

NOTICE OF MEETING

Planning Committee

Thursday 23 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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Published: 13 April 2015



Planning Committee
Thursday 23 April 2015, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

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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 1 April 2015. | 1 - 22 |
| 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)

- | | |
|---|---------|
| 5. Application 14/01246/FUL - 1 William Sim Wood, Winkfield Row, Bracknell, RG42 6PW
Erection of a part single storey, part two storey side extension. | 27 - 34 |
| 6. Application 15/00106/FUL - T D S House, Terrace Road South, Binfield, RG42 4BH
Replacement of all existing windows, insertion of new windows to front and rear elevations, installation of sliding doors with juliet balconies to front elevation, installation of french doors to the rear elevation, re- | 35 - 40 |

cladding and replacement of the existing canopy.

7. **Application 15/00146/FUL - 4 Knowles Avenue, Crowthorne, RG45 6DU**
Erection of a two storey front extension. 41 - 46
8. **Application 15/00150/FUL - 14 Green Lane, Sandhurst, GU47 9AG**
Erection of detached two-storey dwelling with parking and amenity space following demolition of existing garage. 47 - 64
9. **Application 15/00205/FUL - 5 Farley Moor, Golden Orb Wood, Binfield, RG42 4BW**
Erection of a single storey front/side extension to form porch. Also internal alterations to form new en-suit on 2nd floor and conversion of existing basement into kitchen/gym. 65 - 70
10. **Application 15/00263/RTD - Telecommunications Mast, Fernbank Road, Ascot**
Swapout of existing 13.8m Telegraph Pole and replacement with a new 13.8m Jupiter Pole with shrouded antennas and additional cabinet at ground level. 71 - 76

Miscellaneous Items

11. **Binfield House Nursery - Application 13/00966/FUL**
To appraise the Committee of an urgent action decision taken by the Director of Environment, Culture and Communities relating to the application for planning permission for development at Binfield House, Nursery. 77 - 78
12. **Confirmation of Tree Preservation Order 1176 - Land at 53, 57, 59, 61 & 65 Oxford Road, Sandhurst - 2014**
To consider objections received in relation to Tree Preservation Order 1176. 79 - 82

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**PLANNING COMMITTEE
1 APRIL 2015
7.30 - 10.03 PM**

Present:

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

Also Present:

Councillors Dr Barnard, Mrs Hayes and Turrell

Apologies for absence were received from:

Councillors Angell, Mrs Barnard and Kensall

109. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 26 February 2015 be approved as a correct record and signed the Chairman, subject to the inclusion in full of the wording for Condition 24 imposed in the planning permission granted for Application No 14/00813/FUL – 1 Dundas Close, Bracknell (minute 98).

110. Declarations of Interest

There were no declarations of interest.

111. Urgent Items of Business

There were no items of urgent business.

112. 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.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Sandhurst Town Council, which included an objection to the application on the grounds that the proposed extension at the side of the existing house will tend to produce the appearance of a terrace, particularly if repeated on adjacent properties, and that the development would be out of keeping with existing properties in the vicinity and detrimental to the visual amenities.
- 3 letters of objection (2 from the same address) 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

The Committee was informed that the Section 106 agreement to secure SPA contributions, the provision of a footpath to provide access to the rear gardens of the existing dwelling and the proposed dwelling and to secure a shared parking area had been completed and therefore the recommendation was to approve the application subject to conditions, as amended by the supplementary report.

RESOLVED that the application be **APPROVED** 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 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
03. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
04. 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.
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.
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.
07. The dwelling hereby approved shall not 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.

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.

113. **PS 14-00863-FUL Land at Rear of 4 Hayley Green Cottages Forest Road
Erection of 3 no. dwellings including associated parking, access and amenity space.**

This application was **WITHDRAWN** from the agenda.

114. **14-01075-FUL 37 Prince Consort Drive Ascot
Erection of a replacement dwelling following the demolition of the existing property.**

A site visit had been held on Saturday 28 March 2015 which had been attended by Councillors Angell, Mrs Angell, Blatchford, Brossard, Finnie, Gbadebo, Mrs Phillips, Thompson, Turrell and Virgo.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Winkfield Parish Council.
- 3 letters of objection from local residents 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.
- Additional comments from the neighbouring residents at No. 38 Prince Consort Drive (circulated separately to Members) referring to the bulk and roof height of the proposed dwelling, the difference in ground levels between the properties, and the loss of privacy resulting from the balcony at the rear of the proposed development.

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 February 2015:
P14/22/S/101 (Rev C)
P14/22/S/110 (Rev B)
03. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

04. The development hereby permitted shall not be begun until details 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.
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.
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.
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.
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.
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. 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.
11. No gates shall be provided at the vehicular access to the site.
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.

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.
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.

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.
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.
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 workshave 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.
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 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.

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.
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.
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.
22. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.
23. 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.
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.
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.

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.
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.

115. **14-01132-FUL 17 Anthony Wall Warfield**

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

A site visit had been held on Saturday 28 March 2015 which had been attended by Councillors Barnard, Birch, Brossard, Finnie, Gbadebo, Mrs Phillips, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Warfield Parish Council, which had recommended 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.
- Comments on and objections to the application from the occupants of 18 Anthony Wall concerning the impact on their property, summarised as:
 - The extension is 20cm inside the neighbour's boundary but this is 1.4m from the outside wall of No 18.
 - The extension would be overbearing on their property, due to its size and proximity.

