



## **NOTICE OF MEETING**

### **Planning Committee**

**Wednesday 1 April 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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If you require further information, please contact: Greg O'Brien  
Telephone: 01344 352044  
Email: [committee@bracknell-forest.gov.uk](mailto:committee@bracknell-forest.gov.uk)  
Published: 24 March 2015



**Planning Committee**  
**Wednesday 1 April 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 26 February 2015.

1 - 18

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. **14-00575-FUL 336 Yorktown Road College Town Sandhurst**

Proposed part two storey and part single storey side extension to form a new 3no. bedroom dwelling.

23 - 34

- |     |  |  |           |
|-----|--|--|-----------|
| 6.  | <b>PS 14-00863-FUL Land at Rear of 4 Hayley Green Cottages Forest Road</b> | Erection of 3 no. dwellings including associated parking, access and amenity space.  | 35 - 58   |
| 7.  | <b>14-01075-FUL 37 Prince Consort Drive Ascot</b>                          | Erection of a replacement dwelling following the demolition of the existing property.  | 59 - 76   |
| 8.  | <b>14-01132-FUL 17 Anthony Wall Warfield</b>                               | Erection of a single storey rear extension with a first floor extension over the garage.   | 77 - 84   |
| 9.  | <b>14-01176-3 Street Record Faircross Bracknell</b>                        | Convert two grass amenity areas into parking spaces (4 spaces and 3 spaces).   | 85 - 92   |
| 10. | <b>14-01246-FUL 1 William Sim Wood Winkfield Row</b>                       | Erection of a part single storey, part two storey side extension.  | 93 - 100  |
| 11. | <b>14-01335-FUL Mayfield Light Industrial Estate</b>                       | Erection of 7 No. 5 bed detached dwellings and garages, following demolition of existing buildings.  | 101 - 116 |
| 12. | <b>14-01338-FUL Inglemere Mews 58 Waterloo Road</b>                        | Erection of 3 No. residential dwellings following the demolition of the existing property.   | 117 - 134 |
| 13. | <b>PS 15-00005-3 Winkfield St Marys CofE Primary School</b>                | Single storey extension forming surge classroom and formation of new parking.  | 135 - 148 |
| 14. | <b>15-00093-3 Street Record Fernbank Crescent</b>                          | Extend existing echelon parking area to form 3no. additional bays.   | 149 - 156 |
| 15. | <b>15-00135-RTD Telecommunications Mast New Road Ascot</b>                 | Replacement of existing 15m monopole with a 20m t-range telegraph pole on existing foot foundation. Replacement of existing harrier cabinet with a new cabinet on existing foundation. | 157 - 162 |

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**PLANNING COMMITTEE  
26 FEBRUARY 2015  
7.30 - 11.58 PM**



**Present:**

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

**Also Present:**

Councillor Turrell

**Apologies for absence were received from:**

Councillor Kensall

95. **Minutes**

**RESOLVED** that the minutes of the meeting of the Committee held on 22 January 2015 be approved as a correct record and signed by the Chairman.

96. **Declarations of Interest**

There were no declarations of interest.

97. **Urgent Items of Business**

There were no items of urgent business.

98. **Application No 14/00813/FUL - 1 Dundas Close, Bracknell.**

**Erection of 2no. 4 bedroom dwellings with attached garages with associated parking and bin store and access. (This application is a resubmission of 13/01041/FUL).**

A site visit had been held on Saturday 21 February 2015 which had been attended by Councillors Mrs Barnard, Blatchford, Ms Brown, Brossard, Dudley, Finnie, 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, which included an objection on the grounds of the narrow width of the access road; the amount of parking available; and the unneighbourly over development of the site.
- 20 objections to the application raising concerns relating to:
  - the impact upon the character of the area;
  - over development of the site;
  - impact upon the neighbours' amenities;

- an increase in vehicle movements and lack of parking in Dundas Close;
- impact upon wildlife;
- boundary treatment and security;
- the number of amendments to the current application;
- the restrictive covenants placed on the land; and
- that the site comprised private residential garden in more than one ownership.

As a result of the comments received from Berkshire Archaeology, an additional condition was proposed to provide for any archaeological remains within the site to be investigated, recorded and preserved. Arising from discussion, it was proposed that the standard condition relating to drainage should also be added.

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

(i) 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 other submitted details.  
  
14-P1020-02 – Site Location Plan received 16.07.14  
14-P1020-100 Rev C - Proposed Site Layout received 10.02.15  
14-P1020-102 - Proposed Elevations and Floor Layouts received 05.12.14  
  
14-P1020-103 - Site Sections received 10.02.15 14 -P1020-105B – Site Tracking Plot 2 received 10.02.15  
14-P1020-106 – Site Tracking Plot1 received 03.02.15  
Ecology Letter Dated 23 January 2015 received 28.01.15  
Arboricultural Impact Assessment received 30.07.14
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.
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.
05. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement and shall be retained in accordance therewith.

06. 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.
07. 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.
08. 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.
09. 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.
10. 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.
11. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
12. No gates shall be provided at the vehicular access to the site.
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:
  - to form an access into the siteThe 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.
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, 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.
15. 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. The approved scheme shall be complied with.
  16. 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.
  17. The development hereby permitted (including any initial site-clearance works) shall not be begun until details of the foundation structure/s, of the approved building/s, so designed to minimise their adverse impact on tree roots, have been submitted to and approved in writing by the Local Planning Authority. Details shall be site specific and include:
    - a) An approved layout plan to 1:200 scale, showing the accurate trunk positions and branch spreads of existing retained trees in relation to the proposals.
    - b) Layout and construction profile drawing/s.
    - c) Construction implementation method statement including timing/ phasing of works.

The foundation structure shall be carried out in full accordance with the approved details.
  18. 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.

19. 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.
20. The creation of a continuous solid landscaped screen or hedge of 3.0m in height shall be created and maintained along the entire length of the boundary of the site with 24 Beech Glen. In the event that the screen ceases to be continuous or solid, by reason of death, disease or otherwise, then replacement landscaping shall be planted to achieve 3.0m high screen within the next planting season.
21. 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.

22. 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.

23. No development shall take place within the site, including any works of demolition or ground preparation, until the applicant, or their agents or their successors in title, has secured and implemented a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition.

24. **[Insert Standard Condition re drainage]**

**RESOLVED** In the event of the S106 planning agreement not being completed by 31 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).

99. **Application No 14/00877/FUL - 1 Ringwood, Bracknell.**

**Change of use of land adjacent to 1 Ringwood from amenity land to residential land forming residential curtilage, including alterations to existing fence line to increase the rear garden amenity space.**

The Committee noted:

- The comments of Bracknell Town Council which had recommended refusal as it considered the loss of amenity land would be detrimental to the area.
- No other representations had been received.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 12 August 2014 and 10 December 2014:  
details of fence  
block plan
03. The excavation works for the proposed position of the fence posts which are located within the root protection area of an existing tree shall be undertaken only by hand.

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 development as permitted by Class E of Part 1 of the Second Schedule of the 1995 Order shall be carried out.
05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no hard surface as permitted by Class F of Part 1 of the Second schedule of the 1995 Order shall be provided for any purpose incidental to the enjoyment of the dwelling house.

100. **Application No 14/00968/FUL - Cavaliers, Downshire Way, Bracknell**

**Erection of a two storey side extension with a part flat roof and part pitched roof, including alterations to main roof ridge and alterations to existing doors and windows.**

A site visit had been held on Saturday 21 February 2015 which had been attended by Councillors Mrs Barnard, Blatchford, Ms Brown, Brossard, Dudley, Finnie, Mrs Phillips and Thompson.

The Committee noted:

- The comments of Bracknell Town Council.
- Letters of objection received from the neighbouring property at Tarnwell, in respect of the application as originally submitted and as currently proposed, referring to the loss of light to a side facing window and increased overlooking and overshadowing that would occur if the development was allowed.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 19th November 2014 :  
GFS/CAV/01  
GFS/CAV/02  
GFS/CAV/03  
GFS/CAV/05  
GFS/CAV/06
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.
04. The first floor bedroom window in the south facing side elevation of the extension 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 shut with the exception of a top hung openable fanlight.

- 05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the south facing side elevation of the extension hereby permitted except for any which may be shown on the approved drawing(s).
- 06. No development shall be occupied until the associated vehicle parking and turning space has been set out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.

**101. Application No 14/01095/FUL - Photon House/Blueprint House, Old Bracknell Lane West, Bracknell.**

**Redevelopment of site to provide 20no. 1 bedroom and 46no. 2 bedroom flats with associated car parking.**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Bracknell Town Council objecting to the application on the grounds that it was not in keeping with the area; overdevelopment of the site; and highway concerns regarding access into and out of the site from Downshire Way.
- A letter of objection signed by residents from all the properties on Old Bracknell Lane raising concerns the additional traffic (approximately 90 cars) on Old Bracknell Lane West, exacerbation of existing problems getting to and from Downshire Way and increased pollution. It also suggested removal of the gate separating Old Bracknell Lane West from residential and commercial areas in Old Bracknell Lane East.

An amendment to the application had been made, to reduce the number of flats from 66 to 65 and to increase the size of the basement car park to accommodate a further five parking spaces, to comply with the parking standard agreed with the Highway Officer. Arising from discussion, it was also proposed to impose additional conditions relating to drainage on the site and to require the submission of car park management plan for the approval of the Council.

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

1. Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA), including a financial contribution towards off site SANG and Strategic Access Management and Monitoring.
2. Measures to safeguard land at the rear of the site for a future pedestrian/ cycle route linking to adjacent sites.
3. 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 following condition(s):-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out in accordance with the following plans received 10.10.2014:
  - BPL001 - DP-0-001 - Proposed Apartment Layouts
  - BPL001 - DP-0-002 - Proposed Apartment Layouts
  - BPL001 - DP-0-003 - Proposed Apartment Layouts
  - BPL001 - DP-0-004 - Proposed Apartment Layouts
  - BPL001 - DP-0-005 - Proposed Apartment Layouts
  - BPL001 - DP-0-006 - Proposed Apartment Layouts
  - BPL001 - DP-0-007 - Proposed Apartment Layouts
  - BPL001 - DP-0-010 - Proposed Demolition Plan
  - BPL001 - DP-0-011C - Proposed Floor Plans
  - BPL001 - DP-0-012E - Proposed Floor Plans
  - BPL001 - DP-0-013F - Proposed Floor Plans
  - BPL001 - DP-0-014E - Proposed Floor Plans
  - BPL001 - DP-0-015A - Proposed Floor Plans
  - BPL001 - DP-2-070A - Proposed Elevations
  - BPL001 - DP-2-071A - Proposed Elevations
  - BPL001 - DP-2-072A - Proposed Elevations
  - BPL001 - DP-2-073A - Proposed Elevations
  - BPL001 - DP-2-074 - Proposed Elevations
  - BPL001 - DP-2-075 - Proposed Elevations
  - BPL001 - DP-9-900D - Proposed Site Plan
03. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
04. The development hereby permitted shall be carried out in full accordance with the tree protection measures and method statements set out in the arboricultural impact assessment by Barton Howe Associates Ltd. dated October 2014.
05. No development shall take place 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 (including native species and species that have a known value for wildlife where possible) of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.
  - b) Details of semi mature tree planting.
  - c) Comprehensive 5 year post planting maintenance schedule.

- d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
- e) Means of enclosure (walls and fences etc)
- f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
- g) Recycling/refuse or other storage units, play equipment
- h) 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 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.

- 06. No retained tree or hedgerow (as specified as being retained on the approved details as part of this permission) shall be cut down, uprooted or destroyed without the prior written consent of the Local Planning Authority.  
If any trees or hedgerows shown to be retained on the approved plans are removed, uprooted, destroyed, die or become diseased during the course of the development or within a period of 5 years of the completion of the development, another tree or hedgerow of the same species and size as that originally planted shall be planted at the same place unless the Local Planning Authority gives it written consent for any variation.
- 07. The development hereby permitted shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include as a minimum:
  - (i) a Demolition and Construction Logistics/ Site Organisation Plan
  - (iv) Details of the parking of vehicles of site operatives and visitors
  - (v) Areas for loading and unloading of plant and materials
  - (vi) Areas for the storage of plant and materials used in the demolition and construction of the development
  - (vii) The erection and maintenance of security hoarding

- (viii) External lighting of the site
- (ix) Method of piling for foundations
- (x) Measures to control the emission of dust, dirt, noise and odour during demolition and construction
- (xi) Measures to control surface water run-off during demolition and construction
- (xii) Measures to prevent ground and water pollution from contaminants on-site during demolition and construction
- (xiii) Demolition and construction working hours and hours during the construction and demolition phase during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (xiv) Details of wheel-washing facilities;
- (xv) details in respect of measures to minimise, re-use and re-cycle waste; minimise the pollution potential of unavoidable waste; and dispose of unavoidable waste in an environmentally acceptable manner; and
- (xvii) Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority.

The approved Construction Environmental Management Plans shall be adhered to throughout the demolition and construction period.

08. 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.
09. 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.
10. 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.

11. No development shall take place until:
  - i) Details of the proposed method and extent of a phase II investigation (Site investigation) has been submitted to and approved in writing by the Local Planning Authority;
  - ii) a Phase II report (Site investigation) in accordance with the agreed details of method and extent has been submitted to and approved in writing by the Local Planning Authority; and
  - iii) Any remedial or mitigating measures recommended by the findings from the Phase II report shall be approved by the local planning authority and implemented before the premises are inhabited. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".
12. No demolition or construction work shall take place outside the hours of 08:00 and 18:00 Monday to Friday; 08:00 and 14:00 Saturday and not at all on Sundays and Public Holidays.
13. The development hereby permitted shall not be begun until a noise survey has been submitted to and approved in writing by the Local Planning Authority. The noise survey shall include the proposed method of mitigation to be used to ensure reasonable noise levels can be experienced by the future occupiers of the residential dwellings and users of the outside spaces. This noise monitoring should be conducted over a minimum of a 24 hour period. Any noise mitigation works recommended by the approved noise survey shall be completed before any permitted dwelling is occupied.
14. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
15. 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.
16. No dwelling shall be occupied until a plan showing visibility splays has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
17. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.
18. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for the occupiers of, or visitors to, any of the buildings hereby permitted.
19. 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 building shall not be



occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.

20. No gates shall be provided at the vehicular access to the site.
21. 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 forming the access from the site to Old Bracknell Lane West. 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 scheme.
22. No dwelling shall be occupied until a car park management plan, setting out how the on-site car parking will be controlled to permit access for residents or their visitors only, has been submitted to and approved in writing by the Local Planning Authority. The car parking shall be managed in accordance with the approved management plan.
23. The development hereby permitted shall not be begun until details of a scheme for the disposal of foul and surface water based on the principles set out in the revised Flood Risk Assessment dated 26.11.2014 by Hill Cannon, and the Drainage Strategy prepared by Hill Cannon received 8.12.2014, has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be carried out before the development or any part thereof is occupied and thereafter retained.

**RESOLVED** In the event of the S106 planning obligation(s) not being completed by 26.5.2015 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 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 development would prejudice the comprehensive development of the wider site allocated under Policy SA1 of the Site Allocations Local Plan by not making adequate provision for the safeguarding of the route for a future footway/ cycleway linking this site to those adjacent. In the absence of a section 106 planning obligation to secure suitable safeguarding of this route, the proposal would therefore be contrary to Policies EN20 and M6 of the Bracknell Forest Borough Local Plan, and Policies CS23 and CS24 of the Core Strategy Development Plan Document.

102. **Application No 14/01266/FUL - Woodside, Woodside Road, Winkfield.**  
**Erection of a detached 4-bed house with part basement, self-contained annexe and detached 4-bay garage; demolition of existing dwelling, outbuildings and other free-standing buildings**  
**(This application is a resubmission of 14/00695/FUL)**

This application was **WITHDRAWN** from the agenda at the request of the applicant's agent.

103. **Application No 14/01316/FUL - Babbacombe, Jigs Lane North, Warfield.**  
**Erection of a two storey rear extension, roof extension and side dormer.**

The Committee noted:

- The comments of Warfield Parish Council.
- That no neighbour representations had been received.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 16th December 2014:  
201484-A1
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.
04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the north or south facing side elevations of the enlarged dwelling hereby permitted except for any which may be shown on the approved drawing(s).

104. **Application No 15/00015/RTD - MAST 3028, High Street, Crowthorne.**  
**Installation of new 4.5 head frame with 6no replacement antenna on existing monopole, raising its height to 18.4m. New remote radio unit to head frame and 1 no. equipment unit plus ancillary works.**

A site visit had been held on Saturday 21 February 2015 which had been attended by Councillors Mrs Barnard, Blatchford, Ms Brown, Brossard, Dudley, Finnie, Mrs Phillips and Thompson.

The Committee noted:

- The comments of Crowthorne Parish Council.

- Two letters of objection raising the following concerns:
  - As existing the mast has an adverse impact on the visual amenity of Crowthorne, and increasing the height of the structure and the width of the antenna would exacerbate this.
  - The surrounding area is more residential than when the mast was initially approved in 1999.
  - The mast would result in a detrimental impact on the residents of neighbouring properties.
  - Concerns regarding the health of people living in close proximity to such masts.

**RESOLVED** that the siting and appearance of the development proposed be **APPROVED** in accordance with the plans as stated below:-

Drawing entitled Proposed Location Maps no. 100 received by Local Planning Authority on 8 January 2015

Drawing entitled Proposed Location Plan no. 201 received by Local Planning Authority on 8 January 2015

Drawing entitled Proposed Elevation no. 301 received by Local Planning Authority on 8 January 2015

105. **Application No 15/00030/3 - Stoney Road, Bracknell.**

**Conversion of two areas of amenity land to form 8no. parking bays.**

The Committee noted:

- The comments of Bracknell Town Council.
- No representations had been received from neighbouring properties.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 14 January 2015:  
4817 225/8 'Stoney Road'

03. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.
- All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or 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.
04. The parking spaces shall not be utilised until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the parking spaces and the adjacent carriageway. The dimensions shall be measured along the edge of the parking spaces and the edge of the carriageway 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.

106. **PS Application No 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.**

This application was originally reported to the Planning Committee at its meeting on 16 October 2014, when the 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, inter alia, the provision of affordable housing. Following this decision, the applicant had submitted a viability report which concluded that whilst the proposed development, including 6 age-restricted dwellings, would be a viable scheme, with 6 social housing (affordable) dwellings would be unviable and, therefore, undeliverable. The applicant was therefore seeking the removal of the requirement for affordable housing to be provided as part of this development.

The Committee considered a report which included a summary of the findings from the viability study submitted by the applicant (the Haslams report) and the independent assessment of this study prepared for the Council by the District Valuer Services (DVS). The DVS had agreed with the findings of Haslams and concluded that the scheme with 6 social rented or affordable rented would not be viable.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Mr Trinder, who represented his objections to the proposed development, and Deidre Wells who represented the agent in the case, MGI Architecture Limited, on behalf of the applicant.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- A letter of objection expressing concern at the loss of the affordable housing.
- That in response to the question of whether some affordable housing, even if less than the policy compliant 6 units could be provided, the DVS had suggested that the scheme could afford one social rented unit and remain viable (although at this level the result is very sensitive to any slight change in costs or values).
- Information had recently come to light regarding contaminated material on the site which would require some costly remedial work to be carried out by the developer.

**RESOLVED** that pursuant to Section 100A of the Local Government Act 1972, as amended, and having regard to the public interest, members of the public and press be excluded from the meeting during the consideration of item 13 which involved the likely disclosure of exempt information under the following category of Schedule 12A of that Act:

(3) Information relating to the financial or business affairs of any particular person.

The Committee considered the commercially sensitive details in the viability report of Haslams and the independent assessment from the DVS, copies of which were tabled for Members.

Following conclusion of this, the public were re-admitted to the meeting for continuation of the debate on this item and the decision of the Committee.

**RESOLVED** that:-

a) the Borough Solicitor be authorised to complete an agreement 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)

b) 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, with the following amendment to condition 30:-

30. The development hereby permitted, including works to deal with on-site contamination, 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 site preparation and the construction of the development hereby approved.

And an additional condition which deals with the fact that the Council is the owner of the large majority of the site. S106 agreements have to be entered into with the owner of the land; it is not possible for the Council to enter into an agreement with itself, it was therefore accepted that the following additional condition be imposed:

41. The development shall not be begun unless and until all parties with any legal or equitable interest in the application site have entered into an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in terms set out in the proposed Section 106 Agreement annexed to this permission, and the title to such area of land has been properly deduced to the Council.

107. **Confirmation of Tree Preservation Order (TPO 118) - Land at Arden Close, Bracknell**

The Committee considered a report requesting confirmation of this Tree Preservation Order, to which objections had been raised.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- That there had been a number of comments from supporters of the TPO as well as the objections received.

**RESOLVED** that Tree Preservation Order (TPO 1180) Land at 1 Arden Close, Bracknell – 2015 be confirmed.

108. **Date of Next Meeting**

**RESOLVED** that the date of the next meeting of the Planning Committee be re-scheduled from Thursday 2 April 2015 to Wednesday 1 April 2015.

**CHAIRMAN**

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

**PLANNING COMMITTEE  
1st April 2015**

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

		<b>Case Officer</b>	<b>Reporting Officer</b>
5	14/00575/FUL 336 Yorktown Road College Town Sandhurst (College Town Ward) Proposed part two storey and part single storey side extension to form a new 3no. bedroom dwelling Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Sarah Horwood	Basia Polnik
6	14/00863/FUL Land At Rear Of 4 Hayley Green Cottages Forest Road Hayley Green Warfield (Winkfield And Cranbourne Ward) Erection of 3 no. dwellings including associated parking, access and amenity space. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Laura Rain	Basia Polnik
7	14/01075/FUL 37 Prince Consort Drive Ascot Berkshire (Ascot Ward) Erection of a replacement dwelling following the demolition of the existing property. Recommendation: Approve.	Michael Ruddock	Basia Polnik
8	14/01132/FUL 17 Anthony Wall Warfield Bracknell (Warfield Harvest Ride Ward) Erection of a single storey rear extension with a first floor extension over the garage. Recommendation: Approve.	Gerald Hegarty	Basia Polnik
9	14/01176/3 Street Record Faircross Bracknell Berkshire (Wildridings And Central Ward) Convert two grass amenity areas into parking spaces (4 spaces and 3 spaces). Recommendation: Approve.	Matthew Miller	Basia Polnik

10	14/01246/FUL 1 William Sim Wood Winkfield Row Bracknell (Winkfield And Cranbourne Ward) Erection of a part single storey, part two storey side extension. Recommendation: Approve.	Matthew Miller	Basia Polnik
11	14/01335/FUL Mayfield Light Industrial Estate Hatchet Lane Winkfield (Winkfield And Cranbourne Ward) Erection of 7 No. 5 bed detached dwellings and garages, following demolition of existing buildings (This application is a resubmission of planning permission 13/00242/FUL creating an amendment to the site boundary and Plot 1). Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Paul Corbett	Basia Polnik
12	14/01338/FUL Inglemere Mews 58 Waterloo Road Crowthorne (Crowthorne Ward) Erection of 3 No. residential dwellings following the demolition of the existing property. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Laura Rain	Basia Polnik
13	15/00005/3 Winkfield St Marys Church Of England Primary School Winkfield Row Bracknell (Winkfield And Cranbourne Ward) Single storey extension forming surge classroom and formation of new parking Recommendation: Approve.	Katie Andrews	Martin Bourne
14	15/00093/3 Street Record Fernbank Crescent Ascot Berkshire (Ascot Ward) Extend existing echelon parking area to form 3no. additional bays Recommendation: Approve.	Matthew Miller	Basia Polnik
15	15/00135/RTD Telecommunications Mast New Road Ascot (Ascot Ward) Replacement of existing 15m monopole with a 20m t-range telegraph pole on existing foot foundation. Replacement of existing harrier cabinet with a new cabinet on existing foundation. Recommendation: Approve.	Sarah Fryer	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. <b>14/00575/FUL</b>	Ward: College Town	Date Registered: 18 June 2014	Target Decision Date: 13 August 2014
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Site Address: **336 Yorktown Road College Town Sandhurst  
Berkshire GU47 0PZ**

Proposal: **Proposed part two storey and part single storey side extension to form a new 3no. bedroom dwelling**

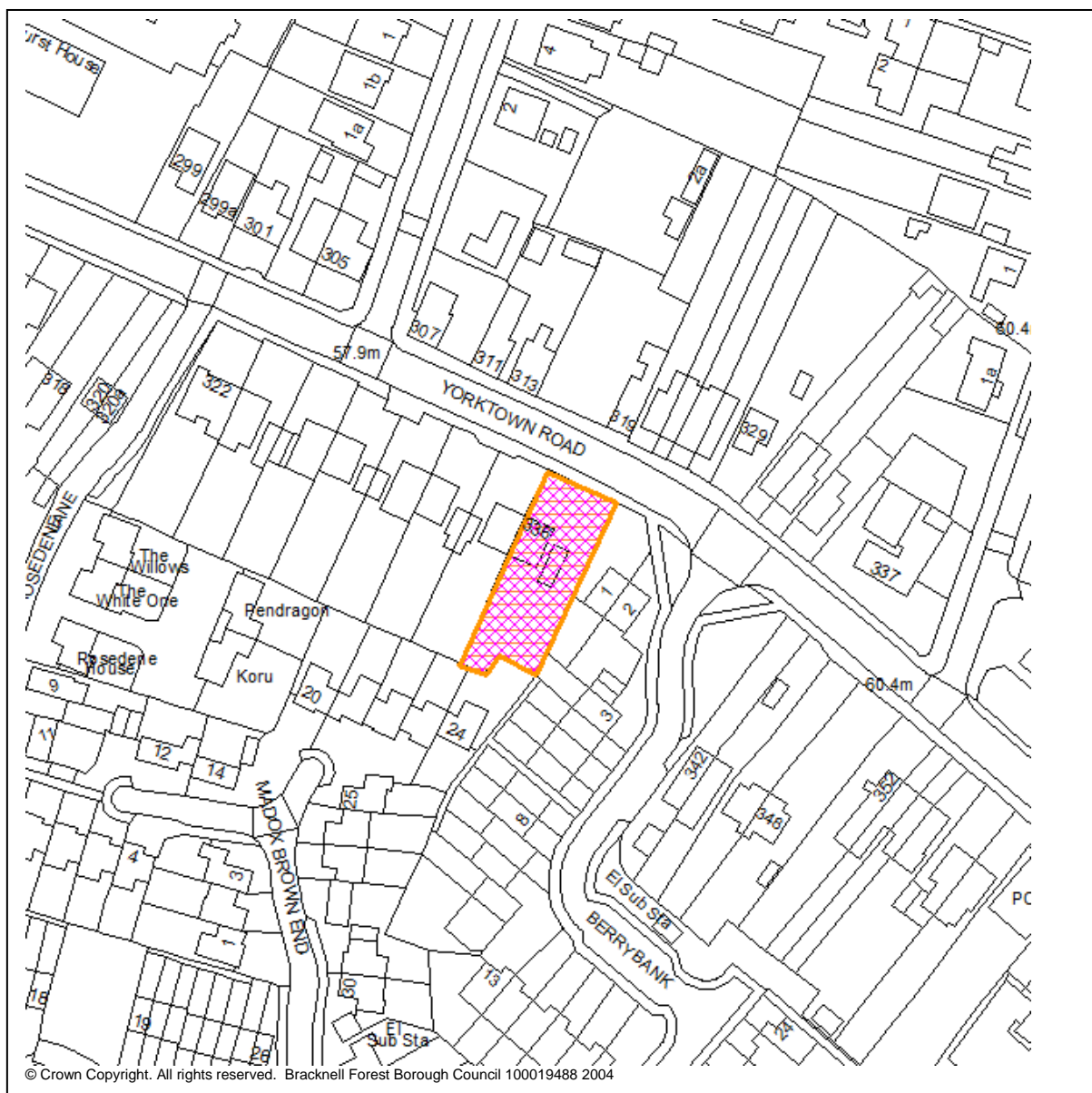
Applicant: Mrs Iris Heath

Agent: (There is no agent for this application)

Case Officer: Sarah Horwood, 01344 352000

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

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



## **OFFICER REPORT**

### **1. REASON FOR REPORTING APPLICATION TO PLANNING COMMITTEE**

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

### **2. SITE DESCRIPTION**

336 Yorktown Road is a two storey semi-detached dwelling located on the southern side of the highway. There is an existing two storey side extension on the eastern elevation of the building. The front of the site is screened by a 1m high brick wall and the frontage is laid to block paving.

### **3. RELEVANT SITE HISTORY**

615996 approved for erection of two storey side extension after demolition of existing garage (1990).

14/00570/PAH - prior approval not required for the erection of single storey rear extension (July 2014).

### **4. THE PROPOSAL**

Full permission is sought for the erection of a proposed part two storey and part single storey side extension resulting in the formation of a 3no. bedroom dwelling adjoining the existing dwelling at 336 Yorktown Road. The proposed extension would be sited on the eastern elevation of the existing dwelling.

The proposed two storey, part single storey side extension would be 4m wide, 9m deep at ground floor level and 8m deep at first floor level. The eaves height would be 5.2m and the ridge height would be 8.2m - linking into that of the existing host dwelling at 336 Yorktown Road. It would be set 1m from the boundary with no. 1 Berrybank at the closest point.

The proposed extension in conjunction with an existing two storey side extension undertaken to no. 336 as part of permission 615996 would create an independent dwelling comprising the following layout:

GROUND FLOOR: kitchen/breakfast area, hallway, WC and lounge

FIRST FLOOR: 3no. bedrooms and bathroom

The rear garden of the existing dwelling at no. 336 would be subdivided to create separate gardens for the existing dwelling and the proposed dwelling.

The existing dwelling at no. 336 would revert back to a 3 bedroom dwelling.

