

**PLANNING COMMITTEE  
21 JULY 2011  
7.30 - 9.15 PM**



**Present:**

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Mrs Angell, Mrs Barnard, Birch, Blatchford, Ms Brown, Davison, Finch, Gbadebo, Kendall, Mrs Pile, Sargeant, Thompson, Virgo and Worrall

**Also Present:**

Councillors Mrs Birch and McLean

**Apologies for absence were received from:**

Councillors Finnie, Heydon and Leake

**Welcome**

The Chairman welcomed Councillor Pauline McKenzie from Sandhurst Town Council.

**21. Minutes**

Subject to amendment of minute 4, Kennel Lane School, so that the last sentence of paragraph 4 of the material considerations on page 6 of the minutes read:

.....and on balance it is considered that this building would *not* result in a serious adverse *effect* upon its character and appearance

**RESOLVED** that the minutes of the meeting held on 23 June 2011 be approved as a correct record and signed by the Chairman.

**22. Declarations of Interest**

Councillor Sargeant declared a personal and prejudicial interest in item 8, application 11/00336/OUT, land adjacent Wayside, Osborne Lane, Warfield, as co-owner of the land the subject of the planning application.

**23. 10/00643/FUL - The Little Red House Nursery, 59 - 61 Dukes Ride, Crowthorne  
Erection of part single storey, part two storey rear and side extension, loft conversion, dormers and porch.**

The proposal was now retrospective and it had been found not to have been built in accordance with the submitted plans. The Committee noted that this application had been withdrawn from the agenda pending receipt of revised plans.

**24. 11/00187/FUL - 96 Bucklebury Bracknell Berkshire**

### **Erection of single storey front extension and single storey rear extension.**

A site visit had been held on Saturday 18 June 2011 which had been attended by Councillors Mrs Angell, Mrs Barnard, Birch, Blatchford, Brossard, Ms Brown, Davison, Dudley, Finnie, Gbadebo, Sargeant and Thompson.

The Committee noted:

- The additional information contained within the supplementary report of the Head of Development Management, tabled at the meeting.
- The comments of Bracknell Town Council.
- Two letters of objection.

Members of the Committee expressed concerns about:-

- The proposed development was inappropriate as it was out of character with the area, obtrusive, overbearing, detrimental to the street scene and un-neighbourly.
- The curtilage in comparison with other properties in the area.

The Committee noted that enforcement officers had investigated the land issues. The land to the front had been enclosed by a hedge for over 10 years and the land at the rear was currently under investigation.

Contrary to the Head of Development Management's recommendation for approval, the Committee

**RESOLVED** that the application be **refused** for the following reasons:-

1. By reason of its siting and design, the proposed front extension would result in an unsympathetic and disproportionate addition which would be incongruous and prominent within the street scene, to the detriment of the character and appearance of the dwelling and visual amenities of the surrounding area. The proposed development would therefore be contrary to Policy CC6 of the South East Plan, Policy EN20 of the Bracknell Forest Borough Local Plan, Policy CS7 of the Core Strategy Development Plan Document and the Council's Streetscene Supplementary Planning Document.
2. By reason of its size and siting the proposed rear extension would result in an unacceptable overbearing impact to the detriment of the living conditions of the occupants of No.95 Bucklebury. The proposed development would therefore be contrary to Policy EN20 of the Bracknell Forest Borough Local Plan.

### 25. **11/00283/EXT - Land At 127A-131 Fernbank Road Ascot**

**Erection of block comprising 9no. two bedroom and 8no. one bedroom flats with associated parking, access and landscaping following demolition of existing dwellings.**

**Note for clarification: This application is for an extension of the time limit to implement an existing planning permission (08/00263/FUL).**

The Committee noted:

- The additional information contained within the supplementary report of the Head of Development Management, tabled at the meeting.
- The comments of Winkfield Parish Council.
- Six letters of objection.
- A further letter received from the applicant's agent.

