

Date Published: 24 March 2017



PLANNING COMMITTEE

23 MARCH 2017

SUPPLEMENTARY PAPERS

TO: ALL MEMBERS OF THE PLANNING COMMITTEE

The following papers have been added to the agenda for the above meeting.

These were not available for publication with the rest of the agenda.

Alison Sanders
Director of Corporate Services

Page No

PLANNING APPLICATIONS

(Head of Development Management)

**The conditions for public speaking have been met in the applications marked 'PS'.
For further information or to register for public speaking, please contact Customer
Services 01344 352000.**

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Agenda Annex

BRACKNELL FOREST BOROUGH COUNCIL
PLANNING COMMITTEE
23rd March 2017
SUPPLEMENTARY REPORT

Correspondence received and matters arising following preparation of the agenda.

Item No: 5
16/01004/OUT

Land North Of Newhurst Gardens Newhurst Gardens Warfield Bracknell Berkshire

ISSUE DATE: 23.03.2017

Correspondence received

Additional correspondence has been received by residents who have already commented. Most of the issues have been addressed within the report with the exception of:

The applicant does not own sufficient land to provide the access.

[Officer comment: Land ownership is not a planning consideration which would affect the decision.

The Officers have looked at the information submitted by both the objector and the applicant and compared these with a plan of title boundaries obtained from the Land Registry site. Officers are satisfied that the red line of the site tally's with the ownership boundaries as obtained from the Land Registry Site.]

Amendment to Recommendation

Under recommendation

03 Measures towards improving cycle path signage or provision within the area.

Condition 6:

Development shall not commence until details of the vehicle access has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Condition 7:

Replace first part of sentence with 'Development shall not commence until a plan...'

Condition 11

Include additional point:

(f) Details of the access during construction

Condition 21

Replace 'Town and Country Planning (General Permitted Development)(England)Order 2015'

Replace:

In the event of the s106 planning obligations not being completed by 23.08.2017 the Head of Planning be authorised to extend the target date or REFUSE the application for the following reasons:-

Item No: 6

17/00080/PAA

Land West Of Prince Albert Drive Prince Albert Drive Ascot Berkshire

ISSUE DATE 21.03.2017

Additional correspondence received:

Two new letters of objection were received. One was from the Kings Ride Residents Association. This is summarised below:

- Many of the members of the association do not believe that the barn and associated land was in agricultural use on or since 20 March 2013.
- The statements enclosed with the application relate to an attempt to make the land suitable for agricultural use, which was not successful and the association questions whether such an attempt constitutes agricultural use.
- One of the members of the association walks past the land every day and questions the scale of the activity articulated in the statements.
- Some members of the association have expressed the view that a conversion of the existing barn that protects the green belt nature of the land would be preferable to other options, however if the application cannot rely on Town and Country Planning rules, it would be new development in the Green Belt, contrary to policy. As such the application for the change of use should be rejected.

The second objection letter sets out that the proposed barn and its associated land has not been used for agricultural purposes for at least the last 15 years and that cuttings have been rare and never used for hay. Any seeding and fertilising would seem to have unsuccessful. The application seems to be an attempt to circumvent planning rules.

[Officer note: the issues relating to the use of the barn have been discussed in detail in the report].

Changes to officer report:

The definition of agriculture in paragraph 2 on page 52 should read 'seed growing', not 'seed sowing'. However, this does not change the assessment or recommendation.

Additional relevant planning history is as follows:

10/00481/FUL: Change of use of redundant agricultural building to B1 use, including associated elevation changes and car parking - refused 2010

08/00091/FUL: Change of use from barn to B1 (Business) use with associated parking - refused 2008, appeal dismissed 2009

ISSUE DATE: 23.3.2017

Additional correspondence

A further representation (from an objector who has already submitted an objection) has been sent to Members objecting on the following grounds:

- **Although an agricultural tenancy was in place there has been no evidence that there was an agricultural use of the site.**
- **No profit or loss accounts have been produced of anything being sold.**
- **The seed sowing itself would have been an agricultural activity but if it had been carried out on land without an agricultural use then it would invalidate its entitlement to convert the barn.**
- **The agricultural land was redundant before Mr S Stanley bought it and built the barn.**
- **After a short time he was offering the site in the BFBC local plan as being suitable for housing.**