The existing parking area to the front of no. 336 would become a shared parking area to serve both dwellings. A footpath to provide both pedestrian access to the rear garden of the existing dwelling at no. 336 and the new dwelling is proposed to the side of the extension.

## 5. REPRESENTATIONS RECEIVED

3no. letters of objection received (2 are from the same postal address of 1 Berrybank and therefore counts as 1 objection) which can be summarised as follows:

- Will create a row of terraces
- Impact to adjoining properties through overlooking, overshadowing, overbearing, loss of privacy, increased noise
- House has already been extended and the proposed extension is box-like and will affect the character of the houses.
- Devaluation
- Additional parking will result in extra noise, fumes, smells affecting quality of life
- Traffic safety
- Proposal is garden grabbing

Officer note: The above matters are discussed in the remainder of this report. For clarification, devaluation is not a valid planning consideration.

## 6. SUMMARY OF CONSULTATION RESPONSES

### Sandhurst Town Council

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

- The proposed two-storey extension at the side of the existing house and in line with the main front wall will build up the entire site frontage and will tend to produce the appearance of a terrace particularly if repeated on adjacent properties.
- Such development would be out of keeping with existing properties in the vicinity and detrimental to the visual amenities (separating and creating a new dwelling). (2014)

### Highways Officer:

Recommends refusal, however amendments have been sought to address the issues raised (see section 11 of report).

## 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)

Core Strategy Development Plan Document 2008 (CSDPD)

'Saved' Policies of the 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 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.

CSDPD Policy CS1 states that development will be permitted which makes efficient use of land, buildings and infrastructure, is located so as to reduce the need to travel and protects and enhances the character and quality of natural resources, landscapes and countryside. This is considered to be consistent with the NPPF.

CSDPD Policy CS2 sets out the sequence in which the Council will allocate land for development and states that development will be permitted within defined settlements and on allocated sites. The site is located on a site with good access to facilities and services within the defined settlement in a sustainable location as shown on the Bracknell Forest Borough Policies Map 2013.

Whilst CSDPD Policy CS15 sets the overall housing target for the Borough, the recently published 2012 based household projections are a material consideration. The scheme, if approved, would constitute a "small" windfall site and would count towards the small windfall allowance, if built.

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 which states "to deliver a wide choice of high quality homes, widen opportunities for home ownership...local authorities should plan for a mix of housing". The current proposal would provide an additional family dwelling.

Para 111 of the NPPF reiterates that planning decisions should encourage the effective use of land by reusing previously developed land, provided it is not of high environmental value. The proposed additional dwelling would be sited within a private residential garden and therefore would not be sited on previously developed land as private gardens are excluded from the definition of previously developed land provided in Annex 2 of the NPPF. Given the site is considered to be a greenfield site, particular consideration should be given to ensuring the proposed creation of a new dwelling would not adversely affect the character of the area.

SALP Policy CP1, alongside CSDPD Policies CS1 and CS2 and the NPPF take a positive approach to development with the defined settlement. Furthermore, the proposal will add to the supply of housing in accordance with CSDPD Policies CS15 and CS16. As such it is considered that the proposal for an additional dwelling within the defined settlement is considered to be acceptable in principle. This is subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc. These matters are assessed below.

## **9. 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.

### **Siting and size**

The front elevation of the proposed two storey side extension with the exception of the front porch would come in line with the front elevation of the existing dwelling at no. 336 and the adjoining semi at no. 334. No. 336 is part of a row of 4 pairs of semi-detached properties where the front elevations follow the same building line and the proposed two storey side extension in conjunction with the existing two storey side extension would respect this established building line.

The proposed part two storey, part single storey side extension would be sited 1m from the eastern boundary of the site. Due to the 1m separation between the flank wall of the proposed extension and the site boundary, together with the 3.5m to 5m separation distance between the flank wall of the proposed extension and the flank wall of no. 1 Berrybank to the east, with no. 1 orientated away from the proposed extension and set back from the front elevation of the proposed extension, the siting of the additional dwelling would be acceptable in the street scene.

The floor area of the proposed dwelling would be comparable to the existing dwelling at no. 336 and the other pairs of semi-detached properties at nos. 322 to 334 Yorktown Road.

Whilst the additional dwelling is proposed within the residential garden of an existing dwelling and therefore not on previously developed land, the proposed development would make efficient use of the land and would assimilate well into the plot, not resulting in a cramped form of development. The proposal would contribute to the Council's small windfall housing supply and would therefore be acceptable.

#### Design and materials

The proposed formation of a new dwelling to the side of no. 336 would result in the creation of a row of terraces when viewed in conjunction with the existing pair of semi-detached properties at nos. 334 and 336. At present, nos. 322 to 336 Yorktown Road are 4 pairs of semi-detached properties. By forming a new dwelling to the side of no. 336 to create a row of terraces, this may detract from the existing visual appearance of nos. 322 to 336 Yorktown Road with 4 pairs of semi-detached properties. However Yorktown Road is characterised by a very non-uniform street scene overall with a mix of detached, semi-detached and terraced properties. The proposal would result in an efficient use of the land to provide a new dwelling which would contribute to the supply of housing and given the non uniform street scene of the area, the proposal would not be considered to have such an adverse impact upon the character and appearance of the surrounding area as to warrant refusal of the application.

The design of the proposed dwelling would match the design of the existing two storey side extension to the existing dwelling at no. 336 with pitched roof. The eaves height and ridge height of the roof of the proposed extension would tie into that of the existing two storey side extension.

The proposed porch on the front elevation of the proposed extension would add some design interest to the principal elevation.

The materials for the proposed part two storey, part single storey side extension would match those of the existing dwelling at no. 336. A planning condition is recommended requiring details of materials to be submitted to the LPA for approval.

To the north of the site is the College Town character area designated by the Council's Character Area Assessment SPD adopted March 2010. The SPD identifies areas with distinctive and positive character and makes recommendations for future development proposals. Whilst the application site is not itself located within the College Town character area, given it is located to the north of the site, consideration should be given to ensuring the proposal would not detract from any specific features identified in the SPD. The SPD identifies the area as having a very varied built form with a mix of housing styles and states that small infill developments and redevelopment of individual plots may not be detrimental to the character of the area. Given the non-uniform style of houses within the area, that the proposal would fit well onto the site with a plot size comparable to surrounding properties and the design of the new

dwelling would match that of the dwelling it would adjoin and be of a similar size, the proposal would not detract from the College Town character area.

#### Residential curtilage

The existing rear garden of no. 336 would be subdivided to provide separate rear gardens for the existing dwelling and the new dwelling. The amount of amenity space allocated to the existing dwelling at no. 336 and the new dwelling would be comparable to other plots along Yorktown Road and Berrybank. As such, the proposed dwelling and its associated garden space would not constitute a cramped form of development.

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.

### **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. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFPLP Policy 'Saved' 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 core principle relating to design 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 consistent with the general design principles laid out in paras. 56 to 66 of the NPPF.

The proposed part two storey, part single storey side extension to form the new dwelling would extend in line with the existing front and rear elevations of the dwelling at no. 336 Yorktown Road with the exception of the porch which would project 1m beyond the front of no. 336 and be set 4.5m from the boundary with no. 336. As such, the proposal would not impact upon the existing dwelling at no. 336 through loss of daylight or visual intrusion. The rear garden of no. 336 would be subdivided to provide a rear garden for the new dwelling. Sufficient garden space would remain for the existing dwelling.

The proposed extensions and formation of new dwelling to the side of no. 336 would not impact upon no. 334 Yorktown Road through visual prominence or loss of daylight given the proposed extension would not project beyond the front and rear elevations of the existing dwelling.

The proposed part two storey, part single storey side extension would be set 1m from the boundary with no. 1 Berrybank with a 3.5m to 5m separation distance between the flank wall of the proposed extension and the flank wall of no. 1. Due to this separation distance and that no. 1 is orientated away from the application site, the proposed extension would not appear unduly overbearing to no. 1. Further, the driveway of no. 1 runs adjacent to the boundary with the application site where the proposed extension would be sited. A driveway is not considered to be a useable, private amenity space and whilst it is acknowledged that the proposed extension would appear visible when viewed from the driveway of no. 1, it would not appear unduly overbearing as to be harmful to the residential amenities of no. 1 given the area is used for parking or access to the rear garden of no. 1. A window is proposed in the flank wall of the proposed extension at first floor level facing no. 1. This window would serve a landing and could be conditioned to be obscure glazed and fixed shut with the exception of a top opening fanlight as it would not serve a habitable room. The rear elevation of the



proposed extension would be set back 2m from the rear elevation of no. 1. 1no. window is proposed in the rear elevation of the proposed extension at first floor level which due to the set back of the extension may have some oblique views over the rear garden of no. 1. This window however serves a bathroom and could be conditioned to be obscure glazed and fixed shut with the exception of a top opening fanlight so as to prevent overlooking and loss of privacy to the rear garden of no. 1.

The proposed extensions would be set 15m from the boundary with no. 3 Berrybank with a 25m separation distance to the rear elevation of no. 3. In view of this separation distance, the proposed extensions would not result in overlooking or appear unduly prominent to this property.

The proposed extensions to form a new dwelling would be set some 20m from properties opposite the application site on Yorktown Road. In view of this separation distance, the proposed extensions would not result in overlooking or appear unduly prominent to these properties at nos. 319 to 323 that have views over and across the application site.

The proposed extensions would be sited 20m from the rear boundary of the site with a 30m separation distance to the rear elevation of no. 24 Madox Brown End. In view of these separation distances, the proposed extensions would not adversely impact upon the residential amenities of this property through visual prominence or overlooking.

The frontage of the dwelling is already laid to hard surfacing to provide parking for the existing dwelling. Whilst the creation of a new dwelling would create a requirement for parking to serve the new dwelling, the requirement for 4no. parking spaces to the front of the existing and proposed dwelling in accordance with the Council's Parking Standards (2no. spaces each to serve the existing and proposed dwellings) would not be considered to result in undue disturbance to adjoining properties.

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

## **11. TRANSPORT IMPLICATIONS**

'Saved' Policy M9 of the BFBLP ensures that development provides satisfactory parking provision. Further guidance on the implementation of this policy (including parking provision) is contained in the Council's adopted Parking Standards SPD (2007) which is a material consideration. As the NPPF refers to local authorities setting their own parking standards for residential development, this policy is considered to be consistent.

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

Access to the dwelling already exists and in respect of this application it is not being widened and is intended to be used to serve both properties. As it would be a shared access it would need to be widened to 4.8m to allow two vehicles to pass one another, otherwise it could result in a vehicle waiting on Yorktown Road whilst another exits the site. This would be detrimental to highway safety and the free flow of traffic on the classified highway network. For this reason alone the Highway Authority recommend that the application be refused.

The retained and proposed properties are both 3 bed dwellings and thus 2 spaces per property are required. On site turning for all vehicles will be required as access is onto an important distributor road. The applicant has indicated that 5 vehicles can be accommodated to the front of the dwellings. No parking layout supported by an autotrack plot has been supplied to demonstrate that parking to standard with turning can be achieved. The Highway Authority is of a view that it is unlikely that a compliant parking and turning layout can be achieved. This would lead to vehicles reversing out onto Yorktown Road to the detriment of highway safety and the free flow of traffic on the classified highway network.

The Parking Standards SPD requires the provision of secure cycle parking at a ratio of 1 space per bedroom. No provision is made for cycle parking. This could be provided in the form of a shared bin/cycle store or in the form of a separate structure such as a shed located with the garden of the new property but the retained property has no access to the rear garden so it would need to be provided to the front of the property within the area the applicant has designated for parking.

The existing 3 bedroom dwelling would generate 7 trips per day as would the proposed new dwelling. There would be a net increase of 7 trips per day.

Officer note: the existing access on site is 4.8m wide and of sufficient width to allow 2 vehicles to pass one another so that no vehicle would be waiting on the highway to gain entry to the site in the event of a vehicle leaving the site. An acceptable on-site parking and turning layout can be provided which would enable a vehicle to leave the site in forward gear and an amended plan has been sought from the applicant which was received 13 March 2015. The parking and turning area is to be shared by both the existing dwelling and the proposed dwelling. A pedestrian footpath of 1m can be provided to the side of the proposed extension to enable rear access to both the existing dwelling and the proposed dwelling to enable bin and cycle storage. Relevant conditions in relation to the retention of the parking and turning area and cycle storage are recommended.

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.

## **12. SPA IMPLICATIONS**

South East Plan 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 adopted the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) on 29 March 2012.

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

This site is located approximately 2.6 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures. Therefore, an Appropriate Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the site. In line with the Council's SPA SPD, the project

as proposed would not adversely impact on the integrity of the site provided: Prior to the permission being granted an applicant enters into a Section 106 Agreement based upon the Template S106 Agreement.

The SPA SPD Table 1 requires a contribution which is calculated on a per bedroom basis to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. In this instance, this application is for a 1 X three bedroom dwelling. The SANG costs are £2400.

The open space works at Shepherds Meadow is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The Template S106 also requires occupancy to be restricted until the works and measures are in place.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis. This application is for a 1 X three bedroom dwelling which requires an additional financial contribution which is calculated as £711.

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £3,111 (i.e. 2400 + 711).

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 SANG 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 SPA SPD paragraph 4.4.2.

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

Therefore, the Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse 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.

### **13. PLANNING OBLIGATIONS**

Paragraph 12 of the National Planning Policy Guidance relating to planning obligations was updated on 28.11.2014 and is now a material consideration:

The new paragraph added is: "There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development...contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm

The 1no. proposed dwelling would have a floor area of less than 1000sqm and be for a development of 10 units or less and therefore the Council would not be able to seek contributions towards education, transport, public open space etc, however as

discussed previously, a legal agreement would need to be submitted with any forthcoming application for SPA mitigation. A legal agreement is being progressed in relation to SPA mitigation. Clauses are also proposed in the legal agreement relating to the shared parking and turning area and pedestrian footpath to provide rear access to both the existing dwelling and proposed dwelling.

In the event of a decision not being issued (including the completion of the legal agreement) by 6th April 2015, the development may become CIL liable.

#### **14. SUSTAINABILITY IMPLICATIONS**

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.

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

Given the development would come as a result on an extension to provide half of the new dwelling, it would be difficult to apply CSDPD Policies CS10 and CS12 and therefore no sustainability or energy demand conditions are required.

#### **15. CONCLUSION**

The proposed erection of a proposed part two storey and part single storey side extension to form an additional 3no. bedroom self contained dwelling relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of adjoining properties, would not adversely impact upon the character and appearance of the surrounding area and sufficient on-site parking and turning provision can be provided. A legal agreement will secure contributions for SPA mitigation. As such, the proposal is considered to be in accordance with 'Saved' Policies EN20 and M9 of the BFBLP, CS1, CS7, CS15, CS16 and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

The application is therefore recommended for approval subject to the completion of a legal agreement.

#### **RECOMMENDATION**

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

01. Thames Basin Heath SPA

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 18 June 2014 and 13 March 2015:

drawing titled "proposed two storey side extension and alterations to existing dwelling to form proposed new 3 bedroom dwelling"

SK/01/12/14-02 Rev 1

Location map

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. 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 east elevations of the building hereby permitted except for any which may be shown on the approved drawings.  
REASON: To prevent the overlooking of neighbouring properties.  
[Relevant Policies: BFBLP EN20]
05. The first floor windows in the east elevation serving the landing and the first floor window in the south elevation serving the bathroom of the building hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.  
REASON: To prevent the overlooking of neighbouring properties.  
[Relevant Policies: BFBLP EN20]
06. No development shall be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of the new dwelling.  
REASON: In the interests of the visual amenities of the area.  
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]
07. The dwelling hereby approved shall be occupied until the associated vehicle parking and turning space has been surfaced in accordance with the approved drawing. The spaces shall thereafter be kept available for parking and turning 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]
08. No development shall 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 dwelling shall not be occupied until the approved scheme has been implemented. The facilities shall thereafter be retained.  
REASON: In the interests of accessibility of the development to cyclists.  
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

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. 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
  4. Restrictions on windows
  5. Obscure glazing and top opening fan light
  7. Parking and turningThe applicant is advised that the following conditions require discharging prior to commencement of development:
  3. Materials
  6. Boundary treatment
  8. Cycle storage

In the event of the S106 planning obligation(s) not being completed by 2nd April 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](http://www.bracknell-forest.gov.uk)

## Unrestricted Report

### ITEM NO: 6

Application No.  
**14/00863/FUL**

Ward:  
Winkfield And  
Cranbourne

Date Registered:  
1 August 2014

Target Decision Date:  
26 September 2014

Site Address:

**Land At Rear Of 4 Hayley Green Cottages Forest  
Road Hayley Green Warfield Bracknell Berkshire**

Proposal:

**Erection of 3 no. dwellings including associated parking, access  
and amenity space.**

Applicant:

Stoneham Property Development

Agent:

Mr S Brown

Case Officer:

Laura Rain, 01344 352000

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

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



## 1. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

## 2. SITE DESCRIPTION

The application site is located in Hayley Green, a semi-rural area with low-density housing and a significant number of trees and vegetation visible within the street scene.

The site lies behind the gardens of 1-4 Hayley Green Cottages and is accessed via a gated, unmade track to the side of No.4. The last lawful use of the site was as an open storage facility for touring caravans (secured by a Lawful Development Certificate in 2003) although it now has the appearance of a large empty field.

To the north, behind the site, is open countryside. To the east, sitting perpendicular to the site, are the gardens of dwellings on Goose Corner (two terraces of three dwellings each) as well as New House, which fronts Forest Road. To the west is the rear garden of Sunnyside cottage, which fronts Forest Road (the adjacent property is actually Inglenook but the garden of Sunnyside extends across the back of Inglenook's garden to meet the application site).

## 3. RELEVANT SITE HISTORY

Site history:

03/00271/LDC - Land at Rear of 4 Hayley Green Cottages - Application for a certificate of lawfulness for the open storage of 19no. touring caravans accessed from Forest Road - granted July 2003.

11/00382/FUL - Erection of 4 no. new dwellings comprising 2 no. 3 bed and 2 no. 4 bed semi-detached dwellings including associated parking and garages. Refused on the following grounds:

*01. The proposed change of use and associated buildings together with ancillary development is not acceptable as it would have an urbanising impact and would result in an inappropriate form of development that would adversely affect the rural character and visual amenities of the local area. The proposal would therefore be contrary to South East Plan Policy CC6, Bracknell Forest Borough Core Strategy DPD Policies CS2 and CS9 and Bracknell Forest Borough Local Plan Policies EN8 and H5.*

*02. By virtue of its density, scale, bulk, massing, design, poor separation distance, close proximity to site boundaries, large amount of hard surfacing and small garden size, the proposal would result in a cramped form of development, out of keeping with the surrounding pattern and form of development, to the detriment of the character and visual amenities of the local area. The proposed development would therefore be contrary to PPS1, South East Plan Policy CC6, Bracknell Forest Borough Core Strategy DPD Policies CS2, CS7 and CS9, Bracknell Forest Borough Local Plan Policies EN8, EN20 and H5 and the Character Area Assessments SPD.*

*03. The proposal fails to provide adequate amenity space for the existing dwelling at 4 Hayley Green Cottages, to the detriment of the living conditions of existing and future occupiers. The proposed development is therefore contrary to Bracknell Forest*



*Borough Core Strategy DPD Policy CS7 and Bracknell Forest Borough Local Plan Policies EN20 and H5.*

*04. By reason of the close proximity of the access road and car parking to the boundaries of adjacent dwellings, the proposal would be detrimental to the living conditions of occupiers of the neighbouring properties through noise and disturbance causing by increased traffic and the multiple manoeuvres required to access car parking spaces. The proposed development is therefore contrary to Bracknell Forest Borough Local Plan Policies EN20 and H5.*

*05. The proposal would not comply with the Local Planning Authority's standards in respect of access width, vehicle parking and turning and refuse collection. As such, the proposal is likely to encourage on-street parking and lead to vehicles waiting in the highway to enter the site, which is likely to have a detrimental impact upon highway safety and the flow of traffic. This would also discourage pedestrian and cyclist access to the site. Furthermore, in the absence of a speed survey, the applicant has failed to demonstrate that adequate visibility splays could be provided to ensure the development would not be detrimental to highway safety. The proposed development would therefore be contrary to South East Plan Policy T4, Bracknell Forest Borough Core Strategy DPD Policies CS1, CS23 and CS24, Bracknell Forest Borough Local Plan Policy M9 and the Parking Standards SPD.*

*06. In the absence of a survey and appropriate mitigation, the applicant has not demonstrated that the proposed development would not have an adverse impact on biodiversity and protected species, specifically bats and great crested newts. The applicant has also failed to demonstrate how local biodiversity would be protected and enhanced by the proposals. As such the proposed development would be contrary to PPS9, South East Plan Policy NRM5, Bracknell Forest Borough Core Strategy DPD Policies CS1 and CS7 and Bracknell Forest Borough Local Plan Policies EN3, EN20 and H5.*

*07. In the absence of a full and accurate survey of existing trees and vegetation on the site and full details of proposed retention/removal/replacement of trees and vegetation, the applicant has not demonstrated that the proposed development would not have an adverse impact on trees and vegetation, which contribute to the character, visual amenity and countryside setting of the local area. The applicant has further failed to demonstrate that adequate landscaping could be accommodated within the site to soften the appearance of the development. As such the proposed development would be contrary to South East Plan Policy CC6, Bracknell Forest Borough Core Strategy DPD Policies CS1 and CS7 and Bracknell Forest Borough Local Plan Policies EN1, EN8, EN20 and H5.*

*08. In the absence of a planning obligation, in terms agreeable to the Local Planning Authority, to secure contributions towards highways and transportation infrastructure, public open space, community and education facilities the proposal fails to deal with its direct impacts and is therefore contrary to South East Plan Policy CC7, Bracknell Forest Borough Core Strategy DPD Policies CS6, CS8 and CS24 and the 'Limiting the Impact of Development' SPD.*

*09. The occupants of the proposed development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicant has not satisfactorily mitigated against this impact. In the absence of a planning obligation, in terms agreeable to the Local Planning Authority, to secure suitable mitigation measures, the proposal is contrary to South East Plan Policy NRM6, Bracknell Forest Borough Core*

*Strategy DPD Policy CS14, Bracknell Forest Borough Local Plan Policy EN3 and 'Limiting the Impact of Development' SPD.*

The informatives for this refusal advised that:

-Reasons for refusal 6 and 7 in relation to biodiversity, trees and landscaping could potentially be overcome by submission of the appropriate surveys and plans.

- Reasons for refusal 8 and 9 in relation to failing to provide adequate service, amenity and infrastructure contributions and failing to mitigate against the impact upon the Thames Basin Heaths Special Protection Area, could be addressed by planning obligations, formulated in terms which are acceptable to the Local Planning Authority and entered into as provided for by Section 106 of the Town and Country Planning Act 1990 (as amended).

#### **4. THE PROPOSAL**

The proposal is for the erection of 3 detached dwellings, 1 no. four bed (plot 3), 2 no. three bed units (plots 1 and 2).

At ground floor each 3 bed roomed dwelling would have:

- A single garage with one space to the front.
- An open plan living and dining room.
- A kitchen/breakfast room.
- A WC
- A hall.

At first floor each 3 bed roomed dwelling would have:

- Three bedrooms.
- An en-suite.
- A bathroom.

The dwellings on plots 1 and 2 differ only in the positioning of the proposed garage (the garage on Plot 1 is set further back than on Plot 2.)

At ground floor the 4 bed roomed dwelling would have:

- A single garage with two spaces to the front.
- A living room.
- A dining room.
- A kitchen/breakfast room.
- A WC
- A hall.

At first floor the 4 bed roomed dwelling would have:

- Four bedrooms.
- An en-suite.
- A bathroom.

The dwellings would be of a uniform design with the dwellings on plots 1 and 2 being 8.9m wide and 10.7m deep and the dwelling on plot 3 being 9.7m by 11.3m. The roof is pitched on all sides and the maximum ridge height would be 7.9m for the dwellings.

## **5. REPRESENTATIONS RECEIVED**

11 letters of objection from 10 households have been received which raise the following issues:

- The land is outside the settlement boundary and therefore inappropriate development.
- The development would have a detrimental impact upon the rural character of the area.
- The land has never been built on.
- The design of the dwellings is not inkeeping with the character of the area.
- The density is out of keeping with the character of the area.
- By removing part of the dwelling at no. 4 this would result in noise, hygiene concerns from bins and overlooking to neighbouring properties.
- The proposed dwelling should result in a reduction in natural light to neighbouring properties.
- There is a high level of housing planned in north of the borough so this site is not necessary.
- The backland development is out of keeping and would threaten the peaceful rear gardens of neighbouring properties.
- The amenity land left for 4 Hayley Green Cottages is not acceptable.
- Concern over noise and disturbance of construction vehicles.
- There will be a significant increase in noise and light pollution created by the additional dwellings.
- Approving this would set a precedent for back land development.
- The storage of caravans generates very little traffic.
- The access to the site is inappropriate and impractical and has poor visibility.
- There have been a number of crashes along Forest Road; cars regularly exceed the 30mph speed limit.
- There is not enough parking proposed.
- There is no space for visitors to park.
- There is no street lighting on Forest Road.
- Residents of Hayley Green Cottages park their cars on the land that will be used for access.
- Construction vehicles and emergency services would not be able to access the site.
- The proposal for internal circulation and vehicular movements would therefore create a safety hazard.
- The additional vehicles entering onto Forest Road would increase the risk of accidents on the highway.
- There would be significant increase in traffic.
- The introduction of double white lines in the middle of the road would be unsightly.
- Neighbouring property has a Right of Easement across the land.
- The proposal would reduce the security to the rear of the neighbouring properties.
- Refuse bins would clog up the frontage and create a visibility issue.
- Concerns over impact upon trees.
- Concerns over the impact upon footings of 1-4 Hayley Green Cottages which were built 1830 - 1850.
- Concerns over the capacity drainage system.
- Concerns over impact upon biodiversity and that Ecology Report is out of date
- Goose Corner floods as there is a stream at the front. This development would make it worse.

## **6. SUMMARY OF CONSULTATION RESPONSES**

Warfield Parish Council

Recommend refusal for the following reasons:

1. The site of the proposed development is not identified as a site for future housing development in Bracknell Forest Council's Site Allocation Local Plan (July 2013) and is not within the settlement boundary identified therein.
2. The proposed access road and car parking is close to the boundaries of adjacent dwellings and so the proposal would be detrimental to the living conditions of occupiers of the neighbouring properties because of noise and disturbance caused by increased traffic and the multiple manoeuvres required to access car parking spaces.
3. The proposal will generate additional traffic movements into and out of Forest Road where vehicle speeds are known to be high and this would adversely affect road safety and impede the free flow of traffic.

#### Highway Authority

The Highway Authority has reviewed drawing 13/SP-HGC-02-E (Proposed 3 Unit Scheme) and access and parking for the 3 no. new dwellings and existing dwelling is now considered to be acceptable. The Highway Authority has no objection to this planning application.

#### Biodiversity Officer

No objection subject to conditions.

### **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)  
Core Strategy Development Plan Document 2008 (CSDPD)  
'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)  
Bracknell Forest Borough Policies Map 2013

### **8. ASSESSMENT OF DEVELOPMENT**

The proposal involves a net gain of 3 units. In terms of the Council's housing provision the proposal constitutes a 'small' site and (if approved) would form part of the 'small' sites allowance.

The site is located outside of a defined settlement as shown on the Bracknell Forest Borough Policies Map.

#### Position on 5 year supply

In relation to the five year housing land supply (as at 1 April 2014), an Inspector on a recent appeal (land north of Tilehurst Lane, application 13/00746/OUT, appeal APP/R0335/A/14/2219888, dismissed 2 February 2015) concluded that the Council could not demonstrate a five year supply of land for housing (and found that the supply was only 4.28 years). This appeal is a material consideration in the decision-taking process. A further material consideration are the recently published household projections (based at 2012) which suggest a slightly lower annual requirement than that set out in the Core Strategy. However, if certain conclusions from the above appeal are applied and the shortfall in housing that has been delivered since the beginning of the Plan period is spread across the next 5 year period (Sedgefield methodology), the 5 year supply remains just below 5 years.

The key implication of the above is that as the Council cannot demonstrate a five year land supply, in accordance with para. 49 of the NPPF, relevant policies for the supply

of housing should not be considered up to date (and the weight to be attached to them reduces and the implications are discussed below).

Implications of 5 year supply position on principle

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 that 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 proposals that reflects the presumption in favour of sustainable development contained in the NPPF.

Regard also needs to be had to Policy CS1 of the CSDPD relating to sustainable development principles, which is considered to be consistent with the NPPF (and can be afforded full weight).

Since the Council has been found to be unable to demonstrate a 5 year supply of land for housing, parts of policies relating to the supply of housing cannot be considered up to date (the weight attached to them is therefore reduced). Of particular relevance is the presumption against development in the countryside (outside of the Green Belt) which can no longer be applied to housing development. The following Development Plan policies are affected:

- Core Strategy DPD Policy CS2
- Core Strategy DPD Policy CS9
- 'Saved' Bracknell Forest Borough Local Plan Policy EN8
- 'Saved' Bracknell Forest Borough Local Plan Policy H5

Elements of the above policies which seek to protect the character and appearance of the area are not out of date and can still be applied. (The Inspector at Tilehurst Lane concluded that the proposal was still contrary to those parts of Development Plan policies that did not directly impact on housing supply).

It therefore falls for the application to be considered in relation to the presumption in favour of sustainable development as set in SALP Policy CP1 (and para. 14 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF:

01. The economic role of the planning system ensures that the system contributes towards building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

02. The social role of the planning system would ensure that a supply of housing is provided to support communities and that a high quality built environment is provided with accessible local services that reflect the communities needs and to support its health, social and cultural well being.

03. The environmental role of the planning system contributes to protecting and enhancing the natural, built and historic environment.

Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

The Tilehurst Lane Inspector concluded (para. 111) that the application of para. 14 has been subject to case law which is clear that the presumption in favour only applies to sustainable development (i.e. if a development is not found to be 'sustainable', the presumption does not apply). He also concluded that the balancing exercise embedded in para. 14 should be taken into account in reaching an overall conclusion as to whether the proposal amounts to sustainable development

Notwithstanding the above, as the site is located outside of the defined settlement boundary, and proposes new residential development (not consistent with the provisions in saved Policies EN8 and H5 of the BFBLP relating to development on land outside of settlements and new dwellings outside settlements), it would constitute a departure from Development Plan policies, including Core Strategy Policies CS2 and CS9 (relating to locational principles and development on land outside settlements).

The remainder of the report undertakes the balancing exercise, considering any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development.

#### ECONOMIC ROLE

Facilitate growth, provide jobs during construction, future occupiers would spend a proportion of their income in the local economy

#### SOCIAL ROLE

One of the main benefits of a housing scheme to be weighed in the balance is the provision of housing. The NPPF is a material consideration, and this seeks (para. 47) to 'boost significantly the supply of housing'. In considering this aspect, a proposal for housing needs to be deliverable.

The NPPF (footnote 11) is clear that for a site to be deliverable, it should:

- be available now;
- offer a suitable location for development now; and,
- be achievable, with a reasonable prospect that housing will be delivered on the site within five years, and in particular that development of the site is viable.

The site is available now and does not need any demolition or remedial works. The development of three dwellings could be achieved within the next 5 years.

The proposal would provide 3 family dwellings in a reasonably sustainable location. The applicant has provided details which show that the nearest school, supermarket, GP surgery and recreation ground are all within 1km. There are 3 bus routes with regular services (every two hours) in Bracknell and one hourly to Ascot. The bus stop is located 50m to the west of the access point.

As such it is considered that the location of the dwellings would not be isolated and would have sustainable transport links and access to services.

Therefore it is considered that the proposal would boost the supply of housing and would therefore have a social benefit in line with the NPPF.

#### ENVIRONMENTAL ROLE

##### (i) Impact on character and appearance of the area (environmental factor)

CSDPD Policy CS9 seeks to protect land from development that would adversely affect the character, appearance or function of the land. BFBLP 'saved' Policy EN8 seeks to

permit development only where it would not adversely affect the character, appearance or function of the land. BFBLP 'saved' Policy H5 seeks to restrict the development of new dwellings unless it can be demonstrated that it would cause no harm to the character of the area.

These measures of harm are reflected in the NPPF. Para. 17 of the NPPF sets out core planning principles that should underpin plan making and decision making. These include core planning principle 5 which states:

Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

In addition the NPPF states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Development that would harm rather than enhance the natural environment should not be considered sustainable. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. This can be achieved by protecting and enhancing valued landscapes.

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.

Hayley Green is covered by the Character Areas SPD under the Northern Villages Character Area B. Hayley Green consists primarily of ribbon development along Forest Road and is in a semi-rural location. This states that development form varies with predominantly detached dwellings with no consistent architectural approach.

The recommendations of this report state: "Infill development on back land sites in the form of cul de sacs must be designed so that any impact on the street scene is minimised"

The proposed development is considered to be acceptable in its impact on the rural character and visual amenities of the area as the site is well screened by vegetation, which could be supplemented by condition and is not considered to be open rolling countryside which is present to the north of the site. In addition the rear boundary of the site adjoins the rear boundary of the gardens of dwellings along Forest Road. The site would therefore have previously been garden area, prior to the change of use to caravan storage. It is not therefore considered that the proposal would have a significantly urbanising impact upon the rural area given the garden areas, with associated paraphernalia directly to the east and west.

The dwellings would be of a uniform design with the dwellings on plots 1 and 2 being 8.9m wide and 10.7m deep and the dwelling on plot 3 being 9.7m by 11.3m. The roofs are pitched on all sides and the maximum ridge height would be 7.9m..

The separation distance between the buildings would be approximately 2m, with the dwelling on plot 1 being set in 3m from the boundary shared with Sunnyside. The gap to the Goose Corner boundary would be between 5m and 6.5m. Each dwelling would be separated by single storey garages and therefore Plots 1 and 2 would be separated at first floor by 5m and Plots 2 and 3 at first floor by 7.5m.

Given these distances it is not considered that the proposal would appear cramped on site.

The dwellings would be set back from the highway by 85m and therefore they would not appear visually prominent within the street scene.

The proposed gardens would not be dissimilar in depth to those within Goose Corner. Whilst there are no other examples of backland development of this nature the dwellings would not extend further north than no.6 Goose Corner and as such the dwellings would not be isolated as they would be in close proximity to neighbouring properties in Goose Corner.

The design of the dwellings is not in keeping with the 1830s Hayley Green Cottages. However given that the dwellings would be over 60m from the rear of the row of cottages it is not considered that they would be 'read' together. In addition the Character Area SPD notes that there is a varied street scene with little architectural consistency. Therefore the differing design is considered to be acceptable.

In terms of character and appearance, the proposal would not give rise to material harm as it is not contrary to CSDPD Policies CS2, CS7 and CS9, BFBLP 'saved' Policies EN8, EN20 and H5 and the Character Area Assessments SPD.

(ii) Residential Amenity (environmental & social factors)

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 BFBLP 'Saved' Policy EN20 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 core principle relating to design 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 consistent with the general design principles laid out in paras. 56 to 66 of the NPPF.

No windows are proposed in the side elevation of Plot 1 facing Sunnyside or in the side elevation of Plot 3 facing 5 and 6 Goose Corner. As such there would be no loss of privacy to these dwellings.

There are open fields to the rear and as such there would be no loss of privacy created by the rear facing windows.

The front facing windows would be 9m from the rear boundary with no 1 Hayley Green Cottage. However there would be a distance of over 50m due to the length of the rear gardens of 1-3 Hayley Green Cottages.

The side facing windows in the east of plots 1 and 2 and the west of plot 3 would serve en-suites and as such there would be no mutual overlooking.

In terms of overbearing impact the proposed dwelling would be set in from the boundary with Sunnyside by 3m and with 5 and 6 Goose Corner by 5 - 6.5m. Given these distances it is not considered that the proposal would result in an unduly overbearing impact upon the neighbouring properties. There would be no overbearing impact upon the future occupiers of the proposed dwellings.



Due to the positioning of the proposed dwellings in respect of the neighbouring properties, there would be no loss of light created. In addition there would be no unacceptable loss of light created by the proposed dwellings on the proposed dwellings.

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

(iii) Transport Implications (environmental and social factors)

CSDPD Policy CS23 states that the LPA will seek to increase the safety of travel. BFBLP 'Saved' Policy M9 seeks to ensure that 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 residential dwellings. For a dwelling that has 3 bedrooms a minimum of 2 car parking spaces are required, and for a dwelling which has or exceeds 4 bedrooms a minimum of 3 allocated parking spaces should be provided in accordance with the minimum measurements stated within the document. The NPPF allows for LPAs to set their own parking standards for residential development and therefore the above policies are considered to be consistent with the NPPF.

The application site is located to the rear of 4 Hayley Green Cottages with proposed vehicular and pedestrian access to the 3 new dwellings to be via an existing private driveway. This is to be widened and improved to serve the 3 new dwellings.

The private driveway currently provides access to the rear of no. 4 Hayley Green Cottages to an existing garage and to an area to the rear of the site which is used for the storage of caravans. The proposal for 3 new dwellings will therefore increase vehicular movements from the application site and intensify the use of an existing access.

The existing access onto the B3034 Forest Road is within a 30mph speed limit, though vehicles were observed to exceed the posted speed limit. This assertion is supported by speed survey data which has led to visibility splays of 2.4 metres by 60 metres in either direction as is being proposed.

The proposed visibility splay to the right, shown on drawing 13/SP-HGC-02, as originally submitted, (Proposed 3 Unit Scheme Site Layout) at 2.4 metres by 60 metres is across third-party land, which is outside of the control of the applicant. Visibility splays which accord with the required standard cannot therefore be secured. The proposal will intensify the use of an existing access which has a sub-standard visibility splay to the right. This can only create risks to highway safety for vehicle egress from the application site onto the B3034 Forest Road.

Currently, the existing property, no. 4 Hayley Green Cottages has parking in a garage to the rear, with turning to egress the application site in a forward gear. The proposal as originally submitted appeared to remove the parking and turning for the existing property and permission for a vehicular access would not be allowed due to lack of turning for a vehicle to egress onto the B3034 Forest Road in a forward gear.

In the light of the above concerns, the Highway Authority objected to this planning application, as originally submitted, as the visibility splay to the left was sub-standard and parking and turning for the existing property was to be removed.

The proposed visibility splay to the left, shown on drawing 13/SP-HGC-02 at 2.4 metres by 60 metres is to the centre-line. There are currently no restrictions on vehicle overtaking in this location, however, drawing 13/SP-HGC-02 shows a proposed double white line, to prevent overtaking. The Highway Authority would need to formally consult Thames Valley Police for such a proposal. Given the lack of control over the outcome of such a formal consultation, these highway works cannot be secured as a planning condition. It is considered that this proposal should be removed where the proposed visibility splay to the left is acceptable, as the road is straight in this location.

Pedestrian vision splays of 2 metres by 2 metres need to be provided for vehicular access from the application site across the footway fronting the application site access. It is suggested that a planning condition is imposed requiring the provision of these splays

The pedestrian access to these new residential dwellings which are to the rear of the application site provides an unwelcoming environment and therefore appropriate lighting is suggested. This can be secured by planning condition

The rumble strip may create a noise disturbance and as it is not necessary should be omitted.

Communal bin storage is required within 25 metres of the highway; however, the carry distance from the new dwellings to the communal bin storage exceeds the 30 metre distance and does not therefore comply with the Highway Authority's requirements. An informative is recommended informing future occupiers of this.

It would be preferable for the off-street parking spaces to be driveway parking or a car port as opposed to new garages. If this cannot be achieved, then a condition is suggested requiring the garage accommodation to be retained for the use of the parking of vehicles at all times.

The proposed garages as originally submitted did not have internal dimensions of 3 metres by 6 metres and the doors do not have a minimum width of 2.4 metres. An acceptable revised plan has been submitted and the Highway Authority considers that the access and parking for the 3 no. new dwellings and existing dwelling is now considered to be acceptable.

For the reasons given above, and subject to the recommended conditions, the proposal is considered to be in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9 and the NPPF. Furthermore it would meet the requirements of the Parking Standards SPD (2007) subject to the recommended conditions being imposed.

#### (iv) Sustainability (environmental factor)

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. 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. This is considered to be consistent with the NPPF which states in para 95 "To support the move to a low carbon future, local planning authorities should:

- plan for new development in locations and ways which reduce greenhouse gas emissions;
- actively support energy efficiency improvements to existing buildings; and
- when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings Policy and adopt nationally described standards."

No Sustainability Statement and no Pre-assessment Estimator have been submitted demonstrating that the development is likely to meet with Code for Sustainable Homes Level 3. Therefore this could be conditioned.

CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. This is consistent with the NPPF which states that the LPA should have a positive strategy to promote energy from renewable and low carbon sources.

The applicant has provided no Energy Demand Assessment detailing how 10% of the development's energy demand can be offset as a result of implementing on-site renewable energy generation. Therefore this could be conditioned so that the scheme would comply with Policies CS10 and CS12 of the CSDPD and with the NPPF.

(v) Planning Obligations (environmental, economic and social factors)

Developments are required to comply with Core Strategy Policy CS6, Supplementary Planning Documents 'Limiting the Impact of Development' (LID) 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."

The National Planning Policy Guidance was updated on 28th November 2014. Paragraph 12 now states that: "There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development." The criteria is listed as:

- Contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm

The implications of this is that the LPA will no longer be able to seek contributions towards education, transport, public open space, libraries or community facilities for residential development on sites of 10 units or less and which have a maximum combined gross floor space of 1,000m<sup>2</sup> or less.

A S106 is still required however to secure contributions towards the Thames Basin Heath SPA. If the S106 is not completed and a decision not issued before 6th April 2015 the whole scheme will become CIL liable.

(vi) SPA (environmental factor)

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 adopted the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) on 29 March 2012. The Council, in consultation with Natural England, has formed the view that that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath SPA is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects.

This site is located approximately 3.7 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

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

In line with the Council's SPA SPD (March 2012), the project as proposed would not adversely impact on the integrity of the site provided:

Prior to the permission being granted an applicant enters into a Section 106 Agreement based upon the Template S106 Agreement.

The SPA SPD Table 1 requires a contribution which is calculated on a per bedroom basis to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. In this instance, this pre-application is for three dwellings and therefore the SANG costs are as follows on a pro-rata basis calculated by each number of the total 3 dwellings by their bedroom size (which in this case is 2 X 3 bedroom and 1 X 4 bedroom dwellings):

£4,800 (2 x £2,400) + £2,730 = Total SANG Contribution £7,530

The open space works at Englemere Pond are the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The Template S106 also requires occupancy to be restricted until the works and measures are in place.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which is calculated on a per bedroom basis. This application is for three dwellings and therefore the SAMM costs are as follows on a pro-rata basis calculated by each number of the total 3 dwellings by their bedroom numbers (which in this case is 2 X 3 bedroom and 1 X 4 bedroom dwellings):

£1422 (2 x £711) + £807 = Total SAMM Contribution £2,229

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £7,530 + £2,229 = £9,759.

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 SPA SPD paragraph 4.4.2.

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

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

#### (vii) Trees (environmental factor)

CSDPD Policy CS1 states that development will be permitted which inter alia protects and enhances the quality of natural resources and the character and quality of local landscapes. CSDPD Policy CS7 states that development will be permitted which enhances the landscape. BFBLP 'saved' Policy EN1 supports the retention of trees which are important to the character and appearance of the landscape and BFBLP 'saved' Policy EN20 requires development to retain beneficial landscape features. These policies are consistent with the core principles of the NPPF to conserve and enhance the natural environment, and can be afforded significant weight.

None of the trees on site are covered by Tree Preservation Orders. The impact upon the trees would not merit a reason for refusal; however conditions should be applied to protect them.

Generally, the site encompasses mature and semi mature trees around the boundaries including Ash, Oak, Holly and Sycamore. They vary in quality and although views of these trees from outside the site are partially obscured by buildings and other trees in the rear garden of No. 3 and neighbouring land, viewed from within the site, they generally contribute to its predominantly rural character.

The mature Ash trees on the north boundary referenced T9 & T10 in the survey, together with trees referenced T24 (Birch) and G27 (mature grouped Holly) on the south boundary, are the most important trees on the site and worthy of retention. However with reference to the grading of the trees in the Tree Report, based on its form, general condition and taking into account current BS 5837 (2012) guidance T24 is considered an A1 category specimen.

To realistically retain the above specimens, avoid adverse impact on their health and ensure sustainable tree to building relationships, it is important that full account is taken of their accurate root protection areas and size, together with underground service requirements and practical working space for construction.

Therefore conditions are proposed to protect the trees on site.

(viii) Biodiversity (environmental factor)

CSDPD Policy CS1 seeks to protect and enhance biodiversity and Policy 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 ecological report shows that the ecological value of the site is low and, the following conditions should be appended to any consent:

- No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive.
- No external lighting shall be installed on the site or affixed to any buildings.
- The demolition shall not be begun until a scheme for the provision of bird and bat boxes and other biodiversity enhancements has been approved.
- The development (including site clearance and demolition) shall not be begun until the trees to be felled have been surveyed for bats.

## **9. CONCLUSION**

At the present time, the Council has been found to be unable to demonstrate a 5 year supply of land for housing, meaning elements of policies relevant to the supply of land for housing are 'out of date'. Therefore, the proposal should be considered in light of economic, social and environmental factors set out in the NPPF, and have regard to the presumption in favour of sustainable development as set out in Policy CP1 (and para. 14 of the NPPF).

The impacts of the proposed development can be summarised as follows:

- The design although not in keeping with the frontage properties is considered acceptable in this backland location as there is no consistent architectural approach in the area as highlighted in the Character Area Assessments SPD.
- The relationship with adjoining properties is acceptable with no adverse impact on the living conditions of neighbours or future occupiers.
- Trees on the site vary in quality but as they contribute to the character of the area will be protected by condition during construction. Landscaping will also be supplemented.
- Visibility splays, parking and turning are acceptable to the Highway Authority following receipt of revised plans.
- SPA mitigation will be secured by s106 agreement.
- The ecological report shows the site has low ecological value and therefore conditions are recommended in relation to biodiversity.
- The site is not isolated being located behind ribbon development served by buses and having access to local facilities.
- Whilst the development will have an urbanising impact on this countryside location the site is surrounded by gardens on 3 sides and its last lawful use is as open storage for touring caravans, its impact needs to be weighed up against the benefits of the scheme.

The benefits of the scheme include the provision of 3 family houses which can be achieved in the next 5 years. It will facilitate growth providing jobs during construction and future occupiers will spend a proportion of their income on the local economy.

On balance it is considered that the harm that arises from the proposal, as amended, does not significantly and demonstrably outweigh the benefits and as such the recommendation is for approval, subject to conditions and the completion of a s106 agreement to secure the necessary mitigation.

## **RECOMMENDATION**

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

01. Thames Basin Heath SPA

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

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

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

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

Drg No 13/SP-HGC-02 Rev E received by LPA 02.02.2015

Drg No 13/SP-HGC-03 received by LPA 01.08.2014

Drg No 13/SP-HGC-04 received by LPA 01.08.2014

Drg No 13/SP-HGC-05 received by LPA 01.08.2014

Drg No 13/SP-HGC-06 received by LPA 01.08.2014

Drg No 13/SP-HGC-07 received by LPA 01.08.2014

Drg No 13/SP-HGC-08 received by LPA 01.08.2014

Drg No 13/SP-HGC-09 received by LPA 01.08.2014

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

03. No development shall take place until 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:

1) a scheme depicting hard and soft landscaping and

2) a three year post planting maintenance scheme

have been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be performed and complied with.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. 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.

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

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

05. The 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.  
REASON: - In the interests of good landscape design and the visual amenity of the area.  
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
06. 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 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 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 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 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]
09. No dwelling shall be occupied until a means of vehicular access 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 highway safety.  
[Relevant Policies: Core Strategy DPD CS23]

10. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The 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]
11. 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]
12. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
  - (a) Parking of vehicles of site personnel, operatives and visitors
  - (b) Loading and unloading of plant and vehicles
  - (c) Storage of plant and materials used in constructing the development
  - (d) Wheel cleaning facilities
  - (e) Temporary portacabins and welfare for site operativesand each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.  
REASON: In the interests of amenity and road safety.
13. 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 additional windows, similar openings or enlargement thereof shall be constructed in the east or west elevation of the dwellings 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]
14. The first floor en-suite windows of the dwellings 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]
15. No development shall take place until details showing the slab level of the buildings in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved drawing.  
REASON: In the interests of the character of the area.  
[Relevant Plans and Policies: BFBLP EN20 and CSDPD CS7]

16. No development shall commence until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of the dwellings approved in this permission.  
 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]
17. No demolition or construction work shall take place 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 EN25]
18. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows, groups of mature shrubs and structural planting areas to be retained, 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. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:
- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
  - b) Positions and spreads of existing hedgerows and groups of mature shrubs.
  - c) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
  - d) Proposed location/s of 2m high (minimum) protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), 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.
  - e) Illustration/s of the proposed protective barriers to be erected.
  - f) Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
  - g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
  - h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
  - i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.
- The development shall be carried out in full accordance with the approved scheme.  
 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.
19. The protective fencing and other protection measures specified by condition 18 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning

Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

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

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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.

20. 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.  
Reason: In the interests of visual amenity.  
[Relevant Policies: BFBLP EN15, EN20 and EN25]
21. Prior to the commencement of development a scheme for the provision of 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]
22. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive.  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: BFBLP EN3]
23. No development shall take place until any trees to be felled have been surveyed for the presence of bats, and
  - (ii) the survey has been submitted to and approved by the Local Planning Authority, and
  - (iii) either the Local Planning Authority have agreed that no relocation of bats is necessary or the relocation of bats has been achieved in accordance with proposals previously submitted in writing to and approved by the Local Planning Authority.

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

24. No dwelling shall be occupied until all the visibility splays shown on the approved drawings have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

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

25. 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 carriageway. The dimensions shall be measured along the edge of the drive and the edge of the carriageway 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]

26. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The dwellings shall not be occupied until the approved scheme has been implemented. The facilities shall thereafter be retained.

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

27. No gates shall be provided at the vehicular access to the site.

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

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. The applicant is advised that the following conditions require discharging prior to commencement of development:

03. Materials.

04. Landscaping.

06. Sustainability Statement.

08. Energy Demand.

12. Site Organisation.

15. Slab levels

16. Boundary treatment

18. Tree protection

21. Biodiversity enhancements. (this should include, bird boxes, bat boxes, insect houses and hedgehog houses.)

23. Bat survey for trees.

26. Cycle parking.

The applicant is requested to ensure that samples of materials are available on-site for inspection by the case officer.

The applicant is advised that the following conditions require discharging prior to occupation of development:

09. Access details.

10. Parking and turning.

The following conditions require discharge prior to the end of 1 month of occupation of the dwelling hereby approved:

07. Post Construction Report.

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.

05. Landscaping retention.

11. Garage retention.

13. No additional windows.

14. Obscure glazing.

17. Hours of demolition and construction.

19. Tree Protection.

20. No external lighting.

22. No site clearance shall take place during the main bird-nesting period.

24. Visibility Splays.

25. Pedestrian Visibility Splays.

03. Details in respect of condition 16 shall also detail the enclosure be provided to the front of no. 4 Hayley Green Cottages to prevent vehicles parking to the front of the existing property.
04. The applicant is advised that the proposal does not comply with the Council's standard in respect of the distance from the dwellings to the bin storage area and as such any occupiers will need to carry their bins/refuse to the bin storage area at the front of the site.

In the event of the S106 planning obligation(s) not being completed by 29<sup>th</sup> May 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](http://www.bracknell-forest.gov.uk)

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## Unrestricted Report

### ITEM NO: 7

Application No.  
**14/01075/FUL**  
Site Address:

Ward:  
Ascot

Date Registered:  
15 October 2014

Target Decision Date:  
10 December 2014

**37 Prince Consort Drive Ascot Berkshire SL5 8AW**

Proposal: **Erection of a replacement dwelling following the demolition of the existing property.**

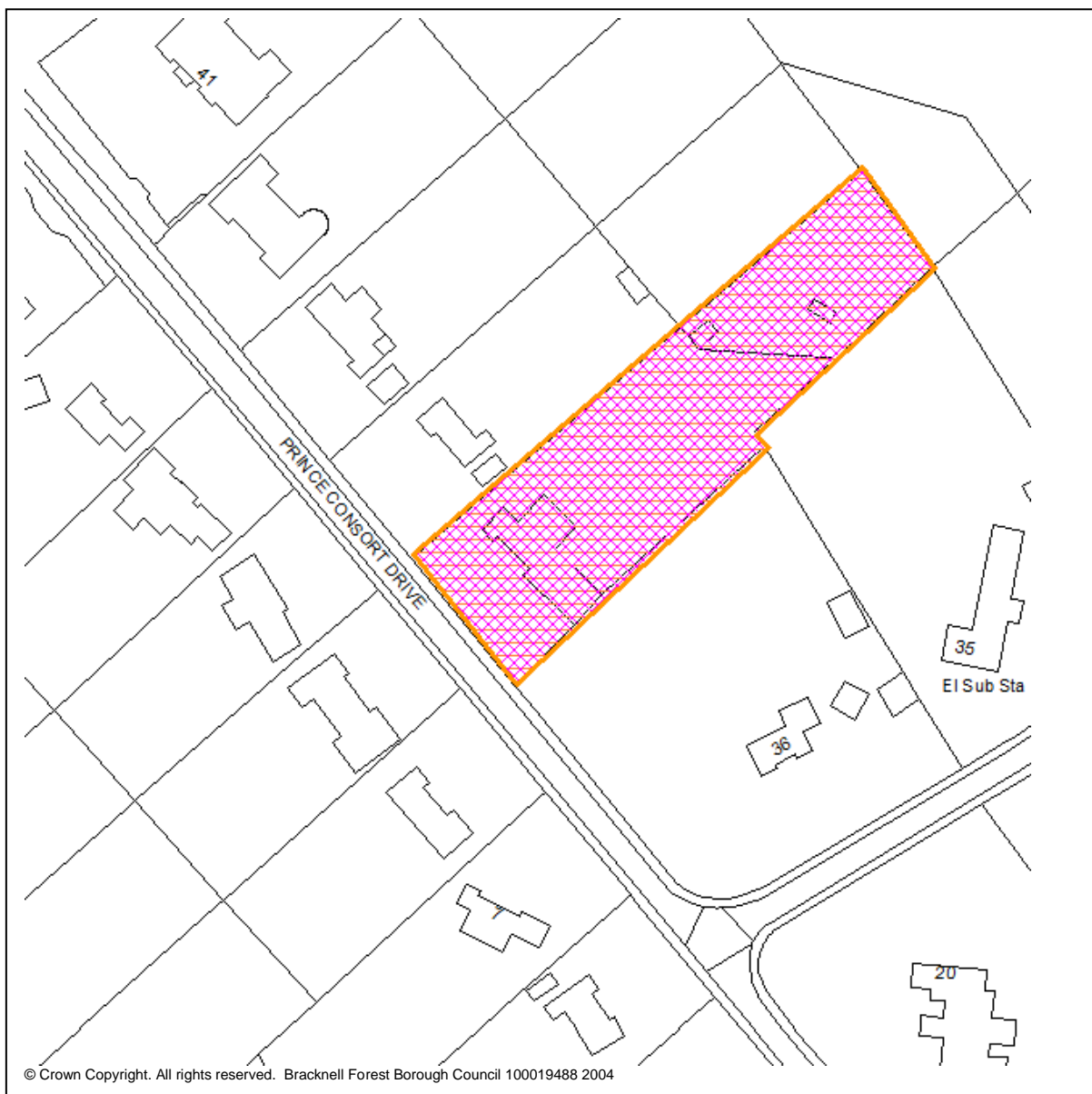
Applicant: Mr B Hamill

Agent: Mr Jason O'Donnell

Case Officer: Michael Ruddock, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto: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 at the request of Councillor Virgo due to concerns that the development would result in a detrimental effect of the amenities of the residents of No.37 Prince Consort Drive by reason of overbearing.

### **2. SITE DESCRIPTION**

No.37 Prince Consort Drive is a detached dwelling with an 'in and out' access from the highway. Parking is located on a driveway to the front of the dwelling and within a double garage to the side, with a private garden to the rear. The site is bordered by No.38 Prince Consort Drive to the north west and No.36 to the south east. No.38 follows a similar building line to No.37 that is maintained towards the entrance to Prince Consort Drive, whereas No.36 is located on a spur road and faces away from No.37. The trees at the front of the site are protected by a Tree Preservation Order (TPO 111) and the site is located within the Green Belt, in a Green Belt Village on the Bracknell Forest Borough Policies Map. The site is also within Area C of the Character Area Assessment SPD for East of Bracknell.

### **3. RELEVANT SITE HISTORY**

Application 18530 - Extension to lounge, new bedroom, bathroom, conversion of garage and internal alterations - APPROVED 1972

Application 604847 - Internal alterations, two storey rear extension to enlarge existing dining room and lounge and form new study with bedroom, extension to enlarge two existing bedrooms and form balcony, single storey side extension to enlarge kitchen and form utility room - APPROVED 1980

Application 605121 - First floor side extension forming bedroom - APPROVED 1980

Application 606793 - Erection of second double garage - APPROVED 1982

### **4. THE PROPOSAL**

The proposed development is for the erection of a replacement detached dwelling following the demolition of the existing. The main dwelling would have a width of 16.0m with a depth of 12.4m and a height of 9.2m. An integral garage would be located to the side with a width of 7.0m, giving the building an overall width of 23.0m. The garage would have a depth of 9.3m with a height of 6.6m. The building would be set 4.35m off the north west boundary with No.38, and 3.86m off the south east boundary with No.36. It would be set 23.25m back from the highway, and would follow the general building line of the properties to the north west.

At ground floor level the following would be provided:

- Entrance Hall
- Family Area / Kitchen
- Dining Area
- Drawing Room
- Study
- Cloakroom
- Utility Room
- Double Garage



At first floor level the following would be provided:

- Four bedrooms, all with dressing rooms and three with en suite
- Gallery
- A balcony to the rear of the Master Bedroom

During the course of the application, various amendments have been made in response to concerns raised. Initially a detached double garage was proposed at the front of the site, forward of the building line, however it was considered that such a feature would be out of keeping with the streetscene on this part of Prince Consort Drive. As such it has been removed from the scheme. Further amendments have seen the dwelling moved forward by 1.1m to reduce the impact on the rear of the neighbouring property, and the height of the integral garage has been reduced from 7.8m to 6.6m.

The proposal is for a replacement dwelling, and as such it may be CIL Liable if not determined by 6th April 2015.

## **5. REPRESENTATIONS RECEIVED**

Three letters of objection have been received from local residents. The reasons for objection can be summarised as follows:

- The proposed garage block would be located forward of the building line, and would result in an adverse impact on the streetscene and the protected trees at the front of the site.
- The development would result in an unacceptable loss of light to and unduly overbearing effect on No.38 Prince Consort Drive.
- A property of the size and design that is proposed would be out of keeping with this part of Prince Consort Drive and would therefore result in an adverse impact on the character and appearance of the area.

Two further objections were initially received, but were withdrawn following the submission of amended plans that removed the detached garage from the scheme.

## **6. SUMMARY OF CONSULTATION RESPONSES**

### Winkfield Parish Council

Winkfield Parish Council was consulted on the application, and commented that if the Officer was minded to recommend approval of the application then a condition should be included to ensure that the detached garage could not be alienated from the main dwelling. *[OFFICER COMMENT: These comments were received in respect of the initial plans, prior to the detached garage being removed from the scheme.]*

### Highway Authority

The Highways Officer was consulted on the application, and recommends conditional approval.

