



NOTICE OF MEETING

Planning Committee

Thursday 20 October 2011, 7.30 pm

Council Chamber, Fourth Floor, Easthampstead House, Bracknell

To: The Planning Committee

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

ALISON SANDERS
Director of Corporate Services

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Published: 11 October 2011



Planning Committee
Thursday 20 October 2011, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

AGENDA

Page No

1. **Apologies for Absence**

To receive apologies for absence.

2. **Minutes**

To approve as a correct record the minutes of the meeting of the Committee held on 22 September 2011.

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3. **Declarations of Interest**

Members are required to declare any personal or prejudicial interests and the nature of that interest, in respect of any matter to be considered at this meeting.

4. **Urgent Items of Business**

Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.

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.

5. **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, air conditioning units, external cladding of the building, provision of cycle and pram storage facilities, re-organisation and surfacing of car park.

19 - 28

6. **PS 11/00001/FUL - The Iron Duke, 254 High Street, Crowthorne**

Change of use of the Iron Duke PH to A1/A2 (shop/financial and professional services use) at ground floor with 2 no. one bedroom flats above and the erection of 12 no. 3 bedroom houses and 2 no. one bedroom flats fronting Church Street and on land to the rear with vehicular access from High Street and associated landscaping and parking following demolition of retail units at Old Bakehouse Court.

29 - 52

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| 7. | PS 11/00416/FUL - Land at Former RAF Staff College Site, Broad Lane, Bracknell | Erection of community centre/pavilion building, floodlit Multi-Use Games Area, 2 no. refurbished tennis courts, 57 space car park, recycling centre, play area (LEAP) and amenity space with associated paths and landscaping and vehicular access from Gibson Drive via Nicholson Park following demolition of squash courts building. | 53 - 72 |
| 8. | PS Miscellaneous Item, Land At Former RAF Staff College Site, Broad Lane, Bracknell | Proposed modification of recreational/sports and recycling facilities obligations in planning agreement dated 18 December 2003. | 73 - 78 |
| 9. | 11/00426/FUL - 25 Eastcote Place, Fernbank Road, Ascot | Change of use from retail (A1 in Use Classes Order 1987 as amended) to ground floor 2 bed flat (Class C3 in Use Classes Order as amended). | 79 - 88 |
| 10. | 11-00558-FUL - Land at former RAF Staff College, Broad Lane, Bracknell | Section 73 application to allow amendment to design of 30 no. three-storey flats (and associated landscaping, parking and bin storage details) in phase 5 (plots 343-372) and to site levels of open space to south, without compliance with condition 01 of reserved matters approval 06/00573/REM. | 89 - 102 |
| 11. | 11/00577/FUL - Oaklands Farm, Maize Lane, Warfield | Erection of single storey side extension forming annex. | 103 - 110 |
| 12. | 11/00594/3 - Time Square, Market Street, Bracknell | Modifications to car parking at council offices, including pedestrian access to it, to facilitate use by the public (Regulation 3 application). | 111 - 116 |
| 13. | 11/00602/3 - 0 Fernbank Crescent, Ascot, Berkshire | Formation of 6 no. additional echelon parking bays to existing lay-by (Regulation 3 application). | 117 - 122 |

INFORMATION REPORT

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| 14. | Land at Ascot Place, Forest Road, Ascot | Article 4 Direction. | 123 - 126 |
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**PLANNING COMMITTEE
22 SEPTEMBER 2011
7.30 - 9.35 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Mrs Angell, Mrs Barnard, Birch, Blatchford, Davison, Finch, Finnie, Gbadebo, Heydon, Kendall, Leake, Mrs Pile, Sargeant, Thompson and Worrall

Also Present:

Councillor Mrs Ballin, Executive Member for Planning, Transport & Economic Development

Apologies for absence were received from:

Councillors Ms Brown and Virgo

20. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 21 July 2011 be approved as a correct record and signed by the Chairman.

21. Declarations of Interest

There were no declarations of interest.

Giving apologies for site visits

The Chairman reminded members of the need to send their apologies to the Head of Development Management if they were unable to attend site visits.

22. Miscellaneous item: Proposed Modification of Recreational/Sports and Recycling Facilities Obligations in Planning Agreement dated 18 December 2001, The Parks, Broad Lane, Bracknell

This item was withdrawn from the agenda following receipt of a holding objection from Sport England.

23. PS 11/00416/FUL - Land At Former RAF Staff College Site Broad Lane Bracknell

Erection of community centre/pavilion building, floodlit Multi-Use Games Area, 2 no. refurbished tennis courts, 57 space car park, recycling centre, play area (LEAP) and amenity space with associated paths and landscaping and vehicular access from Gibson Drive via Nicholson Park following demolition of squash courts building.

This item was withdrawn from the agenda following receipt of a holding objection from Sport England.

24. **11/00431/FUL - Greentyles, 22 Prince Consort Drive ,Ascot**

Erection of 1 no. four bed detached dwelling with associated garages following demolition of existing dwelling & garage.

A site visit had been held on Saturday 17 September 2011 which had been attended by Councillors Mrs Barnard, Brossard, Ms Brown, Dudley, Finnie, Gbadebo, Sargeant, Thompson and Virgo.

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
- One letter of objection

RESOLVED that the application be **approved** 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 20th June 2011:
P10/09/S/310; P10/09/S/311; P10/09/S/312; P10/09/S/320; P10/09/S/321; P10/09/S/330; P10/09/401
(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 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.
05. 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.
06. The development hereby permitted shall not be begun until 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 has been submitted to, and agreed by, the Local Planning Authority demonstrating that the development will meet 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 Design Stage Report and BRE interim certificate and retained in accordance therewith unless the Local Planning Authority gives prior written consent to any variation.
07. 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.
08. No development shall be occupied until the associated vehicle parking has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
 09. The garage accommodation shall be retained for the use of the parking of vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.
 10. No development shall 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.
 11. No gates shall be provided at the vehicular access to the site.
 12. The protective fencing and other protection measures specified in the following plans and particulars
 Arboricultural Implications Assessment and Method Statement
 ACAC/AMS/473/10 (Revision A)
 Drg ACAC/AMS/473/10/01 Arboricultural Implications Drawing
 Drg ACAC/AMS/473/10/02 Tree Protection Plan 1 Demolition
 Drg ACAC/AMS/473/10/03 Tree Protection Plan 2 Construction
 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 site office/sales buildings, 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.
 In addition to the protection measures specified above,
 - g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
 - h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.
 13. Arboricultural supervision shall be provided in full accordance with the method statement and schedule contained in the following document:
 Arboricultural Implications Assessment and Method Statement
 ACAC/AMS/473/10 (Revision A)
 14. The development hereby permitted shall not be begun until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2005 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -

- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
 - b) Materials including porous surface finish.
 - c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
 - d) Program and method of implementation.
- The Construction Method Statement shall be implemented in full accordance with the approved scheme, under supervision, prior to the occupation of the dwelling. The No Dig structure shall be retained in perpetuity thereafter.
15. All existing hard standing areas to be removed which are located within the minimum Root Protection Areas of retained trees shall be undertaken under arboricultural supervision in full accordance with the Arboricultural Method Statement ACAC/AMS/473/10.
 16. The development hereby permitted shall not be begun until:
 - (i) a site layout plan showing the proposed layout of all underground services and external lighting and
 - (ii) a programme for the phasing and timing of works
 have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -
 - a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
 - b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
 - c) Soak-aways (where applicable)
 - d) Gas, electricity, telecom and cable television.
 - e) Lighting columns and all associated ducting for power supply.
 - f) Phasing and timing of works.
 The development shall be carried out in accordance with the approved site layout plan and the approved programme.
 17. The development hereby permitted shall not be begun 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.
 18. 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 Classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out.
 19. 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 hard surface as permitted by Class F of Part 1 of the Second schedule of the 1995 Order shall be provided for any purpose incidental to the enjoyment of the dwelling house
 20. The development hereby permitted shall be carried out in accordance with the mitigation measures outlined in Bat Mitigation and Protection Plan dated March 2011 unless otherwise agreed in writing by the Local Planning Authority.

21. 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.
22. The demolition shall not be begun until a scheme for the installation of wildlife boxes has been submitted to and approved in writing by the Local Planning Authority.
The approved scheme shall be performed, observed and complied with.

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: Policy EN1 which seeks to protect tree and hedgerow cover.

Policy 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.

Policy 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.

Policy 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.

Policy GB1 which permits building in the Green Belt for agriculture, forestry, outdoor sport and recreation, cemeteries, replacement, alteration or extension to existing dwellings and domestic outbuildings, provided there is no adverse harm to the character of the Green Belt and road safety.

Policy GB3 which permits residential development within Green Belt Villages where it relates to infilling, subdivision of an existing dwellings, accommodation for domestic staff or aged relative in a subordinate unit, replacement, alteration or limited extension to an existing dwelling, where it would not adversely affect the character of the area or road safety.

Policy M9 which seeks satisfactory parking provision for vehicles and cycles.

Core Strategy Development Plan Document: Policy 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.

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

Policy 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.

Policy CS10 which requires development proposals to be accompanied by a

Sustainability Statement.

Policy 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: Policy 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.

Policy SP5 which seeks to protect the Green Belt.

Policy T4 which seeks an appropriate level of parking.

Policy NRM5 which seeks to conserve and improve biodiversity.

Guidance contained in the draft National Planning Policy Framework has been taken into account.

Having due regard to the EC Habitats Directive 1992 and the Conservation (Natural Habitats &c.) Regulations 1994 (as amended) it is considered that this application provides sufficient information to demonstrate that it passes the tests set out therein. In this instance it is considered that the application is: -

For an imperative reason of overriding public interest of :-

- A social reason
- An economic nature
- A beneficial consequence of primary importance for the environment because of the substantial reduction in energy requirements and the subsequent significant reduction in carbon emissions.

It is also considered that there are no satisfactory alternatives to the development because the existing property is in need of repair and substantial modernisation. The costs of these works would be expensive and still not meet energy efficiencies and modern living standards that can be achieved with a new build.

It has been confirmed that the actions authorised will not be detrimental to the maintenance of the species concerned at a Favourable Conservation Status in their natural range.

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policies EN1, EN15, EN20, EN25, GB1, GB3 and M9, CSDPD Policies CS1, CS7, CS9, CS10 and CS23, and SEP Policies CC6, SP5, T4 and NRM5. The proposal will not adversely affect the character of the building, neighbouring property or area or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

25. 11/00441/FUL - Bluebell House, Lovel Lane, Winkfield

Erection of single storey extension to existing garage building and reconstruction of existing pitched roof.

The Chairman welcomed Kelly Sweeney, Senior Planning Officer, to her first meeting of the Committee.

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.
- One letter of objection.
- A letter from the applicant's agent in response to the letter of objection.

RESOLVED that the application be approved 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 shall be carried out in accordance with the following plans and details received by the Local Planning Authority on 24.06.2011, 26.07.2011 & 04.08.2011:
1014 SP01: Existing Site Plan
1014 AP01: Proposed Site Plan
1014 AS10: Existing Plan and Elevations
1014 AP10: Proposed Plan and Elevations
1014 AP12: Proposed East Elevation
1014 AP13: Proposed Roof Plan
1014 AP14: Proposed North Elevation
Tree Survey, Impact Assessment, Method Statement, July 2011
03. 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, south east and west elevations of the extension hereby permitted except for any which may be shown on the approved drawing(s).
04. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building unless otherwise agreed in writing by the Local Planning Authority.
05. The building hereby approved shall remain ancillary to the property known as Bluebell House, Winkfield and shall not be occupied at any time as a separate independent dwelling or business. It shall not be used other than for the garaging of vehicles and storage ancillary to the property known as Bluebell House unless otherwise agreed in writing by the Local Planning Authority.
06. All existing trees, hedgerows and groups of mature shrubs shown to be retained on the approved drawings ref: 1014 AP01 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.
07. The protective fencing and other protection measures specified by condition 6 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). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No

activity of any description must occur at any time within these 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 site office/sales buildings, 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.
In addition to the protection measures specified above,
- g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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: Policies

GB1-which permits building in the Green Belt for agriculture, forestry, outdoor sport and recreation, cemeteries, replacement, alteration or extension to existing dwellings and for domestic outbuildings provided there is not adverse harm to the character of the Green Belt and road safety.

EN1-which seeks to protect tree coverage and hedgerow cover.

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.

Core Strategy Development Plan Document: Policies

CS7-which seeks to ensure that developments are of a high quality design
(Please note that this is not intended to be an exhaustive list).

Guidance contained in the draft National Planning Policy Framework has been taken into account.

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policies GB1, EN1, EN20 and M9 and CSDPD Policy CS7. The proposal will not adversely affect the character of the building, neighbouring property or area or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

26. 11/00540/FUL - 41 Prince Consort Drive, Ascot

Erection of 6 bedroom detached dwelling including 5 dormer windows following demolition of existing dwelling.

A site visit had been held on Saturday 17 September 2011 which had been attended by Councillors Mrs Barnard, Brossard, Ms Brown, Dudley, Finnie, Gbadebo, Sargeant, Thompson and Virgo.

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.
- Five letters of objection.

The Committee expressed some concern about the possible future use of the annex/garage. Access to the first floor annex was via a separate internal staircase.

RESOLVED that the application be **approved** subject to:-

- (i) the addition of an informative to advise that the occupation of the annexe accommodation independently of and not ancillary to the residential use of the dwelling house, known as 41 Prince Consort Drive, would require a separate planning permission; and
- (ii) 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 01/08/11:
1502/11/B and Site location plan
Amended plans 1502/12/C, 1502/14, 1502/13/D, 1502/10/C received by the Local Planning Authority on 31/08/11
Tree constraints plan 7507/01/A received by the Local Planning Authority 07/09/11
Amended landscape plan 11.170.01/d received by the Local Planning Authority on 15/09/11
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
 03. The development hereby approved shall be implemented using the following material samples received by the Local Planning Authority on 12/07/11 unless otherwise agreed in writing by the Local Planning Authority:
Smead Dean London stock brick for the external brickwork
Cembrit Contessa grey slate for the roof
 04. The tree protection barriers and other tree protection measures shall be implemented in full accordance with approved drawing 502/10 Rev C and in full accordance with the Arboricultural Protection Statement 1502 received by the council on 31.8.11 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). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these 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 site office/sales buildings, 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. In addition to the protection measures specified above,
 - g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
 - h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.
05. No development shall take place, including works of demolition and site clearance, until full details of a programme of supervision/monitoring for all arboricultural protection measures has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) Induction and personnel awareness of arboricultural matters.
 - b) Identification of individual responsibilities and key personnel.
 - c) Statement of delegated powers.
 - d) Timing and methods of site visiting and record keeping.
 - e) Procedures for dealing with variations and incidents.
- Development shall be carried out in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.
06. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written approval to any variation.
07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order) no hard surface as permitted by Class F1 of Part 1 of the Second Schedule to the 1995 Order shall be provided other than as approved by the Local Planning Authority under Condition 8, above.
08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order) no enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule to the Order shall be carried out.
- The site is located within the designated Green Belt Village where strict controls over the form, scale and nature of development apply.
09. The garage shall only be used for the parking of private motor vehicles and ancillary domestic storage unless otherwise agreed in writing by the Local Planning Authority.
10. The dwelling shall achieve Level 3 of the Code for Sustainable Homes. The dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.
11. The en suite window in the south east elevation of the development hereby permitted shall not be glazed at any time other than with a minimum of

- Pilkington Level 3 obscure glass (or equivalent). It shall at all times be fixed with the exception of a top hung openable fanlight.
12. 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 south east elevations of the dwelling (including garage) hereby permitted except for any which may be shown on the approved drawing(s).

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

EN1 which seeks to protect tree and hedgerow cover.

GB3 which permits residential development within Green Belt Villages where it relates to infilling, subdivision of an existing dwellings, accommodation for domestic staff or aged relative in a subordinate unit, replacement, alteration or limited extension to an existing dwelling, where it would not adversely affect the character of the area or road safety.

M9 which seeks satisfactory parking provision for vehicles and cycles.

Core Strategy Development Plan Document:

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

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.

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

South East Plan:

SP5 which seeks to protect the Green Belt.

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

Policy NRM5 which seeks to conserve and improve biodiversity

Guidance contained in the draft National Planning Policy Framework has been taken into account.

(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 green belt village given the scale and design of the dwelling in comparison to the previous appeal scheme or the amenity of neighbouring residents given the position of

windows from the boundary. A landscaping and tree protection/monitoring scheme has been proposed which is considered to safeguard and enhance the significant existing trees and landscaping on the site. Survey information provided for previous applications has suggested the proposal will not have an adverse impact on ecology. The planning application is therefore approved.

27. **PS 11/00579/RTD - Land Adjacent 9 New Wokingham Road and Junction of Dukes Ride, Crowthorne**

Installation of a 12.5m high telecommunications mast and 1 no. equipment cabinet.

The Committee noted

- The additional information contained within the supplementary report of the Head of Development Management, tabled at the meeting.
- The comments of Crowthorne Parish Council.
- 39 letters of objection (from 37 households).
- An email from the applicant's agent

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker, Mr Alan Beech, who lived locally.

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

1. The proposal would create an obstruction within the highway verge which would encroach on the intervisibility sightline at the signalled controlled junction of Dukes Ride and New Wokingham Road and this would be a hazard to road users and detrimental to highway safety. The proposed development would therefore be contrary to Policy CS23 of the Core Strategy Development Plan Document.
2. By reason of its siting, height and design, the proposal represents an unduly prominent feature within the street scene, to the detriment to the character and visual amenities of the surrounding area. The proposed development would therefore be contrary to Policy CC6 of the South East Plan, Policies SC4 and EN20 of the Bracknell Forest Borough Local Plan and to Policy CS7 of the Core Strategy Development Plan Document.

28. **Miscellaneous item - Government Consultation on the National Planning Policy Framework (NPPF)**

The Committee considered the report of the Head of Development Management on the Government consultation on the new National Planning Policy Framework (NPPF) which would replace the current suite of National Planning Policy Statements, Planning Policy Guidance Notes and some Circulars and advice letters from CLG.

Responses to the consultation would be made via a questionnaire by 17 October 2011.

The report set out the background to the consultation and its implications for Bracknell Forest. The views of the Planning Committee were sought and would be

taken into account by the Executive Member for Planning, Transportation and Economic Development, who attended the meeting, in responding to the consultation on behalf of the Council.

The Committee noted that:-

- It was planned to reduce 1000 pages of planning policy to approximately 60.
- The six main sections of the document were:-
 - Delivering sustainable development
 - Plan-making
 - Development Management
 - Planning for prosperity (economic element)
 - Planning for people (social element)
 - Planning for places (environmental element)
- There was a change in the definition of sustainable development.
- There was a shift away from spatial planning.

The Head of Development Management outlined some of the issues arising from the consultation document.

The Chief Officer: Planning and Transport advised the Committee that the Head of Development Management had met today with the Parish and Town Clerks and the report had been sent to all parishes. A review of the Bracknell Forest Local Plan would commence in the spring 2012.

The officers answered questions posed by members. It was anticipated that introduction would be April 2012 but there could be some delay on this due to the large response to the consultation.

The Committee considered that the main objective was to defend the quality of life for residents in Bracknell Forest. It was concerned about the ambiguity of the consultation document should be addressed..

One member expressed the view that he was keen not to affect the progress that was being made and did not wish to lose the opportunity to strengthen the Council's and communities' control

RESOLVED that

- (i) the Committee noted the publication of the draft NPPF and recognised the key amendments to national planning policy that would result from its adoption;**
- (ii) the Committee noted with concern some of the key implications for the Borough which could result from adoption of the NPPF, including:**
 - 1. The ambiguous nature of the document, the lack of consistency in terminology both within the document itself and with other Government legislation and policy documents;**
 - 2. The high degree of weight given to supporting economic growth (potentially at the expense of other 'sustainable development' considerations);**
 - 3. The lack of clarity as to how existing plans would be tested for 'conformity' with the NPPF and lack of any transitional arrangements could leave even those Councils with adopted core**

- strategies having no local plans against which to consider development proposals and facing the presumption in favour;
4. The proposed changes were likely to create greater uncertainty, delay and cost into the planning system contrary to the Government's stated objectives.
 5. The requirement for a 5 year land supply plus 20%, without which the NPPF stated that permission should be granted (a stronger presumption than currently set out in PPS3);
 6. The inconsistency in approach with regard to Gypsy and Traveller provision (related to the Government's recent consultation NPS, which it was proposed would be incorporated into the final version of the NPPF);
 7. Concern that whereas current guidance (PPS12) required plans to make provision for schools to meet the future needs of communities the NPPF (para 1.27) appeared to indicate the role of the LPA would essentially be in relation to considering applications from school providers;
 8. Whilst the consultation referred to the rescinding of PPG18 'Enforcing Planning Control' there was no guidance on Enforcement within the draft NPPF, this represented a serious omission.
- (iii) the Executive Member for Planning, Transport and Economic Development be advised of the concerns of the Planning Committee as set out above and emphasising that the introduction of the NPPF in its present form had the potential to significantly undermine the role of the Committee in protecting our communities, heritage and the environment from harmful developments.
- (iv) the Executive Member for Planning, Transport and Economic Development be recommended to seek the support of our MPs in seeking a re-consideration of this proposed guidance by the Government.
- (v) the response sent by the Executive Member for Planning, Transport and Economic Development to the consultation be copied to Town and Parish Councils with a request that they respond to the Government Consultation supporting our concerns over this proposed change to national planning policy.

CHAIRMAN

**PLEASE NOTE PLANS FOR ALL OF THE APPLICATIONS ON THIS
AGENDA CAN BE FOUND ON OUR WEBSITE**

www.bracknell-forest.gov.uk

**PLANNING COMMITTEE
20th October 2011**

**REPORTS ON PLANNING APPLICATIONS RECEIVED
(Head of Development Management)**

		Case Officer	Reporting Officer
5	10/00643/FUL The Little Red House Nursery 59 - 61 Dukes Ride Crowthorne (Crowthorne Ward) Erection of part single storey, part two storey rear and side extension, loft conversion, dormers and porch, air conditioning units, external cladding of the building, provision of cycle and pram storage facilities, re-organisation and surfacing of car park. Recommendation: Approve.	Alison Ind	Basia Polnik
6	11/00001/FUL The Iron Duke 254 High Street Crowthorne (Crowthorne Ward) Change of use of the Iron Duke PH to A1/A2 (shop/financial and professional services use) at ground floor with 2 no. one bedroom flats above and the erection of 12 no. 3 bedroom houses and 2 no. one bedroom flats fronting Church Street and on land to the rear with vehicular access from High Street and associated landscaping and parking following demolition of retail units at Old Bakehouse Court. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Trevor Yerworth	Martin Bourne
7	11/00416/FUL Land At Former RAF Staff College Site Broad Lane Bracknell (Harmans Water Ward) Erection of community centre/pavilion building, floodlit Multi-Use Games Area, 2 no. refurbished tennis courts, 57 space car park, recycling centre, play area (LEAP) and amenity space with associated paths and landscaping and vehicular access from Gibson Drive via Nicholson Park following demolition of squash	Martin Bourne	Martin Bourne

courts building.
 Recommendation: Approve.

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|----|--|-----------------|---------------|
| 8 | Miscellaneous Item
Land At Former RAF Staff College Site Broad Lane Bracknell
(Harmans Water Ward)
Proposed modification of recreational/sports and recycling facilities obligations in planning agreement dated 18 December 2003 | Martin Bourne | Martin Bourne |
| 9 | 11/00426/FUL
25 Eastcote Place Fernbank Road Ascot (Ascot Ward)
Change of use from retail (A1 in Use Classes Order 1987 as amended) to ground floor 2 bed flat (Class C3 in Use Classes Order as amended)
Recommendation: Approve Subject To The Completion Of Planning Obligation(s). | Michael Ruddock | Basia Polnik |
| 10 | 11/00558/FUL
Land At Former RAF Staff College Site Broad Lane Bracknell
(Harmans Water Ward)
Section 73 application to allow amendment to design of 30 no. three-storey flats (and associated landscaping, parking and bin storage details) in phase 5 (plots 343-372) and to site levels of open space to south, without compliance with condition 01 of reserved matters approval 06/00573/REM.
Recommendation: Approve Subject To The Completion Of Planning Obligation(s). | Martin Bourne | Martin Bourne |
| 11 | 11/00577/FUL
Oaklands Farm Maize Lane Warfield (Binfield With Warfield Ward)
Erection of single storey side extension forming annex.
Recommendation: Refuse. | Sarah Horwood | Basia Polnik |
| 12 | 11/00594/3
Time Square Market Street Bracknell (Wildridings And Central Ward)
Modifications to car parking at council offices, including pedestrian access to it, to facilitate use by the public (Regulation 3 application).
Recommendation: Approve. | Margaret McEvit | Martin Bourne |
| 13 | 11/00602/3
0 Fernbank Crescent Ascot Berkshire (Ascot Ward) | Ken Lusted | Martin Bourne |

Formation of 6 no. additional echelon parking bays to existing lay-by (Regulation 3 application).
Recommendation: Approve.

14	Information Item Article 4 Direction Land at Ascot Place, Forest Road, Ascot (Winkfield and Cranbourne Ward)	Vincent Haines	Vincent Haines
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Background Papers

Background papers comprise the relevant planning application file and any document therein with the exception of any document which would lead to disclosure of confidential or exempt information as defined in section 100 of the Local Government Act 1972 as amended.

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

BSP	Berkshire Structure Plan 2001 – 2016
BFBLP	Bracknell Forest Borough Local Plan
BFBCS	Core Strategy Development Plan Document (Submission)
RMLP	Replacement Minerals Local Plan
WLP	Waste Local Plan for Berkshire
SPG	Supplementary Planning Guidance
SPD	Supplementary Planning Document
RPG	Regional Planning Guidance
RSS	Regional Spatial Strategy (also known as the South East Plan)
PPG (No.)	Planning Policy Guidance (Published by DCLG)
PPS (No.)	Planning Policy Statement (Published by DCLG)
MPG	Minerals Planning Guidance
DCLG	Department for Communities and Local Government

THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 (“the HRA”) makes it unlawful for a public authority to act in a way that is incompatible with the rights set out in the European Convention of Human Rights.

Those rights include:-

Article 8 – “Everyone has the right to respect for his private and family life, his home.....”

