

## **NOTICE OF MEETING**

### **Planning Committee**

**Thursday 21 June 2012, 7.30 pm**

**Council Chamber, Fourth Floor, Easthampstead House, Bracknell**

### **To: The Planning Committee**

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

ALISON SANDERS  
Director of Corporate Services

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**Planning Committee**  
**Thursday 21 June 2012, 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 24 May 2012.

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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. **12/00258/FUL - Ryder Cottage, 2 St Johns Road, Sandhurst**

Erection of part single storey / part two storey rear extension and roof enlargement following part demolition of existing side elevation.

27 - 34

6. **12/00264/FUL -Four Seasons, Goughs Lane, Warfield**

Erection of part single storey and part two storey rear extension including first floor dormer window.

35 - 40

7. **12/00278/FUL - 1 Seddon Hill, Warfield, Bracknell**

Section 73 application to allow conversion of garage to habitable accommodation without compliance with condition 5 of planning permission 620383 which states that "notwithstanding the provision of the current Town and Country General Permitted Development Order,

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the garage accommodation on the site shall be kept available for the parking of vehicles at all times unless permission has been granted by the Local Planning Authority on an application made for any other purpose".

8. **12/00292/FUL - 5 Pyegrove Chase, Bracknell, Berkshire**  
Erection of two storey side extension and single storey rear extension. 47 - 54
9. **12/00294/FUL - 12 Octavia, Bracknell, Berkshire**  
Erection of single storey rear extension forming conservatory. 55 - 60
10. **12/00394/FUL - 20 and 22 New Road, Ascot, Berkshire**  
Erection of 2No. three bed semi-detached dwellings following demolition of existing building containing 2No. retail units with 2No. residential units. 61 - 74
11. **12/00402/FUL - Lyndhurst Close, Bracknell, Berkshire**  
Change of use of existing residential garage to separate residential dwelling with garage and erection of raised platform forming decking. 75 - 84

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**PLANNING COMMITTEE  
24 MAY 2012  
7.30 - 11.05 PM**

**Present:**

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

**Apologies for absence were received from:**

Councillors Birch and Leake

**1. Minutes**

**RESOLVED** that the minutes of the meeting of the Committee held on 19 April 2012 and 16 May 2012 be agreed as a correct record and signed by the Chairman.

**2. Declarations of Interest**

Councillor Finch declared a prejudicial interest in respect of item 14, Christine Ingram Gardens, Bracknell as he had an objection in the public domain regarding this item.

**3. Urgent Items of Business**

The Chairman gave notice that an error was made in respect of the report for item 10 of the agenda and the correct report was not in the public domain for the required five days before the date of the meeting. Therefore the Committee would consider the report in relation to 12/00160/FUL, 27 Alcot Close, as an urgent item of business.

**4. 12/00268/FUL - The Teepee Day Nursery, Pembroke, Bracknell**

**Section 73 application to vary condition 3 (The garden shall not be used by more than 28 children or babies between the following times 09:00 to 18:00 hours Monday to Friday and not at all outside these hours, except for no more than 14 children or babies between the hours of 08:00 to 09:00 Monday to Friday) and condition 4 (the garden shall not be used by more than 14 children or babies between 08:00 to 18:00 hours Monday to Friday and not at all outside these hours and at no time at all on Saturdays and Sundays or Public Holidays) of planning permission 08/01059/FUL to allow up to 49 children to use the garden area at any one time.**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Bracknell Town Council.
- One letter of objection.

Members expressed concern in relation the impact on residents of a possible increase in noise from the garden of the nursery if all 49 children were allowed in the garden at the same time and the frequency with which the children would be outside in the garden.

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

01. No more than 49 children or babies shall receive nursery services at the premises at one time.
02. The nursery use hereby permitted shall not operate outside the following times 07:00 to 18:00 hours Monday to Friday and at no time at all on Saturdays and Sundays or Public Holidays.
03. The garden shall not be used by more than 49 children or babies between the hours of 09:00 to 18:00 hours Monday to Friday and not at all outside these hours, except for no more than 14 children or babies between the hours of 08:00 to 09:00 Monday to Friday and not at all outside these hours.
04. The use of the garden hereby permitted for 49 children shall be discontinued on or before 24 May 2013. After this time the garden shall not be used by more than 14 children or babies between 08:00 to 18:00 hours Monday to Friday and not at all outside these hours and at no time at all on Saturdays and Sundays or Public Holidays.

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

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

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

Guidance contained within the NPPF has been taken into account. This does not alter officer recommendation.

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policies EN20, EN25. The proposal will not adversely affect the character of the building, neighbouring property or area or significantly affect the amenities of neighbouring property. The proposal will be granted permission on a temporary basis of 12 months in which the increase in the number of children that can use the outdoor play area at any given time from 28 to 49 can be assessed to determine whether any additional impact is caused to the residential amenities of neighbouring properties.

The planning application is therefore approved for a temporary period.

5. **11/00878/REM - Land At Peacock Farm Neighbourhood Centre, Peacock Lane, Bracknell**

**Submission of details of siting, design, external appearance, access and landscaping for the erection of retail accommodation (506 sq m) with 12no. 2 bedroom and 4no. one bedroom flats above, one flat over garage (FOG) unit**

**and 11 houses with associated parking and servicing space pursuant to outline permission 98/00288/OUT (623523).**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Bracknell Town Council.
- Twenty four representations; thirteen in support of the application, and seven objections. Three of the objections related solely to the public house which did not form part of the application.

Members discussed deliveries to the customer facing front of the shops instead of the rear service yard, and issues relating to safety with regard to the road crossing points to the shops particularly for children.

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

01. The development hereby approved shall be carried out only in accordance with the following plans:  
31668\_P\_001 Rev C Context & Site Location Plan  
31668\_P\_002 Rev C Site Plan  
31668\_P\_003 Rev B Retail Apartments Floor Plans  
31668\_P\_004 Rev C Retail Apartments Elevations  
31668\_P\_006 Rev B House Type A  
31668\_P\_007 House Type B  
31668\_P\_008 Rev B House Type C1  
31668\_P\_009 Rev B House Type D  
31668\_P\_015 Rev B Roof Plan  
31668\_P\_016 Rev B House Type C2  
31668\_LP(90)001 Rev B Landscape General Arrangement  
31668\_LP(90)002 Rev B Planting Plan  
31668\_LP(90)003 Rev B Site Fencing Styles
02. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for visitors to the buildings hereby permitted.
03. The development hereby approved shall not be begun until a scheme for the allocation of spaces to individual dwellings/shops (including appropriate signage/markings) has been submitted to and approved in writing by the Local Planning Authority. No dwelling/shop unit shall be occupied until the space(s) serving it have been provided in accordance with the approved scheme. The parking shall thereafter be retained.
04. The car ports hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port, unless otherwise agreed in writing by the Local Planning Authority.
05. Notwithstanding the submitted details the development hereby approved shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. No dwelling shall be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.
06. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting

- serving the parking courts/service yard, including lighting units and levels of illumination. The approved scheme shall be implemented before the first use of these areas and the lighting retained in accordance therewith.
07. The level of noise emitted from any air ventilation and/or refrigeration plant systems on the premises shall not exceed 41 dB(A) Laeq,t (as measured inside numbers 1-7 (odds) Falcon Way with the windows shut) between the hours of 09:00 am and 7:00 pm on Monday to Fridays and 09:00 am and 2:00 pm on Saturdays and shall not exceed 41 dB(A) Laeq,t at any other time including Sundays and public holidays.
  08. The development hereby approved shall not be begun until details of air ventilation systems have been submitted to and approved in writing by the 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.
  09. The development hereby approved shall not be begun until a scheme for limiting the transmission of noise between each residential unit of accommodation and/or any other part of the building, which is not exclusively used as a unit of accommodation, has been submitted to and approved in writing by the Local Planning Authority. No residential unit hereby permitted shall be occupied until all works that form part of the approved scheme have been completed.
  10. No deliveries shall be taken at or dispatched from the site outside the hours of 08:00 am-6:00 pm Mondays-Saturdays nor at any time on Sundays or public holidays.
  11. The development hereby approved shall not be begun until all outstanding details of external materials 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.

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.

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.

Bracknell Forest Core Strategy

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.

CS23 - which seeks to ensure the Council will use its powers to reduce the need to travel, and promote alternative modes, increase safety of travel and maintain and



improve the local road network.

#### South East Plan

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

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

T4 – which seeks an appropriate level of parking.

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.

NRM10 – which seeks development to include measures to address and reduce noise pollution.

NPPF.

The following material considerations have been taken into account.

Third party representations were received on grounds that the proposed development will cause anti-social behaviour, will lead to additional traffic including delivery lorries and at anti-social hours, will be out of keeping and will lead to overlooking of nearby dwellings. The view was also expressed that there needed to be a safe crossing point.

These comments have been taken into consideration, however it is not considered that the proposal would lead to anti-social behaviour (in this context it is noted that the scheme has been amended in the light of comments from the Police Crime Prevention Design Officer), lead to unacceptable disturbance from delivery vehicles (a condition is imposed to control times of deliveries) or lead to unacceptable overlooking. The design of the buildings is considered to be appropriate and in accordance with the Masterplan Design Statement. With regard to a safe crossing the Highways Officer has confirmed that adequate pedestrian facilities are provided in this area.

The proposal is considered to comply with the policies listed above. The proposal will not unacceptably affect the character of the area or the living conditions of nearby residents. The impact of the development upon local infrastructure and the Thames Basin Heaths SPA has been satisfactorily mitigated by s106 agreements linked to the wider Jennett's Park development. The details are considered to comply with the approved Peacock Farm Masterplan Design Statement.

The application is therefore approved.

#### 6. **12/00041/FUL - 59 - 61 Dukes Ride, Crowthorne, Berkshire**

**Retention of part single, part two storey rear and side extension, loft conversion, dormers and porch, external cladding to building and garage, provision of cycle and pram storage facilities, re-organisation and resurfacing of car park.**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.

- The comments of Crowthorne Parish Council.
- Two objections.

Members expressed concerns in relation to the mock tudor cladding of the property not being in keeping with other properties in the area, and whether the gates to access the property would impact on the use of the car parking area. Concern was also expressed that work had begun on the property before planning permission had been granted. An enforcement notice had been prepared by the Legal Section of Bracknell Forest Council pending the outcome of this application.

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

**RESOLVED** that the application be **refused** for the following reason:

1. The addition of cladding has changed the external appearance of the nursery so that it has become out of character and out of keeping with the neighbouring properties in the locality and in the street scene, to the detriment of the visual amenity and local identity of the area. The development is therefore contrary to the aims of the Character Area Assessments SPD (chapter 3 Crowthorne), and to Policy EN20 of the Bracknell Forest Borough Local Plan, to Policy CS7 of the Core Strategy Development Plan Document, and to Policy CC6 of the South East Plan.

7. **12/00137/FUL - Innovation House Kingswood Kings Ride**

**Change of use of Building C from office (B1a use) to 86 bed hotel (C1 use) with ancillary cafe and gym, and associated minor alterations to the elevations and landscaping.**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Winkfield Parish Council.
- Two letters of representation.

Members discussed the café on the hotel premises and the possible increase in trip rates as a result of use of the café.

**RESOLVED** that following the receipt of additional information on vehicle trip rates for the proposed development (to the satisfaction of the Chief Officer Highways and Planning)

the Head of Development Management be **authorised to approve** the application following the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 relating to a contribution to improvements to the transportation network and/or travel plan (if either is deemed necessary following an assessment of the trip rates) and 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 and other submitted details received by the Local Planning Authority on 13.2.11:-

- (00)010 P01, (20)AP 01 P03, 25114 (20)AS 001 P01, 25114 (20) AE 001 P03, (20) AP 00 P03, (20) AP 050, (20) AP 051 P01, 25114 (20) AE 051 P01, 25114 (20) AS 051 P01, (20) AP 100 P01, (20) AP 150 P01,
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall;
    - a) match those of the existing building, or
    - b) shall be as unless otherwise agreed in writing by the Local Planning Authority.
  04. The hotel shall not 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.
  05. The development hereby permitted shall not be begun until a plan showing 7 car parking spaces shall be designed for the use of people with disabilities. The parking shall be marked out, signed and provided in accordance with the approved plans 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.
  06. The gym and cafe shall not be occupied at any time other than for purposes ancillary to the hotel use.
  07. Save as
    - a) with the prior written permission of the Local Planning Authority, and
    - b) in accordance with any conditions contained in any such permission
 no goods, materials, plant or machinery shall be stored outside any of the buildings on the site without the prior written permission of the Local Planning Authority .
  08. No noisy construction work shall take place outside the hours of 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 Saturday and not at all on Sundays and Bank Holidays.
  09. Development shall not be commenced until a travel plan has been submitted to, and approved in writing by the Local Planning Authority. The travel plan shall include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by the private car, a scheme of monitoring and provide for periodic review. The travel plan shall be implemented as agreed, unless otherwise agreed in writing by the Local Planning Authority.
  10. 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.

In the event of additional information indicating that a Section 106 planning obligation to secure a contribution to improvements to the transportation network and/or travel plan is required but has not been completed by 31 July 2012 the Head of Development Management be **authorised to refuse** the application on the grounds of:-

1. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure. 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/a travel plan the proposal is contrary to Policy CC7 of the South East Plan, Policy M4 of the Bracknell Forest Borough Local Plan, Policy CS24 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).

### 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.

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

EN9 – which permits change of use and adaptation of non-residential buildings outside settlements (and outside the Green Belt) where they are of permanent construction, in keeping with its surrounding, would not require extensive alteration or rebuilding, would not be detrimental to the character of the building or its landscaped setting, would not result in more than 500 sqm of business floor space, and would not cause significant environmental, road safety, traffic generation or other problems.