### Tree Officer

The Tree Officer was consulted on the application, and initially raised concerns that the development would result in an adverse impact on protected trees. Following the submission of amended plans that removed the detached garage from the scheme and

also included the submission of an Arboricultural Impact Assessment, the Tree Officer recommends conditional approval.

#### Biodiversity Officer

The Biodiversity Officer was consulted on the application and initially raised concerns that the Ecology Report was not accompanied by an appropriate Local Records Centre Data Search. Following the submission of this information, the Biodiversity Officer recommends conditional approval.

### **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)  
Core Strategy Development Plan Document 2008 (CSDPD)  
'Saved' Policies of the 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 SALP 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.

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.

No.37 Prince Consort Drive is located within the Green Belt, as defined on the adopted Policies Map, and therefore Policy CS9 of the CSDPD and 'Saved' Policy GB1 of the BFBLP are relevant. These policies seek to protect the Green Belt from inappropriate development. 'Saved' Policy GB1 lists certain types of buildings that might be acceptable depending on their scale, form, effect, character, siting and transport considerations. These include the replacement of existing dwellings.

The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraphs 87-89 advise that inappropriate development is by definition harmful to the Green Belt. Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. The construction of new buildings is to be regarded as inappropriate in the Green Belt with certain exceptions. These include the replacement of a building provided that the new

building is in the same use and not materially larger than the one it replaces. Consequently the policies referred to above are considered to be consistent with the NPPF in the context of this proposal.

'Saved' Policy GB3 of the BFBLP relates to residential development in Green Belt Villages, as defined on the Policies Map. As indicated earlier, this site is in a Green Belt Village. The policy states "Within the Green Belt Villages...there is a general presumption against proposals for the erection of dwellings and other residential development except where such proposals constitute...  
... (iv) Replacement, alteration or limited extension to existing dwellings."

The concept of a Green Belt Village no longer exists in the NPPF and as such very little weight should be given to Policy GB3 in accordance with paragraph 215 of the NPPF.

The proposal involves a replacement dwelling and therefore potentially falls within criteria (iv) of 'Saved' BFBLP Policy GB1 and paragraph 89, bullet point 4 of the NPPF. However, there is a need to look at other factors including the scale of the proposed building to assess whether it would be materially larger than the building it replaces. It is not necessary to look at whether there are very special circumstances.

The new dwelling would have a ridge height of 9.2m, which would be 0.5m greater than the existing. The overall floor area of the proposed new dwelling would be 482.22 square metres which would be an increase of 92.74 square metres over the existing floor area of 389.48 square metres. Proportionately this would be an increase of 23.8% over and above the original dwelling. It is not considered that such an increase in height and gross floorspace is so significant that it would result in a dwelling that is 'materially larger' than the dwelling it replaces, for the purposes of considering the principle of the development.

In terms of impact on openness, the proposed dwelling would be greater in height and bulk than the existing, however it is not considered that the increases are so significant that there would be an adverse impact on the openness of the Green Belt as a result of the development. As a result of the garage to the side, the existing building has a width of over 25m. This would be reduced to 23m as a result of the proposed development and would result in a greater set off from the south eastern boundary.

The proposal is not considered to constitute inappropriate development in the Green Belt and does not conflict with the purposes of including land within the Green Belt and detract from its openness, contrary to CSDPD Policy CS9, BFBLP 'saved' Policy GB1 and the provisions of the NPPF.

## **9. IMPACT ON CHARACTER AND APPEARANCE OF AREA**

CSDPD Policy CS9 and the first part of 'Saved' BFBLP Policy GB1 seeks to protect land outside settlements for its own sake, particularly from development which would adversely affect the character, appearance or function of the land. CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, and enhances the local landscape where possible. 'Saved' BFBLP Policy EN20 (i) refers to development being in sympathy with the appearance and character of the local environment. The Character Area Assessment SPD (2010) provides further guidance on the implementation of CSDPD Policy CS7 and is a material consideration.

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.

The new dwelling would have a height of 9.2m with a gross external floor area of 482.22 square metres. In terms of its size and bulk, such a dwelling would not appear out of keeping with other replacement dwellings that have previously been allowed on Prince Consort Drive. Close to the site, replacement dwellings have previously been allowed at No.9, No.10 and No.36 Prince Consort Drive. The dwelling at No.10 will provide 695.34 square metres of floor area with a ridge height of 8.9m and would be significantly greater in scale than that proposed at No.37. It is therefore not considered that a dwelling with the bulk and mass of that proposed would appear out of keeping with the streetscene in this location.

The site is located within Area C of the Character Area Assessment SPD for East of Bracknell relating to Prince Consort Drive and Prince Albert Drive. This refers to the character of Prince Consort Drive being detached houses set in large plots, with a consistent architectural approach. It is considered that a dwelling of the size proposed fits comfortably in the plot, and it is therefore not considered that the development would be contrary to this. The SPD also makes reference to the open character of Prince Consort Drive due to limited boundary treatments, and to ensure that the development continues to comply with this element of the SPD a condition will be imposed to restrict gates from being installed to the front boundary of the site.

With regard to its design, the dwelling would be in keeping with other dwellings that have been approved on Prince Consort Drive, for example No.22 and No.30. It has been moved forward by 1.1m during the course of the application however it would still maintain the existing building line, and would be set further back into the site, at 23.25m, than the existing dwelling. It would therefore not appear overly prominent in the streetscene. It would be set off both boundaries to the side, and although No.38 is set close to the boundary, a gap of 4.35m would be maintained between this dwelling and the side of the integral garage. It is acknowledged that there is a levels difference between No.37 and No.38 of between 0.3m and 0.5m, however as the main bulk of the dwelling would be set off the boundary with this property by over 10m it is not considered that this would result in an adverse impact on the streetscene when viewing the site from the front of the property.

The garage that was initially proposed would have been located forward of the building line, and would have appeared overly prominent and out of keeping with the streetscene. Its removal has overcome this concern, and has improved the impact of the development on the streetscene. Furthermore, the integral garage was initially proposed with a height of 7.8m, and this has been reduced by 1.2m to 6.6m and as such now appears to be subordinate to the host dwelling which has improved its appearance in the streetscene.

As such it is not considered that the development would result in an adverse impact on the character and appearance of the area in a Green Belt location. The proposed development would therefore not be contrary to CSDPD Policies CS7 and CS9, BFBLP 'Saved' Policies EN20 and GB1 and the NPPF.

## **10. RESIDENTIAL AMENITY**

BFBLP 'Saved' Policy EN20 (vii) 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 BFBLP 'Saved' Policy EN20 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 core principle relating to design 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 consistent with the general design principles laid out in paragraphs 56 to 66 of the NPPF.

The dwelling would project beyond the rear elevation of No.38 Prince Consort Drive and would be visible from side and rear facing windows of that property. During the course of the application the dwelling has been moved forward by 1.1m so that its front elevation is in line with that of No.38, which has reduced the impact on the rear of the neighbouring property. In respect of the rear facing windows, a 45 degree line drawn from the midpoint of the nearest rear facing window would not intersect the dwelling and it is therefore not considered that it would result in an unacceptable loss of light to the rear facing windows of that property. The garage to the side would be located closest to the boundary, and would be set off the boundary by 4.35m, projecting approximately 2.8m beyond the rear elevation of the neighbouring property. The height of the garage has been reduced to 6.6m, and it is not considered that this would result in an unduly overbearing effect on the neighbouring property.

The main dwelling would project a further 2m to the rear however as it would be set over 10m from the boundary it is not considered that it would result in an unduly overbearing effect on the neighbouring property. It is acknowledged that the development would result in a loss of light to side facing kitchen windows at No.38, however this room is also served by rear facing windows and a loss of light to these windows would therefore not be so material as to warrant refusal of the application.

No first floor windows are shown in the side elevation facing towards No.38, and a condition will be imposed to ensure that this remains the case. A balcony would be provided to the rear, however as it would be set over 15m from the boundary it is not considered that it would result in an unacceptable loss of privacy to the neighbouring property. In any case an existing balcony is much closer to the boundary than the balcony that is proposed.

With regard to No.36 Prince Consort Drive, the new dwelling would be located approximately 40m from the rear elevation of the neighbouring property and as a result would not result in an unacceptable loss of light to or unduly overbearing effect on the rear of that property. Two en suite windows are proposed to face towards that property, and as they may offer views over the rear garden of No.36 a condition will be imposed to ensure that these windows are glazed with obscure glass and fixed shut. A further condition will restrict any further side facing windows in both side elevations of the new dwelling.

It is therefore not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

## **11. TRANSPORT IMPLICATIONS**

'Saved' Policy M9 of the BFBLP ensures that development provides satisfactory parking provision. The Council's adopted Parking Standards SPD provides further guidance on the implementation of this policy and is a material consideration. The NPPF refers to local authorities setting their own parking standards for residential development and therefore the policy is considered to be consistent.

The replacement dwelling would use the existing in an out access arrangements onto Prince Consort Drive, and the use of these accesses would not be intensified. The Site Layout drawing states that the accesses are to be 'maintained and made good where required'. The accesses are within the highway verge and not the curtilage of the application site, and any works within the highway including the grass verge and vehicle crossovers would require the consent of the Highway Authority. An informative to this effect will be included.

The development would provide a four bedroom dwelling, for which three off street parking spaces are required to comply with the Parking Standards SPD. The proposed garage provides two practical and usable parking spaces with adequate space for cycle storage. The private driveway is large enough to provide three parking spaces. A condition will be imposed to ensure that sufficient parking is available within the site, however restricting the garage to parking only is not considered necessary given the size of the driveway.

As such it is not considered that the development would result in an adverse impact on highway safety. The proposal would therefore not be contrary to BFBLP 'Saved' Policy M9 or the NPPF.

## **12. EFFECT ON TREES**

'Saved' Policy EN1 of the BFBLP ensures that the Borough's significant trees are protected. Section 11 of the NPPF refers to conserving the natural environment, therefore this policy is consistent with the NPPF.

A number of trees on the site are protected by Tree Preservation Order 111. These include the Birch and Scots Pine at the front of the site, which make a positive contribution to the landscape character and appearance of the area. As originally submitted, the Tree Officer raised concerns with regard to the position of the garage, and stated that additional information needed to be submitted.

The garage has now been removed from the scheme, and the Arboricultural Impact Assessment has been amended and resubmitted. The revision to the layout addressed the main concern of the Tree Officer in respect of its relationship with the protected trees, and the Tree Officer has confirmed that the proposed layout is now acceptable. However further detail is required regarding the following, which could reasonably be dealt with by condition. These include revisions to the proposed tree protection and details of the underground services and arboricultural supervision.

Some form of work to the driveway is inevitable due to the general pressures of development activity. The driveway is located within the Root Protection Areas of many trees, therefore details of any alterations, refurbishment or upgrading of the drive need to be provided. The current details in the tree report are not sufficient but can be secured by condition.

As stated above, conditions will be included to ensure that these details are submitted and subject to compliance with these conditions it is not considered that the development would be contrary to BFBLP 'Saved' Policy EN1 or the NPPF.

## **13. BIODIVERSITY CONSIDERATIONS**

CSDPD Policy CS1 says development will be permitted which protects and enhances the quality of natural resources including biodiversity. This is consistent with the NPPF which states in para 109 that planning should contribute to "minimising impacts on

biodiversity and providing net gains in biodiversity where possible." Paragraph 118 states that "When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity".

Policies CS1 and CS7 of the CSDPD seek to protect and enhance the quality of natural resources including biodiversity. This is consistent with the objectives of the NPPF, in particular to para. 109 and para. 118.

The application was submitted with an Ecology Report, however as this was not accompanied by an appropriate Local Records Centre data search and as a result the Biodiversity Officer objected to the application. The appropriate search was subsequently submitted and the Biodiversity Officer now recommends approval subject to conditions. These conditions are outlined as follows:

- No site clearance should take place during the main bird nesting season, in the interests of nature conservation.
- The ecological measures should be carried out in accordance with the submitted Ecological Report.
- A scheme of bat and bird boxes should be submitted before demolition is begun.
- No external lighting shall be installed on the site unless a lighting design strategy is submitted and approved.
- If more than two years elapse between the bat survey and commencement of works, an updated bat survey should be carried out and submitted.
- The demolition of the building shall not commence until a licence issued by Natural England authorising the development to go ahead is submitted to the Local Planning Authority, or a statement from the relevant licensing body is submitted to the effect that it does not consider that the specified activity would require a licence.

Subject to compliance with these conditions, the development would not result in an adverse impact on biodiversity. The proposal would therefore not be contrary to CSDPD Policies CS1 and CS7 or the NPPF.

#### **14. SUSTAINABILITY**

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. 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. This is considered to be consistent with the NPPF which states in para 95 "To support the move to a low carbon future, local planning authorities should:

- plan for new development in locations and ways which reduce greenhouse gas emissions;
- actively support energy efficiency improvements to existing buildings; and
- when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings Policy and adopt nationally described standards."

In respect of Policy CS10, the applicant has submitted no Pre-assessment Estimator demonstrating that the development is likely to meet with Code for Sustainable Homes Level 3. Therefore conditions will be applied to ensure that the development would not be contrary to Policy CS10 or the NPPF.

## 15. CONCLUSIONS

The amended scheme is not considered to constitute inappropriate development in the Green Belt and does not detract from openness and the purposes of including land within the Green Belt. Furthermore, the amended design and additional information has overcome the concerns regarding the impact of the development on the character and appearance of the area, residential amenity, trees and biodiversity. As such the development is considered to comply with CSDPD Policies CS1, CS7 and CS9, BFBLP 'Saved' Policies EN1, EN20, GB1 and M9 and the National Planning Policy Framework.

## 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 19th February 2015:  
P14/22/S/101 (Rev C)  
P14/22/S/110 (Rev B)  
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 Policies: BFBLP EN20, Core Strategy DPD CS7]
04. The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission.  
REASON: - In the interests of the visual amenities of the area.  
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]
05. The en suite windows in the south east facing side elevation of the dwelling hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.  
REASON: To prevent the overlooking of neighbouring properties.  
[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 at first floor level or above in the north



west or south east facing side elevations of the dwelling hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

07. The development hereby permitted shall not be begun until details showing the finished floor levels of the building hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.  
REASON: In the interests of the character of the area.  
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
08. 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 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 CS10]
09. 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]
10. No development shall be occupied until the associated vehicle parking has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.  
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]
11. No gates shall be provided at the vehicular access to the site.  
REASON: In the interests of the visual amenities of the area.  
[Relevant Policies: BFBLP EN20]
12. 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, hedgerows and groups of mature shrubs to be retained, 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 EN1 and EN20, CSDPD CS7]

13. The protective fencing and other protection measures specified by condition 12 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). No activity of any description must occur at any time within these protected areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
  - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
  - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
  - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
  - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
  - f) Parking/use of tracked or wheeled machinery or vehicles of any description.
- In addition to the protection measures specified above,
- g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
  - h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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]

14. No development (including initial site clearance) shall commence until a programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) Induction and personnel awareness of arboricultural matters.
  - b) Identification of individual responsibilities and key personnel.
  - c) Statement of delegated powers.
  - d) Timing and methods of site visiting and record keeping.
  - e) Procedures for dealing with variations and incidents.
- The programme of arboricultural supervision/monitoring shall be undertaken in full compliance with the approved details.  
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]
15. The development hereby permitted shall not be begun until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -
- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
  - b) Materials including porous surface finish.
  - c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
  - d) Program and method of implementation.
- The Construction Method Statement shall be observed, performed and complied with.  
REASON: In order to alleviate any adverse impact on the root systems and the long term health of retained trees, in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
16. No development hereby permitted shall be begun until a site specific method statement for the removal of all existing hard surfaced areas and structures of any other description, located within the minimum Root Protection Areas (RPA's) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) A site plan identifying all areas where such work is to be undertaken.
  - b) Reinstatement to soft landscape area including proposed ground de-compaction works.
  - c) Timing and phasing of works.
- The approved Method Statement shall be observed, performed and complied with.  
REASON: - In order to safeguard tree roots and thereby safeguard trees in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
17. The development hereby permitted shall not be begun until:
- (i) a site layout plan showing the proposed layout of all underground services and external lighting and

(ii) a programme for the phasing and timing of works have been submitted to and approved in writing by the Local Planning Authority.

Details of the site layout plan shall include: -

- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
- b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
- c) Soak-aways (where applicable)
- d) Gas, electricity, telecom and cable television.
- e) Lighting columns and all associated ducting for power supply.
- f) Phasing and timing of works.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

REASON: - In order to safeguard tree roots and thereby safeguard existing trees and other vegetation considered worthy of retention and to ensure new soft landscape planting areas are not adversely affected and can be used for their approved purpose, in the interests of the visual amenity of the area.

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

18. 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]

19. 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 EN20, CSDPD CS7]

20. 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 or E of Part 1 of the Second Schedule of the 1995 Order shall be carried out.

REASON: The site is located within the designated Green Belt where strict controls over the form, scale and nature of development apply, and the site is affected by a Tree Preservation Order where strict control over development is required by the policies of the development to ensure their protection.

[Relevant Policies: BFBLP EN1, GB1, Core Strategy DPD CS7, CS9]

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no hard surface as permitted by Class F of Part 1 of the Second schedule of the 1995 Order shall be provided for any purpose incidental to the enjoyment of the dwelling house  
REASON: In the interests of the health of nearby trees  
[Relevant Policies: BFBLP EN1, Core Strategy DPD CS7]
22. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: BFBLP CS1, CS7]
23. All ecological measures and/or works shall be carried out in full accordance with the details contained in AA Environmental Ltd.'s report dated 18 November 2013  
REASON: In the interests of nature conservation.  
[Relevant Plans and Policies: CSDPD CS1]
24. 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]
25. 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

[Relevant Plans and Policies: CSDPD CS1, CS7]

26. 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]

27. The demolition of any and all buildings on site 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]

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. 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
  - 05. Obscure Glazing
  - 06. Restrictions on side facing windows
  - 10. Parking
  - 11. No Gates
  - 13. Restriction within protected area
  - 19. Retention of soft landscaping
  - 20. Removal of PD Rights (Class A-E)
  - 21. Removal of PD Rights (Class F)
  - 22. Site Clearance
  - 23. Ecological Measures
  - 25. No external lighting (unless scheme submitted)
  - 26. Bat Survey (unless 2 years elapse)
03. The applicant is advised that the following conditions requires discharging prior to commencement or completion of the development:
- 03. Samples of Materials
  - 04. Means of enclosure
  - 07. Finished Floor Levels

- 08. Sustainability Statement
- 09. Post Construction Review
- 12. Tree Protection
- 14. Arboricultural Monitoring
- 15. Construction Method Statement
- 16. Method Statement (Removal of hard surfaces)
- 17. Underground Services
- 18. Landscaping
- 24. Bat Mitigation
- 27. Site License

04. This planning permission contains certain conditions that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site (including any initial clearance works). Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised. This may be highlighted in any subsequent search carried out on the property/ properties.
05. Trees on and adjacent to this site are to be protected by Tree Preservation Order legislation. In simple terms, detailed written consent must be therefore obtained from the Council's Tree Section before undertaking any form of work to such trees (including any work affecting their root systems), unless detailed works to such trees have been specifically approved in writing as a part of this planning permission. Any pruning or removal of trees without the necessary consent or any damage arising from non compliance with other conditions of this permission or otherwise may be liable to prosecution by the Council. This may be in addition to any enforcement action deemed appropriate for non compliance with relevant planning conditions. Property owners, developers and/ or any other relevant persons are therefore advised to take appropriate measures to ensure that all persons responsible for overseeing works approved under this permission are suitably briefed on this matter.
06. Please note that trees on and adjacent to this site are protected by Tree Preservation Orders. The legislation protecting these trees overrides Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification). Prior written consent must be obtained from the Council's Tree Service before undertaking any works which require the removal/ and or pruning of a protected tree or may affect / cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description, foundations for garden structures, construction of retaining walls, topsoil stripping, excavation/ alterations to existing ground conditions of any other description near trees. Any pruning, removal of a protected tree as a result of such works, without the necessary consent or any damage arising from non compliance with this requirement may be liable to prosecution by the Council.

Doc. Ref: Uniform 7/DC/Agenda

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

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## Unrestricted Report

### ITEM NO: 8

Application No. <b>14/01132/FUL</b>	Ward: Warfield Harvest Ride	Date Registered: 23 October 2014	Target Decision Date: 18 December 2014
Site Address: <b>17 Anthony Wall Warfield Bracknell Berkshire RG42 3UL</b>			

Proposal: **Erection of a single storey rear extension with a first floor extension over the garage.**

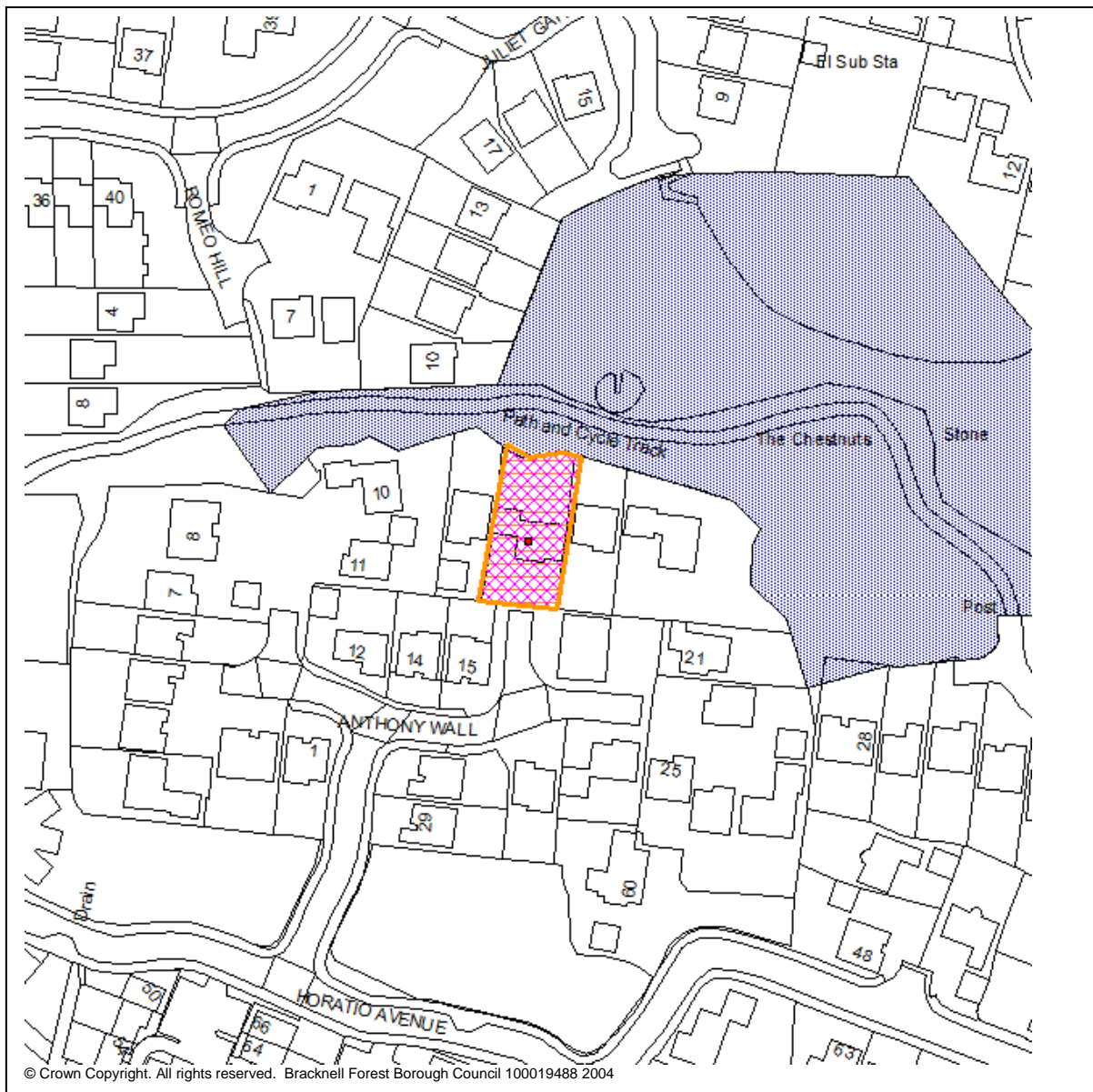
Applicant: Mr & Mrs Doherty

Agent: Helen Nightingale

Case Officer: Gerald Hegarty, 01344 352000

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

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



## **1. REASON FOR REPORTING APPLICATION TO COMMITTEE**

Councillor Thompson has requested this application to be considered by the Planning Committee, due to concerns raised by Warfield Parish Council and No. 18 Anthony Wall that the development by reason of its size and mass represents an unacceptable enlargement of the property and its potential to cause loss of light to Nos. 16 and 18 Anthony Wall.

## **2. SITE DESCRIPTION**

No. 17 Anthony Wall is a detached dwelling located to the north east of the highway. There is parking available within the attached double garage and to the front of the garage. The surrounding area is residential. The site is adjacent Nos. 16 and 18 Anthony Wall. It is noted that there is a protected tree on the rear boundary of the site, referred to as T20 of TPO 393.

## **3. RELEVANT SITE HISTORY**

There is no planning history relevant to the proposed development.

## **4. THE PROPOSAL**

Full planning permission is sought for the erection of a single storey rear extension, forming a family room, and a first floor extension over the existing double garage attached to the side of the dwelling, forming a bedroom with an en-suite and a dressing room. The proposed rear extension would have a maximum depth of 3.1 metres, would be 9.5 metres in width and have a height of 3.6 metres. The proposed first floor extension would have a maximum depth of 5.5 metres, would be 5.6 metres in width and would form an overall height of 6.6 metres.

## **5. REPRESENTATIONS RECEIVED**

No. 18 Anthony Wall have objected to the application and are concerned that the proposed rear extension would cause a loss of light to their kitchen and would be overbearing on their property, due to its size and proximity to the dwelling. In addition, they also feel that the proposed first floor extension would be out of keeping in the street scene and be out of character within the immediate area.

## **6. SUMMARY OF CONSULTATIONS RESPONSES**

### Warfield Parish Council

Warfield Parish Council recommend refusal for the following reasons:

1. The proposed extension by reason of its size and mass represents an unacceptable enlargement of the property.
2. The proposed first floor extension over the garage would impact on a neighbouring property (16 Anthony Wall), resulting in a loss of light to that property.
3. The proposed single storey rear extension would severely impact on a neighbouring property (18 Anthony Wall), resulting in a considerable loss of light to the kitchen of that property.

### Tree Officer

The Tree Officer has no objection to the application, subject to a condition securing the installation of protective fencing before and during construction works.

## **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)

Core Strategy Development Plan Document 2008 (CSDPD)

'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)

Bracknell Forest Borough Policies Map 2013

## **8. PRINCIPLE OF DEVELOPMENT**

Policy CP1 of the SALP 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.

CSDPD 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. 17 Anthony Wall is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD 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, etc. These matters are assessed below.

## **9. IMPACT ON CHARACTER AND APPEARANCE OF AREA**

Policy CS7 of the CSDPD and Saved Policy EN20 of the BFBLP 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 paragraph 56 and 57 of the NPPF.

The proposed rear extension would be sited to the rear of the dwelling, some 11.3 metres from its rear boundary. Due to its siting and modest size, it would not appear obtrusive in the street scene.

The proposed first floor extension would not increase the overall depth of the dwelling. Furthermore, it would be lower than the host dwelling (which has a height of 8.2 metres), appearing subservient to the host dwelling. In addition, it is considered that the proposed design, siting and massing would be sympathetic to the character of the host dwelling.

The design and scale proposed are considered to be sympathetic to the host dwelling house including the proposed materials to be used.

It is noted that there are examples of single storey rear extensions in the surrounding area, including Nos. 10 and 12 Anthony Wall and both Nos. 18 and 19 Anthony Wall have a first floor element above their existing garages. Therefore, the proposed development would not be out of character in the surrounding area.

The proposal therefore 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.

## **10. RESIDENTIAL AMENITY**

BFBLP '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.

The proposed first floor extension would be built up to the boundary with No. 16 Anthony Wall and the roof would extend into the boundary of No. 16 Anthony Wall, however, notice was served on the property on 22/10/2014.

The proposed first floor extension would be 5.5 metres in depth and would form an overall height of 6.6 metres. The proposed first floor extension would be visible to No. 16 Anthony Wall, however, it is considered that the proposed development would not appear visually intrusive to the detriment of the residential amenity of No. 16, as although the rear garden of No. 16 would be visible from the proposed rear bedroom and bathroom windows, Nos. 10 and 17 Anthony Wall already have first floor views into the rear garden of No. 16 at present and the proposed first floor extension would not worsen the existing situation in this part of Anthony Wall. It is noted that there is a window on the west gable wall side elevation of No. 16 Anthony Wall that faces the application site. This window, serving a bathroom, would have a loss of light as a result of the proposed development, however, bathroom windows are not considered habitable rooms in planning terms and thus are not protected from potential loss of light from new development. Moreover, the relative orientation of the two dwellings means that no overbearing or significant overshadowing are considered likely to occur as a result of the proposed development. The proposed first floor extension would be visible and set approx. 9.6 metres from the boundary with No. 18 Anthony Wall. However, it is not considered that the proposed first floor extension would affect the residential amenity of No. 18 Anthony Wall, as only a section of the first floor extension would be seen from No. 18 and there are no side windows on its proposed west elevation that faces No. 18. The proposed first floor extension would be visible to No. 10 Juliet Gardens, however it is not considered that the proposed development would result in an adverse impact on the residential amenity of No. 10, due to the trees and vegetation situated in between the application site and No. 10 and a separation distance of some 24.5 metres.

