



NOTICE OF MEETING

Planning Committee

Thursday 22 January 2015, 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, Kensall, Leake, Mrs Phillips, Thompson, Virgo and Worrall

ALISON SANDERS
Director of Corporate Services

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Telephone: 01344 352044
Email: committee@bracknell-forest.gov.uk
Published: 13 January 2015



Planning Committee
Thursday 22 January 2015, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted. Those wishing to record proceedings at a meeting are however advised to contact the Democratic Services Officer named as the contact for further information on the front of this agenda as early as possible before the start of the meeting so that any special arrangements can be made.

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 18 December 2014.

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3. **Declarations of Interest**

Any Member with a Disclosable Pecuniary Interest or an Affected Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

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. **PS Application 13/00966/FUL - Binfield House Nursery, Terrace Road North, Binfield**

Erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings, and alterations to wall within the curtilage of a listed building.

17 - 62
6. **Application 14/00857/FUL - 1 Cornbunting Close, College Town, Sandhurst**

Erection of outbuilding forming workshop.

63 - 70
7. **Application 14/01001/FUL - Heathfield School, London Road, Ascot**

Erection of 7 staff houses in form of two detached houses and a terrace with associated car parking following demolition of the Head and Deputy Headmistresses houses; erection of Junior Boarding House for 60 pupils (including 3no. 1 bedroom and 1no. 2 bedroom duplex level staff flats) with alterations/extension to existing car park; and extension to Phoenix Boarding House to provide accommodation for an additional 16 pupils.

71 - 90
8. **Application 14/01021/FUL - 91 Staplehurst, Bracknell**

Garage extension and the erection of a pitched roof.

91 - 96
9. **Application 14/01022/FUL - 90 Staplehurst, Bracknell**

Garage extension and the erection of a pitched roof.

97 - 102
10. **Application 14/01114/FUL - 24 Beaulieu Close, Bracknell**

Erection of a part two storey, part first floor side extension (Re-submission of planning application 14/00633/FUL).

103 - 112
11. **Application 14/01174/FUL - Tesco Stores Ltd, Whitton Road, Bracknell**

Installation of Key Cutting, Shoe & Watch Repairs Pod to Class 1 Retail Premises.

113 - 120

12. **Application 14/01175/A - Tesco Stores Ltd, Whitton Road, Bracknell**
Display of 3no. illuminated wall mounted signs and 4no. non-illuminated wall mounted signs. 121 - 126
13. **Application 14/01228/FUL - 94 To 96 College Road, College Town, Sandhurst**
Erection of 3 no. 4 bedroom houses and 1 no. 3 bedroom house with associated bin and cycle storage, landscaping, parking and vehicular access off Academy Place on land to the rear of 94 and 96 College Road.(revision to 14/00580/FUL) 127 - 144
14. **PS Application 14/01274/RTD - Telecommunications Mast Opposite Great Oaks Cottage, Crouch Lane, Winkfield**
Installation of 10 metre tall dual-operator telecom's monopole complete with 1 no. antenna within a GRP shroud, 1 no. equipment unit plus ancillary works 145 - 150

**PLANNING COMMITTEE
18 DECEMBER 2014
7.30 - 10.55 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, Birch, Blatchford, Ms Brown, Davison, Finch, Finnie, Gbadebo, Heydon, Kensall, Leake, Mrs Phillips and Thompson

Apologies for absence were received from:

Councillors Mrs Barnard and Virgo

Also Present:

Councillors Mrs Hayes and Turrell.

71. Minutes

RESOLVED that the minutes of the Committee held on 13 November 2014 be agreed and signed by the Chairman.

72. Declarations of Interest

Councillor Thompson declared an interest in agenda item 7, 5 Cooke Rise, Warfield, Bracknell and stated that he would be withdrawing from the meeting for this item.

Councillors Birch, Blatchford, Brossard, Finnie and Thompson declared an interest in agenda item 9, 117 College Road, College Town, Sandhurst and declared that they would be withdrawing from the meeting for this item.

Councillor Ms Brown declared an interest in agenda item 12, Confirmation of Tree Preservation Order 1171 – Land at the Brackens, London Road, Ascot, SL5 8BE, as an employee at the Brackens.

73. Urgent Items of Business

There were no urgent items of business.

74. PS Application 13/01035/FUL Land Adjacent to Hayley Green Farm, Hayley Green, Warfield

A site visit was held on Saturday 13 December 2014 which was attended by Councillors Mrs Angell, Birch, Blatchford, Ms Brown, Brossard, Davison, Dudley, Gbadebo, Heydon, Mrs Phillips and Thompson.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Warfield Parish Council
- 21 letters of objection raising concerns around the proposed development:

- detracting from the character of the countryside and the green belt and having a dominating, commercial, urbanising impact
- the site being an unsuitable location
- the bulk and mass of the proposed development being too big, oversized and unattractive
- there would be a loss of light and privacy to neighbouring properties as well as noise and light pollution
- increased traffic having a detrimental impact on highway safety and car parking screening being inadequate.

In addition, 120 letters of support have been received; approximately 6.5% came from residents within the borough, 9% from abroad and the remainder from elsewhere in the UK. These letters relate to there not being enough opportunities within the UK for curling and support the promotion of the sport.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speakers Mr Kirby raising objections to the proposed development and Dr Hinds, the applicant.

Members expressed concern around the proposed development leading to increased activity in a location that was not sustainable. Members were also concerned that additional parking and increased levels of activity would have a detrimental impact on the open and rural character of the area. Noise and light pollution were also a concern to Members as well as the number of traffic movements generated by the Curling rink on a daily basis.

A motion to **APPROVE** the recommendations of the Head of Development Management as set out in the report and on the supplementary report was moved and seconded. On being put to the vote the motion was **LOST**.

An alternative motion to **REFUSE** the application was moved and seconded. On being put to the vote the motion was **CARRIED**.

It was **RESOLVED** that the application be **REFUSED** for the following reasons:

- 01 The proposed extension, additional car parking and increased levels of activity associated with the proposed use would have a detrimental impact upon the open and rural character of the area. The development is therefore contrary to Policy CS9 of the Core Strategy Development Plan Document, 'Saved' Policies EN8 and EN9 of the Bracknell Forest Borough Local Plan and the NPPF.
- 02 The proposal is not sited in a sustainable location and as such would result in an increase in traffic movements which would be generated to and from the site. This would lead to an increase in vehicles on Bracknell Road to the detriment of highway safety. The proposed development would therefore be contrary to Policy CS23 of the Core Strategy Development Plan Document and 'Saved' Policy M4 of the Bracknell Forest Borough Local Plan.
- 03 The use of the proposed access point which is in close proximity to the access for Meadowbrook Montessori Primary School would adversely affect road safety and the flow of traffic. The proposal would therefore be contrary to Policy CS23 of the Core Strategy Development Plan Document.

- 04 The proposed curling rink use, plant equipment and car parking area by reason of its siting and proximity to the boundary with neighbouring properties would result in an unacceptable level of noise and disturbance to the detriment of the living conditions of neighbouring properties. The proposed development would therefore be contrary to Policy EN20 and EN25 of the Bracknell Forest Borough Local Plan.

75. **Application 14/00797/FUL Land at rear of 10 to 12 Branksome Hill Road, College Town**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Sandhurst Town Council.
- Six letters of objection which raised concerns around the proposed development leading to a loss of privacy and light to neighbouring properties. Concerns around drainage and flooding, inadequate car parking and the proposed development being too large and out of keeping with neighbouring properties.

Upon being put to the vote it was **RESOLVED** that **following the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990 relating to:-

01. SPA.
Dedication of a 2m wide continuous footway between 12 and 14 Davis Gardens.

That the Head of Development Management be authorised to **APPROVE** the application subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
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 02A received by LPA 01.10.2014
Drg no 03A received by LPA 01.10.2014
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. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith.

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

[Relevant Policy: Core Strategy DPD CS10]

05. Within one month of the first occupation of the development hereby permitted (or, where the development is phased, within one month of the first occupation of the final phase of that development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of level 3 of the Code for Sustainable Homes.

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

[Relevant Policy: Core Strategy DPD CS10]

06. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

07. The slab level of the dwelling shall be constructed in accordance with the approved drawing no 03A received by LPA 01.10.2014.

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

[Relevant Plans and Policies: BFBLP EN20 and CSDPD CS7]

08. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1)

'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

09. 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 elevation 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]

10. The first floor window in the north elevation the en-suite of the dwelling 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]

11. The boundary treatment shall be erected in the locations shown on approved drawing 03 received by LPA 09.07.2014. The approved scheme shall be implemented in full before the occupation of the dwelling approved in this permission and retained thereafter.

REASON: - In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.

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

12. The garage accommodation shall be retained for the use of the parking of vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.

[Relevant Policy: BFBLP M9]

13. The dwelling shall not be occupied until visibility splays of 2.0 metres by 2.0 metres to the north 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]

14. The dwelling hereby approved shall not be occupied until the associated vehicle parking or vehicle parking and turning space [delete as appropriate] has been surfaced and marked out in accordance with the

approved drawing. The spaces shall thereafter be kept available for parking at all times.

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

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

15. The development hereby permitted shall not be begun until a drainage design in accordance with the Flood Risk assessment dated September 2014 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.

REASON: The site is within the identified Area Liable to Flood where strict control over development is required by the policies of the Development Plan.

In the event of the S106 planning obligation(s) not being completed by 30th January 2015

the Head of Development Management be authorised to **REFUSE** the application on the grounds of:-

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).

76. **Application 14/00969/FUL 5 Cooke Rise, Warfield, Bracknell**

Councillor Thompson declared an interest and stated that he would be withdrawing from the meeting for this item.

A site visit was held on Saturday 13 December 2014 which was attended by Councillors Blatchford, Ms Brown, Brossard, Davison, Dudley, Gbadebo, Mrs Phillips and Thompson.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Warfield Parish Council
- Two letters of support from neighbouring properties.

Upon being put to the vote it was **RESOLVED** that the application be **APPROVED** subject to the following conditions:-

01. The development is permitted in accordance with the following plans: WIL_002, received on 01 September 2014

REASON: To ensure that the development is in accordance with the approved plans received by the Local Planning Authority.

02. Within 2 months of this permission a scheme depicting soft landscaping shall be 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). As a minimum, the quality of all soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

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

03. The area for soft landscaping approved under condition 2 shall thereafter be retained as such and shall not be used for any other purpose.

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

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

77. **Application 14/00994/FUL 6 Higher Alham, Bracknell**

A site visit was held on Saturday 13 December 2014 which was attended by Councillors Blatchford, Ms Brown, Brossard, Davison, Dudley, Gbadebo, Heydon, Mrs Phillips and Thompson.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Bracknell Town Council
- Four letters of objection and one letter of representation which raised concerns around the proposed development resulting in a loss of amenity and privacy to neighbouring properties. Exacerbation of existing parking problems and that the proposed development would be an overdevelopment.

Upon being put to the vote it was **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.
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 6th November 2014:

Proposed Layout with Parking (Rev 2)
Proposed Elevations (Rev 2)

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 of similar appearance to those of the existing dwelling.

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 north facing side 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]

05. The areas for parking shown on the approved layout, including that within the garage, shall be retained for the use of the parking of vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met, and to ensure that the extension could not be converted to a separate dwelling.

[Relevant Policy: Core Strategy DPD CS23, BFBLP M9, Parking Standards SPD]

78. Application 14/01043/FUL 117 College Road, College Town, Sandhurst

Councillors Birch, Blatchford, Brossard, Finnie and Thompson declared an interest and declared that they would be withdrawing from the meeting for this item.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Sandhurst Town Council
- Three letters of objection raising concerns around the proposed development leading to the exacerbation of existing parking problems and other access problems as well as increased noise. A letter of support was also noted.

Members expressed concern around the increase in vehicular traffic that would arise as a result of the proposed development and the detrimental impact that this would have on other users of the highway and the bus route.

A motion to **APPROVE** the recommendations of the Head of Development Management as set out in the report and on the supplementary report was moved and seconded. On being put to the vote the motion was **LOST**.

An alternative motion to **REFUSE** the application was moved and seconded. On being put to the vote the motion was **CARRIED**.

It was **RESOLVED** that the application be **REFUSED** for the following reasons:

01. Increasing the number of children from 39 to 45 between the hours of 09.15 and 16.00 will result in an increase in vehicular traffic caused by the coming and going of parents dropping off and collecting children. As a result of the increase in activity and the limited on-site parking available the proposal will result in additional roadside parking which is not compatible with the amenities of the occupiers of adjoining residential properties and will have a detrimental impact on other users of the highway on this bus route. Increasing the number of children extends the problems associated with the use and therefore does not comply with the aims and objective of Bracknell Forest Borough Local Plan 'Saved' Policies E4 and M9.

02. The increase in number of children on site would create additional noise, nuisance and disturbance to the detriment of the living conditions of the occupants of the neighbouring dwellings. The proposals would therefore be contrary to 'Saved' Policies EN20 and EN25 of the Bracknell Forest Borough Local Plan.

79. **Application 14/01126/FUL Land at Peacock Farm Neighbourhood Centre, Peacock Lane, Bracknell**

The Committee noted:

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

Upon being put to the vote it was **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
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street parking which would be a danger to other road users.
[Relevant Plans and Policies: BFBLP M9]
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.
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]
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.
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]
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 shall be retained.
REASON: In the interests of accessibility of the development to cyclists.

[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 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.
REASON: In the interests of the amenity of the neighbouring property and the character of the area.
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]
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.
REASON: In the interests of the amenities of the occupiers of the building.

[Relevant Policies: BFBLP EN25]

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.

REASON: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

[Relevant Policies: BFBLP EN25]

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.

REASON: In the interests of the amenities of future occupiers of the premises.

[Relevant Policies: BFBLP EN25]

10. No deliveries shall be taken at or dispatched from the site outside the hours of 7.00 am - 6.00 pm Mondays to Saturdays and 08.00 am - 6.00 pm on Sundays or at any time on public holidays.

REASON: In the interests of the amenities of the occupiers of nearby residential premises.

[Relevant Policies: BFBLP EN25]

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.

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

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

80. Application 14/01168/PAC Guildgate House, High Street, Crowthorne

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Crowthorne Parish Council
- One letter of objection received raising concerns around the proposed development leading to increased traffic, difficulties and issues with parking and access to bin stores.

Upon being put to the vote it was RESOLVED that Prior Approval was required and Prior Approval be granted. The proposal therefore complied with Class J of the Town and Country Planning (General Permitted Development) Order (as amended).

81. Confirmation of Tree Preservation Order (TPO) 1171 - Land at the Brackens, London Road, Ascot, SL5 8BE - 2014

Councillor Ms Brown declared an interest as an employee at the Brackens.

The Committee considered a report that asked them to approve the confirmation of this tree preservation order.

Upon being put to the vote it was **RESOLVED** that Tree Preservation Order 1171 – Land at the Brackens, London Road, Ascot, SL5 8BE – 2014, as amended, be approved.

CHAIRMAN

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

www.bracknell-forest.gov.uk

**PLANNING COMMITTEE
22nd January 2015**

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

		Case Officer	Reporting Officer
5	13/00966/FUL Binfield House Nursery Terrace Road North Binfield (Binfield With Warfield Ward) Erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings, and alterations to wall within the curtilage of a listed building. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Martin Bourne	Martin Bourne
6	14/00857/FUL 1 Cornbunting Close College Town Sandhurst (Central Sandhurst Ward) Erection of outbuilding forming workshop Recommendation: Approve.	Sarah Horwood	Basia Polnik
7	14/01001/FUL Heathfield School London Road Ascot (Ascot Ward) Erection of 7 staff houses in form of two detached houses and a terrace with associated car parking following demolition of the Head and Deputy Headmistresses houses; erection of Junior Boarding House for 60 pupils (including 3no. 1 bedroom and 1no. 2 bedroom duplex level staff flats) with alterations/extension to existing car park; and extension to Phoenix Boarding House to provide accommodation for an additional 16 pupils. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Simon Roskilly	Martin Bourne
8	14/01021/FUL 91 Staplehurst Bracknell Berkshire (Great Hollands South Ward)	Matthew Miller	Basia Polnik

	Garage extension and the erection of a pitched roof. Recommendation: Approve.		
9	14/01022/FUL 90 Staplehurst Bracknell Berkshire (Great Hollands South Ward) Garage extension and the erection of a pitched roof. Recommendation: Approve.	Matthew Miller	
10	14/01114/FUL 24 Beaulieu Close Bracknell Berkshire (Harmans Water Ward) Erection of a part two storey, part first floor side extension (Re-submission of planning application 14/00633/FUL). Recommendation: Approve.	Matthew Miller	Basia Polnik
11	14/01174/FUL Tesco Stores Ltd Whitton Road Bracknell (Harmans Water Ward) Installation of Key Cutting, Shoe & Watch Repairs Pod to Class 1 Retail Premises. Recommendation: Approve.	Michael Ruddock	Basia Polnik
12	14/01175/A Tesco Stores Ltd Whitton Road Bracknell (Harmans Water Ward) Display of 3no. illuminated wall mounted signs and 4no. non-illuminated wall mounted signs Recommendation:	Michael Ruddock	Basia Polnik
13	14/01228/FUL 94 To 96 College Road College Town Sandhurst (College Town Ward) Erection of 3 no. 4 bedroom houses and 1 no. 3 bedroom house with associated bin and cycle storage, landscaping, parking and vehicular access off Academy Place on land to the rear of 94 and 96 College Road.(revision to 14/00580/FUL) Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Paul Corbett	Basia Polnik
14	14/01274/RTD Telecommunications Mast Opposite Great Oaks Cottage Crouch Lane Winkfield (Winkfield And Cranbourne Ward) Installation of 10 metre tall dual-operator telecom's monopole complete with 1 no. antenna within a GRP shroud , 1 no. equipment unit plus ancillary works Recommendation: Approve.	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 100A 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.

Unrestricted Report

ITEM NO: 5

Application No. 13/00966/FUL Ward: Binfield With Warfield Date Registered: 21 November 2013 Target Decision Date: 20 February 2014

Site Address: **Binfield House Nursery Terrace Road North Binfield Bracknell Berkshire**

Proposal: **Erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings, and alterations to wall within the curtilage of a listed building.**

Applicant: Beaulieu Homes South Ltd

Agent: MGI Architecture Ltd

Case Officer: Martin Bourne, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

This application was originally reported to Planning Committee at its meeting on 16 October last year. The report and supplementary report to that committee are attached as an annex to this report.

At that meeting Planning Committee resolved that the Head of Development Management be authorised to approve the application subject to conditions and following the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to:-

- mitigation of increased pressure on highways and transportation infrastructure, education, open space and built sports facilities;
- long-term management/maintenance of C19th garden wall and trees to south-east of Binfield House;
- provision of affordable housing;
- a S38/S278 agreement for the adoption of roads/footpaths on the site and to secure turning facilities.

Following this decision the applicant has submitted a viability report which concludes that whilst the proposed development, including 6no. age-restricted dwellings, would be viable a scheme with 6no. social housing (affordable) dwellings is unviable and undeliverable.

The applicant is therefore seeking the removal of the requirement for affordable housing to be provided as part of this development.

2. DEVELOPMENT PLAN

The Development Plan includes the following:-

- Core Strategy DPD (February 2008)
- Site Allocations Local Plan (July 2013)
- Policy NRM6 of the South East Plan (May 2009)
- Bracknell Forest Borough Local Plan (January 2002) (saved policies)
- Bracknell Forest Borough Policies Map 2013

3. AFFORDABLE HOUSING POLICY

Relevant policy on affordable housing comprises BFBLP Policy H8, CSDPD Policy CS17 and the resolution of the 29 March 2011 BFC Executive. Taken together these seek a target of 25% affordable housing for schemes providing a net increase of 15 or more dwellings. The CSDPD (para. 194) and BFBLP Policy H8 state that consideration will be given to the economics of provision; in the Executive resolution the 25% provision is subject to viability.

Para 50 of the NPPF states, inter alia, that “local planning authorities should, where they have identified that affordable housing is needed, set policies for meeting this need on site... Such policies should be sufficiently flexible to take account of changing market conditions over time”. It is considered that the Council’s policy with regard to affordable housing can be afforded full weight as it is consistent with this paragraph.

The site is allocated for housing in the SALP. It constitutes a previously developed site within a defined settlement, and as such is listed in Policy SA1. The requirements in the SALP for this site include the provision of affordable housing.

4. ASSESSMENT

Application 13/00966/FUL provides for the erection of 24 dwellings which exceeds the threshold (of 15 net) contained in the Executive resolution referred to above. Therefore under the Council's current affordable housing policy, 25% of the dwellings (6no. dwellings) should be affordable unless this would render the proposal unviable.

As noted above the applicant has submitted a viability report prepared by Haslams which concludes that whilst the proposed development, including 6no. age-restricted dwellings, would be viable a scheme with 6no. social housing (affordable) dwellings is unviable and undeliverable.

In line with normal practice this report has been forwarded to an independent expert assessor (in this case the District Valuer Services (DVS)) for advice on whether the conclusions of that report are sound taking into account the infrastructure requirements and other considerations. In its conclusions DVS agree with the findings of Haslams that a scheme with 6no. social rented or affordable rented units would not be viable. They agree that a scheme with 6 age restricted dwellings would be viable.

DVS further states that since their assessment takes account of current market conditions, they would recommend that should the Council decide to agree a less than policy compliant position then a viability review is triggered should development not commence and the dwellings not be delivered within an agreed timescale.

As set out above the relevant development plan policies make it clear that in seeking the provision of affordable housing consideration will be given to the economics of provision and under the Executive resolution the target percentage of provision of up to 25% is subject to viability. The submitted viability report demonstrates that if affordable housing is required to be provided the development will not be viable and will not be implemented. In the light of the assessment undertaken by the DVS your officers are satisfied that this conclusion can be relied on.

5. CONCLUSIONS

Taking account of relevant development plan policies and the Executive resolution, in the light of the findings of the independent assessment by DVS, it recommended that the requirement for affordable housing be waived in this instance (with the condition requiring 6 dwellings to be age-restricted being retained) but that the s106 agreement contain a mechanism to trigger a viability review should the development not be completed within 3 years from the date of planning permission being granted.

RECOMMENDATION

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

- mitigation of increased pressure on highways and transportation infrastructure, education, open space and built sports facilities;
- long-term management/maintenance of C19th garden wall and trees to south-east of Binfield House;
- a S38/S278 agreement for the adoption of roads/footpaths on the site and to secure turning facilities
- a viability review should the development not be completed within 3 years from the date of planning permission being granted (the purpose of this would be to assess whether changes in market conditions mean that a scheme including affordable housing would be viable, in which case such housing should be secured)

that the Head of Development Management be authorised to **APPROVE** the application subject to the conditions/informatives imposed by Planning Committee at its meeting on 16 October 2014.

Unrestricted Report

ITEM NO: 5

Application No.
13/00966/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
21 November 2013

Target Decision Date:
20 February 2014

Binfield House Nursery Terrace Road North Binfield Bracknell Berkshire

Proposal:

Erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings, and alterations to wall within the curtilage of a listed building.

Applicant:

Beaulieu Homes South Ltd

Agent:

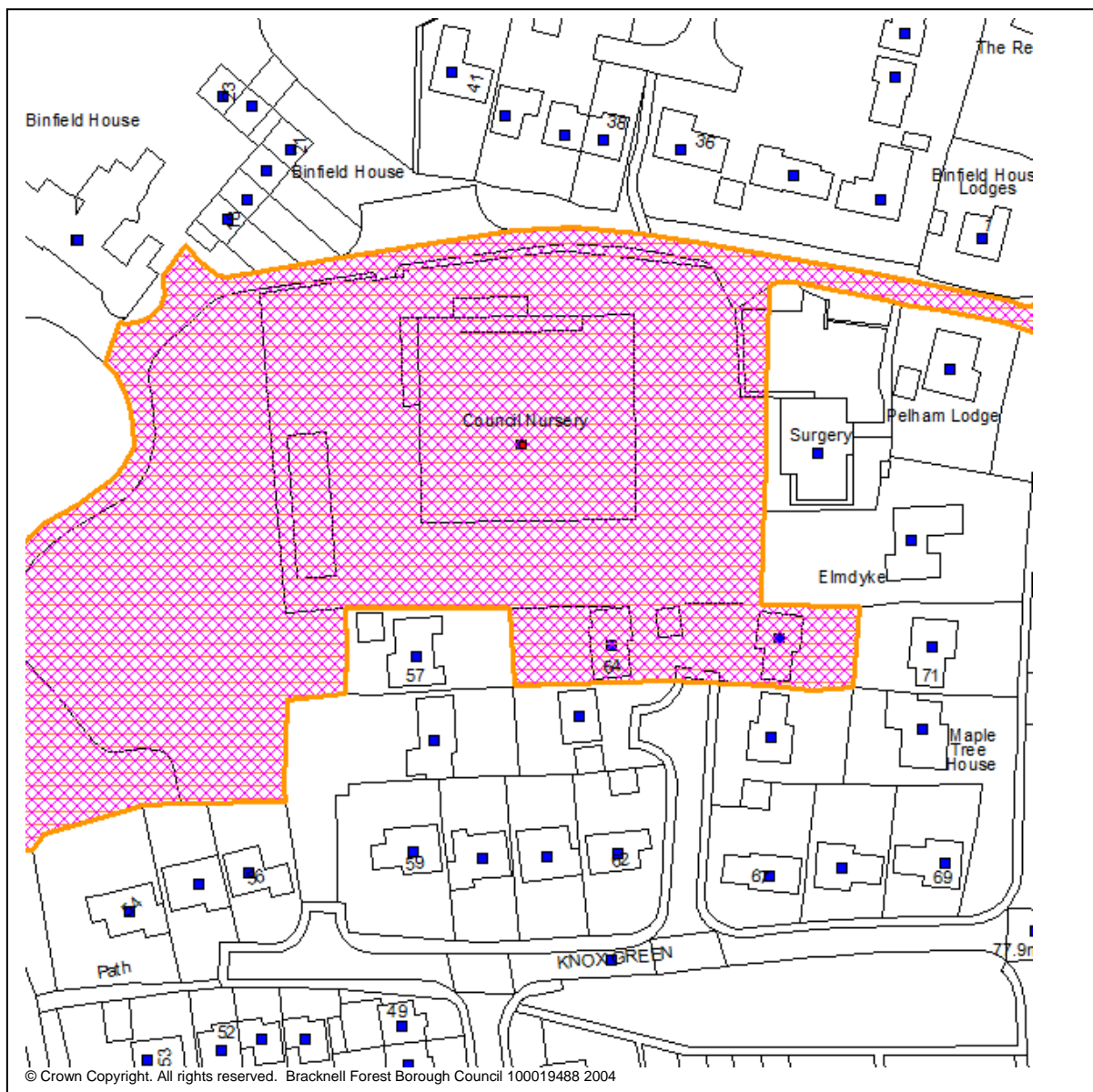
MGI Architecture Ltd

Case Officer:

Martin Bourne, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

2. SITE DESCRIPTION

The 1.4 ha site lies in the north-west part of Binfield. It comprises four elements:-

- in the west a grassed area, with trees, lying to the south of Binfield House;
- to the east of this the Council's former plant nursery, which contains a C19th garden wall with outbuildings, and its vehicular access comprising a metalled drive running eastwards to a junction with Terrace Road North;
- to the east of this part of the car park serving the Binfield Surgery, and
- to the south of the Council's former plant nursery, two detached two-storey houses (Nos 64 and 65 Knox Green) and their parking and garden areas.

The site is relatively flat. It contains a number of trees, principally on the western part of the site, to the south of Binfield House.

The C19th garden wall encloses a square area of land (about 42m x 44m) which was once a walled garden. The brick-built wall varies in height with the northern element having a maximum height of nearly 4m dropping down to 2m to the south. It has archways on its south and east sides (the latter being wider) and an opening on the west side. There are lean-to out buildings on the outer side of the north and the west sides of the wall. As the wall is within the curtilage of Binfield House and has been so since before 1 July 1948 it is regarded as being part of Binfield House and therefore regarded in law as a listed building. A separate application for listed building consent in respect of works to the walled garden appears on this agenda under reference 13/00967/LB.

The site is bounded to the north by dwellings fronting onto Stevenson Drive and by a terrace of bungalows lying to the east of Binfield House served by the drive to Terrace Road North. A footpath links from a turning head at the end of Stevenson Drive to this drive.

To the west is Binfield House, a grade II listed building which provides elderly persons accommodation, and its grounds. Binfield Surgery and its car park (accessed from the drive to Terrace Road North) lies to the east with Elmlyke, a detached house accessed directly from Terrace Road North, to its south.

Housing at Knox Green lies to the south of the site. The southern edge of the site meets the northern end of a cul-de-sac running north from Knox Green.

3. RELEVANT SITE HISTORY

There have been a number of applications over the years associated with the former use of the site as the Council's plant nursery including works to the C19th garden wall. More recent applications include:-

08/00527/3: Restoration of buildings at existing nursery to provide staff and visitor facilities. Restoration of original wall and installation of 2no. gates. Repositioning of sheds, polytunnels and chemical safe. Installation of water tanks. Erection of new dwarf wall with fence above. New parking layout and associated hard landscaping. Demolition of shed and removal of other structures. (Regulation 3 Application) - APPROVED

08/00528/LB: Restoration of buildings at existing nursery to provide staff and visitor facilities. Restoration of original wall and installation of 2no. gates. Erection of new dwarf wall with fence above and hard standing. Demolition of existing shed. (Regulation 3 application) - APPROVED

12/00850/FUL - Erection of 5no. two bedroom, 4no. three bedroom and 10no. four bedroom dwellings with associated landscaping and road access from Knox Green and Terrace Road North following demolition of existing buildings, and alterations to wall within the curtilage of a listed building. WITHDRAWN

12/00851/LB - Listed building consent for alterations to wall within the curtilage of a listed building, following demolition of existing buildings. WITHDRAWN

13/00967/LB - Application for listed building consent for alterations to wall within the curtilage of a listed building, following demolition of existing buildings. NOT YET DETERMINED

4. THE PROPOSAL

Full planning permission is sought for the erection of 24no. dwellings consisting of:-

Five x 5 bedroom houses, seven x 4 bedroom houses, two x 3 bedroom houses and ten x two bedroom dwellings of which two are flats over garages (FOGs). Six of the two bedroomed houses would be for occupation by elderly people. The gross density would be 17 dwellings per hectare.