GB4 – which permits re-use and change of use of buildings within the Green Belt where it would not impact upon the open, rural and undeveloped character of the Green Belt and not be materially greater than present use, they are of permanent construction, is in keeping with its surrounding, would not result in more than 500 sqm of business floor space, and would not cause significant environmental, road safety, traffic generation or other problems.

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

R6 – which permits visitor accommodation where it would not result in environmental problems or inconvenience on the public highway.

#### Core Strategy DPD

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.

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.

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.

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

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 use innovative design to create a high quality built environment which promotes a sense of place.

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:

The proposal is considered to comply with BFBLP Policies EN8, EN9, EN20, GB4, M9, R6 Core Strategy DPD policies CS1, CS2, CS9, CS23 and South East Plan policies SP5 and CC6 and guidance in the National Planning Policy Framework. The proposal will not adversely affect the open, rural and undeveloped character of the Green Belt, significantly affect the amenities of neighbouring or result in any significant increase in traffic to the site. Third party representations have been received raising concerns that the proposal would adversely affect the Green Belt, result in noise and disturbance to residents and increase traffic levels at the site. These comments have been taken into consideration, however it is considered that the proposal would be in accordance with the development plan, and would not result in a form of development out of keeping with the character and appearance of the area, and would be designed and sited so as to avoid an adverse impact upon the residential amenities of neighbouring properties.

The planning application is therefore approved.

**8. 12/00141/FUL - 14 College Crescent, College Town, Sandhurst  
Erection of first floor rear & side extension and front dormer.**

This planning application was deferred to a future meeting of the Committee to clarify information in relation to the application.

**9. 12/00147/FUL - 23 Locks Ride, Ascot, Berkshire  
Erection of detached five bedroom house following demolition of existing chalet bungalow.**

The Committee noted:

- The comments of Winkfield Parish Council.
- Eight letters of objection; two from the same address.

Members expressed concern that the design of the property was out of keeping with the surrounding area, and also with respect to the trees and greenery which would be removed for the property to be built.

**RESOLVED** that the application be **refused** for the following reason(s):-

01. By reason of the design and appearance, the proposed dwelling would be incongruous within the street scene, out of keeping with the surrounding area to the detriment of the character and visual amenities of the area. The proposed development would therefore be contrary to Policy CC6 of the South East Plan,

Policy EN20 of the Bracknell Forest Borough Local Plan and Policy CS7 of the Core Strategy Development Plan Document.

10. **12/00160/FUL - 27 Alcot Close, Crowthorne, Berkshire**

**Erection of first floor side extension and alteration to garage roof.**

A site visit had been held on Saturday 19 May 2012 which had been attended by Councillors Angell, Mrs Angell, Mrs Barnard, Blatchford, Davison, Dudley, Finnie and Thompson.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting which included a further letter of objection.
- The comments of Crowthorne Parish Council.
- Two letters 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 February 2012:  
02 (D)
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.
04. 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 west facing side elevation of the extension 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: 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.

Core Strategy Development Plan Document: Policy CS7 which seeks to ensure that developments are of high quality design.

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.

Guidance contained in the 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 Policy EN20, CSDPD Policy CS7 and SEP Policy CC6. 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.

11. **12/00163/FUL - 26A New Road Ascot Berkshire**

**Erection of two storey office building (Class B1) following demolition of existing single storey building (Class A2).**

The Committee noted:

- The comments of Winkfield Parish Council.
- No representations were received.

**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 1st May 2012:  
784/1 AB
03. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
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.
05. 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.
06. No development shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing.

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 M9 which seeks satisfactory parking provision for vehicles and cycles.

Policy E4 which seeks to permit development involving a variety and size of buildings for new and small businesses.

Policy E11 which permits changes of use to A2 or A3 uses where it would not adversely affect local retail provision and amenities of neighbouring properties in Village and neighbourhood centres and local parades.

Core Strategy Development Plan Document: Policy CS7 which seeks to ensure that developments are of high quality design.

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.

Policy NRM4 which seeks to avoid inappropriate development within flood zones 2 and 3, areas at risk of surface water flooding (critical drainage areas) or areas with a history of groundwater flooding, or where it would increase flood risk elsewhere, unless there is over-riding need and absence of suitable alternatives, and require incorporation and management of Sustainable Drainage Systems (SuDS), other water retention and flood storage measures to minimise direct surface run-off.

Guidance contained in the 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, M9, E4 and E11, CSDPD Policies CS7 and CS23 and SEP Policies CC6, T4 and NRM4. 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.

12. **12/00203/FUL - 21 Alcot Close, Crowthorne, Berkshire**

**Erection of two storey rear extension and single storey front extension forming porch.**

A site visit had been held on Saturday 19 May 2012 which had been attended by Councillors Angell, Mrs Angell, Mrs Barnard, Blatchford, Davison, Dudley, Finnie and Thompson.

The Committee noted:

- The comments of Crowthorne 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 29th February 2012:  
12006-02  
12006-03
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.
04. 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 west or east facing side elevations of the extension 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: 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.

Core Strategy Development Plan Document: Policy CS7 which seeks to ensure that developments are of high quality design.

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.

Guidance contained in the 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 Policy EN20, CSDPD Policy CS7 and SEP Policy CC6. 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.

13. **PS 12/00208/FUL - Land At Whitmore Close, Whitmore Close, Owlsmoor  
Erection of 6no. three bedroom houses with garages and parking accessed  
from Whitmore Close.**

This planning application was deferred to a future meeting of the Committee to resolve highways issues in relation to the application.

14. **PS 12/00211/FUL - Christine Ingram Gardens, Bracknell, Berkshire**

*Having declared a prejudicial interest, Councillor Finch withdrew from the meeting during the consideration of this item.*

## **Installation of 6no. dormer windows in roof of Block B.**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Bracknell Town Council.
- Ten letters of Objection.

Members expressed concern in relation to the installation of 6 dormer windows in the roof of Block B as being a precursor to the roof areas of the building being used as self-contained units. A further concern was in relation to whether the residents of Block B had been consulted on the changes to take place in the planning application.

**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 12.3.12 \_ 5.4.12:  
719/1, 1A, 783/A4, 567/16e12
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall;  
a) match those of the existing building, or  
b) shall be as unless otherwise agreed in writing by the Local Planning Authority.
04. No construction of the dormer windows shall commence until the internal access stairways from flats 29 to 31 have been completed and approval given in writing by the Local Planning Authority.
05. No construction of the dormer windows shall commence until the following change to the existing facilities for 2 additional units in Block B has been completed and approval given in writing by the Local Planning Authority: change all accommodation access doors at the second floor to be for emergency fire exit only, and remove the external doorbells and postboxes at the main entrance which have been installed for two separate flats in the roof space.
06. The doors on the second floor flats 29 and 31 shall be retained as emergency fire exit only doors.

### 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

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.

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.

NPPF

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

The following material considerations have been taken into account:

Third party representations have been received on the grounds that the proposal would be out of keeping with the area, result in overlooking and loss of amenities for residents of nearby properties and questioning the future use of the roof space to be served by the proposed dormer windows. These comments were taken into consideration, however it is considered that the proposal would comply with BFBLP Policy EN20, Core Strategy DPD Policies CS1 and CS7 and SEP Policy CC6. The proposal will not adversely affect the character of the building, or significantly affect the amenities of neighbouring property.

The planning application is therefore approved.

15. **12/00232/3 - Street Record, Vandyke, Bracknell, Berkshire**

**Formation of 3 no. parking bays on landscaped area within parking court (Regulation 3 application).**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Bracknell Town Council.
- No representations were received.

**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 13 March 2012:  
Drawing number 4817/093 (Residential Street Parking Improvements - Vandyke 98-101)
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 landscaping scheme shall include the following:
  - i) New planting on remaining grass verges near to the approved car parking spaces with knee-rail fencing to protect the landscaped and grassed areas as appropriate; and
  - ii) Details for the relocation of the lamp column on the site; and

- iii) Details for the position, type, design and type of a physical barrier to the rear of the car parking spaces to prevent parking on the footway; and
- iv) 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 commencement of the development or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried out and completed in accordance with the approved scheme prior to the approved parking spaces first being brought into use and shall be retained as such thereafter, unless otherwise 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.

#### 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):  
EN2 – which seeks to supplement tree and hedgerow cover  
EN20 – Design considerations in new development  
M9 – Vehicle and cycle parking  
Core Strategy Development Plan Document (BFBCS)  
CS7 – Design

(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 Policies EN20 and M9; BFBCS Policy CS7; and SEP Policy CC6. The proposal would provide additional parking facilities in an area where there is currently a shortfall of parking. Notwithstanding the concerns of the Landscape Officer it is not considered that the proposal would not unduly detract from the character of the area and it would not significantly affect the amenities of neighbouring property. The planning application is therefore approved.

The National Planning Policy Framework (NPPF) has been taken into account.

16. **12/00261/REM - Land Parcel H20 and H21, Peacock Lane, Bracknell**

**Submission of details of scale, layout, appearance, access and landscaping for the erection of 78no. dwellings with associated parking pursuant to outline permission 98/00288/OUT (623523) (affects land parcel H20 (part) and H21).**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Bracknell Town Council.
- One letter of objection and further representations.

Members discussed the height, design and orientation of the three storey units to be built on the site, and in relation to the eight units to be built along the 'buffer' opposite to Queens Wood.

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

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

Planning Layout 26-1768-001 R

Location Plan 26-1768-002

Storey Heights 26-1768-003 A

External Enclosures 26-1768-004 A

External Enclosure Details 26-1768-005

External Finishes 26-1768-006 A

Richmond Elevations 26-1768-RI-001 A

Richmond Elevations 26-1768-RI-002 A

Richmond Floor Plans 26-1768-RI-003

Hampstead Elevations 26-1768-HA-001 A

Hampstead Elevations 26-1768-HA-002 A

Hampstead Floor Plans 26-1768-HA-003

Salisbury Elevations 26-1768-SA-001 A

Salisbury Floor Plans 26-1768-SA-002

Cambridge Elevations 26-1768-CA-001 A

Cambridge Elevations 26-1768-CA-002 A

Cambridge Floor Plans 26-1768-CA-003

Stratford Elevations 26-1768-ST-001 A

Stratford Elevations 26-1768-ST-002 A

Stratford Floor Plans 26-1768-ST-003

Pembroke Elevations 26-1768-PM-001 A

Pembroke Floor Plans 26-1768-PM-002

Pembroke Elevations 26-1768-Pm-003 A

Pembroke Floor Plans 26-1768-PM-004

Kenilworth Elevations 26-1768-KN-001 A

Kenilworth Elevations 26-1768-KN-005

Kenilworth Floor Plans 26-1768-KN-002

Kenilworth Elevations 26-1768-KN-003 A

Kenilworth Floor Plans 26-1768-KN-004

Warwick Elevations 26-1768-WK-001 A

Warwick Elevations 26-1768-WK-002 A

Warwick Floor Plans 26-1768-WK-003 A

Broadway, Evesham 26-1768-BR-001 A

Broadway, Evesham 26-1768-BR-002

Coniston Elevations 26-1768-CO-001 A

Coniston Floor Plans 26-1768-CO-002

Garage Floor Plans & Elevations 26-1768-GAR-001

Garage Floor Plans & Elevations 26-1768-GAR-002

Garage Floor Plans & Elevations 26-1768-GAR-003

Garage Floor Plans & Elevations 26-1768-GAR-004

Garage Floor Plans & Elevations 26-1768-GAR-005

Typical Pergola Detail 26-1768-PER-001

Bin and Cycle strategy layout: 26-1768-013A

Planting details: 04465 01B, 02B, 03B,04B and 05

LAP details: 04974A

02. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for visitors to the buildings hereby permitted.
03. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting serving the parking court to the rear of plots 3-11, including lighting units and levels of illumination. The approved scheme shall be implemented before the first use of that area and the lighting retained in accordance therewith.
04. No works shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless:
  - i) a survey of the application site, conducted by an independent qualified ecologist, has been undertaken to establish whether any birds are nesting on the site and,
  - ii) a scheme to minimise the impact of the works on birds nesting on the site has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be performed, observed and complied with for the duration of the regrading works.

05. The following windows in the houses hereby approved shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight:-
  - Plot 20 - west facing window at first-floor level
  - Plot 50 - west facing window at first-floor level.

06. Within two months of the date of this planning permission a method statement for carrying out the installation of tree root barriers in the vicinity of the trees to be planted adjacent to any adoptable highway and service trenches, pipes, sewers, conduits, etc. shall be submitted in writing to the Local Planning Authority for its approval. The method statement shall describe works designed to minimise any adverse impact caused by tree roots to these surfaces, structures and services, and likewise prevent damage to tree roots caused by location, installation and repair of below ground services.  
The method statement shall include:
- a) An approved planning layout to 1:200 scale showing the accurate trunk position of the trees in relation to the proposed works,
  - b) Layout and construction profile drawings, and
  - c) Construction implementation method statement including timing/phasing of the works.
- The root barrier installation shall be carried out, and services located, in full accordance with the approved details.
07. The development hereby approved shall not be begun until details of the proposed visitor parking space to the front of plots 37/38 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.

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.

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

M9 - which seeks satisfactory parking provision for vehicles and cycles

Bracknell Forest Core Strategy

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.

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

South East Plan

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

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

T4 – which seeks an appropriate level of parking.

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.

## NPPF

The following material considerations have been taken into account.

Third party representations were received on grounds that houses proposed on the western boundary of the application site, particularly because of their windows at 2nd floor level, would lead to unacceptable levels of overlooking of Queens Wood and its garden and have a harmful effect on the character of the buffer area, contrary to the Masterplan Design Statement and the views of councillors who considered the Masterplan at committee in June 2005. These comments have been taken into consideration, however it is considered that the proposal would be in accordance with the Masterplan Design Statement and, by reason of the orientation of the proposed houses and the distance between their windows and Queens Wood and its garden, no unacceptable overlooking or loss of privacy would occur nor would the proposed development have an unacceptable impact on the character and appearance of the area.