The proposed first floor extension would be visible to Nos. 15, 20 and 27 Anthony Wall, however, it is not considered that the proposed first floor extension would affect the residential amenity of Nos. 15, 20 and 27 Anthony Wall due to the size and scale of the proposed works and no overlooking would result from the proposed first floor extension, as there is a separation distance of approx. 13 metres from the boundary of No. 15 and approx. 40 metres from the boundary with No. 27, and due to its position in relation to No. 20.

The proposed rear extension would be set approx. 0.2 metres from the boundary with No. 18 Anthony Wall and would be set approx. 5.3 metres from the boundary with No. 16 Anthony Wall. The proposed rear extension would be 3.1 metres in depth and would have a height of 3.6 metres. The proposed rear extension would be visible to Nos. 16 and 18 Anthony Wall, however, it is considered that the proposed rear extension would not appear visually intrusive to the detriment of the residential amenity of Nos. 16 and 18, as no overlooking would result from the proposed development due to the boundary screening, including 1.8 metre wooden boundary fencing and trees and vegetation, bordering the application site and Nos. 16 and 18. In addition, there is

a side window on the east side gable wall elevation of No. 18 Anthony Wall that faces the application site. This window, serving a utility room, would have a loss of light as a result of the proposed development, however, utility rooms are not considered habitable rooms in planning terms and thus are not protected from potential loss of light from new development. Furthermore, the relative orientation of the three dwellings means that no overbearing or significant overshadowing are considered likely to occur as a result of the proposed development.

The proposed rear extension would be visible to No. 10 Juliet Gardens, however it is not considered that the proposed development would result in an adverse impact on the residential amenity of No. 10, due to the trees and vegetation situated in between the application site and No. 10 and a separation distance of some 24.5 metres.

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

## **11. IMPACT ON TREE**

BFBLP 'Saved' Policy EN1 seeks to ensure that the Borough's significant trees are protected. Section 11 of the NPPF refers to conserving the natural environment, therefore this policy is consistent with the NPPF.

The applicant has indicated his intention to install decking to the rear of the new extension and consequently the Tree Officer has no objection to the application concerning its impact on the root protection area of the protected beech tree on the applications site's rear boundary, subject to the installation of protective fencing before and during construction works. This will be secured by condition.

Therefore, it is not considered that the proposed development would be contrary to BFBLP 'Saved' Policy EN1 or the NPPF.

## **12. CONCLUSIONS**

It is considered that the development would not result in an adverse impact on the character and appearance of the host dwelling or local area or the amenities of the residents of the neighbouring properties. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2 and CS7, BFBLP 'Saved' Policies EN1 and EN20, and the NPPF.

Therefore recommend 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:  
D/2034 Proposed Roof Plan / Block Plan, received on 23 October 2014

Revised Drawing D/2034/1/A Proposed Floor Plans and Elevations, received on 04 December 2014

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 first floor extension, hereby permitted shall be similar in appearance to those of the existing building.  
REASON: In the interests of the visual amenities of the area.  
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of the existing adjoining tree to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:
- a) Accurate trunk positions and canopy spreads of all existing trees near the conservatory within influencing distance.
  - b) Proposed location/s of 2.4m high protective barrier/s, constructed as a minimum in accordance with Section 6 (Figure 3), British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' 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.
  - c) Illustration of the proposed protective barrier to be erected.
  - d) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
  - e) The fenced off area clearly annotated as a Tree Protection Areas / Construction Exclusion Zone.
  - f) Notes regarding restrictions which apply to Tree Protection Area/Construction Exclusion Zone. See attached guidance.
- The development shall be carried out in full accordance with the approved scheme.  
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.
05. No development (including initial site clearance) shall commence until a programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) Induction and personnel awareness of arboricultural matters.
  - b) Identification of individual responsibilities and key personnel.
  - c) Statement of delegated powers.
  - d) Timing and methods of site visiting and record keeping.
  - e) Procedures for dealing with variations and incidents.
- The program of arboricultural monitoring shall be undertaken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the Local Planning Authority.  
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]

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. Materials
03. Whilst notice has been served on the adjoining neighbour, including No. 16 Anthony Wall, the applicant is advised that this permission does not give any property rights to build on or encroach over or under the adjacent property.
04. Please note that a tree on the boundary of this site is protected by a Tree Preservation Order. The legislation protecting these trees overrides Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification). Prior written consent must be obtained from the Council's Tree Service before undertaking any works which require the removal/ and or pruning of a protected tree or may affect / cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description, foundations for garden structures, including decking areas, construction of retaining walls, topsoil stripping, excavation/ alterations to existing ground conditions of any other description near trees. Any pruning, removal of a protected tree as a result of such works, without the necessary consent or any damage arising from non compliance with this requirement may be liable to prosecution by the Council.

Doc. Ref: Uniform 7/DC/Agenda

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

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## Unrestricted Report

### ITEM NO: 9

Application No.  
**14/01176/3**

Site Address:

Ward:  
Wildridings And Central

Date Registered:  
22 January 2015

Target Decision Date:  
19 March 2015

### Street Record Faircross Bracknell Berkshire

Proposal:

**Convert two grass amenity areas into parking spaces (4 spaces and 3 spaces).**

Applicant:

Mr David Humphrey

Agent:

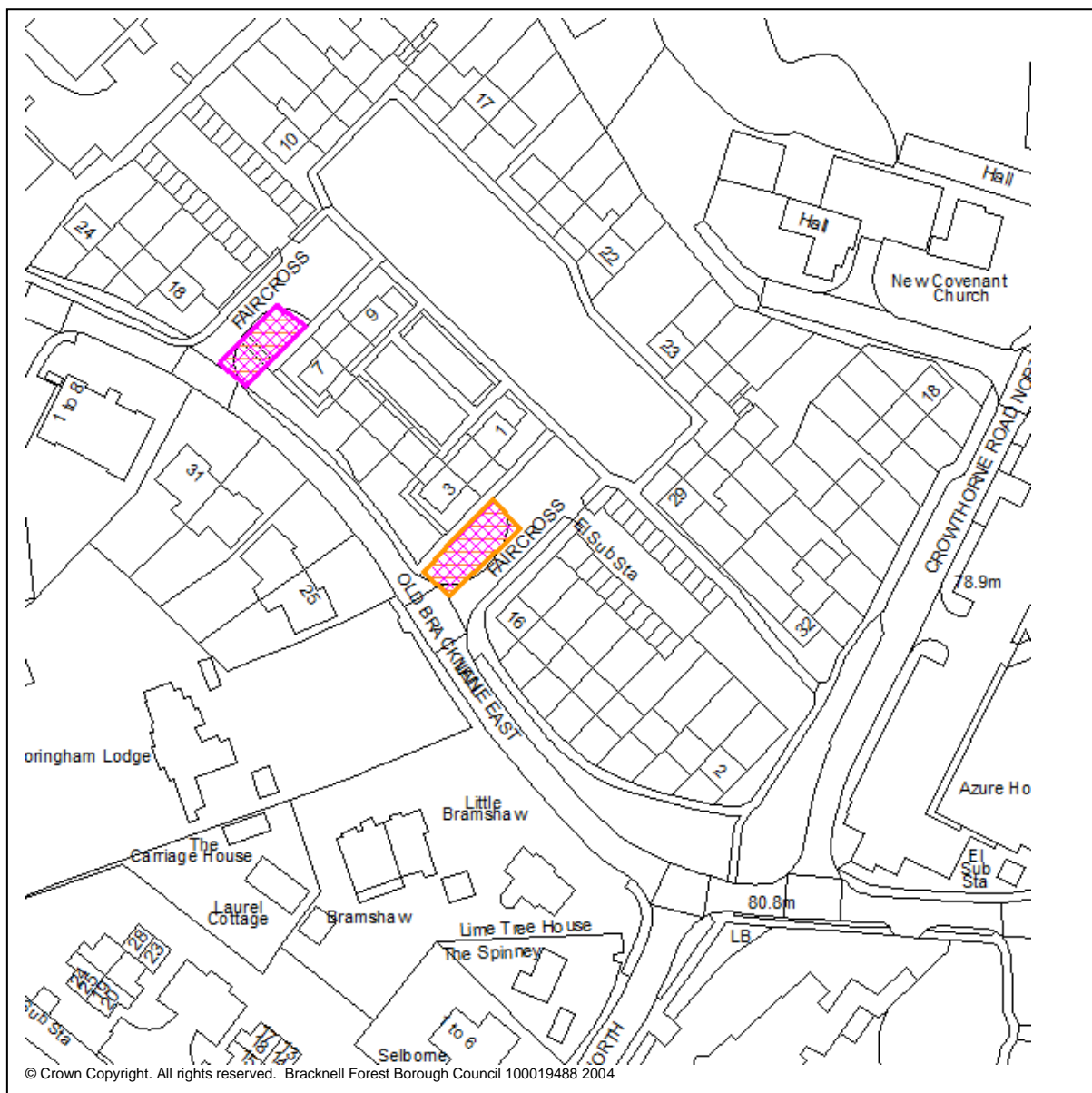
(There is no agent for this application)

Case Officer:

Matthew Miller, 01344 352000

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

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



## **1. REASON FOR REPORTING APPLICATION TO COMMITTEE**

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

## **2. SITE DESCRIPTION**

The adopted highway of Faircross consists of two cul-de-sacs accessed from Old Bracknell Lane East to the south, and these cul-de-sacs are linked by an adopted pedestrian footway to the north. The cu-de-sacs contain existing parking courts fronting residential properties, and link to communal garage courts further to the north. The application sites consist of grassed amenity areas.

The application sites fall under the ownership of the Local Authority.

## **3. RELEVANT SITE HISTORY**

None relevant.

## **4. THE PROPOSAL**

The proposed development is the formation of three parking spaces to the west of the residential property of 7 Faircross, sited on amenity land on the southwestern area of an existing parking court. In addition four parking spaces are proposed to be formed on amenity land to the west of the residential property of 3 Faircross, on the southwestern area of a separate parking court. Two trees are proposed to be planted to the south of the proposed bays.

## **5. REPRESENTATIONS RECEIVED**

An objection has been received from the occupant of the residential property of 7 Faircross. The objection can be summarised as follows:

- (i) The proposals would result in an adverse impact on the residential amenity of the occupants of the neighbouring properties through noise and air pollution and associated disturbance, particularly as there would be no screening between the proposed bays and these properties.
- (ii) The proposal would not provide a net benefit to highway safety as the proposed bays would not be sufficient in addressing the existing parking concerns.

A support comment has been received from the occupant of the residential property of 27 Faircross. The occupant supports the proposal on the grounds that it would improve highway safety by providing additional off-street parking. The occupant also suggested that an additional parking bay could be formed on the site to the west of 7 Faircross.

*[Officer Note: The matters raised by both representations are assessed in the report below].*

## **6. SUMMARY OF CONSULTATION RESPONSES**

### Bracknell Town Council:

Bracknell Town Council raise no objection.

Highway Officer:

The Highway Officer raises no objection to the proposal, and has suggestions that alterations could be made to the proposal. These alterations are assessed in the full report below.

Landscape Officer:

The Landscape Officer raises no objection subject to the provision of additional soft landscaping, details of which can be secured and provided by planning condition.

## **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. The application site 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. The Streetscene Supplementary Planning Document (SPD) (2010) provides further guidance to supplement the implementation of this policy.

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.

Section 6.6 of the Streetscene SPD (2010) states that areas of on-street car parking need to be designed so that vehicles do not visually dominate the street scene.

In order to mitigate the visual dominance of vehicles areas of soft landscaping that are large enough to sustain areas of planting should be provided. In order to mitigate the visual dominance of vehicles areas of soft landscaping that are large enough to sustain areas of planting should be provided, and therefore conditions are 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.

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.

Although the proposal would involve the loss of two sections of amenity land and result in a significant level of hardstanding being present in the area, it would form a visual continuation of the existing parking court, and therefore would not be considered overly incongruous in the wider street scene of Old Bracknell Lane East.

In order to mitigate against the loss of amenity land, planting including trees could be installed on the retained sections of amenity land to the south between the proposed bays and Old Bracknell Lane East. This planting would serve to soften the appearance of the additional bays, and improve the visual appearance of the retained amenity land, which is currently grassed. Although trees are proposed to be formed, additional soft landscaping including hedging could also be included, and full details of such a landscaping scheme could be provided by planning condition, as per the Landscape Officer's comments.

A large section of amenity land is present to the north of the cul-de-sacs, which aids in providing a significant alternative area of open green space.

It has been suggested by the Highway Officer and also by the occupant of the residential property of 27 Faircross that an additional parking bay could be provided to the south of the proposed western-most parking bays. However, following on from pre-application discussions an additional parking bay in this location would result in the further loss of amenity land, and would affect the viability of planting soft landscaping and a tree in the retained amenity land due to the size of the amenity land that would be retained. On balance with the interests of the character of the surrounding area and preventing a visual dominance of hardstanding when viewed from Old Bracknell Lane East, it is therefore considered that three additional parking bays in this location is preferable.

It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN2 and EN20, the Streetscene SPD, and the NPPF, subject to the imposition of a condition requiring the submission of full details of a proposed landscaping scheme.

## **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. BFBLP 'Saved' Policy EN25 states that development will not be permitted if it would generate unacceptable levels of noise, fumes or other environmental pollution which would adversely affect the amenities of the surrounding occupants. 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 these policies should be afforded significant weight.

The proposed bays to the west of 7 Faircross would be sited approximately 6 metres from the front elevations of the nearest residential properties (at the shortest point). Although there would be no associated screening provided between the bays and these properties, the bays would be visually separated by the existing footpath and the front gardens of these residential properties. Considering this, the separation distance, the impact of the existing parking court and the nature of the proposal, it is not considered that the proposal would result in a significantly adverse impact on the residential amenity of these properties.

Similarly, the proposed bays to the east of 3 Faircross would be sited approximately 6 metres from the front elevations of the nearest residential properties (at the shortest point). Again, although there would be no associated screening provided between the bays and these properties, the bays would be visually separated by the existing footpath and the front gardens of these residential properties. For the same reasons as stated above, it is not considered that the proposal would result in a significantly adverse impact on the residential amenity of these properties.

It is not considered that the noise or air pollution, or other disturbance generated by the additional parking bays would be unacceptable in a built-up residential area that currently experiences high levels of on-street parking with existing parking courts.

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' Policies EN20 and EN25, and the NPPF, subject to the aforementioned soft landscaping condition.

## **11. TRANSPORT IMPLICATIONS**

CSDPD Policy CS23 states that the Council will use its powers to increase the safety of travel. BFBLP 'Saved' Policy M9 states that development will not be permitted unless satisfactory parking provision is made for vehicles. It further states that the Council will promote and provide additional residential parking areas in locations where there is a lack of sufficient car parking provision. 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 areas.

These policies are considered to be consistent with the NPPF, which state that transport policies should contribute in facilitating sustainable development, and take into account local car ownership levels, and as such these policies should be afforded significant weight.

The cul-de-sacs of Faircross and the adjoining highway of Old Bracknell Lane East have been observed to experience high levels of indiscriminate on-street parking, and there is high demand for using the existing parking courts. Although garage courts are present within Faircross, there are no planning conditions imposed on the original housing developments that restrict the use of garages to parking only. In any case, even when including the garages many properties experience a shortfall in off-street parking provision (in accordance with the guidance contained in the Parking Standards SPD). The proposed parking bays would serve to aid in reducing indiscriminate on-street parking. Therefore there is a recognised demand for additional off-street parking to be provided in this location.

The Highway Officer has been consulted on the proposal and advised that a resident's parking scheme is currently being trialled on Faircross and local residential roads. This is aimed at minimising the impact of over-spill parking during the Town Centre regeneration. The parking bays are proposed on the public highway. The Highway Officer considers that the use of these grass verges for public communal parking would provide a highway benefit.

The proposed parking bays would be acceptable in size and would have adequate manoeuvring and access space, and an adequate provision for drainage has been provided.

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.

## **12. CONCLUSIONS**

It is not considered that the development would result in an adverse impact on the character and appearance of the surrounding area, the amenities of the residents of the neighbouring properties, or on highway safety, subject to the recommended condition. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, CS8 and CS23, BFBLP 'Saved' Policies EN2, EN20, EN25 and M9, the Streetscene SPD, 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 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 22 January 2015:  
4817 217 'Faircross'  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or 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.

[Core Strategy DPD CS7, BFBLP 'Saved' Policies EN2 and EN20]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern at within the application at pre-application stage 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. Time Limit
  2. Approved plans
- The applicant is advised that the following conditions require discharging prior to commencement of development:
3. Landscaping scheme

Doc. Ref: Uniform 7/DC/Agenda

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

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## Unrestricted Report

### ITEM NO: 10

Application No. <b>14/01246/FUL</b>	Ward: Winkfield And Cranbourne	Date Registered: 4 December 2014	Target Decision Date: 29 January 2015
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Site Address: **1 William Sim Wood Winkfield Row Bracknell  
Berkshire RG42 6PW**

Proposal: **Erection of a part single storey, part two storey side extension.**

Applicant: Mr & Mrs Jackson

Agent: Helen Nightingale

Case Officer: Matthew Miller, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto: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 Councillor Dudley due to concerns that the proposed development would be out of keeping in the street scene and the character of the surrounding area.

### **2. SITE DESCRIPTION**

1 William Sim Wood is a three bedroom two storey link-detached dwellinghouse located in a predominately residential area, sited directly to the west of the highway junction of William Sim Wood with Carnation Drive. The property contains an attached single garage which connects to the adjoining residential dwelling of 2 William Sim Wood to the north. The property contains a hardsurfaced driveway linked to a soft landscaped front and side garden which includes dense planting on the southern side. The property benefits from an enclosed rear garden and has been previously extended through a single storey rear extension.

### **3. RELEVANT SITE HISTORY**

02/00833/FUL  
Erection of two storey side extension.  
Withdrawn (2002)

*[Officer Note: This extension was significantly different in terms of massing and design to the proposed development].*

### **4. THE PROPOSAL**

The proposed development is the erection of a part single storey, part two storey extension to the southern side elevation of the dwellinghouse. The proposed extension would project 2.9 metres in width from the existing side elevation and would measure 8.3 metres in depth and 7.2 metres in total height, with a dual-pitched roof. It would form an enlargement to the lounge and kitchen/diner along with a shower room at ground floor level, and an enlargement to the main bedroom, an en-suite bathroom, a replacement bathroom, and an additional bedroom at first floor level.

In association with the proposed development, a rear-facing first floor window is proposed to be installed on the host dwelling.

During the course of the application the proposal was amended from a two storey side extension to a part single storey, part two storey extension. In addition the proposed parking layout has been amended.

### **5. REPRESENTATIONS RECEIVED**

An objection comment has been received from the occupants of the neighbouring residential properties of 30 Carnation Drive to the west and 20 Saturn Croft to the northwest. The occupants both objected to the proposal on the grounds that the proposal would result in adverse overlooking, overbearing and loss of light impacts on the residential amenity of the occupants of 30 Carnation Drive and 20 Saturn Croft.

*[Officer Note: The above matters are assessed in the report below].*

Following the receipt of the objection from 30 Carnation Drive, the Local Authority's 1-3 Objection procedure was undertaken. Councillor Dudley called the application to the Planning Committee for the reasons described in the report above. The objection from 20 Saturn Croft was received after the application has been called to Planning Committee.

No further representations have been received from neighbouring properties.

## **6. SUMMARY OF CONSULTATION RESPONSES**

### Winkfield Parish Council:

Winkfield Parish Council raise no objection.

### Highway Officer:

The Highway Officer was consulted on the originally submitted proposed parking layout and raised concerns over the proposed siting and orientation of the additional proposed parking bay. Following the receipt of these comments a revised parking plan has been submitted and the Highway Officer raises no objection to this amended layout, subject to the imposition of a planning condition requiring the provision and retention of the proposed layout.

## **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. The application site 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. In association with the above policies, the Council's adopted Streetscene Supplementary Planning Document (SPD) (2011) states that features such as bin stores should be screened from the street scene where possible.

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.

Following the receipt of amended plans the proposal has been revised to include a set-back at first floor level, and the associated height and roof layout of the proposed extension has been amended. The amendments to the proposal have provided the extension with a more subordinate appearance to the host dwelling, with the pitched roof layout of the extension providing a predominately subordinate appearance to the primary gable roof.

Although the host dwelling is located in a prominent location adjoining the highway junction of William Sim Wood and Carnation Drive, the existing property contains soft landscaping including dense planting on its southern boundary, which aids in softening the appearance of the property from the street scene and junction. This landscaping is proposed to be retained (with the exception of some hedging on the front boundary of the property), which would assist in screening and softening the impact of the proposed extension, and provide a separation feature to the main highway. Although the proposed extension would not be screened to the front when viewed from William Sim Wood, the set back of the extension and its pitched roof would be in keeping with the general form of the dwellinghouses and their attached pitched roof garages visible in William Sim Wood. Considering the above, it is not considered that the proposal would result in an adverse impact on the character of the surrounding area, despite its prominent location.

Furthermore it is noted that the residential property of 35 Merlin Clove to the east contains a single storey side extension fronting Carnation Drive. Although this extension is single storey, the overall footprint of the development is similar to that proposed.

The proposal would involve the loss of the existing exterior access to the rear garden of the property. However a replacement side access is proposed to be formed on the southern boundary of the property, which would allow for refuse bin storage.

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, the Streetscene SPD, and the NPPF, subject to a condition requiring matching materials.

## 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.

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 to the side of the neighbouring residential property of 30 Carnation Drive to the west. No windows at first floor level are proposed to be installed on the rear elevation of the extension (facing no. 30). A rear-facing window at first floor level is proposed to be installed on to the host dwelling. However, this window can be installed under permitted development rights (in accordance Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended)), and as a result in isolation it does not require the submission of a planning application.

As a result it is not considered that the proposal would adversely increase any overlooking impacts on no. 30 that are already present. Considering that the host dwelling is sited perpendicular to no. 30, and has a separation distance of approximately 10 metres, it is not considered that the proposal would be unduly overbearing or result in an adverse loss of light beyond any currently experienced by the present built form. Furthermore there are no first floor windows on the dwellinghouse of no. 30 that directly face the application site, and the ground floor glazed door serves a kitchen, which is not a habitable room.

The proposal would not be readily visible from the residential properties to the north as it would be obscured by the host dwelling. It is not considered that the proposal would result in an adverse impact on the residential amenity of the occupants of 20 Saturn Croft to the north considering the orientation and distance of the proposal to this property. Considering the separation distance it is not considered that the proposal would result in an adverse impact on the residential amenity of the property of 40 William Sim Wood sited to the east.

The proposed south-facing side windows of the extension would have a separation distance of around 19 metres to the nearest dwellings to the south. At this distance, and considering the orientations of other dwellinghouses within Carnation Drive it is not considered that these windows would result in adverse overlooking or loss of privacy impacts. However, as two of these windows serve a bathroom and en-suite bathroom, it is recommended that these windows be obscure glazed (secured by condition) to prevent any adverse impact on residential amenity.

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

## 11. TRANSPORT IMPLICATIONS

CSDPD CS23 states that the Local Planning Authority will seek to 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 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 existing three bedroom property benefits from the provision of two off-street parking spaces provided by the existing garage and the driveway within the frontage of the property.

The proposal would result in a net increase in bedrooms from three to four. In accordance with the guidance contained within the Parking Standards SPD, a dwellinghouse that contains four bedrooms requires the provision of three acceptable off-street parking spaces. The proposal therefore gives rise to the requirement for an additional off-street parking space to be provided.

The Highway Officer was consulted on the proposal as originally submitted and advised that the additional proposed angled parking space would be difficult to access and egress, particularly when another vehicle is parked on the current driveway. This would potentially result in excessive manoeuvring being undertaken in close proximity to the junction with Carnation Drive, a main residential estate road. Such a situation would therefore be considered to result in an adverse impact on highway safety.

Following the receipt of these comments, a revised proposed parking layout was submitted. The additional parking space has been re-orientated and re-located, and the Highways Officer has advised that this parking bay is now considered to be practical and useable, as it is less acute in angle than that proposed before, and can be accessed separately to the existing driveway space (subject to extending the dropped kerb). This revised parking layout would also provide capacity for an unobstructed 0.9 metre wide pedestrian access route to the front door of the dwelling. The proposed enlargement of the existing dropped kerb is acceptable to the Highway Authority.

It is recommended that a condition be imposed to provide and retain the proposed parking layout, in the interests of highway safety.

In relation to cycle storage, although the existing exterior side access to the rear garden is being removed, an alternative access is proposed to be formed, and cycles may also be alternatively stored in the existing garage.

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 recommended condition.

## 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 EN1, EN20 and M9, the Parking Standards SPD, the Streetscene SPD, 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:  
J/2061 Rev. A 'Existing Plans and Elevations' received on 16 March 2015  
J/2061/1 Rev. A 'Proposed Plans and Elevations' received on 16 March 2015  
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 not be occupied until the 2no. off-street parking spaces as shown on drawing 'Existing Plans and Elevations' received by the Local Planning Authority on 16 March 2015 have been 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. The 2no. windows serving the bathroom and en-suite bathroom sited on the first floor of the south-facing side elevation of the extension 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 operable fanlight. Any replacement window shall be glazed and fixed to this standard, and retained as such.  
REASON: In the interests of the residential amenity of the neighbouring properties.  
[Relevant Policy: BFBLP 'Saved' Policy EN20].

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. Time Limit
  2. Approved Plans
  3. Materials
  4. Parking provision
  5. Obscure-glazing
03. The applicant is advised that it is illegal to drive vehicles over the public footpath without the provision of a formal dropped kerb. The Streetworks Team should be contacted at the Environment, Culture and Communities Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks' notice to obtain details of underground services on the applicant's behalf.

Doc. Ref: Uniform 7/DC/Agenda

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



## Unrestricted Report

### ITEM NO: 11

Application No.  
**14/01335/FUL**

Ward:  
Winkfield And  
Cranbourne

Date Registered:  
24 December 2014

Target Decision Date:  
18 February 2015

Site Address:

**Mayfield Light Industrial Estate Hatchet Lane  
Winkfield Windsor Berkshire**

Proposal:

**Erection of 7 No. 5 bed detached dwellings and garages, following demolition of existing buildings  
(This application is a resubmission of planning permission 13/00242/FUL creating an amendment to the site boundary and Plot 1).**

Applicant:

Bloor Homes

Agent:

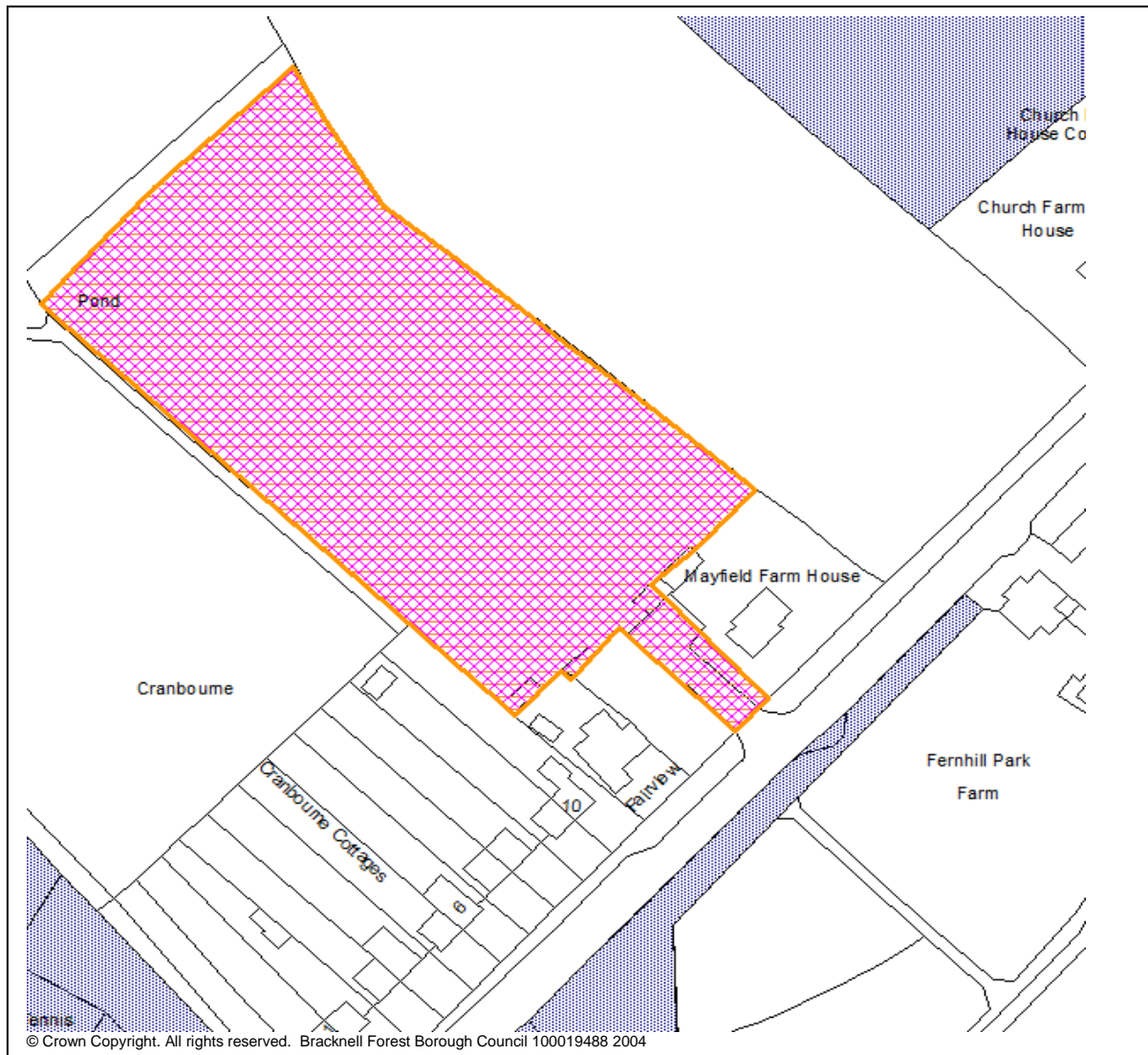
Mr Douglas Bond

Case Officer:

Paul Corbett, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto: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 is reported to the Planning Committee at the request Head of Development Management.