Vehicular access to the development is proposed by way of an extension of a cul-de-sac from Knox Green to the south. This would cross land currently forming part of the curtilages of Nos 64 and 65 Knox Green. The proposal involves the extension northwards of the curtilages of these houses to accommodate a new double garage to the north of No 64 and an extended drive providing more parking space for No 65.

This access would serve a new access road which would describe a loop to the north of the walled garden providing access to the west of the application site and Binfield House and its associated accommodation. Part of its length would include the existing drive from Binfield House to Terrace Road North. This drive would be stopped-off to vehicles so that its eastern end would just serve Binfield Surgery and the two dwellings lying either side of the access to Terrace Road North (Pelham Lodge and Binfield House Lodge).

The proposed access road would have a footway on its western side from where it joins Knox Green upto a point where a footpath link is proposed through the walled garden. To the north and west of this the access would be a shared surface with planted margins. The existing footpath link from Stevenson Drive would be retained.

Detached two, three, four and five bedroom houses would front onto the access road. Six dwellings are proposed within the walled garden itself comprising 2 no. two bedroom flats over garages (FOGs) and 4no. four bedroom houses in the form of two pairs of semi-detached houses. These would be served by a link from the access road on the western side of the walled garden which would require the widening of the existing opening on this side of the wall to 6m. This would serve parking under and in front of the FOGs and would form part of a pedestrian route east-west through the walled garden utilising an existing archway in the eastern wall.

Finally, a private drive from the access road would serve a small parking court providing parking for 6no. two bedroomed bungalows lying to the south of Binfield House. These dwellings would have accommodation in the roof-space lit by dormer windows with a ridge

height of 6.5m. A pond is proposed on land to the west of these dwellings surrounded by a wildflower meadow to provide mitigation for Great Crested Newts.

The two and three bedroom houses on the site, and the FOGs, would be two-storey, between 7.3m and 9m in height. The four and five bedroom houses would be of 2 and 2.5 storeys, ranging in height from 7.8 to 9.3m.

The application has been amended in the course of its consideration to reduce the number of dwellings sought from 28 to 24, to make alterations to the design and siting of the proposed dwellings and associated car parking and to exclude the car park to Binfield Surgery from the proposal.

5. REPRESENTATIONS RECEIVED

The following petition with 60 signatures has been received:-

'We the residents of Knox Green, Binfield and environs OBJECT MOST STRONGLY with the proposal by Beaulieu Homes to access and egress the proposed development on the former Binfield House Nursery (Application 13/00966/FUL), the existing Binfield House and the existing Binfield House bungalows through the first cul-de-sac in Knox Green. The current estate road is UNSUITABLE for any additional traffic due to existing residents parking needs and the current DANGEROUS junction with Terrace Road North. Access to this development must be through an improved existing access NOT KNOX GREEN.'

Objections have been received from the Binfield Village Protection Society, Binfield Surgery and 88 individual addresses objecting to the application for reasons which may be summarised as follows:-

Proposed access/highway matters

- the Traffic Statement is flawed and inaccurate
- If parking restrictions are imposed in association with the use of the Knox Green access it will cause problems for residents and visitors
- the grass area close to the Knox Green junction will be less safe for children to play
- there are existing problems with on-street parking on Terrace Road North
- the Knox Green/Terrace Road junction is dangerous at present with poor visibility
- children cross Knox Green/Terrace Road North junction on way to school
- an improvement of the existing access to Binfield House would be better
- mini-roundabout on Forest Road congested
- footpath from Stevenson's Drive should not be closed
- problems for emergency vehicles accessing Binfield House and Knox Green

Impact on trees/wildlife

- harmful impact on bats and Great Crested Newts
- loss of trees
- concerns re tree report
- trees and hedge should be retained for wildlife
- proposed bungalows encroach on root protection area

Impact on heritage assets

- development out of character with listed building status of Binfield House and walled garden
- Binfield House and listed wall should be protected from inappropriate development
- no justification for removal of outbuildings attached to wall

- does not allow relationship between Binfield House and kitchen garden to be maintained
- proposed houses taller than garden wall
- no alteration should be allowed to garden wall
- former rose garden should be protected under listing

Impact on living conditions/residential amenity

- increase in noise from additional traffic using Knox Green
- impact on properties in Knox Green, especially 62-69
- will radically affect residential amenity of Binfield House and bungalows next to it
- loss of privacy to houses in Stevenson Drive and Knox Green
- increased noise and pollution
- impact on route to Binfield Surgery for less mobile residents
- construction traffic will have a harmful impact

Impact on Binfield Surgery

- the doctors would lose parking
- doctors surgery should be extended and/or more parking for it provided
- reduction of daylight to Binfield Surgery
- will prevent expansion of Binfield Surgery
- house close to Binfield Surgery will be overbearing and overlook 3 consulting rooms

Impact on infrastructure

- impact on infrastructure in Binfield
- roads, schools, surgery, parking, sewage and waste water service, library and shops under significant strain

Design of proposed development

- density too high and out of character
- affordable housing and retirement homes are needed, not 5 bedroom houses
- overdevelopment
- banks of garages shown are very unappealing
- no communal greenspace
- many gardens back on to parking areas - not secure
- cramped - small gardens
- parking too far from elderly housing
- insufficient parking
- poor design
- certain houses fail to meet Lifetime Home standards
- garages too small
- no bin store for terraced dwellings
- privacy of new residents not safeguarded with many houses and gardens overlooked
- ugly designs and design features
- parking and internal circulation within site unacceptable - conflicts between pedestrians, cyclists and vehicles - safety hazard
- parking under FoGs not suitable for all users

Drainage

- the Flood Risk Assessment does not reflect surface water drainage problems in south-west corner of site

- land drainage systems should alleviate current and future surface water run-off from site must be implemented

Other issues

- Design and Access Statement incorrect and misleading
- dwellings proposed will make no significant difference to housing land supply

Bracknell Forest Homes (owners of Binfield House) made comments which may be summarised as follows:-

- no formal approach received by Bracknell Forest Homes about potential loss of rights of way
- proposed accommodation for elderly people welcomed but must be genuinely affordable
- the parking for elderly person's accommodation is too far away from the properties for elderly people with mobility issues
- proposed pond could lead to high service charges for its maintenance
- unfenced rear gardens of elderly person's accommodation are inappropriate for security
- occupiers of new private dwellings might access land to front of Binfield House - a fence should be provided
- a safe access plan for both traffic and pedestrians to Binfield House will be needed for the construction period.

6. SUMMARY OF CONSULTATION RESPONSES

Binfield Parish Council (comments on application as amended)

Recommends refusal:

1. The parish council is deeply concerned about the handling of these applications. The plans that have been published on 14 July are so different in concept and detail from the tender document requirements that they would not have been acceptable if proffered at that time.

In the latest version of the plans there is no community provision, the bungalow accommodation for older people has been changed to 2 floors with the bathroom located on the upper floor and the number of units reduced from 8 to 6. The location of the only bathroom upstairs seems inappropriate for older people who may have problems using the stairs.

None of the plans now presented show the junction of Knox Green and Terrace Road North. The current level of parking near this junction already has site lines problems which will only be worsened if this application is approved.

The plans now presented are dated March 2014. These latest plans should have been released to the public as soon as possible to allow proper consideration. Now the residents have little time to make their comments against a tight deadline

2. The proposed development is located on land within the curtilage of the Grade II Listed Binfield House and should be protected under this listing. The building of modern houses within and around the walled garden is in conflict with NPPF policy 132 & 130a and is therefore not acceptable in principal. It would cause unacceptable harm to the character and visual amenities of the area and the rural setting of this edge of Binfield. The proposal would therefore be contrary to Policies CS, CS2, CS7 and CS9 of the Core Strategy Development

Plan, saved policies EN1, EN8, EN20 and H5 of the Bracknell Forest Borough Local Plan, the Character Areas Assessments SPD and the National Policy Framework.

3. The proposal fails to provide a safe and adequate access to the site paying regard to road conditions. This will lead to conflict on Knox Green to the detriment of road safety. The proposed development is therefore contrary to Bracknell Forest Local Plan Policy M4 and the Core Strategy Development Plan Document Policy CS23.

4. The proposal fails to provide adequately for access to/from the doctors surgery, which is contrary to the aims of sustainable development and contrary to Bracknell Forest Local Plan Policy M6 and the Core Strategy Development Plan Document Policy CS23.

5. The proposed development would unacceptably increase the pressure on the transport network, public open space, built sports facilities and education facilities. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards the transportation network, public open space, built sports facilities and primary education facilities, the proposal is contrary to Policies CS6 and CS24 of the Bracknell Forest Core Strategy DPD, Policies M4 and R4 of the Bracknell Forest Borough Local Plan and the Limiting the impact of Development SPD.

6. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicants have not satisfactorily mitigated the development to comply with the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012. In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would therefore be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and to the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012.

7. The applicant has failed to adequately assess the impact of the development on the local road network which could lead to capacity of junctions being affected creating unacceptable delays and queues to the detriment of road safety. The proposed development is therefore contrary to Bracknell Forest Local Plan Policy M4 and Core Strategy Development Plan Document Policy CS23.

8. The wildlife issues, although the introduction of a pond provides some mitigation, it has not been demonstrated to the satisfaction of the Parish Council that the proposed development would not have an adverse impact upon reptiles, bats and stag beetles which are a protected species. As such, the development would be contrary to Policies CS1 and CS7 of the Core Strategy Development Plan Document.

Specifically:

a. It is noted that the re-instatement of the surgery car park places is helpful. However, there is no opportunity to expand the surgery or its car park. Patients who are currently driven as passengers from Binfield House to the surgery will now have to be taken through Knox Green and Terrace Road North, adding to the traffic movements.

b. Access to and from Knox Green has not been adequately considered and takes no account of existing restrictions. The access will service traffic movements for 69 dwellings, including delivery vehicles, emergency vehicles, coaches as well as private cars.

- c. Access to and from Binfield House has not been adequately considered for elderly residents. Right of Way for access down the drive from Terrace Road North to the Binfield Surgery needs to be assured for the access by vehicles and pedestrians to the surgery site.
- d. Parking for older people dwellings is poorly considered and are remote from the units and the spaces are not overlooked by other residents who might see potential security problems.
- e. There is inadequate parking for visitors and inadequate road width for on-street parking. The development would have a detrimental effect on the Grade 2 listed building and its curtilage. As heritage assets irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm or loss of a Grade 2 listed building, park or garden should be exceptional.
- f. Inadequate provision for service vehicles, bin lorries etc.
- g. The proposal is an excessive overdevelopment and is not in keeping with the character of the village or comparable to densities within the same area.
- h. The proposal does not appear to consider adequate disposal of surface water drainage. As there is a high water table and the sink hole has been capped.
- i. Inadequate mitigation measures are shown for wildlife. The pond is too small, the crested newts are protected by European law, but there are no clearly defined plans or defined measures for their protection.
- j. Existing educational facilities in Binfield are already overcrowded. What provision has been made for additional school places for new residents
- k. The orientation of the properties on the current proposal has not been considered for a Grade II listed building.
- l. The orientation of the properties on the current proposal has not been considered for adjoining properties. An example is the dormer/velux windows facing outwards to existing dwellings rather than inwards to the proposed development.
- m. The orientation of the properties on the current proposal has not been considered for privacy of the surgery.
- n. The setting of the wall has been affected by the detrimental overdevelopment within the wall.
- o. The maintenance of the wall needs forward planning. It needs to be clear who owns the wall and who is responsible for the ongoing maintenance with guidelines or rules regarding these issues.
- p. The proposed mixed layout places families next those residents seeking a quieter setting.
- q. When developers and others were invited to bid for the site it was made clear that it is a special and sensitive site that needed particular care with a number of requirements to be met. There is no evidence that the proposed design adequately takes these requirements into account. The Design Concept Principles required that certain conditions were addressed with respect to the Walled Kitchen Garden and Layout of the site. The quotes below are from the document:
- i "Limited housing within the walled Kitchen Garden is acceptable if designed appropriately and relates to the character, former use and context of this part of the site. Smaller, bespoke

units relating more to a mews/courtyard style development would be appropriate." In the proposal, within the wall the area is closely packed with housing and parking. In this layout there is no opportunity for people to see and appreciate the retained wall as it is masked by dwellings on both sides.

ii "The retained wall should be visible, in part, within and outside the walled garden. However, private gardens can take advantage of Kitchen Garden wall as a boundary as long as some parts of the wall are open to view". In the proposal, outside the wall is visible from the road but inside there are no stretches of visible wall, except from the houses which have the wall as a boundary to their gardens. Even then, the plans for the P type dwellings within the wall have no windows at the rear through which the wall can be viewed or enjoyed.

iii "Any proposal should retain a central open space for an open garden area". In the proposal there is no garden area, in fact the 3D projection shows most of the whole central area of the garden paved for access and parking. There is no provision of even a small area for sitting or that could be described as a garden area. "A pedestrian route through the garden should be provided to give this area a more public and accessible feel to ensure all residents can benefit visually from the retention, in part, of the walled garden area." The proposal does not offer this benefit. This proposal does not deal with the Walled Garden sensitively as within the curtilage of a Grade II listed building.

iv "A suitable quantum of development should be provided to avoid a cramped urban layout that does not respond to the more organic growth of the area and context of the site." This proposal is most definitely urban in style, particularly within the wall which should have had a more garden feel to it.

r. Site contamination has been reported but not investigated. This includes contamination from coal tar (group 1 carcinogen), bitumen (group 2b carcinogen), road chippings, scalplings, insecticides, fertilisers and herbicides. It is necessary that an investigation takes place to identify, remove and take any remedial action required before the site is released for development.

s. There is no arboreal report to identify the quality, location and risk of construction damage to mature trees.

t. It appears that the majority of the 117 objections to the original plans have not been addressed in any serious manner.

Environment Agency

Comments in Surface Water Pro-Forma forwarded include the following: The FRA shows soakaways and infiltration trenches will not be suitable due to the presence of impermeable clays beneath the site. Water reuse and green roofs are not considered practical options. The only suitable solution would be based on storage and attenuation using a tank, pond or storm cells below the car parking area. The drainage layout should be considered at the detailed design stage based on the principles outlined in the FRA and these issues are usually covered by a planning condition. [Officer comment: this is included in the Recommendation].

Berkshire Archaeology

The applicant has submitted an archaeological desk-based assessment of the application site (Thames Valley Archaeological Services 2012). This report satisfactorily sets out the archaeological background and potential of the site. An assessment of the impacts of previous developments, including garden features, on the site was also undertaken by this

office. The conclusions of this research were that the site is of moderate archaeological potential but that there has been a significant level of previous disturbance, which has reduced the potential for the survival of buried archaeological remains. On this basis further archaeological investigation prior to or during construction, should the scheme be permitted, is not merited.

English Heritage

English Heritage were notified in 2013 of the schedule of Proposed Modifications to the Site Allocations DPD which included the Binfield House Nursery site. In their response they noted that only the site at Binfield Nursery would affect a designated heritage asset, being adjacent to the Grade II listed Binfield House. They commented that they were pleased to see that the requirements for this site include "Have regard to the setting of the adjacent listed building (Binfield House) and curtilage structures including the walled garden" and "Retention of the walled garden".

In relation to the current application they make the following comments:-

Binfield House was built as a country house. The first detailed map of the area, the 1881 first edition of the 25" OS map, shows a relatively small garden around the house which itself is surrounded by open fields. The 2nd edition of this map (published in 1899) shows the house enlarged to its current size along with an enlarged garden, including a drive linking the property to Wick's Green, along with the walled garden. Despite the encroachment of suburban development around the house in the later 20th century, which has included the demolition of nearby outbuildings, presumed to be a stable block, Binfield House retains enough open land around it to preserve its character as a country house. This is particularly true in views from the south, where the main frontage of the building is still set alone among extensive lawns. The walled garden enhances the historical value of the building to an extent as it forms a record of the way in which the house was serviced when at its largest extent.

Disappointingly the impact on the setting of this grade II listed building has not been considered at all in the Design and Access statement accompanying the application. The proposed development to the south of the house (units 10 and 19-24) would be visible in views from the south. Views of the principle elevation would no longer read as a country house set in extensive grounds but a house surrounded by suburbia. Thus one of the important elements of the significance of this building, the fact that it was a country house and retains much of the character of such a building, would be seriously compromised.

Furthermore, the proposal for development in and around the walled garden is so extensive that any sense of its original form and purpose would effectively be lost, along with any visual connection with the principal building.

The harm the proposed development would entail to the setting of this house, and thus its significance, is therefore relatively high. Paragraph 134 of the NPPF requires the harm to significance of a designated heritage asset to be weighed against the public benefits of the proposal. Given the relatively high level of harm involved we would suggest that the Council do not grant permission unless the proposal delivers a very high level of public benefit which would outweigh this harm and could not be delivered by other means. A public benefit of this nature is not immediately apparent from the application documents.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

The Ancient Monuments Society

No comments received.

The Council for British Archaeology

No comments received.

The Georgian Group

Binfield House began life as a comparatively modest but architecturally interesting villa in 1776 and has gothic fenestration and other detailing reminiscent of Walpole's Strawberry Hill. It has substantial later additions in a similar idiom, some by Nugent Cachemaille-Day. As the house increased in size a kitchen garden was added to the estate, presumably in the 1890s. It was listed at Grade II in 1972. It is now a nursing home but it is not inconceivable that it might one day return to single private use. After the house was sold to the Local Authority in 1974 housing developments encroached on the setting of the house but it is still legible as a house in its own grounds, assisted by the retention of the nineteenth century kitchen garden.

The proposal to build housing inside and around the kitchen garden would be damaging to the setting of the Grade II listed building and this damage would be unacceptable. The erection of polytunnels and other modern garden structures within the kitchen garden has perhaps gradually, but superficially, eroded the visual significance of this part of the historic landscape and given the impression that it might be a suitable site for more permanent development.

The Group advises that not only is this site not suitable for residential development but that the Council should further enhance this part of the historic environment by treating the assets under their care in a sympathetic and exemplary manner and reinstating as much of this historic appearance of the kitchen garden as is possible.

The Group therefore objects to the granting of consent, supports the advice given by the Victorian Society and English Heritage, and advises that the historic significance of the Binfield estate is not only preserved but enhanced by implementation of a conservation management plan. The Council has undertaken some good and encouraging work already, in the form of the 2012 Statement of Significance, which rightly concludes that the walled kitchen garden is of high significance. This approach should now be augmented by practical steps to preserve and enhance this historic estate.

The Society for the Protection of Ancient Buildings

No comments received.

The Victorian Society

The Society objects to the application to demolish existing structures within the walled garden and build several dwellings within the walls.

The walled garden forms part of the curtilage of the eighteenth century Binfield House. In the statement of significance for Binfield House produced by Bracknell Forest Council in January 2012, it is stated that "Of the 19th century, the most important surviving feature is the walled garden and its attendant (though in places derelict) outbuildings which once provided food for the house." (Executive Summary, p.2). As a walled garden, its significance is not retained merely by the preservation of the walls themselves, but relies on its openness so that it can still be clearly read as a garden. Even one dwelling would change the character of a walled garden; the scale of development in these proposals, which includes both buildings and division of land into gardens, is such that the garden would lose a large amount of its significance.

The demolition of the surviving structures in the walled garden, several of which were appraised in the statement of significance as being original to the garden, and at least one of which has been refurbished and is in use, would compound the harm caused, by removing structures which demonstrate clearly the function of the site. This harm has not been justified.

We recommend that the application is refused.

The Twentieth Century Society

No comments received.

Council's Principal Conservation Officer

No objection subject to conditions.

Highway Authority

No objection subject to conditions and a s106 agreement to ensure the applicant enters into a S38/S278 agreement and to secure contributions to mitigate the impact of increased pressure on highways and transportation infrastructure.

Tree Officer

Comments incorporated in report.

Environmental Health Officer

No objection subject to conditions including those covering site contamination.

Biodiversity Officer

No objection subject to conditions.

Crime Prevention Design Advisor

Provided detailed comments on application as originally submitted which have been taken account of in amended plans/proposed conditions.

Housing Enabling Officer

Comments incorporated in report.

7. DEVELOPMENT PLAN

The Development Plan includes the following:-

- Core Strategy DPD (February 2008)
- Site Allocations Local Plan (July 2013)
- Policy NRM6 of the South East Plan (May 2009)
- Bracknell Forest Borough Local Plan (January 2002) (saved policies)
- Bracknell Forest Borough Policies Map 2013

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This is reflected in the Site Allocations Local Plan (SALP) Policy CP1, which sets out that planning applications which accord with the Development Plan should be approved without delay, unless material considerations indicate otherwise. Policy CP1 also sets out a positive approach to considering development proposed that reflects the presumption in favour of sustainable development contained in the NPPF. Regard will also need to be had to Policy CS1 of the Core Strategy relating to sustainable development principles, which is considered to be consistent with the NPPF.

The site is allocated for housing in the SALP. It constitutes a previously developed site within a defined settlement, and as such is listed in Policy SA1.

The NPPF encourages the effective use of previously developed land, provided it is not of high environmental value (bullet 8 of para. 17 and para. 111).

Core Strategy Policy CS2 sets out a number of locational principles for new development within Bracknell Forest, and states that development will be permitted within defined settlements and on allocated sites. As the site is both within a defined settlement and allocated in the SALP, it accords with the locational principles contained in Policy CS2.

The application site is estimated as having a capacity for 33 dwellings in the SALP and forms part of the Council's provision to meet its overall housing requirement set out in CSDPD Policy CS15. It also forms part of the 5 year housing land supply. The SALP makes it clear that the estimated capacity is subject to a list of requirements derived from site constraints.

The application scheme proposes 9 fewer units than the estimate contained in the SALP. For the reasons set out below, this is considered acceptable in view of the constraints on this site, in particular the heritage features on and adjoining the site. The reduced number of units would also minimise any adverse impacts on the living conditions of nearby residents.

CSDPD Policy CS16 requires a range of housing types, sizes and tenures. This policy can be afforded full weight as it is considered to be consistent with para. 50 of the NPPF. The scheme would provide a mixture of sizes of dwelling, including housing for the elderly.

Overall the proposal is considered to be acceptable in principle.

The requirements in the SALP for this site include the following:-

- Have regard to the location of the site adjacent to Binfield Area A of the Character Areas assessment Supplementary Planning Document;
- Appropriate tree surveys and protection of trees;
- Retention of important trees within the site;
- Investigation and remediation of any land contamination;

- Transport Assessment to assess the impact of the proposals upon the local road network and junctions;
- Provision of affordable housing;
- Provision of open space;
- Appropriate ecological surveys and mitigation of any impacts;
- Have regard to the setting of the adjacent Listed Building (Binfield House) and curtilage structures including the walled garden;
- Retention of walled garden.

These and other matters are considered in the remainder of the report.

9. IMPACT UPON LISTED BUILDINGS AND SETTING OF LISTED BUILDINGS

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses." The effect of this section is that there is a strong statutory presumption against approving works which do not preserve the listed building or its setting.

Section 12 of the NPPF deals with conserving and enhancing the historic environment. Paras 131 to 134 state:-

'131. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public

ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

CSDPD Policy CS1(ix) states that development will be permitted which protects and enhances historic and cultural features of acknowledged importance. Policy CS7(i) states, inter alia, that development proposals will be permitted which respect the historic environment.

Policies CS1, CS7, EN1 and EN20 are considered to have significant weight, as they are consistent with sections 7, 11 and 12 of the NPPF.

The elements of these policies that have been highlighted above are picked up in the assessment below.

Impact on the setting of Binfield House

As noted stated above, under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects the setting of a listed building the LPA has to have **special regard** to the desirability of preserving its setting. Case law establishes that:-

- 'preserving' means doing no harm to the listed building or the setting of the listed building
- 'special regard' means more than merely giving weight to these matters in the planning balance
- there is a strong statutory presumption against granting planning permission for any development which fails to preserve a listed building or its setting.

Accordingly, if it is concluded that development would harm the listed building or the setting of a listed building this harm must be given considerable weight.

Binfield House is a grade II listed building. It dates from the late C18th and was altered and extended in the C19th and again in the C20th. A 'Statement of Significance' was prepared for the Council and published in January 2012. This identifies the special significance of the building and its site by considering its historical development and the value of the surviving features.

The Statement considers that the principal element is Binfield House itself, which is interesting as an example of the use of 18th century Gothic details although the interior is mostly of c1928 or later. Of the 19th century, the most important surviving feature is the walled garden and its attendant outbuildings. The Statement includes a plan showing the significance of surviving features. The house itself and the former walled garden are shown to be of 'high' significance. Trees and shrubbery which contribute to the setting of Binfield House are also identified.

The comments of English Heritage are set out above. It concludes that the harm the proposed development would entail to the setting of Binfield House is relatively high.

The proposed dwellings nearest to Binfield House are houses on plots 7-10 and chalet bungalows on plots 19-24. The houses lie between 30 and 50m from the listed building and

there is a group of trees, which are to be retained, which limit intervisibility between the proposed houses and Binfield House

The proposed L-shaped terrace of chalet bungalows for the elderly, and the parking serving these dwellings, has a greater impact on the setting of Binfield House as it is located on the open grassed area to the south of the listed building. The nearest unit is 45m from Binfield House and the nearest parking space some 30m away. The front of Binfield House faces south-west and this part of the development is to the south of the south-eastern end of the house.

The proposed terrace of chalet bungalows and the bin-store and car parking serving it would not intrude on views of the front of Binfield House from the south-west; they would, however, be apparent on the edge of such views. Given the separation of the dwellings and the parking from Binfield House and the relatively modest height of the dwellings (6.5m) it is not considered that they would be visually obtrusive. The design of the terrace is relatively simple and with careful attention to facing materials and to the surfacing of the parking area and footpaths and boundary treatments (which can be controlled by condition) any harmful impact on the setting of Binfield House can be further reduced.

In conclusion the proposed development would have an adverse impact on the setting of the grade II listed Binfield House and therefore would not preserve its setting. This matter is considered below in relation to Section 12 of the NPPF.

Impact on the former walled garden

This is not identified in the listing of Binfield House but, as a structure built before 1948 lying within the curtilage of the house, it is 'curtilage listed'. Accordingly a listed building application for works to it has been submitted (reference 13/00967/LB) which is the subject of a report elsewhere on this agenda.

The application proposes works that would affect both the fabric of the walled garden and also development that would affect its setting.

In terms of the former, the proposal involves:-

- the removal of two lean-to buildings built on the outer side of the C19th walled garden (one on the north and one on the west side),
- the widening by about 2.5m of an existing opening on the west side of the walled garden, and
- the infilling, with brickwork, of an existing archway on the south side of the walled garden.

Aside from the widening of the existing access on the western side of the wall - from 3.4m to 6m - to provide vehicular access to the area within the walls, the wall would be retained and a condition is recommended for works to secure the long-term safety and stability of the garden wall, including measures to strengthen it as necessary.

The application also proposes the erection of dwellings both within and around the walled garden which would affect its setting.

The nearest proposed building (the garage on plot 12) would lie a metre from the wall and the nearest house 2m away (plot 1) but generally greater clearances are shown. The full extent of the outer edges of the western and eastern sides of the former walled garden would be visible from the access road whilst the taller northern length of wall would be visible above the boundaries of plots 5 and 6 and across the parking area between the two houses. Views of the inner edges of the wall would be more limited because of proposed development (see below) but an adopted route east-west through the centre of the walled garden (utilising the

widened opening on the western edge and the existing archway on the eastern side) will allow some views of the wall.

The proposed buildings within the former walled garden are arranged in a symmetrical fashion with a hard-surfaced parking courtyard on the western half, overlooked by the FOGs, and a planted area between the two pairs of semi-detached houses to the east. The dwellings within the walled area, and those to the north, are a maximum of 8m tall.

Houses are proposed outside the walled garden, facing it to the west and east and side-on to the north and south. These are generally taller than those within the walled garden (2.5 storey houses are proposed to the west - plots 7, 8, 9, 10 and 11 and to the east - Plots 2 and 3) but generally lie a minimum of 12m from the wall. A tall (9.3m to ridge) two-storey house lies to the south, a minimum of 4m from the wall) but because of its location it is less prominent in the streetscene.

The dwellings proposed would be brick-built and the colour and texture of the bricks used can be chosen to complement the bricks in the wall.

The access road will also affect the setting of the wall but as a shared-surface it will have margins which can be planted with grass or low-growing shrubs which will provide a softer appearance, close to the wall, than footways. Again materials used for the surface of the roadway can be chosen to be in sympathy with the appearance of the wall.

As noted above, English Heritage is of the view that the development in and around the walled garden is so extensive that any sense of its original form and purpose would effectively be lost, along with any visual connection with the principal building.

The Victorian Society is of the opinion that the scale of development is such that the garden would lose a large amount of its significance and that the demolition of the structures would compound the harm caused.

The Georgian Group considers that the proposal to build housing inside and around the kitchen garden would be damaging to the setting of the listed building and that this damage would be unacceptable.

Overall conclusion on the impact on heritage assets

The proposed development will have adverse impacts on the listed building setting of Binfield House and on the fabric of the existing walled garden and its setting. As stated above, under the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering this application the LPA has to have special regard to the desirability of preserving the building and its setting.

In relation to the NPPF, if it considered that the proposal will lead to substantial harm to, or a total loss of significance of a designated heritage asset, consent should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits which outweigh that harm or loss (para 133). If the proposal will lead to less than substantial harm, that harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para 134).

Advice in the National Planning Practice Guidance (NPPG) on how to assess if there is substantial harm includes the following:-

'Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy

Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.'

