would create a precedent;
- iii) concern regarding acceptable access to the workshop;
- iv) members are concerned that this could be made habitable in the future and have overlooking issues;

v) concerns heavy machinery should not be used outside normal hours and with any hazardous materials used.

Item No: 7

14/01001/FUL

Heathfield School London Road Ascot Berkshire SL5 8BQ

ISSUE DATE 20.01.2015

Additional Information

Bracknell Forest Council at its Council meeting on 25 February 2015 will be considering the proposal to commence charging for its Community Infrastructure Levy (CIL) on 6th April 2015. If this planning application is determined on or after 6th April 2015 it may be liable to pay the Levy.

Amendment to Section 16- THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

The Planning Statement (paragraph 5.40 - 5.42) confirms that the development will result in a net increase of 5 x 3 bed dwellings (the new terrace), three x 1 bed apartments and one x 2 bed apartment (within the Junior Boarding House). The total SANG payment would come to £17,820.

The open space works at Englemere Pond is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). Furthermore, there is a need to include an occupation restriction which is included in the Template s106 agreement. The occupation restriction is necessary to ensure that the SANGs works are in place before occupation thereby giving the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which is calculated on a per bedroom basis. This application for this development is for 5 x 3 bedroom dwellings, three x 1 bed apartments and one x 2 bed apartment which require the total SAMM contribution to be £5,278.

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £23,098 (i.e. £17,820 + £5,278).

The applicant has confirmed that the school is prepared to make appropriate contributions towards the costs of SPA avoidance and mitigation measures (see Planning Statement paragraph 5.42).

Amendment to the Recommendation

In the event of the S106 planning obligation not being completed by the 23rd March 2015 the Head of Development Management be authorised to REFUSE the application on the grounds of:-

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicants have not satisfactorily mitigated the development to comply with the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012. In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would therefore be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest

Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and to the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012.

02. The proposed additional dwellings, the occupation of which is not restricted to school staff and their dependants, are considered to be inappropriate development in the countryside which would result in an adverse urbanising impact and unacceptably increase the pressure on open space, education facilities, public open space, built sports facilities, libraries and community facilities. In the absence of a section 106 planning obligation restricting the occupancy of the proposed dwellings to persons employed at the school on the site (and their dependants), the proposal is considered to be contrary to BFBLP Policies EN8, H5 and EN20 and CSDPD Policies CS1, CS6, CS7 and CS9 and the NPPF.

Informative(s):

01. 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.

02. No further details need to be submitted in respect of conditions 01, 02, 03, 05 and 10 although they need to be complied. However further details need to be submitted to address conditions 04, 06, 07, 08, 09, 10, 11, 12 and 13.

ISSUE DATE 22.01.15

Change to description to read the following:-

Erection of 7 staff houses in form of two detached houses and a terrace with associated car parking following demolition of the Head and Deputy Headmistresses houses; erection of Junior Boarding House for 60 pupils (including 3no. 1 bedroom and 1no. 2 bedroom duplex level staff flats) with alterations/extension to existing car park; and extension to Phoenix Boarding House to provide accommodation for 14 pupils.

Item No: 8
14/01021/FUL
91 Staplehurst Bracknell Berkshire RG12 8DD

ISSUE DATE: 20.1.2015

Additional Information:

Revised plans have been received today correcting the dimensions of the existing garage at 90 Staplehurst that is 3.7m in width (as opposed to 3.5m and 3.6m shown on the plans as originally submitted).

Revision to Recommendation:

Condition 2 should read:

The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 29 October 2014 and 20 January 2015:

Location Plan scale 1:1250

Drg. NO: GO/042013/01 Issue 3
Drg No: GO/042013/20
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

Item No: 9
14/01022/FUL
90 Staplehurst Bracknell Berkshire RG12 8DD

ISSUE DATE: 20.1.2015

Additional Information:

Revised plans have been received today correcting the dimensions of the existing garage at 90 Staplehurst that is 3.7m in width (as opposed to 3.5m and 3.6m shown on the plans as originally submitted). The proposed extension to the rear of garage at 90 Staplehurst would be the same width at 3.7m.

Revisions to Recommendation:

Condition 2 should read:

2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 29 October 2014 and 20 January 2015:

Location Plan scale 1:1250

Drg. NO: GO/042013/01 Issue 3

Drg No: GO/042013/20

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

Additional condition:

4. The development hereby permitted shall be constructed and substantially finished concurrently with the development at 91 Staplehurst, Bracknell (reference: 14/01021/FUL).