### **2. SITE DESCRIPTION**

The application site is located approximately 6 km north east of Bracknell and is set within the Green Belt as shown on the Bracknell Forest Borough Policies Map.

The former Mayfield Light Industrial Estate is accessed from Hatchet Lane and the site previously consisted of numerous single storey buildings utilised for various B1/B8 uses. These buildings have since been demolished with exception of one small block positioned on the boundary with Mayfield Farm House.

To the south of the site are a row of residential properties and to the east are Fernhill Farm and Fernhill Park Farm.

The site is located on fairly flat land with a slight gradient (approximately 1 in 45) falling from the high point along the south east boundary and the low point towards the north west of the site.

The site is rectangular in shape (approximately 165 x 65 m) running south-east to north-west from Hatchet Lane.

There is a small water course running along the north-west boundary of the site. This is currently part of the highway drainage network and is connected to the drainage gullies on Hatchet Lane via drains along the perimeter of the site.

### **3. RELEVANT SITE HISTORY**

The Planning Committee of 23 May 2013 approved 7no. detached dwellings on the basis that the proposed housing sufficiently out weighed the harm created by the existing unneighbourly commercial activities at the site.

Prior to this, the site had a relatively long and complex history comprising many refusals. The most relevant and material decision was that of the 2008 Enforcement Appeal Decision.

Appeal Ref: APP/R0335/C/07/2040047 LPA Ref: 07/00031/ENF  
Mayfield Light Industrial Estate, Hatchet Lane, Winkfield SL4 2EG  
Decision dated 14 April 2008 Part Upheld/ Part Dismissed

### **4. THE PROPOSAL**

This revised proposal comprises the erection of 7no. 5 bedroom detached dwellings and garages and access off Hatchet Lane which is identical to that previously approved (13/00242/FUL) by the Planning Committee of 23 May 2013 with the exception of Plot 1 which is reduced in scale due an amendment to the site red line.

The site area is 0.879 ha and this proposal would yield a housing density of 13 dph.

The proposed residential floor areas (includes garages) amounts to 2,544 sqm

## **5. REPRESENTATIONS RECEIVED**

No representations have been received.

## **6. SUMMARY OF CONSULTATION RESPONSES**

Thames Water

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Informatives are suggested in respect of surface water drainage, ground water discharge and water supply.

Landscape Officer

No objection subject to conditions.

Environmental Health and Safety

No objection subject to conditions.

Waste & Recycling Manager

No objection.

Transportation Officer

No objection

Drainage Engineer

No objection subject to conditions and the securing of the 4m easement by a legal agreement.

Winkfield Parish Council

No objection

Berkshire Archaeology

No objection

## **7. DEVELOPMENT PLAN**

The Development Plan for this Borough includes the following:

Core Strategy (CSDPD) (February 2008)

Site Allocations Local Plan (SALP) (July 2013)

Policy NRM6 of the South East Plan (SEP) (May 2009)

Bracknell Forest Borough Local Plan (BFBLP) (January 2002) (saved policies)

Bracknell Forest Borough Policies Map 2013

## **8. PRINCIPLE OF DEVELOPMENT**

The principle of development was established by the Planning Committee's approval of 23 May 2013 for the previous proposal of no. 7 detached dwellings on the basis that any harm to the openness of the Green Belt was out weighed by very special circumstances i.e. the removal of existing unneighbourly commercial activities on a site comprising previously developed land (PDL) within the Green Belt.

This is consistent with the provisions of paragraph 88 of the NPPF which states - When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances'

will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Whilst the previous approval of 7no. detached dwellings has been implemented, the applicant has not been able to build plot 1 as approved, as a third party has retained ownership of one of the buildings and land preventing the applicant from demolishing all of the buildings as required under planning permission 13/00242/FUL. This has resulted in the applicant needing to amend the previously approved boundary and dwelling on plot 1. A new application is required as the site has been reduced and the application boundary, as delineated by the red line has had to be varied.

The commercial building that remains on the permitted site (comprises units 20, 21A and 21B as marked on the Annex A Notice plan (page 17 of the 2008 appeal decision) which has lawful use for B1 (Business) and B8 (storage) purposes. The grant of planning permission 13/00242/FUL sought to trade off the existing buildings and also resulted in a change of use of the whole site within the red line from commercial B1/B8 uses to residential. However the retained buildings now excluded from the site red line still benefit from their previous lawful B1/B8 use and therefore the buildings could continue to be used as such. However the functionality of these buildings would be limited as they would not have any parking provision and are flanked by two residential properties on both sides which would mean the owner could only create a point of access within the elevation fronting the access road to the new development.

Up to date land registry title checks (BK380175, BK460637) clearly show that part of the retained building (21B) is within the applicant's ownership and therefore can be demolished by the applicant thus avoiding conflict with the approved widened vehicle and pedestrian access into the site. This would however still result in two thirds of the building (units 20 & 21A) remaining on the site.

In terms of relevant Green Belt policies, namely CSDPD Policy CS9 and BFBLP 'saved' Policy GB1, together with paragraph 89 of the NPPF, the proposed development is considered to have a lesser impact than the previously approved scheme. Given the Planning Committee's previous acceptance of the change of use of a light industrial use to residential with 7 detached dwellings together with the facts that the site area is slightly reduced and the proposed dwelling on plot 1 is now smaller in terms of scale and mass, it is considered that the proposal will have slightly less impact on the openness of the Green Belt.

In conclusion, the proposal is considered acceptable in principle, in view of the fact that the partially implemented consent is a material consideration and the amendment is 'appropriate' when considered in the context of the existing scheme and CSDPD Policy CS9, BFBLP 'saved' Policy GB1 and paragraph 89 of the NPPF.

## **9. IMPACT ON CHARACTER AND APPEARANCE OF AREA**

CSDPD Policy CS1 (viii) seeks to protect the character and quality of local landscapes and the wider countryside. Policy CS9 also refers to the character, appearance or function of the land. 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 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. All of these are cross-cutting policies in relation to (intrinsic) character of the countryside,

which are also consistent with the NPPF, para 17(5) and therefore weight can be attached to them in relation to character considerations.

The minor change in the application site (area outlined in red), and the amendment to the dwelling on Plot 1 are not likely to impact on the countryside in a detrimental manner. The remainder of the development shown on the plans submitted with this application is as already approved and being built.

Revised plot 1 will result in slight reduction in the width of the plot. The plot would still be comparable in size with others in the wider development scheme and it would be entirely appropriate in relation to the siting and footprint of the dwelling.

The new layout would result in the dwellings on Plots 1 and 2 being sited closer to one another than in the approved scheme, albeit they would still be separated by 2m, involving two blank, flank walls.

The proposed dwellings in terms of their scale, height, mass, bulk and siting remain as previously considered acceptable with the exception of plot 1. The amendments to plot 1 are considered to be acceptable.

In conclusion, it is considered that the proposal accords with the principles of Core Strategy Policies CS1, CS7 and CS9, 'Saved' BFBLP Policies EN1 and EN20 and the NPPF.

## **10. RESIDENTIAL AMENITY**

BFBLP 'Saved' Policy EN20 (Design) 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 BFBLP '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.

The new layout would result in the dwellings on Plots 1 and 2 being sited closer to one another than in the previously approved scheme, albeit they would still be separated by 2m, involving two blank, flank walls. The amended scheme is considered acceptable, both visually and in terms of residential amenity. Similar distant separations exist elsewhere within the development.

Given the retained building could still be lawfully used as B1/B8 it was necessary to ask the applicant as how any potential impacts of such a use could be mitigated in respect of unneighbourly impacts upon the amenities of the future occupiers of Plot 1 in order to comply with BFBLP 'Saved' Policy EN25 (Noise) which seeks to avoid development which would generate unacceptable levels of noise and other environmental effects. The applicant has indicated that a brick wall 1.8m high would be the preferred form of boundary treatment that would be erected with an offset distance of 0.75m from the retained building to safeguard the amenities of the future occupants of plot 1. It is considered that such a boundary treatment would not be dissimilar to the existing walled enclosure around Mayfield Farm House and thus would be sufficient to safeguard the amenities of any future occupiers. This could also be softened with soft landscaping. It is recommended these matters are secured by condition.

It is considered on balance that the revised siting of plot 1 relative to plot 2 and the retained building would pose little or no adverse impacts on the amenities of future

residents and it is therefore considered to comply with CSDPD Policy CS7, BFBLP, 'Saved' Policy EN20, EN25 and the NPPF.

## **11. TRANSPORT IMPLICATIONS**

CSDPD Policy CS23 states that the Local Planning Authority (LPA) 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 LPA'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 proposed vehicular and pedestrian access into the site is still considered to be achievable following up to date land registry checks which clearly shows that the applicant owns the land required to provide the access into the site.

The proposed parking provision for this scheme adheres to the Councils Car Parking Standards.

A new S106 will be required to secure the adoption of the road and potential sustainable drainage outfall.

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. It also accords with the Parking Standards SPD.

## **12. ACCESSIBILITY**

BFBLP 'Saved' Policy EN22, H14, M7 and CSDPD Policy CS7 states that the 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 LPA's to conserve and enhance the natural environment by protecting and enhancing valued landscapes.

The applicant previously submitted soft landscaping details which have already been approved under application 13/00242/FUL.

There are therefore no landscaping implications from this amendment to planning permission 13/00242/FUL.

The proposal is therefore considered to comply with 'Saved' BFBLP Policy EN1 which make an important visual contribution to the area overall. 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 Policy 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 report is 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 to secure 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.

The buildings have now been demolished with the exception of 1 building (Units 20, 20A, & 20B) however these building were considered to have a low probability of providing any realistic roosting opportunities for bats.

As such, the development is considered to comply with Policies EN3 and EN20 of the Bracknell Forest Borough Local Plan and Policies CS1 and CS7 of the Core Strategy Development Plan Document

#### **15. ARCHAEOLOGICAL IMPLICATIONS**

Paragraph 126 of the NPPF states that local policies should support heritage assets most as risk and buried archaeology certainly falls into that category.

The applicant previously submitted a desk-based heritage assessment, prepared by Thames Valley Archaeological Services (report ref: 12/124, dated August 2012), in support of the previous application 13/00242/FUL. As a result of the conclusions of the assessment, the application area has already been subject to exploratory archaeological investigation which has established that the site has a limited potential for buried archaeological remains.

There are therefore no archaeological implications from this amendment to planning permission 13/00242/FUL and no further action is required as regards the buried archaeological heritage.

#### **16. 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 Drainage Engineer is satisfied that the applicants have demonstrated that in principle the surface water drainage and foul water drainage can be achieved onsite without the need to impact upon the overall layout proposed. An easement of 4m will need to be secured between plots 4 and 5 to ensure the Council can adopt the surface water pipeline which will be formally secured by means of a S106 Legal Agreement to ensure the applicant ensures any successors in title are aware of the requirement for this strip of land to be kept clear of any obstructions.

## **17. 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.

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.

## **18. 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 more than 6 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 and therefore there is no reason why the carry distances could not be achieved.

The houses are shown to be designed such that up to three wheeled bins can easily stored away from the street scene usually by providing a gate or similar to enable owner/occupiers to store the bins within their rear garden.

The proposed layout does not currently identify a collection point at the furthest point of the part of the road that would be adopted to facilitate kerbside waste and recycling collections. However this matter could easily be addressed by the imposition of a condition to secure the necessary details.



## **19. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)**

The application site is outside the Thames Basin Heaths Special Protection Area (SPA) 5km buffer. Therefore the net increase of 7no. residential dwellings does not trigger any SPA mitigation or raise any concerns with regards to the SPA.

## **20. PLANNING OBLIGATIONS**

Bracknell Forest Council at its Council meeting of 25 February 2015 agreed to commence charging for its Community Infrastructure Levy (CIL) on 6th April 2015. If this planning application is determined on or after 6th April 2015 it may be liable to pay the Levy.

The applicant has already secured and paid to the LPA the following mitigating contributions via S106 legal agreement signed on 20 September 2013 upon commencement of the development under planning permission 13/00242/FUL. This secured the following:

- (i) An Open Space and recreation contribution
- (ii) A built sports contribution
- (iii) Primary educational facilities
- (iii) Dedication of the access as public highway including land easement for surface water drainage

If the committee is minded to approve the application the applicant will need to secure a new S106 legal agreement to link it to the previous development which has been implemented. However if the S106 legal agreement is not completed by 2 April 2015 so that a decision can be issued the application will then be liable to CIL.

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.

## **21. CONCLUSIONS**

This proposal relates to a former industrial site on land considered to form previously developed land (PDL) upon which the Council found that very special circumstances did exist when the previous planning application 13/00242/FUL came before the planning committee to allow the site to be redeveloped for 7no. residential properties in 2013.

The proposed development is considered to have a lesser impact when compared with that of the previously approved scheme by reason of a smaller dwelling now been proposed to be created on plot 1. Given the planning committee's previous acceptance of the change of use of a light industrial use at the site to a residential development and the fact that this proposal is smaller in respect of plot 1 there is no identifiable harm between what was previously approved and this revised scheme. The only exception relates to the retained building between plot 1 and the existing Mayfield Farm House. However the retained building would pose little or no adverse impacts on the amenities of future residents of the development.

The proposal is therefore 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:-

01. (i) An Open Space and recreation contribution
- (ii) A built sports contribution
- (iii) Primary educational facilities
- (iii) Dedication of the access as public highway including land easement for surface water drainage

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details received by the Local Planning Authority:

SO088-SLP-01 Rev A - Location Plan received 24.12.14

DWG No. 101P - Site Layout received 20.03.15

DWG No. 102/COMP Plot 1 Comparison with original approved floor plan received 24.12.14

DWG No. 103/COMP Plot 1 Comparison with original approved elevation received 24.12.14

DWG No.102C Plot 1 - Floor plans received 24.12.14

DWG No.103A Plot 1 - Elevations received 24.12.14

DWG No.104A Plot 2 - Floor plans received 24.12.14

DWG No.105 Plot 2 - Elevations received 24.12.14

DWG No.106B Plot 3 - Floor plans received 24.12.14

DWG No.107A Plot 3 - Elevations received 24.12.14

DWG No.108A Plot 4 - Floor plans received 24.12.14

DWG No.109 Plot 4 - Elevations received 24.12.14

DWG No.110A Plot 5 - Floor plans received 24.12.14

DWG No.111 Plot 5 - Elevations received 24.12.14

DWG No.112A Plot 6 - Floor plans received 24.12.14

DWG No.113 Plot 6 - Elevations received 24.12.14

DWG No.114A Plot 7 - Floor plans received 24.12.14

DWG No.115 Plot 7 - Elevations received 24.12.14

DWG No.116 Garage Elevations received 24.12.14

DWG No.150d Street Scene Elevations received 24.12.14

Transport Statement (FMW Consultancy Ltd) March 2013

Flood Risk Assessment (FMW Consultancy Ltd) Revised March 2013

Sustainability Statement 15 March 2013

Phase 1 Ecology Survey (M&R Ecology LLP) July 2012

Information approved under reference 14/00029/COND (Planning permission 13/00242/FUL)

Condition 05 (Floor Levels)

- SO088-SL-001-Finished Floor Levels and Ridge Heights received

- 4941-02C Proposed Levels

Condition 06 (Landscaping)

- L14 Landscape Proposals Plan by David Williams Consultancy

- 3 Year Post Planting Management/ Maintenance Schedule (July 2013)
  - Dwg.No.4941.40 Rev.B Hard landscaping Plan by MJA Consulting
  - Condition 08 (Scheme of Works enclosures)
  - 4941.40 revB External Works Layout by MJA Consulting
  - Close Boarded Fence Det/ENC/01
  - Post and Rail Fence Det/ENC/13
  - Timber Garden Gate Det/ENC/14
  - Condition 10 (External Lighting)
  - 4941.40 Rev.B External Works Layout by MJA Consulting
  - 4941-500C Section 38 layout
  - 4941-01D Engineering Layout
  - Condition 11 (archaeological works)
    - Project specification for an archaeological evaluation (12e223ev ) dated 18th February 2014 received 01.07.14
    - Archaeological Evaluation Report (MEW 12/124) dated May 2014 received 01.07.14
  - Condition 15 (waste reduction)
    - Environmental Procedures/Waste Management, Pollution Control and Site Waste Management.
  - Condition 20 (Site Organisation)
    - Compound and Traffic Management Plan - SO088/COMP/001 Rev B received 03.07.14
  - Condition 21 (Sustainable Drainage)
    - Suds management & maintenance plan by MJA Consulting Ref 14/0058/4941 dated 28 Jan 2014
  - 4941-01D Engineering Layout
  - 4941-02C Proposed Levels
  - 4941-20C Road Details
  - 4941-21C Highway Drains
  - 4941-23 HIGHWAY DETAILS
  - 4941-500C Section 38 layout
  - 4941-502 Section 38 Site Drawing
  - Condition 22 (Sewage disposal)
    - 4941-01D Engineering Layout by MJA Consulting
  - Information approved under reference 14/00039/COND (Planning permission 13/00242/FUL)
    - Condition 04 (Materials)
      - Agents Email received 23.06.14 Re: Materials
      - Bloors Materials schedule (Rev C) dated 29-May-14 and samples submitted
    - Condition 12 (Sustainability Statement)
      - Energy Statement received 01.02.14
    - Condition 13 (code level 3 for sustainable homes)
      - Energy Statement received 01.02.14
    - Condition 14 (energy demand assessment)
      - Energy Statement received 01.02.14
    - Condition 16 (access)
      - 4941-01D Engineering Layout
      - 4941-02C Proposed Levels
      - 4941-20C Road Details
      - 4941-23 HIGHWAY DETAILS
      - 4941-500C Section 38 layout
      - 4941-502 Section 38 Site Drawing
- REASON: To ensure that the development is carried out only as approved by the local Planning Authority.

03. At no time shall the accommodation provided in the seven dwellings hereby approved be altered so that any such dwellings shall comprise more than 5 bedrooms each.  
REASON: To prevent an over-development of the site and to ensure adequate parking is always available.  
[Relevant Policy: BFBLP M9]
04. The development shall be carried out in accordance with the approved materials to be used in the construction of the external surfaces of the development  
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 be constructed in accordance with the approved finished floor levels and ridge heights of the buildings.  
REASON: In the interests of the character of the area.  
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
06. The development shall be implemented in accordance with the approved hard and soft landscaping scheme.  
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 EN2 and EN20, CSDPD CS7]
07. 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. If within a 5 year period of the completion of the development any soft landscaped area which is removed, uprooted, or is destroyed or dies shall be replaced by plants of the same species and size as that originally planted at the same place.  
REASON: - In the interests of good landscape design and the visual amenity of the area.  
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
08. Notwithstanding the information shown on the approved drawings within 3 months of the grant of planning permission details of a scheme of walls, fences and any other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission.

REASON: - In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs on the boundaries of the site and to safeguard the amenities of the occupants on plot 1 from the uses that could operate in the retained building adjacent to plot 1.

[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD 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 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 located within the Greenbelt where there is a presumption against development.  
[Relevant Policies: BFBLP EN1, CSDPD CS7]
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interests of visual amenity.  
[Relevant Policies: BFBLP EN15, EN20 and EN25]
11. The development shall only take place in accordance with the approved Archaeological Evaluation Report (MEW 12/124) dated May 2014.  
REASON: To ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the borough.  
[Relevant Policies: BFBLP EN6, EN7]
12. The development shall be implemented in accordance with the approved 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]
13. 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]
14. The buildings constructed by the carrying out of the development shall be in accordance with the approved Energy Demand 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]
15. The approved Environmental Procedures/Waste Management, Pollution Control and Site Waste Management shall be implemented during the course of building operations and the subsequent use of the building(s).

- REASON: To protect the amenities of the neighbouring properties  
[Relevant Policies: BWLP WLP6]
16. The access shall be constructed in accordance with the approved details  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]
17. No gates shall be provided at the vehicular access to the site.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]
18. 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]
19. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and laid 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]
20. He approved site organisational scheme, shall accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors
  - (b) Loading and unloading of plant and vehicles
  - (c) Storage of plant and materials used in constructing the development
  - (d) Wheel cleaning facilities
  - (e) Temporary portacabins and welfare for site operatives
- and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.  
REASON: In the interests of amenity and road safety.  
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
21. The approved drainage scheme shall thereafter 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.  
[Relevant Policies: BFBLP EN25, CSDPD CS1]
22. All works that form part of the approved scheme for the disposal of sewage shall be carried out before the development or any thereof is occupied.  
REASON: In order to ensure the provision of adequate sewage works to the development. [Relevant Policy: BWLP WLP6]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations (Planning Permission 13/00242/FUL), 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 on Previously Developed Land within the Green Belt, as set out within the National Planning Policy Framework.

In the event of the S106 planning obligation(s) not being completed by 2nd April 2015 the Head of Development Management be authorised to REFUSE the application on the grounds of:-

01. The proposed development would unacceptably increase the pressure on public open space, and built sport facilities and primary education. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards open space and built sport facilities and primary education, the proposal is contrary to Policies R5 of the Bracknell Forest Borough Local Plan and CS6 and CS8, of the Core Strategy Development Plan Document and to the Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).

Doc. Ref: Uniform 7/DC/Agenda

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

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## Unrestricted Report

### ITEM NO: 12

Application No.  
**14/01338/FUL**  
Site Address:

Ward:  
Crowthorne

Date Registered:  
5 January 2015

Target Decision Date:  
2 March 2015

**Inglemere Mews 58 Waterloo Road Crowthorne  
Berkshire RG45 7NW**

Proposal: **Erection of 3 No. residential dwellings following the demolition of the existing property.**

Applicant: Mr David Kirkby

Agent: Mr Jason O'Donnell

Case Officer: Laura Rain, 01344 352000

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

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



## **OFFICER REPORT**

This application is reported to the Planning Committee at the request of Councillor Finnie due to concerns that the proposed balconies are unneighbourly and would result in a loss of privacy.

### **1. SITE DESCRIPTION**

The site is currently undergoing demolition. The previous property was a large detached red brick three storey building that had been substantially extended in the past. The property was last lawfully used as a residential care home which ceased use in December 2013. There were 12 bedrooms and a self contained 1 bed roomed flat above the car port.

To the rear was a patio which led onto a grassed area at a lower level than the patio by approximately 1.5m. To the west is the Waterloo Hotel, to the south is a large detached dwelling Red Lodge.

There is evergreen vegetation along the rear (northern) boundary.

The street scene is fairly varied with low level modest dwellings on the other side of the road. The Waterloo Hotel and Red Lodge are large red brick properties with dormer windows and gable features.

### **2. RELEVANT SITE HISTORY**

14/00386/FUL Erection of 3 no. 4 bed dwellings following demolition of existing former residential care home with 1 no. 1 bed flat. The Planning Committee resolved to grant planning permission and a S106 Legal Agreement was completed.

### **3. THE PROPOSAL**

The proposal is to demolish the existing care home and 1 bed flat and erect a row of three terraced properties (net gain of 2 residential units).

At ground floor each property would have:

- A garage
- WC
- Hallway
- Utility
- Open plan kitchen/dining room/family room

At first floor each property would have:

- 2 bedrooms
- A lounge with balcony
- Bathroom
- An en-suite

At second floor each property would have:

- 2 bedrooms
- 2 en-suites
- The middle unit would also have a dressing room

To the front of the properties an additional 2 car parking spaces per unit are proposed.

This application differs from the approved application in the following ways:

- Rear facing first floor balconies are proposed to serve the lounges. These would be enclosed by 1.8m high obscure glass panel on the flanks of each end balcony. The middle plot would have a 1.5m high screen along each side. The fenestration at first floor in the rear elevation has been amended to incorporate patio doors to provide access to the balconies.
- In the side (east and west) elevations, the small first floor bathroom window would be replaced by two large (1.1m by 1.8m) windows. One would be at first floor, one at second floor, both serving the stairwells and both are annotated as fixed shut and obscure glazed.
- In the side (east and west) elevations a parapet wall 4.2m wide is proposed.

#### **4. REPRESENTATIONS RECEIVED**

3 letters of objection have been received. These raise the following issues:

- Loss of character and over development of the site.
- Loss of privacy, particularly from the proposed balconies.
- Unnecessarily large windows in side elevations.
- Windows are not required in the side elevation. They serve stairwells. The middle unit does not have them so the other units do not either.
- Noise and disturbance from the balconies.
- The additional balconies will appear overbearing.
- Ground levels are too high and have been altered during the demolition.
- The alterations to the side elevations will result in them appearing overbearing. The roof should hip away from the side boundaries as per the previous application.
- Insufficient parking provided and the lack of turning space on the properties will result in on street parking and reversing into the busy Waterloo Road, near the junction with New Wokingham Road.
- Fencing on boundaries has been damaged and needs replacing.
- Boundary treatment should be 2-2.5m acoustic fencing with evergreen trees.
- Refuse disposal will be a problem.
- The proposed changes from the previous consent cannot be classed as 'minor.'

#### **5. SUMMARY OF CONSULTATION RESPONSES**

Crowthorne Parish Council:

No comments at the time of report publication.

Highways Officer:

The Highway Authority raises no objection subject to conditions.

#### **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**

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 improve 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.

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 sets a housing target for the Borough. The recently published 2012 based household projections are also a material consideration. CSDPD Policy CS16 requires a range of housing types, sizes and tenures.

The proposal involves a net gain of 2 units. In terms of the Council's housing provision, the proposal constitutes a "small" site and would therefore form part of the small sites allowance. Each new dwelling would have 4no. bedrooms and would therefore add to the stock of family housing.

'Saved' BFBLP Policy H11 seeks the retention of housing stock and residential institutions. The supporting text makes it clear that this also applies to residential institutions. Although one self contained unit (use class C3) is to be lost, overall there will be a gain in self contained dwellings on the site. This is important in terms of the Council's housing supply. As far as the residential care home is concerned, new facilities are being provided within the area on strategic sites (TRL and Broadmoor).

The above policies are considered to be consistent with the need for sustainable development including the need to boost the supply of housing and delivering a wide choice of homes as set out in the NPPF. As a consequence they are considered to carry significant weight.

As a result the proposed development is considered to be acceptable in principle, subject to no adverse impact on the street scene, amenity of neighbouring occupiers, highway safety, trees, etc. These issues are addressed elsewhere in this report.

## **8. 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. Furthermore para. 64 of the NPPF states that development should only be granted when the design takes the opportunities where available to improve the character and quality of an area and the way it functions.

The site is located within Crowthorne 'Area B' (West Crowthorne) in terms of the Council's Character Area Assessments SPD (2010). It provides guidance to supplement CSDPD Policy CS7 (Design). This document lists a number of characteristics for Area B which are of relevance:-

- the importance of boundary treatments
- larger plots along Duke's Ride
- the Victorian road pattern in this area
- predominantly 2 storey with occasional 2.5 storey units
- the roads having a verdant character with significant mature trees
- predominantly red brick buildings (as per the growth of Crowthorne village around Wellington College and the Broadmoor Estate in the Victorian era with red brick production being a key industry in the 19th century.)

The site involves one of the 2.5 storey buildings mentioned in the Character Area Assessments SPD. The proposed roof line would be 9.2m in height which is 0.8m lower than the former care home's main roof line. As such it is considered that the height of the proposed building is acceptable.

The design of the dwellings reflect the characteristics of other properties within the street scene, particularly the main reception building of the Waterloo Hotel which has parapet walls and dormer windows. The balcony features are seen on the apartments on the corner of Waterloo Road with Dukes Ride.

The proposed materials would be red brick and slate roof in order to be in keeping with both neighbouring properties.

There are a number of mature trees within 'Area B' which add to the character of the area. Trees within this site were removed prior to the submission of the previous planning application and were not subject to a Tree Preservation Order. However in order to integrate the proposals into the existing setting of the site and add to the characteristics of the area, a landscape condition is recommended. This is in line with BFBLP 'Saved' 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.

It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area and would be in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN2 and EN20, the Character Area Assessment SPD 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. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFPLP 'Saved' Policy EN20 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 core principle relating to design 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 consistent with the general design principles laid out in paras. 56 to 66 of the NPPF.

- Loss of privacy:

The dwelling to the rear, 93 Dukes Ride is 36m from the closest part of the proposed dwellings.

The first floor rear facing window in Plot 1 would be at a distance of 16.2m from the rear boundary and at second floor the distance would be 16.8m.

The first floor rear facing window in Plot 2 would be at a distance of 16.97m from the rear boundary and at second floor the distance would be 17.2m.

The rear facing window in Plot 3 would be at a distance of 17.2m from the rear boundary and at second floor the distance would be 17.6m.

To the front there is a distance of 38m from the proposed first floor balconies and the properties opposite.

It is considered that these distances are sufficient to ensure that there would be no loss of privacy to neighbouring properties from the front and rear facing windows.

There would be two windows in each side elevation, serving the stairwells and as such these can be conditioned to be fixed shut and obscure glazed (as per the annotation on the plans). Subject to this condition, it is not considered that these windows would result in a loss of privacy to the properties either side. At ground floor two windows are proposed, one serving a WC and one serving the kitchen. These windows are not considered to result in a loss of privacy to neighbouring properties.

The proposed balcony in Plot 1 would be at a distance of 14.2m from the rear boundary.

The proposed balcony in Plot 2 would be at a distance of 15.0m from the rear boundary.

The proposed balcony in Plot 3 would be at a distance of 15.2m from the rear boundary. To the side there would be 1.5m from the balcony to the boundary with neighbouring properties Red Lodge and the Waterloo Hotel. 1.8m high obscure glazed panels are proposed on the flank elevations of the end balconies.