It is not considered that the proposal will lead to a total loss of significance of the designated heritage assets on and adjoining the site. The report above outlines how the application, as amended, seeks to respond to conserving heritage assets whilst providing new dwellings in accordance with the SALP. It is concluded that the harm will be 'less than substantial' and therefore, in line with para 134 of the NPPF it has to be decided whether public benefits, including securing an optimum viable use, are associated with the proposed development which would outweigh the harm to heritage assets.

In your officers' view the provision of the dwellings proposed, in accordance with the SALP, would justify the grant of planning permission notwithstanding the strong statutory presumption against development which does not preserve a listed building or the setting of a listed building. It is therefore concluded that approving the application would not be contrary to policies CS1, CS7 and EN20 (iii) and Section 12 of the NPPF.

Objectors have drawn attention to a rose garden laid out on the south-western part of the application site in the 1920s which was filled in at some point after the 1980s, none of which currently protrudes above ground level. This is not considered to be an 'object or structure' within the curtilage of a listed building. The presence of this former garden feature was acknowledged in the preparation of the Statement of Significance. That study concluded that the remains of the rose garden were of 'low significance'.

10. IMPACT ON CHARACTER AND APPEARANCE OF AREA

The NPPF at paragraphs 56 and 57 confirms that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. It is therefore important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

CSDPD Policy CS7 and saved BFBLP Policy EN20 set out various design considerations to be taken into account in new development. Policy CS7 requires a high quality of design which builds on local character and respects local patterns of development and the historic environment. Of particular relevance to the current application is that it expects development proposals to promote safe communities; enhance and promote biodiversity; aid movement through accessibility, connectivity, permeability and legibility and to provide high quality public realm. Saved BFBLP Policy EN20 requires that the development be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials, layout and siting, both within itself and in relation to adjoining buildings, spaces and views. Proviso (ii) seeks the retention of beneficial landscape or ecological features. Proviso (iii) seeks to ensure that the design promotes, or creates local character

and a sense of local identity. Proviso (vi) seeks to avoid the loss of natural features such as trees.

Saved BFBLP Policy EN1 seeks to prevent the loss of trees which are important to the retention of, inter alia, the character and appearance of the landscape or townscape.

Impact on the character and appearance of the whole site

Being set back from Terrace Road North, Wicks Green and Knox Green the site as a whole is not visually prominent when viewed from the main routes through Binfield. Looking at the site as a whole, it is considered that the proposal is in sympathy with the appearance and character of the local area and appropriate in scale, mass, design, materials, layout and siting both in itself and in relation to adjoining buildings, spaces and views as required by BFBLP Policy EN20 (i). The proposed units closest to houses and bungalows in Stevenson Drive (plots 4, 5 and 6) are two-storey and at 8m tall are of an average height for a modern house. The larger houses on the site are generally closer to the detached houses at Knox Green or the Binfield Surgery.

Within the site the proposed dwellings are front or side-on to the proposed access road, apart from the elderly person's accommodation which looks over the open area to the front of Binfield House. There is a consistent design approach with the proposed dwellings being brick-built with simple fenestration and pitched roofs with gable ends.

The siting relationships between proposed dwellings are considered to be acceptable and whilst some of the proposed gardens are modest in size they have been designed to be usable and not unacceptably overlooked.

The Character Areas Assessment SPD is a material consideration in decision making. It provides guidance to supplement Core Strategy Policy CS7 (Design). However, much of the guidance for Binfield contained in the Character Areas Assessment SPD is not directly relevant to this site, but the design of the proposed dwellings is considered to be in accordance with the comments on 'built-form' which describes Victorian development in the village as being characterised by simple building and roof forms and relatively plain elevations.

In conclusion it is considered that the proposed development would have an acceptable impact on the character and appearance of local area and as such is in accordance with policies CS7, EN20(i) the Character Areas SPD and NPPF Chapter 7.

Trees and landscaping

There is modest space for planting within the centre of the site but the development will benefit from trees along the existing drive to Binfield House and those to the south-east of Binfield House. The proposed elderly person's accommodation looks towards the green area to the south of Binfield House which contains mature trees and which will be enhanced by the formation of a pond and wildflower meadow. Further mature trees lie to the south.

The application has been amended in the course of its consideration to respond to comments made by the Tree Officer. The group of trees to the south-east of Binfield House has been removed from the back gardens of the proposed houses on plots 7-9 and the number of houses on this part of the site reduced to increase the size of the rear gardens of those closest to the trees. The house on plot 6 has been moved further from the trees on the north side of the drive to Binfield House. The elderly person's accommodation (plots 19-24) has been moved east and out of the root protection area of the mature Oak on the western

edge of the site. There is some tree loss, however, associated with the application. This comprises trees:-

- on the eastern edge of the site (to the front and side of 64 Knox Green) and to the north-west of the Binfield Surgery
- to the west of 57 Knox Green, and
- one tree on the southern edge of the group of trees to the south-east of Binfield House.

Of these, only one tree is classified as being of high quality. This is a semi-mature Red Oak (T5) lying to the west of No 57 Knox Green. The loss of this tree is unfortunate but it is considered that there is space for replacement planting on the western part of the site to compensate for its loss. The removal of the other trees on the site is not considered to be of overriding concern.

In conclusion, although there would be some tree loss, including the loss of a high quality Red Oak, on balance the proposed development is not considered to have an unacceptable impact on existing trees and landscaping subject to appropriate replacement planting and landscaping that can be secured through conditions. The proposal is therefore in accordance with policies CS1, CS7, EN1 and EN20 (ii).

Conclusion on the impact on the character and appearance of the area

The redevelopment of the site for residential purposes, in accordance with the SALP, will result in major changes to the existing character and appearance of the site. The proposed development will affect the setting of Binfield House, a listed building, and the former walled garden, a curtilage listed structure. These impacts are assessed above and it is concluded that the harm to the significance of these designated heritage assets is outweighed by public benefits. With appropriate conditions and obligations the C19th wall will be repaired and its future secured.

Notwithstanding the impact on the character and appearance of the area, which will include the loss of some trees, the proposed dwellings are considered to be well-designed and with appropriate materials will result in a development that accords with development plan policies CS1, CS7, EN1 and EN20 and sections 7, 11 and 12 of the NPPF.

11. RESIDENTIAL AMENITY

Saved BFBLP Policy EN20 proviso (vii) seeks to prevent development that would adversely affect the amenity of surrounding properties. This is consistent with the NPPF.

The possible impacts on the amenity of surrounding properties could arise from loss of privacy, loss of sunlight/daylight, visually overbearing impacts and disturbance from additional traffic. These matters are considered below in relation to the properties most likely to be affected.

54-56 Knox Green - the elderly person's accommodation on plots 22-24 backs on to the back of these houses. Given the separation of a minimum of 20m to boundaries, 30m to dwellings (cf 10m and 22m in the Council's guidelines) and screening provided by vegetation which is to be retained, this relationship is considered to be acceptable.

57 Knox Green - this house faces west and has a detached double garage to the front. A 2.5 storey house on plot 11 is proposed to the north-west and a 2 storey house to the north-east together with parking spaces at the end of a turning-head to the north. The house on plot 11 would be at right-angles to No 57 so any window-window relationships would be at an oblique angle and any overlooking of the curtilage would be across land to the front of the

house which would be partially screened by the property's garage. This relationship is considered to be acceptable.

The proposed parking at the end of the turning head will lie close to the boundary but with a suitable fence or wall (to be secured by condition) will not be unacceptably unneighbourly.

The proposed house on plot 12 would project beyond the existing back wall of No 57. The nearest element to No 57 is single-storey and is 1m from the boundary and the proposed house lies to the north of No 47. With this siting relationship it is not considered that there would be any unacceptable loss of sunlight/daylight or visually overbearing impact.

64 Knox Green - the back to back distance to the proposed house on plot 12 (some 27m at a slightly oblique angle) exceeds the Council's minimum guideline and the rear-facing first-floor windows are 10m from the garden boundary which meets the Council's guideline. This relationship is considered acceptable.

Nos.18-21 Binfield House - these single-storey elderly person's dwellings back on to the drive to Binfield House with an open amenity area in between. The 2.5 storey house on plot 7 would face towards this. The affected dwellings lie at an angle to the drive, however, so the nearest dwelling directly faced by the new house (No. 21) would be some 30m away. This complies with the Council's guidelines for such relationships and is considered acceptable. It is not considered that the proposed development would have a materially harmful impact on the living conditions of the residents of Binfield House itself.

Nos 38-41 Stevenson Drive - these houses back on to the drive to Binfield House and would be faced by the proposed 2 storey houses on plots 5 and 6. The minimum separation between the house on plot 6 and these houses is 28m (17m to the nearest garden boundary). This meets Council guidelines and is considered acceptable. Because the houses are at an angle to the drive, however, and as plot 5 sits slightly further forward on its plot the separation between this house and the nearest house in Stevenson Drive is less (a minimum of 23m between houses and some 12m to the nearest garden boundary faced). This still meets Council guidelines but to reduce any possible overlooking the nearest bedroom window on the proposed house on plot 5 has been moved to its end elevation so that it looks east over its garden rather than north towards Stevenson Drive. Overall this relationship is considered to be acceptable.

Nos. 35 and 36 Stevenson Drive - the proposed house on plot 4 lies a minimum of 18m from these bungalows. It has no side (north) facing windows above ground floor level, however, and its relationship with these bungalows is considered to be acceptable.

Binfield Surgery - this is a single-storey building with accommodation at first-floor level in a mansard style roof. The proposed 2.5 storey house on plot 3 lies to the north-west - a minimum of about 9m away - while the 2.5 storey house on plot 2 lies a minimum of about 6m away to the west. Neither of the proposed houses has habitable rooms above ground floor level facing towards the surgery. Both have bathroom/en-suite windows that face east but a condition can be imposed to ensure that these are obscure-glazed. The main impact on the surgery will be loss of sunlight/daylight. Because it lies further away and to the north-west it is not considered that the proposed house on plot 3 will have a significant impact on the surgery. The proposed house on plot 2 is closer however and will cast some shade over the surgery building at certain times of the day and impact on daylight. The rooms most affected would be those on the ground floor on the south-west part of the surgery. Two of the three rooms most affected are dual-aspect. The third, understood to be a consulting room, faces west towards the eastern elevation of the proposed house. To try and address concerns raised by the surgery this house has been moved slightly to the west and using information available it appears that with this change the amount of daylight reaching the

window (based on the 'vertical sky component' measure contained in the Building Research Establishment's 'Site layout planning for daylight and sunlight - a guide to good practice') would meet levels normally considered to be acceptable. Overall it is acknowledged that the proposed development would lead to a loss of sunlight and daylight reaching the surgery but it is not considered that the impact is so great as to justify refusing the application.

Elmdyke - this house fronts onto Terrace Road North. The south facing windows on the proposed house on plot 2 will have oblique views over the end of this property's back garden but the degree of overlooking likely to arise is not considered to give rise to significant harm.

Houses at Knox Green - the use of Knox Green as a vehicular access to serve the proposed development and existing accommodation at Binfield House will impact on properties in Knox Green, particularly Nos 62-69, as it would result in an increase in the number of vehicles passing these dwellings. This will increase the noise and disturbance experienced by these properties, especially Nos. 63-66 which at present are at the end of a cul-de-sac. The owners of Nos. 64 and 65 control land over which the proposed access will be built and so they can determine whether the development proceeds or not. The other two houses most affected, Nos 63 and 66, are set back from the road by a minimum of about 8m with mature front gardens. Whilst they will experience greater disturbance than at present, taking account of the siting of houses and the likely traffic flows it is not considered that the harm to living conditions is likely to be so great as to justify refusing the application.

Conclusions on impact on amenity of existing properties

The proposed development will impact on a number of existing properties lying close to the site, mainly dwellings but also the Binfield Surgery. The impact of the proposed development on existing living conditions is recognised, as outlined above, but it is concluded that none of the impacts would be so unacceptable as to justify refusing the application, therefore, the proposal is not considered to be contrary to Saved BFBLP Policy EN20.

12. TRANSPORT

BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 seek to promote or retain safe highway access and suitable off-road parking provisions, thus avoiding highway safety implications. This is consistent with the objectives of the NPPF.

Access

Relevant policies include BFBLP saved Policy M4 and CSDPD Policy CS23.

The site is located in the centre of Binfield and it is currently accessed via a private access road that serves Binfield House. This road also serves the existing doctors surgery and is of limited width and has no footways. The proposal is to serve the site from an existing cul de sac on Knox Green. Knox Green and the cul de sac are 5.5m in width and this is wide enough to serve the proposed site.

The access via Knox Green currently serves 5 dwellings. In order to create access into the site the current turning head has been extended and the existing private drives at the end altered to allow the road to continue into the site. Car parking for the existing dwellings is proposed to be reprovided.

The new access road would be 5m wide reducing to 4.8m further into the site. This width is acceptable for the scale of the development. Turning heads have been provided on site and these can cater for deliveries and refuse collection.

The existing connection to Stevenson Drive is retained with the length of the existing drive to Binfield House between the new access road and the entrance to the Binfield Surgery car park connected to a footpath/cycleway. Whilst necessary, this is likely to encourage further pedestrian/cyclist activity along the existing route to Terrace Road North. A condition should be imposed to secure works to this route to improve safety, which could include lighting, signing and minor works to the road.

As described above, the site has good links with routes for pedestrians and cyclists north to Stevenson Drive and these combined with the internal road network create an improved link for users from this direction to travel to/from the centre of Binfield.

Parking Requirements:

The applicant has indicated parking in a variety of ways with driveway and garage parking and two parking courts. The proposed garages meet the required internal dimensions of 6m x 3m and drive lengths are acceptable. Overall sufficient parking is provided to meet Council standards with new parking provided for Nos 64 and 65 Knox Green to replace parking lost with the formation of the new vehicular access to the site. Conditions relating to the provision of parking are included in this report.

One space is provided for each of the elderly person's dwellings and this accords with parking standards for this type of accommodation. A condition is recommended to be imposed to restrict their occupation to ensure adequate parking provision.

A total of five visitor spaces are provided across the site, meeting the Council standard of one space per five dwellings.

Cycle parking can be accommodated on plot either within garages or in sheds, this should be conditioned.

Vehicle Movements

The development will generate additional movements through Knox Green and it is estimated that this would be in the region of 15 two way movements in the peak hours. Although such movements are new to Knox Green, they are spread across the peak hour periods and are a relatively small increase when considered against current users of Knox Green. Traffic associated with the current use of Binfield House and associated accommodation will also pass through Knox Green. The current housing is for elderly persons and in that regard generates less vehicle movements than general housing. It is not expected that significant additional traffic from this part of the site would be generated in the peak hours. Furthermore the proposed development also includes an element of elderly persons housing and thus level of traffic anticipated as outlined above is felt to be robust.

In respect of the wider road network, the previous trips the site could have generated must be considered and thus the actual impact would be reduced further.

Knox Green and the side arm that would serve the development is adequate in width and visibility to serve the proposal and in the view of the Highway Authority the main junction with Terrace Road North also has adequate visibility in both directions. The on-street parking that occurs on Knox Green does generally not extend up to the junction and there is adequate room for vehicles to pull into Knox Green without conflict with oncoming traffic. Vehicles entering the road have sufficient space to pull in and observe vehicles before proceeding up the road. The Highway Authority has the ability to restrict parking around the junction if necessary to ensure road safety.

The on-street parking that currently occurs along Terrace Road North, although not ideal, does help to control traffic speeds on approach to Knox Green and does not restrict visibility to such an extent that is considered dangerous. Vehicles approaching from the south move out to pass the parked vehicles and thus visibility of oncoming traffic is not compromised. Again, if necessary, the Highway Authority has the ability to impose restrictions if road safety conditions are compromised.

Matters to be covered by s106 agreement

S106 contributions should be sought to mitigate the impact of the proposed development on the local transportation network. These would be directed towards local improvements in the area which are likely to include junctions that are affected by potential development sites such as this contained within the SALP. The contributions could also be directed towards more local measures such as improvements along Terrace Road North to manage parking behaviour. An obligation should also be sought to secure the adoption of the proposed roads including the link to Knox Green.

13. BIODIVERSITY

Section 11 of the NPPF seeks to conserve and enhance the natural environment and in doing so requires the planning system to contribute to and enhance the natural and local environment in a number of ways. This includes recognising the wider benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 states the following: 'When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity'.

Policy CS1 of the CSDPD seeks to protect and enhance the quality of natural resources including biodiversity. Policy CS7 also requires the design of new development to enhance and promote biodiversity. These policies are consistent with the NPPF and therefore can be afforded significant weight.

Reports relating to Great Crested Newts, reptiles and bats have been submitted with the survey. The submitted bat report confirmed that the open-sided office building is being used by roosting bats. Further survey work was therefore carried out. Appropriate mitigation will be required for the loss of this roost. The Biodiversity Officer is happy for a mitigation scheme to be conditioned in this instance, given the low number of bats using the property. It seems very likely that this is an occasional roost used by one or two individual bats. He recommends conditions to cover the submission of a mitigation scheme and its implementation.

The Biodiversity Officer is satisfied with the other survey work and recommends the imposition of conditions to control works during the bird nesting season, to control external lighting, and to mitigate the impact on biodiversity including bats. With these conditions the impact on biodiversity is considered to be acceptable, and the proposal is not considered to be contrary to policy.

14. ACCESSIBILITY

Relevant policies include CSDPD Policy CS7 and BFBLP Policies EN22 and H14 which promote accessibility. These are considered to be consistent with Section 7 of the NPPF which requires inclusive design with accessible environments and can be afforded full weight.

On the basis of the information submitted the application is considered to be satisfactory in terms of the accessibility. In particular level routes can be provided between the proposed

elderly persons' accommodation and the parking area serving it. The parking spaces in this parking area are designed for use by people with disabilities.

15. SUSTAINABILITY STATEMENT AND ENERGY DEMAND

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. This policy is consistent with the NPPF and therefore can be afforded significant weight. Formal assessment of dwellings against the Code for Sustainable Homes must be carried out by an accredited assessor (accredited by BRE). The assessment has several stages: Pre-assessment Estimator, Design Stage Assessment, and Post Construction Review. All stages should be covered, and the assessments submitted to the Council.

A sustainability statement should address the following:-

- Energy and Carbon Dioxide;
- Water;
- Materials;
- Surface water runoff;
- Waste;
- Pollution;
- Health and wellbeing;
- Management; and
- Ecology.

No Sustainability Statement/ Pre-assessment Estimator has been provided demonstrating likely compliance with Code for Sustainable Homes Level 3. As such it is recommended that conditions are imposed.

Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. This policy is consistent with the NPPF and therefore can be afforded significant weight.

The applicant has submitted a Carbon Reduction and Local Energy Generation Options Report (November 2013). The report sets out options the applicant could put forward to meet the requirements of Policy CS12 however these are merely recommendations and need to be confirmed. As it stands the applicant has not met with the requirements of Policy CS12 and it is recommended that a condition should be imposed.

16. SURFACE WATER DRAINAGE

Concerns have been raised by local residents concerning existing problems with surface water drainage in the south-west corner of the site. As noted above, a flood risk assessment has been submitted which has been considered by the Environment Agency (see comments above) and the Council's Sustainable Drainage Engineer. The latter is of the opinion that the report has some shortcomings. He has therefore recommended the imposition of a condition (contained in the Recommendation below) to ensure that an appropriate sustainable drainage scheme for the site is provided and maintained.

17. PLANNING OBLIGATIONS

Affordable housing

CSDPD Policy CS17 is the basis for seeking affordable housing. This policy can be afforded full weight as it is consistent with para. 50 of the NPPF. The development exceeds the threshold (of a net increase of 15 units) for the provision of affordable housing. Six of the dwellings proposed should be affordable to accord with the Council's policy (of 25% of dwellings being affordable). It is considered that the provision of the 6no 2-bedroom chalet bungalows as affordable housing for occupation by elderly people would be appropriate.

The Housing Enabling Officer requires that there is potential to allow a future stair-lift to be incorporated in these dwellings if the needs of an elderly household require this. The stairs are a straight-run and the applicant has confirmed that the stairs will be one metre wide, so this will be possible.

The tenure of these dwellings should be for Social Rent or Affordable Rent. Their provision should be secured by planning obligations entered into by S106 Agreement.

Infrastructure Services and Amenities

CSDPD Policy CS6 states that development is expected to contribute to the delivery of:-

- (a) infrastructure needed to support growth (this site is part of planned growth in the Borough) and;
- (b) infrastructure needed to mitigate impacts upon communities, transport and the environment.

This policy is consistent with the NPPF and therefore can be afforded significant weight. The Council's Limiting the Impact of Development SPD, supplements Policy CS6 and is a material consideration.

It is considered that provision should be made to mitigate the impact from the proposed development on the following infrastructure requirements:-

1. the wider transportation network - taking account of the former use of the site - including securing adoption of roads and footpaths and turning facilities
2. local open space/recreational facilities
3. built sports facilities
4. local primary school

With regard to (2) the provision of on-site open space required by LID would be too small to function as useful recreational space. It is considered that a financial contribution to upgrade local open space/recreational facilities should be sought.

Long-term management/maintenance of C19th garden wall and trees to south-east of Binfield House

A condition is recommended to be imposed to secure the long-term safety and stability of the garden wall, including measures to strengthen it as necessary. As lengths of the wall are likely to be conveyed to several householders, if the application is approved and the development built, it is considered that an obligation is required to ensure that any future owners continue to keep the wall in a good condition.

The group of trees to the south-east of Binfield House will lie outside the curtilage of proposed dwellings. Again an obligation is considered necessary to ensure that they are managed and maintained in the future.

If the Committee accepts the recommendation below the application should be approved subject to the completion of a suitable S106 legal agreement to secure the matters referred to above

18. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

The site is located more than 5km (5.4km) from the SPA and provides for less than 50 dwellings. There are, therefore, no SPA implications.

19. CONCLUSIONS

This site is allocated for residential development under Policy SA1 of the SALP. Although the application scheme proposes 9 fewer units than the estimate contained in the SALP, for the reasons set out above, this is considered acceptable in view of the constraints on this site, in particular the heritage features on and adjoining the site. The reduced number of units would also minimise any adverse impacts on the living conditions of nearby residents. The proposed development is considered to be in accordance with Policy SA1.

A large number of objections have been received raising issues including concerns over the impacts of the proposal on:-

- highway safety and convenience
- the character and appearance of the area
- heritage assets
- residential amenity
- trees and wildlife
- local services and infrastructure including drainage.

These matters have been considered above.

It is acknowledged that the proposed development will change the character and appearance of the site. The proposed development would not preserve either the setting of Binfield House, a listed building, or the setting of the former walled garden, a curtilage listed structure. Neither would it preserve the structure of the walled garden as a listed building. It is concluded, however, that notwithstanding the statutory presumption against development which does not preserve a listed building or the setting of a listed building, planning permission should be granted in order to secure the site's contribution to meeting the Borough's need for housing as provided by SALP (albeit at a reduced level from the estimated capacity contained in SALP)..

A major concern raised by local residents is the adequacy of the proposed vehicular access from Knox Green. This matter has been carefully considered by the Highway Authority which has concluded that the proposed access would be safe and practicable.

The development will affect the living conditions of a number of those living or working close to the application site. The impacts are acknowledged but it is not considered that any of them are so severe as to justify refusing the application.

Finally impacts on trees and wildlife and local infrastructure have been assessed. With the changes made to the application in the course of its consideration and the proposed conditions and obligations included in the Recommendation below it is considered that these can be satisfactorily mitigated.

The application is considered to be in accordance with the relevant policies of the Development Plan and is therefore recommended for approval subject to conditions and the completion of a s106 agreement to secure the matters referred to in Section 17 above.

RECOMMENDATION

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

01. - mitigation of increased pressure on highways and transportation infrastructure, education, open space and built sports facilities;
- long-term management/maintenance of C19th garden wall and trees to south-east of Binfield House;
- provision of affordable housing;
- a S38/S278 agreement for the adoption of roads/footpaths on the site and to secure turning facilities

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:-

PL-1000 Location Plan
PL-1002AM Proposed Block Plan
PL-1003AN Proposed Information Layout
PL-1009A Proposed Listed wall elevations
PL-101 Plot 1 - Floor Plan
PL-102 Plot 1 - Elevations
PL-103A Plot 2 - Ground and first floor plan
PL-104 Plot 2 - Second floor and roof plan
PL-105 Plot 2 - Elevations
PL-106 Plot 3 - Ground and first floor plan
PL-107 Plot 3 - Second floor plan and roof plan
PL-108 Plot 3 - Elevations
PL-109 Plot 4 - Floor Plan
PL-110 Plot 4 - Elevations
PL-111 Plot 5 - Floor plans and elevations
PL-112 Plot 6 - Floor plans and elevations
PL-113 Plot 7 - Floor Plan
PL-114 Plot 7 - Elevations
PL-115 Plot 8 - Floor Plan
PL-116 Plot 8 - Elevations
PL-117A Plot 9 - Ground and first floor plan
PL-118A Plot 9 - Second floor plan and roof plan
PL-119A Plot 9 - Elevations
PL-120A Plot 10 - Floor Plan
PL-121A Plot 10 - Elevations
PL-122A Plot 11 - Floor Plan
PL-123A Plot 11 - Elevations

PL-124 Plot 12 - Floor Plans
PL-125 Plot 12 - Elevations and roof plan
PL-125A Plot 12 - Elevations
PL-126A Plots 13 & 18 Elevations
PL-127A Plot 13 & 18 Floor Plans
PL-128 Plot 14-17 Floor Plans
PL-129 Plot 14-17 Elevations
PL-130 Plot 14-17 Roof Plan and Elevations
PL-131B Plots 19,20,21 Floor Plans
PL-132B Plots 19,20,21 Floor Plans
PL-133A Plots 22,23,24 Floor Plans
PL-134A Plots 22,23,24 Elevations
PL-135 Bin Store plans and elevations
PL-21A Double garage for No. 64 Knox Green

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

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

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

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

04. The development hereby permitted shall not be begun until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

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

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

05. No development (other than the construction of the access and the provision of replacement parking for Nos 64 and 65 Knox Green) shall take place until the access from Knox Green including a turning head within the site has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

06. No dwelling shall be occupied until a means of vehicular access to it has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

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

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.

[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

08. No dwelling shall 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 at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

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

09. No dwelling shall be occupied until the associated vehicle parking and turning space serving it has been surfaced in accordance with the approved drawings. The spaces shall thereafter be kept available for parking at all times.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

10. The garage accommodation shall be retained for the use of the parking of vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]

11. There shall be at least 6.0 metres between the garage door (when shut) and the highway boundary.

REASON: In order to ensure that adequate off street vehicle parking is provided in accordance with the Borough Councils vehicle parking standards.
[Relevant Policy: BFBLP M9]

12. There shall be no restrictions on the use of the visitor parking spaces shown on the approved plan for visitors to the buildings hereby permitted.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street parking which would be a danger to other road users.
[Relevant Policy: BFBLP M9]

13. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works including the following:-

- alterations to Knox Green to form the vehicular access
- works on the section of the existing drive to Binfield House between Terrace Road North and the footpath link to Stevenson Drive to provide safe pedestrian and cyclist access.

None of the buildings provided by the carrying out of the development shall be occupied until the off-site highway works have been completed in accordance with the scheme.

REASON: In the interests of highway safety.
[Relevant Policy: BFBLP M4]

14. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting for the parking courts serving plots 13-18 and 19-24, including lighting units and levels of illumination. The approved scheme shall be implemented before the first use of each parking court and the lighting retained in accordance therewith.

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

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

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no freestanding external lighting shall be installed on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of nature conservation
[Relevant Policies: BFBLP EN15, EN20 and EN25]

16. The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure, including a new boundary to the side of plot 22, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme associated with each building shall be implemented in full insofar as it relates to that building before its occupation.

REASON: In the interests of the visual amenities of the area the amenities of properties adjoining the site.

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

17. The development hereby permitted shall not be begun until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: -

- a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations
- b) Details of semi-mature tree planting to mitigate for the loss of Tree T5
- c) Comprehensive 5 year post planting maintenance schedule.
- d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
- e) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
- f) Other landscape features (water features, seating, trellis and pergolas etc).

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 plot to which it relates or the completion of the development as a whole, whichever is sooner. 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]

18. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.

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

[Relevant Policies: BFBLP EN2 and EN20, Core Strategy DPD CS7]

19. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2005, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

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

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

20. The protective fencing and other protection measures specified by the previous condition shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). No activity of any description must occur at any time within these protected areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

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

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

21. The development hereby permitted shall not be begun until a Management and Maintenance Plan for the area of trees lying to the west of plots 7-9 has been submitted to and approved in writing by the Local Planning Authority. This area of trees shall be managed and maintained in accordance with the approved plan.

REASON: To ensure this area of retained trees is maintained in the interests of the visual amenities of the area.

[Relevant Plans and Policies: BFBLP EN1, EN20]

22. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for steps and works to secure the long-term safety and stability of the garden wall, including measures to strengthen it as necessary. No dwelling shall be occupied until the approved scheme has been implemented.

REASON: To protect and preserve the garden wall in the interests of the visual amenities of the area.

[Relevant Policies: Core Strategy DPD CS1]

23. The development hereby permitted shall not be begun until a scheme for the protection, during demolition/construction works, of the C19th garden wall has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed and complied with.

REASON: To protect and preserve the garden wall in the interests of the visual amenities of the area.

[Relevant Policies: Core Strategy DPD CS1]

24. The development hereby permitted shall not be begun until details of the design, implementation, maintenance and management of a sustainable drainage scheme have

been submitted to and approved in writing by the Local Planning Authority. Those details shall include:-

- a) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
- b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- c) Flood water exceedance routes, both on and off site;
- d) A timetable for its implementation, and
- e) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Once approved, the scheme shall be implemented, retained, managed and maintained in accordance with the approved details.

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

25. 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. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith.

REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]

26. Within one month of the first occupation of the development hereby permitted (or, where the development is phased, within one month of the first occupation of the final phase of that development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of level 3 of the Code for Sustainable Homes.

REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]

27. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:-

- (a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and
- (b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20% unless otherwise agreed by the Local Planning Authority).

The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

28. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

(i) control of noise

(ii) control of dust, smell and other effluvia

(iii) site security arrangements including hoardings

(iv) proposed method of piling for foundations

(v) construction and demolition working hours

(vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site

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

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

29. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

(a) Parking of vehicles of site personnel, operatives and visitors

(b) Loading and unloading of plant and vehicles

(c) Storage of plant and materials used in constructing the development

(d) Wheel cleaning facilities

(e) Temporary portacabins and welfare for site operatives

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

REASON: In the interests of amenity and road safety.

30. The development hereby permitted shall not be begun until a Construction Traffic Management Plan has been submitted to and approved by the Local Planning Authority. The approved Management Plan shall be performed, observed and complied with for the duration of the construction of the development hereby approved.

REASON: In the interests of road safety and the amenity of nearby residents.

[Relevant Policies: BFBLP EN25, CSDPD CS23]

31. Notwithstanding the provisions of Class G of Part 17 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 development by statutory undertakers for the generation, transmission or supply of electricity shall be installed or constructed unless otherwise agreed in writing by the Local Planning Authority.

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

[Relevant Policies: BFBLP EN20 and GB1, Core Strategy DPD CS7]

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

REASON: In the interests of nature conservation

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

33. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on biodiversity has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:- -----

- measures to avoid harm to biodiversity
- features provided to mitigate the loss of habitat (e.g. ponds, hibernacula)
- habitat enhancements (not mitigation)
- on-going management of new features/habitat

The mitigation scheme shall be implemented in accordance with the approved details. An ecological site inspection report shall be submitted within three months of the first occupation of any dwelling hereby approved.

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

34. The development (including site clearance and demolition) shall not be begun until a scheme to minimise harm to bats, mitigate the loss of a bat roost, provide compensatory roosts and improve their habitat has been submitted to and approved by the Local Planning Authority. The approved scheme shall be performed and complied with.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN2]

35. An ecological site inspection report shall be submitted within three months of the first occupation of any dwelling hereby approved.

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

36. The following windows shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent):-

- Plot 1: 1st floor north-facing en-suite
- Plot 2: 1st floor north and east-facing en-suites
- Plot 3: 1st floor north-facing landing
- Plot 5: 1st floor south-facing landing
- Plot 20: 1st floor east-facing bathroom
- Plot 21: 1st floor east-facing bathroom.

They shall at all times be fixed shut with the exception of a top-hung openable fanlight.

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

37. No development shall take place until a contaminated land Phase I report (Desk Top Study) has been carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The Desk Top Study shall be submitted to, and approved in writing by, the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11". Following approval of the Desk Top Study, a Phase II report (and intrusive site investigation) shall be carried out, if required by the Local Planning Authority, by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The development shall not be begun until proposals for the method and extent of this site investigation have been agreed with the Local Planning Authority. The site investigation shall be carried out in accordance with the agreed proposals which shall be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding area
[Relevant Policies: BFBLP EN25]

38. Following completion of the desk top study and site investigation required by the above condition, a remediation scheme to deal with any contaminants identified must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include an implementation timetable, monitoring proposals and a remediation verification methodology. Development shall not be begun until the remedial scheme has been carried out.

Should any unforeseen contamination (i.e. contamination not identified in the desk-top study and site investigation) be encountered during the development, the Local Planning Authority shall be informed immediately. The development shall cease until further investigation/remedial/protective works have been approved by the Local Planning Authority. The further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the Local Planning Authority in writing.

A Site Completion Report shall be submitted to, and approved in writing by, the Local Planning Authority. The report must detail the conclusions, actions taken and verification methodology at each stage of the works and shall include a sampling and analysis programme to confirm the adequacy of decontamination. An appropriately qualified person shall oversee the implementation of all remediation. The construction of buildings shall not commence until the investigator has provided a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the remediation scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting requirements shall also be detailed in the report.

If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.

REASON: To enable to the Local Planning Authority to ensure that appropriate measures are taken to avoid any threat which the proposed development might pose to health and safety and/or the environment.

[Relevant Policies: BFBLP EN25]

39. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out to the dwellings on plots 1, 5, 6, 12, 13, 14 and 15.

REASON: To control development which might have an adverse impact on the C19th garden wall.

40. The dwellings on plots 19-24 (inclusive) shall only be occupied by persons:-

(a) who are aged 60 years or over requiring facilities which consist of the services of a non-resident warden, and

(b) provided that they are aged 55 years or more, the spouse or a partner of a person falling within (a) above who is in occupation of the accommodation.

REASON: To ensure that the special nature of the proposed development is properly controlled and to ensure adequate vehicle parking is provided.

[Relevant Plans and Policies: BFBLP M9, CSDPD CS16]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address

those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. For the avoidance of doubt the conditions stating that 'no dwelling shall be occupied' relate to the new dwellings proposed and not to Nos. 64 and 65 Knox Green.

In the event of the S106 planning obligation(s) not being completed by 31 March 2015 the Head of Development Management be authorised to REFUSE the application on the grounds of:-

01. The proposed development would unacceptably increase pressure on the transportation network, education facilities, open space and built sports facilities and would not provide for the long-term maintenance of the C19th garden wall or the group of trees to the south-east of Binfield House. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards the transportation network, education facilities, community facilities, public open space, built sports facilities and libraries, and the long-term management and maintenance of the C19th garden wall and the group of trees to the south-east of Binfield House, the proposal is contrary to Policy SA1 of the Site Allocations Local Plan, Policies CS1, CS6 and CS24 of the Core Strategy Development Plan Document and Policies EN1, R4 and M4 of the Bracknell Forest Borough Local Plan.

02. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy CS16 of the Core Strategy Development Plan Document and to the resolution on affordable housing made by BFC Executive on 29 March 2011.

Doc. Ref: Uniform 7/DC/Agenda

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

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**BRACKNELL FOREST BOROUGH COUNCIL
PLANNING COMMITTEE
16th October 2014
SUPPLEMENTARY REPORT**

Correspondence received and matters arising following preparation of the agenda.

Item No: 5

13/00966/FUL

Binfield House Nursery Terrace Road North Binfield Bracknell Berkshire

ISSUE DATE 14.10.2014

Additional information

An amended cover sheet for this item is attached with the site location plan showing the full extent of the application site.

Amendment to Recommendation

Condition 02

Replace drawing PL-127A with PL-127B.

Condition 16

Add following wording at end of condition: "...and the means of enclosure shall thereafter be retained."

Condition 18

Delete following wording at end of condition: "...without the prior written permission of the Local Planning Authority."

Condition 31

Delete following wording at end of condition: "...unless otherwise agreed in writing by the Local Planning Authority."

Delete BFBLP Policy GB1 from the 'Relevant Policies'.

Item No:

14/01000/PAC

Guildgate House High Street Crowthorne Berkshire RG45 7AP

ISSUE DATE 14 OCTOBER 2014

Correspondence received

Additional consultee comments:-

(i) Crowthorne Parish Council recommends refusal as the applicant has failed to demonstrate adequate on-site parking for the proposed change of use.

(ii) The Council's Environmental Health Department have no evidence to suggest that the site is located on contaminated land and for that reason no objections to the proposal have been raised.

Representations:

At the time the report was written a total of 12 no. objections had been received from residents at Lilley Court located to the rear of Guidgate House. Since the report was written 2no. additional objections have been received from residents at Lilley Court that raise no further concerns that have not already been addressed in the original report.

There has also been 1no. letter of support for the proposal.

ISSUE DATE 16 OCTOBER 2014

Amended plans

2no. amended plans have been received showing an alternative parking layout that the applicant believes addresses the Transportation Officer's original concerns.

Additional consultee comments

Following consultation with the Transportation Officer the following comments were received regarding the amended plans:-

The Local Highway Authority objects to the amended parking layout as follows:

- Access to parking space no. 10 will be problematic due to its position, orientation and the pillars of the undercroft. Access may require multiple manoeuvres and will affect access within the car park.
- Access to parking space 13 will be restricted by parking space 12.
- The orientation of parking spaces 10 to 12 and the lack of physical separation between these parking spaces and parking space no. 9 creates a conflict and restricts access to this parking space.
- The siting of the communal bin storage will restrict visibility for vehicles exiting parking space no. 1.
- The existing parking spaces 1 to 9 do not accord with the latest standards for practical and useable vehicular parking. A number of these spaces are 2.2 metres wide. This was the case on the existing site plan submitted previously.

To conclude the suggested parking layout has not demonstrated a parking layout which is practical and useable. The parking layout creates a safety concern. The Local Highway Authority can only object to this suggested parking layout.

As such the Council's recommendation for the refusal of Prior Approval still stands.

Amendment to the recommendation

The recommendation should read:-

It has not been demonstrated that the proposal complies with the Local Planning Authority's standards in respect of vehicle parking and cycle parking. This would be likely to encourage on-street parking and therefore have a detrimental impact upon road safety and the flow of traffic. The proposal does not therefore comply with Class J of the Town and Country

Planning (General Permitted Development) Order (as amended). As such Prior Approval is refused.

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Unrestricted Report

ITEM NO: 6

Application No.
14/00857/FUL
Site Address:

Ward:
Central Sandhurst

Date Registered:
31 July 2014

Target Decision Date:
25 September 2014

**1 Cornbunting Close College Town Sandhurst
Berkshire GU47 0XZ**

Proposal: **Erection of outbuilding forming workshop**

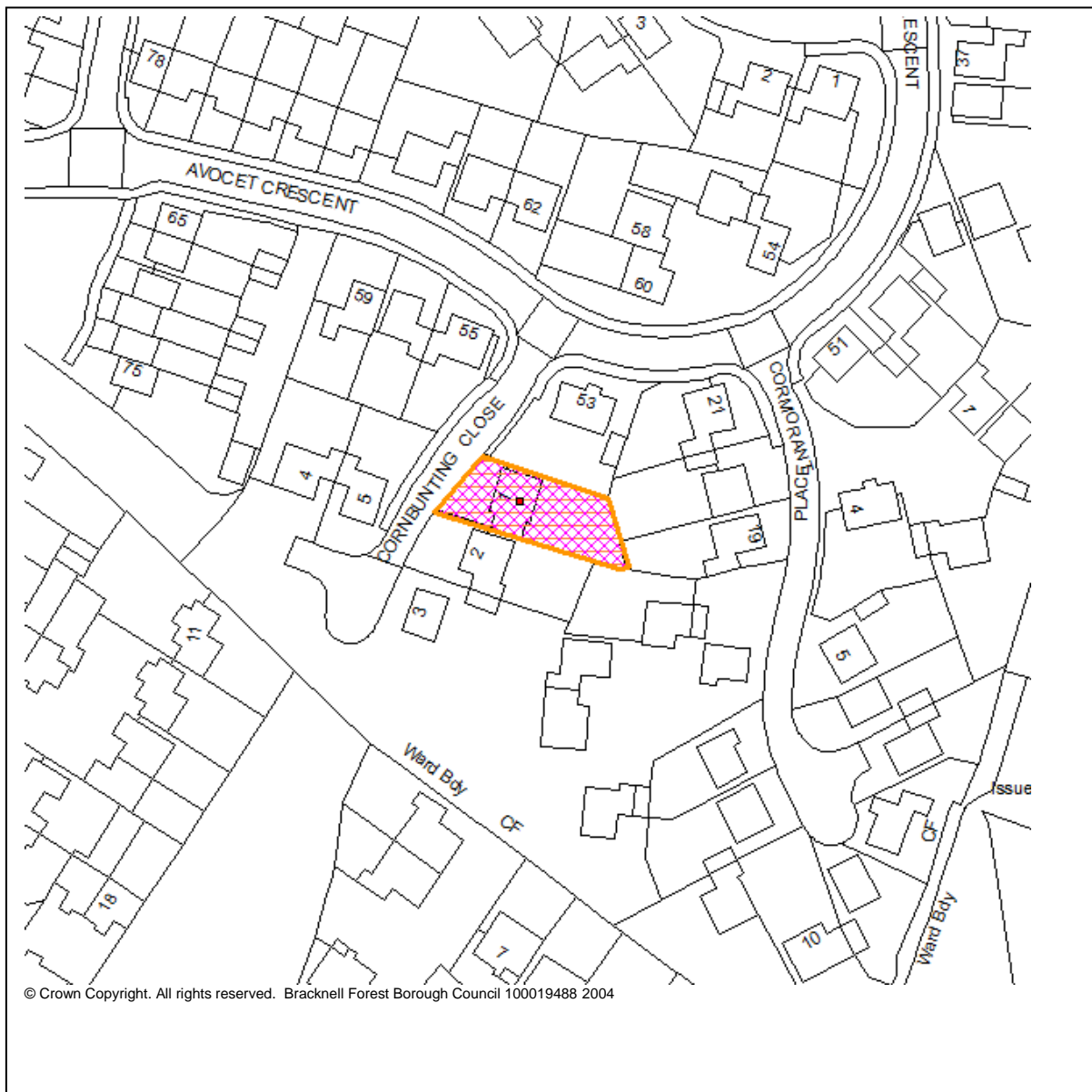
Applicant: Alec Aslett

Agent: (There is no agent for this application)

Case Officer: Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The proposal is reported to the Planning Committee as it has received more than 3 objections.

2. SITE DESCRIPTION

1 Cornbunting Close is a detached two storey dwelling located in a residential cul-de-sac. There is a conservatory to the rear of the dwelling. The rear garden is enclosed by 1.8m high fencing and there is a shed along the eastern boundary of the site.

3. RELEVANT SITE HISTORY

02/00755/FUL approved September 2002 for part two storey, part single storey side extension and single storey front extension.

4. THE PROPOSAL

Full permission is sought for the erection of an outbuilding forming workshop.

It would be 3.8m wide at its widest and 4.2m deep at its deepest. It would have varying eaves heights of between 1.78m at the lowest and 2.4m at the highest points with a maximum ridge height of 4m. A high level window is proposed in the western elevation and a dormer window proposed in the northern elevation which would be obscure glazed and fixed shut.

The outbuilding would be located in the south-eastern corner of the rear garden, closest to the boundaries with nos. 17, 19 and 20 Cornbunting Close and would be set in 1m from the boundaries with these properties. There was an existing outbuilding in the same location which has been removed, however the concrete base remains and the proposed outbuilding would be sited on the existing base.

The outbuilding would be used for private purposes by the applicant ancillary to the residential use of the dwelling, not for commercial purposes.

The outbuilding as originally proposed was considered to be overbearing to adjoining properties due to its height. As a result of discussions with the applicant, the eaves height of the outbuilding and the bulk of the roof have been reduced on the north, east and west elevations, along with a reduction in the size of the window on the front elevation of the building. An amended plan showing these alterations were received on 5 January 2015 by the Local Planning Authority.

5. REPRESENTATIONS RECEIVED

Sandhurst Town Council was consulted on the application and recommend refusal for the following reasons:

- i) the size of the development is visually intrusive to the character of the area;
- ii) approval would create a precedent;
- iii) concern regarding acceptable access to the workshop;
- iv) members are concerned that this could be made habitable in the future and have overlooking issues;
- v) concerns heavy machinery should not be used outside normal hours and with any hazardous materials used.

5no. letters of objection received which raise the following concerns and can be summarised as follows:

- Overbearing impact
- Overlooking and loss of privacy
- Height of outbuilding
- Appearance
- Noise and air pollution caused due to use of outbuilding
- Drainage issues
- Set precedent
- Use of outbuilding - private or commercial use. If it were for commercial purposes, could lead to parking issues. Could be used for granny annexe/residential use.
- Restricted access to workshop for emergency services if emergency arose

Officer note: issues of setting a precedent and restricted access for emergency vehicles are not planning considerations. The proposed use of the outbuilding for a granny annexe/residential use may require planning permission; however the application must be assessed as applied for - this being an outbuilding used for private purposes and ancillary to the dwelling at 1 Cornbunting Close.

6. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

Site Allocations Local Plan 2013 (SALP)
Retained Policies of the South East Plan 2009 (SEP)
Core Strategy Development Plan Document 2008 (CSDPD)
Saved Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)
Bracknell Forest Borough Policies Map 2013

7. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in SALP Policy CP1, which sets out that a positive approach to considering development proposals which reflect in the presumption in favour of sustainable development as set out in the NPPF should be taken, and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise. This is consistent with the NPPF. Regard will also need to be had to Policy CS1 of the CS relating to sustainable development principles, which is considered to be consistent with the NPPF (and can be afforded full weight).

1 Cornbunting Close is located within a defined settlement as designated on the Bracknell Forest Borough Policies Map which establishes the principle for development, in relation to CS Policy CS2. Due to its location and nature, the proposal is considered to be in accordance with Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety, etc. These matters are assessed below.

8. IMPACT ON CHARACTER AND APPEARANCE OF AREA

Saved Policy EN20 of the BFBLP and Policy CS7 of the CSDPD relate to design considerations in new proposals and are relevant considerations. These policies seek

to ensure that developments are sympathetic to the character of the area and are of a high design. This is consistent with the NPPF and therefore can be afforded full weight.

The proposed outbuilding would be sited in the rear garden of the site and therefore would not appear visible in the street scene due to its siting. It would be a brick built outbuilding with timber supports and tiled roof which would be acceptable.

The proposed outbuilding would be used for private purposes by the applicant, not for commercial use and therefore an outbuilding used in an ancillary capacity to a residential dwelling would not be considered out of character in a residential area.

There is a conservatory to the rear of the dwelling along with an existing small timber shed in the rear garden of the site. The proposed outbuilding would have an approximate footprint of 16sqm and when cumulatively taken with the existing conservatory and shed would not result in overdevelopment of the site.

As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

9. RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 (vii) refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. This is consistent with the NPPF and can therefore be afforded significant weight.

The proposed outbuilding would be sited 11m from the rear elevation of no. 2 Cornbunting Close and on the western elevation facing no. 2 would be 4m in height. The proposed outbuilding would appear visible when viewed from the rear elevation and rear garden of no. 2, however in view of the separation distance to the rear elevation of no. 2, the proposed outbuilding would not appear unduly overbearing to the detriment of no. 2. A high level window is proposed in the western elevation of the outbuilding facing no. 2; however due to its height this window would not result in overlooking and loss of privacy to no. 2.

1no. dormer window is proposed in the northern elevation of the outbuilding facing no. 53 Avocet Crescent. This would be set 6m from the rear boundary of no. 53. The proposed dormer window would be obscure glazed and fixed shut and therefore would not result in overlooking and loss of privacy to no. 53 and its rear garden. A planning condition is recommended to ensure this window is obscure glazed and fixed shut at all times. The proposed outbuilding would be set 6m from the rear boundary of no. 53 and some 16m from the rear elevation of no. 53. Whilst the outbuilding would appear visible to no. 53, it would not appear unduly overbearing given the aforementioned separation distances.

The proposed outbuilding would be set 1m from the rear boundary of the site with an 8m separation distance to the existing conservatory of no. 17 Cormorant Place sited to the side of the dwelling at the closest point. The garden of no. 17 is located to the side of the dwelling. The southern elevation of the outbuilding would be 1.7m in height to the eaves of the outbuilding increasing to 4m in height 3m from the boundary with no. 17. The proposed outbuilding would appear visible viewed from the rear garden of no. 17, however given the highest part of the outbuilding would be set in 3m from the boundary with the roof pitching away from the boundary with no. 17, the proposed outbuilding would not appear so unduly overbearing to the detriment of no. 17. As a fallback position, the applicant could erect a 4m high outbuilding with dual pitched roof located

2m from the boundary under permitted development which would be more imposing and overbearing than the scheme as proposed.

The proposed outbuilding would be set 1m from the rear boundary of the site with a 14m separation distance to the rear elevation of no. 19 Cormorant Place and 17m separation distance to the rear elevation of no. 20 Cormorant Place. It would have an eaves height of 2.4m set 1m from the boundary with nos. 19 and 20 increasing to 4m in height approximately 3m in from this boundary. In view of these separation distances, the proposed outbuilding would not appear unduly overbearing to nos. 19 and 20. No windows are proposed in the east elevation of the outbuilding so no overlooking and loss of privacy would result to nos. 19 and 20.

The proposed outbuilding would be used for private purposes by the applicant; not for commercial purposes. As such, no detrimental level of noise, disturbance and pollution would result connected to its use for private purposes. Should issues of noise and pollution result once the building is constructed and put to use; this could be investigated by the Council's Environmental Health department.

As such, the proposal would not be considered to affect the residential amenities of neighbouring properties and would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

10. TRANSPORT IMPLICATIONS

Policy CS23 of the CSDPD seeks to increase the safety of travel. This is consistent with the NPPF.

Saved Policy M9 of the BFBLP ensures that development provides satisfactory parking provision. A further material consideration for parking provision is provided in the Council's adopted Parking Standards SPD (2007). The NPPF refers to local authorities setting their own parking standards for residential development.

The proposed outbuilding would be used for private purposes by the applicant and would not be used for commercial purposes; as such it would not generate vehicular movements connected to a commercial use and would not require additional parking provision.

For the reasons given above the proposal is considered to be in accordance with Policy CS23 of the CSDPD, Saved Policy M9 of the BFBLP and the NPPF and would not result in highway implications.

11. TREE IMPLICATION

Saved Policy EN1 of the BFBLP ensures that the Borough's trees are protected. The NPPF refers to conserving the natural environment; therefore this policy is consistent with the NPPF and therefore can be afforded significant weight.

There is a tree in the rear garden of no. 19 Cormorant Place close to where the proposed outbuilding would be sited. The concrete base for the outbuilding is already in situ and therefore no additional impact would result to the root protection area of this tree. There may be some pruning required to the tree where it overhangs the boundary of the application site however the applicant would be within his legal rights to do so and it would not impact upon the long term health of the tree.

As such, the proposal is considered to be in accordance with Policy EN1 of the BFBLP and the NPPF and would not result in an adverse impact to existing trees.

12. CONCLUSIONS

The proposed outbuilding would not result in adverse impacts to the residential amenities of adjoining properties and the character and appearance of the surrounding area. The proposed outbuilding would be used for private purposes and would not require additional on site parking provision or generate increased traffic to and from the site and no adverse impact would result to an existing tree. As such, the proposal is considered to be in accordance with CS1, CS2, CS7 and CS23 of the CSDPD, Saved Policies EN1, EN20 and M9 of the BFBLP and Policy CP1 of the Site Allocations Local Plan, all in accordance with the NPPF.

The application is therefore recommended for conditional approval.

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 5 January 2015:

drawing no JSD-14-69/01

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

03. The outbuilding hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the dwellinghouse, known as 1 Cornbunting Close Sandhurst GU47 0XZ.

REASON: The proposal would involve intensification of the site
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

04. The dormer window in the north elevation of the development hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). It shall at all times be fixed with the exception of a top hung openable fanlight.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

05. The window in the western elevation of the proposed development shall at all times be a high level window having a sill height of not less than 1.7 meters above internal floor level.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in the northern, eastern, southern and

western elevations of the outbuilding except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Time limit
 2. Approved plans
 3. Use of outbuilding
 4. Obscure glass and fixed shut window
 5. High level window
 6. Restrictions on windows

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 7

Application No.
14/01001/FUL

Ward:
Ascot

Date Registered:
29 September
2014

Target Decision Date:
29 December 2014

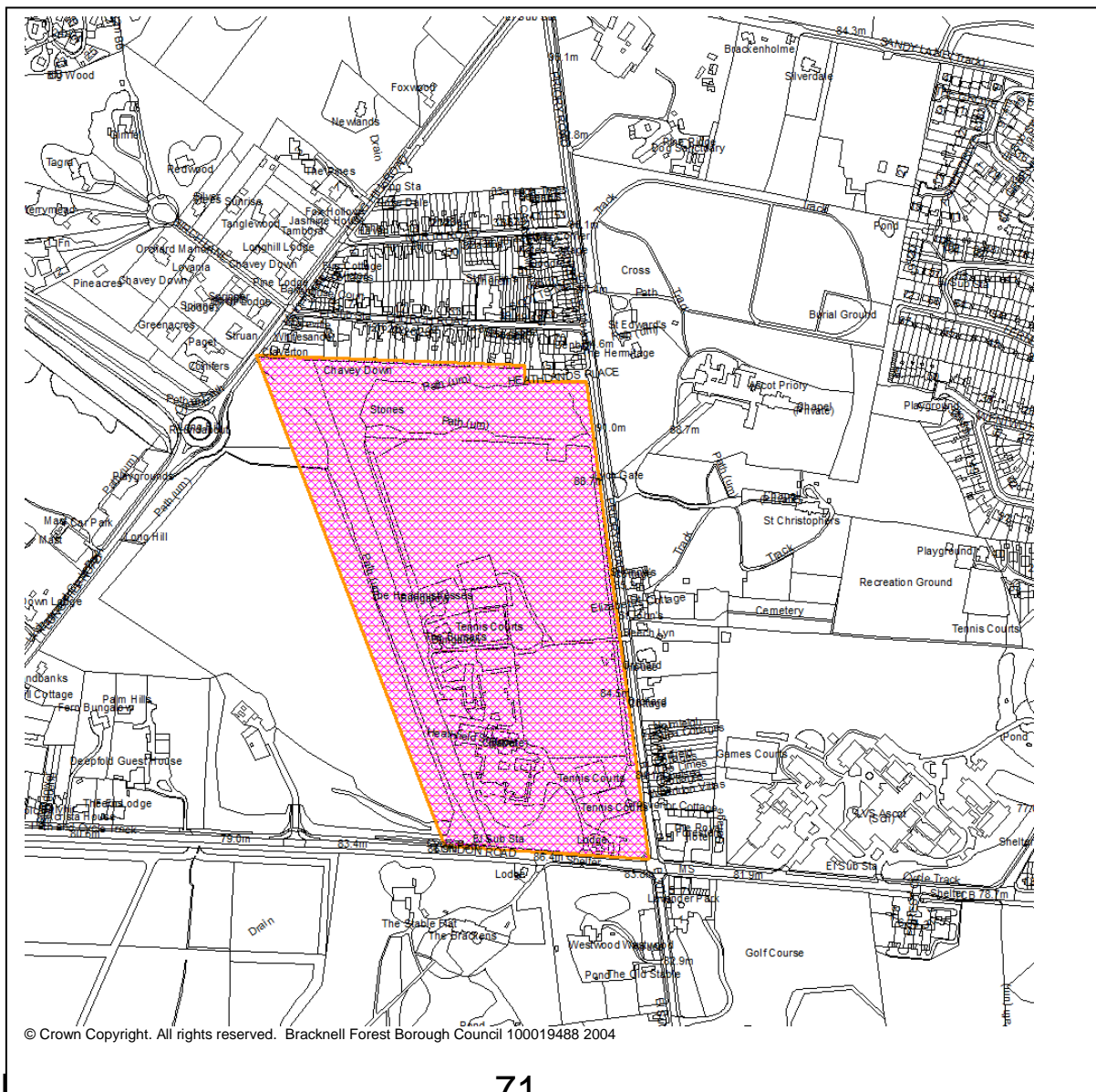
Site Address: **Heathfield School London Road Ascot Berkshire SL5 8BQ**

Proposal: **Erection of 7 staff houses in form of two detached houses and a terrace with associated car parking following demolition of the Head and Deputy Headmistresses houses; erection of Junior Boarding House for 60 pupils (including 3no. 1 bedroom and 1no. 2 bedroom duplex level staff flats) with alterations/extension to existing car park; and extension to Phoenix Boarding House to provide accommodation for an additional 16 pupils.**

Applicant: Heathfield School
Agent: Mr Peter Uzzell
Case Officer: Simon Roskilly, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been reported to the Planning Committee as more than 3 letters of objection have been received.

2. SITE DESCRIPTION

The site is Heathfield School, a boarding school for girls aged 11 to 18 located to the west of the 14.6ha site. The school buildings are two storey in height, some with pitched roofs like that of the main white rendered school building, and some are flat roofed like that of the Phoenix building. There is also a single storey sports hall and chapel building with a roof height similar to that of two storey buildings.

The site is located within an area designated by the Bracknell Forest Borough Policies Map as 'land outside settlement'. The school classrooms, administration buildings, tennis courts, sports hall, swimming pool, chapel, staff accommodation and car parking all fall within what is considered to be the built envelope of the site, located within the north-west corner of the site apart from a lodge that is located on the entrance off London Road. The majority of the built envelope is also considered to be Previously Developed Land. The rest of the site, outside that of the built envelope, is open and consists of landscaping and open playing fields. The site as a whole is well screened from almost all public vantage points except the two vehicular accesses that serve the site from London Road and Priory Road.

3. RELEVANT SITE HISTORY

According to the applicant the school moved to the present site in 1899. The School has gradually been developed over the intervening period with facilities being updated and provided to keep pace with developments in education and to maintain standards and viability.

More recent applications on the site are as follows:-

623542 Detached swimming pool building. APPROVED. 04.06.98

624537 First floor extension to sixth form residential block. APPROVED. 27.04.99

05/00670 Temporary classroom. APPROVED.

06/00766 Single storey extension to library. APPROVED

07/00481 Single storey building forming domestic science facility. APPROVED.

07/00831/FUL- Erection of new performing arts centre following the demolition of existing pavillion. APPROVED.

10/00298/T- Retention of temporary class room for a period of five years. APPROVED.

13/01038/FUL- Erection of two-storey building accommodating classrooms. APPROVED.

4. THE PROPOSAL

The applicant has explained that the following proposals are sought as part of a 5 year plan for Heathfield School to improve the school's facilities so that it can compete with other such schools within the area:-

1. Staff Housing.
2. Junior Boarding House and consequent extension to existing car park.
3. Extension to Phoenix Building.

The total number of staff on site will not increase however on a previous application for a classroom extension a condition was included limiting the number of staff to 135 and the number of pupils to 250. Therefore the application has been assessed on the basis of these numbers.