**RESOLVED** that

(i) subject to the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to highways and transportation infrastructure, open space/ recreational facilities, built sports facilities, library facilities, youth facilities and SPA mitigation measures, the Head of Development Management **be authorised to approve** the application subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following plans:  
Drawing nos. 1515/01, 02, 03, 04, 05, 06 \_ 07.  
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
03. No development shall take place until details 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.
04. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.  
All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. 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, unless the Local Planning Authority gives written consent to any variation.
05. All hard landscaping works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.
06. No development shall take place until details of a scheme of screen walls and fences has been submitted to and approved in writing by the Local Planning

- Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission.
07. No development shall take place until details of a means of vehicular access to the site have been submitted to and approved by the Local Planning Authority. No flat shall be occupied until the vehicular access has been constructed in accordance with the approved details.
  08. No dwelling shall be occupied until vehicle parking spaces have been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
  09. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for the occupiers of, or visitors to, any of the buildings hereby permitted.
  10. No dwelling shall be occupied until 26 secure cycle parking spaces for residents and 3 for visitors have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall thereafter be retained.
  11. No dwelling shall be occupied until visibility splays of 2.4 metres by 2.4 metres have been provided at the junction of the driveway and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.
  12. No development shall take place until a scheme has been submitted 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 facilitiesand 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.
  13. No development shall take place until details in respect of measures to:
    - a) minimise, re-use and recycle waste, including materials and waste arising from demolition;
    - b) minimise the pollution potential of unavoidable waste;
    - 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 building operations and the subsequent use of the building.
  14. The bathroom windows in the side elevations shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut.
  15. No development shall commence until details of appropriate balcony privacy screening for all proposed balconies have been submitted to and approved in writing by the Local Planning Authority. The details shall include plan and elevation drawings and materials to be used. No dwelling shall be occupied until the approved screening has been installed. It shall thereafter be retained.
  16. No development shall take place until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
    - (i) control of noise
    - (ii) control of dust, smell and other effluvia
    - (iii) control of surface water run off

- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction and demolition working hours
- (vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

17. No development shall take place until a scheme for protecting the proposed dwellings/gardens from noise from Fernbank Road traffic has been submitted to and approved by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any permitted dwelling is occupied unless an alternative period is agreed in writing by the Local Planning Authority.

Matters requiring consideration by the scheme will need to include sound attenuation, landscaping, building orientation and design. The scheme should demonstrate that the following noise levels expressed as LAeq.tdB are to be achieved:

Time	Location	Noise Level
0700-2300	Habitable rooms	35 dB(A)
2300-0700	Habitable rooms	30 dB(A)
0700-2300	Garden	55 dB(A)

If fixed shut glazing forms part of the scheme, dwellings should incorporate a specifically designed artificial ventilation system capable of meeting the requirements of the Building Regulations.

18. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.
19. No development shall commence until a Sustainability Statement demonstrating how the development meets current best practice standards in the sustainable use of natural resources has been submitted to and approved in writing by the Local Planning Authority. The Statement shall be accompanied by evidence of certification from an independent assessor licensed by the Building Research Establishment that the development meets a minimum standard of Level 3 of the Code for Sustainable Homes or a "Very Good" or "Excellent" BREEAM rating. The evidence shall include a breakdown of the rating and thereafter the development shall be implemented in accordance with the rating and retained as such unless the local planning authority gives prior written consent to any variation.
20. No development shall commence until an energy demand assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:
- (a) that the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building regulations (2006), and
  - (b) that at least 20% of the development's energy requirements will be provided from on-site renewable energy production.
- The development shall be carried out in accordance with the approved assessment and retained as such unless the local planning authority gives prior written consent to any variation.
21. The development hereby permitted shall not be begun until details showing the finished floor levels of the building hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning

- Authority and the development shall be carried out in accordance with the approved details.
22. 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.
  23. The scheme hereby permitted shall be carried out in accordance with the mitigation measures outlined in the ACD Ecological Habitat Assessment Report Rev B unless otherwise agreed in writing by the Local Planning Authority. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any of the flats hereby approved.