The proposal is considered to comply with the policies listed above. The proposal will not unacceptably affect the character of the area or the living conditions of nearby residents. The impact of the development upon local infrastructure and the Thames Basin Heaths SPA has been satisfactorily mitigated by s106 agreements linked to the wider Jennett's Park development. The details are considered to comply with the approved Peacock Farm Masterplan Design Statement. The application is therefore approved.

### 17. **12/00313/3 - Street Record, Nuthurst, Bracknell, Berkshire**

#### **Conversion of 3 areas of Nuthurst into residents parking giving 11 additional spaces.**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Bracknell Town Council.
- One 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 plan received by the Local Planning Authority on 23 May 2012.  
Drawing no. 103A
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.

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):  
EN1 – which seeks to protect tree and hedgerow cover  
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 EN1, 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.

The National Planning Policy Framework (NPPF) has been taken into account.

18. **11/00743/FUL - Broadmoor Hospital, Lower Broadmoor Road, Crowthorne, Berkshire**

The purpose of this report was to seek clarification as to whether Members would like details submitted in respect of the discharge of condition 11 (Construction Traffic) of planning application 11/00743/FUL to be brought to the Committee which related to the enabling works for the development.

At its meeting on 15 March 2012 the Planning Committee resolved to approve the above planning application subject to the completion of a Section 106 agreement and confirmation from the Environment Agency that its concerns had been addressed.

At the meeting Members requested that details submitted for the discharge of condition 11 (Construction Traffic) be brought back to the Committee for decision.

The applicant had advised that the construction would be undertaken as a phased operation. Ahead of the main construction phase which would include the creation of the access onto Foresters Way and a haul route linking this to the hospital site, the Trust needed to undertake a number of enabling works. The first of these consisted of the construction of the new energy centre to free up the site of the existing energy centre and the formation of a temporary secure perimeter.

It was proposed that these works would be subject to the following restrictions:

Working hours would be restricted to the following:

- Monday to Friday: 8am to 5.30pm
- Saturday (if applicable): 8am to 1pm

There would be no deliveries before 8am or after 5.30pm.

In view of the urgent need to undertake these enabling works in order to prevent slippage in the main construction programme, the applicant had requested that the discharge of these details in so far as they related to the enabling works only, be dealt with under delegated powers, with only details of the construction traffic for the main build programme (when access would be from Foresters Way) coming before the Committee.

**RESOLVED** that

- (i) the discharge of details submitted in respect of condition 11 (Construction Traffic) of planning application 11/00743/FUL, be delegated to the Head of Development Management in so far as they related to enabling works only.

**CHAIRMAN**

**PLEASE NOTE PLANS FOR ALL OF THE APPLICATIONS ON THIS  
AGENDA CAN BE FOUND ON OUR WEBSITE  
[www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk)**

**PLANNING COMMITTEE  
21st June 2012**

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

		<b>Case Officer</b>	<b>Reporting Officer</b>
5	12/00258/FUL Ryder Cottage 2 St Johns Road Sandhurst (Central Sandhurst Ward) Erection of part single storey / part two storey rear extension and roof enlargement following part demolition of existing side elevation. Recommendation: Approve.	Michael Ruddock	Basia Polnik
6	12/00264/FUL Four Seasons Goughs Lane Warfield (Warfield Harvest Ride Ward) Erection of part single storey and part two storey rear extension including first floor dormer window. Recommendation: Approve.	Nick Kirby	Basia Polnik
7	12/00278/FUL 21 Seddon Hill Warfield Bracknell (Warfield Harvest Ride Ward) Section 73 application to allow conversion of garage to habitable accommodation without compliance with condition 5 of planning permission 620383 which states that "notwithstanding the provision of the current Town and Country General Permitted Development Order, the garage accommodation on the site shall be kept available for the parking of vehicles at all times unless permission has been granted by the Local Planning Authority on an application made for any other purpose". Recommendation: Approve.	Nick Kirby	Basia Polnik
8	12/00292/FUL 25 Pyegrove Chase Bracknell Berkshire (Crown Wood Ward) Erection of two storey side extension and single storey rear extension. Recommendation: Approve.	Sarah Horwood	Basia Polnik

9	12/00294/FUL 12 Octavia Bracknell Berkshire (Hanworth Ward) Erection of single storey rear extension forming conservatory. Recommendation: Approve.	Nick Kirby	Basia Polnik
10	12/00394/FUL 20 and 22 New Road Ascot Berkshire (Ascot Ward) Erection of 2no., three bed semi-detached dwellings following demolition of existing building containing 2No. retail units with 2No. residential units. Recommendation: Approve.	Laura Rain	Basia Polnik
11	12/00402/FUL 10 Lyndhurst Close Bracknell Berkshire (Harmans Water Ward) Change of use of existing residential garage to separate residential dwelling with garage and erection of raised platform forming decking. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Laura Rain	Basia Polnik

### 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.

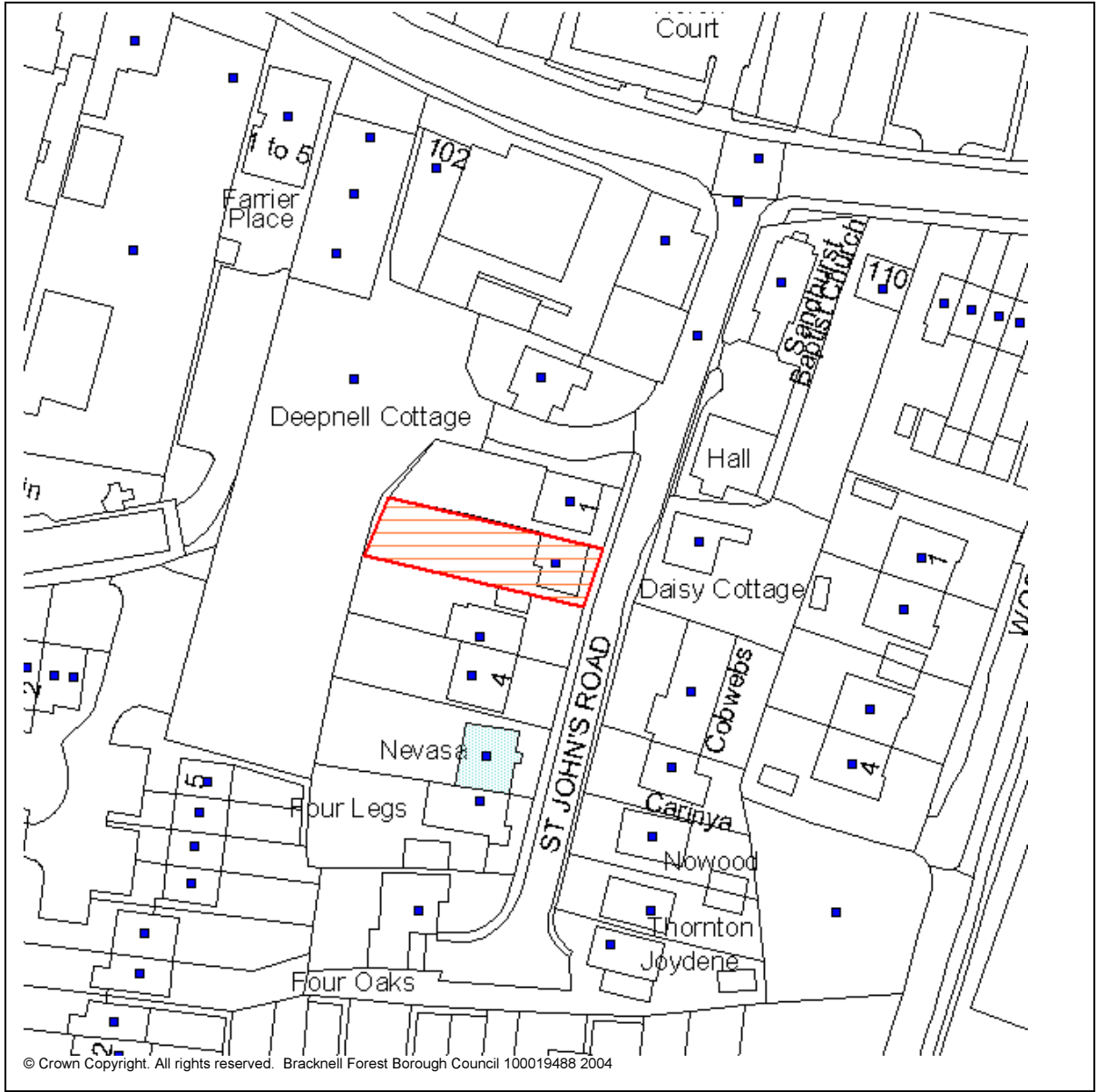
The provisions of the Human Rights Act 1998 have been taken into account in the preparation of the reports contained in this agenda.

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.

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<b>Unrestricted Report</b>			
<b>ITEM NO: 5</b>	Ward:	Date Registered:	Target Decision Date:
Application No. <b>12/00258/FUL</b>	Central Sandhurst	28 March 2012	23 May 2012
Site Address:	<b>Ryder Cottage 2 St Johns Road Sandhurst Berkshire GU47 9AD</b>		
Proposal:	<b>Erection of part single storey / part two storey rear extension and roof enlargement following part demolition of existing side elevation.</b>		
Applicant:	Mr B Smith		
Agent:	Mr Paul Sehmi		
Case Officer:	Michael Ruddock, 01344 352000 <a href="mailto:environment@bracknell-forest.gov.uk">environment@bracknell-forest.gov.uk</a>		

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



## 1 RELEVANT PLANNING HISTORY (If Any)

606109 Validation Date: 05.06.1981  
Single storey rear extension forming kitchen and lounge. Single storey front extension forming porch.  
**Approved**

612218 Validation Date: 15.06.1987  
Single storey rear extension forming enlarged kitchen.  
**Approved**

605151 Validation Date: 01.01.1980  
Erection of single storey rear extension to form new kitchen and covered patio. Internal alterations to provide new bathroom and enlarged lounge.  
**Withdrawn**

## 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>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</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	M9	Vehicle And Cycle Parking
BFBCS	CS7	Design
BFBCS	CS23	Transport
SEP	CC6	Sustainable Communities and Character of Environment
SEP	T4	Parking

## 3 CONSULTATIONS

(Comments may be abbreviated)

### Sandhurst Town Council

Recommend refusal,  
The proposal will prove detrimental to the adjoining property through overshadowing and a reduction of natural light.



## Thames Water Utilities Ltd

Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)  
[OFFICER COMMENT: *An informative can be included on the decision notice*]

#### **4 REPRESENTATIONS**

One letter of objection was received, from the residents of No.1 St Johns Road. The letter raises concerns that the proposed development would result in an unacceptable loss of light to and unduly overbearing effect on the rear of No.1 St Johns Road.

#### **5 OFFICER REPORT**

This application has been reported to the Planning Committee at the request of Councillor Dudley due to concerns that the proposed development would be unneighbourly and would represent an overdevelopment of the site.

##### **i) PROPOSAL AND BACKGROUND**

The proposed development is for the erection of a part single storey, part two storey extension to the rear of the property and the enlargement of the roof to provide accommodation at first floor level, following the demolition of an existing side element.

The two storey element of the extension would project 3.2m to the rear of the dwelling with a width of 4.1m and a height of 6.0m. The single storey element would project an additional 3.1m to the rear giving an overall depth of 6.3m. It would have a width of 5.3m and a height of 2.7m. It would be set off the boundary with the neighbouring property by 2.4m. The rear extension would form an enlarged kitchen and dining area at ground floor level and an additional bedroom at first floor level.

The roof enlargement would increase the height of the dwelling from 4.5m to 6.4m. In addition to the bedroom provided by the extension, two further bedrooms with an en suite and a bathroom would also be provided. A side element with a width of 1.2m and a depth of 8.5m would be demolished to provide room for two parking spaces at the side.

##### **ii) SITE**

No.2 St Johns Road is a detached single storey bungalow with a private garden to the rear of the dwelling. The dwelling is set back only 2.0m from the boundary with the adopted highway at the front of the site, and no parking is provided on site as existing. The site is bordered by No.1 St Johns Road to the north and No.3 to the south. It is noted that No.3 has previously been extended to the side at two storey level, with a garage at ground floor level and a bedroom at first floor level.

### **iii) PLANNING CONSIDERATIONS**

#### **1) Principle of the Development**

The site is located in a residential area that is defined as settlement on the Bracknell Forest Borough Proposals Map, and as such the proposed development is 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 application would extend the property to provide three bedrooms, and two off street parking spaces are shown to the side. No parking is provided on site as existing, and as the parking area would have a length of 10.2m with a width of 2.7m it is considered that two 4.8m x 2.4m spaces can be provided. Although no on site turning is provided, as No.2 St Johns Road is not a classified road this is not required. The Highways Officer is therefore satisfied that the proposed development would not result in an adverse impact on highway safety.

#### **3) Impact on the Character and Appearance of the Area**

The development would increase the height of the dwelling by 1.9m, and as a result would be a prominent feature in the streetscene. However, although the neighbouring property to the north at No.1 is also a detached bungalow, the neighbouring properties to the south are semi detached two storey dwellings with a height of 8.6m. It is therefore not considered that such a height increase would result in an overly prominent addition that would be out of keeping with the existing streetscene. Furthermore as the extension to the rear would be lower in height than the extended dwelling it is not considered that it would result in a disproportionate addition to the dwelling that would appear incongruous in the streetscene.

Although the extended dwelling would have a greater depth than the existing, as it would not project beyond the rear building line of the properties to the south, leaving a 16.1m rear garden, it is not considered that the proposals would result in an overdevelopment of the site.

It is noted that the materials used would be white render, and as this would match the materials at the neighbouring dwelling of No.1 it is considered that this would be acceptable.