1. Staff Housing:

The school currently has 2no. detached staff bungalows located close to the western boundary of the site north of some existing tennis courts and a swimming pool. The two staff bungalows currently provide accommodation for the Head Mistress and Deputy Head Mistress. These two staff bungalows are considered by the school to be of an inferior standard of construction especially with regards to insulation and therefore need replacing. Replacing the 2no. bungalows would be 2no. 4 bedroom two-storey staff dwellings (one for the Head Mistress and one for the Director of Boarding). The applicant also wishes to erect a terrace of 5no. 3 bedroom 2.5-storey staff dwellings, with rooflights at the front and dormers to the rear, therefore providing a 2nd floor within the eaves. The terrace of 5no. dwellings would also have gable frontages over the entrances to each of the 5no. dwellings.

All the dwellings are laid out to not only accommodate the staff but also to accommodate pupils who will visit the dwellings when required for school house style activities and meetings essential to the running of the school. Parking for the staff dwellings is to be located between the dwellings themselves and an area of trees screening the site from a former refuse tip. Access to the dwellings would be via the rear drive onto Priory Road.

The staff housing would not result in additional staff over and above those already employed by the school, although more would be housed on site. According to the school the on-site housing is required to house staff in order to provide pastoral care and to provide school facilities that can compete with other such boarding schools for girls.

2. Junior Boarding House and extension to car park:

The proposed 2.5-storey Junior Boarding House would be located on an existing car park north of the existing sports hall. The building has a semi-circular plan form with two projecting gables facing east. The maximum height of the building would be 10.5m with the eave height being 6.5m.

The proposed boarding accommodation would accommodate 60 junior pupils and provide 3no. 1 bedroom and 1no. 2 bedroom duplex level staff flats. The flats have been designed into the floor plan of the building so that they allow staff easy access to the pupils boarding accommodation, providing the level of care necessary for the type of boarding.

The erection of the Junior Boarding House would result in the loss of 30no. staff parking spaces. These parking spaces are to be re-provided within an extension of an existing car park north of the existing swimming pool taking the number of spaces from 56 to 90 therefore accommodating the shortfall. The extension to the car park north of the staff dwellings would be, like that of all the proposed development, curtailed within the built envelope of the site and within existing hedging and trees.

3. Extension to Phoenix Building.

The existing Phoenix Building currently provides boarding for girls. The extension to the Phoenix Building would consist of a two-storey addition providing 14 rooms with showers, WC's and a bathroom on each of the two floors. The extension would be located north of the existing dormitory and would be linked via a flat-roof lobby at ground floor level.

The applicant's 5 year plan, which covers the proposals under this submission, would provide facilities in order to provide for an increase in pupils from 230 to approximately 250. However the number of staff employed by the school will remain at the present level of 133.

5. REPRESENTATIONS RECEIVED

4no. objections were received from separate addresses.

The following concerns were expressed in the letters of objection:-

The application represents a departure from the development plan as it is development within the Countryside. Therefore the application should be refused from the outset. [Officer Comment: The application has been advertised by means of 2no. site notices and an advert in the local press as a departure from the development plan. An assessment of the proposal as a departure will be explored in this report under section 9]

Why is there a need for staff housing on site when there is staff housing on North Street and why is the housing of the size and layout proposed. [Officer Comment: Issues concerning staff housing, and the applicants' justification for it, will be explored in the section of this report that addresses the principle of development]

6. SUMMARY OF CONSULTATION RESPONSES

Winkfield Parish Council

Comments on application as submitted:-

Winkfield Parish Council supports this application for the use of this site for educational purposes only but would ask the Officer to apply a condition preventing any future alienation from the entire school site. [Officer Comment: a restriction on the occupancy of the proposed dwellings is recommended below which is considered to address this point]

Environmental Health

Recommend conditional approval.

Transportation Officer

Recommend conditional approval.

Biodiversity Officer

Recommend conditional approval.

7. POLICY CONTEXT

At a national level, the key planning policy guidance relevant to the proposal is the National Planning Policy Framework (NPPF). Core Principle Para 17 point (v) refers to recognising the intrinsic character of the countryside, Chapter 7 which deals with design, and Chapter 8 which deals with promoting healthy communities and in particular schooling to meet the need.

At a local level, the most relevant planning policies are those set out in Bracknell Forest Council's adopted Core Strategy Development Plan Document 2008 (CSDPD) and the Bracknell Forest Borough Local Plan 2002 (BFBLP). These include CSDPD Policy CS2 which deals with the locational principles guiding new development; and CSDPD Policy CS9 and Policies EN8 and H5 of the Local Plan which provide guidance on development on land outside settlements. CSDPD Policy CS7 and BFBLP Policy EN20 which deal with design considerations are also relevant.

It is considered that the policies referred to above can be afforded full weight in relation to the NPPF as they are consistent with the aims of the NPPF in terms delivering sustainable development and promoting high quality sustainable design whilst recognising the intrinsic character of the countryside.

The development proposal has been considered primarily in light of these above policies although this is not an exhaustive list of policies relevant to the determination of such a scheme.

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in SALP Policy CP1, which sets out that planning applications which accord with the Development Plan should be approved without delay, unless material considerations indicate otherwise. Policy CP1 also sets out a positive approach to considering development proposed that reflects the presumption in favour of sustainable development contained in the NPPF (which in turn contains caveats regarding specific policies within the NPPF which indicate development should be restricted), and therefore can be afforded full weight. Regard will also need to be had to CSDPD Policies CS1 relating to sustainable development principles, CS2 relating to locational principles and CS9 relating to development on land outside of settlements and saved BFBLP Policies EN8 relating to development on land outside settlements and H5 relating to new dwellings outside settlements which are considered to be consistent with the NPPF.

The proposal is to provide a new school building (including 4no. staff flats), extension to an existing building and 7no. staff houses, along with an extension to an existing car park, all within the built envelope of the Heathfield School site. Policy CS2 of the Core

Strategy states the following: 'Development will be permitted within defined settlements and on Allocated Sites.' The site lies outside of a defined settlement and so conflicts with this policy.

The site lies within countryside outside a defined settlement. Local Plan Policies EN8 and H5 and Core Strategy Development Plan Policy CS9 seek to protect the Countryside for its own sake. Development will only be permitted where it would not adversely affect the character, appearance or function of the land, and would not damage its landscape quality. The proposed development, including new staff housing, does not fall within any of the types of development identified by BFBLP Policies EN8 and H5 as being acceptable within countryside areas. As such the proposal as a whole is not considered acceptable in principle and the application was advertised as such.

9. OTHER MATERIAL CONSIDERATIONS

The applicant states in their submission that in order for the school to operate efficiently and economically; and to also provide the right standard of pastoral care for the pupils, on-site housing for the Headmistress, Deputy Head (Academic), Deputy Head (Pastoral), Director of Boarding, four Heads of House, Facilities Manager and School Chaplain is required.

There is currently accommodation on site for 3 of the key staff listed above in the two bungalows and the entrance lodge therefore 7no. school staff dwellings would be required on-site.

The School also currently has 4 'in residence' staff posts (Drama, IT, Music and Art). There are 3no. terrace dwellings off-site that are currently used by the school but these are not considered appropriate in size and location. Two of the terrace dwellings currently have two of the four 'in residence' staff accommodated in each. The third terrace dwelling is currently occupied by the schools Chaplain; however when the Chaplain is relocated to the new on-site accommodation the third terrace dwelling will be occupied by junior teachers.

The new on-site accommodation would greatly improve the current situation with the Headmistress and Director of Boarding occupying the proposed 2no. detached houses and the four Heads of House and the school's Chaplain occupying the proposed 5no. terrace dwellings. The layout of the 5no. terrace dwellings allows for pupil/Head of House interaction at ground floor level that is common with this type of schooling. Although an on-site lodge (fronting London Road) would provide accommodation for one of the remaining three key on-site posts, two of the key staff would still have to remain off-site.

With regard to the accommodation that is to be provided within the Junior Boarding House; the 1 bed flat and 2 bed duplex flat would be used by the two House Mistresses who would provide support for the two junior years within the building. The two bedsits are intended to accommodate relief staff when the House Mistresses are not on duty, which is usually two days and nights a week.

The applicant has applied for the development as a whole to be considered as ancillary to the school use although the staff housing would be C3 use. It is considered that the applicant has provided adequate justification in this case why additional built form is required on site in order to improve the school facilities and to help them compete with similar facilities within the area. This approach is considered to meet with the principles of paragraph 22 of the NPPF where 'applications for alternative uses of land or

buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'

The proposal is also considered to be supported by paragraph 72 where it states:-

'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.'

It is considered that the reasonable requirements of the school to provide ancillary facilities necessary to the running of the school (for example to meet changes in regulations, bring existing facilities up to current standards, to meet changes in the national curriculum or to provide a viable business) are material considerations.

This is also considered to be the case with the fact that the built envelope of the site is predominately PDL and that the long established school use has existed for many years.

These social, economic and environmental material considerations are considered to outweigh harm to the Countryside as a result of the development being contrary to Local Plan Policies EN8 and H5 and Policies CS2 and CS9 of the CSDPD. However this is subject to there being no unacceptably adverse affects upon the character, appearance or function of the land and that there would be an occupancy restriction on the staff accommodation being occupied by staff and their dependants only. This is assessed below.

10. IMPACT ON CHARACTER AND APPEARANCE OF AREA

The NPPF at paragraphs 56 and 57 confirms that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. It is therefore important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

CSDPD Policy CS7 requires high quality design which in this case should build on the rural local character, respect local patterns of development, and enhance landscape, and aid movement and accessibility. Policy EN1 seeks to protect existing tree and hedgerow cover. Policy EN20 of the Local Plan supports Policy CS7 and sets out how development should be in sympathy with its local environment and appropriate in terms of mass and scale, layout and materials amongst other criteria. These policies are considered to be consistent with the NPPF, and can therefore be afforded full weight.

The proposed Junior Boarding House, Phoenix Building extension, new staff housing and extension to an existing car park have been located within what is considered to be the built envelope of the site. The remainder of the site is considered to be undeveloped.

The extension to the Phoenix Building, subject to suitable materials, is considered to be of a design, bulk and massing that is in-keeping with surrounding classrooms and the main building.

The new 2.5 storey Junior Boarding House, subject to suitable materials, is considered to be of a design, bulk and massing that sits within its immediate surroundings which include the recently built Performing Arts centre. The Junior Boarding building will be partially screened from the games field and subsequently any external views experienced through one of two access points onto Priory Road.

The new staff housing would have a bulk and massing greater than the current 2no. bungalows. However the ground floor would be screened by an existing landscaping bund and trees so that 1.5 storeys of the terraced staff housing and 1 storey of the replacement staff housing could be viewed east of the site. Although the bungalows cannot be currently viewed east beyond the landscaping bund the additional bulk and massing, subject to suitable materials, is not considered to have a detrimental impact upon the character and appearance of the area. The staff housing is not considered to fall outside that of the built envelope of the site.

The landscape analysis and site visit confirmed that the site is well screened and can only be seen from public vantage points via the 2no. entrances/exit points. However, in order to integrate the proposals into the existing setting of the site, a landscape condition is recommended. This is in line with BFBLP Policy EN2 (supplementing tree and hedgerow cover). This policy is considered to be in accordance with the NPPF (Chapter 11), and can be afforded significant weight.

No protected trees will be removed or adversely impacted; those trees shown for retention can be managed and protected by the use of standard BS5837 requirements. For the reasons given and subject to suitable materials and finish the proposed development, due to it being located within the built envelope of the site is considered not to result in any unacceptably adverse impacts upon the character and appearance of the school site and the countryside area. Therefore the proposal is considered to be in accordance with BFBLP Policies EN1 and EN20 and CSDPD Policy CS7 and the NPPF.

11. BIODIVERSITY

The proposal, subject to conditions, adequately addresses ecological issues such as the presence of bats within the area to the satisfaction of the Council's Biodiversity Officer.

As such, with appropriate conditions, the proposal is considered to comply with both CSDPD Policies CS1 and CS7 and BFLP Policy EN3 as overall it would enhance and safeguard existing on-site ecology.

12. RESIDENTIAL AMENITY

Saved BFBLP Policy EN20 proviso (vii) seeks to prevent development that would adversely affect the amenity of surrounding properties. This is consistent with the NPPF.

There are residential properties along Priory Road close to one of the site's access points. However the development will be located some 150m to the west of these with intervening screening and it is not considered that any adverse impacts will result.

A condition is proposed to limit the hours of construction so as to limit any impact upon the current occupiers of the site.

For the reasons given above, and subject to a condition, the proposal is not considered to result in any significant impacts upon residential amenity. As such the proposal is considered to comply with saved BFBLP Policy EN20 proviso (vii) and the NPPF.

13. TRANSPORT IMPLICATIONS

BFBLP Policies M4 and M9 and CSDPD Policies CS23 and CS24 seek to promote or retain safe highway access and suitable off-road parking provisions, thus avoiding highway safety implications. This is consistent with the objectives of the NPPF and can be afforded weight 'Saved' Policy M9 seeks to ensure that the new development has sufficient car parking. To supplement this policy the adopted Parking Standards SPD (2007) sets out the advised levels and size of parking spaces for development.

The Local Highway Authority has reviewed the information submitted and carried out a site visit to assess this planning application from a highways perspective. A Transport Statement was provided as part of this planning application.

The site is located close to the busy traffic signalised junction of the A329 London Road with Priory Road and Swinley Road.

The existing access arrangements onto London Road and Priory Road are to remain. Acceptable sight-lines are available from both of these existing accesses. The main vehicular access from London Road on the eastern side boundary has a dedicated right-turn lane and the access is wide enough to accommodate two-way vehicular movements. The secondary access from the B3017 Priory Road at the eastern site boundary is not wide enough to enable two vehicles to pass each other and be clear of the highway. This access is barrier controlled.

The School currently has capacity to accommodate 230 pupils, who are boarders at the School. The proposal would increase the capacity to 250 pupils. The new pupils will be boarders and will not therefore create regular travel in and out of the site on a daily basis.

The proposal does not increase the number of staff on-site. A number of staff currently commuting to the site on a daily basis will live on-site and therefore these trips will no longer take place.

The proposal could give rise to an additional 18 vehicular movements per day. This is as a result of the trips generated by the families of the staff. This is considered to constitute a minimal increase in trip rates and as such is considered de minimus. As such no mitigation contributions would be sought.

The car parking provision for the 7 new staff houses accords with the Bracknell Forest Borough Parking Standards (2007). A total of 16 parking spaces are provided, including 3 driveway and car port parking spaces for each of the 2 x 4 bed dwellings and a communal parking area with 10 spaces for the 5 x 3 bed units.

Cycle parking is provided for the 7 new staff houses in garden sheds which are either accessed from the rear of the dwelling or through car ports.

The Junior Boarding House is to be located on an existing car park which currently provides 30 parking spaces. The parking spaces will therefore be re-provided via alterations/extensions to an existing car park to provide 90 parking spaces in total from the previous 56 spaces in this location. Additional parking will not be required for the boarding house staff accommodation as this could be provided within the existing staff parking as the number of staff is not proposed to be increased.

The new proposed parking area should be in place prior to any construction of the boarding block so that adequate parking remains on site, not only for the staff, but also for construction vehicles. It is suggested that a planning condition is required that the parking area be provided prior to commencement of the development and that parking is retained thereafter. On-street parking is un-restricted in the local area.

The application form notes that the proposed vehicular access points and area of hard-standing are to be constructed using permeable surfacing to an agreed specification and that low level lighting is to be used for car park and controlled lighting elsewhere. It is suggested that planning conditions are required providing further details of site drainage and lighting and that these are implemented prior to commencement of the development and retained thereafter.

To conclude, along with suitable conditions, the proposal is not considered to result in any highway safety implications and is therefore considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

14. ACCESSIBILITY

There are no concerns regarding accessibility. Therefore the proposal is considered to be in accordance with the requirements of Policy CS7 of the CS and saved BFBLP Policies EN22 and H14.

15. PLANNING OBLIGATIONS

CSDPD Policy CS6 states that development is expected to contribute to the delivery of:-

- (a) infrastructure needed to support growth and;
- (b) infrastructure needed to mitigate impacts upon communities, transport and the environment.

Infrastructure requirements are set out in the Council's "Limiting the Impact of Development" (LID) SPD.

The application has been assessed on the basis that the housing would be C3 use although occupied by staff and their dependants. It is proposed that any approval be accompanied by a Section 106 Legal Agreement restricting the occupancy of the housing to persons (and their dependants) employed at the site.

Mitigation of other impacts would not be necessary to make 7 staff houses acceptable as residents are likely to use on-site facilities thus not increasing pressures on local facilities.

As such, it is recommended that this permission is subject to the completion of a S106 agreement.

16. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

The Council adopted the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) on 29 March 2012. This SPD supplements Policy CS14,

South East Plan retained Policy NRM6 and Core Strategy DPD Policy CS14 are consistent with the NPPF and should therefore be given full weight as Development Plan polices.

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

This site is located approximately 3.05 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, a Habitats Regulations 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 SPA.

In line with the above policies and guidance, the developer must provide the following SPA avoidance and mitigation measures in order to satisfy the Habitats Regulations.

SPA Avoidance and Mitigation Measures

The provision of bespoke Suitable Alternative Natural Greenspace (SANG) and its on-going maintenance in perpetuity.

In accordance with the SPA SPD (the development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG).

It is understood that the new dwellings to be provided for the Head and Deputy Head are replacement dwellings and would not lead to a net increase in dwellings, also that the Junior Boarding House is student accommodation. These dwellings will therefore not give rise to SPA contributions as they are not deemed to lead to a likely significant effect on the integrity of the SPA.

The Planning Statement (paragraph 5.40 - 5.42) confirms that the development will result in a net increase of 5 x 3 bed dwellings (the new terrace), one x 1 bed apartment and one x 2 bed apartment (within the Junior Boarding House). The total SANG payment would come to £15,120.

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). Furthermore, there is a need to include an occupation restriction which is included in the Template s106 agreement. The occupation restriction is necessary to ensure that the SANGs works are in place before occupation thereby giving the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which is calculated on a per bedroom basis. This application for this development is for 5 x 3 bedroom dwellings, one x 1 bed apartment and one x 2 bed apartment which require the total SAMM contribution to be £4,480.

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £19,600 (i.e. £15,120 + £4,480).

The applicant has confirmed that the school is prepared to make a contribution of £19,600 towards the costs of SPA avoidance and mitigation measures (see Planning Statement paragraph 5.42).

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

17. SUSTAINABLE CONSTRUCTION

The NPPF outlines how the impacts of climate change and the delivery of renewable and low carbon energy and associated infrastructure is central to the economic, social and environmental dimensions of sustainable development. Para 96 of the Framework states that in determining planning applications, LPAs should expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. This application has been considered against the objectives of the NPPF and in the context of the Borough's energy and sustainability policies. Both CSDPD Policies CS10 and CS12 are considered consistent with the NPPF.

CSDPD Policy CS10 is likely to be complied with as a Pre-assessment Estimator has been provided demonstrating that the dwellings are likely to meet with Code for Sustainable Homes Level 3 and that the Junior Boarding House is likely to achieve BREEAM 'Very Good'. However the applicant has failed to address the proposed extension to the Phoenix Building. A condition is recommended to be imposed in-order to secure that policy CS10 is met.

Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation.

The applicant has submitted a 'Sustainability Statement'. This sets out the applicant's approach in meeting the requirements of Policy CS12. This does not fully meet with the requirement of policy CS12 as the applicant has not demonstrated that 20% of the development's energy demand would be offset via renewable energy technology. Therefore a condition is recommended to be imposed to address this matter.

18. LAND CONTAMINATION

North of the school site is an old Council landfill site. Environmental Health was consulted on the proposed scheme and they are happy that any issues regarding potential land contamination can be dealt with by using suitably worded conditions.

19. CONCLUSIONS

In conclusion, the proposed extension to an existing classroom building, new Junior Boarding House, new staff accommodation and extension to an existing car park, although not in accordance with BFBLP Policies EN8, H5 and CSDPD Policies CS2 and CS9, are considered acceptable as there are social, economic and environmental materials considerations that outweigh this policy conflict. It is also a material consideration that the school use is an established use within the Countryside setting.

The proposal as a whole would result in no materially adverse impacts upon the character and appearance of the countryside area, upon neighbouring amenity, highway safety and biodiversity. As such the proposal would comply with policies CSDPD Policies CS1, CS7, CS9, CS10, CS12 and CS23 and BFBLP Policies EN1, EN3, EN8, EN20, EN25, M4 and M9 and the NPPF.

The application is therefore recommended for approval subject to appropriate conditions and the completion of a s106 agreement restricting occupancy of the staff housing and flats to persons (and their dependants) employed at the site and securing contributions to mitigate impacts upon the SPA.

It will be noted that if the S106 is not completed by 2 April the scheme becomes CIL liable.

RECOMMENDATION

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

01. Restricting the occupancy of the staff housing and flats to persons employed at the site (& their dependants).

Contributions towards the Thames Basin Heaths SPA mitigation.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990

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

Transport Statement received 29.09.14

Landscape and Visual Impact Assessment received 29.09.14

Arboricultural Impact Assessment received 29.09.14

Extended Phase 1 Habitat Assessment received 29.09.14

5165/1100 Site Location Plan (Red line for Planning) 1:2500 received 29.09.14

5098/1100 Existing Site Plan 1:500 received 29.09.14

5098/1110A Proposed Site Plan 1:500 received 29.09.14

5098/1120 Staff Housing Existing Site Survey 1:200 received 29.09.14

5098/1130 Staff Housing Block Plan 1:200 received 29.09.14

5098/1200 Staff Housing HM's House 1:100 received 29.09.14

5098/1201A Staff Housing Director of Boarding's House 1:100 received 29.09.14

5098/1202/A Staff Housing Terraced Plans 1:100 received 29.09.14

5098/1300 Staff Housing Terraced Elevations 1:100 received 29.09.14

4985/1100 JBH and Car Park Existing Site Plan received 29.09.14

4985/1101 JBH and Car Park Proposed Site Plan received 29.09.14

4985/1200 JBH Plans 1:100 received 29.09.14

4985/1201 JBH Plans 1:100 received 29.09.14

4985/1300 JBH Elevations 1:100 received 29.09.14

4985/1301A JBH Elevations 1:100 received 29.09.14

5165/110A Phoenix House Existing Plan and Elevations 1:100 received 29.09.14

5165/1111 Phoenix House Extension Proposed Site Plan 1:100 received 29.09.14

5165/1200 Phoenix House Extension Floor Plans 1:100 received 29.09.14

5165/1300 Phoenix House Extension Elevations 1:100 received 29.09.14

4985/1102 Junior Building Drainage Plan 1:200 received 18.11.14

5098/1135 Staff Housing Drainage Plan 1:200 received 18.11.14

5165/1201 Phoenix House Drainage Plan 1:200 received 18.11.14

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

03. The number of staff employed by Heathfield School shall be restricted to no more than 135 and the number of pupils on the school role shall be restricted to no more than 250.

REASON: To ensure that the development does not give rise to an increase in traffic to and from the school, which could result in a detrimental and unmitigated impact on the local road network.

[Relevant Plans and Policies: BFBLP M4 and CSDPD CS23]

04. 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 Policies: BFBLP EN20, Core Strategy DPD CS7]

05. The development hereby permitted shall not be begun until details showing the finished floor levels of the dwellings, garages and the levels of the roads hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

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

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

06. The development hereby permitted shall not be begun until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: -
- a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.
 - b) Details of semi mature tree planting.
 - c) Comprehensive 5 year post planting maintenance schedule.
 - d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
 - e) Means of enclosure (walls and fences etc) including fencing that is permeable to badgers at the end of both the existing and propose badger corridors.
 - f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.

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

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

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

07. 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.

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

[Relevant Policy: Core Strategy DPD CS10]

08. Within one month of the first occupation of the development hereby permitted (or, where the development is phased, within one month of the first occupation of the final phase of that development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of level 3 of the Code for Sustainable Homes.

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

[Relevant Policy: Core Strategy DPD CS10]

09. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

(a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and

(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%).

The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

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

REASON: In the interests of nature conservation

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

11. All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecosulis Precautionary Method of Working statement dated August 2014 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: In the interests of nature conservation

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

12. The demolition of building B2 as identified in Ecosulis' bat survey report dated August 2014 shall not in any circumstances commence unless the local planning authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity to go ahead; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity will require a licence.

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

13. The areas shown for bat roost purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.

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

14. 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 set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

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

REASON: In the interests of nature conservation, accessibility and safety of the car park users.

[Relevant Plans and Policies: BFBLP M9, CSDPD CS1, CS7, CS23]

15. If more than 2 years elapse between the previous bat survey and the due commencement date of works, an updated bat survey shall be carried out by a suitably qualified ecologist, unless otherwise agreed in writing by the Local Planning Authority. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site.

REASON: To ensure the status of bats on site has not changed since the last survey.

[Relevant Plans and Policies: CSDPD CS1, CS7]

16. The demolition shall not be begun until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, 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 development shall take place until a contaminated land Phase I report (Desk Top Study) has been carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination

relevant to the site. The Desk Top Study shall be submitted to, and approved in writing by, the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

Following approval of the Desk Top Study, a Phase II report (Site investigation) may be carried out if required by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work and shall then proceed in strict accordance with the measures approved.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

[Relevant Plans and Policies: BFBLP EN25]

18. Following completion of the desk top study and site investigation required by the above condition, a remediation scheme to deal with any contaminants identified must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include an implementation timetable, monitoring proposals and a remediation verification methodology. The remedial scheme must be carried out before the development commences unless otherwise agreed in writing by the local planning authority.

Should any unforeseen contamination be encountered during the development, the Local Planning Authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the Local Planning Authority in writing.

A Site Completion Report shall be submitted to, and approved in writing by, the Local Planning Authority. The report must detail the conclusions, actions taken and verification methodology at each stage of the works and shall include a sampling and analysis programme to confirm the adequacy of decontamination. An appropriately qualified person shall oversee the implementation of all remediation. The construction of buildings shall not commence until the investigator has provided a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the remediation scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

If no contamination is encountered during the development, a letter confirming this fact shall be submitted to the Local Planning Authority upon completion of the development.

REASON: To enable to the Local Planning Authority to ensure that appropriate measures are taken to avoid any threat which the proposed development might pose to health and safety and/or the environment.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

[Relevant Plans and Policies: BFBLP EN25]

19. No development approved by this permission shall be commenced until a ground gas risk assessment has been submitted to an approved in writing by the Local Planning Authority. Where a risk from migrating gas is identified, appropriate works to mitigate the effects of gas shall be incorporated in detailed plans to be approved by the Local Planning Authority.

REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.

[Relevant Plans and Policies: BFBLP EN25]

20. No demolition or 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 Public Holidays.

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

[Relevant Plans and Policies: BFBLP EN20]

21. No building work to the Junior Boarding House shall take place until the associated vehicle parking and turning space has been surfaced and marked out in accordance with drawing 4985/1101- JBH and Car Park Proposed Site Plan dated 29.09.14 . 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]

22. The car ports shall be retained for the use of the parking of vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.

[Relevant Policy: BFBLP M9]

23. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

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

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

REASON: In the interests of amenity and road safety.

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
 02. No further details need to be submitted in respect of conditions 01, 02, 03, 05 and 10 although they need to be complied. However further details need to be submitted to address conditions 04, 06, 07, 08, 09, 10, 11, 12 and 13.
-
01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicants have not satisfactorily mitigated the development to comply with the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012. In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would therefore be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and to the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012.
 02. The proposed additional dwellings, the occupation of which is not restricted to school staff and their dependants, are considered to be inappropriate development in the countryside which would result in an adverse urbanising impact and unacceptably increase the pressure on open space, education facilities, public open space, built sports facilities, libraries and community facilities. In the absence of a section 106 planning obligation restricting the occupancy of the proposed dwellings to persons employed at the school on the site (and their dependants), the proposal is considered to be contrary to BFBLP Policies EN8, H5 and EN20 and CSDPD Policies CS1, CS6, CS7 and CS9 and the NPPF.

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

Unrestricted Report

ITEM NO: 8

Application No.
14/01021/FUL
Site Address:

Ward: **Great Hollands South**
Date Registered: **29 October 2014**
Target Decision Date: **24 December 2014**
91 Staplehurst Bracknell Berkshire RG12 8DD

Proposal: **Garage extension and the erection of a pitched roof.**

Applicant: **Mr Geraint Owens**
Agent: **(There is no agent for this application)**
Case Officer: **Matthew Miller, 01344 352000**
Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been reported to the Planning Committee following the receipt of 4no. objections from residents of the surrounding properties.

2. SITE DESCRIPTION

The street scene of Staplehurst consists primarily of two storey semi-detached properties of a similar design and bulk, with detached or semi-detached single garages that are set back to the rear from the main dwellinghouses, and this includes the property of 91 Staplehurst. The detached garage of 91 Staplehurst is connected to the garage of the neighbouring property of 90 Staplehurst to the north. The property contains a soft landscaped front garden with a hardsurfaced driveway providing access and additional off-street parking. The property benefits from a single storey rear extension forming a conservatory, and a rear garden. There are no boundary treatments separating the rear gardens of 91 and 90 Staplehurst.

3. RELEVANT SITE HISTORY

None

4. THE PROPOSAL

The proposed development is the erection of a single storey rear extension to the semi-detached garage, forming an enlargement of the garage for storage. In addition it is proposed to replace the existing flat roof of the garage with a mono-pitched roof which would connect to the pitched roof proposed to be installed to the garage of 90 Staplehurst (application reference: 14/01022/FUL), cumulatively forming a gable roof layout over the semi-detached building. The proposed extension would project 5.2 metres in depth, and would measure 2.7 metres in width and 4.0 metres in total height, with an eaves height of 2.3 metres.

The proposal is partly retrospective as construction of the rear extension to the garage has commenced. However the proposed alterations to the roof of the garage have not commenced.