It is considered that the distances to the rear boundary are sufficient to ensure that there would be no loss of privacy to neighbouring properties. The proposed flank screening would protect the privacy of Red Lodge and Waterloo Hotel

Screening has been provided between the balconies by way of a 1.5m screen which is considered to be acceptable.

- Loss of light:

Due to the distance to the neighbouring properties there would be no loss of light created by the proposal.

- Overbearing impact:

The proposed building would be set in further from the boundary with Red Lodge by 0.83m more than the previous 9m high extension on the care home. The roof would in the main pitch away from the boundary with Red Lodge along the same angle as the existing building which was amended under the previous application. Under this current application an amendment to the roof design has been made so that for a distance of 4.2m there is a flat roofed 9.4m high element that faces onto Red Lodge and Waterloo Hotel. This results in an additional height of 1m for this element over what was

originally approved. It is not considered that this element of the side elevation would result in an overbearing impact that would warrant a refusal. The proposed flat roofed element is 0.4m taller than the building that stood before it.

It is not considered that the proposal would have an unduly overbearing impact upon any other dwellings.

Each unit would have its own private amenity area to the rear 14m - 15m deep and between 7.2-8m wide. There would be no unacceptable levels of overlooking of these rear garden areas and as such there would be no loss of amenity for the future occupiers of the proposed dwellings.

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 BFBLP 'Saved' Policy EN20 and the NPPF.

## **10. TRANSPORT IMPLICATIONS**

CSDPD Policy CS23 states that the LPA will seek to increase the safety of travel. BFBLP 'Saved' Policy M9 seeks to ensure that 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 residential dwellings. It provides guidance to supplement 'Saved' BFBLP Policy M9 (parking).

For a dwelling that has 4 or more bedrooms a minimum of 3 allocated parking spaces should be provided in accordance with the minimum measurements stated within the document. The NPPF allows for LPAs to set their own parking standards for residential development and therefore the above policies are considered to be consistent with the NPPF.

The site is located on Waterloo Road, a local distributor road that joins Dukes Ride to the west and Sandhurst Road to the east. The road is subject to a 30mph speed limit.

The existing access is to be stopped up and a new 4.8m wide central access created. The works can be undertaken under licence with the Highway Authority and the applicant advised of this by way of an informative. Sight lines commensurate with traffic speeds on Waterloo Road are required and as there are no traffic calming features on this section of Waterloo Road; sight lines of 2.4m by 43m are required. A revised drawing, 14\_P995-01 Rev A, has been submitted incorporating the sight line requirements.

To comply with the requirements of the Parking Standards SPD each of the proposed properties provides 3 parking spaces. Each has a single garage with internal dimensions of 6m by 3m and doors 2.4m wide, with 2 spaces to the front of each proposed dwelling.

The parking and turning areas will need to be SUDS compliant so construction and drainage details will be required to be submitted. As access is onto a classified highway it is essential that vehicles can access the parking spaces without hindrance and enter/egress the site in forward gear. The Highway Authority recommends that the garages and the parking and turning layout are secured and retained by condition.

The proposed development is likely to generate in the region of 27 movements per day; the site was previously used as a 12 bedroom care home with a flat included. Care homes generate in the region of 2 trips per bedroom per day. With the inclusion of the

traffic generated from the flat, the level of generation is likely to be on a par with that of the proposed development.

For the reasons given above, and subject to the recommended conditions, the proposal is considered to be in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9 and the NPPF. Furthermore it would meet the requirement of the Parking Standards SPD subject to the recommended conditions being imposed.

## **11. SUSTAINABILITY**

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. 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. This is considered to be consistent with the NPPF which states in para 95 "To support the move to a low carbon future, local planning authorities should:

- plan for new development in locations and ways which reduce greenhouse gas emissions;
- actively support energy efficiency improvements to existing buildings; and
- when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards."

No Sustainability Statement and no Pre-assessment Estimator have been submitted demonstrating that the development is likely to meet with Code for Sustainable Homes Level 3. Therefore this will be conditioned.

CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. This is consistent with the NPPF which states that the LPA should have a positive strategy to promote energy from renewable and low carbon sources.

The applicant has provided no Energy Demand Assessment detailing how 10% of the development's energy demand can be offset as a result of implementing on-site renewable energy generation. Therefore this will be conditioned so that the scheme would comply with Policies CS10 and CS12 of the CSDPD and with the NPPF.

## **12. PLANNING OBLIGATIONS**

The National Planning Policy Guidance was updated on 28th November 2014. Paragraph 12 now states that: "There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development." The criterion listed is:

- contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000sqm.

The implications of this is that the LPA will no longer be able to seek contributions towards education, transport, public open space, libraries or community facilities for residential development on sites of 10 units or less and which have a maximum



combined gross floorspace of 1,000sqm or less. The internal floor area falls just under 1000sqm. However S106 agreements will be still required for SPA mitigation.

It is considered that the SPA 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 CSDPD Policy CS6 and the NPPF. If the S106 is not completed and a decision not issued before 6th April 2015 the whole scheme will become CIL liable.

### **13. SPA**

SEP retained Policy NRM6 and CSDPD Policy CS14 deal with the impact upon the Thames Basin Heath SPA. They are consistent with the NPPF and should therefore be given full weight as Development Plan polices.

The Council adopted the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) on 29 March 2012. This is a material consideration and supplements Policies NRM6 and CS14.

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

This site is located approximately 1km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures. Therefore, an Appropriate Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the site. In line with the Council's SPA SPD, the project as proposed would not adversely impact on the integrity of the site provided: Prior to the permission being granted an applicant enters into a Section 106 Agreement based upon the Template S106 Agreement.

The SPA SPD Table 1 requires a contribution which is calculated on a per bedroom basis to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. In this instance, this application is for 3 X 4 bedroom dwellings replacing and existing 1 bedroom dwelling. The SANG costs are £6,840.

The open space works at Ambarrow Hill/Court is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The Template S106 also requires occupancy to be restricted until the works and measures are in place.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis. This application is for 3 X 4 bedroom dwellings replacing and existing 1 bedroom dwelling which requires an additional financial contribution of £2,022.

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £8,862 (i.e. £6,840 + £2,022).

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 SPA SPD paragraph 4.4.2.

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

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

#### **14. BIODIVERSITY**

CSDPD Policy CS1 seeks to protect and enhance biodiversity and Policy 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 bat survey submitted with the previous application found that no bats emerged from the building and therefore it was unlikely that bats were using it for roosting purposes. Therefore, there were no biodiversity restrictions on the demolition of the building. Conditions are proposed to ensure that there is no unacceptable harmful impact upon protected species. Consequently, the proposal is considered to be in line with CSDPD Policies CS1 and CS7.

#### **15. CONCLUSION**

The proposal for the redevelopment of the care home and flat and the subsequent erection of a row of three terraced dwellings on a previously developed site within the defined settlement is considered to be acceptable in principle.

It is not considered that the development would result in an adverse impact on the character and appearance of the area, the amenities of the residents of the neighbouring properties, or on highway safety. All other issues addressed in this report can be secured by conditions and contributions towards the Thames Basin Heath through a S106.

It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS6, CS7, CS10, CS12, CS14, CS15, CS16 and CS23, BFBLP 'Saved' Policies EN20, H11 and M9, SEP Policy NRM6 and with the Parking Standards SPD, Limiting the Impact of Development SPD, the SPA SPD, the Character Area Assessment SPD and the NPPF.

## **RECOMMENDATION**

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

01. Thames Basin Heath SPA

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

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

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

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

Drg no P14/46/S/102 Rev A received by the Local Planning Authority on 05.03.2015

Drg no P14/46/S/103 Rev A received by the Local Planning Authority on 05.03.2015

Drg no P14/46/S/103 Rev A received by the Local Planning Authority on 05.03.2015

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:

1) a scheme depicting hard and soft landscaping and

2) a three year post planting maintenance scheme

have been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be performed and complied with.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. 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.

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

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

05. The 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.  
REASON: - In the interests of good landscape design and the visual amenity of the area.  
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
06. 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 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 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 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 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]
09. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.  
REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]
10. 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

carriageway. The dimensions shall be measured along the edge of the drive and the edge of the carriageway 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]

11. No dwelling shall be occupied until the access has been surfaced with a bonded material across the entire width of the access for a distance of 5m measured from the back edge of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

12. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The 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]

13. 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]

14. No gates shall be provided at the vehicular access to the site.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

15. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

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

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and road safety.

16. 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 additional windows, similar openings or enlargement thereof shall be constructed in the east or west elevation of the dwellings 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]

17. The first and second floor windows in the east and west elevations serving the stairwells of the dwellings 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]
18. No development shall take place until details showing the slab level of the buildings in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved drawing.  
REASON: In the interests of the character of the area.  
[Relevant Plans and Policies: BFBLP EN20 and CSDPD CS7]
19. No development shall commence until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of the building approved in this permission.  
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]
20. 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.  
Reason: In the interests of visual amenity.  
[Relevant Policies: BFBLP EN15, EN20 and EN25]
21. No demolition or construction work shall take place 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 EN25]
22. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows, groups of mature shrubs and structural planting areas to be retained, 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. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:
- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
  - b) Positions and spreads of existing hedgerows and groups of mature shrubs.
  - c) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
  - d) Proposed location/s of 2m high (minimum) protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), 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.

e) Illustration/s of the proposed protective barriers to be erected.

f) Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.

g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.

h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.

i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

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

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.

23. The protective fencing and other protection measures specified by condition 24 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

a) No mixing of cement or any other materials.

b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.

c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.

d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.

e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.

f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.

b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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.

24. No development shall commence until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and

approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -

- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
- b) Materials including porous surface finish.
- c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
- d) Program and method of implementation and arboricultural supervision.

The Construction Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to the occupation of the dwelling. The No Dig structure shall be retained in perpetuity thereafter.

REASON: In order to alleviate any adverse impact on the root systems and the long term health of retained trees, in the interests of the visual amenity of the area.

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

25. No development shall commence until:
- (i) a site layout plan of showing the proposed layout of all underground services and external lighting and
  - (ii) a programme for the phasing and timing of works have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -
    - a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
    - b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
    - c) Soak-aways (where applicable)
    - d) Gas, electricity, telecom and cable television.
    - e) Lighting columns and all associated ducting for power supply.
    - f) Phasing and timing of works.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

REASON: - In order to safeguard tree roots and thereby safeguard existing trees and other vegetation considered worthy of retention and to ensure new soft landscape planting areas are not adversely affected and can be used for their approved purpose, in the interests of the visual amenity of the area.

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

26. Prior to the commencement of development a scheme for the provision of 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]

27. No dwelling shall be occupied until the 1.8m high privacy screens on the balconies have been constructed in accordance with the approved plans. The approved screens shall be retained as such.

REASON: To prevent the loss of privacy between the balconies and to neighboring properties.

[Relevant Policies: BFBLP EN20]



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. The Street Care Team should be contacted at the Environment, Culture and Communities Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.
03. The applicant is advised that the following conditions require discharging prior to commencement of development:
  03. Materials.
  04. Landscaping.
  06. Sustainability Statement.
  08. Energy Demand.
  15. Site Organisation.
  18. Slab levels
  19. Boundary treatment
  22. Tree protection
  24. Method statement for hard surfaced areas
  25. Underground services etc.
  26. Biodiversity enhancements. (this should include, bird boxes, bat boxes, insect houses and hedgehog houses.)The applicant is requested to ensure that samples of materials are available on-site for inspection by the case officer.

The applicant is advised that the following conditions require discharging prior to occupation of development:

  09. Access details.
  12. Parking and turning.The following conditions require discharge prior to the end of 1 month of occupation of the dwelling hereby approved:
  07. Post Construction Report.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.
  05. Landscaping retention.
  10. Visibility splays of 2.0 metres by 2.0 metres.
  11. Bonded surface of access.
  13. Garage retention.
  14. Gate restriction.
  16. No additional windows.
  17. Obscure glazing.
  20. No external lighting.
  27. Privacy screens on balconies

In the event of the S106 planning obligation(s) not being completed by 29th May 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](http://www.bracknell-forest.gov.uk)

## Unrestricted Report

### ITEM NO: 13

Application No. 15/00005/3      Ward: Winkfield And Cranbourne      Date Registered: 6 January 2015      Target Decision Date: 3 March 2015

Site Address: **Winkfield St Marys Church Of England Primary School Winkfield Row Bracknell Berkshire RG42 6NH**  
 Proposal: **Single storey extension forming surge classroom and formation of new parking**

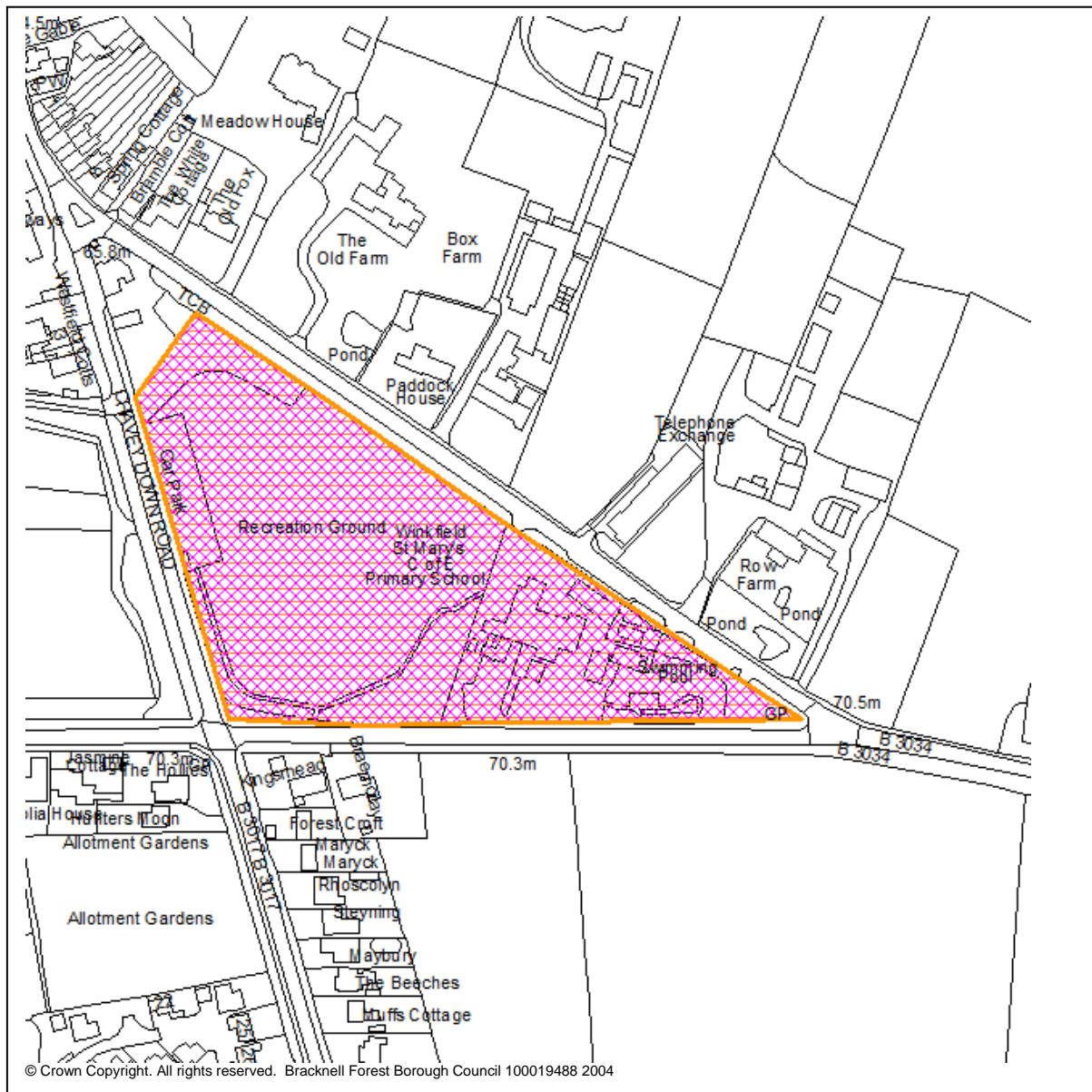
Applicant: Mr C Taylor

Agent: Mr N Griffin

Case Officer: Katie Andrews, 01344 352000

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

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



## **OFFICER REPORT**

This application is reported to the Committee because Bracknell Forest Council has an ownership interest in the land and/or is the applicant.

### **1. REASON FOR REPORTING APPLICATION TO COMMITTEE**

The application is reported to the Planning Committee as 21 letters of objection have been received.

### **2. SITE DESCRIPTION**

Winkfield St Mary's Primary School is a 1 Form Entry Primary School that can accommodate up to 210 pupils.

The site is located within an area designated by the Bracknell Forest Borough Policies Map as 'land outside settlement'. The site is located along the southern side of Winkfield Row and northern side of Forest Road forming a triangular shaped site boarded on two sides by public highways. A public recreation ground forms the western boundary, which is used for sports and provides a free parking area with footpath access to the school which is included under this application.

The main vehicular access/exit to the school is off Winkfield Row. The main pedestrian entrance to the school is located to the north west of the site. The existing school buildings are a mixture of single and two storey buildings broken up into four blocks.

Residential properties lie to the north, south and west of the school site.

### **3. RELEVANT SITE HISTORY**

Most recent planning history:

14/01216/FUL - Erection of a single storey extension forming a Surge classroom.  
Withdrawn

### **4. THE PROPOSAL**

This is a regulation 3 planning application for the erection of a single storey extension to form a surge classroom of 98 sqm and the provision of 10 new parking bays within the recreation ground.

Surge classrooms can be provided in primary schools to take an additional form of entry for one year only. The surge class moves up through the school year by year until the pupils leave. After seven years the classroom becomes available again for re-use as a new surge classroom, or for an alternative use.

The site can currently accommodate 210 pupils as a 1 form entry Primary School; and therefore the provision of a surge classroom would allow for the school to have a capacity for 240 pupils at any one time. The level of staff would increase from 20 to 22.

The proposal to provide a surge classroom at Winkfield St Mary's Primary School is an essential component of the Council's strategy for meeting its statutory obligation of providing sufficient primary school places for its residents. As such the need for this aspect of the development is recognised at both national and local level by the Government and the Bracknell Forest Partnership.

## 5. REPRESENTATIONS RECEIVED

20 Letters of objection have been received. These are summarised below:

### School Amenities

- o The school has the smallest outdoor open space of any primary school in Bracknell Forest. Building will reduce this area further causing disturbance to the amenities of the existing pupils.
- o All shared school facilities would come under pressure (ICT room, Library, Staff Room, Swimming Pool)
- o Existing facilities inadequate.
- o School cannot cope with providing hot school meals for 30 more children.
- o Consideration of enhancing walking routes to the school should be made.
- o Consideration should be given to enhancing the play facilities and drainage at the park.

### Parking and Highway Safety Concerns

- o Transport Statement Inaccurate - all the additional children would travel by car.
- o Existing car parking provision inadequate.
- o Traffic generation and highway safety issues.
- o Existing carpark is not up to standard.
- o Does not accord with para.13 of the NPPF as not being located to ensure need for travel is minimised or where the use of sustainable transport modes can be maximised.
- o A construction management plan should be provided in advance of the application being determined.
- o School travel plan will need to be revised at the application stage.
- o No point in increased cycle parking provision as pupils will not be safe cycling on the roads.

### Impact on Character of Area

- o Use of public amenity space for school parking is not acceptable.
- o Parking on the playing field contravenes para. 74 of the NPPF as the land is open space.
- o Proposed extension is designed to be in keeping with existing.
- o No reference in the Design and Access Statement to the character study for the northern villages. Bullet 2 of the recommendations is relevant as trees are to be removed.

### Principle Issues

- o Historically have been told the school cannot expand when Chavey Down children were unable to attend the school.
- o Failure to properly plan school sites.
- o Winkfield Row is a small village with a single form entry primary school that has not been able to fill its reception class from the catchment area.
- o The greatest need for school places is in Warfield not Winkfield Row.
- o Additional pupils will come from outside the area.
- o School has gone from 'good' to 'requires improvement'. School is already struggling to cope.
- o School is located in the countryside and not within a centre of population.
- o Financial questions surrounding the acceptability of the surge classroom. These matters will be considered further below where appropriate.

## **6. SUMMARY OF CONSULTATION RESPONSES**

### Winkfield Parish Council:

Winkfield Parish Council supports the application but would ask officers to work with the applicant to improve the layout of the car park to facilitate safer manoeuvring. They have raised concerns that the number of extra spaces will be insufficient.

### Sport England:

Sport England originally objected to the application on the grounds that the proposal would result in the loss of useable playing fields. They have now withdrawn their objection following plans submitted by the applicant showing pitch layouts that have been used in the past and the potential for 2 under 9/10 7v7 pitches in the future.

### Transportation Officer:

Initially the Transportation Officer was concerned over the potential for pupil numbers to increase from 210 to 240 as existing car parking provision is insufficient to accommodate the additional demand which is likely to be created. Additional on-street parking would create risks to highway safety.

The application proposes 10 additional off-site parking spaces within the adjacent playing fields and the applicant has now secured additional off site car parking at Locks Ride Sport and Recreation Ground with the agreement of Winkfield Parish Council to provide parking during drop off and pick up times.

Therefore subject to conditions securing the following the Highway Authority has no objection to the proposal:-

- (i) Securing Locks Ride Sport and Recreation Ground car park
- (ii) Securing vehicle parking (details to be approved)
- (iii) Securing Cycle parking and facilities (details to be provided)
- (iv) Securing site organisation
- (v) Securing a Travel Plan to promote the use of the Locks Ride Sport and Recreation Ground car park with children being walked to/from the school by adults.

### Biodiversity Officer:

No objection subject to conditions.

## **7. DEVELOPMENT PLAN**

For Bracknell Forest, the Development Plan includes the following:-

- Core Strategy (February 2008) (CS)
- Bracknell Forest Borough Local Plan (January 2002) (BFBLP)
- Site Allocations Local Plan (July 2013) (SALP)

## **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 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).

CSDPD Policy CS1 sets out a number of sustainable development principles and CSDPD Policy CS2 relates to locational principles. CSDPD Policy CS9 and saved BFBLP Policy EN8 relates to development on land outside of settlements. These policies are considered to be consistent with the NPPF, and as a consequence are considered to carry significant weight.

The proposal is to provide a new classroom within the existing built envelope of the school with an area for new parking extending an existing car park on the adjacent recreation ground. 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 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 would not fall under any of the types of development identified by BFBLP Policy EN8 as being acceptable within countryside areas. As such the proposal as a whole is not considered acceptable in principle and the application has been advertised as such.

## **9. OTHER MATERIAL CONSIDERATIONS**

The applicant states in their submission that the challenge for Bracknell Forest Council is to establish an effective plan to provide the right number of school places in the right locations and at the right time for the rising population of young people who will be seeking school places over the next 5 to 19 years. This school is one of many across the borough that are being redesigned, on a master plan level, to increase the numbers of forms on entry at the schools to meet the requirement of increasing student number places in the area.

The NPPF para. 72 states that Local Planning Authorities should give great weight to the ability of schools to be able to expand or be altered. The purpose of the proposal is to respond to a local need and a statutory requirement to provide school places within the Borough. There is a clear need to expand Winkfield St Mary's Primary School in order to respond to a local need that cannot be accommodated elsewhere.

The proposed surge classroom falls within the existing built envelope of the school on previously developed land with the proposed additional parking within the recreation ground providing an extension to the existing car park. The school has a long established use at the site and a clear need has been demonstrated for the extension and car parking.

The proposal would provide a modern permanent classroom and would provide 4 new toilets that would be easily accessible. The schedule for outdoor accommodation and internal accommodation would be determined by the Education Authority's requirements. However the location of the proposed classroom would fall on an area of land with a walkway, steps, flower bed and an old stage area. It would therefore not result in the loss of a large area of usable outdoor space and would therefore provide improved facilities for the school.

The need for the school accommodation and the environmental considerations are material considerations that are felt to outweigh the harm to the Countryside as a result of the development being contrary to Local Plan Policies EN8 and Policies CS2 and CS9 of the CSDPD. However this is subject to there being no unacceptably adverse affects upon the impacts on open space, impact on character and appearance of the area, residential amenity and transport implications considered below.

## **10. IMPACT ON OPEN SPACE OF PUBLIC VALUE**

The proposal would result in new parking spaces encroaching on an existing area of playing field which is considered to meet the definition of Open Space of Public Value (OSPV) and for this reason Sport England was consulted. Sport England originally objected to the application on the grounds that the proposal would result in the loss of useable playing fields. However, plans were submitted by the Applicant, which show that the site can still support the pitch layouts that have been used in the past and the potential for 2 under 9/10 7v7 pitches in the future. Sport England has therefore withdrawn its objection on this basis.

CSDPD Policy CS8 and NPPF para 74 are considered relevant as they seek to protect areas of OSPV from development. In this case, the proposal would result in the loss of playing field from the edge of the field continuing an existing area of carpark. In this case, due to the small area of land involved and as Sport England has taken the view that the development would not prejudice the use of the remaining playing field, the proposal is not considered contrary to CSDPD Policy CS8 and the NPPF.

## **11. IMPACT ON CHARACTER AND APPEARANCE OF AREA**

CSDPD Policy CS7 and saved BFBLP Policy EN20 set out various design considerations to be taken into account in new development.

CSDPD Policy CS7 requires a high quality of design which builds on local character and respects local patterns of development. Of particular relevance to the current application is that it expects development proposals to promote safe communities; enhance the landscape and promote biodiversity; aid movement through accessibility, connectivity, permeability and legibility and to provide high quality useable open spaces and public realm.

The Character Areas SPD provides guidance to supplement CSDPD Policy CS7 (Design). The site is in Area C: Winkfield Row North of the 'Northern Village Study Area'. The SPD requires that any future development on existing school grounds must reflect the openness and protect the existing landscape character and mature trees.

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. These policies are considered to have significant weight, as they are consistent with sections 7 & 11 of the NPPF.



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

#### Proposed extensions

The existing school buildings are a mixture of single and two storey development and are of various ages. The original building is Victorian and constructed from buff brick with a pitched tiled roof with previous extensions a mixture of traditionally designed extensions and pre fabricated buildings. The proposed extension would be sited within the existing building envelope and has been designed to reflect the previous traditionally designed extensions with a pitch tiled roof and brickwork to match the existing. Glazing is proposed to the eastern elevation to replicate the glazing used in an adjacent building. A new glazed roof and entrance door will provide an access link corridor linking the extension to the existing building.

Overall the design of the extensions, and the proposed materials, is considered to be acceptable.

#### Works to the car park

The proposed works to the existing car park to provide 10 additional parking spaces within the adjacent recreation ground would result in the loss of a small area of open space. However it is not considered to significantly alter the character of the recreation ground in view that it would lie next to the existing parking and on the edge of the playing field. No alterations are proposed to the existing vehicular access with the existing hedge line to retain. The car park is proposed to be constructed of tarmac to match the existing with the existing metal fencing extended to enclose the new parking. An existing gate out of the carpark will be relocated and the existing footpath adjusted to retain the access walkway between the car park and the school.

Overall the extension to the carpark is not considered to harm the amenities or landscape character of the street scene.

#### Trees and Landscaping

The provision of the surge classroom and 10 additional parking spaces within the adjacent recreation ground would not affect existing trees/hedges on the site. However some vegetation is proposed to be removed from an existing access along Forest Road to provide a temporary site access during the construction works. The vegetation that could be removed to enable a temporary access would not be detrimental to the landscaped character of the street scene however this would need to be considered under a construction method statement and replacement planting would be required. It is therefore considered appropriate that a landscaping scheme and construction method statement should be conditioned to consider this temporary access further.

Overall the proposed development is considered to comply with saved BFBLP Policies EN1 and EN20, CSDPD Policy CS7, The Character Areas SPD and the NPPF.

## **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.

The site is currently the location of a Primary School with associated parking and play areas with an existing playing field and parking located to the west of the site. The closest residential properties to the extensions are Braemoray and The Follies located to the south of the proposed extension along Forest Road situated some 80m from the

proposed extension. The extension is not considered to result in any impact on their residential amenity.

The amendment to the proposed parking creates 10 new parking spaces within an existing car park. This is not considered to result in an impact on amenity.

Given the assessment made above the proposal as a whole 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**

Saved 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. These policies are consistent with the objectives of the NPPF (Chapter 4, in particular para. 32), and can therefore be afforded significant weight. The adopted Parking Standards SPD was referred to in the assessment of this proposal.

#### Access:

The site is located on Winkfield Road, which is subject to a 20mph speed limit and is traffic calmed. The school currently has three vehicular access points along Winkfield Road. The access to the west of the site is the main vehicular access which is used for kitchen deliveries, the central access is used access by maintenance vehicles and the access to the east of the site is used for staff parking. The vehicular accesses to the school already exist and will remain unchanged as part of this application.

Primary pedestrian access to the school is adjacent to the main vehicular access and across a hard play area to the school reception. A secondary pedestrian access is provided from Forest Road, which runs along the schools southern boundary with a third pedestrian access across the recreation ground to the west of the site.

As mentioned above a potential construction access is proposed from Forest Road however this would need to be considered under a construction method statement which can be secured by condition.

#### Parking Requirements:

The level of parking on site is around 7 spaces within the staff car park to the south of the site with some double parking occurring leading to 9 spaces. Current demand on site equates to around 12 spaces with the proposal equating to demand for 14 spaces on site. Therefore there is an existing shortfall of 5 spaces and 7 spaces when considering the application for a surge classroom. However on-site car parking will remain at its existing level, due to the constraints of the site. The proposal will increase parking capacity off site within the Chavey Down Road Car and the Car Park at the Locks Ride Sports and Recreation Ground. This parking provision is discussed below.

Cycle parking within the site is being increased from 22 spaces to 24 spaces and the facility is to be covered. This complies with the cycle parking standards and can be secured by condition.