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

[Relevant Policies: Core Strategy DPD CS7, BFBLP 'Saved' Policy EN20]

Item No: 11
14/01174/FUL
Tesco Stores Ltd Whitton Road Bracknell Berkshire RG12 9TZ

ISSUE DATE: 20.01.15

Amendment to Officer Report

Para 5 on Page 115 should read:

"The proposed development is for the installation of a pod to provide key cutting, shoe and watch repairs. The pod would be located to the west of the main store building, south of the main entrance, in an area in between a trolley bay and an ATM unit that is currently the site for two 'kiddie rides'. It would be operated by Timpsons and would a width of depth of 4.37m, a depth of 4.33m and a height of 2.65m. The proposed opening hours for the pod are 09:00 hours to 18:00 hours Monday to Saturday and 10:00 hours to 16:00 hours Sunday."

[OFFICER NOTE: The applicants agent has confirmed that the pod would not include Dry Cleaning services. The plans are currently being updated.]

ISSUE DATE: 22.01.15

Amendment to Condition

Condition 2 should read:

The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 7th November 2014 and 20th January 2015:

12861-001 (Rev C4)
12861-060 (Rev C2)
TSQP3 01

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

Item No: 12

14/01175/A

Tesco Stores Ltd Whitton Road Bracknell Berkshire RG12 9TZ

ISSUE DATE: 22.02.15

Amendment to Condition

Condition 2 should read:

The advertisements hereby granted consent shall be displayed in accordance with the following plans and other submitted details received by the Local Planning Authority on 20th January 2015:

TSQP3 01

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

Item No: 13

14/01228/FUL

94 To 96 College Road College Town Sandhurst Berkshire GU47 0QZ

ISSUE DATE: 20 January 2015

Additional Information

Bracknell Forest Council at its Council meeting on 25 February 2015 will be considering the proposal to commence charging for its Community Infrastructure Levy (CIL) on 6th April 2015. If this planning application is determined on or after 6th April 2015 it may be liable to pay the Levy.

Correspondence received

Additional correspondence received since the committee report was published.

A letter was received dated 13th January 2015 from the developer responding to the objectors concerns and is summarised as follows:

Principle of Development:

The principle of residential development on this land was implicitly accepted through the determination of the previous application 14/0580/FUL, where the only reason for refusal

related to the detailed relationship between the proposed development and neighbouring properties.

Sunlight/Daylight:

The proposed development has been redesigned with one less house increasing the separation distance between No. 58 Academy Place and the nearest proposed house from 13m to 16m.

The sunlight/daylight diagrams submitted with the application show the impact of the development on the nearest houses in Academy Place. The modelling is taken from 21st March, in accordance with the BRE guidelines. The plans show that the development would actually result in no additional impact compared to the existing situation with the shadow from the existing boundary fence. This far exceeds the normal BRE requirements.

Earlier and late in the year when the sun is lower in the sky and days are shorter, the impact of shadowing in the garden will be greater but is equally greater from the existing boundary fence. Furthermore, with shorter days in January, the impact on light is from it being dark by mid-afternoon, rather than from shadows.

There is no discrepancy between the conclusions of our modelling and that of the neighbour's representation. Both show that the impact of the proposed development is entirely acceptable.

On this basis, the proposed development fully satisfies the requirements of Policies CS7 and EN20, which were quoted in the reason for refusal of the previous application. The scheme would not adversely affect the amenity of surrounding properties.

Height:

The houses now proposed will be approximately 15cm higher at the ridgeline than the previous scheme. When combined with the additional 3m separation from the nearest neighbouring properties, this additional height will not be noticeable in terms of any impact.

Privacy:

We note that the neighbouring resident has submitted illustrations suggesting that someone standing in Plot No. 2 looking towards the rear of the houses in Academy Place would be able to see full into their ground floor windows. The section provided on Plan No. 228 shows that this is not correct. The existing fence line and the separation distance would prevent that direct view.

Nevertheless, in response to comments from neighbouring residents we enclose amended plans deleting the side kitchen and living room windows from the house on Plot 2. The only windows/doors now facing the neighbouring properties will serve bathrooms or utility rooms. All will have obscure glazing, which can be controlled by conditions.

Highways/Parking:

The Highway Officer confirms that this road was always intended to be extended to allow for further development which is why the road is adopted right up to the site boundary and therefore not facilitate parking. The proposed development includes two visitor car parking spaces in addition to the normal requirements for the proposed houses. This will ensure that all parking requirements for the development can be met within the site with no impact on neighbouring roads. Highways and parking were not raised as reasons for refusal of the previous application. The proposed development should, therefore, be acceptable in this respect.

Future Development

It is anticipated that, if planning permission is granted, there will be conditions removing permitted development rights for future extensions and alterations. Conditions will also require landscaping to be approved and retained. This will give the Council control over any future changes.

