

Date Published: 21 May 2020



PLANNING COMMITTEE

21 MAY 2020

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.

Kevin Gibbs
Executive Director: Delivery

Page No

Planning Applications

(Head of Planning)

**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
21st May 2020
SUPPLEMENTARY REPORT

Correspondence received and matters arising following preparation of the agenda.

Item No: 07

19/00343/FUL

Moat Farm Winkfield Lane Winkfield Windsor Berkshire SL4 4SR

Additional planning considerations raised in representations

This is a sensitive GB location, making a “Significant Contribution” (Green Belt Review CP.Ev.5c) to GB purposes: subparcel B7c is “at risk from incremental change through encroachment and the consequent amalgamation of development”. The Review identified this subparcel as part of a larger area making a “very significant contribution to Green Belt purposes” with “evidence of pressures for encroachment into the open countryside”, a vulnerability “which over time can erode a sense of openness.” This application is one such pressure and should be strongly resisted.

Amendments.

3.2 The property consists of two principal buildings sited around an area of hardstanding, with the remainder of the site being undeveloped meadow. The building to the south of the parking area consists of workshops and ancillary offices associated with the business. The hardstanding consists of various areas of parking for staff and customers as well as an area for the parking of 4x4s, horseboxes and trailers that are being serviced and repaired at the site. The hardstanding also provides areas for access to these spaces and the agricultural barn to the east. This barn was erected in approximately 2006 as an agricultural building and is used for the storage of a variety of agricultural vehicles. The site currently comprises two uses. Agricultural use of the barn and hardstanding for the storage of agricultural vehicles and B2 use of the southern barn and hardstanding comprising vehicle servicing. The lawful use of the site is considered to be a mixed use as the planning unit is the site as defined by the red line in this application. In the case of *Burdle v. Secretary of State for the Environment* three tests were laid out for determining the planning unit as follows:

1. Where the occupier pursues a single main purpose to which secondary activities are incidental or ancillary, the whole unit of occupation should be considered to be the planning unit.
2. Where there are a variety of activities none of which are incidental or ancillary to another and which are not confined within separate and physically distinct areas of land, again the whole unit of occupation should normally be the planning unit.
3. Where within a single unit of occupation there are two or more physically separate and distinct areas occupied for substantially different and unrelated purposes, each area (together with its incidental and ancillary activities) should be a separate planning unit.

3.3 The site has one means of access and a variety of uses takes place within the site. The uses are not incidental or ancillary to one another and can therefore operate independently of each other. Parts of the site may be used by either of the uses on site depending on fluctuations in activity. The hardstanding area is used for the storage and parking of vehicles to be serviced but is also used at times for the parking of agricultural vehicles. The site is therefore considered to form one planning unit.

Para. 9.36 The amended site plan includes three visitor parking spaces and some properties have long driveways, which could accommodate visitor parking.

Para. 9.39 There are highway safety issues at the nearby Maidens Green Crossroads including 4 'slight severity' accidents recorded by police in the last 3 years, and the Highway Authority has introduced some safety improvements, including signs and markings in recent years. The proposed development would result in a reduction in the number of trips across the day, when compared with existing permitted uses. This junction is on the CIL Regulation 123 list and CIL monies could be made available to improve the junction.

Amended conditions

01 The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details received by the Local Planning Authority on 29.11.2019, 17.02.2020, 14.01.2019, 31.08.2019,

LP Rev B
001 Rev E

010 RevA
011 RevA
012 RevC
013 RevA
014 RevA
015 RevB
016 RevB
017 RevA
021 Rev B
MIG22028-03

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

11 Any gates provided shall open away from the highway and be set back a distance of at least 10 metres from the edge of the Winkfield Lane carriageway of the adjoining highway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

12 No dwelling shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works and pedestrian improvements at the access to the site with Winkfield Lane.
The dwellings provided by the carrying out of the development shall not be occupied until the off site highway works have been completed in accordance with the scheme.
REASON: In the interests of highway safety.
[Relevant Policy: BFBLP M4]

14 No dwelling shall be occupied until details of the design, operation and ongoing maintenance regime for electric vehicle charging infrastructure with a minimum output of 7kW to be provided for the three proposed visitors parking spaces shown on the approved Site Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the electric vehicle charging infrastructure shall be provided for the three visitor parking spaces and maintained in working order.
REASON: In the interests of sustainable transport.
[Relevant Policy: NPPF paragraph 110 e); Parking Standards SPD paragraph 3.8 part 1 (established through NPPF paragraph 105 e)].

20 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 17, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 18 which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 19.

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.

In the interests of the amenities of the area.

[Relevant Policies: BFBLP EN25]

Additional conditions

29 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

[Relevant Policies: BFBLP EN20 and EN25]

30 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls, or other means of enclosure as permitted by Class A of Part 2 of the Second Schedule of the 2015 Order, other than those indicated on the approved drawings, shall be erected or planted on the site.

To protect and preserve the character of the Scheduled Monument.