Article 1 - First Protocol “Every natural or legal person is entitled to the peaceful enjoyment of his possessions”.

In some circumstances a local authority may be under an obligation to take positive action to protect an individuals interests under Article 8.

The relevant Convention Rights are not absolute. A Council may take action even though it interferes with private and family life, home and enjoyment of possessions, if it is for a legitimate purpose, necessary and proportionate. In effect a balancing exercise has to be conducted between the interests of the individual and the wider public interest.

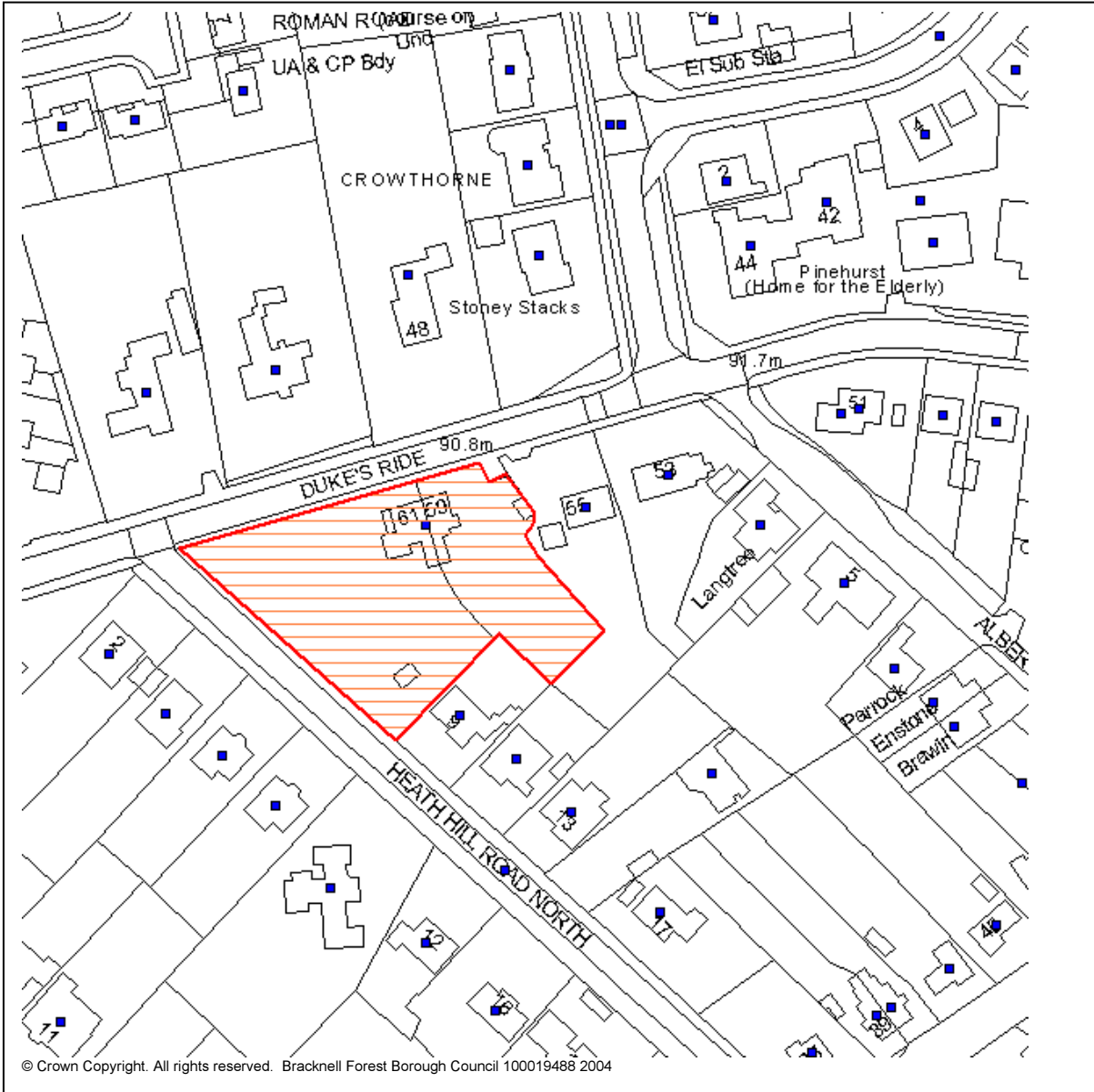
Such a test very largely replicates the balancing exercise which the Council conducts under domestic planning legislation.

The provisions of the Human Rights Act 1998 have been taken into account in the preparation of the reports contained in this agenda.

The Human Rights Act will not be specifically referred to elsewhere [in the Agenda] beyond this general statement, unless there are exceptional circumstances which require a more detailed consideration of any Convention Rights affected.

ITEM NO: 5			
Application No. 10/00643/FUL	Ward: Crowthorne	Date Registered: 30 September 2010	Target Decision Date: 25 November 2010
Site Address:	The Little Red House Nursery 59 - 61 Dukes Ride Crowthorne Berkshire RG45 6NS		
Proposal:	Erection of part single storey, part two storey rear and side extension, loft conversion, dormers and porch, air conditioning units, external cladding of the building, provision of cycle and pram storage facilities, re-organisation and surfacing of car park.		
Applicant:	Select Enterprises		
Agent:	C Nebechi		
Case Officer:	Alison Ind, 01344 352000 environment@bracknell-forest.gov.uk		

Site Location Plan (for identification purposes only, not to scale)



1 RELEVANT PLANNING HISTORY (If Any)

EUC/024/76 Validation Date: 01.01.1976
Use of ground floor and garden for nursery school
Approved

622705 Validation Date: 02.06.1997
Single storey side and rear extension to nursery school to provide nursery school and day care nursery on ground floor and change of use of first floor from residential use to nursery use.
Approved

623681 Validation Date: 24.04.1998
ADV - Display of 1 no. non-illuminated two panel sign (1.1m x 1.0m) on 1 metre high posts and 1 no. non-illuminated wall sign (1.1m x 1.0m).
Conditional Advertisement Consent

624255 Validation Date: 04.11.1998
Section 73 application to increase number of children attending nursery from 44 to 50 and to amend car parking layout without compliance with conditions 7 and 8 of planning permission 622705.
Approved

01/01227/FUL Validation Date: 17.12.2001
Change of use from residential to nursery use, to form an extension of the existing nursery at no.61 Dukes Ride.
Approved With A Legal Agreement

11/00598/FUL Validation Date: 30.08.2011
Change of use from garage to caretakers flatted accommodation
(No Decision – Application Currently Under Consideration)

2 RELEVANT PLANNING POLICIES

Key to abbreviations

BFBCS	Core Strategy Development Plan Document
BFBLP	Bracknell Forest Borough Local Plan
RMLP	Replacement Minerals Local Plan
WLP	Waste Local Plan for Berkshire
SPG	Supplementary Planning Guidance
SPD	Supplementary Planning Document
PPG (No.)	Planning Policy Guidance (Published by DCLG)
PPS (No.)	Planning Policy Statement (Published by DCLG)
MPG	Minerals Planning Guidance
DCLG	Department for Communities and Local Government
SEP	South East Plan

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN1	<u>Protection of trees and hedgerow cover</u>
BFBLP	EN20	Design Considerations In New Development
BFBLP	EN22	Designing For Accessibility
BFBLP	M9	Vehicle And Cycle Parking
BFBCS	CC7	Infrastructure and Implementation
BFBCS	CS23	Transport
SEP	T4	Parking
SEP	CC6	Sustainable Communities and Character of Environment

3 **CONSULTATIONS**

(Comments may be abbreviated)

Landscape Officer

Amended plans have been received but these details do not provide sufficient information. Therefore a condition requiring further details of hard and soft landscaping is recommended

Crowthorne Parish Council

Recommend approval

Transportation Officer

It appears that the alterations to the building are minor, as long as the number of children is maintained at the same level as the previous condition on the last permission. In respect of the main car park the plans indicate that the spaces will be set out in accordance with the last permission which is acceptable but advise that in any permission condition is attached to ensure that parking should be in accordance with the previous plan of the last permission which shows that parking layout. If any of the proposals on the current plans conflict with the previous parking layout then they should be altered now, this could include the gates access and the detached garden area at the rear of the site. Further amended details have been submitted and are under consideration.

Tree Officer

Trees at the site are protected by TPO 781A. During the course of the application, consent has been given to remove some of the trees. It is recommended that any planning permission be conditional to the submission of a landscaping scheme and its subsequent implementation.

4 REPRESENTATIONS

Representations have been received from 10 households. Eight of the 10 representations contain objections. Two support the application. In addition, 1 of the objectors submitted a petition containing 20 signatures.

OBJECTIONS:

The main concerns can be summarised as follows:

- the impact on the surface and drainage of the private road
(Officer comment: *this section of Heath Hill Road has now been repaired and relaid with tarmac by the current management company*)
- the loss of established landscaping which created a natural screening and softening of the appearance of the nursery building and of the illumination of the car park.
(Officer comment: *the Landscaping Officer has advised that a landscaping scheme should be submitted for approval via planning condition*).
- concern that on-street parking and congestion will occur due to poor vehicular access and inadequate space for vehicle parking as was the case with the previous management company)
- the new appearance of the building since it has been rendered to a mock tudor style
- the applicant's have flouted planning rules by going ahead with inaccurate drawings and without planning permission

Petition: A petition (bearing 20 signatures) has been received with one of the objections regarding the state of the Heath Hill Road which was allegedly damaged by the use of the nursery when it was under its former management.

(Officer comment: *This matter is not a planning issue as Heath Hill Road is a private road and as the proposal does not include works to the private road. NB The damage has now been repaired*).

SUPPORT:

The reasons for supporting the application are:

- the building had become neglected and was in need of renovation/rejuvenation
- the new appearance works well with the appearance of Kipling Hall, 54 Dukes Ride
- the children's nursery is a needed service to the local community

5 OFFICER REPORT

SUMMARY OF KEY ASPECTS OF PROPOSAL

Proposed floor area (non-residential): 90sq.m
Proposed number of parking spaces: 25 spaces
Proposed number of residential units: 0

This application is reported to the Planning Committee as more than 3 objections, including a petition bearing 20 signatures, have been received.

i) PROPOSAL

The proposal is to raise the ridge height of the roof of part of the existing building by 2.2m and to create various small extensions to the premises, totalling approximately 90sq.m. (and including new floor area to the day nursery, including at ground floor level, a new wc room, a small front extension/porch, and at first floor level a roof garden, a small extension to provide a milk kitchen and a dormer extension to provide a multi-activity room). In addition, the proposal includes air conditioning units, external cladding of the building, provision of cycle and pram storage facilities, re-organisation

and surfacing of car park. A first floor balcony is proposed which faces into the site. No additional children are proposed as a result of the extensions.

The application is now retrospective.

ii) SITE AND RELEVANT PLANNING HISTORY

The site is on the south side of Dukes Ride at the junction with Heath Hill Road North. The plot is angular in shape and has two road frontages. Heath Hill Road is a private road with mainly residential properties. The location is generally characterised by trees and hedges which create a suburban environment. The landscaping at the site has been cleared in many places to make way for a compound and for construction vehicles to enter and leave the site. Some of the trees on the site are covered by Tree Preservation Order 781A (dated 8 October 2010). The application site falls within the Bracknell Forest Character Area Assessment SPD (Area B West Crowthorne). A children's day nursery at number 59 Dukes Ride was extended into number 61 Dukes Ride under approval 01/01227/FUL in 2001. The number of children allowed and the car parking layout were the subject of planning conditions.

Since submitting the planning application in 2010 the extensions and alterations and associated works to the children's nursery have been undertaken. In addition, the original proposal has been added to, to include external cladding of the building, the erection of a pram store and cycle store, the laying of play area surfacing and of car park gravel surfacing. Various amendments and revised plans have been submitted and superseded, the most recent of which are listed within the recommendation of this report.

The garage is the subject of separate application referenced 11/00598/FUL for the "Change of use from garage to caretaker's flatted accommodation". This is yet to be determined.

iii) PLANNING CONSIDERATIONS

(1) Principle of the development

The site has an existing planning permission for use as a children's nursery. The proposal is merely to extend the nursery building. The principle of extending the existing building is acceptable subject to normal development management criteria, including, highway, residential amenity and environmental issues, and subject to there being no other, over-riding material planning issues.

(2) Transport issues

Amended plan LDP/253/C/08/B shows that vehicle parking spaces will be provided in accordance with the layout approved under 01/01227/FUL. Whilst this is generally acceptable in respect of the number of spaces required, the precise location of the proposed access and gates has now varied. (Revised plans have been sought throughout the course of the planning application, hence the delay in dealing with the application.) Drawings LDP/253/C/08/C & 09/C showing the Proposed Layout and Cycle and Pram Storage have been submitted in respect of car parking and access and the Transport Officer's consultation response will be reported to Committee. The access gates should be kept open during the daytime for, in particular, parents to drop off and pick up children at various times of the day (the applicant may need to devise a scheme which allows for this whilst maintaining security at the site). Details of surfacing of the car park (which is existing but should be surfaced with tarmac) and

also of the access are currently being considered and any new issues will be reported to committee. If appropriate, a condition may be applied to require details of surface water drainage to be submitted to ensure that there is no water displacement to off-site. No changes in levels are proposed. The number of children attending the nursery will remain as previously approved (restricted to 82 children in total).

(3) Impact on character and appearance of the area

The property is set in a location which is characterised by trees and hedges and established landscaping. At the time of the most recent site visit, some of the landscaping had been lost through works associated with the development which is now partly retrospective. The Landscaping Officer had requested landscaping details. Adequate details still have not been received. It is therefore recommended that a landscaping scheme should be submitted for approval to include details of planting and of boundary enclosures/fencing to ensure that appropriate landscaping is provided.

One of the more notice able and controversial amendments to the original planning application was the mock tudor rendering which has been applied to the whole building. This has been a cause for concern by some residents who feel that the mock tudor is out of keeping. Other residents have commented that the original building had been neglected and its appearance in the street scene is now been improved. The opinion of the Council's Urban Design Officer has been sought. Any comments will be reported to the Committee.

Another amendment showed the gravelling of the car park. The car park has been surfaced in gravel which in turn is deep in areas. The gravel is out of character with the area and is not suitable for marking out of the car park. It is suggested that the gravel should be replaced with tarmac.

(4) Impact on trees

There are a number of trees within site, some of which are protected by a Tree Preservation Order. Since the planning application was submitted two applications under Tree Preservation Order legislation have been submitted. Permission has been granted for the removal of several trees subject to conditions requiring replacement planting of 10 trees in total. It is therefore recommended that any approval of the extension includes conditions in respect of the existing trees, proposed additional landscaping for the site and further details of hard landscaping.

Part of the car park has been constructed within the Root Protection Area of protected trees. This work has not been approved. Full arboricultural details of this work should be provided (and have been sought by officers).

(5) Effect on the amenity of neighbouring residential property

There is a gap in excess of 8m distance between the nursery building and the nearest residential dwelling (which shares a common boundary to the east of the site). There is an outbuilding in this gap. It is not considered that the extension will impact upon the residential amenities of the neighbouring dwelling at 55 Dukes Ride. A garden is annotated on the submitted layout drawing. It is recommended that, consistent with the previous approval 01/01227/FUL, a condition controlling the hours of use of the garden is applied to any approval.

The illuminated signage is controlled under the Advertisement Regulations. An application has been sought by officers.

(6) Access implications

The scheme will need to comply with Part “M” of the Building Regulations. An Approved Inspector served Initial Notice for the proposal thereby indicating that consent under the Building Regulations has been sought, albeit not through BFBC.

CONCLUSIONS

The principle of the extension and associated works is acceptable under the policies of the development plan. Many amendments to the details have been sought and agreed. Others are outstanding but can be secured by planning condition. Further applications have been sought or submitted regarding signage, lighting and the change of use of the detached garage. There are no over-riding material planning issues to warrant refusal of this application. The application is therefore recommended for approval.

6 RECOMMENDATION

That the application be **APPROVED** 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.
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:
LDP/253/C/05/D PROPOSED FLOOR PLANS received by the Local Planning Authority on 23.09.11
LDP/253/C/06/D PROPOSED FLOOR PLANS (with extension outlined) received by the Local Planning Authority on 23.09.11
LDP/253/C/07/D PROPOSED ELEVATIONS received by the Local Planning Authority on 06.9.11
LDP/253/C/08/C PROPOSED SITE PLAN received by the Local Planning Authority on 05.9.11
LDP/253/C/09/C PROPOSED CYCLE AND PRAM STORE received by the Local Planning Authority on 06.9.11
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The number of children at the nursery 59-61 Dukes Ride shall not exceed 82 pupils at any one time.
REASON: To enable the Local Planning Authority to maintain control over the use of the site in the interests of the amenities of the adjoining residents.
Policies: BFBLP EN20, M9, CSDPD CS7,CS23.
04. The hours of operation shall be restricted to 08.00 - 18.00 hours Monday to Friday and at no other times.
REASON: In the interests of the residential amenities of neighbouring properties.
05. Within two months from the date of this planning permission, the associated vehicle parking and turning space 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 plan shall include existing car park to the front of the site (off Duker Ride) and the proposed car park to the rear of the site (off Heath Hill Road). The car park to the rear of the site (and shown on drawing LDP/253/C/08/B) shall include 25 vehicle parking spaces. The spaces in both car parks 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: SEP T4, BFBLP M9, Core Strategy DPD CS23]

06. Within two months of the date of this planning permission, the car park shall be surfaced in accordance with a methodology and a scheme of materials to be submitted to and approved by the Local Planning Authority.

REASON:

A) To enable the car park to be marked out in accordance with the previous condition

B) In the interests of visual amenity

[Relevant Policies: BFBLP EN20, Core Strategy DPD CS23 and CS7]

07. The vehicle access gates shall be kept open at all times during the approved operational hours of the nursery, for vehicles to enter and exit the site, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To enable parents to drop off and collect children without creating traffic congestion on Heath Hill Road.

[Plans and policies: BFBLP EN20, CSDPD CS7]

08. Within 2 months of this permission:

1) a scheme depicting hard surfacing (including boundary fencing and all areas to be paved or hard surfaced, such as the vehicle parking and turning areas and the paved area around the building) and soft landscaping, and

2) a three year post planting maintenance scheme

shall be 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.

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

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

09. 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.
REASON: - In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
10. Within two months of this permission, the access shall be surfaced with a bonded material across the entire width of the access for a distance of 5m measured from the back edge of the carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
11. Within two months of this permission, details of a scheme of walls, fences and any other means of enclosure shall be submitted, for approval in writing by the Local Planning Authority. The approved scheme shall be implemented in full within two months of the date of this planning permission or as may otherwise be agreed in writing by the Local Planning Authority.
REASON: - In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]

Summary Of Reason(s) For Decision:

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

BFBLP Policies EN1, EN20, EN22, M9 The issues of highway safety, residential amenity, arboriculture, access for the disabled and impact on the environment have been considered.

CSDPD Policies CS7, CS23 The issues of highway safety, residential amenity, access for the disabled and impact on the environment have been considered.

SEP Policies CC6 Sustainable communities and character of the environment, T4 Parking.

The following material considerations have been taken into account:

Bracknell Forest Borough Local Plan: Policies EN20, EN22, M9 and Core Strategy Development Plan CS7, CS23 : It is considered that the proposed extensions will not cause material planning harm to the street scene or to the residential amenities of the neighbouring dwellings, it is considered that there is sufficient space within the scheme to accommodate access for disabled people, and it is considered that adequate space for vehicle parking can be achieved at the site. The South East Plan CC6 and T4: It is considered that the extension is well designed and is an appropriate form of development for this location and will provide adequate on site vehicle parking space.

The proposal is considered to comply with BFBLP Policies EN1, EN20, EN22 and M9, and Core Strategy Development Plan Policy CS7, CS23, South East Plan: T4, CC6.

The extensions will not adversely affect the character of the building. Whilst the cladding has changed the character of the building it has also resulted in the building being externally renovated improved. The extensions will not adversely affect

neighbouring property or area or significantly affect the amenities of neighbouring property. A landscaping scheme will be submitted to enhance the appearance and self-containment of the development where trees have needed to be removed. The car park and access have been addressed. The planning application is therefore approved.

Informative(s):

01. The proposal shows a proposed illuminated sign. No details of the sign have been submitted and it has therefore not been considered or included in this approval. Furthermore, any illuminated sign will require Advertisement Consent for which a separate application will be required. Any such application will be considered on its merits.
02. The replacement tree planting required as a result of the permission granted separately under TPO legislation, should be shown on the landscaping details required pursuant to condition 8.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

ITEM NO: 6

Application No.
11/00001/FUL

Site Address:

Ward:
Crowthorne

Date Registered:
11 March 2011

Target Decision Date:
10 June 2011

**The Iron Duke 254 High Street Crowthorne Berkshire
RG45 7AP**

Proposal:

Change of use of the Iron Duke PH to A1/A2 (shop/financial and professional services use) at ground floor with 2 no. one bedroom flats above and the erection of 12 no. 3 bedroom houses and 2 no. one bedroom flats fronting Church Street and on land to the rear with vehicular access from High Street and associated landscaping and parking following demolition of retail units at Old Bakehouse Court.

Applicant:

Priory Land Ltd

Agent:

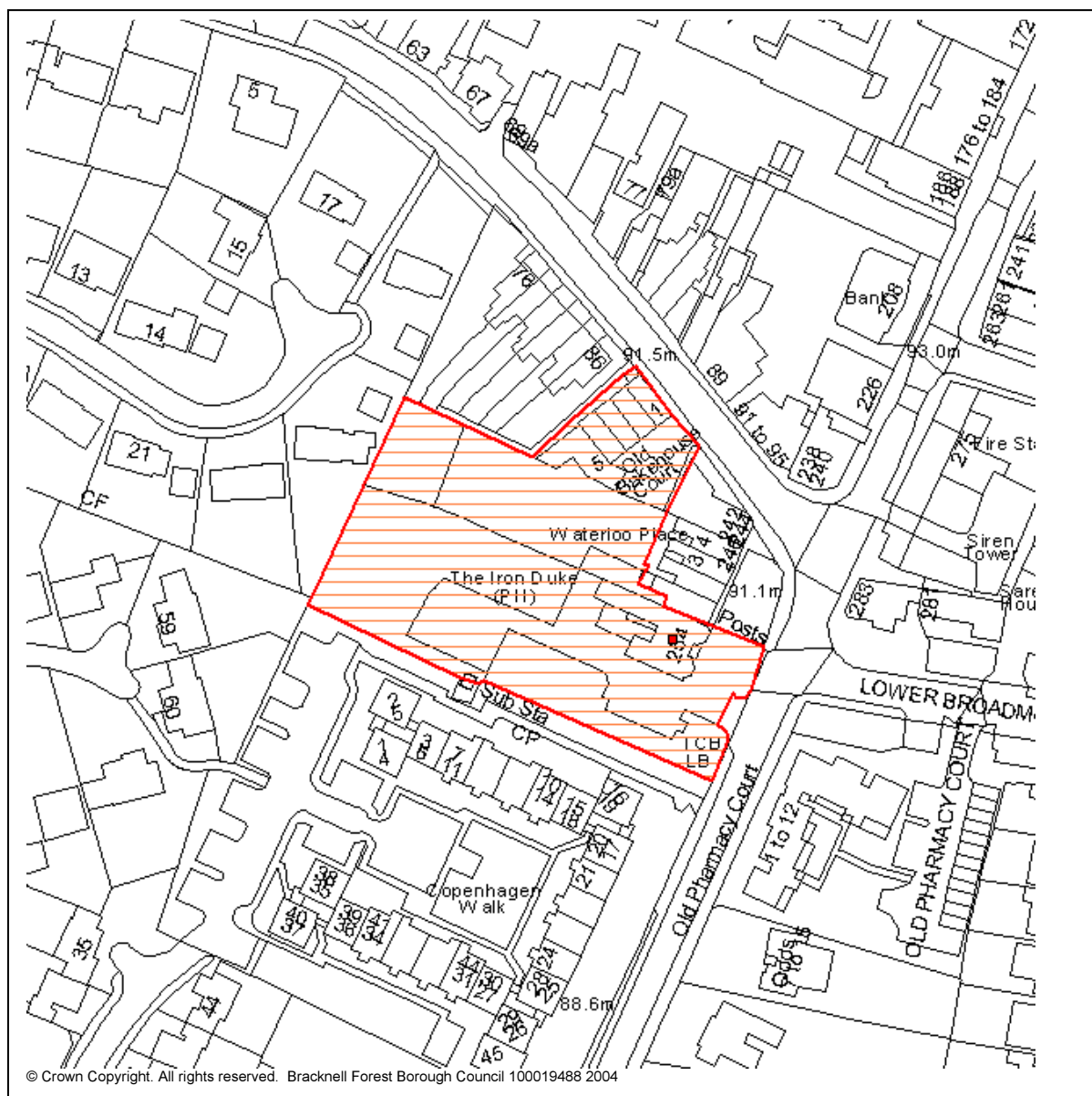
(There is no agent for this application)

Case Officer:

Trevor Yerworth, 01344 352000

environment@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1 **RELEVANT PLANNING HISTORY** (If Any)

2 **RELEVANT PLANNING POLICIES**

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>PPG (No.)</i>	<i>Planning Policy Guidance (Published by DCLG)</i>
<i>PPS (No.)</i>	<i>Planning Policy Statement (Published by DCLG)</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>SEP</i>	<i>South East Plan</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN2L	Supplementing Tree And Hedgerow Cover
BFBLP	EN25	Noise And Other Pollution
BFBLP	R5	Publicly Usable OS For Small Sites
BFBLP	EN1L	Protecting Tree And Hedgerow Cover
BFBLP	EN3L	Nature Conservation
BFBLP	EN20	Design Considerations In New Development
BFBLP	EN22	Designing For Accessibility
BFBLP	E5	Hierarchy Of Shopping Centres
BFBLP	E10	Non Retail Uses In Secondary Shopping Areas
BFBLP	M4L	Highway Measures New Development
BFBLP	M9	Vehicle And Cycle Parking
BFBCS	CS1	Sustainable Development Principles
BFBCS	CS2	Locational Principles
BFBCS	CS6	Limiting the Impact of Development
BFBCS	CS7	Design
BFBCS	CS10	Sustainable Resources
BFBCS	CS12	Renewable Energy
BFBCS	CS14	Thames Basin Heaths Special Protection Area
BFBCS	CS15	Overall Housing Provision
BFBCS	CS16	Housing Needs of the Community
BFBCS	CS21	Retail Development in Town Centres

BFBCS	CS23	Transport
BFBCS	CS24	Transport and New Development
SEP	CC6	Sustainable Communities and Character of Environment
SEP	CC7	Infrastructure and Implementation
SEP	H5	Housing Design and Density
SEP	BNRM6	Thames Basin Heaths

3 **CONSULTATIONS**

(Comments may be abbreviated)

Transportation Officer

Recommends that the permission be refused for the following reasons:

The proposed access to the site is unacceptable in respect of its design and this could lead to road safety issues for all users including pedestrians.