Summary Of Reason(s) For Decision:

The proposal accords with the following saved policies of the Bracknell Forest Borough Local Plan:

- \* EN1 – which seeks to protect tree and hedgerow cover.
- \* EN2 – which seeks to supplement tree and hedgerow cover.
- \* EN3 – which seeks to ensure that the special value and character of SPAs, SACs and SSSIs are protected.
- \* EN20 – as it would be acceptable in terms of its impact upon the character of the area, and amenity of surrounding properties and adjoining area.
- \* M6 – which seeks to ensure that development will provide for safe, direct and well signed cycle and pedestrian routes.
- \* M7 – which seeks to ensure that new development will access for all, and the use of highway and footpath networks, parking and public transport.
- \* M8 – which seeks to ensure new development facilitates and promotes the use of public transport.
- \* M9 – which seeks satisfactory parking provision for vehicles and cycles.
- \* R5 – which requires that residential development of a net increase in five or more dwellings on sites less than one hectare will enter into a planning obligation for a contribution towards recreational facilities in the area.

The proposal accords with the following Core Strategy Development Plan Document Policies:

- \* CS1 – which seeks to ensure that development makes efficient use of land and buildings, reduces the need for travel, promotes a mix of uses, conserves water and energy use, supports the economic wellbeing of the population, protects and enhances safety, natural resources, character of local landscape and historic and cultural features.
- \* CS6 – which seeks to ensure that development will mitigate adverse impacts upon communities, transport and the environment.
- \* CS7 – which seeks to ensure that developments are of high quality design.
- \* CS10 – which requires development proposals to be accompanied by a Sustainability Statement.
- \* CS12 – which requires development proposals to be accompanied by an Energy Demand Assessment
- \* CS14 – which seeks to avoid an adverse impact upon the integrity of the Thames Basins Heaths Special Protection Area.
- \* CS24 – which seeks to ensure that development will mitigate any transport impacts which may arise from the development or cumulatively with other proposals.

The South East Plan, Regional Spatial Strategy for the South East of England (May 2009)

- \* CC4 – which seeks the design and construction of all new development, and the

redevelopment and refurbishment of existing building stock to incorporate sustainable construction standards and techniques.

\* CC6 – which seeks development that will respect and enhance the character and distinctiveness of settlements and landscapes, and use innovative design to create a high quality built environment which promotes a sense of place.

\* CC7 – which requires sufficient capacity to be available in existing infrastructure to meet the needs of new development, and where this cannot be demonstrated, that additional capacity be released through demand management measures, better management of existing or provision of new infrastructure.

\* H5 – which seeks positive measures to raise the quality of new housing, reduce its environmental impact, and make good use of land.

#### Planning Policy Statements

\* PPS3: 'Housing', which seeks to achieve high quality and well-designed housing; a mix of housing, both market and affordable; housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure; a flexible, responsive supply of land; and effective use of land, including re-use of previously-developed land, where appropriate.

#### Supplementary Planning Documents

\* Limiting the Impact of Development Supplementary Planning Document (July 2007), which provides guidance on planning obligations which may be required to satisfy planning policies, and aimed at making development more sustainable.

(Please note that this is not intended to be an exhaustive list).

The following material considerations have been taken into account:

Third party representations were received on grounds that the proposal would be contrary to local and national policies, out of character and overdevelopment, overbearing impact upon local properties, insufficient parking, highway safety issues, increased traffic and impact upon the SPA. These comments have been taken into consideration, however it is considered that the proposal would be in accordance with the development plan, and would not result in a form of development out of keeping with the character and appearance of the area, and would be designed and sited so as to avoid an adverse impact upon the residential amenities of neighbouring properties. The impact upon the SPA can be resolved through an appropriate planning obligation. This is an extension of time application and it is not considered that there have been significant changes to development plan and national guidance since the original planning application was approved.

The proposal is considered to be acceptable in relation to impact upon the character of the area, neighbouring properties and highway safety. A s.106 will be required to mitigate the impact of the development upon local infrastructure and the Thames Basin Heaths SPA. The application is therefore approved.