#### **4) Effect on the Amenities of the Residents of the Neighbouring Properties**

The two storey element of the rear extension would project 3.2m beyond the rear elevation of the neighbouring dwelling at No.1, and would be set off the boundary with that property by 2.4m with a height of 6.0m. A 45 degree line drawn on the horizontal plane from the midpoint of the nearest rear facing window at No.1 would not intersect this element, and it is therefore not considered that it would result in an unacceptable loss of light to the rear facing windows at this property. Furthermore it is not considered that an extension with a rear projection of 3.2m, set off the boundary with the neighbouring property by 2.4m, would appear unduly overbearing when viewed from the rear of the neighbouring property.

The single storey rear element would project an additional 3.1m to the rear than the first floor element, and would therefore project 6.3m beyond the rear elevation of No.1.

A 45 degree line drawn on the horizontal plane from the midpoint of the nearest rear facing window at No.1 would not intersect this element, and it is therefore not considered that it would result in an unacceptable loss of light to the rear facing windows at this property. Furthermore it is not considered that a single storey element with a maximum height of 3.2m would appear unduly overbearing when viewed from the rear of the neighbouring property.

There is a side facing window at No.1 that faces towards No.2. It currently faces directly onto a flank wall and serves a bathroom, and as such it is not considered that any loss of light to this window would be unacceptable.

No.2 projects approximately 6m forward of the neighbouring property to the south at No.3, which has previously been extended to the side at two storey level. However as the ground floor element of this extension is a garage, the extended dwelling would only be visible from the front facing first floor window in the extension. Although a 45 degree line drawn on the horizontal plane from the midpoint of the window would intersect the extended dwelling, as a 45 degree line drawn on the vertical from the enlarged roof towards the window would not overshadow any part of the window it is not considered that it would result in an unacceptable loss of light to the front facing window in the extension. Although a side facing bedroom window would face towards the extended roof, as this window is not the primary source of light to the room it is not considered that any loss of light to this window would be unacceptable.

The nearest ground floor window at No.3 would be located approximately 7m away from the extended dwelling, and as a result a 45 degree line drawn on the horizontal plane from the midpoint of the window would not intersect the dwelling. It is therefore not considered that the extended dwelling would result in an unacceptable loss of light to this window. Finally, although the extended dwelling would project approximately 6m forward of the front elevation of No.3, as the area forward of the front elevation of the neighbouring dwelling is a hard standing parking area it is not considered that it would result in any unduly overbearing effect on the neighbouring property.

One rooflight would be included on the south facing side elevation of the extended roof, and two would be included on the north facing side elevation. Due to the level of the rooflights it is considered that the south facing rooflight could potentially overlook a side facing bedroom window at No.3, and the north facing rooflights could potentially overlook the rear garden at No.1. The south facing rooflight would serve a bathroom and the one of the north facing rooflights would serve an en suite, therefore they could both be glazed with obscure glass and fixed shut. The second north facing rooflight would serve a bedroom, which would also be served by a rear facing window which is considered the primary source of light to this room. Therefore a condition of any approval given would require these three windows to be glazed with obscure glass and fixed shut, with the exception of a top hung openable fanlight.

## **CONCLUSIONS**

It is not considered that the proposed development would result in an adverse impact on the character and appearance of the area or the amenities of the residents of the neighbouring properties. Furthermore, adequate on site parking would be provided. It is therefore not considered that it would be contrary to BFBLP Policies EN20 and M9, CSDPD Policies CS7 and CS23 or SEP Policies CC6 and T4 and the application is 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 received by the Local Planning Authority on 28th March 2012:

003/Smith

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

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 or south facing side elevations of the extension hereby permitted except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: SEP CC6, BFBLP EN20]

04. The first floor bedroom, bathroom and en suite windows in the north and south facing side elevations of the development hereby permitted shall not be glazed at any time other than with obscure glass. They shall at all times be fixed shut.

[Relevant Policies: SEP CC6, BFBLP EN20]

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

Core Strategy Development Plan Document: Policy CS7 which seeks to ensure that developments are of high quality design.

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.

Guidance contained in the 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, and M9, CSDPD Policies CS7 and CS23 and SEP Policies CC6 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.

Informative(s):

01. The Applicant is advised that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the Applicant's ownership.
02. Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit their website at [www.thameswater.co.uk](http://www.thameswater.co.uk).

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](http://www.bracknell-forest.gov.uk)

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<b>Unrestricted Report</b>			
<b>ITEM NO: 6</b>			
Application No. <b>12/00264/FUL</b>	Ward: Warfield Harvest Ride	Date Registered: 21 March 2012	Target Decision Date: 16 May 2012
Site Address: <b>Four Seasons Goughs Lane Warfield Bracknell Berkshire RG12 2JS</b>			
Proposal: <b>Erection of part single storey and part two storey rear extension including first floor dormer window.</b>			
Applicant: Mr & Mrs Stirrup			
Agent: MB Design Services			
Case Officer: Nick Kirby, 01344 352000 <a href="mailto:environment@bracknell-forest.gov.uk">environment@bracknell-forest.gov.uk</a>			

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



## 1 RELEVANT PLANNING HISTORY (If Any)

620219 Validation Date: 05.10.1994  
Erection of 1 detached dwelling. No windows or doors in E & S elevations. No front enclosures, no garage conversion.  
**Approved**

02/01194/FUL Validation Date: 27.11.2002  
Erection of single storey front, side and rear extensions.  
**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>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</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
BFBCS	CC6	Sustainable Comms. & Character of Env.
SEP	CC6	Sustainable Communities and Character of Environment

## 3 CONSULTATIONS

(Comments may be abbreviated)

### Warfield Parish Council

Warfield Parish Council objects to the proposal on the following grounds:

1. The proposed extension by reason of its size and siting would have a detrimental effect on the amenities currently enjoyed by the residents of adjoining properties.
2. In the light of the cumulative increase in floorspace arising from previous extensions to the dwelling the proposed extension would result in an unacceptable overdevelopment of the property.

## 4 REPRESENTATIONS

None received at the time of writing this report



## **5 OFFICER REPORT**

This application is reported to the Planning Committee at the request of Councillor Thompson due to concern that the proposal could adversely impact on the amenity of neighbouring residents.

### **i) PROPOSAL**

Erection of part single storey and part two storey rear extension including first floor dormer window. The proposed extension would have a ridge height of 6m and a projection from the rear wall of the dwelling of 2.5m.

### **ii) SITE**

The site is a two storey gable fronted dwelling with a dormer in the front elevation. A conservatory has also been built to the front. The main amenity area for the dwelling is located on the south west side, adjoining 2 Holly Spring Cottages. A patio is currently provided to the rear of the dwelling and a 2m high fence marks the rear boundary. The site steps up at the rear boundary with Knockroe House being set approximately 0.5m higher. The dwelling has previously been extended to the front, rear and side.

### **iii) PLANNING CONSIDERATIONS**

#### **(1) Principle of the development**

The site lies within the area defined as settlement on the Bracknell Forest Borough proposals map (Feb. 2008) and is therefore acceptable in principle, subject to no adverse impact on the amenity of the neighbours, occupiers, character of the area, highway safety etc.

#### **(2) Impact on character and appearance of the area**

The proposal is set within an enclosed rear garden and will have a minimal impact in this respect. The dwelling is within the settlement boundary and would retain a garden area to the both sides and front. The proposal is not considered to represent an over development of the site subject to an acceptable impact on the neighbours.

#### **(3) Effect on the amenity of neighbouring residential property**

The proposal consists of a part single storey and part two storey rear extension including dormer window. The proposal would be sited at its closest 1m, and at its furthest 2m from the southeast tapering boundary of the site. The neighbouring property to the southeast, Knockroe House is located 3m from the boundary separating the two properties and is set at 90 degrees to the proposing dwelling.

The proposed elevation facing the neighbouring residents at Knockroe House would be a gable roof plus dormer window at a height of 6m which connects to a lower sloping roof. In fact the highest part of this gable is opposite the flank wall of the neighbour's house lessening its impact. The neighbour's view of the extension would be more in line with the proposed dormer window which would appear significantly less bulky than the gable. The existing site level difference of approximately 0.5m would also lessen the impact of the extension when viewed by the neighbours.

The neighbour's amenity area is in the form of a patio to the rear of the dwelling. This patio is set off the boundary meaning the extension would be viewed at a distance of 6m from the neighbour's rear amenity area. Given this separation distance between the neighbour's amenity area, together with the orientation of the neighbouring dwelling looking away from the proposal, it is not considered the proposal would appear unduly prominent or cause significant overshadowing.

Furthermore the proposed dormer window is 12m from the boundary of 2 Holly Spring Cottages which is considered acceptable though it exceeds the Council's guidance regarding overlooking. Any views from the proposed dormer window over the garden of Knockroe House would not cause a significant loss of privacy given the obliqueness of the angle. A condition is attached to the permission to restrict new windows in the south east elevation which could cause overlooking.

#### **(4) Highways**

The proposal does not increase the number of bedrooms in the dwelling and therefore creates no additional parking demand.

#### **iii) CONCLUSIONS**

The site is within the settlement boundary where extensions are acceptable in principle and the proposal is not considered to constitute over development of the site. Given the separation distance of the neighbours from the extension and the limited bulk of the facing elevation, it is not considered the proposal would have an adverse impact on the living conditions of neighbouring residents.

#### **6 RECOMMENDATION**

The application is 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 received by the Local Planning Authority on 13/03/12:

1247-P01a

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

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 any part of the south east elevation of the extension hereby permitted except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring property.  
[Relevant Policies: BFBLP EN20]

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

Core Strategy Development Plan Document:

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

South East Plan:

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

Guidance contained in the 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 area given its location in the rear garden or the amenity of neighbouring residents given the siting and bulk of the extension. 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](http://www.bracknell-forest.gov.uk)

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## Unrestricted Report

### ITEM NO: 7

Application No.  
**12/00278/FUL**

Site Address:

Ward:  
Warfield Harvest Ride

Date Registered:  
26 March 2012

Target Decision Date:  
21 May 2012

**21 Seddon Hill Warfield Bracknell Berkshire RG42  
2PF**

Proposal:

**Section 73 application to allow conversion of garage to habitable accommodation without compliance with condition 5 of planning permission 620383 which states that "notwithstanding the provision of the current Town and Country General Permitted Development Order, the garage accommodation on the site shall be kept available for the parking of vehicles at all times unless permission has been granted by the Local Planning Authority on an application made for any other purpose".**

Applicant:

Mr J Anderson

Agent:

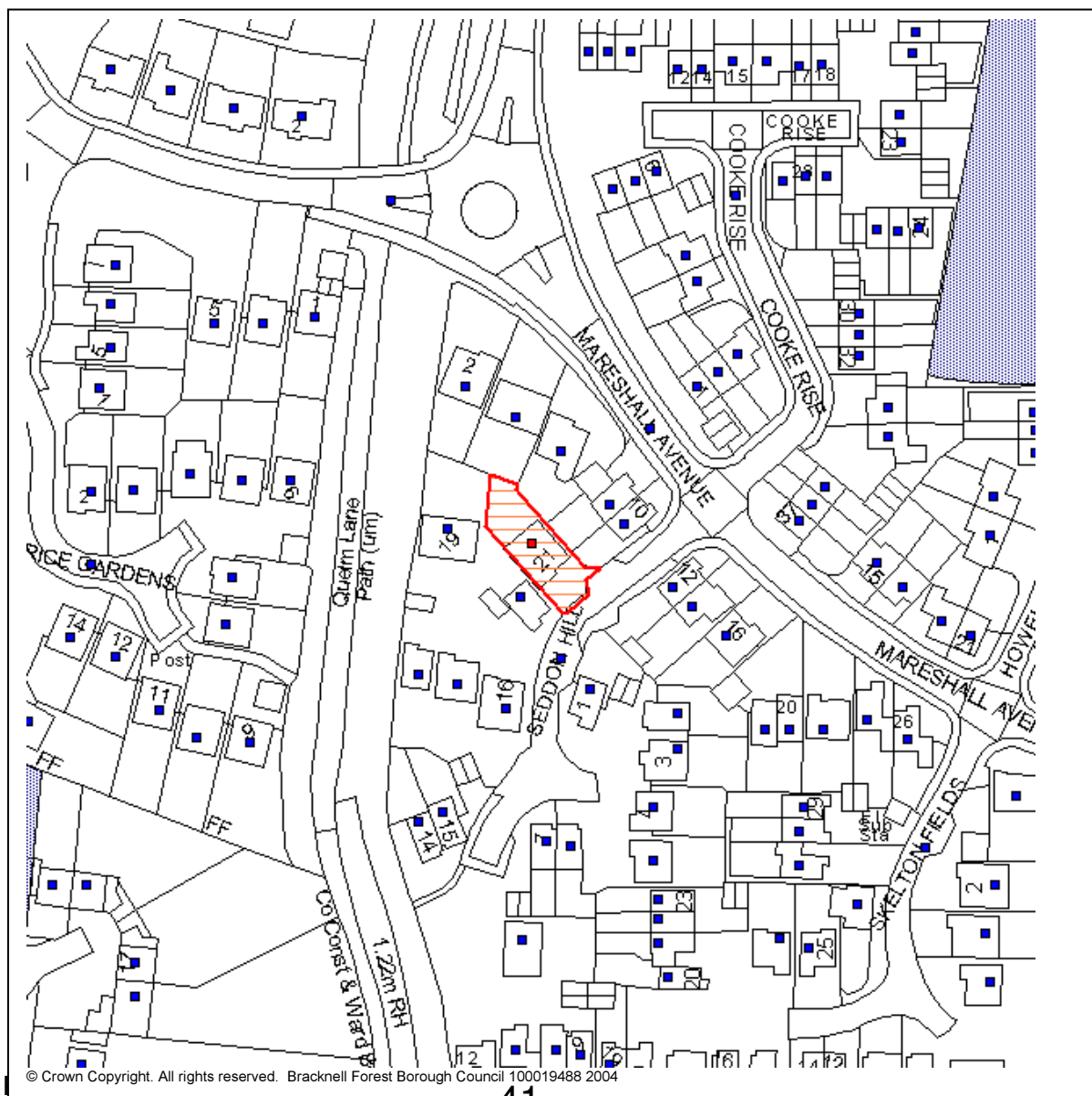
Garage Conversion Co UK Ltd

Case Officer:

Nick Kirby, 01344 352000

[environment@bracknell-forest.gov.uk](mailto:environment@bracknell-forest.gov.uk)

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



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

No relevant planning history

## 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>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</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	M9	Vehicle And Cycle Parking
SEP	CC6	Sustainable Communities and Character of Environment
SEP	CS7	Design

## 3 **CONSULTATIONS**

(Comments may be abbreviated)

### Warfield Parish Council

Warfield Parish Council recommend refusal for the following reason:

1. The proposed conversion of the garage to living accommodation would result in the parking provision for the property falling below the Local Planning Authority's approved standards as access to the proposed third parking space is not possible without compromising the existing parking bay in the road.