The proposed level and disposition of the parking is unacceptable and this is likely to lead to parking on street to the detriment of road safety

Biodiversity Officer

No objection subject to conditions.

The report establishes that existing habitats on the site are of low ecological value. However, it also recommends a further survey for reptiles. This has been submitted and confirms that there are no issues relating to reptiles.

Landscape Officer

The parking spaces should be removed from the central landscape area and the cherry retained for the central landscape feature.

The trees and vegetation along the south-west boundary should be retained.

The line of hornbeam along the rear boundaries of plots 8-10 is visible from the entrance to the site and should also be retained to soften the impact of the development and screen it from the adjoining properties.

The retention of the existing mature boundary vegetation is important on this site as the proposed development appears very hard with minimal opportunity to further soften the development.

Any permission should be subject to a condition requiring a detailed landscape proposal.

Waste & Recycling Manager

Refuse vehicles will only enter the site if an indemnity is provided against any damage to the road. If this is not provided alternative waste collection arrangements will have to be made by the developer.

Tree Officer

The access and relocated bin store are acceptable subject to engineering confirmation that a No Dig construction could be used.

A mature Sycamore tree is directly opposite proposed unit 12 and has significant future growth potential. Greater building clearance and larger garden area is required in relation to this tree to establish a sustainable development relationship. Initially recommend that plot 12 should be deleted and retained as open space.

The Cherry T3 is a valuable long term tree and should be retained and incorporated into soft landscape area. The proposed parking bays in this area need to be deleted or relocated where hard core already exists.

The relationship of the units 9-11 to the hornbeams in the rear garden has improved compared to previous proposals. However, based on the narrow garden areas and taking account of the size of these trees, it is still recommended that the plots 10 and 11 are replaced by a single unit with a larger garden area or plots 9-11 are replaced by an apartment type building which incorporate the adjacent hornbeams into a communal garden area, to avoid the risk of detrimental long term pruning/retention pressures. A further possible solution is to shorten the rear gardens of the plots along the north east boundary, adjust the fence lines accordingly and possibly dedicate the resulting space to the adjacent property to the north east.

The bin stores and rear access for plots 9 -11 are likely to cause significant root damage to the adjacent trees and therefore need to be deleted/relocated outside the minimum root protection areas of these trees.

Construction needs to be kept outside the root protection areas of T8 -T10 inclusive. Given the constraints already imposed on their rooting environments by the adjacent buildings to the north west construction of the parking bays A and B and their turning areas will cause significant root damage and therefore need to be deleted.

Further detail including a more detailed tree protection plan is required to clarify/ assess arboricultural impact.

Crowthorne Parish Council

Recommend approval, subject to the following comments and concerns:

- Ensure that hedge and tree-screening already in situ is retained to minimise any overlooking by properties adjacent to the boundaries (ie Copenhagen Walk, Alcot Close and Chaucer Rd).
- That the parking provision as shown on the plan is adequate for the area.
- Concern about traffic congestion, especially with regards to the bus stop adjacent to the entrance of the site and the junction with Lower Broadmoor Rd/High Street and Church Street.

4 REPRESENTATIONS

13 letters of representations received. No objections are raised to the principle of the development of this site, but the following points and concerns are made:

- support application and note that access for 78-84 Church Street to the new parking area at the rear of 78-84 Church Street has been agreed with the developer;
- supports the change of use of the Iron Duke from a pub to retail;
- would prefer a catering establishment to be provided on the ground floor of the Iron Duke to bring evening trade to the south section of the High Street [Officer comment: this conflicts with other views expressed by local residents in Copenhagen Walk adjacent to the site who welcome the proposed change of use of the Iron Duke as this would result in less noise and disturbance. This is also likely to apply to future occupiers of the proposed houses. In addition it should be noted that a catering establishment would require additional parking spaces and is unlikely to be acceptable to the Highway Authority];
- no objection subject to the retention of boundary screening;
- notes that the applicant does not own all the land on the application site [Officer comment: the applicant has served the correct notices on all landowners];
- The houses proposed for plots 1-3 are out of scale and bulk compared to adjacent properties in Church Street.
- Houses should be no higher than the roof line of the Iron Duke and should not infill the area to the south of the Iron Duke;
- Loss of vehicular access to properties in Church Street [Officer comment: see first point above];
- Plot 12 should be omitted and the space utilised for additional parking;
- Dangerous access onto High Street due to proximity of bus stop;
- Density too high giving the appearance of another block of flats;
- Insufficient parking will result in on-street parking adding to congestion in the local area;
- Concerns over pedestrian safety as in close proximity to Edgbarrow School;
- Concerns about overlooking and loss of sunlight to the garden of 19 Alcot Close.

5 OFFICER REPORT

SUMMARY OF KEY ASPECTS OF PROPOSAL

Proposed site area (ha): 0.46 ha

Proposed floor area (non-residential): change of use from public house to retail 89 sq m

Proposed number of parking spaces: 44

Proposed number of residential units: 16

Proposed density (residential): 35 dph

INTRODUCTION

This application is reported to committee as more than 3 objections have been received and because the recommendation is contrary to advice received from the Highway Authority.

i) PROPOSAL

This application seeks full planning permission for the change of use of the Iron Duke public house to uses falling within either Class A1 (shops) or A2 (financial and professional services) on the ground floor and the conversion of the first floor to form

two 1-bedroom flats. It also proposes the erection of 12 no.3 bedroom houses and two no.1 bedroom flats to the rear of the Iron Duke and fronting Church Street following the demolition of retail units at Old Bakehouse Court.

The site would be accessed from the High Street to the south of the Iron Duke. In addition pedestrian links would be provided linking the site to Church Street. Forty-four car parking spaces are proposed, including replacement parking for existing properties at 78-86 Church Street.

The proposal would replace the somewhat incongruous Old Bakehouse Court units with a terrace of 3no. two and a half storey houses and two flats fronting Church Street. The elevation fronting Church Street has been designed as two storey to reflect the existing terraced houses to the west which contribute strongly to the character of the street scene. The rear elevations facing into the site would be bulkier with a second floor accommodated within the roof space and projecting rear gable.

Eight houses are proposed to the rear of the Iron Duke backing onto the western boundary with 19 Alcot Close. These would be split into two small terraces with the southern group of three houses set slightly forward of the northern terrace. A single detached house would be sited close to the southern boundary in front of the eight houses at the rear. The houses would have ridge heights of 9.8 metres with a second floor accommodated within the roofspace. Pitched dormers are proposed for the front elevation with Velux windows in the rear roof slope.

The proposed houses would be constructed using red brick and slate roofs with porches and decorative features to match local styles.

ii) SITE

The 0.46 ha site has frontages onto both Crowthorne High Street and Church Street. It includes the now vacant Iron Duke public house and associated overgrown garden and parking land to the rear; retail units at Old Bakehouse Court on Church Street and an unsurfaced private car parking area to the rear. The site does not include 242-252 High street which lie immediately north of the Iron Duke, but the site would provide access to the rear service yards of these retail units. The site lies at the southern end of Crowthorne High Street opposite Lower Broadmoor Road and is adjacent to the many shops; services and employment opportunities provided by this large village centre. It is on the 194 bus route providing direct links to Bracknell town centre, Sandhurst and Camberley.

The Iron Duke is set approximately 16 metres back from the highway with a hard surfaced area in front of both the Iron Duke and the retail units to the north used for parking. When the public house was in operation this area was also used for informal seating for pub customers with tables and benches.

The site is generally flat with no significant changes of levels.

There are substantial trees on the site and along its western and southern boundaries including a group comprising a Yew, Cherry and Scots Pine in the centre of the site.

With the exception of a small area in the north west corner the whole site lies within the Crowthorne Conservation Area which includes the Iron Duke and properties immediately to the north on the High Street and extends north west along Church Street including the parish church.

iii) PRINCIPAL PLANNING CONSIDERATIONS

(1) Principle of the development

The site comprises previously developed land within the settlement boundary of Crowthorne. Policy CS2 of the Core Strategy steers new development towards such sites. The proposed development would make more efficient use of urban land and is in a sustainable location with a good range of local services and facilities lying within walking distance. The site is also on the 194 bus route serving Bracknell, Crowthorne, Sandhurst and Camberley. The redevelopment of this site is therefore acceptable in principle.

Government guidance in PPS4 (Planning for Sustainable Economic Growth) Policy EC13 and Core Strategy Policy CS21 encourage the protection of existing facilities which provide an important community role or provide for people's day-to-day needs. The retail units in Old Bakehouse Court were until recently occupied by a picture framers and a hat shop but the units all now appear to be vacant. These retail units are not considered to fall within this definition and therefore there is no need to protect them under these policies.

The Local Plan identifies the site (excluding the Iron Duke itself) as falling within the defined retail area of Crowthorne, but outside the retail core area. Policy E10 seeks to prevent the loss of retail uses within this area by requiring that the occupation of new premises for non-retail uses will only be permitted where the proposal would not adversely affect the retail character, vitality, viability and attractiveness of this part of the retail area of Crowthorne. The proposal would result in the loss of five small retail units at Old Bakehouse Court, and their replacement with a new retail unit in the Iron Duke. Although there would be a net loss of retail floorspace it is considered that the new retail unit would be in a more attractive position right on the High Street adjacent to the existing retail units at 246-252 High Street where it would enjoy a higher profile. It is therefore considered that the retail character and the vitality, viability and attractiveness of this part of the Crowthorne retail area could be positively enhanced by the proposal which would also help retain and provide a new use of a building in the Conservation Area that contributes to local character.

When considered in conjunction with the positive enhancement that a well designed residential scheme on Church Street could have to the Conservation Area it is considered that these are significant material considerations that together would outweigh any harm arising from the development not being strictly in accordance with Policy E10.

(2) Impact on character and appearance of the Crowthorne Conservation Area

Core Strategy Policy CS7 and Local Plan Policy EN20 set out various design considerations to be taken into account in new development. These policies seek to ensure that new development is in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials, layout and siting, both in itself and in relation to adjoining buildings, spaces and views; and that the design of the development promotes, or where necessary creates, local character and a sense of local identity. These policies take on particular importance in the case of this application in view of the fact that the site lies within the designated Crowthorne Conservation Area. The Government's overarching aim as set out in PPS5 is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. It is therefore important that any

development on this site should preserve or enhance the character or appearance of the conservation area.

The Council has prepared a Conservation Area Appraisal for this conservation area. This appraisal identifies the existing Old Bakehouse Court development as not co-ordinating well with the character and appearance of the rest of the conservation area. The Iron Duke and 246-252 High Street are identified as forming part of a group representing some of the oldest buildings within the conservation area, with the Iron Duke appearing on the Ordnance Survey map of 1872. These buildings are described in detail in the appraisal which concludes "The particular importance of Church Street and the southern end of the High Street, which merits its designation as a conservation area, stems from its retention of part of the original Victorian core of Crowthorne village and the survival of its original form and character."

Conservation policy aims to address the quality of townscape in its broadest sense as well as the protection of individual buildings. New buildings should match or complement existing historic buildings, and their design should reflect the use of red bricks, with some decorative brickwork, in the form of grey brickwork, the use of decorative vertically hung tiles and plain clay tiles or natural slate roofs. New developments should reflect the existing hipped or gabled roofs and respect the pitch, scale and proportions of the existing roofscape within the village.

The main locations where the proposed development would be seen in the public realm would be from Church Street where the street scene would be radically changed, and from the new access road south of the Iron Duke where views would be obtained into the development behind. Private views would also be obtained from the end of Copenhagen Walk to the south and from adjoining properties.

The retention of the Iron Duke (as well as 246-252 High Street) is seen as being very important within this context, and the incorporation of this element within the present scheme is therefore a major positive benefit of the proposed development. It is acknowledged that the Iron Duke has in the past been the subject of unsympathetic rear extensions and no objection is raised to the removal of these.

The removal of Old Bakehouse Court and its replacement with the terrace fronting Church Street is considered to represent a positive enhancement to the street scene in this part of the conservation area. In this respect the applicant has taken architectural cues from the existing terraced houses along Church Street which have been used to inform the design of the new terraced houses which is welcomed. Although the new houses are slightly higher (1m) than the existing terrace and have a bulkier rear elevation it is not considered that these would be readily visible from the street scene or in any way detract from the positive enhancements the new terrace would provide in this location. It is also considered that slightly taller buildings would be appropriate as the village centre is approached and the proposed Church Street elevation is therefore considered to be acceptable.

Concerns have also been raised that the houses behind the Iron Duke would have roofs higher than the Iron Duke when viewed from the High Street and that this would be compounded by an infilling of the High Street elevation south of the Iron Duke. Although the proposed ridge line of the houses at the rear of the site would be 0.8m higher than the Iron Duke it would be lower than 246-252 High Street which adjoin the Iron Duke. In view of the fact that these houses would be set back approximately 50 metres behind the Iron Duke the additional height would not be apparent in views from the High Street. The only place that the proposed houses may be glimpsed behind the Iron Duke would be in long distance views down Lower Broadmoor Road. However in

view of the distances involved it is considered that the height differential would be barely noticeable and would not result in any visual harm to these long distance views.

The lack of perspective in the street elevations also applies to the perceived infilling concern. At the front of the site the area south of the Iron Duke would remain open as at present to accommodate the new access road and car parking. The proposed house on plot 12 would be set approximately 10 metres back and six metres south of the Iron Duke and the terrace of houses at the rear would be 29 metres further back. These set backs will reduce any appearance of infilling of the area south of the Iron Duke when viewed from the High Street. The proposed houses would not be readily visible in oblique views into the site when travelling along the High Street in either direction, but would only be seen from directly in front of the access road. The retention of the mature trees along the southern boundary of the site will also retain a green foil to the site, maintaining the present clear break between the more commercial uses to the north and residential area to the south.

The original plans gave rise to some concerns that the development would be dominated by parking, especially on the southern boundary. In response the applicant has improved the scheme by moving two spaces from the hardstanding in front of the Iron Duke and proposed additional landscaping here. To address concerns about parking encroaching onto the central "green" the applicant has further amended the original plans by altering the layout so it is possible to retain an existing cherry tree. It is considered that by retaining the substantial tree screen along southern boundary and the Yew and Cherry trees in the central open area the proposed the development would not be overly car dominated.

Taking into consideration its edge of village centre location, the busy, commercial character of the main road, the fact that there is existing hardstanding and parking areas to the south of the Iron Duke, the retention of the most important trees and the improved Church Street streetscene the overall impact of the proposed development is considered to result in a positive enhancement to the character and appearance of the Crowthorne Conservation Area.

(3) Effect on the amenity of neighbouring property and living conditions for future occupiers

Policy EN20 proviso (vii) seeks to ensure that development does not adversely affect the amenity of surrounding properties. It is not considered that this proposal would result in an unacceptable effect on the residential amenities of any neighbouring properties and will provide acceptable relationships between properties and adequate amenity space and living environments for future occupiers. The site is not large enough to require the provision of on-site open space of public value, but the central open area will provide an attractive communal green space in the heart of the development and Local Plan Policy R5 seeks financial contributions towards the provision of recreational facilities elsewhere which the applicant has agreed to make.

The property that would be most affected by the proposed development is 19 Alcot Close which adjoins the western boundary of the site. This property is angled towards the site with a triangular shaped rear garden that forms almost the entire western boundary of the application site. The minimum back to side distance would be 15.3 metres with the proposed houses set back a minimum distance of 14.2 metres from the boundary. In addition to these acceptable separation distances privacy is presently augmented in part by substantial mature trees on the boundary which the applicants propose to retain and transfer to the neighbour. These ensure that the boundary is well screened and it is therefore considered that there would be no undue overlooking of 19

Alcot Close. The proposed houses would be sited to the east of 19 Alcot Close and are not considered to result in any material loss of morning sun to this property.

The proposal is therefore considered to be in accordance with proviso (vii) of BFBLP Policy EN20.

(4) Transport considerations

The site is located on Crowthorne High Street near to the junctions with Lower Broadmoor Road and Waterloo Road. The site currently has an informal dropped kerb access that leads to a parking area to the side and rear of the building. A second vehicular access leads off Church Street serving the Old Bakehouse Court retail units and an informal car park to the rear.

The proposal will formalise the access with a proper formal junction which will improve the situation and provide definition to the highway layout. Visibility from the junction in both directions is acceptable but the existing telephone box and post box may have to be moved slightly out of the splay. The full detailed design of the junction will be required as part of a S278 agreement.

There are paths from the rear parking areas to the front of the Church Street properties which will aid in safe movement of pedestrians.

Rear access to the properties has been provided and this will permit bins and cycles to be stored to the rear of each plot.

Turning on site has been provided for a refuse vehicle. This would avoid having a refuse vehicle wait on the High Street in this location while collection occurs which may result in highway safety issues. However refuse vehicles can wait on Church Street as at present to collect from the bin collection points on the north side of the site. The applicant has indicated that it intends to retain the access road as a private road and does not wish to offer the access road for adoption. The Council's waste collection service has advised that refuse vehicles will only enter the site in these circumstances if the applicant provides an indemnity against possible claims for damage to the road caused by refuse vehicles. The applicant has indicated that it is prepared to do this.

The applicant has indicated a total of 44 parking spaces and this will provide for all of the new proposed uses as well as providing replacement parking for 78-86 Church Street. It is considered that the amount of parking proposed is in accordance with the Council's adopted parking standards which set a standard of 1 space per one bed flat (4 spaces); 2 per two bedroom dwelling (24 spaces) plus visitor parking at 1 space per 5 units (3 spaces). The retail provision is 1 space per 30 sq metres (3 spaces). The total number of spaces required in accordance with the parking standards is therefore 34. This amount is proposed together with a surplus of 10 spaces which are being provided to replace the parking at the rear of 78-86 Church Street.

It is noted that the Highway Officer has raised concerns that although the houses are described as having three bedrooms, they also include a home/office which could be used as an extra single bedroom, increasing the parking requirements to 3 spaces per dwelling. The level of parking provided is therefore a concern to the Highway Authority. While it is acknowledged that there would be nothing to prevent occupiers using the home offices as a bedroom there would only be space for a small child's or guest bedroom and taking account of the sustainable location of the site it is considered that two parking spaces per house would be appropriate. It should also be noted that Government guidance in PPG13 (para. 50) states that Local Authorities should not

require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls. It is not considered that these exceptional circumstances apply in this case.

The applicant has not provided any indication of which parking spaces are associated to which unit. A large amount of the parking spaces are located near to the front of the development and these are some distance from properties which is likely to lead to use by the retail uses adjacent and it could also lead to residents choosing to park outside their property for convenience and this will restrict movement of vehicles and people safely through the site. Therefore as well as the amount of parking, the location of the parking to each unit is also a concern to the Highway Officer. The site layout is constrained by the need to retain the central open area containing protected trees which means that some dwellings will not have a parking space immediately outside. However only one dwelling would not have at least one space within 10 metres of its curtilage boundary. The applicant is proposing knee rails to discourage people parking on the access road and it is not considered that on street parking will be a serious problem in this small development.

The applicant has provided information through a transport assessment on the likely level of traffic that would be generated by the proposals. The housing itself will generate about 8 trips in either peak hour and over the day it will generate in the region of 80 trips. The pub could have generated in the region of 340 trips per day. It is felt that the proposed development could generate in the region of 150 trips per day when considering all uses on site and this is likely to be less or at least equivalent to the previous use of the site.

This proposal is likely to lead to an increase in traffic in the morning peak hour as the current extant use would have had very little activity at this time but this level of movement is unlikely to have a significant impact on the operation of the local junctions at this time.

(5) Access Implications

The site is generally flat with no significant changes of levels which will enable ease of access to all properties and parking areas. The properties have been designed to conform to part M of the Building regulations. On all properties there will be a wheelchair accessible entrance level WC with drainage provision enabling a shower to be fitted. Bathrooms will be designed for ease of access to the bath, WC and wash basin. Six disabled parking spaces are proposed dispersed through the parking areas. In addition three of the properties are designed with a parking space with potential to be a disabled space. Hard surfaces will link the properties to the communal parking spaces. Provision is also being provided for access to the site for pedestrians with two gated paths leading onto Church Street, and for cyclists through the provision of safe and secure cycle parking within rear gardens. The site is also easily accessible to Crowthorne village centre and is on a bus route to Bracknell and Camberley town centres providing good access for people without access to a car. The proposed development is therefore considered to be in accordance with Local Plan Policies EN22 and M9

(6) Tree Implications

The rear part of the site is subject to an Area TPO 129 (1983) which protects the majority of trees on the site, including the central group of Yew, Scots Pine and Cherry

and all the trees on the western boundary. Local Plan Policy EN1 states that planning permission will not be granted for development which would result in the destruction of trees and hedgerows which are important to the retention of a clear distinction between built up areas and the countryside; the character and appearance of the landscape or townscape; green links between open spaces and wildlife heritage sites and habitats for local wildlife. The proposed development would retain all the significant trees on the site, and the Tree Officer does not object in principle to the proposed development subject to appropriate tree protection and engineering methods being employed in construction, particularly of the access road and parking areas. The applicant has recently provided additional information on these matters which is being looked at by the Tree Officer. It is considered that if any additional detail is required this could be secured by condition.

A number of changes have been made to the layout at the request of the Tree Officer, including the re-location of some parking spaces to enable the retention of a mature Cherry tree and some Hornbeams on the western boundary. The applicant has also removed the Hornbeams along this boundary from the curtilages of individual properties where they may have come under pressure from future occupiers to prune or fell and it is understood has reached an agreement to transfer the ownership of these trees to the neighbour at 19 Alcot Close. As well as securing a better management arrangement for the trees this would also provide greater control over boundary screening to alleviate any overlooking concerns that the neighbour may have. As the applicant is only a prospective purchaser at this stage it is not possible to complete this transfer before planning permission is granted and therefore a condition is suggested requiring the submission and approval of a management plan for all the communal areas of the site. This could for example include the setting up of a management company or the transfer of areas to neighbouring properties.

It is therefore considered that there are no tree issues that would prevent the redevelopment of this site as proposed, subject to the imposition of appropriate conditions. The proposal is therefore considered to be in accordance with Policy EN1.

(7) Impact on Thames Basin Heaths SPA

The Council, in consultation with Natural England, has formed the view that that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath SPA is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects.

This site is located approximately 0.513 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

Therefore, an Appropriate Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the site.

In line with the Council's Special Protection Area Technical Background Document (June 2007) and Chapter 11 of the Limiting the Impact of Development SPD (July 2007) (LID), the project as proposed would not adversely impact on the integrity of the site provided that prior to the permission being granted an applicant enters into a Section 106 Agreement based upon the Template S106 Agreement within Limiting the Impact of Development SPD.

The Template S106 requires a contribution of £1,536/net dwelling to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. The open space works at Ambarrow Hill/Court is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The Template S106 also requires occupancy to be restricted until the works and measures are in place.

Natural England has agreed that if the plans are implemented as stated in the SPA Avoidance and Mitigation Strategy, with certain monitoring requirements, Natural England "will stop objecting to consultations on housing applications in those areas of the Borough which have mitigation in line with the avoidance strategy."

Therefore it is considered that subject to the above measures which will prevent an adverse affect on the integrity of the SPA, pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) permission may be granted. Subject to an appropriate mechanism to secure the above mitigation measures the proposed development is considered to be in accordance with Local Plan Policy EN3.

(8) Infrastructure, services and amenities

Core Strategy Policy CS6 requires development to contribute to the delivery of infrastructure needed to support growth in the Borough and to mitigate adverse impacts on communities, transport and the environment. Local Plan Policy R5 specifically expects small residential developments of at least 5 dwellings on sites of less than one hectare to make a financial contribution towards recreational facilities in the area.

The development will be required to mitigate its impact on:

local open space/recreational facilities,
built sports facilities serving the development;
local primary/nursery school facilities;
local youth facilities;
the integrity of the Thames Basin Heaths SPA

In line with the above, an impact mitigation contribution of £113,256 is sought. All of these mitigation requirements could be secured by means of a s106 Agreement. At the time of writing this report the applicant has indicated its willingness to enter into an agreement but a satisfactory s106 has not yet been completed. It is therefore recommended that the formal determination of this application be deferred until this has been completed or refused if no agreement has been completed within a reasonable time.

CONCLUSION

This proposal is for a small infill residential development behind the Iron Duke public house. The site is in a very sustainable location just south of Crowthorne village centre and the principle of the proposed development is acceptable. The site lies within the Crowthorne Conservation area. It is considered that the retention of the Iron Duke and the replacement of the incongruous Old Bakehouse Court with a small residential terrace in keeping with adjacent properties will positively enhance the character and appearance of the conservation area while bringing new uses and vitality into this somewhat neglected part of the conservation area.

The proposed development is not considered to result in any significant impact on neighbouring properties and will provide an acceptable living environment for future occupiers.

The plans have been amended to address highway and tree issues. Although it is acknowledged that some issues remain, particularly in respect of parking, it is considered that on balance the proposed scheme will provide significant economic and environmental benefits that are considered to outweigh these concerns. Subject to appropriate conditions and legal obligations that mitigate the impact of the development approval is recommended.