#### Vehicle Movements/per day:

The proposed surge classroom will lead to an increase of 30 pupils over the existing level that the school can accommodate. The level of staff will also increase by 2. Considering current travel to school data the applicant has stated that the surge classroom is predicted to generate an additional 15 car-based arrivals and 13 car-

based departure trips (taking into account 2 additional staff members) during the weekday morning peak drop -off period and 13 arrivals and 13 departure trips during the school afternoon pick-up period. The afternoon pick up period is noted as 15:00 to 16:00, as teaching staff commonly leave after 16:00.

The applicant has undertaken an analysis of the local road network around the school and this indicates that many of the roads around the school are heavily parked during the school drop-off and pick-up times. The Highway Officer's observations indicate that the parking demand was high which concurs with the parking survey carried out by the applicant. However the Highway Authority observed that there was no remaining capacity on Winkfield Row during the afternoon pick up at 14:50 and 15:00 with the parking on the adjacent recreation ground full at 15:10.

The figures and predictions for the travel data has been based on school census data which is considered to be accurate, it is however likely that the majority of the additional pupils will travel to the school from a wider area than the existing pupils. Thus it is more likely that the proportion of additional trips to the school by car would be higher than existing figures.

In order to address the issue of future demand from the proposal the application proposes 10 additional parking spaces within the adjacent recreation ground. The existing parking spaces within this car park do not accord with the latest standards and reversing/manoeuvring space is sub-standard however the proposed spaces will be required to comply with the latest requirements. Details of the car parking spaces can be secured by condition.

In addition to these works it is proposed to make use of the existing car park which serves the Locks Ride Sports and Recreation Ground. This is owned by Winkfield Parish Council who have given their permission for the school to use the car park during school drop off and pick up times. The car park is approximately 300 metres from the school and planning permission has been granted under 14/01255/FUL for a pedestrian safety scheme comprising of a new footpath link into the site from Forest Road at the western end of the car park, culverting of a ditch, a new footpath around the outside perimeter of the car park and a new gate and fencing. These measures will allow the facility to be more effectively used by parents to park and walk to the school.

Overall it is felt that a combination of the off site works will provide sufficient mitigation for the proposed surge classroom.

An enhanced travel plan for the school will be required and this will need to focus on measures that support a reduction in car travel or parking in close proximity of the school gates. Consideration will also need to be given to a formal park and stride system from the Locks Ride Sports and Recreation Ground with children being walked to/from the school by adults. This is recommended to be secured by condition.

Therefore subject to suitable conditions the proposal is considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24, Parking Standards SPD and the NPPF.

#### **14. ACCESSIBILITY**

There are no concerns regarding accessibility. As such the proposal is considered to be in accordance with the requirements of Policy CS7 of the CSDPD and saved BFBLP Policies EN22 and H14. These are considered to be consistent with Section 7 of the

NPPF which requires inclusive design with accessible environments and can be afforded significant weight.

## **15. 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 NPPF para. 118 and therefore can be afforded significant weight.

The applicant has provided an Ecological Impact Assessment which concludes there is general low potential impact on biodiversity as a result of this development. A single bat survey was carried out which shows that no bats were using the building at the time of the survey. The Council's Ecology Officer has advised that the level of survey effort for bats is substandard. However he has stated that there is a low risk of bats using the area of the building to which the surge classroom is attached.

A further survey of the building in the area of development can be secured by condition immediately prior to the commencement of construction. Additionally, a method statement to cover building of the surge classroom in a manner that will reduce the risk of harm being caused to bats can be secured and the Ecological Impact Assessment also sets out a number of recommendations for mitigating the impact of proposed development and these should be adhered to in full. With these conditions the proposal is considered to comply with both policies CS1 and CS7 as overall it would safeguard the ecology of the site.

## **16. CONCLUSIONS**

In conclusion, the proposed surge classroom and additional parking spaces, although not in accordance with BFBLP Policies EN8 and CSDPD Policies CS2 and CS9, are considered acceptable as there are social and environmental material 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 application proposes the addition of a surge classroom which has been designed to be sympathetic to the appearance of the existing school whilst meeting the demand for places from rising roles. Demand for additional parking will be required at drop off and pick up times and off-site parking is proposed within the adjacent recreation ground and to be secured at the Locks Ride Sport and Recreation Ground car park.

For the reasons given above the proposal is considered acceptable and recommended for conditional approval as it complies with BFBLP saved policies EN1, EN2, EN20, EN22, M4, M7 and M9 and CSDPD Policies CS1, CS7, CS10, CS12, CS23 and CS24 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 plans and other submitted details:-

5125476-ATK-Z1-ZZ-DR-A-0001 P1 dated 09.09.2015  
5125476-ATK-Z1-ZZ-DR-A-0002 P1 dated 09.09.2015  
5125476-ATK-Z1-ZZ-DR-A-0003 P1 dated 09.09.2014  
5125476-ATK-Z1-ZZ-DR-A-0004 P1 dated 09.09.2014  
5125476-ATK-Z1-ZZ-DR-A-0102 P1 dated 20.10.2014  
5125476-ATK-Z1-ZZ-DR-A-0103 P1 dated 20.10.2014  
5125476-ATK-Z1-ZZ-DR-A-0111 P2 dated 20.10.2014  
5125476-ATK-Z1-ZZ-DR-A-0115 P1 dated 20.10.2014

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 Policies: BFBLP EN20, Core Strategy DPD CS7]
04. 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, CS7]
05. The development (including site clearance and demolition) shall not be begun until:-  
(i) the buildings subject to development have been further surveyed for the presence of bats, and  
(ii) the further survey has been submitted to and approved by the Local Planning Authority, and  
(iii) either the Local Planning Authority have agreed that no relocation of bats is necessary or a scheme for the relocation of an bats has been submitted and approved by the Local Planning Authority. The scheme shall be performed, observed and complied with (insert by when).  
REASON: In the interests of nature conservation  
[Relevant Plans and Policies: CSDPD CS1]
06. All ecological measures and/or works shall be carried out in accordance with the details contained in Atkins' Ecological Impact Assessment report dated November 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: CSDPD CS1]
07. The development 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]
08. No development shall take place (including ground works and site clearance) until a method statement for the sensitive construction of the surge classroom to

avoid the potential of harm to bats in any buildings on site has been submitted to and approved by the local planning authority. The content of the method statement shall include:

- o the purpose and objectives for the proposed works
- o detailed designs and/or working methods to achieve the stated objectives
- o extent and location of the proposed works shown on an appropriate plan
- o a timetable for implementation
- o details of persons responsible for implementing the works

The works shall be carried out strictly in accordance with the approved details.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

09. No development shall take place until details of the materials to be used in the construction of the external surfaces of the carpark hereby permitted have been submitted to an 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)
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interests of visual amenity.  
[Relevant Policies: BFBLP EN15, EN20 and EN25]
11. No development shall be occupied until the associated vehicle parking at recreation ground has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.  
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]
12. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.  
REASON: In the interests of accessibility of the development to cyclists.  
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
13. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors
  - (b) Loading and unloading of plant and vehicles
  - (c) Storage of plant and materials used in constructing the development
  - (d) Wheel cleaning facilities
  - (e) Temporary portacabins and welfare for site operatives
- and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes

listed (a) to (e) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

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

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

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]

15. The extensions hereby permitted shall not be occupied until an updated Travel Plan, including measures as to implementation, monitoring and review has been submitted to and approved in writing by the Local Planning Authority. Thereafter the travel plan shall be implemented in accordance with the approved details.

REASON: To ensure at 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]

16. No development shall take place until full details of a scheme to secure off site parking at the Locks Ride Sport and Recreation Ground has been submitted to and approved in writing by the Local Planning Authority. The extensions hereby permitted shall not be occupied until the approved scheme has been implemented.

REASON: In the interests of highway safety and the accessibility of the development to pedestrians.

[Policies: BFBLP M6 and CSDPD CS23]

17. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, 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.

Protection measures shall be phased as necessary to take into account and

provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:-

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) Positions and spreads of existing hedgerows and groups of mature shrubs.
- c) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
- d) Proposed location/s of 2.4m high protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), 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.
- e) Illustration/s of the proposed protective barriers to be erected.
- f) Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
- g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

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

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.

#### 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.

Doc. Ref: Uniform 7/DC/Agenda

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



## Unrestricted Report

### ITEM NO: 14

Application No.  
**15/00093/3**

Site Address:

Ward:  
Ascot

Date Registered:  
9 February 2015

Target Decision Date:  
6 April 2015

### Street Record Fernbank Crescent Ascot Berkshire

Proposal:

**Extend existing echelon parking area to form 3no. additional bays**

Applicant:

Mr David Humphrey

Agent:

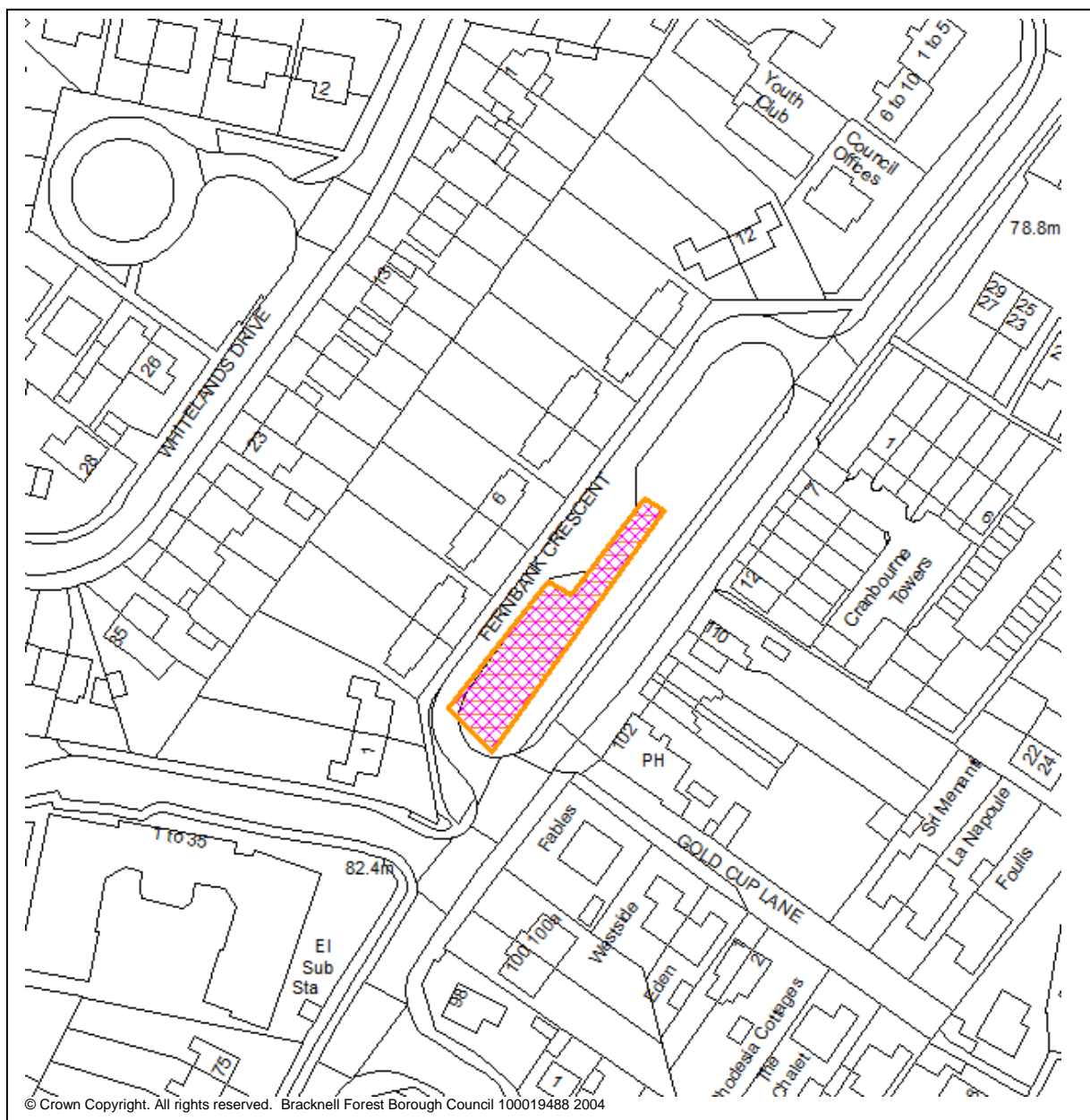
(There is no agent for this application)

Case Officer:

Matthew Miller, 01344 352000

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

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



## **1. REASON FOR REPORTING APPLICATION TO COMMITTEE**

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

## **2. SITE DESCRIPTION**

The street scene of Fernbank Crescent contains residential properties on the western side and a soft landscaped amenity area on the eastern side, separating Fernbank Crescent to the connecting highway of Fernbank Road. An existing parking court is sited on the southwestern side of the amenity area, leading on to a grassed area with several infant trees. The northeastern side of the amenity area consists of dense planting including mature trees. The site level of the amenity land rises prominently from east to west.

The application site falls under the ownership of the Local Authority.

## **3. RELEVANT SITE HISTORY**

6703

Application for lay-by.

Approved (1961)

11/00602/3

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

Approved (24.10.2011)

## **4. THE PROPOSAL**

The proposed development is the formation of three additional echelon parking bays on the southwestern end of the existing parking court. In association with the proposed development it is proposed to re-locate a section of the existing knee-rail fencing to accommodate the bays.

## **5. REPRESENTATIONS RECEIVED**

No representations have been received from neighbouring properties.

## **6. SUMMARY OF CONSULTATION RESPONSES**

Winkfield Parish Council:

No comments have been received within the advised time frame.

Highway Officer:

The Highway Officer raises no objection to the proposal.

Landscape Officer:

The Landscape Officer raises no objection to the proposal, subject to the provision of an acceptable replacement landscaping scheme, details of which can be provided by planning condition.

## **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 SALP which sets out that a positive approach to considering development proposals should be taken reflecting 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.

CSDPD 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. The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map.

CSDPD Policy CS8 states that Open Space of Public Value (OSPV), including 'passive' space such as green corridors and public amenity land, should be retained, and improved and maintained where possible. The amenity land is considered to form 'passive' OSPV due to its size and its prominent location. The proposal would therefore result in the loss of part of this OSPV, and this loss must be balanced against the mitigation measures (provision of replacement landscaping) provided and the demand for additional parking, assessed in the report below.

Therefore, the principle of development on this site is acceptable, subject to the loss of a section of the OSPV being acceptable on balance with the benefits and mitigation measures of the proposal. 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. The Streetscene Supplementary Planning Document (SPD) (2010) provides further guidance to supplement the implementation of this policy.

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.

Section 6.6 of the Streetscene SPD (2010) states that areas of on-street car parking need to be designed so that vehicles do not visually dominate the street scene.

In order to mitigate the visual dominance of vehicles areas of soft landscaping that are large enough to sustain areas of planting should be provided. In order to mitigate the visual dominance of vehicles areas of soft landscaping that are large enough to sustain areas of planting should be provided , and therefore conditions are 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.

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.

The existing site contains a considerable amount of hardsurfacing forming the existing parking bays and associated lay-by, and a significant section of amenity land has already been converted to parking in this location (reference 11/00602/3). Although an additional section of amenity land would be lost as a result of the proposal, the proposed hardstanding and additional parking would form a sympathetic continuation of the current parking layout, and only a small section of the current amenity land as a whole would be lost.

Two infant trees would be required to be removed as part of the proposal. These trees were planted as part of the soft landscaping scheme implemented in conjunction with planning approval reference 11/00602/3. However considering their infancy and size these trees could be relocated (or replaced) on to the retained amenity land to the east. Replacement soft landscaping could also be provided to aid in lessening the visual impact of the additional hardstanding in the street scenes of both Fernbank Crescent and Fernbank Road, as advised by the Landscape Officer. Details of this soft landscaping could be provided by condition.

Considering the above it is not considered that the proposal would result in a detrimental impact on the visual amenity of the area, provided that an adequate level of replacement landscaping is provided, and that the existing infant trees are suitably located.

It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN2 and EN20, the Streetscene SPD, and the NPPF, subject to the imposition of a condition requiring the submission of full details of a proposed landscaping scheme.

## **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. BFBLP 'Saved' Policy EN25 states that development will not be permitted if it would generate unacceptable levels of noise, fumes or other environmental pollution which would adversely affect the amenities of

the surrounding occupants. 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 these policies should be afforded significant weight.

The proposed bays would be sited on the opposite side of the highway of Fernbank Crescent to the residential properties in this location. Furthermore, there would be a separation distance of approximately 25 metres between the proposed bays and the nearest residential properties within Fernbank Road to the east. Considering this visual separation, the existing parking bays, and the provision of replacement soft landscaping, it is not considered that the proposed additional bays would result in an adverse impact on the residential amenity of the surrounding properties.

Furthermore it is not considered that the noise pollution or other disturbance formed by the additional parking bays would be unacceptable in a built-up residential area that currently experiences high levels of on-street parking.

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' Policies EN20 and EN25, and the NPPF, subject to the aforementioned soft landscaping condition.

## **11. TRANSPORT IMPLICATIONS**

CSDPD Policy CS23 states that the Council will use its powers to increase the safety of travel. BFBLP 'Saved' Policy M9 states that development will not be permitted unless satisfactory parking provision is made for vehicles. It further states that the Council will promote and provide additional residential parking areas in locations where there is a lack of sufficient car parking provision. 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 areas.

These policies are considered to be consistent with the NPPF, which state that transport policies should contribute in facilitating sustainable development, and take into account local car ownership levels, and as such these policies should be afforded significant weight.

The Highway Officer has been consulted on the proposal and advised that Fernbank Crescent is an adopted residential road, accessed from Fernbank Road, a busy local distributor road. Communal off-street parking is currently provided by an existing parking court, however high levels of indiscriminate on-street parking has been observed. Therefore there is a recognised demand for additional off-street parking to be provided in this location.

The proposed parking bays would be non-permeable however this is because the existing echelon bays were also constructed as non-permeable, and contain a supporting gully providing drainage. An additional gully may be required to provide adequate drainage from the proposed bays, and the applicant is to be advised of this.

The proposed parking bays would be acceptable in size and would have adequate manoeuvring and access space. The existing knee-rail fencing is proposed to be re-located in order to accommodate the proposed additional bays, and would serve to prevent indiscriminate parking on the retained amenity land.

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.

## **12. CONCLUSIONS**

It is not considered that the development would result in an adverse impact on the character and appearance of the surrounding area, the amenities of the residents of the neighbouring properties, or on highway safety, subject to the recommended condition. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, CS8 and CS23, BFBLP 'Saved' Policies EN2, EN20, EN25 and M9, the Streetscene SPD, 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 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 9 February 2015:  
4817 045/A/3 'Fernbank Crescent extend existing bays'  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.  
All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or 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.  
[Core Strategy DPD CS7, BFBLP 'Saved' Policies EN2 and EN20]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern at within the application at pre-application stage 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. Time Limit
  2. Approved plansThe applicant is advised that the following conditions require discharging prior to commencement of development:
  3. Landscaping scheme

Doc. Ref: Uniform 7/DC/Agenda

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

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## Unrestricted Report

### ITEM NO: 15

Application No.  
**15/00135/RTD**  
Site Address:

Ward:  
Ascot

Date Registered:  
13 February 2015

Target Decision Date:  
9 April 2015

### Telecommunications Mast New Road Ascot Berkshire

Proposal:

**Replacement of existing 15m monopole with a 20m t-range telegraph pole on existing foot foundation. Replacement of existing harrier cabinet with a new cabinet on existing foundation.**

Applicant:

Telefonia Ltd

Agent:

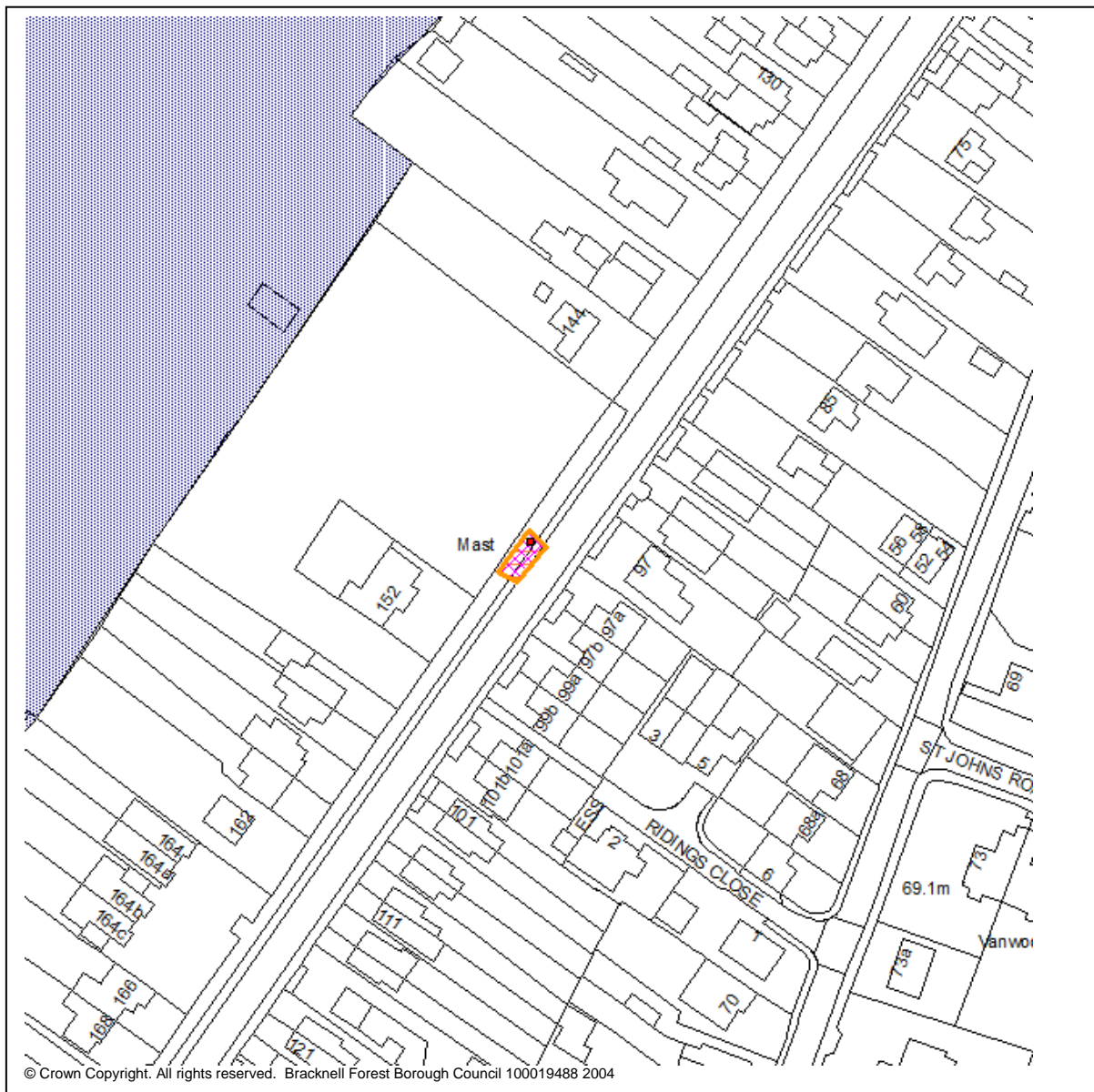
Mr Chris Jefferies

Case Officer:

Sarah Fryer, 01344 352000

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

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



## **1. REASON FOR REPORTING APPLICATION TO COMMITTEE**

This application has been reported before the Planning Committee as the application has to be determined within 56 days.

## **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 (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 20m above ground level;  
(bb) at any given height exceed the width of the existing mast at the same height by more than one third.

The proposed installation would not exceed a height of 20m and would not exceed the width of the existing mast by more than one third and as such the mast complies with this.

However as the proposal is adjacent to a classified road and the mast would be increased in height it is necessary to assess the siting of the mast in terms of highway safety and its visual appearance and as such Prior Approval is therefore required.

## **3. SITE DESCRIPTION**

The site is located on the west side of New Road, Ascot. The site is surrounded by mature and semi-mature trees with residential properties across the road to the east. To the south and north, past the trees are larger residential properties whilst there is woodland to the west.

The land to the west of the site was allocated for housing and was subsequently granted planning permission in 2013. To date no work has started on site.

## **4. RELEVANT SITE HISTORY**

Application 10/00339/RTD- Installation of telecommunications mast (15m High Jupiter Streetworks monopole one new root foundation) Approved 01.07.2010

## **5. THE PROPOSAL**

This application seeks prior approval to replace the existing 15m monopole with a 20m t-range telegraph pole. The application also involves the replacement of an existing equipment cabin. Currently the antenna are stacked on-top of one another within the top 3.5m of the mast where the width of the mast increases from 0.3m to 0.5m. The proposed mast would have a uniform width with the antennas contained within the top

4.5m. The mast would be shared by two companies, Vodafone and Telefonica (commonly known as O2) and the location of the mast would remain as existing.

The proposed installation would provide an upgrade to maintain continued coverage and capacity of the existing networks for Vodafone and Telefonica but to also cater for future 4G coverage demands. For information, 4G services are intended to improve mobile broadband, allowing greater capacities of data to be shared with faster speeds.

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.

The applicant has submitted a certificate, which confirms that the proposed mast meets ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines.

The mast is located 70m from Edith Rose Nursery Ascot and 160 m from the grounds of the Papplewick School and 365 m from Ascot Heath C of E School.

## **6. REPRESENTATIONS RECEIVED**

One letter of objection has been received in respect of the proposed development. The reasons for objection can be summarised as follows:

- Proposal results in a more prominent pole resulting in an eyesore and an unsightly view.
- May also impact the value of my property
- How safe is the enlarged proposal?

## **7. SUMMARY OF CONSULTATION RESPONSES**

Highways Officer

Has no objection to the proposal.

## **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 impacts in terms of the character and appearance and highway safety of the development. As such the principle of the development is not required to be assessed.

## **10. IMPACT ON CHARACTER AND APPEARANCE OF AREA**

Policy CS7 of the CSDPD and 'saved' Policy EN20 of the BFBLP 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. This is consistent with the NPPF.

Whilst 'Saved' Policy SC4 of the BFBLP is not entirely consistent with Section 5 (supporting high quality communications infrastructure) of the NPPF in respect of 'need', it also states at point (iii):

"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."The proposal would be for an upgrade to an existing mast and would also constitute a mast share between Vodafone and Telefonica (commonly known as O2).

The proposal would increase the height of the mast by 5m, from 15m to 20m, and involve an overall reduction in the width. The proposal would be located in the same location as the existing mast, within a gap in development, and with trees either side providing some screening. Whilst the increase in height will result in a structure taller than the trees and surrounding street furniture, the proposed dark colour results in the mast not being a prominent feature within the streetscene. No additional cabinets are proposed, therefore the proposal would not be considered to appear visually cluttered in the street scene.

The proposal is for a telegraph pole style mast which is clad in a brown textured plastic giving it the appearance of a telegraph pole. Telegraph poles are a feature of the area, but within New Road, they are all on the opposite side of the road to the proposal. The mast would also be taller than a standard telegraph pole with the result that the finish of the mast to replicate a telegraph pole would make it appear incongruous. It is considered that the current dark grey finish assimilates the mast into the background and is effective in reducing the impact. It is therefore proposed to condition the finish of the mast to be a dark grey colour, as the existing mast. The applicants have indicated that they are content with this approach.

As such, subject to a suitably worded condition, it is not considered that the proposal would adversely affect the character and appearance of the surrounding area and would be in accordance with Policy CS7 of CSDPD, 'saved' Policy EN20, and the relevant part of 'saved' Policy SC4 of the BFBLP which is consistent with the NPPF.

BFPLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. 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.

The location of the mast would remain the same, approximately 15m west of 97A New Road. The slender nature of the installation, in the same location as an existing mast, and even with the increase in height the proposal is not considered to result in an intrusive appearance to warrant a refusal of the application.

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.

## **11. HIGHWAY SAFETY**

CSDPD Policy CS23 states that the LPA will seek to increase highway safety. This policy is considered consistent with the NPPF,.

The increase in height from 15m to 20m would not impact on highway safety. The equipment is located on the highway verge and there is no material change in the access arrangements for maintenance of the mast.

In summary, no highway safety issues would result from the proposal and it would be in accordance with Policy CS23 of the CSDPD and the NPPF.

## **12. HEALTH IMPLICATIONS**

Section 5, Para 46 of the NPPF states "Local planning authorities must determine applications on planning grounds. They should not...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.

## **13. NEED**

'Saved' Policy SC4 of BFBLP refers to telecommunication development being permitted provided there is a need for the development.

Para 46 of the NPPF also relates to need of telecommunications infrastructure. "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".

As such, 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. CONCLUSION**

It is considered that the proposed new mast 5m higher than the existing structure would not adversely impact upon the character or appearance of the surrounding area to such a degree that refusal of the application would be warranted. Furthermore, no highway safety implications would result from the proposal. As such, the proposal is considered to be in accordance with, 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.

Therefore it is recommended that prior approval be granted for the development.

## **RECOMMENDATION**

The siting and appearance of the development proposed be **APPROVED** in accordance with the plans as stated below:-

01. Notwithstanding the submitted plans, prior to the erection of the mast, details of the finished colour of the mast shall be submitted to and approved in writing by the Local Planning Authority. The mast shall be installed in accordance with the approved details.
02. Plans considered in determining this application:  
Drawings 100 Issue A, 200 Issue A, 201 Issue A, 300 Issue A, 301 Issue A received 13.02.2015.

### **Informative(s):**

01. During the installation of the apparatus, should traffic management (signs etc) be required to be sited on the highway, Wayne Scott Traffic Manager for Bracknell Forest Borough Council should be contacted prior to the installation.

**Doc. Ref:** Uniform 7/DC/Agenda

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