(ii) in the event of the S106 planning obligations not being completed by 31 August 2011, the Head of Development Management be **authorised to refuse** the application for the following reasons:-

01. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space, built sports facilities, library facilities and youth facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and

which secure contributions towards integrated transport and highway safety measures, open space, built sports facilities, library facilities and youth facilities the proposal is contrary to Policy CC7 of the South East Plan, Policies R5 and M4 of the Bracknell Forest Borough Local Plan and CS6, CS8, and CS24 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).

02. 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 Limiting the Impact of Development Supplementary Planning Document (July 2007). 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 and Policy CS14 of the Core Strategy Development Plan Document.

26. **11/00336/OUT - Land Adjacent Wayside, Osborne Lane, Warfield**

**Outline application for the erection of a four bedroom detached house following demolition of existing builders store.**

Having declared a personal and prejudicial interest in this application as he was co-owner of the land the subject of the application, Councillor Sargeant left the room during consideration of the item.

A site visit had been held on Saturday 16 July 2011 which had been attended by Councillors Brossard, Ms Brown, Dudley, Gbadebo, Mrs Pile, Sargeant and Thompson. Councillor Sargeant had declared an interest at the site visit.

All matters were reserved and the application only dealt with the principle of development.

The Committee noted:

- The additional information contained within the supplementary report of the Head of Development Management, tabled at the meeting.
- The comments of Warfield Parish Council.
- One letter of objection and one of support.

The Committee considered that:-

- The erection of a single dwelling would result in less material harm to the area than the existing lawful use of the site for the storage of builders' materials and how the site could be used under the current lawful use.
- There would be scope within the application to address points made in objection, provided the applicant was sympathetic in his approach to concerns.

Contrary to the Head of Development's recommendation for refusal, the Committee

**RESOLVED** that

- (i) subject to
  - a) advertising the application as a departure from the development plan and no new material objections being received, and



- b) the completion of a s106 agreement to secure contributions to mitigate the impact of the development upon highways and transport infrastructure, public open space and primary educational facilities,

the Head of Development Management, in consultation with the Chairman, be **authorised to approve** the application, subject to the following conditions and any other conditions deemed appropriate. It was noted that the summary of reason for decision would be completed following the debate by members at the Planning Committee.

01. Approval of the details of the scale of the building, the access for and the layout, appearance and landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced. The plans and particulars in relation to the Reserved Matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
03. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
04. The development hereby permitted shall be carried out only in accordance with the following plans:
  - 1:1250 Location plan received by Local Planning Authority 09.05.2011 and maximum and minimum dimensions given in the e-mail from the agent dated 8.7.2011.(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in the first floor level or above of the south west facing side elevation of the dwelling hereby permitted except for any which may be shown on the approved drawing(s).
06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no enlargement, addition, improvement or modification or other alteration permitted by Classes A, B and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out to the new dwelling hereby permitted.
07. No development 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.
08. The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission or as may otherwise be agreed in writing by the Local planning Authority.
09. The development hereby permitted shall not be begun until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local

Planning Authority and the development shall be carried out in accordance with the approved details.