6 RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. contributions towards:
 - local open space/recreational facilities,
 - built sports facilities serving the development;
 - local primary/nursery school facilities;
 - local youth facilities;
 - the integrity of the Thames Basin Heaths SPA

That the Head of Development Management be authorised to **APPROVE** the application subject to the following condition(s):-

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 other submitted details received by the Local Planning Authority on 29th July 2007:

- P-01 C Topographic Survey
- P-02 E Location Plan
- P-03 F Proposed Site Plan (received 28th September 2011)
- P-04 C Units 1 - 3 & Flats Plans/Sections
- P-05 C Units 4 - 11 Plans/Sections
- P-06 C Unit 12 Plans/Sections
- P-07 B Iron Duke Pub Plans/Section
- P-08 C Units 1 - 3 & Flats Elevations
- P-09 D Units 4 - 11 Elevations
- P-10 C Unit 12 Elevations
- P-11 B Iron Duke Pub Elevations
- P-12 C Church Street Existing and Proposed Elevations
- P-13 B High Street Existing and Proposed Elevations
- P-14 B Site Section A - Existing and Proposed
- P-15 B Site Section B - Existing and Proposed
- P-16 C Proposed Roof Plan
- P-17 C Proposed Landscape Plan (received 28th September 2011)
- P-18 C Proposed Services Plan (received 28th September 2011)

(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans or details).

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the samples submitted on 26th July 2011 unless otherwise agreed by the Local Planning Authority in writing.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: SEP CC6, BFBLP EN20, Core Strategy DPD CS7]
04. The use of the ground floor of the Iron Duke shall be changed from public house (Use Class A4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987) to either retail (Use Class A1) or financial and professional services (Use class A2) prior to the first occupation of any of the residential dwellings hereby permitted.
REASON: The continued use of the Iron Duke as a public house would give rise to an increased level of traffic generation and demand for car parking spaces on the site which could not be satisfactorily accommodated or mitigated within the terms of the current planning application.
[Relevant Policies: BFBLP M4, M9, Core Strategy DPD CS24]
05. No dwelling shall be occupied until the existing vehicular access to the site from Church Street has been closed and a footway/ verge is provided over the closed access in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; the footway/verge shall be retained thereafter.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
06. No development (other than the construction of the access) shall take place until the access has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
07. The development hereby permitted shall not be begun until all the visibility splays shown on the approved drawings have been provided. Those areas 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]
08. No dwelling shall be occupied until that part of the access road which provides access to it has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
09. No building shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all time
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: SEP T4, BFBLP M9, Core Strategy DPD CS23]

10. No building shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings
REASON: In order to ensure bicycle facilities are provided.
[Relevant Policies: SEP T4, BFBLP M9, Core Strategy DPD CS23]
11. The car parking indicated on the approved plans as car parking for people with disabilities shall be marked out, signed and provided prior to the first occupation of the building that the parking relates to and shall thereafter be retained, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure that people with disabilities have adequate access to the development.
[Relevant Policy BFBLP M7]
12. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works including the following:
- works to secure a safe vehicular access to the site from High Street, Crowthorne.
The buildings provided by the carrying out of the development shall not be occupied/open for trade 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]
13. The development hereby permitted shall not be begun 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 operativesand 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.
14. The development hereby permitted (including any demolition) shall not be begun 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.

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

[Relevant Policies: SEP NRM10, BFBLP EN25]

15. The development hereby permitted shall not be begun 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. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of the amenity of neighbouring property and the character of the area.

[Relevant Policies: BFBLP EN20 and EN25]

16. The development hereby permitted shall not be begun until comprehensive details of both hard and soft landscaping works have been 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)
- f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, parking courts etc.
- g) Recycling/refuse or other storage units,

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.

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

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

17. No retained tree or hedgerow (as specified as being retained on the approved details as part of this permission) shall be cut down, uprooted or destroyed without the prior written consent of the Local Planning Authority.

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 unless the Local Planning Authority gives it written consent for any variation.

REASON: In the interests safeguarding visual amenity.

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

18. The new build development hereby permitted shall not be begun until a Sustainability Statement demonstrating how the development will meet 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. Save as otherwise agreed in writing by the Local Planning Authority, the development shall be implemented in accordance with the Sustainability Statement and the measures set out in the statement shall be retained in accordance therewith.

REASON: In the interests of sustainability and the efficient use of resource

[Relevant Policy: Core Strategy DPD CS10]

19. The new build residential 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

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

[Relevant Policy: Core Strategy DPD CS10]

20. The development hereby permitted shall not be begun until an Energy Demand Assessment demonstrating that :
- (a) 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) a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20% unless otherwise agreed in writing by the Local Planning Authority).
- Has been submitted to and approved in writing by the Local Planning Authority. Save as otherwise agreed in writing by the Local Planning Authority, the building(s) thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

21. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: SEP NRM5, BFBLP EN3]
22. The development hereby permitted (including site clearance and demolition) shall not be begun until:-
(i) all the buildings/structures on the site and any trees to be felled have been further surveyed for the presence of bats, in accordance with the recommendations in section 6 of the Ecological Appraisal by Aluco Ecology dated January 2010; and
(ii) the further survey has been submitted to and approved by the Local Planning Authority, and
(iii) either the Local Planning Authority have agreed that no relocation of bats is necessary or the relocation of an bats has been achieved in accordance with mitigation and monitoring proposals previously submitted in writing to and approved by the Local Planning Authority.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: SEP NRM5, Core Strategy CS1]
23. The development hereby permitted shall be carried out in accordance with the mitigation measures outlined in in section 6 of the Ecological Appraisal by Aluco Ecology dated January 2010, unless otherwise agreed in writing by the Local Planning Authority. These measures shall includes the installation of bird and bat boxes in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority before the first occupation of any buildings hereby permitted.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: SEP NRM5, Core Strategy CS1]
24. No building shall be occupied until a scheme (including a plan identifying the areas to be covered by the scheme) has been submitted to and approved in writing by the Local Planning Authority for the management of any communal areas of the site that are not intended to be transferred to individual occupiers. The approved scheme shall be implemented prior to the first occupation of any building and the measures in the approved scheme shall thereafter be retained.
REASON: To ensure that adequate arrangements are in place for the ongoing management of the communal parts of the site in the interests of amenity.
[Relevant Plans and Policies: BFBLP EN20; Core strategy DPD CS7]
25. The development hereby permitted shall be carried out in full accordance with the tree protection measures and method statements outlined in the following documents received by the Local Planning Authority on 28th September 2011:
- Method Statement - Iron Duke by SW Directional Drilling
Tree Condition Survey/Constraints drawing 506/01 B by Draffin Associates
Tree Protection drawing 506/02 by Draffin Associates
Arboricultural Method Statement revised 22nd July by Draffin Associates
(received 29th July 2011)
- unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of tree protection
[Relevant Plans and Policies: SEP NRM5, Core Strategy CS1; BFBLP EN1]

26. 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]
27. 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. If within a 5 year period of the completion of the development any soft landscaped area which is removed, uprooted, or is destroyed or dies shall be replaced by plants of the same species and size as that originally planted at the same place, unless the Local Planning Authority gives its written consent for any variation

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

[Relevant Policies: BSP DP5, BFBLP EN2 and EN20, CSDPD CS7]

28. 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 Classes A, B, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out.

REASONS:

(1)The prominence of the site within the Crowthorne Conservation Area requires strict control over the form of any additional development which may be proposed in order to safeguard the character and appearance of the area and the residential and visual amenities of the occupiers and adjoining properties;
(2) Any extensions that resulted in additional bedrooms would place further pressure on parking provision on this already tightly constrained site; and (3)
The site is subject to a Tree Preservation Order and contains trees which are a feature of the site where strict control over additional development is required to ensure their protection.

[Relevant Policies: BEBLP EN1, EN20, M9; Core Strategy DPD CS7]

Informative(s):

01. The applicant should be aware of the need to enter into a Section 278 Agreement under the 1980 Highway Act before any work can be undertaken within the public highway.
02. Please note that this is a PLANNING permission. Before beginning any development you may also need separate Conservation Area Consent for the demolition of any buildings on the site.
03. The proposal accords with the following Policy of the Regional Spatial Strategy for the South East of England:

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.

NRM5 – which seeks to conserve and improve biodiversity.

NRM6 – which requires new residential development which is likely to have a significant effect on the ecological integrity of Thames Basin Heaths Special Protection Area (SPA) to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects

BE6 – which seeks to which protect, conserve and, where appropriate, enhance the historic environment and the contribution it makes to local and regional distinctiveness and sense of place.

TC2 – which seeks to support function and viability of town centres; respect the historic character, environment and cultural value of existing town centres; ensure safe, secure and attractive environments for people to live, shop; and consider the potential impact on the vitality and viability of town centres.

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.

CS2 – which seeks to ensure that land will be allocated for development in the following order: Bracknell Town Centre; previously developed land and buildings in defined settlement; other land within defined settlements where there is no conflict with other policies; extensions to defined settlements with good public transport links.

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.

CS15 – which seeks to make provision over the period 2006-2026 for the phased delivery of 11,139 new dwellings.

CS16 – which seeks to ensure development will contribute to meeting the identified housing needs of all sectors of the Community.

CS21 – which seeks to ensure that new retail development is directed to identified town centres, and the scale and nature of the retail uses is consistent with the role and function of the centre.

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.

CS24 – which seeks to ensure that development will mitigate any transport impacts which may arise from the development or cumulatively with other

proposals.

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

EN1 – which seeks to protect 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.

EN22 – which seeks to ensure there will be convenient access, parking space and facilities for people with disabilities.

E5 - which seeks development to be consistent with the hierarchy of shopping centres (major town centre, small town centres, village and neighbourhood centres, local parades).

E10 – which seeks to prevent non-retail uses in Bracknell Town Centre secondary shopping area, Crowthorne retail area outside of the retail core and Sandhurst Centre (west of Swan Lane).

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.

M9 – which seeks satisfactory parking provision for vehicles and cycles.

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:

The proposal is considered to comply with the above policies.

The site is in a very sustainable location and the principal of the proposed development is acceptable. The retention of the Iron Duke and the replacement of the incongruous Old Bakehouse Court with a small residential terrace in keeping with adjacent properties will positively enhance the character and appearance of the Crowthorne Conservation Area while bringing new uses and vitality into this somewhat neglected part of the conservation area.

Concerns have been raised that the new houses on Church Street would be higher than the existing adjacent terrace and have a bulkier rear elevation. However it is not considered that these would be readily visible from the street scene or in any way detract from the positive enhancements the new terrace would provide in this location. It is also considered that slightly taller buildings would be appropriate as the village centre is approached and the proposed Church Street elevation is therefore considered to be acceptable.

Concerns have also been raised that the houses behind the Iron Duke would have roofs higher than the Iron Duke when viewed from the High Street and that this would be compounded by an infilling of the High Street elevation south of the Iron Duke. Although the proposed ridge line of the houses at the rear of the

site would be 0.8m higher than the Iron Duke it would be lower than 246-252 High Street which adjoin the Iron Duke. In view of the fact that these houses would be set back approximately 50 metres behind the Iron Duke the additional height would not be apparent in views from the High Street. The only place that the proposed houses may be glimpsed behind the Iron Duke would be in long distance views down Lower Broadmoor Road. However in view of the distances involved it is considered that the height differential would be barely noticeable and would not result in any visual harm to these long distance views.

The lack of perspective in the street elevations also applies to the perceived infilling concern. At the front of the site the area south of the Iron Duke would remain open as at present to accommodate the new access road and car parking. The proposed house on plot 12 would be set approximately 10 metres back and six metres south of the Iron Duke and the terrace of houses at the rear would be 29 metres further back. These set backs will reduce any appearance of infilling of the area south of the Iron Duke when viewed from the High Street. The proposed houses would not be readily visible in oblique views into the site when travelling along the High Street in either direction, but would only be seen from directly in front of the access road. The retention of the mature trees along the southern boundary of the site will also retain a green foil to the site, maintaining the present clear break between the more commercial uses to the north and residential area to the south.

The proposed development is not considered to result in any significant impact on neighbouring properties and will provide an acceptable living environment for future occupiers.

The Highway Authority has not raised any highway safety concerns with respect to the siting of the access onto Crowthorne High Street.

It is considered that on balance the proposed scheme will provide significant economic and environmental benefits that outweigh any remaining highway concerns about parking.

The planning application is therefore approved

In the event of the S106 planning obligation(s) not being completed by 20th January 2012 the Head of Development Management be authorised to REFUSE the application on the grounds of:-

01. The proposed development would unacceptably increase the pressure on public open space, built sports facilities, local youth facilities and primary and nursery education facilities. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards public open space, built sports facilities, local youth facilities and primary and nursery education facilities the proposal is contrary to policies CC7 of the South East Plan; Policy CS6 of the Bracknell Forest Core Strategy DPD; Policy R5 of the Bracknell Forest Borough Local Plan and the Limiting the Impact of Development SPD.
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 the adopted Limiting the Impact of Development Supplementary Planning Document. 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.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

ITEM NO: 7

Application No.
11/00416/FUL

Site Address:

Ward:
Harmans Water

Date Registered:
28 June 2011

Target Decision Date:
23 August 2011

Land At Former RAF Staff College Site Broad Lane Bracknell Berkshire

Proposal:

Erection of community centre/pavilion building, floodlit Multi-Use Games Area, 2 no. refurbished tennis courts, 57 space car park, recycling centre, play area (LEAP) and amenity space with associated paths and landscaping and vehicular access from Gibson Drive via Nicholson Park following demolition of squash courts building.

Applicant:

Taylor Wimpey (West London)

Agent:

Boyer Planning Ltd

Case Officer:

Martin Bourne, 01344 352000

environment@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1 RELEVANT PLANNING HISTORY (If Any)

03/00567/OUT

Validation Date: 04.06.2003

Outline application (including means of access) for the erection of 730 dwellings with associated accesses onto Broad Lane. Provision of 19 hectares of open space and 0.9 hectares of land for primary school/community use together with associated access roads and footpaths/cycleways. Demolition of existing buildings (except Ramslade House and the Community/Cadet facility). Part PD removed.

Approved With A Legal Agreement

06/00573/REM

Validation Date: 22.06.2006

Submission of details of siting, design, external appearance and landscaping pursuant to outline planning permission 03/00567/OUT for the erection of 730 dwellings with associated accesses onto Broad Lane and provision of open space for community use, together with associated access roads and footpaths/cycleways, involving demolition of existing buildings (except Ramslade House and the Cadet facility). (Alternative scheme to that submitted under ref. 06/00291/REM).

Approved

08/00116/OUT

Validation Date: 07.02.2008

Outline application for the erection of 781 dwellings (maximum 1150 dwellings within the entire development) including 336 affordable dwellings (maximum 437 affordable dwellings across entire development); retention and remodelling of Ramslade House together with an extension of 260 sq m to provide community facilities with ancillary uses; new commercial/community floorspace (use classes A1/A3/B1a/D1/D2) of 670 sq m; provision of 18.29ha of open space (a total of 19.37ha across the entire development); formation of new vehicular access from Elizabeth Close and provision of internal access roads, parking and landscaping.

Refused

11/00558/FUL

Validation Date: 04.08.2011

Section 73 application to allow amendment to design of 30 no. three-storey flats (and associated landscaping, parking and bin storage details) in phase 5 (plots 343-372) and to site levels of open space to south, without compliance with condition 01 of reserved matters approval 06/00573/REM.

(No Decision – Application Currently Under Consideration)

Additional Planning &/ Appeal History

Appeal

Validation Date:

29.08.2008

Reference:

08/00055/REF

Outline application for the erection of 781 dwellings (maximum 1150 dwellings within the entire development) including 336 affordable dwellings (maximum 437 affordable dwellings across entire development); retention and remodelling of Ramslade House together with an extension of 260 sq m to provide community facilities with ancillary uses; new commercial/community floorspace (use classes A1/A3/B1a/D1/D2) of 670 sq m; provision of 18.29ha of open space (a total of 19.37ha across the entire development); formation of new vehicular access from Elizabeth Close and provision of internal access roads, parking and landscaping.
Appeal Dismissed

Appeal
Validation Date:
24.10.2008

Reference:
08/00065/REF

Section 73 application to allow erection of 730 dwellings with associated development without compliance with condition 28 of outline planning permission 03/00567/OUT (this condition requires the provision of a public bus and emergency vehicles only link within the site before the occupation of 425 dwellings. It is proposed to provide this link but without a bus gate so that it can be used by all vehicles).

Appeal Allowed

2 RELEVANT PLANNING POLICIES

Key to abbreviations

BFBCS	Core Strategy Development Plan Document
BFBLP	Bracknell Forest Borough Local Plan
RMLP	Replacement Minerals Local Plan
WLP	Waste Local Plan for Berkshire
SPG	Supplementary Planning Guidance
SPD	Supplementary Planning Document
PPG (No.)	Planning Policy Guidance (Published by DCLG)
PPS (No.)	Planning Policy Statement (Published by DCLG)
MPG	Minerals Planning Guidance
DCLG	Department for Communities and Local Government

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN1L	Protecting Tree And Hedgerow Cover
BFBLP	EN2L	Supplementing Tree And Hedgerow Cover
BFBLP	EN20	Design Considerations In New Development
BFBLP	EN25	Noise And Other Pollution
BFBLP	EN22	Designing For Accessibility
BFBLP	M9	Vehicle And Cycle Parking
BFBLP	PH11	The Staff College Bracknell
BFBCS	CS7	Design
BFBCS	CS8	Recreation and Culture
BFBCS	CS10	Sustainable Resources
BFBCS	CS12	Renewable Energy
BFBCS	CS23	Transport

3 CONSULTATIONS

(Comments may be abbreviated)

Crime Prevention Design Advisor

Pleased to see Design and Access Statement (DAS) includes section on safety and crime impact.

Offers detailed comments to minimise the crime risk to premises from damage, burglary and arson.

[Officer comment: *these have been relayed to the applicant and a number of changes made as a result*]

Bracknell Town Council

Observations;

The floodlit rugby pitch should remain as per the original plans. Consideration should be given to the residents' concerns about the placing of the Teenage Meeting Shelter so as not to cause any disturbance to local residents.

[Officer comment: *the teenage shelter has been located further from proposed dwellings in amended plans*].

The Environment Agency

Holding objection raised pending receipt of FRA

Transportation Officer

Comments incorporated in main report.

Parks and Countryside Officer

The distribution of the two types of street furniture is appropriate, with a continuation of the more 'rural' seat and bin design in the open space areas, and a more 'urban' designer seat and bin in closer proximity to the building and its setting.

Planting proposals generally look suitable. Tree planting uses an interesting range of species.

The proposed MUGA (multi-use games area) is smaller than the s299A requires for the teenage kickabout area [Officer comment: *this has been addressed in amended plans*].

The proposed surface of the MUGA consists of open graded macadam with an acrylic paint surface. Consideration should be given to a polymeric surface.

Waste & Recycling Manager

The recycling centre location is ideal for access for the collection vehicle and also ideal for residents use as there is parking available in the community centre car park.

When lifting the containers out of the ground the vehicle does put down stabiliser pads so a suitable surface needs to be used and the sub strata needs to be of sufficient strength to support this.

The lifting mechanism on the containers needs to be a twin hook lifting system on containers that are 3m3, this will ensure the Council's contractor is able to service the containers once they are installed.

[Officer comment: *conditions are recommended to be imposed to address these matters*]

Environmental Health and Safety

The main consideration is noise emissions from the centre. A condition could be imposed to address this matter.

[Officer comment: *conditions are included in the Recommendation*].

Biodiversity Officer

Floodlighting proposals should be designed to minimise impact on wildlife. In terms of wildlife, the proposed location is preferable to the rugby pitch.

Lighting Officer

More information on lighting information should be provided for the MUGA and for the car park bollard luminaires.

[Officer comment: *satisfactory details have now been provided*]

4 REPRESENTATIONS

Twenty representations have been received, 18 of them objecting to the application for reasons which may be summarised as follows:-

- the design of the building is not in keeping with its surroundings
- would lead to increased traffic on the estate including along Gibson Drive and Nicholson Park which will be unneighbourly
- more visitor parking should be provided
- parking for community centre will be used as overflow parking for estate displacing parking associated with it
- concern over abuse of car park by joy riders
- updated facilities welcomed but objection to loss of squash courts
- proposed facility not fit for purpose – not enough space for more than one adult football team
- would the surface of the MUGA be acceptable for all sports?
- the site is not well overlooked and the mixed use and teenage shelter could lead to anti-social behaviour. The car park could be more easily controlled if it could be locked. [Officer comment: *issues of security and crime prevention have been carefully considered and the comments of the Police Crime Prevention Design Advisor incorporated into the proposal*].
- use of recycling facility at unreasonable times could disturb local residents
- loss of Ramslade House will take away last piece of history of RAF Staff College - the impact on it of approving this application should be considered. [Officer comment: *as stated in the Conclusion, this concern is understood but it is not considered to be a reason to refuse the present application*].
- Ramslade House should be used rather than taking up more green space
- money spent on public art should have been spent on Ramslade House
- understood that Ramslade House would be renovated and refurbished to provide community facilities. This would be preferable to the new building in design terms
- the more remote location of new building would cause security issues – Ramslade House enjoys better natural surveillance
- plans for refurbishment of Ramslade House showed several rooms/spaces – more usable than the proposed building. The internal layout of the proposed community facility building is less satisfactory than the use of Ramslade House

- no information has been made public on the costs of refurbishing Ramslade House. These should be the subject of an independent evaluation. [Officer comment: *costings have been provided to officers which are the basis of the comments in the report*].
- Ramslade House has a permitted D1 use which could impact on the living conditions of residents. Any permission should ensure that only one of the permitted schemes is implemented and/or that provision is made for the impacts of the use to be mitigated. [Officer comment: *in approving the re-use of Ramslade House for community purposes in 2006 it was accepted that a D1 (non-residential institution) use was acceptable in this location. Seeking financial contributions associated with such use is not recommended as it would make the retention of Ramslade House less likely*].

A letter has been received from the Ranelagh School governing body objecting to the planning application for reasons which may be summarised as follows:-

- The school questions the adequacy of the changing facilities and sports pavilion. In particular the meeting room/office is now provided in the community building (which could cause operational problems) and there is a reduction in the number of external toilets which would be useful for school/team use (when changing rooms locked) and to users of the open space, e.g. dog walkers. There is no large space in the pavilion for team refreshments, as previously provided. [Officer comment: *the proposed facilities meet the specifications for accommodation set out in the legal agreement*].

The other two respondents whilst raising questions and comments did not specifically object to the application.

5 OFFICER REPORT

This application is reported to committee as more than 3 objections have been received.

i) PROPOSAL

Full planning permission is sought for the erection of a community centre/pavilion building, a floodlit multi-use games area (MUGA), the re-provision of two tennis courts, the formation of a 57 space car park and recycling centre, a play area (locally equipped area of play - LEAP) and amenity space with associated paths and landscaping and vehicular access from Gibson Drive via Nicholson Park following demolition of squash courts building.

The community centre/pavilion is a single-storey, brick-built building with an asymmetric, pitched tiled roof (maximum ridge height 6.6m) and a floorspace of 478 sq m. The community centre part of the building has a meeting hall, meeting room and kitchen with associated stores and WCs. It has a kitchen and a disabled WC with external doors to serve events outside the building.

The pavilion part of the building accommodates 4no. changing room with showers and WCs and stores. An internal door links the two parts of the building. The building has a fenced garden to the north with paved areas on the other sides.

A MUGA is proposed to the west with 3m high ballstop fencing. This is a hard-surfaced space which can be used for football and basketball. It is proposed to be lit with 4no. floodlights (one in each corner) on 8m tall columns. This floodlighting is proposed in place of floodlighting for the rugby pitch. A teenage shelter is proposed to the south of the MUGA and a LEAP to the north. Details of the play equipment to be provided on

the LEAP, which will cater from toddlers to children about age 14, will be approved separately pursuant to the legal agreement.

A 57 space car park is proposed to the east of the building with 4no. disabled spaces close to the entrance and spaces for minibuses. It will be lit with lights on 5m tall columns. A recycling centre with underground containers is proposed on the east side of the car park.

The existing squash court building on the site - a square brick-built building with a flat roof - is proposed to be demolished but two existing tennis courts will be reprovided with 3m high chainlink fencing surrounds.

The application provides for vehicular access from the north towards Broad Lane via Nicholson Park and Gibson Drive. Paths with benches and bins are proposed to link the site to housing areas to the north and east and to open space/pitches to the south and west.

Hard and soft Landscaping details are provided with tree and shrub planting around the proposed building and the car park

This planning application was accompanied by an application to modify certain of the recreational/sports and recycling facilities obligations in the planning agreement associate with outline planning permission 03/00567/OUT. This is dealt with in a separate report to this committee.

ii) SITE

The 1.35 ha site lies on the east side of The Parks development, to the south-east of Ramslade House. Newly constructed housing at Typhoon Close lies to the north. Land to the east at Nicholson Park has not yet been built but will accommodate houses and three-storey flats. Sports pitches and open space, which is in the process of being laid out, lies to the south and west. The site is generally flat and contains a number of mature trees together with the squash and tennis courts referred to above.

iii) BACKGROUND

The Staff College site was vacated by the MoD in 2001. Outline planning permission for its redevelopment was granted in 2003 and it was subsequently sold to English Partnerships (part of the Homes and Communities Agency – HCA) whose development partners, Taylor Wimpey, are building on the site.

Guidance on the development of the Staff College site is contained in The Staff College Planning and Design Brief which was approved in October 2002 following public consultation.

Outline planning permission for the redevelopment of the former Staff College site for 730 dwellings, open space and associated facilities was granted in December 2003 following the completion of a legal agreement (Section 299A agreement). Amongst other things the agreement secures the provision of a 'community facility' and a sports pavilion.

The agreement contains a schedule setting out the facilities to be provided by the community facility and secures a sum of £345,000 (index linked) towards it from the developer. The agreement gives two options for the provision of this community facility (at the choice of the Owner): either

- 1) as part of Ramslade House, or
- 2) as a new build.

The pavilion is to be located adjacent to the sports pitches and a specification for the accommodation to be provided is again set out in the agreement. A sum of £350,000 (index linked) towards it from the developer is secured by the agreement.

Both the community facility and the pavilion are to be provided by 500th dwelling occupation on the site. To date some 380 dwellings have been occupied.

When the developer submitted the application for the approval of reserved matters for housing on the site (ref 06/00567/REM) it showed Ramslade House being converted, with an extension, to provide the community facility. The reserved matters application including these details was approved in September 2006. A reserved matters application for a free-standing pavilion was approved in 2007 (ref: 07/00172/REM).

Building on the Staff College site commenced in 2007. In 2008 an application was submitted to increase the number of dwellings to be built on the site from 730 to 1120. This application was refused and the subsequent appeal dismissed in 2009.