- Although some work is authorised there is no indication of the amount of work involved in acoustic and thermal insulation and other areas needed to be modified. *[Officer comments: Agricultural use of the land is discussed in the officer's report. Whether the site was part of a viable agricultural unit or not is not part of the test - it is the use to which the land was being put on the specific date i.e. 20.3.2013. Whether the site has been offered for housing as part of the site allocation process or the extent of unspecified works for insulation are not relevant to the consideration of this application for prior approval.]*

Item No: 7

16/00889/FUL

**Land At Sterling Court, The Redwood Building and Chiltern House Broad Lane
Bracknell Berkshire RG12 9GU**

ISSUE DATE 21.03.17

Additional information

Comments of Council's Waste and Recycling Officer

The Council's Waste Officer has confirmed that all 4 blocks have sufficient bin storage and that she has no objection to the proposal. Condition 26 (see below) will secure the implementation of the refuse storage as shown on the approved plans.

Amended section on affordable housing:-

vii. AFFORDABLE HOUSING (p74)

The Vacant Building Credit (VBC), introduced in a Written Ministerial Statement on 28 November 2014, applies when assessing the on-site affordable housing provision.

Under this, where there is an overall increase in floorspace in a proposed development, the Local Planning Authority should calculate the amount of affordable housing contributions required from the development as set out in its Local Plan. A 'credit' is then applied which is the equivalent of the gross floorspace of any relevant vacant buildings being demolished as part of the scheme which is then deducted from the overall affordable housing contribution calculation. In this instance due to the vacant office buildings presently on the site, the VBC results in a reduction in the number of on-site affordable dwellings to be provided from 25 (25% of 99) to 16.

The 'credit' for this site has been calculated in the following way:-

existing floorspace: 2870 sq m
proposed floorspace: 7927 sq m
net increase in floorspace proposed = +5057 sq m.

The net increase in floor area as a proportion of the proposed is 0.64 (5057 / 7927). Applying the Vacant Building Credit would result in the following:-

25 units x 0.64 = 16 dwellings that need to be affordable.

The above calculation has been checked by the Housing Officer and, therefore, subject to securing the on-site provision of 16no. affordable dwellings, this provision meets the requirements of CSDPD Policy CS17, BFBLP Policy H8 and the Planning Obligations SPD.

Amendment to Recommendation

The following takes account of the above and changes to the wording of proposed conditions.

11. RECOMMENDATION

Following the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. provision of on-site affordable Housing;
02. mitigation of impacts on the Thames Basin Heaths SPA;
03. securing improvement works to the existing service road and verge

The Head of Planning be authorised to APPROVE the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

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 documents:- 081506-BEL-TV-01 Rev E Planning Layout

081506-BEL-TV-02 Rev C Information Layout
081506-BEL-TV-03 Rev C Storey Heights
081506-BEL-TV-04 Rev D Tenure Layout
081506-BEL-TV-05 Rev C Unit Type Layout
081506-BEL-TV-06 Location Plan received
081506-BEL-TV-07 Rev B Existing Building Overlay
081506-A-E1 Rev A Apartment Block A Elevation 1
081506-A-E2 Rev A Apartment Block A Elevation 2
081506-A-E3 Rev A Apartment Block A Elevation 3
081506-A-E4 Rev A Apartment Block A Elevation 4
081506-A-P1 Rev A Apartment Block A Ground Floor Plan
081506-A-P2 Rev A Apartment Block A First Floor Plan
081506-A-P3 Rev A Apartment Block A Second Floor Plan
081506-A-P4 Rev A Apartment Block A Third Floor Plan
081506-C-E1 Rev A Apartment Block C Elevation 1
081506-C-E2 Rev B Apartment Block C Elevation 2
081506-C-E3 Rev A Apartment Block C Elevation 3
081506-C-E4 Rev A Apartment Block C Elevation 4
081506-C-P1 Rev A Apartment Block C Ground Floor Plan
081506-C-P2 Rev B Apartment Block C First Floor Plan
081506-C-P3 Rev B Apartment Block C Second Floor Plan
081506-C-P4 Rev B Apartment Block C Third Floor Plan
081506-D-E1 Apartment Block D Elevations 1
081506-D-E2 Apartment Block D Elevations 2
081506-D-E3 Apartment Block D Elevations 3
081506-D-E4 Apartment Block D Elevations 4
081506-D-P1 Apartment Block D Ground Floor Plan
081506-D-P2 Apartment Block D First Floor Plan
081506-D-P3 Apartment Block D Second Floor Plan
081506-D-P4 Apartment Block D Third Floor Plan
081506-B-E1 Rev A Apartment Block B Elevation 1
081506-B-E2 Rev Apartment Block B Elevation 2
081506-B-E3 Rev A Apartment Block B Elevation 3
081506-B-E4 Rev A Apartment Block B Elevation 4
081506-B-P1 Rev B Apartment Block B Ground Floor Plan
081506-B-P2 Rev B Apartment Block B First Floor Plan
081506-B-P3 Rev B Apartment Block B Second Floor Plan
081506-B-P4 Rev C Apartment Block B Third Floor Plan
081506-A-CS01 Cycle Store 01 Plan and Elevations.