### Transportation Officer

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

## 4 **REPRESENTATIONS**

None received at the time of writing this report

## 5 **OFFICER REPORT**

This application is reported to the Planning Committee at the request of Councillors Dudley and Barnard due to concern that the proposal may be detrimental to highway safety.

## **i) PROPOSAL**

Section 73 application to allow conversion of garage to habitable accommodation without compliance with condition 5 of planning permission 620383 which states that "notwithstanding the provision of the current Town and Country General Permitted Development Order, the garage accommodation on the site shall be kept available for the parking of vehicles at all times unless permission has been granted by the Local Planning Authority on an application made for any other purpose".

## **ii) SITE**

The site is a two storey detached dwelling with an attached single storey garage to the side. The dwelling is set back from its neighbour number 20. The front of the site is part soft landscaping and partly surfaced for parking. In front of the soft landscaped area is currently a small triangle of grass which denotes the edge of a single on street lay-by. The side of the layby is marked by a brick wall.

## **iii) PLANNING CONSIDERATIONS**

### **(1) Principle of the development**

The site lies within the area defined as settlement on the Bracknell Forest Borough proposals map (Feb. 2008) and is therefore acceptable in principle, subject to no adverse impact on the amenity of the neighbours, occupiers, character of the area, highway safety etc.

### **(2) Impact on character and appearance of the area**

It is acknowledged the proposed parking arrangement will remove some of the existing landscaping at the front of the site, leaving a small portion. The existing streetscene at the entrance of Seddon Hill is predominantly landscaped with brick walls, green roadside verges and small residential front gardens which do not provide significant opportunities for soft landscaping. The existing landscaping to the front of the site is relatively minimal and together with the green triangular verge to the front does not make a significant contribution to the landscape character of the area. It is considered the loss of the proposed small extent of landscaping will not significantly harm the character of the area as a small area of soft landscaping is retained which is shown on the drawing D02 Rev.b.

### **(3) Effect on the amenity of neighbouring residential property**

The proposed parking arrangement is considered to have a minimal impact on the neighbouring properties.

### **(4) Highway Safety**

The Highways Officer comments are to follow on the supplementary report.

Drawing D02 Rev.b shows that 3 parking spaces and a pedestrian path can be achieved on the site. A splayed vehicular access is required for the two outer parking spaces on the site to ensure they are accessible and this has been shown on drawing D02 Rev.b. It is noted the splay provided for the east most parking space does encroach slightly on the splay of the on street lay-by, which is intended to accommodate one parked car. However the layby measures 10m long (including the entry and exit splay) compared to the dimensions of a car parking space of 6m for

parallel parking. Therefore on balance it is not considered the minor encroachment onto the layby splay proposed would make either the proposed parking space or the existing layby parking space unusable. The proposal is therefore not considered to significantly affect highway safety.

### iii) **CONCLUSIONS**

It is considered the proposal would not lead to significant detriment to the streetscene or highway safety.

## **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 23/05/12:

D02 Rev. b

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

03. The garage conversion shall not be occupied until the associated vehicle parking has been surfaced in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

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]

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

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

Bracknell Forest Borough Local Plan:

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

M9 which seeks satisfactory parking provision for vehicles and cycles.

Core Strategy Development Plan Document:

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.

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



South East Plan:

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

Guidance contained in the 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 given the appearance of the surrounding area, the amenity of neighbouring residents or highway safety. 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](http://www.bracknell-forest.gov.uk)

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## Unrestricted Report

### ITEM NO: 8

Application No.  
**12/00292/FUL**

Ward:  
Crown Wood

Date Registered:  
26 March 2012

Target Decision Date:  
21 May 2012

Site Address:

**25 Pyegrove Chase Bracknell Berkshire RG12 0WE**

Proposal:

**Erection of two storey side extension and single storey rear extension.**

Applicant:

Mr A Thaneja

Agent:

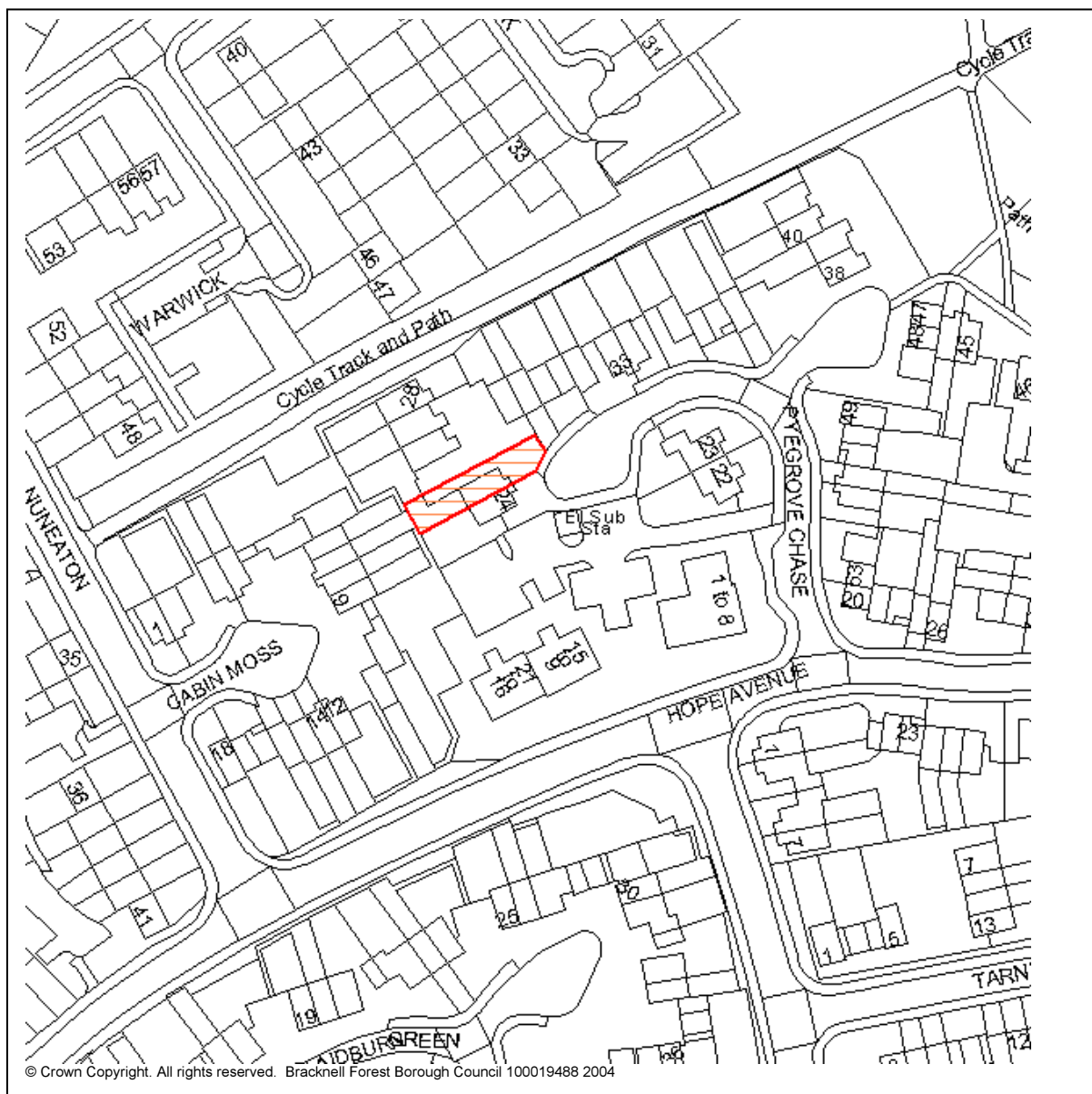
P H Design

Case Officer:

Sarah Horwood, 01344 352000

[environment@bracknell-forest.gov.uk](mailto:environment@bracknell-forest.gov.uk)

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



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

11/00449/FUL Validation Date: 20.06.2011  
Erection of two storey side extension.  
**Refused**

## 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
MPG	Minerals Planning Guidance
DCLG	Department for Communities and Local Government
NPPF	National Planning Policy Framework
SEP	South East Plan

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN20	Design Considerations In New Development
BFBLP	M9	Vehicle And Cycle Parking
BFBCS	CS7	Design
SEP	CS7	Design
SEP	CC6	Sustainable Communities and Character of Environment

## 3 **CONSULTATIONS**

(Comments may be abbreviated)

### Transportation Officer

Refer to officer report

### Winkfield Parish Council

Recommend refusal;  
Winkfield Parish Council is still concerned about parking and vehicle turning issues

### Thames Water Utilities Ltd

Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

(Officer comment: *This can be dealt with by informative*)

#### **4 REPRESENTATIONS**

None received at time of writing of the report.

#### **5 OFFICER REPORT**

The application is reported to the Planning Committee at the request of Councillor Dudley as the width of the proposed car port at 2.55m does not comply with the Council's Parking Standards adopted July 2007 for car ports which are 3m wide.

##### **i. PROPOSAL**

Full permission is sought for the erection of a two storey side extension and single storey rear extension.

The proposed two storey side extension would form a car port at ground floor level and a bedroom, family bathroom and en-suite at first floor level. The proposed single storey rear extension would form an enlarged kitchen.

##### **ii. SITE**

25 Pyegrove Chase is a two storey semi-detached property located within a residential cul-de-sac with an area for parking to the side of the property and a private garden to the rear. The site is bordered by the adjoining dwelling of No.24 to the south and No.26 to the north.

##### **iii. PLANNING CONSIDERATIONS**

###### **1. Principle of development**

The site is located within an area designated as "Defined Settlement" by the Bracknell Forest Borough Proposals Maps whereby the principle of development is acceptable subject to no adverse impacts upon the residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.

###### **2. Effect on residential amenities of neighbouring properties**

The proposed two storey side extension would not project beyond the front and rear elevation of the host dwelling and would therefore not appear visible to the adjoining semi-detached property at no. 24 Pyegrove Chase. A single storey rear extension is proposed, set on the common boundary with no. 24 which would be 3m deep with a flat roof at a height of 3m. A roof lantern is also proposed in the single storey rear extension, taking the maximum height of the extension to 3.3m. There is a kitchen/dining room window in the rear elevation of no. 24 set closest to the common boundary. The proposed single storey rear extension at a depth of 3m would encroach upon a 45 degree angle on the horizontal plane when drawn from the midpoint of the kitchen window at no. 24, however it is noted that there are also patio doors serving the kitchen/diner which provide a further source of light to this room. As such, although there would be a loss of daylight to the kitchen/dining room window at no. 24 nearest to the boundary with no. 25, there is a further light source serving this room - the patio

doors and therefore the loss of daylight to the window would not be so detrimental. Further, due to the flat roof design of the single storey rear extension and its height of 3m, the proposal would not appear unduly overbearing to the adjoining property.

The proposed two storey side extension would be set 1m from the garage of no. 26 Pyegrove Chase and 4.5m from the flank wall of no. 26. There is a window in the front elevation of no. 26 at first floor level. The proposed two storey side extension would however not encroach upon a 45 degree angle on the horizontal plane when drawn from the midpoint of this window and would therefore not result in a loss of daylight to the adjoining property that would be detrimental. No windows are proposed in the side elevation of the two storey side extension and therefore it would not result in any unacceptable overlooking of the neighbouring property at no. 26 Pyegrove Chase. Further, the proposed two storey side extension would not appear unduly overbearing when viewed from the front elevation of no. 26.

The proposed two storey side extension would be set 11m from the rear boundary of the site backing onto the rear gardens of nos. 6 and 7 Cabin Moss. A window is proposed in the rear elevation of the two storey side extension serving a bedroom; however this window would not result in an increased level of overlooking to the rear gardens of nos. 6 and 7 than what is currently experienced on site from existing first floor windows in the rear elevation of the dwelling, given the extension would not project beyond the established rear building line of the host dwelling.

### **3. Impact on character and appearance of surrounding area**

The proposed two storey side extension would increase the width of the dwelling by 2.5m from 4.0m to 6.5m. It would be subordinate to the main dwelling, set back from the front elevation by 0.8m, with the ridge height of the roof set 0.3m lower than the existing ridgeline and would therefore not result in a disproportionate addition to the host dwelling that would appear incongruous in the street scene.

Further, the proposed two storey side extension would not be considered to appear out of character within the surrounding area. It is noted that the adjoining property at No.24 has previously been extended to the side at two storey level and no. 26 has undertaken a single storey side extension. In view of the two storey side extension at no. 24, the proposed development at no. 25 would not unbalance the pair of semi-detached properties, and would not be out of keeping within the street scene.

The materials for the proposed extension would match those of the host dwelling and would therefore be sympathetic to the visual appearance of the host dwelling.