Following the dismissal of the appeal Taylor Wimpey costed the conversion of Ramslade House to provide the community facility. This exceeded £1m and the Council is not in a position to fund the difference between this amount and the £345,000 (indexed) secured by the legal agreement.

Accordingly providing the community facility and the pavilion together, in a new building located on the site of existing squash courts, has been explored with the developer. In this way by:-

- combining the sums of money secured by the legal agreement, and
 - making savings by providing only one recycling centre (rather than two) and demolishing rather than refurbishing the squash courts, and
 - drawing on s106 monies from recent developments in the vicinity of the site
- it appears that a community building/pavilion meeting the specifications contained in the legal agreement can be funded.

iv) PLANNING CONSIDERATIONS

(1) Principle of the development

It is considered that the development proposed is acceptable in principle taking account of outline planning permission 03/00567/OUT (and the associated legal agreement and master plan/design statement) and the details approved under reserved matters approval 06/00573/REM.

(2) Transport considerations

The site is located off Nicholson Park. Access to the parking area for the proposed community facilities/pavilion has previously been approved and will provide acceptable pedestrian and vehicular visibility.

The application proposes to provide a combined community centre/pavilion. Previous applications have considered separate facilities with the community centre being located within Ramslade House and the pavilion building to accommodate sports related facilities and changing rooms being provided in a similar location to the

proposed community centre/pavilion building off Nicholson Park. The part of the facility that will be used as a community centre will be occupied at different peak times to the sports facility, and as pedestrian use by local residents is anticipated, the parking for the development is considered to be acceptable.

Parking for disabled people is provided and the scheme makes provision for the parking of minibuses. The Highway Officer notes that provision for the parking of coaches has not been considered. No specific provision was made under the scheme approved in 2006. A 6m wide route through the Staff College site suitable for use by buses has been provided in accordance with the s299a agreement, however, and this could be used for dropping off if necessary.

Concern has been expressed over the possible abuse of the car park by joy riders. It is not possible to design out all possible future difficulties but the Police Crime Prevention Design Advisor does note that the surface area is broken up (by planting) to deter 'vehicle displays'.

(3) Impact on character and appearance of the area

The layout proposed is broadly similar to that approved under the reserved matters application in 2006 in terms of the location of the pavilion, MUGA, tennis courts, LEAP, car parking and road access. The main changes are the existing squash courts being replaced by the community facilities building and the recycling facility being relocated from south of Typhoon Close to west of the flats at Nicholson Park. There have been some consequential changes to the details of the landscaping in the light of this. Overall, however, it is considered that these changes are acceptable and in line with the objectives of the Planning and Design Brief and the master plan/design statement.

The proposed community facility/pavilion building takes design cues from the surrounding housing development with its asymmetric roof design. The design of the building is simple and to avoid it appearing too utilitarian the choice of materials will be important. As submitted, contrasting buff (yellow) bricks are proposed for the walls with a terracotta tiled roof and wooden panels on the north elevation. It is considered that the tile proposed is acceptable but that using a red-multi brick (used elsewhere on the development) would lift the appearance of the building. Such a brick has been used successfully in the newly built community building at Jennett's Park. It is therefore recommended that a condition is imposed regarding materials to secure this finish.

The development will involve the loss of some trees, including dead and dying trees on the northern part of the application site, but the proposed replacement planting is considered to be satisfactory in replacing these and enhancing tree cover overall.

Planting proposed includes tree and hedge planting within the car park and tree planting to the east of the tennis courts. A band of shrub and 'woodland planting mix' is proposed to the north of the tennis courts, community centre building and MUGA, together with individual trees to the south of Typhoon Close. Together with proposed planting to the west of the MUGA this planting will soften and filter views of the proposed facilities from the housing areas to the north and east.

(4) Effect on the amenity of neighbouring residential property

Community facilities/pavilion building

The building lies over 55m from the nearest dwellings to the north and east. Given this separation it will have no detrimental impact in terms of loss of sunlight/daylight or

overbearing effect. An Environmental Noise Assessment report has been submitted with the application. On the basis of this the Environmental Health Officer considers that noise levels are capable of being managed on site and raises no objection subject to conditions which are included in the Recommendation.

Traffic

The amount of car parking proposed is as per the 2006 reserved matters approval but the car park is likely to be busier as it will serve the community facility as well as the pavilion and open space. It is not considered, however, that any increase in traffic flows on the roads serving the car park will have an unacceptably harmful effect on the living conditions of existing or future residents.

LEAP, MUGA and tennis courts

These are proposed in broadly the same locations as the 2006 approval and it is not considered that their use would have an unacceptable impact on the living conditions existing or future residents.

Lighting

The current application proposes the floodlighting of the MUGA with 4no. 400W floodlights on 8m tall columns. It has not yet been established how this facility will be operated and managed but one model would be for the lighting to be switched on from dusk to 10.00pm as at Birch Hill. This will have an impact on the outlook from properties in Typhoon Close and Nicholson Park.

The nearest dwellings are about 60m from the floodlights and a degree of screening is provided by existing and proposed vegetation. Overall it is considered that this relationship will be acceptable provided that the lighting is switched off no later than 10pm. An appropriate condition is contained in the Recommendation. In considering this matter it should be noted that the floodlighting of the rugby pitch secured by the legal agreement (but now proposed to be varied) would have involved taller, more powerful lighting which would have been sited closer to dwellings (the flats at Nicholson Park) with little or no scope for screening.

The car park will be lit by 45W lights on 5m tall columns. It is not considered that this will have an unacceptable impact on the living conditions of the occupiers of flats and houses nearby.

Teenage shelter

The application includes the provision of a 'teenage shelter' – a covered semi-circular bench – on the south side of the MUGA. Concerns have been raised that this will encourage anti-social behaviour and vandalism. The shelter has been carefully sited so that it is not too close to existing or proposed dwellings or in a location where its use might make users of nearby facilities/footpaths uncomfortable. It is noted that no objection to it was raised by the Police Crime Prevention Design Advisor. It is considered that this element of the application is acceptable and adds positively to the range of facilities available to existing and future occupiers of The Parks.

Recycling facility

It is proposed to re-locate this from the south side of the Typhoon Close, north of the proposed LEAP, to the car park to the west of the proposed flats at Nicholson Park.

The facility will be a minimum of about 8m from the nearest flats but at a lower level with a retaining wall in between (It will be noted that there is an outstanding application to amend certain details of these flats. The proposed relationship between the recycling facility and the proposed flats is considered acceptable in relation to both the flats as currently approved and as proposed to be amended). The recycling tanks are underground which means that less noise will result from their use than the traditional recycling containers. No objection is raised by the Environmental Health Officer. Overall it is not considered that this relationship will be unneighbourly.

(5) Acceptability of facilities

Concerns have been raised about whether both the community facility and the pavilion are 'fit for purpose'. In this regard it will be noted that both elements of the building meet the specifications for accommodation set out in the legal agreement.

It has been suggested that the remote location of new building will cause security issues. It is considered, however, that the building will be close enough to existing/proposed dwellings to enjoy some natural surveillance without being so close as to lead to unacceptable levels of noise and disturbance. It is also in an accessible location well served by footpaths, cycleways and car-parking.

An objection is raised to the loss of the two existing squash courts. As there is spare capacity at most times at the squash courts at Bracknell Leisure Centre nearby, it is not considered that retention and refurbishment of the 2 squash courts at The Parks is necessary. Sport England raises no objection to their loss. As noted above the savings arising from not retaining and refurbishing the squash courts help make the funding of the proposed community facility/pavilion building achievable.

It has been queried whether the surface of the MUGA is acceptable for all sports. The most appropriate form of hard surface within the budget available is still under discussion and it is recommended that a condition be imposed.

(6) Ramslade House

Ramslade House is a building with accommodation on 3 floors plus a basement dating from the C19th. It is not 'listed' and is not considered worthy of listing. It was extended in the post-war period when the site was used by the RAF. The extensions have since been removed.

It has not been occupied since the site was vacated by the MoD in about 2000. Whilst the developer has put measures in place to limit damage from vandalism the fabric of the building has deteriorated since it was vacated.

As outlined in (iii) above, the s229A legal agreement gave two options for the provision of a community facility - either as part of Ramslade House, or as a new build - and the 2006 reserved matters approval showed Ramslade House being converted, with an extension, to provide the community facility. In the light of the current financial position the new build option, the subject of this application, is being pursued.

This leaves a question over the future of Ramslade House and this is a matter of concern to many of those who have objected to the application given its age and its links with the former use of the site as the RAF Staff College.

In this regard it is not considered that the fact that this application does not show the conversion of Ramslade House to provide the community facility is a sufficient reason

to refuse this planning application since the agreement does allow for the community facility to be provided in a new building. Any works to Ramslade House other than those approved under the 2006 reserved matters approval (to convert it, with an extension, for community use) will require planning permission. If the developer were to seek to demolish it then, following recent changes, under Part 31 of the General Development Procedure Order it would be required to apply to the local authority for a determination as to whether prior approval is needed for the method of demolition/restoration.

One objection states that money spent on public art should have been spent on Ramslade House. It is noted that the public art recently installed at the entrance to The Parks development was required by a condition imposed on the outline planning permission for the development.

(7) Access implications

Level access is afforded to the entrances to the proposed building which has disabled changing and WC facilities. Disabled spaces are proposed in the car park, close to the entrance to the community building. Overall the provision for disabled people is considered to be acceptable.

(8) Sustainability Statement and Energy Demand Assessment

CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards. In the absence of a Sustainability Statement it is recommended that conditions should be imposed.

CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. No Energy Demand Assessment has been submitted so it is recommended that a condition be imposed.

There are various options available that would achieve the requirements of policy CS12. However the pitch of the roof and the orientation of the building may lend itself to the use of Solar Photovoltaic Cells and therefore this should be investigated as a possible option.

(9) Bio-diversity

Lighting can negatively impact wildlife by creating a barrier to movement, becoming an artificial draw to insects and is best located within the more formal areas of the public open space adjacent to the pavilion. The Staff College site is particularly important for bat roosts and their foraging as established by previous survey work and mitigated for by the creation of bat houses, creation of new habitats and the retention of key foraging areas. This application proposes to light the MUGA area as opposed to the rugby pitches. This avoids lighting key foraging areas which are used by bats along the woodland edge in the south of the open space and near other habitats such as long grass areas which also provide valuable habitat for biodiversity. Overall, in terms of wildlife, the proposed location is preferable to the rugby pitch.

Further information about lighting has been provided and the Council's Biodiversity Officer has confirmed that she has no objection to the lighting proposed for the MUGA and the car park.

(10) Compliance with s299a legal agreement

This application supports the following 2 obligations in the s299A agreement: Clause 7.7 which requires the provision of a sports pavilion, and clause 8 which requires the provision of a social and community facility. The proposed building is considered to meet the specifications for accommodation associated with these facilities contained in the agreement.

As mentioned above a proposed modification of the s299a agreement has also been submitted. This is considered in more detail in a separate report appearing on this agenda. In summary the amendment seeks to:-

A) amend the list of recreational/sports facilities (Clauses 7.5.1-7.5.8) to delete:

1. 2 squash courts (clause 7.5.4)
2. an area incorporating teenage play equipment (clause 7.5.7)
3. floodlighting to be provided with the rugby pitch (clause 7.5.2)

The informal kickabout area (clause 7.5.8) is to be changed to a Multi-Use Games Area (MUGA), and the MUGA is to be provided with floodlighting and basketball hoops and fencing with an associated teenage shelter.

B) amend the provision for two recycling centres within the site (clause 10.1) by:

1. deleting the recycling centre intended for Phase 2 of the development (on the west of the development) and
2. having 1 underground waste recycling centre (to be located next to the community centre/sports pavilion car park).

The proposed modification of the s299a agreement would bring it into line with the proposals in this planning application. It would also be equally effective in providing sports and community facilities for the residents of The Parks.

(11) Flooding issues

The Environment Agency has made a holding objection as the application site is greater than one hectare in area and no Flood Risk Assessment (FRA) has yet been submitted. It is anticipated that this objection will be withdrawn once a FRA has been submitted as flooding matters were thoroughly investigated in relation to the outline planning application for the overall development and surface water balancing ponds have been constructed. To address this matter it is recommended that the application be delegated to the Head of Development Management to approve subject to the submission of a Flood Risk Assessment and confirmation that the Environment Agency raises no objection.

v) CONCLUSION

The proposed development comprises an amendment to the details approved under reserved matters application 06/00573/REM in 2006. The main changes are the provision of a new community facilities building, alteration to the kickabout area to form a floodlit MUGA with a teenage shelter and relocation of the recycling facility.

These changes, with the associated variation to the legal agreement which is considered in a separate report on this agenda, are considered to be acceptable.

A number of objections have been received which are addressed in the report. Most express concern about the future of Ramslade House. This concern is understood but

it is not considered to be a reason to refuse the present application as the legal agreement associated with the development of the Staff College site allows for community facilities to be provided in a new building, as is now proposed, and the application is considered to be acceptable in all other respects.

6 RECOMMENDATION

That the application be **APPROVED** 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.
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 received by the Local Planning Authority:
 - 10/017/010A – site plan
 - 10/017/012 – community facility/pavilion building – floorplans
 - 10/017/013A – community facility/pavilion building – elevations
 - CSa/1196/113 Rev A – site plan
 - CSa/1196/114 Rev B – hardworks proposals
 - CSa/1196/115 Rev A – planting proposals
 - CSa/1488/120A, 121A and 122B – tree pit details
 - Outdoor Lighting Report (MMA Lighting Consultancy) Ref: MMA12324(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the community facilities/pavilion building 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. 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.

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

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

05. The floodlighting of the multi use games area (MUGA) hereby permitted shall not be illuminated after 22.00 hours or before 12.00 hours (noon) on any day.
REASON: In the interests of the neighbouring property.
[Relevant Policies: BFBLP EN20 and EN25]
06. No development shall take place until details of the materials to be used in the surfacing of the MUGA 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 order to ensure a satisfactory form of development in relation to the recreational needs of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
07. The community facilities/pavilion building hereby approved shall not be occupied or brought into use until car parking has been provided in accordance with the approved drawing.
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, CSDPD CS23]
08. The community facilities/pavilion building shall not be occupied or brought into use until means of access for pedestrians and cyclists have been constructed in accordance with the approved plans.
REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
[Relevant Policies: BFBLP M6, CSDPD CS23]
09. 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 "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.
REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: CSDPD CS10]
10. Within one month of the first occupation of the development hereby permitted (or, where the development is phased, within one month of the first occupation of the final phase of that development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been

constructed to meet a minimum standard of "Very Good" or "Excellent" BREEAM rating.

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

[Relevant Policy: CSDPD CS10]

11. The development shall not be begun 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.
REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD Policy CS12]
12. No development shall take place until details of the recycling facility, including the lifting mechanism on the containers and construction of the adjoining highway (to demonstrate that it can support the collection vehicle), 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: To ensure the provision of satisfactory waste collection facilities in the interests of amenity.
[Relevant Policies: BWLP WLP6]
13. The level of noise emitted from plant/machinery/operations on the community centre/pavilion premises shall not exceed 41 dB(A) LAeq,t as measured at No. 11 Typhoon Close between the hours of 20.00 and 07:00 on Monday to Fridays and 21:00 and 07:00 on Saturdays and at any other time including Sundays and public holidays.
REASON: In the interests of the amenities of the occupiers of nearby residential premises.
[Relevant Policies: BFBLP EN25]
14. Amplified or other music shall not be played in the premises during the following times, 00:00 (mid-night)-09:00 unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the occupiers of nearby residential premises.
[Relevant Policies: BFBLP EN25]
15. The development hereby permitted shall not be begun until details of air ventilation systems have been submitted to and approved in writing by the Local Planning Authority. The noise level shall not cause the existing background level (as at the date of this permission) to increase whilst in operation. The new air ventilation system shall be installed and operated in accordance with the approved scheme.
REASON: In the interests of the amenities of the occupiers of nearby residential premises.
[Relevant Policies: BFBLP EN25]
16. 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.

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]

17. The protective fencing and other protection measures specified by condition 16 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 site office/sales buildings, 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.

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]

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:

- EN1 – which seeks to protect tree and hedgerow cover
- EN2 – which seeks to supplement tree and hedgerow cover.
- 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
- EN22 – which seeks to ensure there will be convenient access, parking space and facilities for people with disabilities
- 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.
- M9 – which seeks satisfactory parking provision for vehicles and cycles
- PH1.1 – The Staff College, Bracknell

Core Strategy Development Plan Document:

- CS7 – which seeks to ensure that developments are of high quality design
- CS8 – which seeks to retain, improve and maintain existing recreational facilities and provide and maintain new recreational facilities.
- 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.

Berkshire Waste Local Plan

- WLP6

The Staff College Planning and Design Brief (approved in October 2002)

Section 299A agreement associated with outline planning permission 03/00567/OUT

Staff College Masterplan/written statement approved pursuant to conditions 23, 25 and 26 of outline planning permission 03/00567/OUT

Account has been taken of the draft National Planning Policy Framework

(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 design of the building is not in keeping with its surroundings
- would lead to increased traffic on the estate including along Gibson Drive and Nicholson Park will be unneighbourly
- more visitor parking should be provided
- parking for community centre will be used as overflow parking for estate displacing parking associated with it
- concern over abuse of car park by joy riders
- updated facilities welcomed but objection to loss of squash courts
- proposed facility not fit for purpose – not enough space for more than one adult football team
- would the surface of the MUGA be acceptable for all sports?
- the site is not well overlooked and the mixed use and teenage shelter could lead to anti-social behaviour. The car park could be more easily controlled if it could be locked.
- use of recycling facility at unreasonable times could disturb local residents
- loss of Ramslade House will take away last piece of history of RAF Staff College - the impact on it of approving this application should be considered.
- Ramslade House should be used rather than taking up more green space
- money spent on public art should have been spent on Ramslade House
- understood that Ramslade House would be renovated and refurbished to provide community facilities. This would be preferable to the new building in design terms
- the more remote location of new building would cause security issues – Ramslade House enjoys better natural surveillance
- plans for refurbishment of Ramslade House showed several rooms/spaces – more usable than the proposed building. The internal layout of the proposed community facility building is less satisfactory than the use of Ramslade House
- no information has been made public on the costs of refurbishing Ramslade House. These should be the subject of an independent evaluation.
- Ramslade House has a permitted D1 use which could impact on the living conditions of residents. Any permission should ensure that only one of the permitted schemes is implemented and/or that provision is made for the impacts of the use to be mitigated.

- The adequacy of the changing facilities and sports pavilion is questioned.

These comments have been taken into consideration, however it is considered that the proposal would not result in a form of development out of keeping with the character and appearance of the area; it would be designed and sited so as to avoid an adverse impact upon the residential amenities of neighbouring properties (including from anti-social behaviour) and sport and leisure provision. The proposal would have an acceptable level of parking provision, and would not result in any highway safety implications. The proposal itself would not directly impact on Ramslade House the future use/development of which would require separate planning approval.

The proposal is considered to be acceptable in relation to impact upon the character of the area, neighbouring properties and highway safety. It will provide appropriate facilities for the wider Parks development. The application is therefore approved.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

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PLANNING COMMITTEE
20 OCTOBER 2011

MISCELLANEOUS ITEM

**PROPOSED MODIFICATION OF RECREATIONAL/SPORTS AND RECYCLING
FACILITIES OBLIGATIONS IN PLANNING AGREEMENT DATED 18 DECEMBER 2003
THE PARKS, BROAD LANE, BRACKNELL (formerly RAF Staff College)
(Head of Development Management)**

1 PURPOSE OF DECISION

- 1.1 To determine proposed changes to the 2003 Staff College Planning Agreement relating to planning permission 03/00567/OUT for 730 dwelling and 19ha. of open space. The 2003 Agreement has several clauses that, if not modified, will not be in conformity with the planning application 11/00416/FUL for the proposed Community Centre/Pavilion etc. (see planning application report also on this agenda). A 2009 Undertaking repeating the 2003 obligations for later application 08/00404/FUL, which also applies to the site and made a minor change to the scheme, should also be modified.

2 RECOMMENDATION

- 2.1 That the Section 299a Planning Agreement dated 18 December 2003 and Undertaking dated 9 February 2009 be modified as follows:-

- A. Amend list of recreational/sports facilities (Clauses 7.5.1-7.5.8) to delete:**
1. floodlighting to be provided with the rugby pitch (clause 7.5.2)
 2. 2 squash courts (clause 7.5.4)
 3. an area incorporating teenage play equipment (clause 7.5.7)

The informal kickabout area (clause 7.5.8) to be changed to a Multi-Use Games Area (MUGA), and the MUGA to be provided with floodlighting, basketball nets and fencing and incorporate a teenage shelter.

- B. Amend provision for two Recycling Centres within the site (clause 10) by:**
1. deleting the Recycling Centre intended for Phase 2 of the development and
 2. having 1 underground waste Recycling Centre (now shown next to the community centre/sports pavilion car park)

3 CONSULTATIONS

Borough Solicitor

- 3.1 Nothing further to add.

Borough Treasurer

- 3.2 When the facilities are transferred to the Council the management and maintenance costs will need to be built in to the base budget of the relevant service area. This

can be achieved through the budget monitoring/budget setting process. Initially the commuted sum received will be accounted for elsewhere in the budgets to offset the management and maintenance costs until fully used.

Parks & Countryside Development Officer

- 3.3 Supports upgrading the teenage games area to a MUGA, relocating the floodlighting from the rugby pitch to the MUGA and deletion of the squash courts for the following reasons:
1. The distance of the MUGA from residences is greater, and the landscape setting provides more screening, thereby reducing potential light intrusion.
 2. The lighting of the MUGA can be managed from the adjacent pavilion/community centre.
 3. The MUGA has an all-weather surface, and therefore extending the period of use into winter evenings does not have the same management implications as it does for a grass pitch, with the attendant risks for pitch closure and expensive seasonal restoration of the grass.
 4. Not having the floodlights on the rugby pitch means the grass pitches plateau can be set out in different pitch configurations which has management advantages in terms of distributing areas of wear and tear and responding to future changes in demand for adult, senior and junior rugby and football.

Biodiversity Officer

- 3.4 Supports the proposal to floodlight the MUGA instead of the rugby pitch. Lighting can negatively impact wildlife by creating a barrier to movement and is best located within the more formal areas of public open space adjacent to the pavilion. The site is particularly important for bat roosts. Lighting the MUGA instead of the rugby pitch will avoid lighting key bat foraging areas in the woodland edge in the south of the open space.

Head of Leisure Facilities

- 3.5 Advises the squash courts at Bracknell Leisure Centre have spare capacity at most times.

Waste Disposal and Recycling Manager

- 3.6 The proposal to delete the second recycling facility is acceptable, as there is no need to have 2 recycling facilities sited so close together for glass recycling only.

4 SUPPORTING INFORMATION

Representations

- 4.1 The developer's request to modify the legal agreement was given publicity by notices on the Staff College site and was made available for public inspection as part of the planning application. Ward Councillors, Bracknell Town Council, The Parks Residents Association, Sport England, Bracknell Rugby Club and nearby residents were consulted.

4.2 The following comments were received:

- Bracknell Town Council recommends refusal to removing the proposed floodlighting to the rugby pitch as it would like this facility to be retained as there is a lack of floodlit grass pitches in the area, but has no objection to the other proposed changes to the legal agreement.
- Sport England registered an initial holding objection on the basis that the development results in the loss of land last use as a playing field and requested further information. The proposed deletion of the squash courts should be fully justified. The requested information has been provided, including that there no loss of playing fields is proposed, and revised comments have been received. It withdraws its earlier holding objection in the light of the history of the site. This includes that the Planning Inspector considered the loss of the squash facility acceptable in his assessment of the appeal against the proposed additional 390 dwellings held in 2009.
- Ranelagh School governing body - rejects the proposal that withdraws floodlighting of the rugby pitch. Explains there is a strong demand for a floodlit full pitch from residents, Ranelagh and other schools who have poor rugby provision and understands it could also be used by Bracknell Rugby Club. Recent developments in lighting design make the problems of light pollution minimal, floodlight usage would only be for limited times, and this should limit impact on bats and other animals. Whilst the pitches and floodlights will be in close proximity to the flats, the flats have been brought closer to the sports pitches by the applicant and the applicant must accept the market consequences of that, including any effect of floodlighting.
 - agrees that two squash courts are no longer required (and that the cost of providing them could now contribute to more appropriate facilities)
 - considers that an enhanced MUGA would be a benefit (though this would not be used by the school).
 - has no view on the recycling centre.
 - rejects the proposal that withdraws floodlighting to the rugby pitch (though it can see the additional benefit of MUGA lighting).

[Officer comment: the proposed deletion of the rugby pitch floodlighting is addressed in para 4.7 below. The flats have not been brought closer to the sports pitches. It is considered, however, that floodlighting the rugby pitch will have a greater impact on the living conditions of future residents than a floodlit MUGA]

- Some of the points made in the objections received from local residents to the planning application also apply to the proposed modifications to the section 299a Agreement as follows. The main objection is to the proposed teenage shelter on the grounds that it will cause nuisance and attract teenagers from outside the estate (11 objectors), also loss of the squash courts (3 objectors) and deletion of the proposed floodlighting of the rugby pitch (2 objectors). The issues regarding the proposed teenage shelter have been considered under the planning application, and the removal of the proposed floodlighting of the rugby pitch and squash courts are addressed below.

Planning Considerations

- 4.3 Obligations in the planning agreement require that the proposed community centre, pavilion and outdoor recreational facilities be provided and transferred to the Council by the 500th dwelling to be occupied. Circular 05/2005 sets out that, when an application is made for modification or discharge of an obligation, the local planning authority may determine it in one of 3 ways:

1. If the obligation still serves a useful purpose, by refusing it.
2. If the obligation no longer serves a useful purpose, by discharging it.
3. If the obligation would serve a useful purpose equally well with the modifications specified, by consenting to the modifications sought.

The developer's reasons for the proposed development and consequent request to modify the s299A Agreement are explained in the planning application report on this agenda.

4.4 Design of proposed Building

The report for the planning application explains that the building meets the specification set out in the Legal Agreement for the community centre facility and sports pavilion. In particular, a disabled outside accessible toilet is included, and the meeting room in the community centre would be accessible to the sports pavilion by an internal door.