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

03. No superstructure works shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

04. Prior to construction of the permitted buildings details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the character of the area.

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

05. Prior to construction of the permitted buildings comprehensive details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.

b) Details of semi mature tree planting.

c) Comprehensive 5 year post planting maintenance schedule.

d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.

e) Means of enclosure (walls and fences etc) including fencing that is permeable to badgers at the end of both the existing and propose badger corridors.

f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.

g) A phasing scheme for completion of the planting works linked to the completion of individual blocks of flats hereby permitted. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved phasing scheme, in the nearest planting season (1st October to 31st March inclusive) following the completion or first occupation of all blocks within an individual phase.

h) A phasing scheme for completion of the hard landscaping works linked to the completion of individual blocks of flats hereby permitted All hard landscaping works shall be carried out and completed prior to the completion or first occupation of all blocks within an individual phase.

As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

REASON: In the interests of good landscape design, visual amenity of the area and biodiversity.

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

06. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority. Any site clearance during this period shall be undertaken in compliance with the approved scheme.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP EN3, CS1, CS7]

07. No demolition or site clearance shall begin until details of a scheme (Demolition Method Statement) to control the environmental effects of demolition work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include control of dust, smell, and other effluvia and also vehicle routing and delivery times. The approved scheme shall be performed, observed and complied with.

REASON: In the interest of amenity.

08. Prior to construction of the permitted buildings, a scheme (Working Method Statement) to control the environmental effects of construction work shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include control of dust, smell, and other effluvia and also vehicle routing and delivery times. The approved scheme shall be performed, observed and complied with.

REASON: In the interest of amenity

09. Demolition or construction work shall take place at the site only between 08:00hrs and 18:00hrs Monday - Friday, between 08:00hrs and 13:00hrs on Saturdays, and not at all on Sundays or public holidays.

REASON: In the interest of amenity.

10. No demolition or site clearance shall take place until details in respect of measures to:

(a) Minimise, re-use and re-cycle waste arising from demolition;
(b) Minimise the pollution potential of unavoidable waste; and
(c) Dispose of unavoidable waste in an environmentally acceptable manner;
have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of all demolition operations.

REASON: In the interest of amenity.

11. Prior to construction of the permitted buildings details in respect of measures to:

(a) Minimise, re-use and re-cycle waste;
(b) Minimise the pollution potential of unavoidable waste; and
(c) Dispose of unavoidable waste in an environmentally acceptable manner;
shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of all building operations.

REASON: In the interest of amenity.

12. The development hereby permitted shall be implemented in accordance with the submitted Energy Demand and Sustainability Statement (August 2016) and thereafter the buildings constructed by the carrying out of the development shall be operated in accordance with the submitted Energy Demand and Sustainability Statement (August 2016).