[Relevant Policies: Core Strategy CS1]

31 A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organization responsible for implementation of the plan
- h) On-going monitoring and remedial measures

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

REASON: In the interests of nature conservation and the visual amenity of the area.

[Relevant Policies: CSDPD CS1]

32. The habitat features identified as being valuable in the GCN mitigation plan shall be retained, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure habitat connectivity and support local wildlife populations.

[Relevant Policies: CSDPD CS1]

33. No properties shall be occupied until confirmation has been provided that either:
- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason - The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

34 No development shall take place until full details of the Drainage System(s) have been submitted to and approved in writing by the Local Planning Authority. These shall include: Results of intrusive ground investigations demonstrating the depth of the seasonally high groundwater table; full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table, and details of the works to modify the ditches.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.

35 No dwelling shall be occupied until a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, has been submitted and approved (in writing) by the Council. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes, cover systems etc.

Reason: To ensure that the site is properly drained and does not increase the risk of flooding In accordance with policy CS1 of the Core Strategy.

36 No dwelling shall be occupied until fencing along the boundary of the site with Winkfield Lane has been removed.

REASON: To protect and preserve the setting of the Scheduled Monument listed building

[Relevant Policies: Core Strategy CS1]

Revised Informatives

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

1. Commencement
2. Approved Plans
8. Retention of garages
9. Retention of car ports
11. Entrance gates

- 19. Approved remediation scheme
 - 20. Contamination
 - 22. Working hours
 - 23. Protected species mitigation measures
 - 24. Protected species surveys
 - 28. Restriction on permitted development
 - 30. No fences, gates or means of enclosure.
 - 32. Habitat features to be retained in the GCN mitigation plan
03. Details will be required in respect of the following conditions before the commencement of development:
- 4. Finished floor levels
 - 15. Site management
 - 17. Contamination investigation and risk assessment
 - 18. Contamination remediation scheme
 - 24. Archaeological field evaluation
 - 26. Energy Demand Assessment
 - 27. Sustainability
 - 29. External lighting
 - 34. Drainage systems
04. Details will be required in respect of the following conditions before the commencement of above slab level works:
- 3. Materials
05. Details will be required in respect of the following conditions before the occupation of dwellings:
- 5. Vehicular access
 - 6. Visibility splays
 - 7. Parking and turning spaces
 - 10. Covered and secure cycle parking facilities
 - 12. Off site highway works
 - 13. Pedestrian crossing point
 - 14. Electric vehicle charging infrastructure
 - 16. Hard and soft landscaping
 - 21. Contamination monitoring and maintenance scheme
 - 31. LEMP
 - 33. Housing and infrastructure phasing plan
 - 35. Verification report
 - 36. Removal of fencing

New Informative

6. The Sustainability Statement to be submitted to discharge condition 27 should include provision of a feasibility study on the potential to incorporate grey water recycling at the design stage.

Item No: 08

20/00279/FUL

5 Mount Pleasant Sandy Lane Sandhurst Berkshire GU47 8NN

Additional representations

Four additional letters of support have been received, bringing the total number of households supporting the application to 9.

Two additional letters of objection have been received, bringing the total number of households objecting the application to 9. A further concern was raised that the submission of a second retrospective application could be contrary to published government guidance.

Officer comment: Retrospective planning permission can be sought under Section 73A of the Town and Country Planning Act 1990 (TCPA). The previous application was submitted under Section 73 of the TCPA 1990, which is a separate and different provision within the TCPA dealing with applications for permission without complying with a planning condition. The previous s73 application was withdrawn and therefore no determination was not made on that application. In addition, Planning Practice Guidance is guidance. It is neither policy nor legislation.

In consultation with BFC legal department, the LPA is satisfied that a determination can be made on this application

Item No: 10

20/00015/FUL

Land To The Rear Of 147 Yorktown Road Sandhurst Berkshire GU47 9BN

Amendments to recommendation

Condition 02 to be amended to read as follows:

The development hereby permitted shall be carried out only in accordance with the following approved plans:

Proposed floor plan and elevations, drawing no. 2505/4 (received 15.05.2020)

Proposed parking plan, drawing no. part 2505/4 (received 09.04.2020)

Site plan, drawing no.2505/5 (received 19.05.2020)

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

Additional Conditions

13. Notwithstanding the provisions of Part 1 Class C of the Second Schedule to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no new windows or shall be constructed in the roof of the building hereby permitted other than as shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no enlargement, addition, improvement or other alteration permitted by Class B of Part 1 of the Second Schedule of the 2015 Order shall be carried out to the dwelling hereby permitted.

REASON: To prevent overlooking to the neighbouring properties.

[Policy: BFBLP EN20].

Additional informative

4. The applicant is advised that the depth of the garden immediately to the front of dwelling at 147 Yorktown Road is insufficient to provide an additional car parking space, as this will result in a vehicle overhanging the footway to the detriment of highway safety and therefore should not be used for this purpose.