4.5 Proposed deletion of 2 squash courts

Under the Planning Agreement, 2 squash courts, which were an existing part of the RAF Staff College, are to be retained and refurbished. The community centre is proposed to be sited on the site of the squash courts. As there is spare capacity at most times at the squash courts at Bracknell Leisure Centre, it is considered that retention and refurbishment of the 2 squash courts at The Parks is not necessary, and Sport England has withdrawn its holding objection. It will be noted that the centre of The Parks is about ½ a mile from Bracknell Leisure Centre. Approval of this proposed deletion would facilitate provision of the community centre by the 500th dwelling to be occupied, in accordance with the obligation in the Planning Agreement.

4.6 Proposed deletion of area incorporating teenage play equipment, and informal kickabout area to be changed to a Multi-Use Games Area (MUGA), and The MUGA to be provided with floodlighting, basketball nets and fencing and incorporate a teenage shelter.

The proposed MUGA will accommodate a wide range of outdoor sports, formal and informal play. Floodlighting will allow its use throughout the year since it consists of a surface that is appropriate for general play and it removes the need for a separate teenage play area. It is considered that this facility would better meet the needs of residents than the previously proposed area incorporating teenage play equipment and informal kickabout area.

4.7 Proposed deletion of floodlighting to be provided with the rugby pitch

The proposed rugby pitch is not large enough to host top flight rugby matches, so its use would be limited. It is adjacent to the proposed football pitch, which together will provide a large area of grass pitches on a plateau. Whilst the floodlighting the rugby pitch would enable it to be used in winter late afternoons and evenings for training, this can lead to overuse, and not having floodlights would have the following advantages:

1. Enable flexible layout and marking out of the combined pitches area in different configurations, which could also reduce wear and tear. This would not be possible with floodlights sited down the middle of it.
2. Reduce light pollution to nearby dwellings. The floodlights for the rugby pitch would be just over 30m away from the flats to be constructed which will overlook the pitch, whereas the MUGA floodlights would be double the distance away at about 60m away from the nearest houses, be lower in height, and better screened.
3. Reduce potential negative impacts on biodiversity, particularly bats.

Removal of the requirement for floodlighting of the rugby pitch would be conditional on providing a floodlit MUGA instead.

- 4.8 Amend the provision of Recycling Centres to provide 1 instead of 2 Centres
As kerbside recycling to individual dwellings is now provided, it is considered that the provision of 2 sites for glass recycling only is not needed. The proposed site adjacent to the community centre car park is considered the most suitable site. It is therefore considered that the proposed deletion of the facility in the Phase 2 residential area should be allowed.

Background Papers

Planning Application 11/00416/FUL

Contact for further information

Angi Odell, Spatial Policy

01344 352575

Angi.Odell@bracknell-forest.gov.uk

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ITEM NO: 9

Application No.
11/00426/FUL

Site Address:

Ward:
Ascot

Date Registered:
18 July 2011

Target Decision Date:
12 September 2011

**25 Eastcote Place Fernbank Road Ascot Berkshire
SL5 8JD**

Proposal:

Change of use from retail (A1 in Use Classes Order 1987 as amended) to ground floor 2 bed flat (Class C3 in Use Classes Order as amended)

Applicant:

Mrs Bindu Patel

Agent:

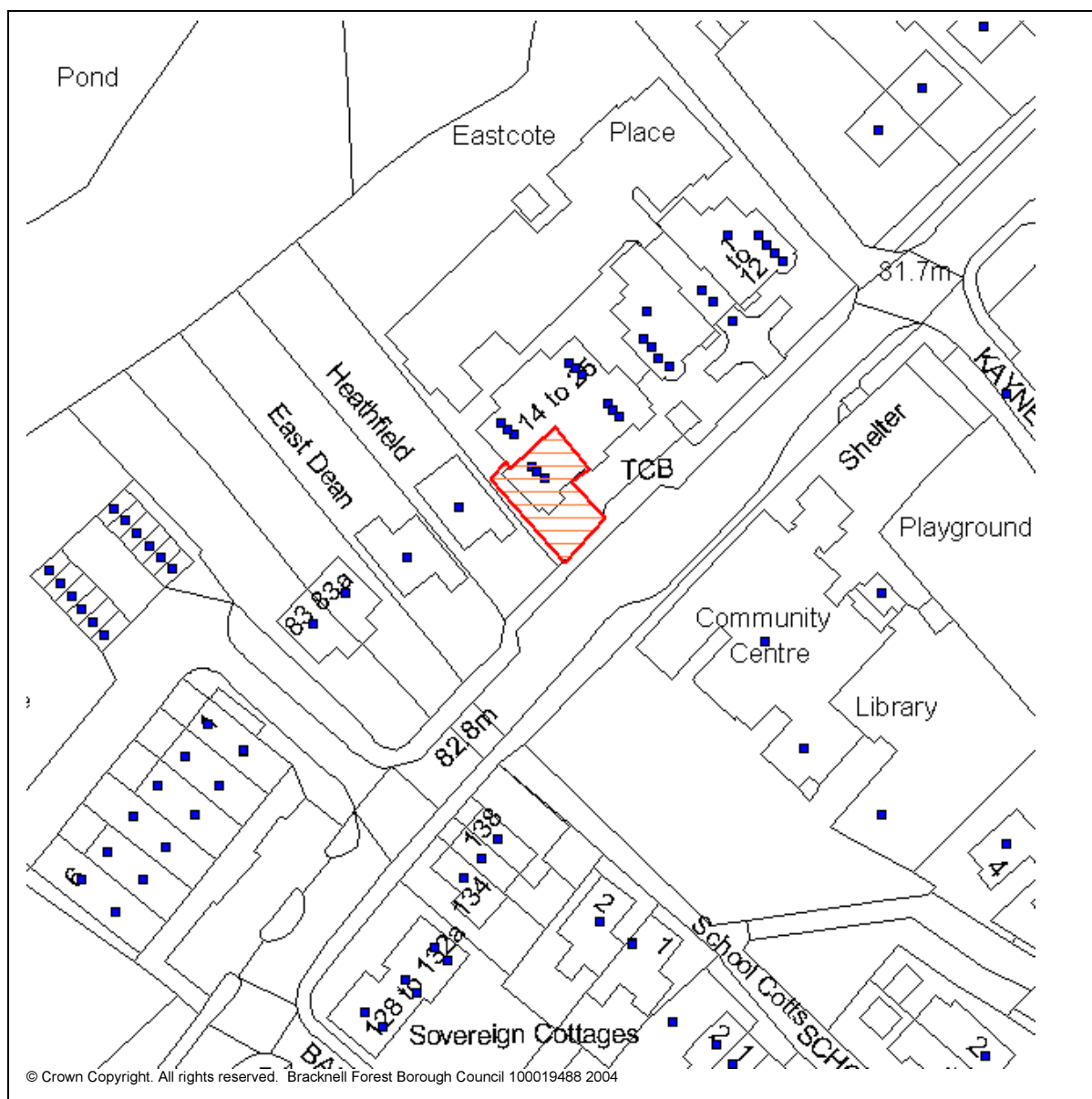
Malcolm Williamson

Case Officer:

Michael Ruddock, 01344 352000

environment@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1 RELEVANT PLANNING HISTORY (If Any)

03/01001/FUL Validation Date: 14.10.2003
Erection of 3 storey building (to be attached to new building approved at 87-89 Fernbank Road) containing 5 two bedroom flats and 2 one bedroomed flats, and replacement post office following the demolition of existing building. Section 106(1) undertaking - Appeal Allowed
(Affects 14 - 25 only).
Refused

04/00508/FUL Validation Date: 17.05.2004
Erection of three storey building comprising 11no. two bedroom flats and replacement post office with associated parking and access following demolition of existing buildings.
(Affects 14 - 25 only)
Approved With A Legal Agreement

2 RELEVANT PLANNING POLICIES

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>PPG (No.)</i>	<i>Planning Policy Guidance (Published by DCLG)</i>
<i>PPS (No.)</i>	<i>Planning Policy Statement (Published by DCLG)</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>SEP</i>	<i>South East Plan</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN20	Design Considerations In New Development
BFBLP	EN22	Designing For Accessibility
BFBLP	E8	COU A1 To Other Outside Defined Shopping
BFBLP	M6	Cycling And Walking
BFBLP	M9	Vehicle And Cycle Parking
BFBCS	CS1	Sustainable Development Principles
BFBCS	CS6	Limiting the Impact of Development
BFBCS	CS7	Design
BFBCS	CS14	Thames Basin Heaths Special Protection Area
BFBCS	CS23	Transport
SEP	CC6	Sustainable Communities and Character of Environment
SEP	T4	Parking

3 CONSULTATIONS

(Comments may be abbreviated)

Winkfield Parish Council

Recommend refusal,
Winkfield Parish Council support the change of use but object to the current plan which is unacceptable due to loss of a front access

Transportation Officer

The amended plans show the front access as existing which is acceptable. Issues raised regarding bin and cycle storage.

4 REPRESENTATIONS

Three letters of objection were received, which all raise issues regarding the change of access from the front to the rear of the property.

(OFFICER COMMENT: Amended plans were received on 18th September 2011 which change the internal layout and show that the existing front door would remain)

5 OFFICER REPORT

Proposed number of parking spaces: 2
Proposed number of residential units: 1
Net gain: 1

This application is reported to the Planning Committee as more than three objections have been received.

i) PROPOSAL AND BACKGROUND

The proposed development is for the change of use of an existing A1 retail unit on the ground floor of the flats known as Eastcote Place to a two bedroom flat (C3 use). Part of the site was originally used as a post office, which was incorporated into the unit known as No.25 under the original planning permission for the site. The post office has since relocated to the newsagents within the Fernbank Road local parade.

Initially the submitted plans showed that the existing front door entrance would be replaced with a window, meaning that the sole entrance to the unit would be through the existing rear door with an access to the side of the unit being provided. However, amended plans were submitted which retain the front door to the unit, although pedestrian access to the rear will still be provided along the side of the building.

ii) SITE

As existing No.25 Eastcote Place is a vacant A1 unit on the ground floor of the flat development. Two parking spaces are located at the front, which are allocated to this property. As existing there is a bin store at the front of the site and a cycle store to the rear. Parking for the other flats other than No.25 is located to the rear of the building.

iii) PLANNING CONSIDERATIONS

1) Principle of the Development

The application would result in the change of use of 66.5 square metres shop floor space to a two bedroom flat, thereby involving the loss of a retail unit. The unit is currently vacant and was last occupied as a hair salon. The site is within the defined settlement area, therefore residential use is considered acceptable in principle.

The Local Parade referred to in Policy E5 of the Bracknell Forest Borough Local Plan is located at Royal Hunt House, Fernbank Road, approximately 50m south west of Eastcote Place. The application site is not designated as a village or neighbourhood centre identified by this policy. Therefore Policy E11, which relates to the change of use of existing shops within village and neighbourhood centres or local parades, does not apply.

Policy E8 of the BFBLP relates to the change of use of A1 units to other uses outside defined shopping areas. This sets out that the change of use of shop units to other uses will only be acceptable where there is no adverse effect upon the availability of local shopping facilities. In terms of retail provision, the 2010 retail survey shows that there is a mix of provision at the nearby Local Parade at Fernbank Road including a restaurant, takeaway, butchers, newsagents (with post office), flooring shop and travel agent. Therefore it is not considered that the loss of an A1 unit located 50m north east of the Local Parade would compromise the standard of local retail provision within the local area as a whole.

Furthermore, as the unit is currently vacant, it is not considered that the loss of this unit would affect the availability of local shopping facilities nor that it performs an important community role. As such the proposals would comply with Policy E8.

The proposed change of use is therefore considered acceptable in principle, subject to no adverse impact on the street scene, amenity of neighbouring occupiers, highway safety, trees etc.

2) Highways Considerations

The principle of altering the A1 use to a single two bedroom flat is acceptable, as the likely traffic associated with the site would reduce. Parking for two vehicles on the frontage is available.

Initially the Highways Officer was concerned with the loss of the front door which would have resulted in the only access to the unit being located to the rear. However, amended plans have been submitted which now include a front access. Therefore the situation would be as existing which is considered acceptable.

An access path would be provided to the side of the building which is not shown on the submitted plans. The details should be submitted in order to ensure that a safe level access is provided and this will be covered by condition.

The Highways Officer has raised the issue of bin storage and cycle storage. Bin storage for Eastcote Place is located at the front of the site on Fernbank Road, and cycle storage is located in the car park to the rear. As the proposed flat would be a similar distance away from these facilities as the first floor flat above No.25 and the neighbouring flats it is considered that this would be acceptable.

3) Impact on the Character and Appearance of the Area

The internal alterations to the unit would not be visible in the streetscene and as no extension would be added to the unit it is not considered that the change of use would result in an adverse impact on the streetscene. A residential use would be in keeping with the character of the area.

The access to the side of the property would involve the loss of an area of landscaping that is visible in the streetscene. At the time of the Officer's site visit the landscaping was in place, however this has now been removed. As there is an area of landscaping forward of the landscaping that has been removed, and further landscaping forward of No.25 and along the fence between the frontage of No.25 and the neighbouring flat to the north east it is not considered that this is unacceptable.

It is therefore not considered that the proposed development would result in an adverse impact on the character and appearance of the area.

4) Effect on the Amenities of the Residents of the Neighbouring Properties and Future Residents

It is not considered that the change of use to residential would adversely affect the amenities of the residents of neighbouring properties. Although no outdoor amenity space would be provided as a result of the proposals, this is similar to many of the existing flats. Some of the ground floor flats have small amenity areas to the rear where there is space for a table and chairs, but none of the first or second floor flats have any outdoor space such as a usable balcony. Although there would be no outdoor amenity area available for future residents, it is not considered that this would be unacceptable.

5) SPA Considerations

The Council, in consultation with Natural England, has formed the view that that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath SPA is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects.

This site is located approximately 3.79 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

Therefore, an Appropriate Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the site.

In line with the Council's Special Protection Area Technical Background Document (June 2007) and Chapter 11 of the Limiting the Impact of Development SPD (July 2007) (LID), the project as proposed would not adversely impact on the integrity of the site provided:

Prior to the permission being granted an applicant enters into a Section 106 Agreement based upon the Template S106 Agreement within Limiting the Impact of Development SPD; this is set out at Appendix B and the Second and Third Schedules of LID. The Template S106 requires a contribution of £1,279/net dwelling to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. The open space works at Ambarrow Hill / Court is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG).

The Template S106 also requires occupancy to be restricted until the works and measures are in place.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which is calculated on a per bedroom basis. This application for a two bedroom will require an additional financial contribution of £526. In summary, the total SPA related financial contribution including a contribution towards a SAMM project for the proposal is £1,805.

Natural England has agreed that if the plans are implemented as stated in the SPA Avoidance and Mitigation Strategy, with certain monitoring requirements, Natural England 'will stop objecting to consultations on applications in those areas of the Borough which have mitigation in line with the avoidance strategy.'

Therefore, the Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse affect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 48(5) of the Conservation (Natural Habitats & c.) Regulations (1994) permission may be granted.

6) Impact on Infrastructure, Services and Amenities (S106 Considerations)

The proposed development would put pressure on existing facilities and infrastructure, and mitigation against the impact of the proposal will be required in accordance with the Bracknell Forest Council Supplementary Planning Document 'Limiting the Impact of Development' (July 2007). The additional dwelling in combination with other residential development could adversely affect the Thames Basin Heaths SPA. In accordance with the Borough Councils policies of seeking to limit the impact of development contributions are required towards:

1. Open Space and Recreation
2. Primary Education
3. Library Facilities
4. Thames Basin Heath SPA Mitigation

A draft Section 106 Agreement has been submitted with the application.

7) Sustainability

With regards to the requirements of Core Strategy Policies CS10 and CS12, the application would convert an existing building with an A1 use to a new dwelling.

Paragraph 2.6 of the Sustainable Resource Management SPD states that proposals to convert or change the use of a building are excluded from Core Strategy Policies CS10 and CS12.

Therefore no submission is required with regard to Policies CS10 and CS12.

CONCLUSIONS

It is not considered that the proposed development would result in an adverse impact on the character and appearance of the area or a detrimental effect on the amenities of the residents of the neighbouring properties. Amended plans show that the front access would remain as existing, which overcomes any concerns about the rear access. A condition will be included to ensure that the side path to the rear access is

acceptable. Subject to compliance with such a condition and the completion of the Section 106 Agreement, the application is recommended for approval.

6 RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. a) Open Space and Recreation
b) Primary Education
c) Library Facilities
d) Thames Basin Heath SPA Mitigation

That the Head of Development Management be authorised to **APPROVE** the application subject to the following condition(s):-

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 received by the Local Planning Authority on 18th September 2011:
'Plan for 25 Eastcote Place, Ascot'
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The unit shall not be occupied until a means of access for pedestrians has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of accessibility and to facilitate access by pedestrians.
[Relevant Policies: BEBLP M6, Core Strategy DPD CS23]

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: Policy 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.

Policy EN22 which seeks to ensure there will be convenient access, parking space and facilities for people with disabilities.

Policy E8 which permits change of use of shop units (A1 use) where there is no adverse effect on the availability of local shopping facilities, and the site is located outside of defined shopping centres.

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

Policy M9 which seeks satisfactory parking provision for vehicles and cycles.

Core Strategy Development Plan Document: Policy 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.

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

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

Policy CS14 which seeks to avoid an adverse impact upon the integrity of the Thames Basins Heaths Special Protection Area.

Policy 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: Policy 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.

Policy T4 which seeks an appropriate level of parking.

Planning Policy Statements:

* 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.

Guidance contained in the draft National Planning Policy Framework has been taken into account.

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policies EN20, EN22, E8, M6 and M9, CSDPD Policies CS1, CS6, CS7, CS14 and CS23, and SEP Policies CC6, SP5 and T4. The proposal will not adversely affect the character of the building, neighbouring property or area or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

In the event of the S106 planning obligation(s) not being completed by 31/12/11 the Head of Development Management be authorised to **REFUSE** the application on the grounds of:-

01. The proposed development would unacceptably increase the pressure on open space and recreation facilities, primary 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 CS24 of the Core Strategy Development Plan Document and the Supplementary Planning Document Limiting the Impact of Development (adopted July 2007)

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

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ITEM NO: 10

Application No.
11/00558/FUL

Site Address:

Ward:
Harmans Water

Date Registered:
10 August 2011

Target Decision Date:
9 November 2011

Land At Former RAF Staff College Site Broad Lane Bracknell Berkshire

Proposal:

Section 73 application to allow amendment to design of 30 no. three-storey flats (and associated landscaping, parking and bin storage details) in phase 5 (plots 343-372) and to site levels of open space to south, without compliance with condition 01 of reserved matters approval 06/00573/REM.

Applicant:

Taylor Wimpey West London

Agent:

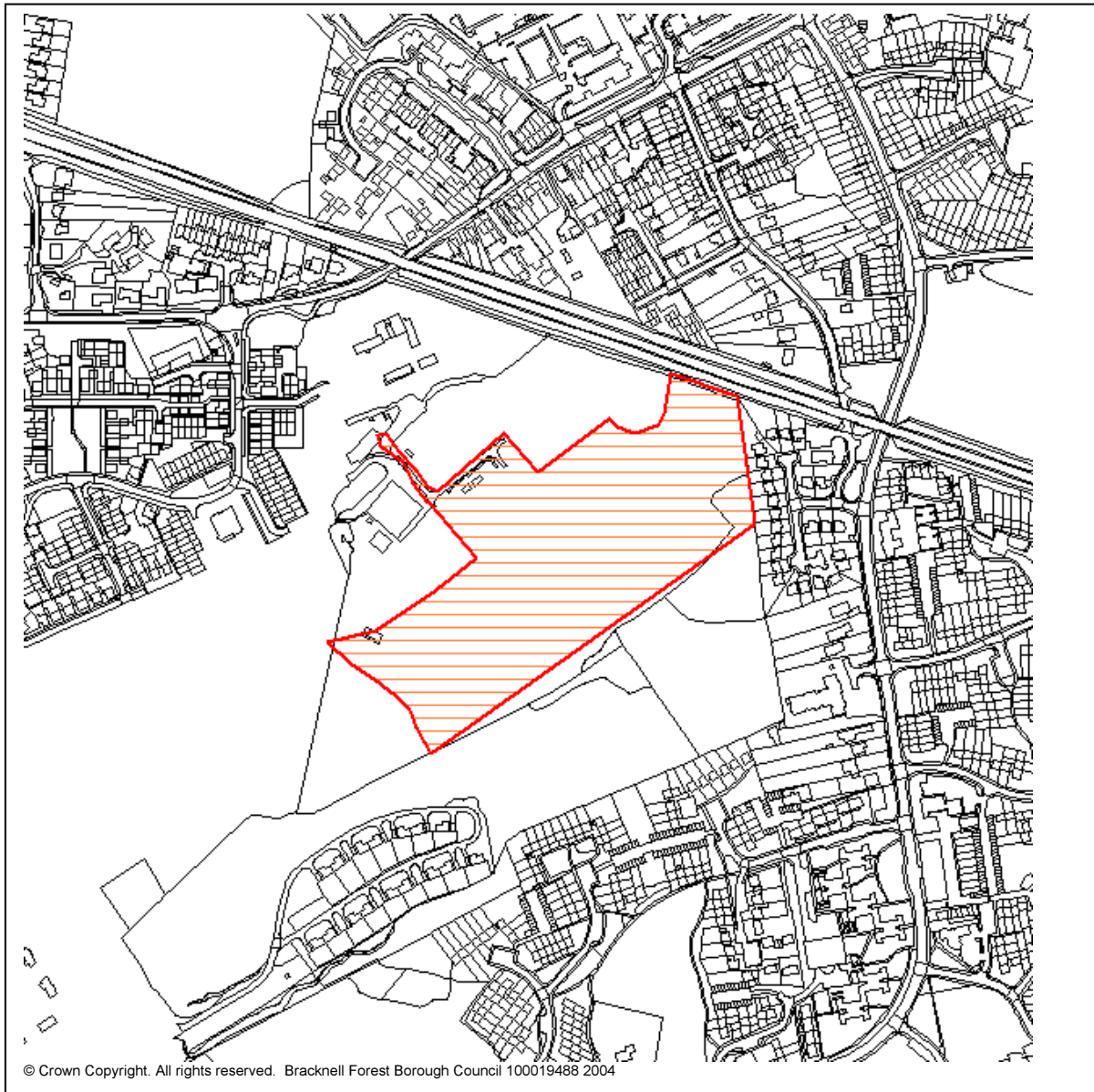
(There is no agent for this application)

Case Officer:

Martin Bourne, 01344 352000

environment@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1 RELEVANT PLANNING HISTORY (If Any)

03/00567/OUT

Validation Date: 04.06.2003

Outline application (including means of access) for the erection of 730 dwellings with associated accesses onto Broad Lane. Provision of 19 hectares of open space and 0.9 hectares of land for primary school/community use together with associated access roads and footpaths/cycleways. Demolition of existing buildings (except Ramslade House and the Community/Cadet facility). Part PD removed.

Approved With A Legal Agreement

06/00573/REM

Validation Date: 22.06.2006

Submission of details of siting, design, external appearance and landscaping pursuant to outline planning permission 03/00567/OUT for the erection of 730 dwellings with associated accesses onto Broad Lane and provision of open space for community use, together with associated access roads and footpaths/cycleways, involving demolition of existing buildings (except Ramslade House and the Cadet facility). (Alternative scheme to that submitted under ref. 06/00291/REM).

Approved

08/00116/OUT

Validation Date: 07.02.2008

Outline application for the erection of 781 dwellings (maximum 1150 dwellings within the entire development) including 336 affordable dwellings (maximum 437 affordable dwellings across entire development); retention and remodelling of Ramslade House together with an extension of 260 sq m to provide community facilities with ancillary uses; new commercial/community floorspace (use classes A1/A3/B1a/D1/D2) of 670 sq m; provision of 18.29ha of open space (a total of 19.37ha across the entire development); formation of new vehicular access from Elizabeth Close and provision of internal access roads, parking and landscaping.

Refused

11/00416/FUL

Validation Date: 15.06.2011

Erection of community centre/pavilion building, floodlit Multi-Use Games Area, 2 no. refurbished tennis courts, 57 space car park, recycling centre, play area (LEAP) and amenity space with associated paths and landscaping and vehicular access from Gibson Drive via Nicholson Park following demolition of squash courts building.

(No Decision – Application Currently Under Consideration)

Appeal

Validation Date:
29.08.2008

Reference:
08/00055/REF

Outline application for the erection of 781 dwellings (maximum 1150 dwellings within the entire development) including 336 affordable dwellings (maximum 437 affordable dwellings across entire development); retention and remodelling of Ramslade House together with an extension of 260 sq m to provide community facilities with ancillary uses; new commercial/community floorspace (use classes A1/A3/B1a/D1/D2) of 670 sq m; provision of 18.29ha of open space (a total of 19.37ha across the entire development); formation of new vehicular access from Elizabeth Close and provision of internal access roads, parking and landscaping.

Appeal Dismissed

2 **RELEVANT PLANNING POLICIES**

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>PPG (No.)</i>	<i>Planning Policy Guidance (Published by DCLG)</i>
<i>PPS (No.)</i>	<i>Planning Policy Statement (Published by DCLG)</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>SEP</i>	<i>South East Plan</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN2L	Supplementing Tree And Hedgerow Cover
BFBLP	EN20	Design Considerations In New Development
BFBLP	EN22	Designing For Accessibility
BFBLP	H14	Accessible Housing
BFBLP	M4L	Highway Measures New Development
BFBLP	M6	Cycling And Walking
BFBLP	M9	Vehicle And Cycle Parking
BFBLP	R4	Provision Of Open Space Of Public Value
BFBLP	PH11	The Staff College Bracknell
BFBLP	EN3L	Nature Conservation
BFBCS	CS1	Sustainable Development Principles
BFBCS	CS2	Locational Principles
BFBCS	CS6	Limiting the Impact of Development
BFBCS	CS7	Design
BFBCS	CS8	Recreation and Culture
BFBCS	CS10	Sustainable Resources
BFBCS	CS12	Renewable Energy
BFBCS	CS14	Thames Basin Heaths Special Protection Area

BFBCS	CS23	Transport
BFBCS	CS24	Transport and New Development
SEP	CC6	Sustainable Communities and Character of Environment
SEP	CC7	Infrastructure and Implementation
SEP	NRM6	Thames Basin Heaths

3 CONSULTATIONS

(Comments may be abbreviated)

Bracknell Town Council

Observations,
Bracknell Town Council has concerns about changes to an approved plan at this stage of the building works and has concerns regarding ramped access to the bin storage area. [Officer comment: *the submitted drawings have been amended to address concerns re access to bin storage*].