### **4. Highway implications**

The Council's Highways Officer was consulted on the application and has stated that the site is located on a private spur off Pyegrove Chase, a residential shared surface cul de sac with a 30mph speed limit and no waiting restrictions or traffic management measures. Pedestrian access to the site will remain as existing and be acceptable. Vehicles will park beneath the proposed first floor extension but may be obstructed by the supporting column which should be relocated 1200mm back from the front of the house to accommodate manoeuvring and to ensure that acceptable visibility can be achieved.

The application will extend the dwelling to provide 3 bedrooms which will require 2 parking spaces to comply with the Bracknell Forest Borough Parking Standards (July 2007). 2 parking spaces are provided beneath the proposed extension which will have

dimensions of 11.4m x 2.55m which is too narrow to comply with the BFC standard that requires all car ports to be 5.5m long x 3.0m wide. However, as 2.55m is the maximum width that can be provided on the site the proposal will be acceptable on this occasion.

An amended plan has been requested to satisfy the Highways Officer in relation to the positioning of the supporting columns. A condition will be imposed to ensure that the car port is retained for the parking of vehicles.

#### **iv. CONCLUSION**

The proposed extensions are considered to not adversely affect the residential amenities of neighbouring properties or character and appearance of the surrounding area. The proposed car port at ground floor level, although at a reduced width of 2.5m as opposed to 3m as stated in the Council's Parking Standards will be acceptable for parking as this is the maximum width that can be achieved on site.

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 received by the Local Planning Authority on 27 March 2012:  
block plan  
drawing no. 1228/04 and 05  
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 similar in appearance to those of the existing building.  
REASON: In the interests of the visual amenities of the area.  
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. 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 side elevation of the extension hereby permitted except for any which may be shown on the approved drawings.  
REASON: To prevent the overlooking of neighbouring property.  
[Relevant Policies: BFBLP EN20]
05. The car ports hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (general Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements

or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port.

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

[Relevant Policy: BFBLP M9]

#### 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:

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:

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

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.

Guidance contained in the NPPF has been taken into account. This does not alter officer recommendation.

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policies EN20, M9, CSDPD CS7, SEP CC6. 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.

#### Informative(s):

01. Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)
02. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to carry out any works on, over or under your neighbour's land or property without first obtaining their consent, including the need to comply with any requirements under the provisions of 'The Party Wall etc Act 1996'.



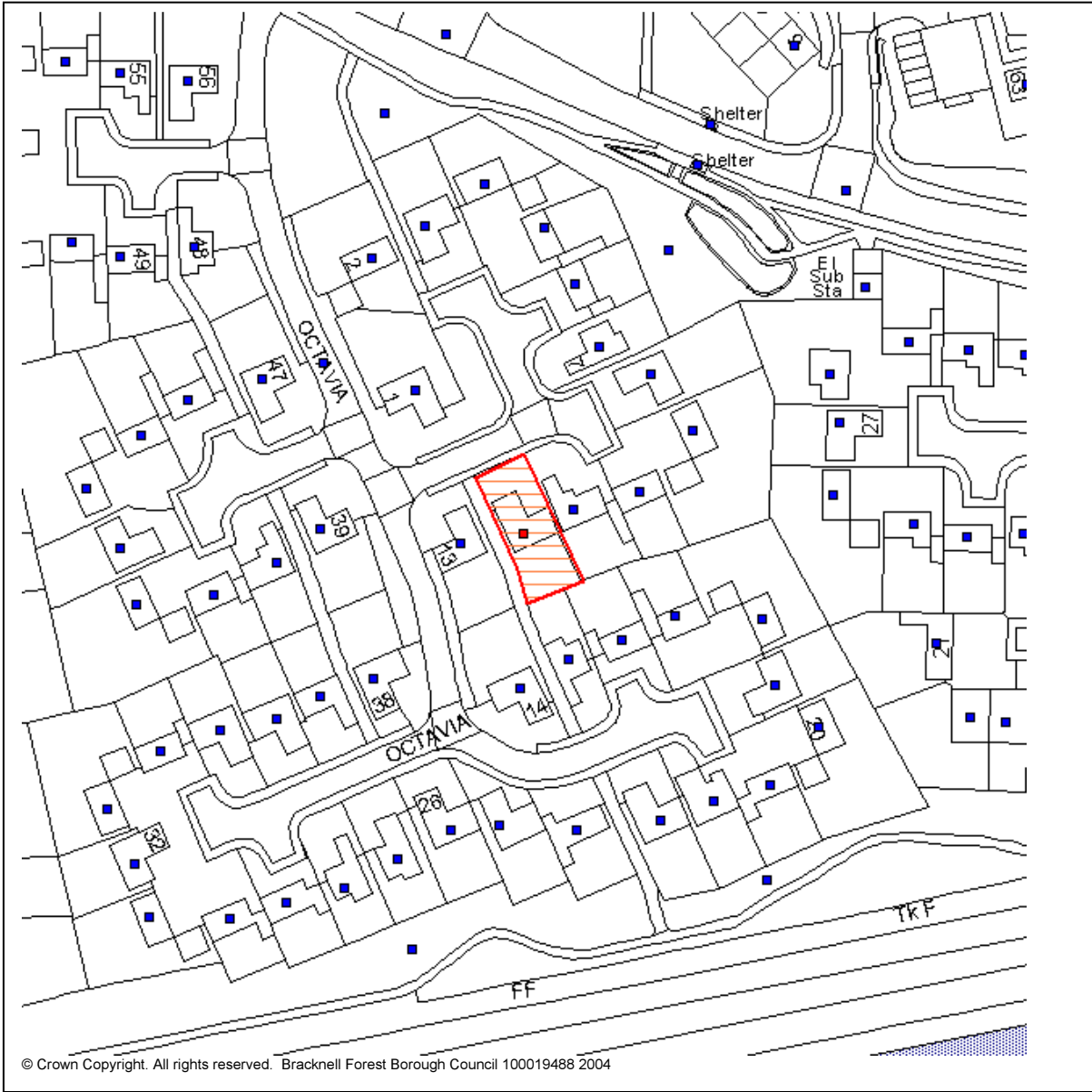
Doc. Ref: Uniform 7/DC/Agenda

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](http://www.bracknell-forest.gov.uk)

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<b>Unrestricted Report</b>			
<b>ITEM NO: 9</b>			
Application No. <b>12/00294/FUL</b>	Ward: <b>Hanworth</b>	Date Registered: <b>28 March 2012</b>	Target Decision Date: <b>23 May 2012</b>
Site Address: <b>12 Octavia Bracknell Berkshire RG12 7YZ</b>			
Proposal: <b>Erection of single storey rear extension forming conservatory.</b>			
Applicant: <b>Mr and Mrs M Butler</b>			
Agent: <b>Mr N Marsh</b>			
Case Officer: <b>Nick Kirby, 01344 352000</b> <a href="mailto:environment@bracknell-forest.gov.uk">environment@bracknell-forest.gov.uk</a>			

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



## 1 RELEVANT PLANNING HISTORY (If Any)

03/00564/FUL Validation Date: 02.06.2003

Erection of first floor front extension.

Part PD Removed.

**Approved**

619905 Validation Date: 01.06.1994

Erection of first floor front extension including new roof over existing dormer and replacement of flat roof on existing rear extension with a pitched roof.

**Approved**

605093 Validation Date: 29.04.1980

Two storey front extension forming new drawing room with bedroom over.

**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>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</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
BFBCS	CS7	Design
SEP	CC6	Sustainable Communities and Character of Environment

## 3 CONSULTATIONS

(Comments may be abbreviated)

### Bracknell Town Council

Bracknell Town Council recommended refusal stating the proposal constituted over development and was unneighbourly.

## 4 REPRESENTATIONS

A letter has been received objecting to the application which may be summarised as follows:

The proposed extension would adversely affect the daylight received by the neighbour. Due to its siting, the proposed conservatory would not allow for access to its side elevation.

## **5 OFFICER REPORT**

This application is reported to the Planning Committee at the request of Councillor Baily due to concern that the proposal would constitute overdevelopment that would adversely impact on the amenity of neighbouring residents.

### **i) PROPOSAL**

Erection of a single storey conservatory with a ridge height of 3.2m, an eaves height of 2.1m and a projection from the host dwelling's rear wall of 3m.

### **ii) SITE**

The site is a detached two storey dwelling which has been extended to the front and rear previously. An existing single storey projection exists on the south west of the dwelling leaving a small gap adjacent to the boundary where the proposal is to be sited. No. 12 is set approximately 0.2m higher than number 11 Octavia.

### **iii) PLANNING CONSIDERATIONS**

#### **(1) Principle of the development**

The site lies within the area defined as settlement on the Bracknell Forest Borough proposals map (Feb. 2008) and is therefore acceptable in principle, subject to no adverse impact on the amenity of the neighbours, occupiers, character of the area, highway safety etc.

#### **(2) Impact on character and appearance of the area**

The proposal is set within an enclosed rear garden and will have a minimal impact in this respect. It would infill an existing area to the side of a rear extension adjoining the neighbouring property. The proposal is not considered to constitute overdevelopment, subject to an acceptable impact on the neighbour's amenity.

#### **(3) Effect on the amenity of neighbouring residential property**

The site level difference between no. 12 and no. 11 Octavia will mean the conservatory will appear approximately 20cm higher to the neighbour than as drawn on the plan.

The existing boundary fence separating the two properties is approx. 1.8m high with a 0.2m trellis on top. The proposed eaves of the conservatory would be set at a height of 2.1m meaning only 30 cm of the conservatory's side elevation would be visible to the resident of no. 11 taking into account the site levels, before the roof pitches away from the boundary to a height of 3.2m. Given the minimal dimensions of the conservatory, it is not considered the proposal would appear unduly overbearing to the neighbour above the existing boundary treatment.

In terms of daylight, a 45 degree line was drawn on a vertical plane down from the ridge of the extension at its closest point to the boundary towards the neighbour's kitchen window. This window is the primary source light for a kitchen which has a table

and chairs and is considered to constitute a habitable room. This approach accords the Building Research Establishment Report document entitled 'site layout planning for daylight and sunlight'. This line did not encroach on the adjacent window suggesting the residents would not experience a significant loss of daylight that warrants refusal of the application.

The conservatory is set close to the north east boundary. Side access to the conservatory for maintenance/cleaning is not a mandatory requirement and any access arrangements to the neighbour's property for maintenance/cleaning would be a civil matter to be dealt with outside the planning process. An informative will be attached to this permission advising the applicant that planning permission does not grant rights to access the neighbour's land.

The proposed side facing windows are 1.7m above floor level which is an industry assumed eye level. Given the height of these windows, the proposal is not considered to cause significant overlooking.

#### **(iv) CONCLUSIONS**

The site is within the settlement boundary where extensions are acceptable in principle and the proposal is not considered to constitute overdevelopment. Given the minimal size of the extension and the level of existing boundary treatment, it is not considered the proposal would have an adverse impact on the living conditions of neighbouring residents.

## **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 and other submitted details received by the Local Planning Authority on 28/03/12:

Site location plan, 107/2, 107/3, 107/1,

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:

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 Development Plan Document:  
CS7 which seeks to ensure that developments are of high quality design.

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

Guidance contained in the 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 area given its location in the rear garden or the amenity of neighbouring residents given the minimal bulk of the extension. The planning application is therefore approved.

Informative(s):

01. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to carry out any works on, over or under your neighbour's land or property without first obtaining their consent, including the need to comply with any requirements under the provisions of 'The Party Wall etc Act 1996'.
02. Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

Doc. Ref: Uniform 7/DC/Agenda

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**Unrestricted Report**

**ITEM NO: 10**

Application No. **12/00394/FUL**      Ward: **Ascot**      Date Registered: **16 May 2012**      Target Decision Date: **11 July 2012**

Site Address: **20 and 22 New Road Ascot Berkshire SL5 8QQ**

Proposal: **Erection of 2no., three bed semi-detached dwellings following demolition of existing building containing 2No. retail units with 2No. residential units.**

Applicant: **Mr David Kirkby**

Agent: **Mr Jason O'Donnell**

Case Officer: **Laura Rain, 01344 352000**  
[environment@bracknell-forest.gov.uk](mailto:environment@bracknell-forest.gov.uk)

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



## 1 RELEVANT PLANNING HISTORY (If Any)

03/00710/FUL Validation Date: 15.07.2003  
Erection of a three storey building to provide 20no. 2 bedroomed flats, 2no. 1 bedroomed flats and 5 no. retail units with associated car parking and access from New Road, following demolition of existing buildings.  
**Deemed Refused**

04/00026/FUL Validation Date: 08.01.2004  
Erection of 17 no. 2 bedroomed and 7 no. 1 bedroomed flats and 5 no shop units with associated parking, access and landscaping following demolition of existing properties.  
**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>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</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	E5	Hierarchy Of Shopping Centres
BFBLP	E11	Village Neighbourhood Centres Local Parades
BFBLP	M9	Vehicle And Cycle Parking
BFBCS	CS1	Sustainable Development Principles
BFBCS	CS7	Design
BFBCS	CS23	Transport
BFBCS	CS10	Sustainable Resources
BFBCS	CS12	Renewable Energy

BFBCS	CS10	Sustainable Resources
SEP	H5	Housing Design and Density
SEP	CC4	Sustainable Design and Construction
SEP	CC6	Sustainable Communities and Character of Environment
SEP	CC7	Infrastructure and Implementation
SEP	T4	Parking

### **3 CONSULTATIONS**

(Comments may be abbreviated)

#### The Environment Agency

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

#### Biodiversity Officer

The Biodiversity Officer's comments are detailed in section 6 of the report.

#### Winkfield Parish Council

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

### **4 REPRESENTATIONS**

No letters of objection have been received.

### **5 OFFICER REPORT**

Proposed site area: 0.08ha  
Proposed number of parking spaces: 4  
Proposed number of residential units: 2  
Net gain: 0  
Proposed density: 24 dwellings per hectare

This application is reported to the Planning Committee at the request of the Head of Development Management, as the proposal is contrary to Policy E11 of the Bracknell Forest Borough Local Plan.