Item No: 11

20/00126/FUL

Grantmoor 25 Stoney Road Bracknell Berkshire RG42 1XY

Additional representations

A further letter of objection has been received which raises the following:

- There is insufficient off road parking. If the Stoney Road/Arlington Close junction is used for parking it will create a hazard for cars leaving Arlington Close and cars traveling along Stoney Road.
- There are parking issues on Arlington Close with non-residents parking,
- My driveway adjoins the property, it is often parked across and I believe this will increase with this development.
- This is an over development with 5 households replacing 1. It damages the established character of the residential area, the property has always been single family housing and all properties in the area are single family housing. It reduces the stock of family homes, the need for apartments is already met by new 1 bedroom apartments on Wokingham Road and in the town.
- Five households backing onto my property will result in privacy and noise issues and have a detrimental impact on the privacy and use of my garden.
- Fast growing trees have been planted on the boundary with my property that are already overgrowing my driveway and the footpath. If the property is converted into apartments these are unlikely be maintained & this will impact my ability to use my driveway and have a detrimental impact on the light into my property.

Amendment to report

The extract of the site layout plan under Section 5 (The Proposal) has been updated with minor revisions to the parking layout and the provision of 2 communal waste bins.

Para 9.18 to read:

9.18 A location for bins is shown on the revised Proposed Plans. Instead of individual bins for each unit (as originally proposed), 2no. 1100 litre bins will be provided for communal use by future occupiers for domestic waste and recycling. Should the future occupiers of the 3no. units which have gardens require a garden waste bin, these could be stored in the rear gardens which have side access and moved to the front of the site on collection day.

Para 9.22 to read: One of the proposed parking spaces (labelled no. 5 on the amended plan) has now been relocated outside of the root protection area (RPA) of an existing tree following the relocation of 3 of the spaces to improve access to the cycle store and the reversing space between 2 of the parking spaces proposed. This would be a benefit to the existing tree.

Amendments to recommendation

There is an update to condition 2 following the receipt of an amended plan.

Condition 2 to read:

The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 19 February 2020 and 12 May 2020:

Drawing no. STO/19/03

Drawing no. STO/19/04 Rev B

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

Condition 6 has been updated to read:

One car parking space shall be allocated to each of the dwellings hereby permitted. The remaining two car parking spaces shown on the approved drawings shall be for visitors to any of the dwellings hereby permitted. If one of the dwellings hereby permitted has a resident

with a defined need for disabled parking, the "accessible space" shown on the approved plan shall be allocated to that dwelling as that dwelling's one allocated car parking space.

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 Plans and Policies: BFBLP M9]

Additional conditions;

Condition 13:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows (including rooflight windows and dormer windows) shall be constructed on any elevation/roof slope of the garage hereby permitted to be converted to a bungalow, except for those shown on the approved drawings. In addition, no windows shown on the approved drawings shall be enlarged.

REASON: To prevent the overlooking of neighbouring properties and the creation of additional bedrooms.

[Relevant Policies: BFBLP EN20, M9]

Condition 14:

No dwelling shall be occupied until details of the signing for the parking spaces have been submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be provided and signed in accordance with the approved details prior to occupation and the signage shall thereafter be retained.

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 Plans and Policies: BFBLP M9, CSDPD CS23]

Informative 2 is updated as follows:

No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

1. Time limit
2. Approved plans
5. Parking/turning spaces
6. Allocation of parking spaces
7. Cycle parking
8. No gates
9. Width of internal access
10. Dropped kerb
12. SuDS
13. Removal of PD rights for windows.

The following conditions require discharge prior to the occupation of the dwellings hereby approved:

3. Hard and soft landscaping
4. Boundary treatment
11. Waste disposal
14. Signing of parking spaces

Item No: 12

20/00172/FUL

Royal Berkshire Polo Club North Street Winkfield Windsor Berkshire SL4 4TH

Amendments to report

Description amended as follows (Page 109):

Removed reference to the '31st October' inserted '6 months'

Additional comments

1 additional objection received which raises concerns already listed at 6.2 of the report on page 112.

Revised Highways Response:

Highways have reviewed additional information submitted by the applicant and now advise that the application can be supported subject to a condition reinforcing the frequency and extent that a road sweeper will be deployed onto the public highway.

In summary the applicant confirmed that 75% of the material is already on the site and only 25% remains to be brought to the site. This equates to about 4,000 remaining loads.

The Highways Officer calculates from the applicant's data that an average of around 40 loads per day could be brought to the site over five day week over a 5 month period significantly less than that permitted with an assumed 1 month for removing the haul road and any other site remedial work. Therefore, the potential impact on any one day is likely to be less but if it were to be in the range of that previously advised then the time frame over which the work would be completed would reduce accordingly.

Amendment to recommendation

Insert new condition 07 and renumber subsequent conditions accordingly: -

07. The approved wheel washing facilities detailed within the approved construction management plan for construction traffic connected with the development hereby permitted shall remain fully operational for the duration of this project to prevent mud and other debris being deposited on the highway during the construction of the development. This shall be supported by frequent deployment of a vacuum road sweeper to ensure the entire length of highway either side of the site entrance between Orsett House and the junction of Lovel Road is kept free of any deposits from the site.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring public highway.

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