Transportation Officer

No objection subject to conditions.

Waste & Recycling Manager

Concerns re arrangements for bin collection given ramped access. [Officer comment: *these have been addressed in amended drawings*]

Parks and Countryside Officer

Detailed comments provided on planting proposals which have been relayed to applicant and addressed in amended drawings.

The sports pitches are shown to the south east of the flats, on a regraded plateau forming part of the active open space provision for the development. The proposed contours create a large prepared and grassed area, marked up on drawings as two football pitches.

Once this plateau has been provided, there is potential to vary the pitch markings according to local demand, so that, for example, one pitch could be for rugby and one for football. This flexibility will help to future proof the pitch provision, and could extend to marking out one larger pitch across the plateau, or equally could provide for two junior soccer pitches plus a senior pitch.

This is advantageous in terms of managing the grass pitches, and reacting to changing demands over time. It is the provision of the overall levelled and prepared grass area that is important, rather than the specific pitch markings shown on the plans, as these are relatively short lived white lines on grass.

4 REPRESENTATIONS

Ranelagh School objects on the basis that the proposed sports pitches would be of an inadequate size, particularly for rugby. It states that it has had a long held expectation,

with the support of BFBC, that the sports pitches would supplement its own reduced pitch availability.

5 OFFICER REPORT

This application is reported to committee at the request of Councillors Turrell, Kensall and Mrs Pile

i) PROPOSAL

This is a Section 73 application to allow amendments to the design of 30 no. three-storey flats and associated landscaping, parking and bin storage details in phase 5 of The Parks development and to the site levels of the open space to the south, without compliance with condition 01 of reserved matters approval 06/00573/REM.

The drawings approved under 06/00573/REM show 30 no. two bedroom flats in a 3 storey building with a U-shaped plan with 38no. car parking spaces in a semi-basement at lower ground level accessed by a ramped access at 1:7. The flats surround a landscaped courtyard containing bin and cycle stores and 4 no. parking spaces (2 for disabled use). Steps and ramps provide access to the entrance to the flats. Three further freestanding disabled spaces are shown to the north-east of the flats.

Drawings also show changes to the proposed levels associated with the formation of sports pitches to the south of the flats. The present application proposes to raise these.

The proposed design takes advantage of the proposed raising of the level of the pitches to the south by raising the level of the semi-basement car park so that the ramp to it is more gentle (1:25). The change in levels means that the bin and cycle stores can be moved out of the courtyard and located under flats flanking the courtyard with the two northernmost buildings having flats at ground floor level. The result, looking at the flats as a whole, is that they are on four levels but, as with the existing design, no block or building has more than 3 storeys of accommodation in it.

The proposal to raise the levels of the pitches means that material generated by the wider development can be reused on-site and does not have to be disposed of off-site. This has environmental benefits as it avoids heavy lorry movements on the local highway network. It also allows for the creation of a larger usable sports pitch area compared with the approved scheme.

ii) SITE

The application site covers land on the eastern side of the wider former Staff College site. The flats are proposed on a part of the site which was once occupied by a swimming pool which was built over for a car park before the RAF left the site. The approved drawings show housing immediately to the north which has not been started. An area containing car parking for the open space and tennis courts lies to the west. This is the subject of reports elsewhere on this agenda.

The area for pitches included in the application is bounded to the west by the cricket field, to the south and east by retained woodland and to the north-east by balancing ponds with the Reading to Waterloo railway beyond on an embankment. It was used as playing fields when the site was occupied by the RAF.

iii) PLANNING CONSIDERATIONS

(1) Principle of the development

It is considered that the development proposed is acceptable in principle taking account of outline planning permission 03/00567/OUT (and the associated legal agreement and master plan/design statement) and the details approved under reserved matters approval 06/00573/REM.

(2) Transport considerations

Visibility Splays and access:

The site is located off the southern end of Nicholson Park on Phase 5 of the Staff College development. Vehicular and pedestrian access to the site will be similar to the consented application 06/00573/REM and visibility will therefore be acceptable. The gradient of the ramp to the lower ground floor will be less than that approved for the consented scheme and will be acceptable.

Parking Requirements:

The application proposes to provide 30 x 2 bedroom flats which would require 60 parking spaces to be provided to comply with Bracknell Forest Borough Parking Standards (July 2007). However the consented application provided 45 parking spaces for the 30 flats and as the current application proposes the same number of parking spaces (including disabled spaces) the application will be acceptable on this occasion.

To accord with current standards the proposed development should provide 60 cycle parking stands. The approved drawings show 24 covered cycle parking spaces. The application increases the number to 30. This is considered to be acceptable. Additional cycle parking outside the main entrance doors to the flats for the use of visitors is now also shown.

Vehicle Movements / per day:

No additional vehicle movements/day over and above current approvals.

Vehicular and pedestrian access to the flats and the vehicle and cycle parking proposed is considered to be acceptable.

(3) Impact on character and appearance of the area

The flats

The detailed design of the flats, including the profile of some of the roofs, has been changed but the architecture remains in keeping with other buildings on the wider development.

The proposed amendments sought will result in the southern parts of the flats, those lying closest to the open space, being taller in relation to existing ground levels than the approved flats. This is considered to be acceptable in design terms. The flats enjoy a spacious setting with open space on three sides, and fairly generous spacing to the housing to the north, and it is not considered that the changes sought will result in a development that appears unacceptably bulky or overbearing. The flats will provide

natural surveillance over the adjoining open space areas and the proposed car parking to the west.

The changes proposed will result in a higher degree of visual enclosure in the courtyard part of the flats. This in itself is not considered to be unacceptable given the physical separation of the two 'wings' of the flats (these are 37m apart) and the improvement in the layout of the courtyard arising from the removal of bin/cycle storage and a reduction in the amount of space taken up with steps and ramps.

Tree, shrub and hedge planting is proposed in the courtyard to the flats with benches. This is considered to be acceptable.

Overall it is considered that the level changes proposed, and associated design changes, will increase the visual interest of the flats and make for a more attractive development than that currently approved.

The pitches

The wider Staff College site falls from its highest point in the north-west corner on Broad Lane with the lowest ground in the centre and east of the site. The reserved matters approval provides for regrading across the site with the most significant changes on the east of the site where the surface water balancing ponds are situated and the main playing field area is located.

A revised contour scheme for the open space has been included as part of the application. This provides for additional fill material to be accommodated on site whilst maintaining the general landform of the former parkland but with the benefit of creating a larger, more gently sloping sports pitch plateau which is large enough to support a series of pitches. Longitudinal falls remain at approximately 1:100 whilst the cross-falls have been relaxed to approximately 1:200 which allows for the flexibility of pitches to be orientated in an east-west direction. The highest point of the revised scheme remains at 81.5m AOD to tie in with the existing woodland to the south, gradually sloping north-eastwards down the flats to a level of 79.700m AOD, resulting in the general increase in material in the centre of the sports pitch plateau being approximately 1m above that of the approved contour levels.

The usability of the area for pitches approved under reserved matters application 06/00573/REM was the subject of debate at the appeal inquiry held in 2009 into the refusal of the outline planning application to increase the number of dwellings on the Staff College site from 730 to 1150. In his decision letter the Inspector stated that the approved details show a playing area of some 100m by 85m at the eastern end of the site. It appeared to him that the pitches that this area could accommodate would be youth (under-16) sized facilities. By extending the raised land to the north and east the current proposals show a plateau with dimensions of 112m x 96m. This represents an increase in playing field area over the current approval of 26%.

In its objection Ranelagh School, which has an interest in using playing fields at The Parks to supplement its own pitches, expresses concern at the size of the playing field area. As outlined above the proposal increases the size over that currently approved. In response to the objection, however, the applicant has amended the proposed footpath network to remove a proposed path running across the northern margin of the pitch area which should provide further flexibility in the layout of pitches.

The proposed changes are considered to be acceptable in terms of the appearance of the site and views across it and the usability of the sports pitch area.

(4) Effect on the amenity of neighbouring residential property

The closest proposed house lies about 13.5m to the north of the proposed flats. With the levels changes proposed the southern elements of the flats will be taller relative to this property than as currently approved. The northern parts of the flats closest to this house and others at Nicholson Park and Mills Chase will, however, be no taller and the relationship in terms of possible loss of sunlight/daylight and privacy, and possible visually overbearing effect, will not be materially different.

It is not considered that the changes to the levels of the pitches proposed will have any adverse effect on the living conditions of existing and future residents.

Overall, therefore, it is considered that the proposal is acceptable in terms of its effect on the amenity of neighbouring residential property.

The proposed flats are sited next to the proposed car park serving the open space and community centre, and containing a recycling facility, which is the subject of reports elsewhere on this agenda. It is considered that this relationship is acceptable in terms of the likely impact on the living conditions of residents of the proposed flats.

The reports referred to in the previous paragraph also address the issue of the impact of the proposed floodlighting of the pitches on future occupiers of the flats. This impact would not be materially different as the relative position of the flats vis-à-vis the pitches is not significantly different.

(5) Access implications

The application provides for disabled parking and gently graded pedestrian accesses. The paths across the open space affected by this application would have gentle gradients.

(6) Infrastructure, services and amenities

The s299A Agreement dated 18 December 2003 relating to outline application 03/00567/OUT applies to the site, including its modification by Agreement dated 9 February 2009 relating to s73 application 08/00404/FUL. This s73 permission is a new planning permission in its own right and the Developer can choose which permission to implement, and does not need to decide until the 425th occupation. It is currently assumed that it is the original 03/00567/OUT permission that is being implemented, until the Council is advised (as the 2009 Agreement requires) otherwise. Any new permission for the proposed development would need to be linked to the s299a Agreement to ensure that its provisions continue to have effect & cannot be circumvented. Therefore, in order to ensure that the obligations in the s299A Agreement would apply to the proposed development, any consent should be made subject to the prior completion of a Deed relating to both the s299A Agreement, and its modification by the 9 February 2009 Agreement relating to s73 permission 08/00404/FUL. The obligations should comprise:

1. Compliance with the covenants in the existing permission in regard to the proposed development as if the development had been implemented in accordance with the existing permission, and
2. The owners to advise the Council before commencement of construction of the new permission.

(7) Thames Basin Heath Special Protection Area

It is not considered appropriate in this instance to seek SPA mitigation or contributions towards the Strategic Access Management and Monitoring (SAMM) project as the principle has been established by earlier approvals and the only material change is design related.

(8) Sustainability Statement and Energy Demand

As the principle of the flats has already been established and the application only involves a change to the design of the flats it is not considered that compliance with Core Strategy policies CS10 and CS12 can now be sought.

iv) CONCLUSIONS

The application provides for a raising of levels of land on the eastern part of The Parks site, an area which will accommodate sports pitches, over and above those already approved. Ranelagh School, which has long-held expectations that the sports pitches on The Parks will supplement its own reduced pitch availability, has objected on the grounds that the proposed sports pitches will be of an inadequate size, particularly for rugby. In fact the amendments sought in this application will result in a larger playing field area than currently approved under the 2006 reserved matter approval. The resulting land form is considered to be acceptable in visual terms and also in terms of its impact on the living conditions of current and future residents.

The design of the proposed flats to the north of the pitches is proposed to be amended to take account of these levels changes. The appearance of the re-designed flats is considered to be in keeping with the surrounding development. It is not considered that it would have a greater impact on the living conditions of future residents than the current approval. The proposal would result in the semi-basement parking serving the flats being accessed by a gentler gradient than at present and for a more satisfactory layout to the courtyard on the north side of the flats.

It is therefore recommended that the application be approved.

6 RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. 1. Compliance with the covenants in the existing permission in regard to the proposed development as if the development had been implemented in accordance with the existing permission, and
2. The owners to advise the Council before commencement of construction of the new permission (if granted).

That the Head of Development Management be authorised to **APPROVE** the application subject to the following condition(s):-

01. The development hereby permitted shall be begun before the expiration of five 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:
 Site location plan: 11/011/010B
 Planning site layout: 11/011/011C
 Semi-basement floor plan: 11/011/012C
 Ground floor plan: 11/011/013C
 First floor plan: 11/011/014B
 Second floor plan: 11/011/015A
 Front and side elevations: 11/011/016A
 Rear and side elevations: 11/011/017A
 Roof layout: 11/011/018
 Landscape proposals: CSa/1146/129A
 Central Open Space Contour Plan CSa/1196/116B
 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
 REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
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.
 REASON: In the interests of the visual amenities of the area.
 [Relevant Policies: BFBLP EN20, CSDPD CS7]
04. 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.
 REASON: In the interests of the character of the area.
 [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
05. No flat shall be occupied until a means of vehicular access has been constructed in accordance with the approved plans.
 REASON: In the interests of highway safety.
 [Relevant Policies: Core Strategy DPD CS23]
06. No flat shall be occupied until a means of access 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: BEBLP M6, Core Strategy DPD CS23]
07. No flat shall be occupied until the associated vehicle parking has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
 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, CSDPD CS23]
08. The flats hereby approved shall not be occupied until cycle parking spaces have been provided in accordance with the approved plans. The cycle parking spaces and facilities shall thereafter be retained.

REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, CSDPD CS23]

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.

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, CSDPD CS23]

10. The gradient of private drives shall not exceed 1 in 12.

REASON: To ensure that adequate access to parking spaces is provided.

[Relevant Policies: Core Strategy DPD CS23]

11. 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.

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

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

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:

- 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
- EN22 – which seeks to ensure there will be convenient access, parking space and facilities for people with disabilities
- 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.
- M9 – which seeks satisfactory parking provision for vehicles and cycles
- R4 – which requires the provision of 4.3 hectares of open space of public value per 1,000 population on residential sites larger than one hectare.
- PH1.1 – which allocates land at the Staff College for residential development

Core Strategy Development Plan Document:

- 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.
- CS2 – which seeks to ensure that land will be allocated for development in the following order: Bracknell Town Centre; previously developed land and buildings in defined settlement; other land within defined settlements where there is no conflict with other policies; extensions to defined settlements with good public transport links
- 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
- CS8 – which seeks to retain, improve and maintain existing recreational facilities and provide and maintain new recreational facilities.
- 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
- 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.
- CS24 – which seeks to ensure that development will mitigate any transport impacts which may arise from the development or cumulatively with other proposals

South East Plan:

- 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.
- NRM6 – which requires new residential development which is likely to have a significant effect on the ecological integrity of Thames Basin Heaths Special Protection Area (SPA) to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects

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

The following material considerations have been taken into account:

Bracknell Town Council has concerns about changes to an approved plan at this stage of the building works and about the ramped access to the bin storage area and

Ranelagh School objects on the grounds that the area for sports pitches may be inadequate. These representations have been taken into consideration. Further amendments to the proposals have addressed the bin collection concerns and the proposal would provide a greater area for sports pitch provision than the original approval.

The proposal is considered to be acceptable in relation to impact upon the character of the area, neighbouring properties, highway safety and recreational provision. A s106 will be required to mitigate the impact of the development upon local infrastructure. The application is therefore approved.

In the event of the S106 planning obligation(s) not being completed by 20 December 2011, the Head of Development Management be authorised to **REFUSE** the application on the grounds of:-

01. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space, community, and educational facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which (i) secure compliance with the covenants in the existing permission in regard to the proposed development as if the development had been implemented in accordance with the existing permission, and (ii) require the owners to advise the Council before commencement of construction of the new permission, the proposal is contrary to Policy CC7 of the South East Plan, Policies R4 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).

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

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ITEM NO: 11

Application No.
11/00577/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
25 August 2011

Target Decision Date:
20 October 2011

**Oaklands Farm Maize Lane Warfield Bracknell
Berkshire RG42 6BE**

Proposal: **Erection of single storey side extension forming annex.**

Applicant: Mrs C Collins

Agent: Walsingham Planning

Case Officer: Sarah Horwood, 01344 352000

environment@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1 RELEVANT PLANNING HISTORY (If Any)

611733 Validation Date: 18.06.1987
Outline application for erection of a farmhouse.
Approved

612973 Validation Date: 19.01.1988
Erection of detached farmhouse.
Approved

10201 Validation Date: 17.02.1965
Access
Approved

621757 Validation Date: 19.06.1996
Section 73 application to allow occupation of dwelling by a person not engaged in agriculture or forestry without compliance with condition 8 of planning permission 611733.
Unconditional Approval

11/00398/FUL Validation Date: 09.06.2011
Erection of single storey side extension forming annex.
Refused

2 RELEVANT PLANNING POLICIES

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>PPG (No.)</i>	<i>Planning Policy Guidance (Published by DCLG)</i>
<i>PPS (No.)</i>	<i>Planning Policy Statement (Published by DCLG)</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>SEP</i>	<i>South East Plan</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN20	Design Considerations In New Development
BFBLP	EN8L	Dev On Land Outside Settlements
BFBLP	H5L	New Dwellings Outside Settlements
BFBLP	M9	Vehicle And Cycle Parking
BFBLP	M4L	Highway Measures New Development
BFBLP	R4	Provision Of Open Space Of Public Value
BFBCS	CS6	Limiting the Impact of Development
BFBCS	CS10	Sustainable Resources

BFBCS	CS12	Renewable Energy
BFBCS	CS9	Development on Land Outside Settlements
BFBCS	CS24	Transport and New Development
BFBCS	CS8	Recreation and Culture
SEP	CC7	Infrastructure and Implementation

3 **CONSULTATIONS** (Comments may be abbreviated)

Transportation Officer

Refer to officer report

Environmental Policy Officer (SPA)

Refer to officer report

Warfield Parish Council

Recommend permission is conditional: the annex is occupied in conjunction with the existing property.

4 **REPRESENTATIONS**

None received to date.

5 **OFFICER REPORT**

This application has been reported to the Planning Committee at the request of Councillor Dudley.

i) PROPOSAL

Permission is sought for the erection of a single storey side extension forming an annex. The proposed annex would consist of a sitting room, bedroom and en-suite bathroom. A single storey link extension is proposed which would provide access between the main house and the annex. The dimensions of the annex would be 8m wide by 7.5m deep, with a ridge height of 4.7m.

The size of the annex has not been revised following the refusal of previous application 11/00398/FUL, however the kitchen has been removed from the annex and a flat roof link extension is now proposed between the annex and main house. The previous application was refused on the grounds of the proposal being considered tantamount to the creation of a new dwelling within a Countryside location and for failure to mitigate against the impact of development with section 106 contributions.

The annex is required by the applicant to allow the applicant's mother to live on site. Due to the design of the building the applicant's mother would maintain a level of independency within the annex. The kitchen within the main house would be relied upon for cooking, washing, etc. It is stated that the annex is designed as such as a more integral extension would add cost and disruption to the main house, particularly

given the house services enter the building along the north eastern side where the extension would have to be connected, along with the boiler. In the supporting statement (para 4.4) it is stated that it is not intended that Mrs Collins and her mother fully share the main house as this would deprive her mother of any degree of independence.

ii) SITE

Oaklands Farm is located at the junction of County Lane and Maize Lane. The site is accessed from Maize Lane where there are electronic gates and brick piers at the entrance into the site. The boundary facing onto County Lane is denoted by 3m high fencing. There is a parking area to the front and side of the property. To the north-east of the site are existing detached agricultural buildings which have permission to be used for the private stabling and riding of the horses by the occupiers of Oaklands Farm, along with a ménage (granted permission by 620504 and 624202).

iii) PLANNING CONSIDERATIONS

(1) Principle of development

Oaklands Farm is sited outside the existing settlement boundary and within land designated as CS5 land - Land north of Whitegrove and Quelm Park, identified for a comprehensive, well designed mixed use development, including residential and employment uses.

(2) Effect on the residential amenities of neighbouring properties

Oaklands Farm is set on a corner plot location. The nearest neighbouring properties are to the south of the site at Mary Mead some 40m away. The proposed extension would therefore not be considered to have an adverse impact upon the residential amenities of neighbouring properties.

(3) Impact on character and appearance of surrounding area

The proposed single storey extension would be set back 22m from Maize Lane and would be 4.7m in height, however would not be considered to appear unduly prominent within the street scene due to its single storey height and the screening provided by existing hedgerow and trees along the western boundary of the site facing Maize Lane.

The proposed annex would be physically linked to the main dwellinghouse by a walkway with 1 door into the annex and 1 door into the main house and also a flat roof. The link extension between the main house and the annex could easily be severed by the removal/blocking up of the internal doors so that the annex becomes a self contained, separate residential unit of accommodation. There is a door in the side elevation of the annex leading into the lounge which could be used to provide access into the annex if the link between the annex and main house were to be severed. As such, the annex is not considered to be adequately integrated into the main house and as such does not constitute ancillary accommodation to the main house.

It is acknowledged that the kitchen has been removed from this revised scheme, however given the size of the extension has not been revised, there would be sufficient space internally to install kitchen facilities so that the annex becomes a separate, self contained unit of accommodation which would allow independent living by the occupier without reliance on the main house. As such, the annex would still be considered to be tantamount to the creation of a new dwelling.

The site is located within land outside of defined settlement, known as Countryside pending the adoption of urban extension to Warfield. The erection of new dwellings outside the defined settlement boundaries will not be permitted unless it is in connection with the use of the land for agriculture or forestry. This proposal is considered to be tantamount to the creation of a new dwelling within a Countryside location which would not be for the purposes of agriculture or forestry and as such, the proposal would be contrary to policies EN8 and H5 of the BFBLP.

Given the proposal has been assessed as the creation of a new residential unit of accommodation, the site is identified as being located within the CS5 Urban Extension (Land at Warfield), which is being formally allocated through the Site Allocations DPD. The Warfield SPD provides detailed guidance on the delivery of development on CS5 land and is being prepared in parallel with the SA DPD. The SPD will include detailed master planning for the whole of this area, including Oaklands Farm. The Warfield SPD will identify what elements of this infrastructure will be provided, indicate locations where appropriate, and measures setting out how they will be delivered. In conclusion, development proposals within the CS5 area will only be acceptable if they indicate how they will engender, rather than preclude, comprehensive mixed use development including the appropriate, and adequate contribution they will make to infrastructure planning for the area. Pending the adoption of the SPD to ensure the proper implementation for the CS5 area, development proposals for anything other than "acceptable countryside uses" (based on Core Strategy Policy CS9 and 'saved' Local Plan Policy EN8) should be opposed on the grounds of prematurity.

(4) Highway implications

The application proposes to construct a 1 bedroom annexe attached by a link extension to the existing 4 bedroom house. The drawings show that the annex will be part of the existing dwelling which would require 3 parking spaces to comply with the Bracknell Forest Borough Parking Standards (2007). However, although the annex has no kitchen, it would be possible to create 2 separate dwellings which would require an additional parking space to comply with the BFC standards but as this is a large site with ample space for additional parking the proposals will be acceptable.

The development will generate approximately 2 additional vehicle movements/day. However if the dwelling was divided approximately 5 additional movements would be generated and impact on the transport infrastructure would need to be offset by securing a highway contribution of £1600 through a S106 agreement.

(5) SPA implications

This application is within the area subject to Core Strategy Development Plan Document Policy CS5 and the emerging Warfield Supplementary Planning Document. The development as a whole requires a bespoke solution to the SPA including the redevelopment of this site as part of the wider development. However in the event a s106 agreement needs to be provided the following standard template appropriate assessment is necessary as follows.

The Council, in consultation with Natural England, has formed the view that that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath SPA is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects. This site is located approximately 4.17 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate

avoidance and mitigation measures. Therefore, an Appropriate Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the site.

In line with the Council's Special Protection Area Technical Background Document (June 2007) and Chapter 11 of the Limiting the Impact of Development SPD (July 2007) (LID), the project as proposed would not adversely impact on the integrity of the site provided: Prior to the permission being granted an applicant enters into a Section 106 Agreement based upon the Template S106 Agreement within Limiting the Impact of Development SPD; this is set out at Appendix B and the Second and Third Schedules of LID.

The Template S106 requires a contribution of £1,279/net dwelling to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. The open space works at The Cut Cluster is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The Template S106 also requires occupancy to be restricted until the works and measures are in place.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis. This application for 1 X 2 bedroom dwellings will require an additional financial contribution of £399.

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £1279 + £399 = £1678.

Natural England has agreed that if the plans are implemented as stated in the SPA Avoidance and Mitigation Strategy and the Strategic Access Management and Monitoring Agreement, with certain monitoring requirements, Natural England "will stop objecting to consultations on housing applications in those areas of the Borough which have mitigation in line with the avoidance strategy."

Therefore, the Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) permission may be granted.

(6) Sustainability implications

As the proposal is being treated as tantamount to the creation of a new dwelling, then policies CS10 and CS12 of the CSDPD would apply.

Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, i.e. Code for Sustainable Homes Level 3. Formal assessment of dwellings against the Code for Sustainable Homes must be carried out by an accredited assessor (accredited by BRE). The assessment has several stages: Pre-assessment Estimator, Design Stage Assessment, and Post Construction Review. All stages should be covered, and the assessments submitted to the Council.

Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation.

If planning permission was to be granted then conditions would be recommended to address these policies.

(7) Limiting the impact of development

A Supplementary Planning Document entitled 'Limiting the Impact Upon Development' was adopted in July 2007. This document recommends that contributions are sought for any net gain in dwellings depending upon their impact upon the local services and infrastructure. This document is a material consideration.

The following S106 legal contributions would therefore be required given the proposal would be considered as the creation of a new residential dwelling:

Transport: £1600

Open space: £1000

SPA: £1678 (including SAMM)

Total contributions of £4278

A S106 legal agreement has not been submitted with the application.

iv) CONCLUSION

The proposed annexe due to its internal layout would be considered to be tantamount to the creation of a new dwelling within a Countryside location which would be contrary to policies EN8 and H5 of the BFBLP. Further, a s106 legal agreement has not been submitted with the application to mitigate against the impact of development.

The application is therefore recommended for refusal.