10. The development shall not be begun until a Sustainability Statement demonstrating how the development meets current best practice standards in the sustainable use of natural resources has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include either a Design Stage Report and BRE Interim Certificate or a pre-assessment estimator carried out by an independent assessor licensed by the Building Research Establishment demonstrating that the development meets a minimum standard of Level 3 of the Code for Sustainable Homes or a "Very Good" or "Excellent" BREEAM rating. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith unless the Local Planning Authority gives prior written consent to any variation.
11. The development shall not be occupied until a Post Construction Review Report carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate has been submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of Level 3 of the Code for Sustainable Homes or a "Very Good" or "Excellent" BREEAM rating.
12. The development hereby permitted shall not be begun until:
  - 1) a scheme depicting hard and soft landscaping and
  - 2) a three year post planting maintenance schemehave been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be performed and complied with.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. 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, unless the Local Planning Authority gives written consent to any variation.
13. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.
14. No development shall take place until a scheme 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 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 (e) above without the prior written permission of the Local Planning Authority.
15. No gates shall be provided at the vehicular access to the site unless otherwise agreed in writing by the Local Planning Authority.
  16. No development shall take place until a plan showing visibility splays 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 thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
  17. The dwelling shall not be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
  18. The dwelling shall not be occupied until the associated vehicle parking and turning has been provided 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.
  19. 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.
  20. The development (including site clearance and demolition) shall not be begun until a wildlife protection plan for construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
    - i) an appropriate scale plan showing where construction activities are restricted and protective measures
    - ii) details of protective measures to avoid impacts during construction
    - iii) a timetable to show phasing of construction activities
    - iv) persons responsible for compliance with legal consents, planning conditions, installation of protective measures, inspection and maintenance.
 The approved scheme shall be performed, observed and complied with.
  21. The demolition shall not be begun until a scheme for the installation of bird and bat boxes has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.
  22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 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 that have first been submitted to and approved in writing by the Local Planning Authority.
  23. The dwelling shall not be occupied until;
    - a) details showing how materials resulting from the demolition of the existing building will be disposed of are submitted to and approved by the Local Planning Authority, and
    - b) the existing structure and materials resulting there from, have been disposed of in accordance with the approved scheme.

#### Summary Of Reason(s) For Decision

The following development plan policies have been taken into account in determining this planning application:

Core Strategy Development Plan Document Policies:

CS1 - which seeks to ensure that development makes efficient use of land and buildings, reduces the need for travel, promotes a mix of uses, conserves water and energy use, supports the economic wellbeing of the population, protects and enhances safety, natural resources, character of local landscape and historic and cultural features.

CS6 - which seeks to ensure that development will mitigate adverse impacts upon communities, transport and the environment.

CS7 - which seeks to ensure that developments are of high quality design.

CS9 – which seeks to protect land outside of settlement for its own sake, particularly from development that would adversely affect the character, appearance or function of the land.

CS10 – which requires development proposals to be accompanied by a Sustainability Statement.

CS12 – which requires development proposals to be accompanied by an Energy Demand Assessment

CS23 – which seeks to ensure the Council will use its powers to reduce the need to travel, and promote alternative modes, increase safety of travel and maintain and improve the local road network.

Bracknell Forest Borough Local Plan Policies:

EN2 – which seeks to supplement tree and hedgerow cover.

EN3 which seeks to ensure that the special value and character of SPAs, SACs and SSSIs are protected.

EN8 which only permits development on land outside settlements where it would not adversely affect the character, appearance or function of the land, and would not damage its landscape quality, or where conspicuous from the Green Belt, would not injure the visual amenities of the Green Belt.

EN14 which seeks to avoid an adverse effect upon the nature conservation interests, fisheries or open character of the landscape of a river corridor.

EN15 – which seeks to avoid lighting schemes outside of settlements which would have an adverse effect upon the character of the surrounding land, residential amenity or wildlife.

EN20 as it would be acceptable in terms of its impact upon the character of the area, and amenity of surrounding properties and adjoining area.

EN25 – which seeks to avoid development which would generate unacceptable levels of noise, smoke, gases, fumes, effluent, vibration, dust or other environment effects which would adversely added the amenities of occupiers or buildings, or users of outdoor space.

H14 which seeks to ensure that new dwellings are accessible to all.

M4 which seeks to ensure that development which would result in a material increase in the use of the existing highway will provide appropriate pedestrian, cycling and public transport routes.

M6 which seeks to ensure that development will provide for safe, direct and well signed cycle and pedestrian routes.

M7 which seeks to ensure that new development will access for all, and the use of highway and footpath networks, parking and public transport.

M9 which seeks satisfactory parking provision for vehicles and cycles

South East Plan Policies:

CC1 - which seeks to achieve and maintain sustainable development through achieving sustainable levels of resource use; ensuring the physical and natural environment is conserved and enhanced; reducing greenhouse gas emissions and achieving safe, secure and socially inclusive communities.

CC4 – which seeks the design and construction of all new development, and the redevelopment and refurbishment of existing building stock to incorporate sustainable construction standards and techniques.