#### **i) PROPOSAL AND BACKGROUND**

The proposed development is for the erection of a pair of semi detached three bedroom dwellings following the demolition of the two existing retail units with two residential flats above.

At ground floor both dwellings would have a kitchen/breakfast room, utility room, WC and lounge. In addition the dwelling on Plot 1 would have a playroom. At first floor both

dwellings would have 2 bedrooms, both with en-suite. At second floor both dwellings would have the third bedroom and a bathroom.

To the front the dwellings would be set back from the highway by 9.5m with each unit having 2 car parking spaces and an area of landscaping. To the rear both dwellings would have 20m long rear gardens with sheds providing covered and secure cycle parking. The rear gardens would be bounded by 1.8m high close boarded fencing.

The properties under construction at adjoining property, 18 New Road, were granted outline planning permission under at the Planning Committee under reference 11/00223/OUT in June 2011 with reserved matters being approved in December 2011 under 11/00720/REM. These applications are a material planning consideration.

## **ii) SITE**

The existing site comprises one building with a width of 11m with two derelict retail stores at ground floor level and two residential flats at first floor level. Parking is located at the front, with a dropped kerb extending along the front of the site which is laid to hard standing.

The site is bordered by no.18b to the north which previously was an A1 use at ground floor level with flat above but is now being redeveloped into a pair of semi detached dwellings.

To the south is no. 24 New Road which is occupied by a pharmacy with flat above.

20 and 22 New Road are located within a Local Parade as defined by the Bracknell Forest Council Proposals Map. The site is located within Flood Zones 2 and 3, and a Flood Risk Assessment has been submitted in support of the application. There is an extensive area of land to the rear with potential for Biodiversity, and a Phase 1 ecological survey carried out in 2008 for an application at 16-24 New Road identified the potential for a number of protected species. However at the time of the site visit for the current application there was no vegetation or grass on site.

## **iii) PLANNING CONSIDERATIONS**

### **1) Principle of the Development**

The application is reported to committee as it is contrary to policies E5 and E11 of the Bracknell Forest Borough Local Plan.

The application site is designated as a local parade in the Core Strategy as shown on the Proposals Map. However through the Draft Submission Site Allocations Development Plan Document, it is proposed to de-designate this centre as it has become too small to meet the criteria for designation.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of planning applications. At the heart of the Framework is a presumption in favour of sustainable development, for decision-taking this means:

- o Approving development proposals that accord with the development plan without delay; and
- o Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or Specific policies in this Framework indicate development should be restricted.

- Implementation of NPPF (Annex 1):

o Para 214 indicates that for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.

- Core Strategy Development Plan Document (CSDPD)

Core Strategy Policy CS 21 para 240 states that planning applications involving the loss by redevelopment or change of use of retail units that perform an important community role will only be allowed if they do not conflict with other elements of this strategy.

The design and access statement states that the unit has been vacant since April 2011; however the latest retail survey that was undertaken shows that although 20 New Road was vacant, 22 New Road was occupied by Navson, Soft Drinks Suppliers. The last Retail Survey was undertaken in September 2011. The Retail Survey shows that 20 New Road was occupied in September 2010 by Pedlars Place.

Para 235 of the Core Strategy states ' Units that perform an important community role including post offices, convenience stores, chemists and pubs will be protected . Planning applications involving their loss by redevelopment or change of use will not be allowed unless exceptional circumstances have been proven and an equivalent or better replacement facility has been secured.' 20 and 22 New Road are not considered to perform an important community role.

- Saved Bracknell Forest Council Local Plan

Policy E5 designates New Road as a Local Parade, as delineated on Inset Map 3. Policy E11 states that change of use for existing shops within local parades would only be permitted where the proposal:

- o Would result in a change of use within use classes A2 or A3 and;
- o Would not adversely affect the standard of local retail provision and;
- o Would not adversely affect the amenities of neighbouring residents.

As this proposal is not concerning a change of use to either A2 (financial and professional services) or A3 (food and drink) it is contrary to Policy E11 of Bracknell Forest Council Local Plan.

- Retail Survey Bracknell Forest Council

The Retail Survey is conducted once a year and shows in September 2011 22 New Road was occupied whilst 20 New Road was vacant. New Road in general is not showing signs of vitality and viability, which many of the local policies seek to protect. At the time of the 2002 (February) retail survey (at about the time of the Adoption of the CSDPD), five properties were in retail use and two in A2 use. At the time of the 2007 (February) retail survey, three properties were in retail use and four vacant. At the time of the 2008 (February) retail survey, one property in retail use and six were vacant. At the time of the 2011 survey two properties were occupied and five were vacant.

Whilst there has not been a general change of use to unacceptable alternative uses, neither has there been a move towards change of use to acceptable uses. The vacated shops have generally tended to remain vacant. This may be due to changes in the way the general population shops and the economic climate.

The CSDPD (para 3.16) expects that other parades and individual shops will continue to provide for the day to day needs of the locality, for example a grocers or a post office. This is unlikely to be the case at New Road and to perpetuate a use (retail) which market (recession) and other forces (change in shopping habits) do not support may be illogical. There are two other local centres as defined in the BFBLP in this area (Fernbank Road and Warren Road). As New Road is not currently performing as a local centre it is likely that Fernbank Road and Warren Road are performing this role for the neighbourhood.

Whilst the proposal is contrary to certain policies in the development plan, it is also necessary to consider other material considerations. The NPPF seeks to protect local shops. However, this is primarily driven by the wish to ensure that the day to day needs of local communities can be met locally in a sustainable manner. As has been demonstrated above, it is not considered that these shops have fulfilled that role for some time. There are other shops in the vicinity that serve that purpose. Furthermore SADPD proposes to remove the designation as a retail 'centre'.

On 7th June 2012 the Government published 'Parades to be Proud of: Strategies to support local shops'. This document states parades of shops:

- are largely defined by how people use them and their relation to other centres: this means that the number of shops in a parade can vary from 5 up to as many as 70 shops;
- have a mainly local customer base, with strong local links and local visibility, rather than being somewhere people would travel significant distance to shop at;
- have a high number of independent small or micro-businesses with some multiples (such as Tesco Metro, Sainsbury's Local, Boots) and symbol affiliates (including Spar, Londis, Budgens etc.); and
- have a mixture of retail based shops (convenience stores, newsagents, greengrocers, bakers etc) and some local service businesses (hairdressers, café etc).

Given that the retail surveys for this area show no signs of vitality or viability along with high levels of vacancy rates and the fact that local people are using other local shops within the area is not considered that the retail units at 20 and 22 New Road have the characteristics outlined above. Therefore it is not considered that the proposal would be contrary to guidance contained within 'Parades to be Proud of: Strategies to support local shops.'

## **2) Highways Considerations**

Access to the site would be via an existing dropped kerb that runs along the frontage.

It will need to be ensured that any boundary treatment along the front of the site and down the sides of the properties in the car parking area does not exceed 0.6m in height in order to provide safe visibility.

The site does not provide on site turning, and New Road is a classified road. However the current situation allows vehicles to reverse onto the road and as the proposed use is unlikely to generate any more activity than the extant use, it is not considered that turning is required.

However the current drives are quite long and coupled with the width of the footway outside the site could lead to vehicles parking in tandem, blocking the footway for pedestrians. In order to overcome this concern a condition will be applied to any permission given requiring the length of the parking area to be no longer than 6m in depth from the front boundary of the site.

In terms of the site, the parking provision is acceptable for two three bedroomed dwellings. Access for pedestrians has been provided to the side of the parking spaces which is acceptable.

Cycle parking is required and will be covered by condition, although it is noted that the applicants have stated that cycle storage would be provided within sheds located in the rear gardens.

Subject to compliance with conditions, the Highways Officer is satisfied that there would be no highways issues arising as a result of the proposed development.

### **3) Impact on the Character and Appearance of the Area**

The existing site comprises of an 11m wide unit with a hard surface forward of the front elevation that is used for parking. The proposed development would result in two dwellings with a width of 13.0m; however there would be areas of landscaping to the front that would soften the impact of the built form.

The dwellings would be of 2.5 storeys with hipped roofs. They would have a maximum ridge height of 8.8m and eaves height of 5.2m. The dwellings would have red brickwork and plain clay tiles with feature gable on the front elevation.

The dwellings under construction at the adjoining site 18 New Road are of very similar designs and scale parameters (although handed) and as such the dwellings proposed would be in keeping with these properties and the character of the area.

In addition the front wall of the proposed dwellings would be in line with the frontage of neighbouring properties on either side, therefore the proposal respects the pattern of development within the area.

### **4) Effect on the Amenities of the Residents of the Neighbouring Properties**

The dwellings would not project forward of the front elevation or past the rear elevation of either no.18b or no.24. As such there would be no loss of light upon the windows in these elevations of the neighbouring properties.

No 24 has an element that is set back from the frontage with a bedroom window facing east. The light infringement created by the proposal to this bedroom window would be 61 degrees on the horizontal plane. The light infringement created by the highest part of the roof on the vertical plane would not exceed 45 degrees as the roof hips away from the window which is set in from the boundary by 2m. As such the light infringement would not be so great as to merit a refusal.

There is also a side facing dormer window in no. 24 that would look onto the flank wall of Plot 2. However as it is at a distance of 5.6m from the proposed flank wall and serves a hallway in no. 24 it is not considered that the development would be unduly over bearing when viewed from this window.

The side facing windows on both units would serve en-suites and as such can be conditioned to be fixed shut and obscure glazed in order to prevent any loss of privacy to neighbouring properties.

## **5) Flood Risk Assessment**

As the application site is located within Flood Zones 2 and 3, a Flood Risk Assessment has been submitted in support of the application. The Environment Agency was consulted on the Flood Risk Assessment and the comments received will be reported in the Supplementary Report. However it should be noted that the Flood Risk Assessment submitted is an updated version of the report submitted for the development at the adjoining property.

## **6) Biodiversity Considerations**

The Council's Biodiversity Officer commented that the updated survey letter indicates that the site is of low ecological value and the existing buildings are unlikely to provide opportunities for roosting bats. However, it does recommend a precautionary approach for demolition of the building and inclusion of planting to benefit wildlife in a landscape scheme and new bird or bat boxes. Therefore conditions should be applied to secure the protection and enhancement of biodiversity in accordance with policies CS1 and CS7.

## **7) Sustainability Issues**

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. The assessment has several stages, all of which must be covered and assessments submitted to the council. No sustainability statement has been submitted, and in the event of an approval conditions will be included to secure this and a Post-Construction Review Report.

Policy CS12 does not apply in this case as there would be no net gain in dwellings.

## **CONCLUSIONS**

The proposed development would not 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. Furthermore conditions will be included to satisfy the issues raised by the Highways Officer and Biodiversity Officer.

Whilst the proposal is contrary to policy it is considered that the loss of two A1 units in this location would be acceptable due to the poor functioning of the Local Parade.

## **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 plans:  
Drg No P11/05/201 received 16.05.2012  
Drg No P11/05/S/220 received 16.05.2012



Drg No P11/05/S/221 received 16.05.2012

Drg No P11/05/S/210 received 16.05.2012

Drg No P11/05/S/211 received 16.05.2012

Drg No P11/05/S/212 received 16.05.2012

Drg No P11/05/S/213 received 16.05.2012

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 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 Plans and Policies: BFBLP EN20, CSDPD CS7]
04. The development shall not be begun until a Sustainability Statement demonstrating how the development meets current best practice standards in the sustainable use of natural resources has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include either a Design Stage Report and BRE Interim Certificate or a pre-assessment estimator carried out by an independent assessor licensed by the Building Research Establishment demonstrating that the development meets a minimum standard of Level 3 of the Code for Sustainable Homes or a "Very Good" or "Excellent" BREEAM rating. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith unless the Local Planning Authority gives prior written consent to any variation.  
REASON: In the interests of sustainability and the efficient use of resources.  
  
[Relevant Policy: SEP CC4 , Core Strategy DPD CS10]
05. 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.  
REASON: In the interests of sustainability and the efficient use of resources.  
  
[Relevant Policy:SEP CC4, Core Strategy DPD CS10]
06. No development shall take place until details showing the slab level of the buildings in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved drawing.  
REASON: In the interests of the character of the area.  
[Relevant Plans and Policies: BFBLP EN20, GB3 and CSDPD CS7, CS9]
07. The side facing windows serving ensembles in the south elevation shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) to a height of 1.7m from floor level. The windows shall at all times be fixed to a height of 1.7m from floor level.  
REASON: To prevent the overlooking of neighbouring property.  
[Relevant Policies: BFBLP EN20]

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in the first floor level or above of the north and south facing side elevations of the dwellings hereby permitted except for any which may be shown on the approved drawing(s).  
REASON: To prevent the overlooking of neighbouring property.  
[Relevant Policies: SEP CC6, BFBLP EN20]
09. The development hereby permitted shall not be begun until:  
1) a scheme depicting hard and soft landscaping and  
2) a three year post planting maintenance scheme  
have been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be performed and complied with.  
All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved, unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of good landscape design and the visual amenity of the area.  
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
10. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:  
(a) Parking of vehicles of site personnel, operatives and visitors  
(b) Loading and unloading of plant and vehicles  
(c) Storage of plant and materials used in constructing the development  
(d) Wheel cleaning facilities  
(e) Temporary portacabins and welfare for site operatives  
and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above without the prior written permission of the Local Planning Authority.  
REASON: In the interests of amenity and road safety.  
[Relevant Policies: Core Strategy DPD CS23]
11. 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]

12. The dwellings shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]

13. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with the details which have been submitted to and approved by the Local Planning Authority.

REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]

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

REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]

15. The scheme hereby permitted shall be carried out in accordance with the mitigation measures outlined in the letter received from AAe Environmental Consultants, dated 11th April 2012, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of nature conservation  
[Relevant Plans and Policies: CSDPD CS1]

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

REASON: In the interests of nature conservation  
[Relevant Plans and Policies: CSDPD CS1, CS7]

17. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing.