6 RECOMMENDATION

That the application be **REFUSED** for the following reason(s):-

01. The proposed development which is considered to be tantamount to the creation of a new dwelling is not acceptable in principle and would result in an inappropriate form of development and would adversely affect the rural character and visual amenities of the area. The proposal would therefore be contrary to Policy CC6 of the South East Plan, Policies EN8 and H5 of the Bracknell Forest Borough Local Plan and Policy CS9 of the Core Strategy Development Plan Document.
02. The proposed development which is considered to be tantamount to the creation of a new dwelling would unacceptably increase the pressure on highways and transportation infrastructure and public open space. 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 and open space, 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).

03. The occupants of the development which is considered to be tantamount to the creation of a new dwelling 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.

Informative(s):

01. This refusal is in respect of drawing nos. E, 3, 4, 2911/01 A and Planning Statement received 25 August 2011 by the Local Planning Authority.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

ITEM NO: 12

Application No.

11/00594/3

Site Address:

Ward:

Wildridings And Central

Date Registered:

25 August 2011

Target Decision Date:

20 October 2011

Time Square Market Street Bracknell Berkshire RG12 1JD

Proposal:

Modifications to car parking at council offices, including pedestrian access to it, to facilitate use by the public (Regulation 3 application).

Applicant:

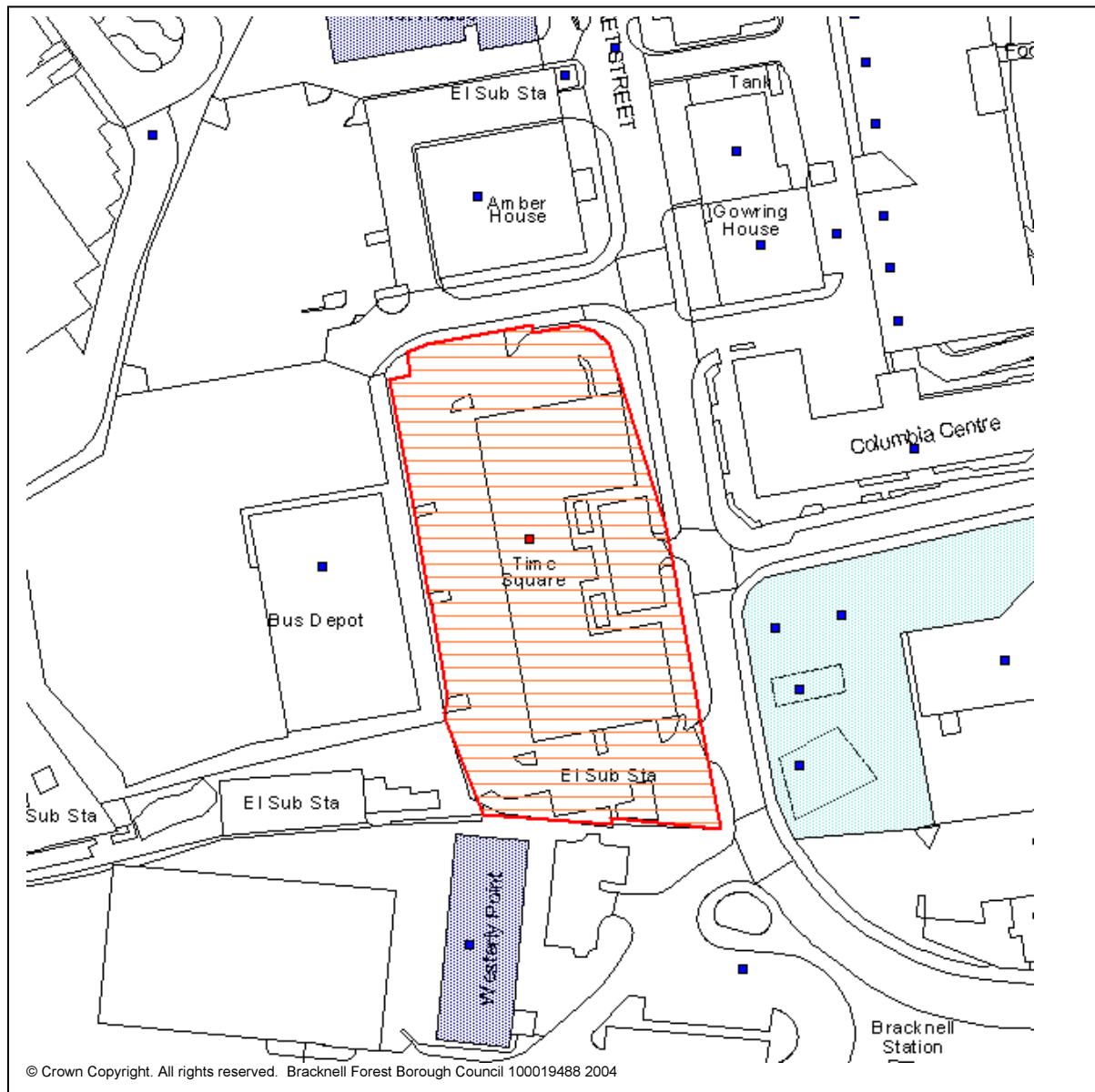
Bracknell Forest Council

Agent:

Bracknell Forest Council

Case Officer:

Margaret McEvit, 01344 352000

environment@bracknell-forest.gov.uk**Site Location Plan** (for identification purposes only, not to scale)

1 **RELEVANT PLANNING HISTORY** (If Any)

623790 Validation Date: 04.06.1998

Application under Regulation 3 for erection of 1 no metal framed shelter to rear of office building.

Approved

07/01022/3 Validation Date: 10.10.2007

Installation of combined heat and power building in car park to rear of offices with associated changes to roof-mounted plant (Regulation 3 Application)

Approved

2 **RELEVANT PLANNING POLICIES**

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>PPG (No.)</i>	<i>Planning Policy Guidance (Published by DCLG)</i>
<i>PPS (No.)</i>	<i>Planning Policy Statement (Published by DCLG)</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	M9	Vehicle And Cycle Parking
BFBCS	CS3	Bracknell Town Centre

3 **CONSULTATIONS**

(Comments may be abbreviated)

Transportation Officer

No objection in principle subject to details of signage on Market St and means of preventing access to parking area in front of the building.

Bracknell Town Council

No objection.

4 **REPRESENTATIONS**

None received.

5 **OFFICER REPORT**

This application is reported to Committee because the application has been submitted by the Planning and Transport Division of the Council.

i) PROPOSAL

This full application proposes modifications to the surface level car park at Time Square, including the construction of a brick staircase onto Market Street, to enable the car park to be used by the public when Time Square is not in use by Council staff on Saturdays and Sundays.

ii) SITE

1 Time Square is a Bracknell Forest office building and car park. This application relates solely to the surface car park north, south and west of the building. The area of car parking on the eastern side of the site fronting onto Market Street is not included in the proposal.

iii) PLANNING CONSIDERATIONS

(1) Principle of the development

The site is within Bracknell town centre where development which contributes to the vision and function of the town centre will generally be permitted. This proposal is intended to provide additional car parking for visitors to Bracknell town centre. Easthampstead House car park has been open to the public at weekends for some time.

The provision of additional car parking which will be available at busy weekends is considered to be acceptable in supporting the function of Bracknell town centre. Policy CS3 of the Core Strategy DPD states that development will be permitted in Bracknell town centre where it contributes to the vision and function of Bracknell town centre. The car park at Time Square is currently unused outside the office opening hours. Permitting the public to use the car park at weekends is considered to be appropriate given the site's location close to the town centre retail areas.

(2) Transport considerations

The principle of the public use of the car park is acceptable, subject to clear signage to direct the public to the car park access and to make clear that the area of parking in front of the building will not be available to the public. Signage is proposed at the front of the building together with a chain across the access to make it clear that parking is not permitted in that area of parking, which is available on a limited basis during office hours.

A sign is also proposed on Market Street, opposite the car park entrance which will be visible to drivers as they approach the car park.

Five parking spaces are to be disabled parking spaces.

(3) Impact on character and appearance of the area

The modifications to the existing car park to ensure that the car park is safe for use by the public are considered to be minor in terms of their visual impact.

A short flight of steps is to be provided onto Market Street to provide a pedestrian route from the northern part of the car park onto Market Street. At the southern end of the car park, close to the vehicular access point, a tree is to be removed and part of the brick planter removed to provide a safe pedestrian route out of the car park. The tree,

an *Alianthus altissima*, is on the side of the building close to the car park access and is not considered to be significant in the street scene.

Two ticket machines are to be provided within the car park. Signage on the ticket machines will be put in place advising of parking charges and hours of operation.

Measures to prevent vehicles over running spaces will also be put in place to protect glass building panels.

Other works are proposed to be in place in the car park during public hours. Folding bollards will be in place in front of the area of parking south of the building which is used as short term public parking during office hours. This area of parking will not be available during public hours and it will form a protected pedestrian route onto Market St. Chains and no entry signs will be in place across stairways down to the basement area and across the entry ramp to the underground parking area which will not be open to the public.

None of the proposed modifications are considered to have a significant visual impact on the building and are all necessary to ensure public safety and to give clear guidance on hours of opening and parking fees.

iv) CONCLUSIONS

The proposal to permit the Time Square car park to be open to the public at weekends is considered to be acceptable as a means of increasing available public car parking within Bracknell town centre.

Various modifications to the car park are proposed to make it clear that only the surface car park behind and south of the building will be open at weekends. Measures will also be implemented to improve the pedestrian routes from the car park to Market Street.

6 RECOMMENDATION

That the application be **APPROVED** 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.

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 received by the Local Planning Authority on 25 August 2011 and 30 September 2011:

4295/181 Rev A, 182 and 183

(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).

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

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 (saved policies)

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.

Core Strategy DPD

CS3 – which seeks to ensure that development within Bracknell Town Centre will contribute to the vision and function of the town centre.

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

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policy EN20 and Core Strategy DPD policy CS3. The proposal will not adversely affect the character of the building or area. The planning application is therefore approved.

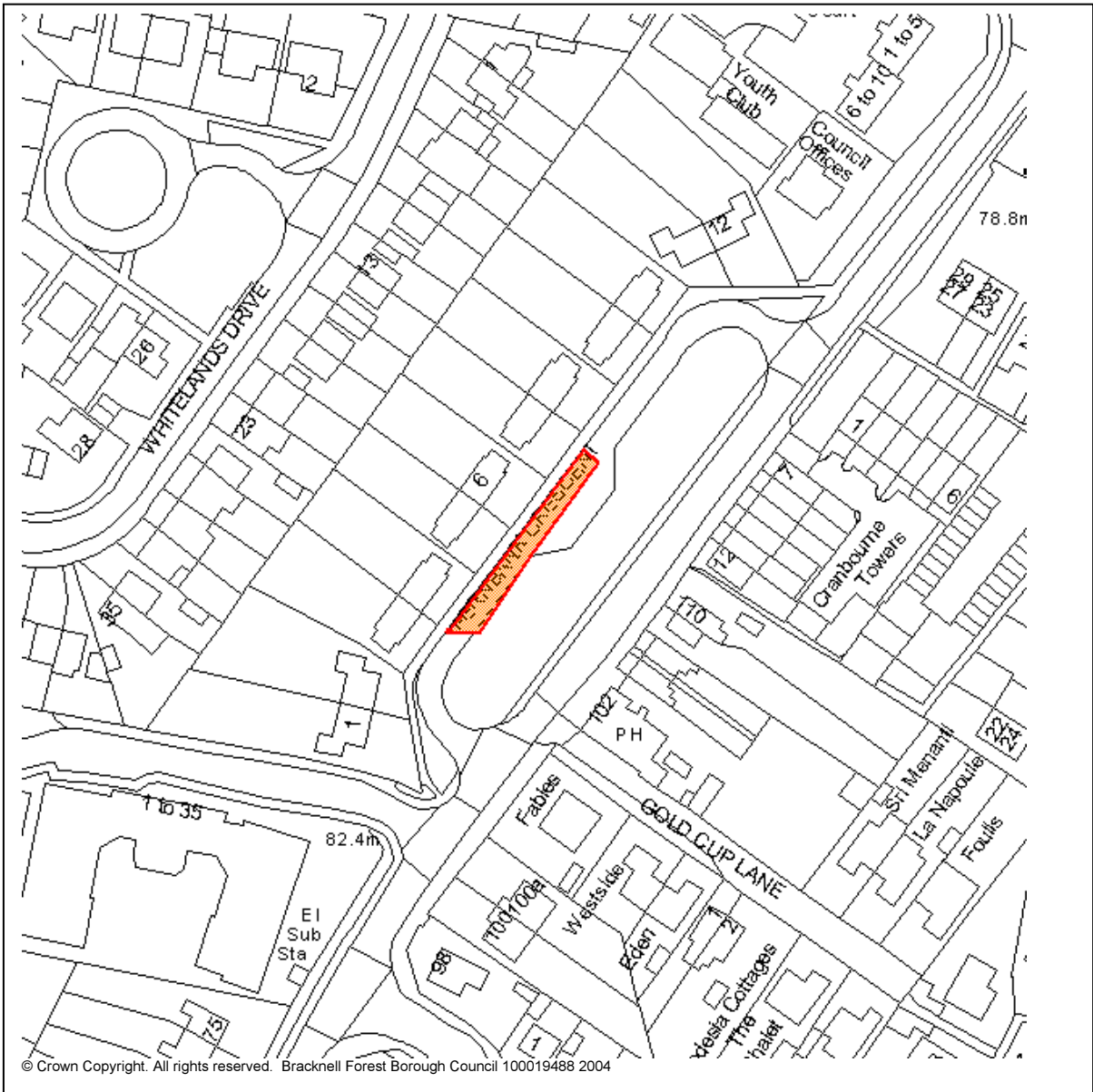
Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

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ITEM NO: 13	Ward:	Date Registered:	Target Decision Date:
Application No. 11/00602/3	Ascot	31 August 2011	26 October 2011
Site Address:	0 Fernbank Crescent Ascot Berkshire		
Proposal:	Formation of 6 no. additional echelon parking bays to existing lay-by (Regulation 3 application).		
Applicant:	Bracknell Forest Council		
Agent:	(There is no agent for this application)		
Case Officer:	Ken Lusted, 01344 352000 environment@bracknell-forest.gov.uk		

Site Location Plan (for identification purposes only, not to scale)



1 **RELEVANT PLANNING HISTORY** (If Any)

6703 Validation Date: 08.03.1961
Application for lay-by.
Approved

2 **RELEVANT PLANNING POLICIES**

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>PPG (No.)</i>	<i>Planning Policy Guidance (Published by DCLG)</i>
<i>PPS (No.)</i>	<i>Planning Policy Statement (Published by DCLG)</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN20	Design Considerations In New Development
BFBLP	M4L	Highway Measures New Development
BFBCS	CS7	Design

3 **CONSULTATIONS**

(Comments may be abbreviated)

Transportation Officer

(No comments received at time of producing this report).

Landscape Officer

(No comments received at time of producing this report).

Winkfield Parish Council

(No comments received at time of producing this report).

4 **REPRESENTATIONS**

No representations have been received.

5 **OFFICER REPORT**

This application is reported to Committee because the application has been submitted by the Planning and Transport Division of the Council.

PROPOSAL

It is proposed to provide 6 additional echelon parking bays adjacent to an existing lay-by in Fernbank Crescent. A knee rail fence will be erected along the edge of part of the

grassed area that is adjacent to the proposed parking bays and part of the road will be widened on the inside curve at the south west end of Fernbank Crescent.

SITE

The application site is currently part of a grassed area between Fernbank Crescent and Fernbank Road. The open area also contains a number of mature trees.

PLANNING CONSIDERATIONS

i) Principle of development

The grassed area and the existing trees between Fernbank Crescent and Fernbank Road make a significant contribution to the visual amenities of these roads and the surrounding area. The proposed development will result in the loss of a small part of the grassed area but it is considered it will not result in a significant change to the character and appearance of Fernbank Crescent and the surrounding area.

The proposed development is in accordance with BFBLP Policies EN20 and M9 and CSDPD Policy CS7.

Impact on Neighbours' Amenities

It is considered that the proposed development will not unduly detract from the living conditions of people living in Fernbank Crescent and the surrounding area.

CONCLUSION

The proposed development will enable additional parking bays to be provided to within Fernbank Crescent which will benefit local residents. The proposed development will not unduly detract from the street scene and character of Fernbank Crescent or the living conditions of residents.

The proposal has been considered in the light of the Draft National Planning Policy Framework. It is considered this does not alter the recommendation to approve this application.

6 RECOMMENDATION

That the application be **APPROVED** 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.
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 received by the Local Planning Authority on 27 September 2011:

Drawing no. 4817/045 rev A

(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).

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

03. 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 as may otherwise be agreed in writing by the Local Planning Authority. 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.

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

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

04. The proposed knee rail fence shall be erected prior to the parking bays being brought into use and it shall be retained thereafter unless agreed otherwise in writing by the Local Planning Authority

REASON: To protect the landscaped and grassed areas.

[Relevant Policies: BFBLP EN20, CSDPD CS7]

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 (BFBLP):
EN20 – Design considerations in new development
M9 – Vehicle and cycle parking

Core Strategy Development Plan Document (CSDPD):
CS7 – Design

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

The following material considerations have been taken into account:

The proposed development will provide additional parking in an area where there is currently a shortfall of parking. It will not unduly detract from the character of the area.

The proposal is considered to comply with BFBLP Policies EN20 and M9 and CSDPD

Policy CS7. The proposal will enable additional parking facilities to be provided and it will not have an undue adverse impact upon the existing grassed and landscaped areas, the character of neighbouring property or area or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

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PLANNING AND HIGHWAYS COMMITTEE 20 October 2011

ARTICLE 4 DIRECTION

LAND AT ASCOT PLACE, FOREST ROAD, ASCOT

Head of Development Management

1 INTRODUCTION

- 1.1 Whilst the Chief Officer Planning and Transport has delegated authority to make a Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 in this instance it is considered that the high level of local interest warrants this being taken as an Executive decision. Whilst not a matter falling under the responsibilities of this Committee it is considered appropriate for a report to be brought to the attention of members on an information basis.
- 1.2 This report sets out the background to this matter in respect of requests to remove permitted development rights in respect of the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure on agricultural land at Ascot Place.

2 SUPPORTING INFORMATION

Location

- 2.1 The Ascot Place Estate lies in the Green Belt and extends to some 156 hectares comprising of the main house Ascot Place (a Grade 2 listed building), its pleasure garden and beyond that pasture and tree belts. The perimeter of the estate extends to some 6 kilometres and much fronts onto public highways though parts do run along the rear gardens of residential properties, mostly located on Lovell Road.

Background

- 2.2 In 1999 the landowner sought a Certificate of Lawful Development to erect walls and fences up to 2 metres in height along parts of the estate boundary behind trees and vegetation fronting Pigeonhouse Lane and Forest Road. Other walls and fences to link with these were contained within the agricultural land. A Certificate of Lawful Development (LDC reference no. 625422) was submitted and the Council agreed the proposed enclosure was permitted development. Sections of timber fence exist along some of the perimeter of the estate but not on the alignment indicated in the LDC, these fences do not exceed 2 metres and are against the backdrop of the tree belts. In 2008 the land owner submitted a further Certificate of Lawful Development application involving the extension of the enclosure to enclose land largely comprising open pastures to the east and west of the estate. An LDC was issued by the Council under reference number 08/01003/CLPUD but following legal challenge by local residents that Certificate was quashed.

2.3 The Council are now having to reconsider the 2008 application and in doing so have received representations from local residents, legal representatives of local residents and Winkfield Parish Council raising the following:

- The proposed wall would be injurious to the setting of the listed buildings and registered historic park.
- Openness is the prime attribute to the Green Belt and the wall will block out that openness.
- Has an adverse impact on the visual amenity of open, gently rolling countryside.
- The amenities of adjacent residential properties would be adversely affected.
- The Council should issue an Article 4 direction.
- The proposed walls are not for enclosure but are for security so are not within the definition of Schedule 2, Part 2, Class A, Town and Country Planning (General Permitted Development) Order 1995.
- The proposed wall would have an adverse affect on the setting of listed buildings, including North Lodge, South Entrance Gates and Keepers Cottage.

Considerations

2.4 The representations received include a request that the Council consider making an Article 4 Direction to require the land owner to seek planning permission if they wish to enclose the estate with a wall or fence up to 2 metres in height. Whilst those making representations raise a variety of issues there are two principle questions relating to interests of acknowledged importance which need to be addressed namely:

1. Green Belt
2. Listed Buildings and historic garden.

2.5 It is not the purpose of this report to pre-determine any application which could ensue from the making of the direction but to consider whether the development has the potential to cause harm to these interests of acknowledged importance. It is your officer's opinion that a perimeter enclosure as indicated in both the 1999 and 2008 Certificate of Lawful Development applications could have the potential to erode the openness of the Green Belt. At the time of preparation of this report the Council's listed building officer had yet to provide an assessment in respect of the potential impact on the setting of listed buildings or the historic garden of Ascot Place. Notwithstanding the considerations in respect of listed buildings and the historic garden your officers will recommend the issuing of a direction on the basis of the potential for impact on the Green Belt. This would ensure the Local Planning Authority retain control over any proposals for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure, and seek to ensure through the planning application process that any impacts on the openness of this area of countryside are fully assessed, preserving the areas rural appearance and Green Belt function of the land.

Making of an Article 4 Direction

- 2.6 The making of Article 4 Directions under the Town and Country Planning (General Permitted Development) Order 1995 involves the removal of permitted development rights and in effect may require property owners or occupiers to apply for planning permission to undertake works that would otherwise be permitted development, in this instance structures that would enclose the land. Any Article 4 Directions made by the Council will be effective for six months and will expire after this period if they are not confirmed by the Secretary of State.

3 STRATEGIC RISK MANAGEMENT ISSUES

3.1 Financial Implications

- 3.2 If a Direction is made under Article 4 (1) of the Town and Country Planning (General Permitted Development) Order 1995, no fee is payable for a planning application made in respect of what would have been permitted development had there been no Article 4 Direction. However, should consent be refused or granted subject to conditions, the landowner can use the compensation provisions of S108 of the Town and Country Planning Act 1990. As landowners need to show that abortive expenditure or other loss or damage has been incurred, claims do not often arise.

Background Papers

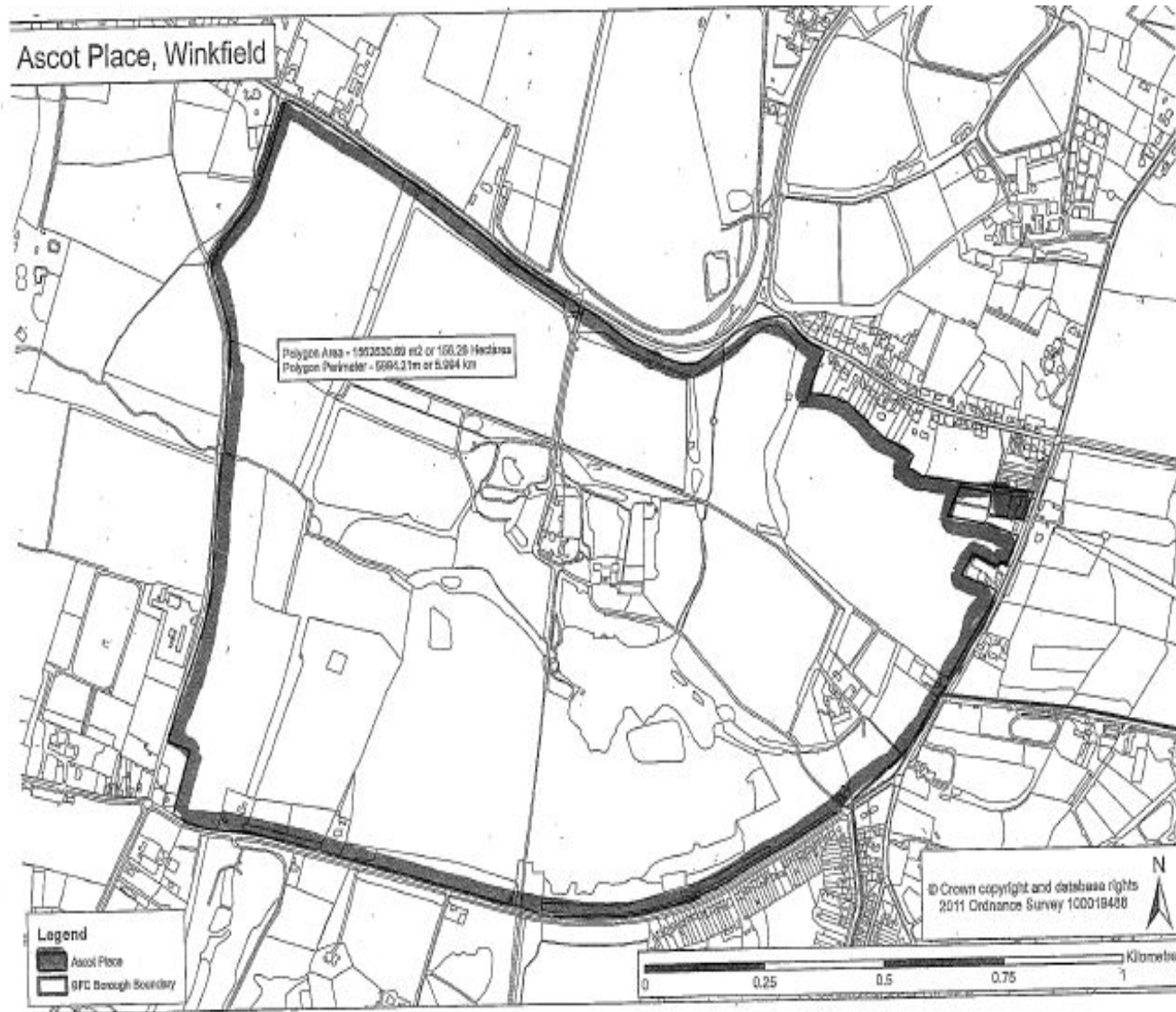
[Application file reference number 08/01003/CLPUD]

Contact for further information

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vincent.haines@bracknell-forest.gov.uk]

Doc. Ref

[08/01003/CLPUD]



Land to be covered by proposed Article 4 Direction at Ascot Place, Winkfield.

Do not scale : not to scale