We note that the Town Council has confirmed they have no objection to the amended scheme subject to obscure glazing being provided to the windows in the flank elevations and the area of soft landscaping to the front of plot 2 being retained as such. The applicant is happy to accept appropriate conditions to secure these matters.

1 further representation has been received following amendments which are not dissimilar to those originally raised are therefore addressed within the officers report. The grounds for the objections are as follows:

-Plots 1-2 will still lead to overshadowing, overlooking and a loss of privacy to properties immediately adjacent.

[OFFICER COMMENT: This letter and accompanying amended drawings were published to the public file and the neighbours were notified accordingly]

Amendment to Recommendation

Given the neighbours were only consulted on the 15th January 2015 with regards to the amendments received the expiry date will expire on 29th January 2015 one week after the Planning Committee Meeting and it is therefore standard practice for the recommendation to be amended to reflect this as follows:

The Head of Development Management be authorised to approve the application subject to the conditions recommended in the Committee report, a completed legal agreement and subject to no new material objections being received which have not been already considered.

ISSUE DATE: 20 January 2015

3 Additional objections have been received and the concerns raised are summarised as follows:

Concerns are raised that the development would significantly impact upon the amenities of the adjacent private gardens in Academy Place.

[OFFICER COMMENT: Officers are satisfied that the levels and separation distances are such that the proposal will not result in significant overlooking to warrant a reason for refusal]

Concerns are raised that the applicant's assessment is inaccurate and the overshadowing problem has not been solved. The suggestion that a house has been removed (from 3 to 2 houses) to alleviate overbearing impact has also done little to improve the situation as the height and depth has increased to incorporate 2 x 4bed houses (previously 3 beds).

[OFFICER COMMENT: Officers are satisfied that the shading exceeds the BRE guidelines and the intervening separation distance of 16m between the rear of the properties in Academy place and the flank elevation of plot 2 is sufficient to allow for a marginal increase in height (15cm) and depth (approx.1.5m)which would not warrant a reason for refusal.]

It is also alleged that inadequate public consultation was undertaken relating to this revised proposal.

[OFFICER COMMENT: With regards to the previous application 16 neighbouring residential properties were consulted which also including a site notice. With regards to the current application 16 neighbouring residential properties were initially consulted, however this was later increased 20 neighbouring residential properties to ensure all the properties were informed of the revised proposal. Given the number of residential properties formally notified it was not considered necessary to put up a site notice.]

Item No: 14
14/01274/RTD

Telecommunications Mast Opposite Great Oaks Cottage Crouch Lane Winkfield Windsor Berkshire

ISSUE DATE: 20.01.2015

Additional information:

A number of objections have related to this site being an 'accident hotspot'. An accident search for Crouch Lane has been undertaken. The results of this are that there has only been one recorded accident in the past ten years (accident occurred in 2005) and this did not relate to the alignment of the road at the location of the proposed mast but occurred as a result of swerving to avoid an animal in the road.

An additional letter of objection has been received which increases the total number to 13. This raises the following issues:

- The lane is old and never originally intended for large vehicle use therefore traffic has increased over the years.
- With the exception of a few hundred yards at one end of the lane the speed limit is 60 mph and there are many large horse boxes using the lane.
- Due to the highways definition of the lane there is no maintenance on the surface and there is no camber, also the ditch is deep and combined with the bend can be a very real danger to cars meeting a large horse box coming in the opposite direction.
- Many local residents have experienced a "nowhere to go situation" and a mast and cabinet would make a bad situation worse.
- Visually the mast would be a dangerous distraction.
- Neighbourhood Watch is not aware of any large increase in stabling and horse traffic but are aware that there is much larger traffic in the lane in recent years.

Amendment to report:

Page 149 of the agenda, first sentence of the third paragraph should read:

Crouch Lane is not overly wide at this point and the road kinks reducing the effective width, therefore any service vehicle especially those that would operate on the mast would need to be parked on the verge so as not to restrict passing vehicles.

Amendment to Recommendation

Changes to plan numbers:

Drg no 100 received by LPA 15.01.2015

Drg no 200 received by LPA 15.01.2015

Drg no 300 received by LPA 15.01.2015

ISSUE DATE: 22.01.2015

Amended plans have been received which show:

- A grasscrete parking area of lay-by being provided.
- The cabinet being located at least 1m from the top edge of the ditch.
- Details of power and ancillary connections being provided.

These plans have been assessed by the Highway Authority and are considered to be acceptable.

Amendment to Recommendation

Changes to plan numbers:

Drg no 100 Issue D received by LPA 20.01.2015

Drg no 200 Issue D received by LPA 20.01.2015

Drg no 300 Issue B received by LPA 20.01.2015

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