REASON: In order to ensure bicycle facilities are provided.  
[Relevant Policies: BFBLP M9, 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:

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:

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.

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:

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

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

T4 which seeks an appropriate level of parking.

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.

Guidance contained within the NPPF has been taken into account. This does not alter officer recommendation.

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

The following considerations have been taken into account:

The proposal will not adversely affect the character or visual amenity of the area, the amenity of neighbouring residents, highway safety, trees or protected species. The planning application is therefore approved.

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](http://www.bracknell-forest.gov.uk)

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## Unrestricted Report

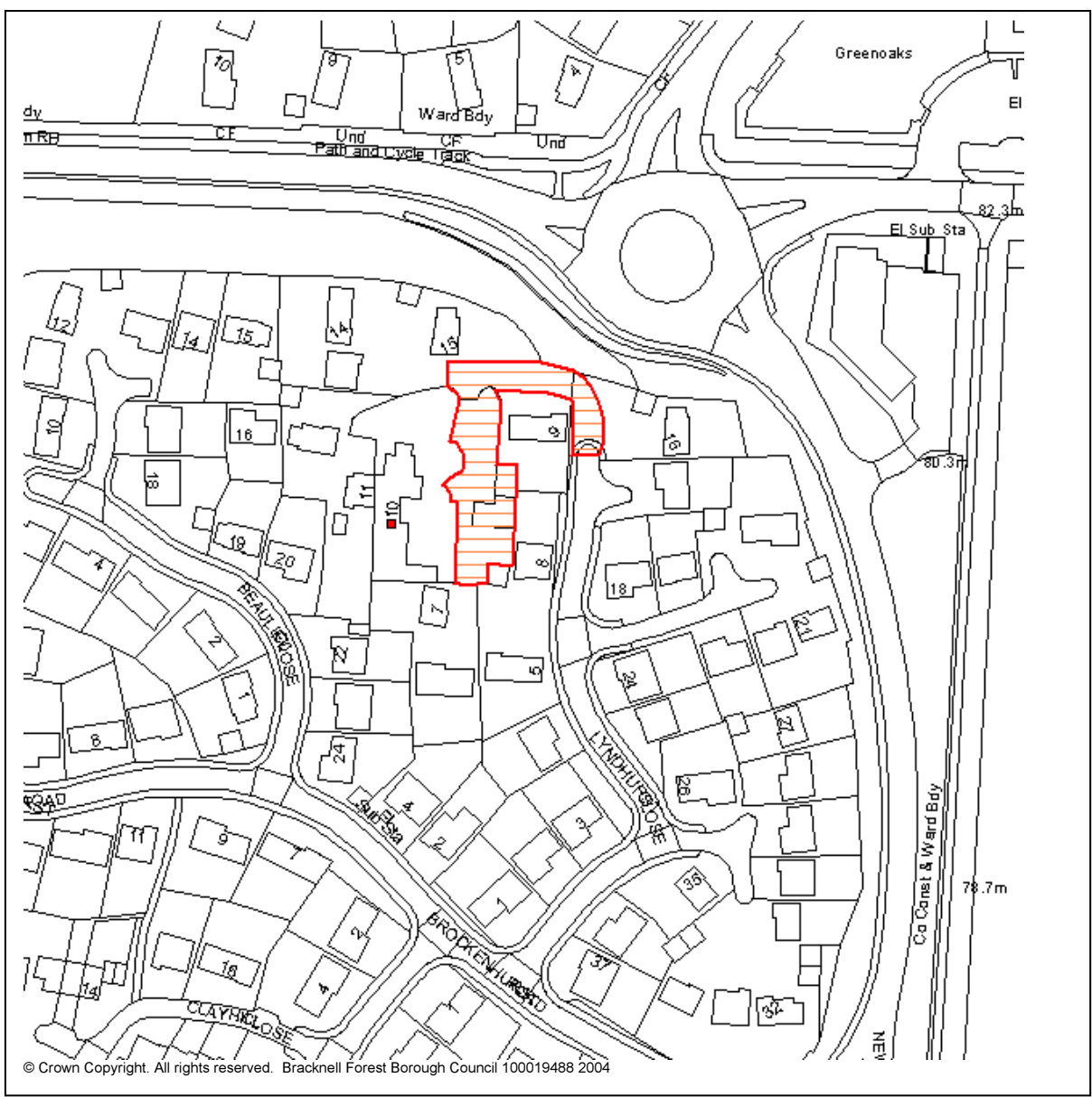
### ITEM NO: 11

Application No. **12/00402/FUL**      Ward: **Harmans Water**      Date Registered: **3 May 2012**      Target Decision Date: **28 June 2012**  
Site Address: **10 Lyndhurst Close Bracknell Berkshire RG12 9QP**

Proposal: **Change of use of existing residential garage to separate residential dwelling with garage and erection of raised platform forming decking.**

Applicant: **Mrs M Hill**  
Agent: **The Edwards Irish Partnership LLP**  
Case Officer: **Laura Rain, 01344 352000**  
[environment@bracknell-forest.gov.uk](mailto:environment@bracknell-forest.gov.uk)

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



## 1 RELEVANT PLANNING HISTORY (If Any)

609554 Validation Date: 18.03.1985  
Demolition of existing barn and erection of first floor extension forming bedroom, ensuite bathroom and dressing room, s/s rear extension forming swimming pool, lounge, sauna, changing rooms WC and plant room and Porch.  
**Approved**

9636 Validation Date: 09.06.1964  
Application for extension.  
**Approved**

608406 Validation Date: 28.12.1983  
Single storey extension to garage block forming additional garage and workshop  
**Approved**

608667 Validation Date: 10.04.1984  
First floor extension forming bedroom and bathroom, s/s side extension forming swimming pool, changing rooms, sauna and lounge and erection of new porch.  
**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>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</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	M9	Vehicle And Cycle Parking
BFBCS	CS1	Sustainable Development Principles
BFBCS	CS6	Limiting the Impact of Development
BFBCS	CS7	Design



BFBCS	CS23	Transport
SEP	CC4	Sustainable Design and Construction
SEP	T4	Parking
SEP	CC7	Infrastructure and Implementation
SEP	H5	Housing Design and Density
SEP	CC6	Sustainable Communities and Character of Environment
SEP	NRM6	Conservation and Improvement of Biodiversity

### **3 CONSULTATIONS**

(Comments may be abbreviated)

#### Winkfield Parish Council

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

#### Transportation Officer

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

### **4 REPRESENTATIONS**

5 letters of objection has been received. These raise the following concerns:

1. Loss of amenity by way of:

- Increase in noise disturbance
- Loss of privacy
- Over looking
- Overshadowing
- Increase in activity on site

2. The proposal is over development

3. Concerns over parking and the increase in traffic created by the new dwelling.

4. Concerns that the access road/drive is dangerous

5. The proposal could lead to a further future development (extension or photovoltaics)

### **5 OFFICER REPORT**

This application is reported to the Planning Committee at the request of Councillor Turrell due to concerns that the proposal would result in a loss of amenity by way of noise, loss of privacy, over looking, overshadowing, over development, increase in traffic in addition to concerns over parking.

#### **i) PROPOSAL**

Number of New Units: Houses: 1

Number of New Units: Flats: 0  
Number of New Units: Bungalows: 0  
Number of New Units: Sheltered Residences: 0  
Total New Residential Units: 1  
Number Demolished: 0  
Net Gain: 1  
Site area: 0.107 ha  
Density per hectare: 10

The proposal is for the conversion of the existing single storey garage into a separate 2 bedroom dwelling. The building is being used as a triple garage and workshop ancillary to the main detached dwelling, 10 Lyndhurst Close, however the applicant now wishes to split the plot and convert the single storey garage into a 2 bedroomed self contained unit.

The proposed ground floor accommodation consists of a living room, kitchen-diner, bathroom, two bedrooms, an en-suite and a single garage.

At present the west elevation has a door, a single garage door and a double garage door. The single garage door would be retained. The double garage door would be replaced by a window serving bedroom 1. The door would be replaced by a standard window serving bedroom 2.

The north elevation has a double garage door. This would be replaced by a pedestrian door and a standard window serving the proposed living room.

There are no changes proposed on the east flank wall which has no openings.

The south elevation currently has two standard windows serving the garage and workshop. These would be replaced by patio doors serving the living room and dining area. An additional standard size window is proposed in this elevation to serve the kitchen.

The area to the south of the garage would be fenced off with 1.8m high close boarded fencing in order to provide a private 15m long rear garden.

An area of decking is proposed to the rear of the proposed dwelling. Due to the level differences on site this would be approximately 350mm high and as such requires planning permission. There is a beech tree on site which is covered by a Tree Preservation Order.

## **ii) SITE**

The site is accessed via a private driveway with gated access. The main dwelling has been significantly extended to the rear and covers the length of the west boundary.

The garage building is single storey with a fully hipped roof. To the front is a driveway and hard standing for the parking of vehicles.

The garage lies hard up against the boundary with 8 and 9 Lyndhurst Close.

The main dwelling at 10 Lyndhurst Drive would maintain a parking area to the front and a large garden to the side.

### **iii) PLANNING CONSIDERATIONS**

#### **(1) Principle of the development**

The site is located within the defined settlement as is subject to the policies for the control of development as set out in the Bracknell Forest Borough Local Plan (BFBLP) adopted January 2002, the Core Strategy Development Plan Document adopted February 2008 and the South East Plan adopted May 2009.

Policy CS2 of the Bracknell Forest Borough Plan Core Strategy Development Plan Document states: "Development will be permitted within defined settlements." Therefore the principle of development is acceptable.

#### **(2) Impact upon the character and appearance of the area**

The proposal does not involve any external additions to the garage block and as such there would be no significant impact upon the character and appearance of the area.

The proposed garden for the proposed dwelling would be comparable in size to neighbouring properties, as would the resulting garden for 10 Lyndhurst Close. As such it is not considered that the proposal would be out of keeping with the pattern of development within the immediate area.

#### **(3) Effect on the amenity of neighbouring residential property**

There would be no loss of light or overbearing impact created by this proposal as there are no alterations other than doors and fenestration to the built form proposed. As the building is wholly single storey and no windows are proposed along the boundary with 8 and 9 Lyndhurst Close it is considered that the proposal would not result in a loss of privacy to neighbouring properties.

#### **(4) Transport Considerations**

The Council's Transportation Officer has been consulted. These comments will be reported in the Supplementary Report prior to Committee.

#### **(5) Limiting the Impact of Development**

The Council has adopted detailed guidance on the interpretation of relevant planning policies and the mitigation of the impact of development. This guidance is set out in a Supplementary Planning Document entitled 'Limiting the Impact of Development' (adopted July 2007). For a development such as this, it seeks financial contributions towards improvements to local provision where a need is identified. These are secured by means of planning obligations set out in a Legal Agreement (S106 Agreement).

This proposal would require contributions towards integrated transport and highway safety measures, open space, primary school education (Holly Spring Junior), library facilities and the Thames Basin Heath SPA.

#### **(6) The Thames Basin Heath Special Protection Area**

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 2.48 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. The Council's Special Protection Area SPD Table 1 requires a contribution which is calculated on a per bedroom basis 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 Englemere Pond 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.

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £2,296 (i.e. 1770 + 526).

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.

### **(7) Sustainability**

Page 15, paragraph 2.6 of the Sustainable Resource Management SPD confirms that change of use applications are excluded, therefore no sustainability or energy demand conditions are required.

## **(8) Trees**

In order to prevent any damage to trees on site created by the construction of the decked area a condition requiring a method statement is proposed.

### **iv) CONCLUSION**

It is not considered that the proposal would have a detrimental impact upon highway safety, the character and appearance of the area and upon the amenities of the neighbouring properties subject to conditions relating to glazing.

The proposal is therefore recommended for approval subject to no objections being raised by the Transportation Officer in addition to the successful completion of a S106 agreement to secure contributions for the wider area and SPA mitigation.

## **6 RECOMMENDATION**

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

01.
  - a) Transport facilities
  - b) Open space and recreation facilities
  - c) Primary and nursery education
  - d) Library facilities
  - e) Thames Basin Heath Special Protection Area

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:  
Drg No Job 2073 DWG 03 received by LPA 03.05.2012  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
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 in the north or east elevations of the dwelling hereby permitted except for any which may be shown on the approved drawing(s).  
REASON: To prevent the overlooking of neighbouring properties.  
[Relevant Policies: BFBLP EN20]
04. 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 or B of Part 1 of the Second Schedule of the 1995 Order shall be carried out.

REASONS: To safeguard the character of the premises and the residential and visual amenities of the occupiers and adjoining properties  
[Relevant Policies: BEBLP EN20]

05. No dwelling shall be occupied until the associated vehicle parking for the dwelling hereby permitted and for the dwelling known as 10 Lyndhurst Close has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.

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

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

06. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained. REASON: In the interests of accessibility of the development to cyclists.

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

07. No development shall commence 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 5837:2012 '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 observed, performed and complied with.

REASON: In order to alleviate any adverse impact on the root systems and the long term health of retained trees, 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:

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.

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.

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.

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.

South East Plan:

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

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

T4 which seeks an appropriate level of parking.

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.

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.

Guidance contained within the NPPF has been taken into account. This does not alter officer recommendation.

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

The following considerations have been taken into account:

The proposal will not adversely affect the character or visual amenity of the area, the amenity of neighbouring residents or highway safety. The planning application is therefore approved.

In the event of the S106 planning obligation(s) not being completed by 28<sup>th</sup> June 2012, the Head of Development Management be authorized 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, primary and nursery education. 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, public open space, primary and nursery education. library facilities and the Thames Basin Heath Special Protection Area the proposal is contrary to Policy CC7 of the South East Plan, Policy M4 of the Bracknell Forest Borough Local Plan and CS6, CS14 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](http://www.bracknell-forest.gov.uk)