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS10 and CS12]

13. No construction works shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. If the results of infiltration testing show that this is unviable the strategy should proceed on the rates agreed with Thames Water and set out in the Banners Gate Flood Risk Assessment. The scheme shall also include:-

- o Discharge Rates
- o Discharge Volumes
- o Details of the measures to secure the maintenance and management of SUDS features
- o Sizing of features - attenuation volume
- o Infiltration tests to be undertaken in accordance with BRE365
- o Detailed drainage layout with pipe numbers
- o The provisions of SUDS permeable paving in accordance with the Banners Gate FRA
- o Details of how the scheme shall be maintained and managed after completion.

All works that form part of the approved scheme shall be carried out in accordance with the approved details before the development or any part thereof is occupied, and shall be managed and maintained thereafter in accordance with the approved details.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

14. No demolition or site clearance shall take place until a scheme (for demolition works) has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of plant and vehicles
- (c) Storage of plant and materials used in constructing the development
- (d) Wheel cleaning facilities
- (e) Temporary portacabins and welfare for site operatives

and each facility shall be retained free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

15. Prior to construction of the permitted buildings a scheme (for construction works) shall be submitted to and approved in writing by the Local Planning Authority, to accommodate:

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of plant and vehicles
- (c) Storage of plant and materials used in constructing the development
- (d) Wheel cleaning facilities
- (e) Temporary portacabins and welfare for site operatives

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

16. Prior to construction of the permitted buildings a scheme to demonstrate that the internal noise levels within the residential units, especially those closest to the rear boundary of the site, will conform to the "indoor ambient noise levels for dwellings" guideline values specified within BS 8233: 2014, Guidance on Sound Insulation and Noise Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the building to which they relate and be retained thereafter.

REASON: In the interest of residential amenity.

17. No dwelling shall be occupied until the access and junction improvement works with Broad Lane have been completed in accordance with the approved drawings.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

18. No dwelling shall be occupied until a plan showing visibility splays within the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

19. No dwelling shall be occupied until the associated vehicle parking, visitor parking and turning space serving the apartment block within which it is located has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

The spaces shall not thereafter be used for any purpose other than parking and turning.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

20. Prior to the construction of the permitted buildings a scheme shall be submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. No apartment block shall be occupied until the approved cycle parking facilities for that block have been provided in accordance with the approved scheme. The facilities shall thereafter be retained.

REASON: In the interests of accessibility of the development to cyclists.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

21. No gates shall be provided at the vehicular access to the site.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

22. No unit shall be occupied until a Car Park Management Plan, including details of the allocation of spaces and the location of disabled spaces, has been submitted to and approved in writing by the Local Planning Authority. The approved Car Park Management Plan shall be performed, observed and complied with.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

23. No information has been submitted regarding potential existing contamination of the site with harmful substances. The records held by this Department do not indicate any contamination on this site. However, should evidence of contamination be discovered, then a scheme to deal with this contamination should be submitted and approved in writing by the Local Planning Authority. The scheme should include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, buildings and environment, when change of use takes place. The approved scheme shall be performed, observed and complied with.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

[Relevant Policies: BFBLP EN25]

24. The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation, for the protection of all existing trees, hedges and shrubs shown to be retained on approved plans in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following:-

- a) Plans at a minimum scale of 1:200 showing the proposed locations of protective barrier/s, constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012,
- b) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
- c) Illustration/s of the proposed fencing structure/s to be erected.

The development shall be carried out in accordance with the approved scheme and programme.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

25. If any trees or hedgerows shown to be retained on the approved plans are removed, uprooted, destroyed, die or become diseased during the course of the development within a period of 5 years of the completion of the development, another tree or hedgerow of the same species and size as that originally planted shall be planted at the same place.

REASON: In the interests of safeguarding visual amenity.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

26. No apartment shall be occupied until the bin storage provision for that apartment has been built in accordance with the provisions shown on the approved plans. The approved facilities shall thereafter be retained.

REASON: To ensure the provision of satisfactory waste collection facilities in the interests of amenity.

27. No dwelling hereby approved shall be occupied until a means of access to it for pedestrians and cyclists has been constructed in accordance with the approved plans.

REASON: In the interests of accessibility and to facilitate access by cyclists and pedestrians. [Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

Item No: 8

17/00170/PAC

2 The Braccans London Road Bracknell Berkshire RG12 2XH

ISSUE DATE: 23.3.2017

This item has been withdrawn from the agenda as it has been determined under delegated powers.

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