5. REPRESENTATIONS RECEIVED

A total of four objections were received from the residents of the surrounding properties of 92, 97, 98 and 99 Staplehurst. The objections are summarised as follows:

- The proposed height, massing and pitched roof layout of the development would be adversely out of character with the surrounding area.
- The cumulative length of the garage would result in an adverse overbearing impact on the neighbouring residential properties.
- Insufficient information has been submitted concerning details of surface water drainage.

Officer Note: The matters concerning the impact of the proposal on the character of the surrounding area and on residential amenity are discussed in the full report below. In respect of concern about drainage matters the application site is not located within a flood zone, and the proposed works would be subject to Building Regulations criteria concerning drainage provision separately to requiring planning permission.

No further representations were received from neighbouring properties.

6. SUMMARY OF CONSULTATION RESPONSES

Bracknell Town Council:

Bracknell Town Council raise no objection.

No further statutory or non-statutory consultations were required.

7. DEVELOPMENT PLAN

The development plan for this Borough includes the following:

Site Allocations Local Plan (2013) (SALP)
Core Strategy Development Plan Document (2008) (CSDPD)
Bracknell Forest Borough Local Plan (2002) (BFBLP)
Bracknell Forest Borough Policies Map (2013)

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the Site Allocations Local Plan sets out that a positive approach to considering development proposals which reflect in the presumption in favour of sustainable development as set out in the NPPF should be taken, and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements. No.91 Staplehurst is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Therefore, the principle of development on this site is acceptable. Due to its location and nature, the proposal is considered to be in accordance with SALP Policy CP1, Core Strategy Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF but details such as no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, remain to be assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area. It further states that the design of the development should promote local character and a sense of local identity.

These policies are considered to be consistent with the objectives set out within the NPPF, and as such can be afforded full weight. Para. 56 the NPPF states that good

design is a key aspect of sustainable development and should contribute positively to making places better for people to live. Furthermore para. 64 of the NPPF states that the design of developments should take the opportunities where available to improve the character and quality of an area and the way it functions.

As the existing garage is set back to the rear of the host dwellinghouse, and as the host dwelling has a dual-pitched roof, it is not considered that the proposed roof layout would be adversely out of character with the host dwelling. As the detached garage forms an outbuilding it is not considered that the massing of the proposed rear extension to the garage would be adversely out of character with the host dwelling, particularly as it would extend further to the rear.

Although the street scene of Staplehurst predominately contains dwellinghouses with single storey detached garages with flat roofs, there are numerous variations to this pattern. The property of 74 Staplehurst contains a raised flat roof that has a larger height to the connecting garage, resulting in an asymmetrical appearance. Various properties within Staplehurst, including (but not limited to) nos. 11, 51 and 103 Staplehurst, contain two storey side extensions level with the original dwellinghouse that have resulted in the removal of the original detached garages. The property at 33 Staplehurst on the opposite side of the highway to the application site contains a single storey side extension forming a garage with a dual-pitched roof.

Considering the above, and the existing set back of the garages from the main highway, it is not considered that the proposal would result in an adverse impact on the character of the surrounding area. In conjunction with the proposed development at 90 Staplehurst (14/01022/FUL), the overall roof line would have an asymmetrical appearance. Considering the set back from the highway and that part of the garage of 90 Staplehurst being obscured by the host dwelling as it extends to the side, it is not considered that this appearance would be out of character with the surrounding area to the detriment of its visual amenity.

In the event of granting planning permission it is recommended that a condition be imposed to ensure that the development is carried out in conjunction with the proposed development at 90 Staplehurst (14/01022/FUL). It is also recommended that a condition be imposed requiring matching materials to the existing garage.

It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area or the host dwelling, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF, subject to the imposition of the suggested conditions.

10. IMPACT ON RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas, through ensuring that development would not result in an adverse impact on neighbouring properties through loss of light, loss of privacy or overbearing impacts. This is considered to be consistent with the core design principle set out in paragraph 17 of the NPPF, which states that LPAs should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and as such this policy should be afforded significant weight.

In association with the assessment of potential loss of light and overshadowing, guidance within the Building Research Establishment (BRE) Report "Site layout

planning for daylight and sunlight: a guide to good practice" (2011) is utilised as a standard for assessing acceptable levels of visual amenity with concern to loss of light.

The proposal would be visible from the neighbouring property of 90 Staplehurst to the north. Considering the presence of the existing semi-detached garage of no. 90 which forms an intervening feature, and the single storey height of the proposal, it is not considered that the proposal would result in an adverse impact on the residential amenity of no. 90.

The proposal would also be visible from the adjoining property of 92 Staplehurst to the south. Considering that the proposal would be sited on the opposite side of the rear garden of the application site to no. 92, with a separation distance of approximately 6 metres to the boundary of no. 92, and considering the single storey height of the proposal, it is not considered that the proposal would result in adverse loss of light, overbearing or loss of privacy impacts on the residents of no. 92.

The proposal would be obscured from the dwellinghouses of 97 and 98 Staplehurst to the rear due to the presence of planting forming tall hedging along the rear boundary of the application site which exceeds 3 metres in height. In any case considering the single storey height of the proposal and its orientation to these properties, it is not considered that the proposal would result in an adverse impact on the residential amenity of these properties.

It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

11. TRANSPORT IMPLICATIONS

The proposal would not result in a net increase in bedrooms or result in a loss of existing off-street parking.

12. CONCLUSIONS

It is not considered that the development would result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties, subject to the recommended conditions, and would have no impact on highway safety. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2 and CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

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 29 October 2014:

Location Plan scale 1:1250

Drg. NO: GO/042013/01 Issue 2
Drg No: GO/042013/20

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 of similar appearance to those of the existing dwelling.

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

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

04. The development hereby permitted shall be constructed and substantially finished concurrently with the development at 90 Staplehurst, Bracknell (reference: 14/01022/FUL).

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

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

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission subject to conditions, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
1. Time Limit
 2. Approved Plans
 3. Materials
 4. Development at 90 Staplehurst (14/01022/FUL)
03. The applicant should note 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.

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

Unrestricted Report

ITEM NO: 9

Application No.
14/01022/FUL
Site Address:

Ward: Great Hollands South
90 Staplehurst Bracknell Berkshire RG12 8DD

Date Registered:
29 October 2014

Target Decision Date:
24 December 2014

Proposal: **Garage extension and the erection of a pitched roof.**

Applicant: Mr Steven Leek
Agent: (There is no agent for this application)
Case Officer: Matthew Miller, 01344 352000
Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been reported to the Planning Committee following the receipt of 2no. objections from residents of the surrounding properties, and due to its link to planning application 14/01021/FUL in relation to the proposed development at 91 Staplehurst, Bracknell, which received 4no. objections.

2. SITE DESCRIPTION

The street scene of Staplehurst consists primarily of two storey semi-detached properties of a similar design and bulk, with detached and semi-detached single garages that are set back to the rear from the main dwellinghouses, and this includes the property of 90 Staplehurst. The detached garage of 90 Staplehurst is connected to the garage of the neighbouring property of 91 Staplehurst to the north. The property contains a soft landscaped front garden with a hardsurfaced driveway providing access and additional off-street parking. The property benefits from a single storey rear extension forming a conservatory, and a rear garden. There are no boundary treatments separating the rear gardens of 90 and 91 Staplehurst.

3. RELEVANT SITE HISTORY

No planning applications received.

4. THE PROPOSAL

The proposed development is the erection of a single storey rear extension to the semi-detached garage, forming an enlargement of the garage for storage. In addition it is proposed to replace the existing flat roof of the garage with a mono-pitched roof which would connect to the pitched roof proposed to be installed to the garage of 91 Staplehurst (application reference: 14/01021/FUL), cumulatively forming a gable roof layout over the semi-detached building. The proposed extension would project approximately 2.2 metres in depth, and would measure 3.6 metres in width and 4.0 metres in total height, with an eaves height of 2.3 metres.

The proposal is partly retrospective as construction of the rear extension to the garage has commenced. However the proposed alterations to the roof of the garage have not commenced.

5. REPRESENTATIONS RECEIVED

Two objections have been received from the residents of the neighbouring properties of 98 and 99 Staplehurst to the rear (east). The residents of both properties objected to the proposal on the grounds that insufficient information has been submitted concerning details of surface water drainage.

Officer Note: The application site is not located within a flood zone, and the proposed works would be subject to Building Regulations criteria concerning drainage provision separately to requiring planning permission.

No further representations were received from neighbouring properties.

6. SUMMARY OF CONSULTATION RESPONSES

Bracknell Town Council:

Bracknell Town Council raise no objection.

No further statutory or non-statutory consultations were required.

7. DEVELOPMENT PLAN

The development plan for this Borough includes the following:

Site Allocations Local Plan (2013) (SALP)
Core Strategy Development Plan Document (2008) (CSDPD)
Bracknell Forest Borough Local Plan (2002) (BFBLP)
Bracknell Forest Borough Policies Map (2013)

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the Site Allocations Local Plan sets out that a positive approach to considering development proposals which reflect in the presumption in favour of sustainable development as set out in the NPPF should be taken, and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements. No.90 Staplehurst is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Therefore, the principle of development on this site is acceptable. Due to its location and nature, the proposal is considered to be in accordance with SALP Policy CP1, Core Strategy Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF but details such as no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, remain to be assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area. It further states that the design of the development should promote local character and a sense of local identity.

These policies are considered to be consistent with the objectives set out within the NPPF, and as such can be afforded full weight.. Para. 56 the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live. Furthermore para. 64 of the NPPF states that

the design of developments should take the opportunities where available to improve the character and quality of an area and the way it functions.

As the existing garage is set back to the rear of the host dwellinghouse, and as the host dwelling has a dual-pitched roof, it is not considered that the proposed roof layout would be adversely out of character with the host dwelling. As the detached garage forms an outbuilding it is not considered that the massing of the proposed rear extension to the garage would be adversely out of character with the host dwelling, particularly as it would extend further to the rear.

Although the street scene of Staplehurst predominately contains dwellinghouses with single storey detached garages with flat roofs, there are numerous variations to this pattern. The property of 74 Staplehurst contains a raised flat roof that has a larger height to the connecting garage, resulting in an asymmetrical appearance. Various properties within Staplehurst, including (but not limited to) nos. 11, 51 and 103 Staplehurst, contain two storey side extensions level with the original dwellinghouse that have resulted in the removal of the original detached garages. The property at 33 Staplehurst on the opposite side of the highway to the application site contains a single storey side extension forming a garage with a dual-pitched roof.

Considering the above, and the existing set back of the garages from the main highway, it is not considered that the proposal would result in an adverse impact on the character of the surrounding area. In conjunction with the proposed development at 91 Staplehurst (14/01021/FUL), the overall roof line would have an asymmetrical appearance. Considering the set back from the highway and that part of the existing garage being obscured by the host dwelling as it extends to the side, it is not considered that this appearance would be out of character with the surrounding area to the detriment of its visual amenity.

In the event of granting planning permission it is recommended that a condition be imposed to ensure that the development is carried out in conjunction with the proposed development at 91 Staplehurst (14/01021/FUL). It is also recommended that a condition be imposed requiring matching materials to the existing garage.

It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area or the host dwelling, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF, subject to the imposition of the suggested conditions.

10. IMPACT ON RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas, through ensuring that development would not result in an adverse impact on neighbouring properties through loss of light, loss of privacy or overbearing impacts. This is considered to be consistent with the core design principle set out in paragraph 17 of the NPPF, which states that LPAs should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. , and as such this policy should be afforded significant weight.

In association with the assessment of potential loss of light and overshadowing, guidance within the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011) is utilised as a standard for assessing acceptable levels of visual amenity with concern to loss of light.

The proposal would be visible from the neighbouring property of 91 Staplehurst to the north. Considering the presence of the existing semi-detached garage at no. 91 which forms an intervening feature, and the single storey height of the proposal, it is not considered that the proposal would result in an adverse impact on the residential amenity of no. 91.

The proposal would also be visible from the adjoining property of 89 Staplehurst to the north. Considering that the proposal would be sited on the opposite side of the rear garden of the application site to no. 89, with a separation distance of approximately 5.5 metres to the boundary of no. 89, and considering the single storey height of the proposal, it is not considered that the proposal would result in adverse loss of light, overbearing or loss of privacy impacts on the residents of no. 89.

The proposal would be obscured from the dwellinghouses of 84, 98 and 99 Staplehurst to the rear due to the presence of planting forming tall hedging along the rear boundary of the application site which exceeds 3 metres in height. In any case considering the single storey height of the proposal and its orientation to these properties, it is not considered that the proposal would result in an adverse impact on the residential amenity of these properties.

It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

11. TRANSPORT IMPLICATIONS

The proposal would not result in a net increase in bedrooms or result in a loss of existing off-street parking.

12. CONCLUSIONS

It is not considered that the development would result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties, subject to the recommended conditions, and would have no impact on highway safety. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2 and CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

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 29 October 2014:

Location Plan scale 1:1250
Drg. NO: GO/042013/01 Issue 2
Drg No: GO/042013/20

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 of similar appearance to those of the existing dwelling.

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

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

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission subject to conditions, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
1. Time Limit
 2. Approved Plans
 3. Materials
 4. Development at 91 Staplehurst (14/01021/FUL)
03. The applicant should note 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

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

Unrestricted Report

ITEM NO: 10

Application No.
14/01114/FUL

Ward:
Harmans Water

Date Registered:
16 October 2014

Target Decision Date:
11 December 2014

Site Address:

24 Beaulieu Close Bracknell Berkshire RG12 9QL

Proposal:

Erection of a part two storey, part first floor side extension (Re-submission of planning application 14/00633/FUL).

Applicant:

Mr Shane Fabry

Agent:

Mr David Taylor

Case Officer:

Matthew Miller, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been reported to the Planning Committee at the request of Councillors Kensall and Turrell, due to concerns that the proposed development would be out of keeping with the street scene and the character of the surrounding area.

2. SITE DESCRIPTION

The street scene of Beaulieu Close consists primarily of two storey detached residential properties of varying sizes, with varying detached, attached and integral garage structures. 24 Beaulieu Close was originally a four bedroom two storey detached dwellinghouse with an attached double garage, and is located in a predominately residential area. The property contains a hardsurfaced frontage which provides off-street parking, and an enclosed rear garden. The property is sited immediately northeast of the junction between the highways of Beaulieu Close and Brockenhurst Road.

3. RELEVANT SITE HISTORY

14/00633/FUL

Erection of a part two storey, part first floor side extension.

Approved (27.08.2014)

4. THE PROPOSAL

The development is the erection of a part two storey, part first floor extension to the front of and above the existing attached double garage on the northern side elevation of the host dwelling. It has a dual-pitched roof and will form an enlargement to the double garage at ground floor level and a bedroom, bathroom and en-suite bathroom at first floor level in association with alterations to the first floor layout of the host dwelling. The extension projects 2.0 metres in depth to the front of the original garage, and measure 5.2 metres in width, and 7.8 metres in total height (with the total depth of the extension and existing garage being 8.7 metres).

The development is a re-submission of planning approval 14/00633/FUL, and has been amended to increase the depth of the extension to the front. The development is mostly retrospective as construction works have commenced and have almost been completed externally.

During the course of the application a revision to the development was proposed to replace the single width garage door with two separate smaller garage doors, and an amended parking plan was received.

5. REPRESENTATIONS RECEIVED

Two objections were received from the residents of the neighbouring properties of 20 Beaulieu Close and 'Springhill', 23 Beaulieu Close. The objections are summarised as follows:

- The design and massing of the development is out of character with the surrounding area, including the use of a single wide garage access door, and has resulted in overdevelopment of the site and a terracing effect. Furthermore the wooden beams as shown on the approved plans for 14/00633/FUL have not been installed.
- The development results in an adverse loss of light to the residents of the neighbouring property of 'Springhill', 23 Beaulieu Close.

- The development does not provide adequate parking provision for vehicles.

Officer Note: The wooden beams are shown as proposed to be installed on the plans submitted in respect of this application, and therefore would form part of the development if fully implemented. The remaining matters referred to above are discussed in the report below. The application was reported to the Planning Committee by Councillors Kensall and Turrell before the Local Authority's 1-3 Objection Procedure was undertaken.

No further representations were received from neighbouring properties.

6. SUMMARY OF CONSULTATION RESPONSES

(i) Winkfield Parish Council:

Winkfield Parish Council object to the development, but have not provided grounds for the objection. Winkfield Parish Council further advise that in the event of granting planning permission, it should be demonstrated that there is no loss of amenity to the neighbouring properties, that adequate parking is practicable and meets with current standards, and that the development is of a similar appearance to other properties in the area as per condition 03 of the original application (14/00633/FUL). [Officer Note: Condition 03 of planning permission 14/00633/FUL relates to the requirement for matching materials].

(ii) Highway Officer:

The Highway Officer was consulted on the development and objected to the initially submitted parking layout. [Officer Note: the parking layout been altered from that approved under planning permission 14/00633/FUL]. However, the Highway Authority advised that an acceptable revised parking layout could be provided, and following the receipt of these comments, an acceptable amended parking layout was received.

7. DEVELOPMENT PLAN

The development plan for this Borough includes the following:
Site Allocations Local Plan (2013) (SALP)
Core Strategy Development Plan Document (2008) (CSDPD)
Bracknell Forest Borough Local Plan (2002) (BFBLP)
Bracknell Forest Borough Policies Map (2013)

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the Site Allocations Local Plan sets out that a positive approach to considering development proposals which reflect in the presumption in favour of sustainable development as set out in the NPPF should be taken, and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined

settlements. No.24 Beaulieu Close is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Therefore, the principle of development on this site is acceptable. Due to its location and nature, the proposal is considered to be in accordance with SALP Policy CP1, Core Strategy Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF but details such as no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, remain to be assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area. It further states that the design of the development should promote local character and a sense of local identity.

These policies are considered to be consistent with the objectives set out within the NPPF, and as such can be afforded full weight. Para. 56 the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live. Furthermore para. 64 of the NPPF states that the design of developments should take the opportunities where available to improve the character and quality of an area and the way it functions.

As the height of the extension is lower than the height of the host dwelling, and the extension is set back from the front elevation, the extension is subordinate in appearance to the host dwelling. The inclusion of the proposed wooden beam cladding would contribute to providing a design and appearance that is in keeping with the host dwelling. It is not considered that the development represents an overdevelopment of the site considering its subordinate appearance, its equal width to the original attached double garage, and considering the overall size of the property (including its garden space).

The development is prominent in the street scene due to the siting of the property in close vicinity of a highway junction. In addition to its subordinate appearance, it is not considered that the extension is incongruous in appearance when considering the general layout and the variation in sizes of dwellinghouses within the street scenes of Beaulieu Close and Brockenhurst Road, including the large dwellinghouse of 'Comberton', 7 Brockenhurst Road to the immediate south.

Although the development projects forward of the front elevation of the neighbouring dwellinghouse of 'Springhill', 23 Beaulieu Close to the north by approximately 3.4 metres, considering that the host dwellinghouse and original attached garage also projected forward of 'Springhill', this is not considered to be adversely out of character with the surrounding area. As a separation distance of 2.0 metres is maintained between the extension and the dwellinghouse of 'Springhill', it is not considered that the development results in a terracing effect.

Various surrounding properties including 'Comberton' contain integral double garages similar to the development. It was originally proposed to form a single wide door to access the enlarged double garage, whereas the original garage has two separate garage doors. Considering that the integral double garages of properties within the surrounding area have similar single wide access doors, this garage door layout was not considered to be out of character with the surrounding area. However, as a result of

transport implications raised by the altered development (discussed in greater detail below), it is now proposed to install two single single-width garage doors similar in design and size to those on the original garage. Considering that the original garage included this door layout and that various properties contain similar garage door layouts, it is not considered that this revised door layout would result in an adverse impact on the character of the surrounding area.

As the construction of the development has not been completed, in the event of granting planning permission it is recommended that a condition be imposed requiring matching materials.

It is therefore considered that the development does not result in an adverse impact on the character and appearance of the area or the host dwelling, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF, subject to the imposition of the suggested condition.

10. IMPACT ON RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas, through ensuring that development would not result in an adverse impact on neighbouring properties through loss of light, loss of privacy or overbearing impacts. This is considered to be consistent with the core design principle set out in paragraph 17 of the NPPF, which states that Local Planning Authorities (LPAs) should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and as such this policy should be afforded significant weight.

In association with the assessment of potential loss of light and overshadowing, guidance within the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011) is utilised as guidance for assessing acceptable levels of visual amenity with concern to loss of light.

The development is visible from the neighbouring dwelling of 'Springhill', 23 Beaulieu Close to the north. In accordance with the BRE Report guidance, a 45 degree line drawn on the horizontal plane from the midpoint of the closest front-facing window at 'Springhill' towards the extension does not intersect the extension. Furthermore planting is present in the front garden of 'Springhill' to the front of this window which results in an existing screening effect.

The development extends forward of the front elevation of 'Springhill', 23 Beaulieu Close by approximately 3.4 metres, whereas the original single storey attached garage projected forward by approximately 1.1 metres, and the host dwellinghouse projects forward by approximately 3.7 metres. Considering the existing impact of the host dwelling, and the separation distance between the nearest front-facing window at 'Springhill' to the proposal (around 4 metres), it is not considered that the development results in an adverse overbearing impact or loss of light.

No northern side-facing windows are proposed to be installed on the extension. In the interests of preventing an adverse loss of privacy or overlooking impact on 'Springhill', in the event of granting planning permission it is recommended that a condition be imposed to restrict the formation of windows at first floor level or above on this elevation.

It is not considered that the development results in an adverse impact on the residential amenities of the properties to the front and rear of the application site, considering the

separation distance of these properties to the extension, and the presence of existing first floor front- and rear-facing windows on the host dwelling.

It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF, subject to the imposition of the recommended condition.

11. TRANSPORT IMPLICATIONS

CSDPD CS23 states that the Local Planning Authority will seek to reduce the need to travel and increase the safety of travel, while simultaneously promoting alternative modes of travel. BFBLP 'Saved' Policy M9 states that development will not be permitted unless satisfactory parking provision is made for vehicles. To supplement the above policies the adopted Parking Standards Supplementary Planning Document (SPD) (2007) sets out the advised levels and size of parking spaces for residential dwellings.

These policies are considered to be consistent with the NPPF, which states that transport policies should contribute in facilitating sustainable development through reducing the need to travel and promoting public transport, and take into account local car ownership levels. The SPD was adopted following public consultation, so can be afforded significant weight.

The development involves a net increase in bedrooms from four to five, and also affects the original parking arrangements by altering the size of the existing double garage and reducing the size of the driveway to the front of the garage.

The guidance contained within the Parking Standards Supplementary Planning Document (SPD) (2007) advises that 3 parking spaces should be provided for a 4-bedroom property or above. The proposal does not therefore give rise to additional on-plot parking requirements.

The Highway Authority was consulted on the development and advised that the original garage was sub-standard for the purposes of modern vehicular parking. Although the internal size of the garage would be increased through the development, it would not meet the required width for a double garage, however one practical and usable parking space could be provided, with space available to store cycles and refuse bins.

The previous approved development (14/00633/FUL) provided a distance between the garage door and the back of the adopted footway of 5.3 metres, at its minimum, though in general a minimum length of 5.5 metres between the garage door and the back of the footway could be achieved. This was considered acceptable to the Highway Authority with the use of a roller shutter garage door (which was secured by planning condition).

The revised proposal would result in the distance between the garage door and the back of the adopted footway being 4.8 metres, at its minimum. Vehicles parked on the narrowest length of driveway would therefore be likely to overhang the footway, as no allowance is made for clearance of a parked vehicle from the building and, the opening of the garage door would be difficult. This would create risks to highway safety in this residential area.

The Highway Authority therefore objected to the initially submitted parking layout, however advised that an acceptable revised parking layout could be achieved with one garage parking space, one driveway parking space in-front of the main dwellinghouse

(parallel to Beaulieu Close, as is currently occurring) and one driveway parking space in front of the southern part of the garage (where the retained driveway is deeper), but not in front of a garage door being utilised for parking.

Following the receipt of these comments the applicant provided an amended parking layout plan, showing the above described spaces. In order to achieve an acceptable parking layout, the originally approved wide single door is proposed to be replaced with two single doors (both with roller shutters). One door would provide access for a vehicle to park within the garage, with no vehicles parked on the driveway immediately in front of this door. The second door would be installed for the purposes of visual amenity, and would not be actively utilised for internal vehicle parking. An acceptable pedestrian access route was also demonstrated by the revised parking plan.

It is recommended that conditions be imposed to secure the proposed parking layout and also to secure the use of roller shutter doors, in the interests of highway safety.

As a result it is not considered that the proposed development would result in an adverse impact on highway safety, in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9, the Parking Standards SPD, and the NPPF, subject to the imposition of the recommended conditions.

12. CONCLUSIONS

It is not considered that the development would result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties, or on highway safety, subject to the recommended conditions. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies EN20 and M9, the Parking Standards SPD, and the NPPF.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be retained in accordance with the following plans received by the Local Planning Authority:
2814-2 Issue F 'Proposed elevations' received on 10 December 2014
2817-3 Issue F 'Existing and proposed floor plans' received on 10 December 2014
2814-7 Issue C 'Parking Plan' received on 10 December 2014
2814-10 Issue D 'Site Plan' received on 16 October 2014

REASON: To ensure that the development is retained as approved by the Local Planning Authority.

02. 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.

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

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

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 windows at first floor level or above shall be installed on the north facing side elevation of the first floor rear extension hereby permitted.

REASON: In the interests of the residential amenity of the neighbouring property of 'Springhill', 23 Beaulieu Close, Bracknell.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

04. Within three months of the date of this permission the 2no. off-street parking spaces as shown on drawing 2814-7 Issue C 'Parking Plan' received by the Local Planning Authority on 10 December 2014 shall provided in accordance with the approved plans. The parking spaces shall thereafter be retained for the use of the parking vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.

[Relevant Policies: CSDPD Policy CS23, BFBLP 'Saved' Policy M9]

05. Within three months of the date of this permission the parking within the garage, shall be provided in accordance with drawing 2814-7 Issue C 'Parking Plan' received by the Local Planning Authority on 10 December 2014. The garage shall, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking or re-enacting that Order with or without modification), thereafter be retained for the use of the parking of vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.

[Relevant Policy: Core Strategy DPD CS23, BFBLP 'Saved' Policy M9]

06. Within three months of the date of this permission the 2no. roller shutter doors shall be installed to the garage in accordance with drawing 2814-2 Issue F 'Proposed elevations' received by the Local Planning Authority on 10 December 2014. The roller shutter doors shall thereafter be retained in this location at all times, and any replacement or repair shall only be with roller shutter type garage doors.

REASON: To ensure that the parking spaces within the garage and on the driveway are both accessible without obstruction, in order to ensure that adequate off-street parking is provided.

[Relevant Policy: Core Strategy DPD CS23, BFBLP 'Saved' Policy M9]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
1. Approved Plans
 2. Materials
 3. Side-facing windows

4. Parking provision
5. Garage retention
6. Roller shutter doors

Doc. Ref: Uniform 7/DC/Agenda

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

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OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been referred to the Planning Committee at the request of Councillor Turrell due to concerns that the development would put extra pressure on parking, and that parking spaces near the store would be taken up by displaced trolleys.

2. SITE DESCRIPTION

The Tesco store is located within a residential estate and adjoining the Martins Heron rail station. The current store, retail units and community centre form a neighbourhood centre. Vehicular access to the main car park store is from an access in Whitton Road opposite nos. 3-7, with deliveries and staff access from a mini roundabout on Whitton Road close to the junction with Cross Gates Close. This access also serves the adjoining station car park.

3. RELEVANT SITE HISTORY

Application 03/00901/FUL - Erection of single storey extension to store to provide an additional 2408 sq m gross external floor space including an extended loading bay, a bulk store extension, sales floor extension and two unit shops. Rearrangement of the car park to provide a total of 475 car parking spaces and relocation of recycling facility - APPROVED 2005 (With a Legal Agreement)

Application 07/00487/FUL - Erection of single storey extension to store, to provide an additional 2408 sq m gross external floor space including an extended loading bay, a bulk store extension, sales floor extension and two unit shops. Rearrangement of the car park to provide a total of 475 car parking spaces and relocation of recycling facility. (Amendment to scheme approved under 03/00901/FUL rearranging the service yard and reducing the size of the bulk store extension) - APPROVED 2007 (With a Legal Agreement)

Application 07/00994/FUL - Erection of single storey extension to store to provide an additional 1548sq.m gross external floor space including an extended loading bay, a bulk store extension, sales floor extension and two unit shops. Rearrangement of car park to provide a total of 421 car parking spaces and relocation of recycling facility. (Amendment to scheme approved under 07/00487/FUL relocating the 'dot com' facility into the previously approved 2no. shop units and the 2no. shop units and coffee shop within the main store, and changes to car parking resulting in 421 rather than 475 car park spaces) - APPROVED 2008

Application 09/00220/FUL - Section 73 application to allow store's dot.com facility to receive deliveries and despatch goods between the hours of 07:00 and 23:00, Monday to Saturday, without compliance with condition 25 of planning permission 07/00994/FUL which states that "Deliveries to and despatch of goods from the site shall take place only between the hours of 07:00-18:30 Monday-Saturday only" - APPROVED 2009

Application 09/00727/FUL - Section 73 application for variation of (a) condition 11 of planning permission 610811 which states: "Deliveries to and despatch of goods from the site shall take place between the hours of 0700 hours and 1830 hours Monday to Saturday only" to allow deliveries to the store between 0700 hours and 2200 hours

Monday to Saturday and 0900 hours and 1700 hours on Sundays and (b) condition 13 of planning permission 610811 which states: "The opening hours of the store shall be limited to 0900 to 2000 Monday to Saturday, and 0900 to 2100 Friday only" to allow the store to trade from 0700 hours to 2200 hours Monday to Saturday, and from 1000 hours to 1600 hours on Sundays - APPROVED 2009

Application 13/00214/FUL - Installation of pod with canopy (for "Click and Collect" Customer Collection) - APPROVED 2013

Application 13/00522/A - Installation of 9no. non-illuminated fascia signs on to proposed 'Click & Collect' pod and canopy, and installation of 3no. non-illuminated metal signs to existing posts - CONSENT GRANTED 2013

Application 14/01175/A - Display of 3no. illuminated wall mounted signs and 4no. non-illuminated wall mounted signs - This application is also under consideration and is for the signage related to application 14/01174/FUL.