CC6 – which seeks development that will respect and enhance the character and distinctiveness of settlements and landscapes, and use innovative design to create a high quality built environment which promotes a sense of place.

Other Bracknell Forest Supplementary Planning Guidance:

Streetscene Supplementary Planning Document (April 2011)

Character Areas Assessments Supplementary Planning Document (March 2010)

Sustainable Resource Management Supplementary Planning Document (October 2008)

Limiting the Impact of Development Supplementary Planning Document (July 2007)

Parking Standards Supplementary Planning Document (July 2007)

Designing for Accessibility Supplementary Planning Document (June 2006)

Warfield Supplementary Planning Document (SPD) (emerging) Jan 2011

Site Allocation Development Plan Document (DPD) (emerging) Jan 2011

(Please note that this is not intended to be an exhaustive list).

The following material considerations have been taken into account by the Planning Committee:

It is considered that the erection of a single dwelling would result in less material harm to the area than the existing lawful use of the site for the storage of builder's materials and how the site could be used under the current lawful use and than the previous proposals for 3 no. and 2 no. detached dwellings (respectively) which have been refused with the latter dismissed at appeal.

Representations have been received regarding the siting of the dwelling, as shown on the illustrative plan. As all matters are reserved at this stage these representations can be taken into account when dealing with the detailed layout and appearance at the reserved matters stage.

The planning application is therefore approved subject to conditions and a s106 agreement securing contributions to mitigate the impact of the development upon highways and transportation infrastructure, public open space and primary educational facilities.

(ii) In the event of the S106 planning obligations not being completed by 31 October 2011, the Head of Development Management be **authorised to refuse** the application for the following reasons:-

01. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space, and primary educational facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures, open space and primary educational facilities, the proposal is contrary to Policy CC7 of the South East Plan, Policies R5 and M4 of the Bracknell Forest Borough Local Plan and CS6, CS8, and CS24 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).

27. **PS 11/00354/FUL - Land Adjacent To 62 King Edwards Road, Ascot**

**Erection of 1 no. two bedroom detached house with associated parking and construction of dormer window to existing dwelling.**

The Committee noted:

- The additional information contained within the supplementary report of the Head of Development Management, tabled at the meeting.
- The comments of Winkfield Parish Council.
- Thirteen letters of objection.

**RESOLVED that**

- (i) subject to the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to transport facilities, open space and recreation facilities, primary and nursery education facilities, library facilities and Thames Basin Heath Special Protection Area, the Head of Development Management be **authorised to approve** the application subject to the following conditions:-
01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
  02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 23/05/11:  
389/P/001, 389/P/007, 389/P/008, 389/P/009, 389/P/0010, 389/P/009A, 01 and Design and Access Statement  
Amended plans 389/P/003A, 389/P/006A, 389/P/005B received by the Local Planning Authority on 14/06/11  
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
  03. No development shall take place in connection with the new dwelling hereby permitted until samples of the materials to include bricks and roof tiles to be used in the construction of the external surfaces of the new dwelling 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.
  04. The materials to be used in the construction of the external surfaces of the development to the existing dwelling at number 62 King Edwards Road hereby permitted shall match those of the existing building unless otherwise agreed in writing by the Local Planning Authority.
  05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the north east or south west elevation of the new dwelling hereby permitted except for any which may be shown on the approved drawing(s).
  06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Class A or B of Part 1 of the Second Schedule of the 1995 Order shall be carried out to the new dwelling hereby permitted.
  07. The new dwelling hereby permitted shall not be occupied until the associated vehicle parking has been surfaced in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