4. THE PROPOSAL

The proposed development is for the installation of a pod to provide dry cleaning, key cutting, shoe and watch repairs. The pod would be located to the west of the main store building, south of the main entrance, in an area in between a trolley bay and an ATM unit that is currently the site for two 'kiddie rides'. It would be operated by Timpsons and would a width of depth of 4.37m, a depth of 4.33m and a height of 2.65m. The proposed opening hours for the pod are 09:00 hours to 18:00 hours Monday to Saturday and 10:00 hours to 16:00 hours Sunday.

A separate application has been made for advertisement consent for the wall mounted signage on the side of the pod (ref. 14/01175/A) which will be determined alongside this application.

5. REPRESENTATIONS RECEIVED

One neighbour letter of objection was received in respect of the proposal. The letter raises concerns that a separate retail pod is in danger of turning the site into a disjointed retail park, rather than the originally approved single Tesco premises and two attached retail units. Such expansion of the site is out of keeping with its location at the centre of a residential area, and any additional retail activity would further increase traffic volumes, noise pollution and disturbance to local residents.

6. SUMMARY OF CONSULTATION RESPONSES

Winkfield Parish Council

Winkfield Parish Council has provided a consultation response on the application, and has no objection to the proposed development.

Highways Officer

The Highways Officer was consulted on the application, and has no objection to the proposed development.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:
Site Allocations Local Plan 2013 (SALP)
'Retained' Policies of the South East Plan 2009 (SEP)

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the Site Allocations Local Plan sets out that a positive approach to considering development proposals which reflect in the presumption in favour of sustainable development as set out in the NPPF should be taken, and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise. This is in conformity with the NPPF.

CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes. This is consistent with the NPPF and as such can be afforded full weight.

CSDPD Policy CS2 states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.

Tesco Whitton Road is located in a defined settlement in a 'Town Centre' location as designated by the Bracknell Forest Borough Policies Map, known as Martins Heron. Development within a defined settlement is considered to be in accordance with Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles), Core Strategy Policy CS21 (Retail Development in Town Centres) and Bracknell Forest Borough Local Plan 'Saved' Policies E5 (Hierarchy of Shopping Centres) and E11 (Village and Neighbourhood Centres and Local Parades) are also considered relevant to this proposal. The NPPF makes reference to ensuring the vitality of town centres, therefore Policy CS21 is considered to be consistent. The Glossary to the NPPF defines 'Town Centres'. Whilst the definition includes district centres and local centres, the term 'neighbourhood' is not included. The NPPF continues by stating that 'small parades of shops of purely neighbourhood significance are excluded. As a result, Bracknell Forest Borough Local Plan 'Saved' Policies E5 and E11 are not entirely consistent with the NPPF and therefore the weight that can be given to these policies is reduced.

CSDPD Policy CS21 states that 'Retail development will be directed to the identified 'Town Centres'. The scale and nature of the retail uses will be consistent with the role and function of the centre.' The policy also gives guidance with regard to the scale and function of development, its impact on vitality and viability of other Town Centres, whether it is accessible by a choice of means of transport and potential environmental impacts. This guidance will be considered throughout the report.

BFBLP 'Saved' Policy E5 defines Martins Heron as a 'Village and Neighbourhood Centre'. In terms of the terminology used in the NPPF, it is considered that Martins Heron comprises of more than a 'small parade of shops of purely neighbourhood significance'. It acts more like a local centre. The NPPF seeks to support the viability and vitality of such areas. The proposed development (which is a 'main town centre'

use) would involve an increase in the range of services available within the centre and would not be contrary to the NPPF's approach.

In view of the above, it is considered that the proposal for the installation of the pod is acceptable in principle. This is subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of the surrounding area, highway safety and transport implications, vitality and viability of other Town Centres etc. These matters are assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area.

These policies are considered to be consistent with the objectives set out within the NPPF. In addition para. 56 of the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live.

Due to its location adjacent to the store, it is not considered that the pod would represent an overly prominent feature in the streetscene when viewed either from within or outside the site. In any case as the use of the site as existing is predominantly retail it is not considered that the addition of the proposed pod would be out of keeping with the streetscene in this location. Furthermore due to its size it is not considered that the pod would represent an overdevelopment of the site.

As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with 'Saved' Policy EN20 of the Bracknell Forest Borough Local Plan, Policy CS7 of the CSDPD and the NPPF.

10. RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. This is consistent with the NPPF and as such can be afforded significant weight.

The site for the pod is located approximately 80m from the nearest residential property and it is therefore not considered that it would result in any unacceptable loss of light to or unduly overbearing effect on the neighbouring properties. Furthermore it is not considered that the use proposed would result in any additional noise and disturbance to the neighbouring properties over and above the existing use of the site.

The proposed operating hours are 09.00 hours to 18.00 hours Monday to Saturday and 10.00 hours to 16.00 hours Sunday. These hours are less than those operated by the main Tesco store and are considered to be acceptable. Hours for delivery have not been proposed, therefore these will be conditioned to tie in with those of the Tesco store to ensure that there is no additional activity outside the existing hours.

It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, and is therefore in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN20 and the NPPF.

11. TRANSPORT IMPLICATIONS

CSDPD CS23 states that the Local Planning Authority will seek to reduce the need to travel and increase the safety of travel, while simultaneously promoting alternative modes of travel. 'Saved' policy M9 of the BFBLP ensures that development provides satisfactory parking provision. A further material consideration for parking provision is provided in the Council's adopted Parking Standards SPD (2007). The NPPF allows for LPAs to set their own parking standards for non-residential development and therefore these policies are considered to be consistent with the NPPF and therefore can be afforded significant weight.

The Highways Officer was consulted on the application, and considers that the likely trips to and from the pod would be low over the course of a typical day, and the highway impacts would be negligible bearing in mind the overall size of the main superstore. It is likely that the majority of customers would use the new retail unit as part of a linked trip to the superstore and even though some customers will visit as a stand-alone trip, a retail unit of such a size would not create sufficient additional parking demand to warrant requiring any additional on-site parking.

For the reasons given above the proposal is considered to be in accordance with Policy CS23 of the CSDPD and the NPPF, 'Saved' Policy M9 of the BFBLP, the Parking Standards SPD and the NPPF and would not result in adverse highway implications.

12. IMPACT ON RETAIL DEVELOPMENT IN TOWN CENTRES

CSDPD Policy CS21 seeks to ensure the vitality and viability of all identified 'Town Centre' locations. The NPPF makes reference to ensuring the vitality of town centres, therefore this policy is considered to be consistent and can be afforded significant weight.

Given the size and scale of the development it is not considered that it would result in an adverse impact on the vitality and viability of other 'town centres'. It would complement existing facilities at Martins Heron and be appropriate in terms of scale and function to its location. The development is easily accessible by car and the site is also served by a railway station, therefore it is considered accessible by a choice of means of transport. Finally, there would be no adverse environmental impacts as a result of the proposals.

For the reasons given above the proposal is considered to be in accordance with Policy CS21 of the CSDPD and the NPPF and would be acceptable retail development in a town centre location.

13. CONCLUSIONS

The proposal is considered to be acceptable in principle and it is considered that the development would not result in an adverse impact on the character and appearance of the area, the amenities of the residents of the neighbouring properties, highway safety or retail development. It is therefore considered that subject to the recommended conditions the proposed development complies with the Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies EN20 and M9 and the NPPF.

The application is therefore recommended for approval.

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 7th November 2014:

2132gag1a.dgn
12861-001 (Rev C4)
12861-060 (Rev C2)

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

03. The opening hours of the pod shall be limited to 09.00 hours to 18.00 hours Monday to Saturday and 10.00 hours to 16.00 hours Sunday and at no other times.

REASON: In the interests of residential amenity.
(Relevant plans and policies: BFBLP EN20, CSDPD CS7)

04. No deliveries shall be made to the site before 07.00 hours or after 22.00 hours Monday to Saturday and not before 09.00 hours or after 17.00 hours on Sundays.

REASON: In the interests of residential amenity.
(Relevant plans and policies: BFBLP EN20, CSDPD CS7)

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission subject to conditions, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
- 01. Time Limit
 - 02. Approved Plans
 - 03. Hours of operation
 - 04. Delivery hours

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 12

Application No.

14/01175/A

Site Address:

Ward:
Harmans Water

Date Registered:
7 November 2014

Target Decision Date:
2 January 2015

**Tesco Stores Ltd Whitton Road Bracknell Berkshire
RG12 9TZ**

Proposal: **Display of 3no. illuminated wall mounted signs and 4no. non-illuminated wall mounted signs**

Applicant: Tesco Stores Ltd

Agent: Mr Laurence Piper

Case Officer: Michael Ruddock, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application is linked to application 14/01174/FUL and has been referred to the Planning Committee at the request of Councillor Turrell due to concerns that the development would put extra pressure on parking, and that parking spaces near the store would be taken up by displaced trolleys. This reason relates to the full application however in the interests of completeness this application for the related signage is also referred to the Committee.

2. SITE DESCRIPTION

The Tesco store is located within a residential estate and adjoining the Martins Heron rail station. The current store, retail units and community centre form a neighbourhood centre. Vehicular access to the main car park store is from an access in Whitton Road opposite nos. 3-7, with deliveries and staff access from a mini roundabout on Whitton Road close to the junction with Cross Gates Close. This access also serves the adjoining station car park.

3. RELEVANT SITE HISTORY

Application 08/00048/A - Display of two internally illuminated name signs and two internally illuminated 'goal post' entrance signs and non illuminated signage - CONSENT GRANTED 2008

Application 08/00052/A - Various non illuminated advertisements - PART APPROVAL PART REFUSAL 2008

Application 08/00499/A - Display of non-illuminated, free standing gantry sign - REFUSED 2008 APPEAL ALLOWED

Application 13/00522/A - Installation of 9no. non-illuminated fascia signs on to proposed 'Click & Collect' pod and canopy, and installation of 3no. non-illuminated metal signs to existing posts - CONSENT GRANTED 2013

Application 14/01174/FUL - Installation of Key Cutting, Shoe & Watch Repairs Pod to Class 1 Retail Premises - This application is also under consideration and is for the pod to which this signage relates.

4. THE PROPOSAL

The proposal is for the wall mounted illuminated and non-illuminated signage to be displayed on a pod to be located within the car park. Three illuminated fascia signs would be displayed, one of the front elevation and one on each side elevation, with a width of 4.3m and a height of 0.49m. In addition four non-illuminated poster signs would be displayed on the side elevations.

A separate application has been made for full planning permission for the pod itself (ref. 14/01174/FUL) which will be determined alongside this application.

5. REPRESENTATIONS RECEIVED

Two neighbour letters of objection have been received in respect of the proposal. The letters raise concern that the illuminated signs would result in light pollution and an

adverse impact on visual amenity, given that the store is in the centre of a residential area. Such signs would be out of keeping with the location of the store.

6. SUMMARY OF CONSULTATION RESPONSES

Winkfield Parish Council

Winkfield Parish Council were consulted on the application, and recommend refusal for the reason that the three illuminated signs are contrary to the original conditions imposed.

[OFFICER COMMENT: The planning permission or condition has not been specified, however it is assumed that this is in respect of the main store. The application is for signs for a separate unit within the site, and should be decided on its own merits.]

7. DEVELOPMENT PLAN AND LEGISLATION

The Development Plan for this Borough includes the following:

Site Allocations Local Plan 2013 (SALP)

'Retained' Policies of the South East Plan 2009 (SEP)

Core Strategy Development Plan Document 2008 (CSDPD)

'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)

Bracknell Forest Borough Policies Map 2013

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 is the statutory instrument regulating applications for advertisement consent.

Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that applications for advertisement consent should be assessed in respect of factors relevant to amenity and public safety.

8. IMPACT ON AMENITY

Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that applications for advertisement consent should be assessed in respect of factors relevant to amenity, including the general characteristics of the local area.

CSDPD Policy CS7 states that development (and by extension to this, proposed advertisements) will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. Bracknell Forest Borough Local Plan (BFBLP) 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area.' Paragraph 67 of the NPPF states that 'Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.' These policies are therefore considered to be consistent with the NPPF.

The proposed signage is considered to be in keeping with the size of the pod, and given the existing use of the site as a whole, such signage is not considered to be out of keeping with the existing streetscene. Furthermore given the size of the site it is not considered that the cumulative impact of the proposed signage in addition to the existing site signage would be unacceptable.

The fascia signage would be illuminated, with a maximum luminance level of 128.6 cd/m. As detailed in The Institute of Lighting Engineers document 'Brightness of Illuminated Advertisements' a luminance level of 800 cd/m would be acceptable for signs of this size and in this location. Therefore it is not considered that the proposed

illumination would be unacceptable. As the site is within close proximity to residential properties, the hours of illumination will be conditioned to match those of the operating hours of the pod.

As such it is not considered that the pod signage would result in an adverse impact on amenity and would therefore be in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

9. IMPACT ON PUBLIC SAFETY

Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that applications for advertisement consent should be assessed in respect of factors relevant to public safety, including whether the proposed signage would adversely obscure or hinder visibility or the interpretation of traffic signs.

CSDPD Policy CS23 states that the Council will use its planning and transport powers to increase the safety of travel. Therefore proposed advertisements would be required to be assessed in relation to the potential harmful effect on highway safety that may arise. Paragraph 67 of the NPPF states that 'Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.' These policies are therefore considered to be consistent.

The Highways Officer has not raised any issue with regard to the signage, and it is not considered that the signage would adversely obscure or hinder visibility or the interpretation of traffic signs. Given the nature, size and scale of the proposed signage it is not considered that it would cause an adverse impact on the public safety of pedestrians.

As such it is not considered that the pod signage would result in an adverse impact on public safety, and would be in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, CSDPD Policy CS23 and the NPPF.

10. CONCLUSIONS

It is not considered that the proposed pod signage would result in an adverse impact on amenity or public safety. It is therefore considered that subject to the recommended conditions the proposed development complies with the Development Plan Policies SALP Policy CP1, CSDPD Policies CS7, and CS23, BFBLP 'Saved' Policy EN20 and the NPPF.

The application for advertisement consent is therefore recommended for approval.

RECOMMENDATION

That **ADVERTISEMENT CONSENT be granted** subject to the following condition(s):-

01. The advertisements hereby granted consent shall be displayed in accordance with the following plans and other submitted details received by the Local Planning Authority on 7th November 2014:

TSQP3 01

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

02. The signage hereby permitted shall not be illuminated before 09.00 hours or after 18.00 hours Monday to Saturday and shall not be illuminated before 10.00 hours or after 16.00 hours on Sunday.

REASON: In the interests of the amenities of the neighbouring properties.

[Relevant Policy: BFBLP EN20]

Doc. Ref: Uniform 7/DC/Agenda

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

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ITEM NO: 13

Application No.
14/01228/FUL

Site Address:

Ward:
College Town

Date Registered:
8 December 2014

Target Decision Date:
2 February 2015

**94 To 96 College Road College Town Sandhurst
Berkshire GU47 0QZ**

Proposal:

Erection of 3 no. 4 bedroom houses and 1 no. 3 bedroom house with associated bin and cycle storage, landscaping, parking and vehicular access off Academy Place on land to the rear of 94 and 96 College Road.(revision to 14/00580/FUL)

Applicant:

Mr Malcolm Hester

Agent:

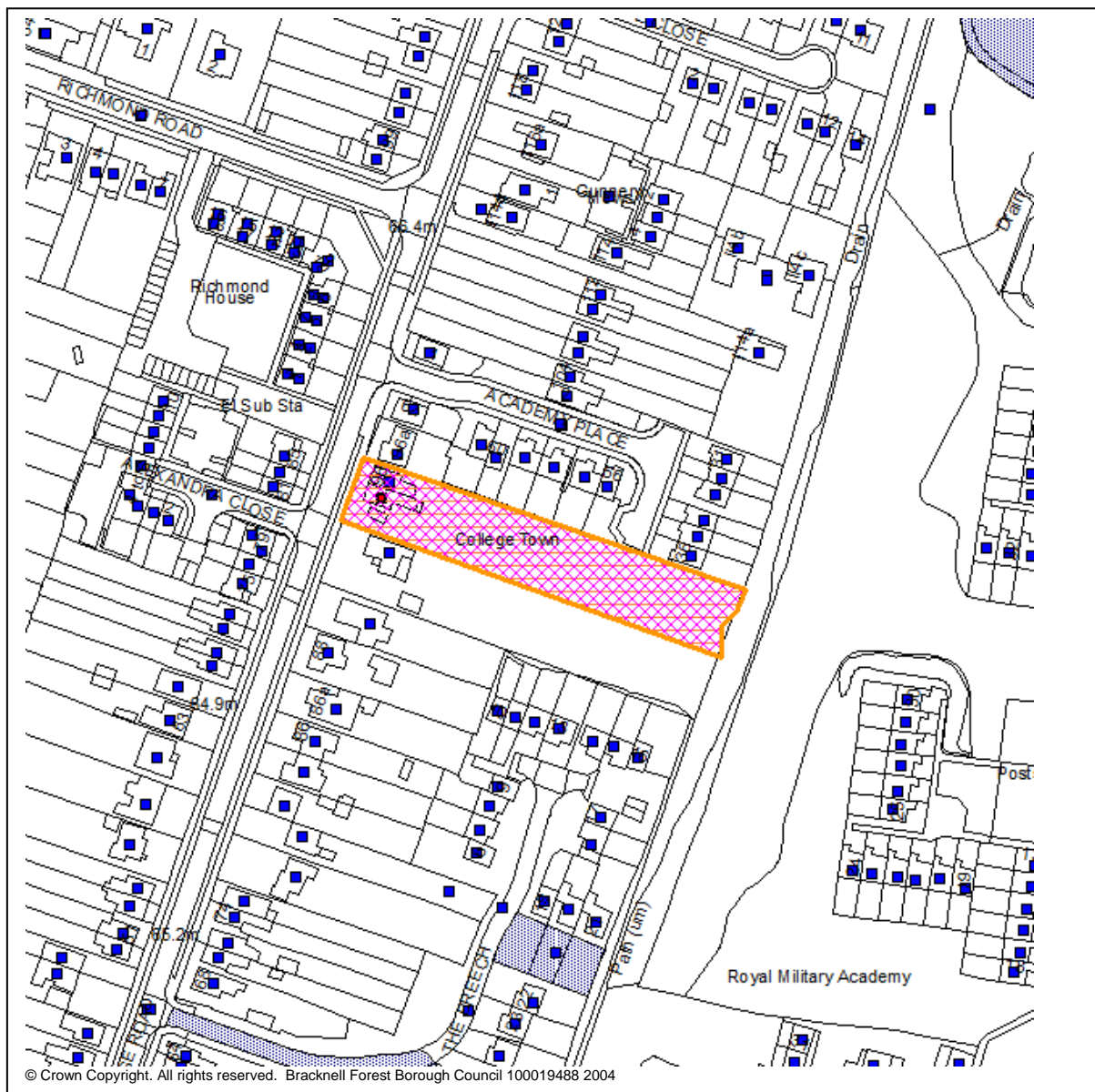
Mr Paul Burman

Case Officer:

Paul Corbett, 01344 352000

environment@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

This application is reported to the Planning Committee as it has attracted more than 3 objections.

2. SITE DESCRIPTION

The application site is located within the settlement of College Town on the eastern side of College Road. The land to be developed currently comprises the rear gardens of two existing semi-detached houses namely no's 94 and 96 College Road.

The site is surrounded on three sides by other residential development and to the east is an undeveloped area of land.

The area is characterised by a mix of detached, semi-detached and terraced housing, the majority of which is two storeys in height. There has been some intensification of development in the area in recent years, through redevelopment and the introduction of cul de sacs.

3. RELEVANT SITE HISTORY

This revised application follows the refusal of the previous planning application (14/00580/FUL) which was refused by the Planning Committee on 13 November 2014 for the following key reason.

The proposed two storey buildings on plots 1-3 by reason of their siting, massing and close proximity to the northern boundary would result in an unneighbourly form of development to the detriment of the amenities of the occupiers of 57-59 Academy Place. The development is therefore contrary to Policy CS7 of the Core Strategy Development Plan Document and 'Saved' Policy EN20 of the Bracknell Forest Borough Local Plan.

The above proposal gave rise to concerns of the Planning Committee with plots 1-3 and their height siting and massing close proximity of the rear gardens of 57-59 Academy Place. It was felt the elevated gable end of the proposed plots 1-3 would adversely impact upon the neighbours amenities by reason of the overshadowing of the gardens.

The applicant has amended the scheme by removing one of the plots and increasing the distance between the rear elevations of 57-59 Academy Place to address this concern.

4. THE PROPOSAL

Erection of 3 no. 4 bedroom houses and 1 no. 3 bedroom house with associated bin and cycle storage, landscaping, parking and vehicular access off Academy Place on land to the rear of 94 and 96 College Road (revision to 14/00580/FUL).

This revised application seeks to address the Planning Committee's refusal on the 13 November 2014 (14/00580/FUL) as set out in the previous section above.

This revised proposal comprises two distinct elements:

(i) a pair of semi's (plots 3 & 4) with 3 car parking spaces each; and 2 visitor car parking spaces and

(ii) a pair of semi's 1 x 3 bed house (plot 4) and 1 x 4bed house (plot 5) with 2 and 3 car parking spaces respectively

The site is measured as having a total area of 0.2085 ha which equates to an approximate density of 24 dph.

5. REPRESENTATIONS RECEIVED

This application has resulted in 8 objections and the concerns are summarised as follows:

- Impact upon the character of the area
- Over development resulting in a visually cramped appearance
- Impact upon the neighbours amenities (overbearing, overshadowing of gardens and overlooking)
- Increase in vehicle movements and lack of parking
- Parking pressures from non-residents parking in Academy Place
- Impact upon wildlife
- Loss of trees

6. SUMMARY OF CONSULTATION RESPONSES

Sandhurst Town Council

The Town Council makes the following observations:

It considers that the cramped nature of the development and the number of parking spaces has been addressed.

While the light issue has been largely resolved, there is still some question over the relative levels of Academy Place properties compared with Plot 2 elevation and the angle of light calculations.

We consider the additional kitchen/breakfast and lounge/dining window on the north east elevation of Plot 2 should be obscured glass and note that this arrangement is not replicated on Plot 1.

We have concerns that the area to the north of Plot 2 designated for soft landscaping should not be used for hard landscaping and consideration should be given to extending the existing hedgerow along the boundary.

Highway Authority:

The Highways Officer supports this proposal subject to some minor amendments, the imposition of a number of conditions, and securing by a legal agreement the highways related financial contributions and adoption of the road as identified.

Biodiversity Officer

The Biodiversity Officer supports this proposal subject to the imposition of a number of conditions such as securing a reptile mitigation strategy and a scheme for the provision of bird and bat boxes (and other biodiversity enhancements).

Tree Officer

The Tree Officer supports the proposal as amended subject to securing the tree protection before works commence on the site and this can be secured by condition.

Drainage Engineer

The Councils Drainage Engineer has no objection subject to securing the drainage by condition.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

Core Strategy DPD (February 2008)
Site Allocations Local Plan (July 2013)
Policy NRM6 of the South East Plan (May 2009)
Bracknell Forest Borough Local Plan (January 2002) (saved policies)
Bracknell Forest Borough Policies Map 2013

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in SALP Policy CP1 which sets out that a positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The development plan is the statutory starting point for decision making and planning applications which accord with the policies in the development plan will be approved without delay, unless material considerations indicate otherwise, and that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate development should be restricted.

SALP Policy CP1 refers to the presumption in favour of sustainable development as outlined within the National Planning Policy Framework (NPPF). SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise. This is considered to be consistent with the NPPF.

CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes.

CSDPD Policy CS2 states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.

The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013).

CSDPD Policy CS15 requires the provision of 11,139 dwellings in the Borough over the Plan period.

CSCPD Policy CS16 requires a range of housing types, sizes and tenures.

These policies are considered to be consistent with the need for sustainable development including the need to boost the supply of housing delivering a wide choice of homes as set out in the NPPF. As a consequence they are considered to carry significant weight.

This amended proposal now results in 1 less unit involving a net gain of 4 units (3x 4beds and 1 x 3bed). In terms of the Council's housing provision the proposal constitutes a 'small' site and would therefore contribute to the 'small' sites allowance. It would also add to the Borough's stock of family housing.

As the proposal involves the development of private residential gardens, it is a greenfield site. Whilst the NPPF (para 111) encourages the use of previously developed land, it does not prohibit the use of greenfield sites. In such situations it is important to respond to local character and the existing pattern of development.

As a result the proposed development is considered to be acceptable in principle, subject to no adverse impact on the character of the area, amenity of neighbouring occupiers, highway safety, trees, etc. These issues are addressed elsewhere in this report.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area. The Character Area Assessments SPD provides guidance to help implement these policies. Saved Policy EN1 of the BFBLP seeks to retain trees and hedgerow which are important to the character and appearance of the townscape and act as green links between open spaces. These policies are consistent with the objectives set out within the NPPF.

College Town is identified as a distinct area (Area E) in the Character Areas SPD with recognition that the original rectilinear plot layout and regular development rhythm has been disrupted by cul de sacs, particularly to the east of College Road. The SPD refers to the need to limit further fragmentation and retain/enhance the street frontage and wooded links.

Access is now to be gained off Academy Place, and there will be little change to nos 94 and 96 College Road when viewed from the highway, the streetscene will not be disrupted and the pattern of development will appear similar. The proposed houses are now all orientated to face the extension of Academy Place, which will be offered for adoption. This results in a more natural layout and a natural continuation of the adjacent pattern of development. The new houses in the centre of the site will back on to the existing houses on the College Road frontage, namely no's 94 and 96.

In terms of density the number of units proposed is considered to be an appropriate number of dwellings when compared to the local established density. Furthermore, the scheme accords with the NPPF in that it makes efficient use of the land given the constraints of the trees on the sites boundaries. It is considered that to accommodate a greater number of dwellings would be out of keeping with the wider visual appearance of the area, and likely to adversely impact upon the protected trees on the boundaries of the site, and would not deliver high quality, well designed development in accordance with NPPF.

Objections received refer to this proposal being an over development of the site, but having regard to the form of the surrounding area the proposed density of approximately 24 dwellings per hectare and the scale, massing and appearance this development is not considered to be out of keeping with its surroundings.

In conclusion, it is considered that the proposal accords with the principles of Core Strategy Policy CS7, 'Saved' BFBLP Policies EN1 and EN20 and the NPPF.

10. RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFPLP 'Saved' Policy EN20 and CSDPD Policy CS7, is for the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. This is considered to be consistent with the general design principles laid out in paras. 56 to 66 of the NPPF.

Objections refer to the proposed development being overbearing in relation to adjoining properties (no's. 58 and 59 Academy Place) with significant overshadowing of a number of the adjacent gardens.

Proposed plots 2 and 3 have been redesigned resulting in one less dwelling with roofs that are hipped away from the boundaries with a ridge height that has marginally increased to 8.65m (previously 8.5m) and a side to back distance of 16m (previously 13m) to the rear elevations of no's. 58 and 59 Academy Place.

Whilst it is acknowledged that this development will have some impact it is important to strike a balance between protecting the neighbours' amenities as well as making the most efficient use of land within settlements. It is considered that the reduced scale of this development and the increased intervening distances are now more than sufficient to ensure that the buildings will not be overly overbearing or result in overshadowing that would be so significant as to warrant refusal. It is felt that the proposal has been treated consistently with other developments in ensuring that it does not result in such an adverse impact upon the living conditions of the adjacent dwellings.

The BRE Site Layout Planning for Daylight and Sunlight guidance recommends that, for a garden or amenity area to appear adequately sunlit throughout the year, at least half of it should receive at least 2 hours of sunlight on 21 March. If as a result of a new development the garden or amenity area does not achieve this and the area which can receive 2 hours of sun on 21 March is less than 0.8 times its former value then the loss of sunlight is likely to be noticeable. As recommended by the BRE's guidance all the gardens of 57, 58 and 59 remain adequately lit throughout the year. 50% of all the gardens receive at least 2 hours of sunlight on the 21st March and no garden receives more than 50 % shadows. It follows that if some sun is received on 21st March, there will be sun over the summer months. The gardens in Academy Place would not be in permanent shadow as a result of this proposal.

Another most notable point is that as the site is at a lower level (approx. 1m) than existing development at Academy Place, the potential impact of the new development on the existing houses is further reduced as a result of the lower setting of the building.

The relationship between the habitable room windows of the proposed dwellings and the neighbouring houses and their gardens will all be at oblique angles and will not be at all unusual in a built up area such as this. The only windows facing the neighbouring properties will be the first floor en-suite, which are all shown to be obscure glazed. Whilst it is

acknowledged concerns are raised with regards to the ground floor windows and door facing 58-59 Academy Place, the applicants drawing entitled 'Vertical Sky Component' (Dwg 12065-02-223) clearly demonstrates by way of a cross section through the site that these windows and door at ground floor will not overlook the adjacent gardens.

It is considered that the scheme as now amended is designed so as not to create any adverse impacts on the amenities of nearby residents and it is therefore in accordance with the Development Plan Policy CS7 BFPLP, 'Saved' Policy EN20 of the BFBLP and NPPF.

11. TRANSPORT IMPLICATIONS

CSDPD CS23 states that the Local Planning Authority will seek to reduce the need to travel and increase the safety of travel, while simultaneously promoting alternative modes of travel. Saved Policies M4 and M9 of the BFBLP ensure that development provides satisfactory highway measures and parking provision. To supplement this policy, the Local Planning Authority's Parking Standards SPD sets out the advised levels and size of parking spaces for residential dwellings. The NPPF allows for LPAs to set their own parking standards for residential development. The quoted policies are considered to be consistent with the NPPF.

The Highways Officer supports this revised proposal subject to securing the road adoption of the extended part of Academy Place via a s106 legal agreement in accordance with the design principles identified on the applicant's site layout drawing accompanying the application.

The existing road was designed to accommodate all types of predicted traffic movements by private vehicles, residential service vehicles (including those for waste collection and emergency vehicles), pedestrians and disabled persons. Whilst it would have been desirable to incorporate a better turning head into this development to facilitate extending the road in the future, it was felt the additional widths required would have impacted on a tree covered by a TPO.

The access would include provision of a 2m footway to the southern side of the entrance to provide safe and direct pedestrian access into the site. This footpath is no longer compromised by either Plot 1 or the entrance piers as they have been set back from the back edge of the footpath. The change in surface to the access road has been relocated further back into the development and the initial section of road and turning head would now be adopted.

Service margins have been provided along the extent of the adopted section of the access road with each of the dwellings having clearly defined pedestrian access to each plot.

Each dwelling would be provided with parking spaces, 2 parking spaces for the 3 beds and 3 parking spaces for the 4 bed which accords with the Council's residential car parking standards. Given the number of dwellings proposed there is no requirement for any visitor parking provision, however the applicant is aware of a number of representations received that raise parking as an issue and has therefore included 1 additional space into the scheme as a visitor space. The Highways Officer is satisfied with this parking provision.

Cycle parking is located within sheds in gardens of all properties.

In respect of refuse storage/collection the number and types of refuse and recycling bins would comply with the requirements of the Highway Authority. The proposed residential site would accommodate a turning area for refuse vehicles. The refuse provision would be in the form of bins kept in the rear gardens, which all have external access. A number of bin collection points have been identified on the site layout plan and these are considered to

adhere to the Council's thresholds in terms of carry distance for both refuse operatives and future residents.

The proposal would generate about 37 movements per day with a peak hour increase of approximately 4 movements per day at the Junction with College Road which is considered acceptable. This would cumulatively with other developments within the area have an impact upon the wider highway network.

Construction traffic will need to be controlled by condition but Academy Place is wide enough to accommodate such vehicles.

For the reasons given above the proposal is considered to be in accordance with Saved Policies M4 and M9 of the BFBLP, Policy CS23 of the Core Strategy DPD and the NPPF.

12. ACCESSIBILITY

BFBLP Saved Policy EN22 and CSDPDP Policy CS7 states that the Local Planning Authority (LPA) will ensure that new development provides convenient access, parking space and facilities for people with disabilities. These policies are considered to be consistent with the NPPF which states that LPA's should take into account the accessibility of the development.

Given the proposal will need to comply with Part M of the Building Regulations with respect to access to and within the building as well as general access arrangements, it is therefore considered that the proposal would comply with the requirements of the Development Plan and the NPPF.

13. TREES AND LANDSCAPING IMPLICATIONS

BFBLP Saved Policies EN1 and EN2 state that the LPA will seek to protect tree and hedgerow cover. This is also supported by CSDPD Policy CS1 which seeks to protect the character of the local landscape. These policies are considered to be consistent with the NPPF section 11 which encourages LPAs to conserve and enhance the natural environment by protecting and enhancing valued landscapes.

The tree survey and report submitted with the application demonstrates how the trees to be retained on the site will be protected, including the Horse Chestnut which is the subject of a Tree Preservation Order. A large landscaped area is shown to encircle the tree and this space will be protected by a knee high rail.

A number of the lower quality trees will be removed however the majority of the boundary hedging and trees are shown to be retained.

The proposed retention of the existing trees and hedgerows on the boundaries of the site and proposed soft landscaping are considered to comply with Saved BFBLP Policy EN1 which make an important visual contribution to the area overall.

The Council's Tree Officer supports the proposal as amended subject to the tree protection being implemented before works commence on the site and this can be secured by condition.

The proposed landscaping is considered acceptable in principle and this will be secured by condition.

Therefore, subject to conditions, the proposal would comply with the relevant policies quoted and the NPPF.

14. BIODIVERSITY IMPLICATIONS

CSDPD Policy CS1 seeks to protect and enhance biodiversity and CS7 seeks to enhance and promote biodiversity. This is considered to be consistent with the NPPF which states that planning should contribute to "minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."

The supporting reports, namely the reptile survey and the updated phase 1 survey report, are considered sufficient to demonstrate how this proposal will minimise its impacts on biodiversity.

The Biodiversity Officer supports this proposal subject to the imposition of a number of conditions such as securing a reptile mitigation strategy and a scheme for the provision of bird and bat boxes (and other biodiversity enhancements) which would protect and enhance the wildlife value of the development. Subject to conditions the proposal would comply with the quoted policies and the NPPF.

15. DRAINAGE

CSDPD Policy CS10 seeks to secure the use of sustainable drainage systems in the management of surface water run-off which is considered to be consistent with the NPPF (para. 103) which states that new development should ensure that risks from flooding can be managed through suitable adaptation measures, including through the planning of green infrastructure and the use of sustainable drainage systems to reduce the causes and impacts of flooding.

The Council's Sud's Engineers have not objected but have recommended conditions to secure these details before any development may commence.

Subject to conditions, the proposal would comply with CSDPD Policy CS10 and the NPPF.

16. SUSTAINABILITY AND ENERGY DEMAND

CSDPD 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. This is considered to be consistent with the NPPF. Formal assessment of dwellings against the Code for Sustainable Homes must be carried out by an accredited assessor (accredited by BRE). The assessment has several stages: Pre-assessment Estimator, Design Stage Assessment, and Post Construction Review. All stages should be covered, and the assessments submitted to the Council.

A Sustainability Statement has been provided demonstrating that the development as a whole is likely to meet with Code for Sustainable Homes Level 3. Conditions are therefore recommended to secure the details proposed.

CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. This is considered to be consistent with the NPPF.

The applicant has submitted an Energy Statement demonstrating that they would more than meet with the 10% reduction in carbon emissions. As for generating 20% of the

development's energy demand through the implementation of renewables the applicant has stated that they can't make the 20%. Going on the applicant's approach of a far greater initial reduction in carbon emissions, a lesser energy demand offset would be accepted however the applicant has not confirmed which technology they would implement. It is therefore considered this can be secured by condition.

Subject to conditions the proposal would comply with the requirements of CSDPD Policies are CS10 and CS12 and the NPPF.

17. WASTE AND RECYCLING ISSUES

Any new residential development needs to provide a bin collection point within 25m of the highway with a carry distance for residents not exceeding 30m. Given this site will result in 5 dwellings the Council will seek to adopt either all or a proportion of the site access road to facilitate the servicing of this site by a 10m refuse vehicle.

The houses are shown to be designed such that up to three wheeled bins can easily be stored away from the street scene usually by providing a gate or similar to enable owner/occupiers to store the bins within their rear gardens. A number of bin collection points have been identified on the site layout plan and these are considered to adhere to the Council's thresholds in terms of carry distance for both refuse operatives and future residents. The access road has also been designed to facilitate turning if refuse vehicles enter the site.

18. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

Retained South East Plan Policy NRM6 and Core Strategy DPD Policy CS14 seek to avoid an adverse impact upon the integrity of the Thames Basins Heaths Special Protection Area The Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) (March 2012) provides guidance on implementing these policies.

NPPF para 118 states that when determining planning applications, LPAs should aim to conserve and enhance biodiversity.

The Development Plan policies are considered to be consistent with the NPPF and should therefore be given full weight.

The Council, in consultation with Natural England, has formed the view 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 1.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.

A contribution 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. In this instance, this application is for 1 X 3 bedroom and 3 x 4 bedroom dwellings. The SANG costs are as follows:

Total SANG Contribution - 3 bedrooms (£2400) = £2,400 (1X 2400)
4 bedrooms (£2730) = £8,190 (3 x 2730)

The open space works at Shepherd Meadow is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The legal agreement will also incorporate a clause requiring 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 as follows:

Total SAMM Contribution - 3 bedrooms (£711) = £711 (1 X 711)
4 bedrooms (£807) = £2,421 (3 X 807)

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £13,722 (i.e. £10,590 + £3,132).that will need to be secured by S106 Legal Agreement.

Therefore subject to the completion of a S106 the proposal would comply with the quoted policies and the NPPF

19. PLANNING OBLIGATIONS

Developments are required to comply fully with Core Strategy Policy CS6, 'Limiting the Impact of Development' SPD (LID), 'Thames Basin Heaths Special Protection Area Avoidance and Mitigation' SPD and the Community Infrastructure Levy (CIL) Regulations, to offset the impacts of the development and make the development acceptable in planning terms. The requested planning obligations are considered to be in accordance with the tests set out in the CIL Regulations, in that they are:

- i) necessary to make the development acceptable in planning terms,
- ii) directly related to the development, and
- iii) fairly and reasonably related in scale and kind to the development.

This is considered to be consistent with the NPPF which states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."

It should be noted that the government has recently published changes to the NPPG stating Local Planning Authorities shall no longer seek contributions for residential development of 10 or less dwellings where the combined gross floorspace is less than 1,000m². In respect of this proposal the only financial contribution that will be sought relates to the SPA mitigating payment as set out in the previous section.

The following will be sought to be secured within the S106:-

- (i) SPA Mitigation (referred to in the previous section)
- (ii) Dedication of part of the site access as public highway
- (iii) Maintenance of public areas

The applicant is willing to secure the above identified mitigating contributions via S106 legal agreement before planning permission is granted.

It is considered that the obligations in the S106 are necessary to make the development acceptable in planning terms and are directly, fairly and reasonably related to the proposed development and are therefore consistent with Policy CS6 of the CSDPD and the NPPF.

20. CONCLUSIONS

It is considered that this proposal provides a scale of development within the settlement that not only seeks to make efficient use of the land but which is also sympathetic in terms of the form and layout of development. It does not compromise the streetscene, pattern of development and character of the local area. The proposed dwellings are considered appropriate in scale, mass, design, materials, layout and siting, in terms of the scheme itself and in relation to adjoining buildings, spaces and views.

The proposal is considered to be in accordance with the Development Plan policies and the NPPF.

The development proposal is therefore recommended for approval subject to conditions and completion of a S106 legal agreement.

RECOMMENDATION

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

- (i) SPA Mitigation
- (ii) Dedication of part of the site access as public highway
- (iii) Maintenance of public areas

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details.

- 12065-02-200 Rev.A - Location Plan received 08.12.14
- 12065-02-206 - Proposed Block Plan Ground Floor received 27.11.14
- 12065-02-207 - Proposed Block Plan First Floor received 27.11.14
- 12065-02-208 - Proposed Block Plan Roof Plan received 27.11.14
- 12065-02-209 - Proposed Elevations Plot 1, 2 received 27.11.14
- 12065-02-210 - Proposed Elevations Plot 3 & 4 received 27.11.14
- 12065-02-211 - Proposed Elevations & Sections received 27.11.14
- 12065-02-212 - Proposed Plot 1, 2 Ground Floor received 27.11.14

- 12065-02-214 - Proposed Plot 3 & 4 Ground Floor received 27.11.14
- 12065-02-215 - Proposed Plot 3 & 4 First Floor received 27.11.14
- 12065-02-217 – Proposed Cycle Storage received 27.11.14.09.14
- 12065-02-218 - Refuse Collection received 27.11.14
- 12065-02-220 - Typical Shed Elevations received 27.11.14
- 12065-02-221 - Knee Rail Fencing received 27.11.14
- 12065-02-222 - Extent of Road Adoption received 27.11.14
- 12065-02-224 - Sunlight & Day Assessment received 27.11.14

Arboricultural Survey and Implications Assessment Revised received 27.11.14
13-137-260 813 TC Revision 2 Arboricultural survey and constraints plan received 27.11.14
Reptile Survey Report by Lilacs Land Consultants LLP received 27.11.14
Sustainability Statement by The Blewburton Partnership (November 2014) received
27.11.14
Transport Statement by Dermot McCaffery (November 2014) received 27.11.14

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 include bricks and roof tiles and other hard surfaces to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

04. The development hereby permitted shall not be begun until details showing the finished slab levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

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

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

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out.

REASON: The site is affected by a Tree Preservation Order/contains trees which are a feature of the site where strict control over development is required by the policies of the development to ensure their protection and safeguard the residential and visual amenities of the occupiers and adjoining properties

[Relevant Policies: BFBLP Saved Policies EN1 & EN20 Core Strategy DPD Policy CS7]

06. The development hereby permitted shall be implemented in accordance with the submitted 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: Core Strategy DPD Policy CS10]

07. Within one month of the first occupation of the development hereby permitted (or, where the development is phased, within one month of the first occupation of the final phase of that development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of level 3 of the Code for Sustainable Homes.

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

Relevant Policy: Core Strategy DPD Policy CS10]

08. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

(a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and

(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20% unless otherwise agreed in writing by the Local Planning Authority).

The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith, unless the Local Planning Authority gives prior written consent to any variation.

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

[Relevant Plans and Policies: Core Strategy DPD Policy CS12]

09. No development (other than the construction of the access) shall take place until the access has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD Policy CS23]

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

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.

[Relevant Policies: BEBLP Saved Policy M6, Core Strategy DPD Policy CS23]

11. 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 at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD Policy CS23]

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

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

[Relevant Policies: Core Strategy DPD Policy CS23]

13. No dwelling shall be occupied until the associated vehicle parking and turning space including drainage has been constructed and surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The vehicle parking and turning 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 Saved Policy M9, Core Strategy DPD Policy CS23]

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

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP Saved Policy M9, Core Strategy DPD Policy CS23]

15. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The dwellings shall not be occupied until the approved scheme has been implemented and the facilities shall thereafter be retained.

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

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

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

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD Policy CS23]

17. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works including the following:

- to form an access into the site

The buildings provided by the carrying out of the development shall not be occupied until the off site highway works have been completed in accordance with the approved scheme.

REASON: In the interests of highway safety.

[Relevant Policy: BFBLP Saved Policy M4]

18. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

(a) Parking of vehicles of site personnel, operatives and visitors

(b) Loading and unloading of plant and vehicles

(c) Storage of plant and materials used in constructing the development

(d) Wheel cleaning facilities

(e) Temporary portacabins and welfare for site operatives

(f) Construction management plan setting out measures to minimise impacts of this development upon the existing residents

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 (f) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

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

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP Saved Policy EN3, Core Strategy DPD Policies CS1, CS7]

20. No development shall take place until a reptile mitigation strategy has been submitted to and approved by the Council. The strategy should include the following:

- i. Details of measures taken to avoid harm to reptiles on site during development
- ii. Details of a suitable translocation receptor site
- iii. Details of any enhancements required of the receptor site
- iv. Details of management and maintenance requirements of the receptor site
- v. Details of monitoring

A close out report will be submitted to the council within 3 months of the occupation of the first dwelling

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP Saved Policy EN3 Core Strategy DPD Policies CS1, CS7]

21. The scheme hereby permitted shall be carried out in accordance with the reptile mitigation measures outlined in information submitted under condition 20 (above). An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: Core Strategy DPD Policy CS1]

22. No development shall commence until a scheme for the installation of bird and bat boxes, including a plan or drawing showing the location of the 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: Core Strategy DPD Policies CS1, CS7]

23. If more than 2 years elapse between the previous reptile survey and the due commencement date of works, an updated reptile survey shall be carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site. The scheme shall be implemented in accordance with the mitigation measures.

REASON: To ensure the status of reptiles on site has not changed since the last survey.

[Relevant Plans and Policies: Core Strategy DPD Policies CS1, CS7]

24. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

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

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

[Relevant Policies: BFBLP Saved Policies EN2 and EN20, Core Strategy DPD Policy CS7]

25. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard

5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

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

[Relevant Policies: BFBLP Saved Policy EN1 and EN20, Core Strategy DPD Policy CS7]

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

- a) Accurate trunk positions and canopy spreads of all existing trees
- b) Minimum 'Root Protection Areas' of all existing trees
- c) Plans of a minimum scale of 1:200 showing the proposed locations of protective barrier/s, constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- d) Proposed ground protection measures in accordance with Section 6 (Figure 3) of BS 5837:2012.
- e) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
- f) Illustration/s of the proposed fencing structure/s to be erected.

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

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

[Relevant Policies: BFBLP Saved Policy EN1 and EN20, Core Strategy DPD Policy CS7]

27. No building work or deliveries shall take place during the construction of the development hereby approved outside the hours of 08.00 hours and 18.00 hours Monday to Friday; 08.00 hours and 13.00 hours Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policies: BFBLP Saved Policy EN25]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

In the event of the S106 planning agreement not being completed by 22 March 2015 the Head of Development Management be authorised to REFUSE the application on the grounds of:-

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).

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

Unrestricted Report

ITEM NO: 14

Application No.
14/01274/RTD

Ward:
Winkfield And
Cranbourne

Date Registered:
8 December 2014

Target Decision Date:
1 February 2015

Site Address:

Telecommunications Mast Opposite Great Oaks Cottage Crouch Lane Winkfield Windsor Berkshire

Proposal:

Installation of 10 metre tall dual-operator telecom's monopole complete with 1 no. antenna within a GRP shroud , 1 no. equipment unit plus ancillary works

Applicant:

Daly International (Uk) Ltd

Agent:

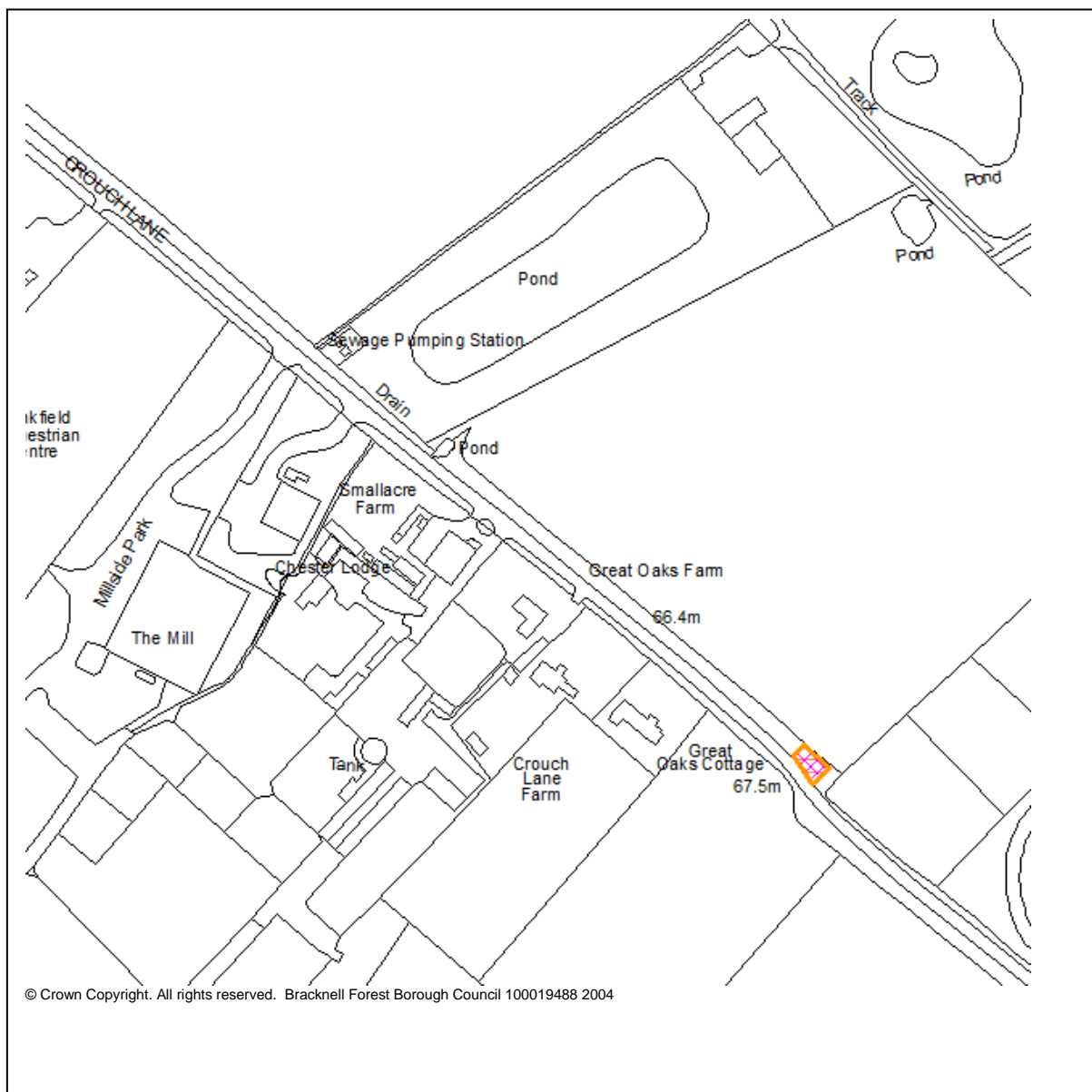
(There is no agent for this application)

Case Officer:

Laura Rain, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

This application has been reported before the Planning Committee as over three objections have been received.

2. PERMITTED DEVELOPMENT RIGHTS FOR TELECOMMUNICATIONS DEVELOPMENT

Class (a) A, Part 24, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO) deals with permitted development for telecommunications development.

Class (a) A relates to the installation, alteration or replacement of any telecommunications apparatus.

A.1 states that development is not permitted by Class A (a) if-

(ba) in the case of the alteration or replacement of apparatus already installed (other than on a building or other structure, on article 1(5) land or on any land which is, or is within, a site of special scientific interest)-

(i) the mast, excluding any antenna, would when altered or replaced-

(aa) exceed a height of 20 metres above ground level

(bb) at any given height exceeds the width of the existing mast at the same height by more than one third.

The proposal would not exceed 20m in height and as such the mast complies with this. The GPDO also allows for cabinets where they do not exceed 1.5 sqm. The ground area of the proposed cabinet would be 1.5 sqm.

However as the proposal is in close proximity to the highway it is considered necessary to assess the siting of the mast in terms of highway safety and as such Prior Approval is required to ensure that there is no detrimental impact upon highway safety.

3. SITE DESCRIPTION

The mast would be located on an area of grass verge along Crouch Lane. To the north and south are open fields. To the east lies Ranelagh Farm. To the west lies a small cluster of building and dwellings.

The nearest dwelling house, Great Oaks Cottage, is located some 67m from the site.

4. RELEVANT SITE HISTORY

There is no relevant site history.

5. THE PROPOSAL

This application seeks prior approval for a 10m high mast of a telegraph pole design with timber effect finish.

One associated equipment cabinet measuring 1.89m (l) x 0.79m (w) x by 1.65m (h) is proposed to the north west of the mast. The proposed cabinet would be green.

The mast and associated antennas are 'permitted development', but the developer must apply to the Local Planning Authority (LPA) to ascertain whether prior approval is

required for the siting and appearance of the development. In this instance the applicants have submitted these details for approval and the Council has 56 days in which to consider them. If no decision is made within the timeframe the application will be deemed as approved.

The applicant has submitted a certificate, which confirms that the proposed mast meets ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines.

6. REPRESENTATIONS RECEIVED

12 letters of objection have been received. These raise the following issues:

- The pole would be visually prominent within the Green Belt.
- The siting is an accident hot spot.
- The siting is on the only dangerous, narrow stretch of Crouch Lane which is 60 mph.
- Crouch Lane is not salted in the winter.
- The applicant has incorrectly stated it is a 30mph road.
- Alternative sites have also not been fully explored for example the pumping station and owners of adjacent fields have not been approached.
- A more urban location would be more suitable. For example North Street
- A site with tree cover would be more suitable. There is no tree on site although one is shown on the plans.

7. SUMMARY OF CONSULTATION RESPONSES

Winkfield Parish Council:

Recommend refusal: Winkfield Parish Council is concerned that inadequate consultation has been carried out and query the accuracy of the information in the proposal. WPC notes that alternative sites have been suggested and these should be considered.

Highways Officer:

No objection in principle to the location subject to:

- A grasscrete parking area of lay-by being provided.
- The cabinet being located at least 1m from the top edge of the ditch.
- Details of power and ancillary connections being provided.

8. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

Site Allocations Location Plan 2013 (SALP)

Core Strategy Development Plan Document 2008 (CSDPD)

'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)

Bracknell Forest Borough Policies Map 2013

9. PRINCIPLE OF DEVELOPMENT

In assessing RTD applications the Council must only consider the impact upon highway safety and the impact upon the character and appearance. As such the principle of the development is not required to be assessed.

10. IMPACT ON CHARACTER AND APPEARANCE OF AREA

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local

landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area.

'Saved' Policy SC4 of the Bracknell Forest Borough Local Plan states:

"Planning permission for network telecommunications development will be permitted provided that... There is no reasonable possibility of erecting antennas in an existing building or structure or of sharing facilities...The development must be sited so as to minimise its visual impact, subject to technical and operational considerations." This is considered consistent with para 43 of the NPPF which states that planning should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified and where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.

These policies are considered to be consistent with the objectives set out within the NPPF. In addition para. 56 the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live.

The mast is required by Telefonica UK Ltd in order to replace coverage, which up until present has been provided from a base station located to the 560m west of the site in a field off of Crouch Lane. The Design and Access Statement submitted states that despite lengthy negotiations, no commercial agreement can be reached between the operator and the previous site provider. The proposed mast would provide 2G and 3G coverage for Telefonica UK Ltd and Vodafone Limited.

The mast is designed to look like a telegraph pole which is characteristic of Crouch Lane and the height of the mast has been kept low at 10m. It is therefore considered that the proposed impact upon this rural setting has been kept to a minimum and would not be so great as to merit a refusal.

The proposed cabinet would be painted green and would be viewed with a backdrop of a hedge. The proposed cabinet would therefore not appear visually prominent within the street scene.

As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with 'Saved' Policies EN20 and SC4 of the Bracknell Forest Borough Local Plan, Policy CS7 of the Core Strategy DPD and the National Planning Policy Framework.

BFPLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFPLP 'Saved' Policy EN20 and CSDPD Policy CS7, is for the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. This is considered to be consistent with the general design principles laid out in paras. 56 to 66 of the NPPF, and para. 66 in particular where applicants are expected to work closely with the surrounding community and generate designs that take into account their views.

It is not considered that the proposed mast and associated equipment cabinet would have a detrimental impact on the amenities of the neighbouring properties, the nearest of which is 67m away and separated by a road.

As such, the proposal would not be considered to affect the residential amenities of neighbouring properties and would be in accordance with 'Saved' Policy EN20 of the Bracknell Forest Borough Local Plan and the National Planning Policy Framework.

11. HIGHWAY SAFETY

CSDPD Policy CS23 states that the LPA will seek to increase highway safety. This is considered to be consistent with the NPPF.

The grass verge is wide enough to be able to safely accommodate the proposed kit and mast whilst not infringing too far out towards the road. Due to the fact that there is a ditch behind the proposed cabinets and that access to maintain the ditch and hedge should be provided it is advised that the back of the cabinet is located at least 1m from the top edge of the ditch.

Crouch Lane is not overly wide at this point and the road kinks reducing the effective, any service vehicle especially those that would operate on the mast would need to be parked on the verge so as not to restrict passing vehicles. Continuous use over time and especially at times when the ground is wet could lead to damage to the highway verge. In that respect it is advised that some form of grasscrete or alternative lay-by is formed to cater for such use, this would appear as grass keeping the rural character but it would also protect the verge and road users as service vehicles would be kept off the carriageway when working on the equipment.

Amended plans have been requested to detail the above which would address the concerns of the Highway Authority.

12. HEALTH IMPLICATIONS

The NPPF states in para 46 that the LPA should "not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure."

The applicant has submitted a certificate, which confirms that the proposed mast meets ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines.

The International Commission on Non-Ionizing Radiation Protection (ICNIRP) is an independent scientific body which has produced an international set of guidelines for public exposure to radio frequency waves.

These guidelines were recommended in the Stewart Report and adopted by the Government, replacing the National Radiological Protection Board (NRPB) guidelines.

It is considered; therefore, that there are no grounds for refusal based on perceived health risks and the proposal complies with the NPPF.

13. NEED

'Saved' Policy SC4 of BFBLP refers to telecommunication development being permitted provided there is a need for the development.

As stated above the NPPF states in para 46 "Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system."

The applicants have stated that they need to upgrade the mast to provide replacement 2G and 3G coverage for both Vodafone Limited and Telefonica UK Ltd. However, the issue of need is not a planning consideration and therefore in this respect 'saved' policy SC4 of BFBLP is inconsistent with national policy.

14. CONCLUSIONS

It is considered that the proposed telecommunications equipment to accommodate both Vodafone Limited and Telefonica UK Ltd would be acceptable as a mast share, not adversely impacting upon the residential amenities of adjoining properties or appearing visually intrusive to the detriment of the surrounding rural area. The proposed mast and equipment cabinet would therefore be acceptable subject to no adverse impact upon highway safety.

As such, the proposal is considered to be in accordance with Policy CP1 of SALP, policies CS7 and CS23 of the CSDPD, 'saved' Policy EN20 of BFBLP and the NPPF. With regard to 'saved' policy SC4 limited weight is given to this policy for the reason given above.

RECOMMENDATION

The siting and appearance of the development proposed be **APPROVED** in accordance with the plans as stated below:-

01. Drg no 100 received by LPA 08.12.2014
Drg no 200 received by LPA 08.12.2014
Drg no 300 received by LPA 08.12.2014

Informative(s):

01. The applicant is advised to seek consent from the Council's Traffic Manager for any works on the highway. The Traffic Manager can be contacted at the Environment Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000.
02. The applicant is advised that consideration should be given to the use of anti-graffiti paint on the proposed cabinets.
03. The National Joint Utilities Group (NJUG) publish clear guidance on the work methods required to minimise damage to trees in the execution of excavations and works of the type required by the installation of phone masts. The publications are available as free downloads from the following website: www.njug.org.uk/category/3/pageid/5/
These standards should be applied to the execution of approved works.

Doc. Ref: Uniform 7/DC/Agenda

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