08. No development in connection with the new dwelling hereby permitted shall take place until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
09. No development in connection with the new dwelling hereby permitted shall take place until a Sustainability Statement demonstrating how the development meets current best practice standards in the sustainable use of natural resources has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include either a Design Stage Report and BRE Interim Certificate or a pre-assessment estimator carried out by an independent assessor licensed by the Building Research Establishment demonstrating that the development meets a minimum standard of Level 3 of the Code for Sustainable Homes or a "Very Good" or "Excellent" BREEAM rating. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith unless the Local Planning Authority gives prior written consent to any variation.
10. The new dwelling hereby permitted shall not be occupied until a Post Construction Review Report carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate has been submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of Level 3 of the Code for Sustainable Homes or a "Very Good" or "Excellent" BREEAM rating.
11. The new dwelling hereby permitted shall not be occupied until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10% unless otherwise agreed in writing by the Local Planning Authority). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith, unless the Local Planning Authority gives prior written consent to any variation.
12. No development in connection with the new dwelling hereby permitted shall take place except for the laying of foundations until the proposed dormer window in the front elevation of no. 62 King Edwards Road has been substantially completed and the first floor window in the north east elevation has been bricked up, unless otherwise agreed in writing by the Local Planning Authority.
13. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2005, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.
14. The protective fencing and other protection measures specified by condition 13 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). No activity of any description must occur at any time within these protected areas including but not restricted to the following: -
  - a) No mixing of cement or any other materials.
  - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.

- c) Siting of any temporary structures of any description including temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
  - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
  - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
  - f) Parking/use of tracked or wheeled machinery or vehicles of any description.
15. No development in connection with the new dwelling hereby permitted shall take place until:
- 1) a scheme depicting hard and soft landscaping and
  - 2) a three year post planting maintenance scheme
- have been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be performed and complied with.
- All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. 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, unless the Local Planning Authority gives written consent to any variation.
16. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.
17. No development in connection with the new dwelling hereby permitted shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The new dwelling shall not be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.

Summary Of Reason(s) For Decision:

The following development plan policies have been taken into account in determining this planning application:

Bracknell Forest Borough Local Plan:

EN20 as it would be acceptable in terms of its impact upon the character of the area, and amenity of surrounding properties and adjoining area

M9 which seeks satisfactory parking provision for vehicles and cycles.

EN1 which seeks to protect tree and hedgerow cover.



Core Strategy Development Plan Document:

CS7 which seeks to ensure that developments are of high quality design.

CS10 which requires development proposals to be accompanied by a Sustainability Statement.

CS12 which requires development proposals to be accompanied by an Energy Demand Assessment

CS23 which seeks to ensure the Council will use its powers to reduce the need to travel, and promote alternative modes, increase safety of travel and maintain and improve the local road network.

South East Plan:

CC6 which seeks development that will respect and enhance the character and distinctiveness of settlements and landscapes, and the innovative design to create a high quality built environment which promotes a sense of place.

Planning Policy Statements:

\* PPS3: 'Housing', which seeks to achieve high quality and well-designed housing; a mix of housing, both market and affordable; housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure; a flexible, responsive supply of land; and effective use of land, including re-use of previously-developed land, where appropriate.

Supplementary Planning Documents

\* Limiting the Impact of Development Supplementary Planning Document (July 2007), which provides guidance on planning obligations which may be required to satisfy planning policies, and aimed at making development more sustainable.

(Please note that this is not intended to be an exhaustive list).

The following considerations have been taken into account:

The proposal will not adversely affect the character or visual amenity of the area given the existing pattern of development and the remaining separation distances with neighbouring dwellings or the amenity of neighbouring residents given the submitted daylighting report and alterations proposed to no. 62 King Edwards Road. The proposal will not adversely affect highway safety given the position of the proposed access and will not overburden local services subject to the completion of a satisfactory S106 agreement. Objections have been received about the location of the development within an existing garden, although the principle of the development is considered acceptable in accordance with PPS3 given the sustainability of the location.

The planning application is therefore approved.

(ii) in the event of the S106 planning obligation(s) not being completed by 30.09.2011, the Head of Development Management be **authorised to refuse** the application for the following reason:-

01. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, open space and outdoor recreation facilities, primary and nursery education facilities, library facilities and the Thames Basin Heath Special Protection Area. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures the proposal is contrary to Policy CC7 of the South

East Plan, Policy M4 of the Bracknell Forest Borough Local Plan and CS24 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).

**CHAIRMAN**