- The proposed first floor extension would be out of keeping in the street scene and be out of character within the immediate area.
- The loss of light through the side window affects the kitchen/breakfast area. The door has been removed to improve light to this area.
- This is a west-facing window so most of the light comes through this window at key times when the kitchen/diner area is used.
- It is not regarded as a functioning utility room as it is not separate from the kitchen as the door has been removed. Plans are in hand to remove the partition as part of a plan to modernise the kitchen.
- Due to the nature of the design, light levels in the kitchen/diner are already below what would be ideal.

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:
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
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.
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.
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.

116. **14-01176-3 Street Record Faircross Bracknell**

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

The Committee noted:

- The applicant in this case was Bracknell Forest Council rather than the named officer.
- An objection had been received from the occupant of the residential property of 7 Faircross, which could 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 comment in support had been received from the occupant of the residential property of 27 Faircross. Referring to improved highway safety through the provision of additional off-street parking.

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 22 January 2015:
4817 217 'Faircross'
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 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.

117. **14-01246-FUL 1 William Sim Wood Winkfield Row**

Erection of a part single storey, part two storey side extension.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Winkfield Parish Council.
- Objections had been received from the residents of 2 neighbouring properties on the grounds that the proposed extension would result in adverse overlooking, overbearing and loss of light impacts on the residential amenity of their properties. Furthermore, the amended plans submitted do not provide a more sympathetic impact of the proposal on the character of the surrounding area.

The Committee was informed that the amended plans showed a revised parking layout in which the additional parking space had been re-oriented and re-located to make it more practical and usable. Subject to an extension of the dropped kerb, the Highways Officer considered this acceptable. However, the plan viewed by the Committee did not appear to show this revision accurately.

RESOLVED that the application be deferred in order that the Committee consider an accurate and up to date plan of the revised parking layout.

118. **14-01335-FUL Mayfield Light Industrial Estate**

**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).**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- That no representations had received about the application.

The Committee was informed that the S. 106 agreement had now been completed and the recommendation was to approve the application subject to conditions. One amended and one additional condition were recommended to ensure details of the remedial works required to the retained building were submitted for approval and that proper access into the site be provided before any dwelling is occupied. The Committee requested an amendment to the proposed condition to ensure that this covered pedestrian as well as vehicular access.

RESOLVED that application be **APPROVED** 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 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

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.
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
05. The development hereby permitted shall be constructed in accordance with the approved finished floor levels and ridge heights of the buildings.
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.

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

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.
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).
16. No dwelling shall be occupied until a means of vehicular access and pedestrian access has been constructed in accordance with the approved site layout drawing 101P received on 20.03.15.
17. No gates shall be provided at the vehicular access to the site.
18. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
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.
20. The 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.
21. The approved drainage scheme shall thereafter be implemented, retained, managed and maintained in accordance with the approved details.
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.
23. Prior to the demolition of part of the retained building to create the approved site access, details of the necessary remedial works required to the retained building's end elevation fronting the access road shall be submitted to and approved by the Local Planning Authority.

119. **14-01338-FUL Inglemere Mews 58 Waterloo Road**

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

A site visit had been held on Saturday 28 March 2015 which had been attended by Councillors Blatchford, Brossard, Finnie, Gbadebo, Mrs Phillips, Thompson, Turrell and Virgo.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- 3 letters of objection had been received raising 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.'

The Committee was informed that the Section 106 agreement had now been completed and therefore the recommendation was approve the application subject to conditions.

RESOLVED that the application be **APPROVED** 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 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
03. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
04. The development hereby permitted shall not be begun until:
 - 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.

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.
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.
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.
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.
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.
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.

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.
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.
13. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
14. No gates shall be provided at the vehicular access to the site.
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 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.
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).
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.
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.
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.
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.

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.
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.
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.
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.
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.
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.

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.

120. **PS 15-00005-3 Winkfield St Marys CofE Primary School**

Single storey extension forming surge classroom and formation of new parking.

This application was **WITHDRAWN** from the agenda.

121. **15-00093-3 Street Record Fernbank Crescent**

Extend existing echelon parking area to form 3no. additional bays

The Committee noted:

- The applicant in this case was Bracknell Forest Council rather than the named officer.
- No representations had been received from neighbouring properties.

Given the reference in the report to the provision of adequate drainage, the Committee requested an additional condition regarding surface water drainage from the development.

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 9 February 2015:
4817 045/A/3 'Fernbank Crescent extend existing bays'
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 development hereby permitted shall not be begun until details of a scheme for the disposal of surface water has been submitted to and approved in writing by the Local Planning Authority.

122. **15-00135-RTD Telecommunications Mast New Road Ascot**

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.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- One letter of objection had been received which was 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?

RESOLVED that 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.

Notwithstanding this approval, the view was expressed that the Committee should look into the grounds for resisting the trend towards applications for ever taller telecommunications masts submitted by mobile phone operators.

123. **Vincent Haines**

The Chairman reported that this was the last meeting of the Committee to be attended by Vincent Haines, Head of Development Management, before his retirement. He thanked Mr Haines for his support to the Committee over the last twelve years and wished him well for the future. Mr Haines suitably responded and paid tribute to the teamwork between Members and Officers which had driven the many changes and innovations in the Development Management Service during his time with the Council.

CHAIRMAN

**PLEASE NOTE PLANS FOR ALL OF THE APPLICATIONS ON THIS
AGENDA CAN BE FOUND ON OUR WEBSITE
www.bracknell-forest.gov.uk**

**PLANNING COMMITTEE
23rd April 2015**

**REPORTS ON PLANNING APPLICATIONS RECEIVED
(Head of Planning)**

		Case Officer	Reporting Officer
5	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
6	15/00106/FUL T D S House Terrace Road South Binfield (Binfield With Warfield Ward) Replacement of all existing windows, insertion of new windows to front and rear elevations, installation of sliding doors with juliet balconies to front elevation, installation of french doors to the rear elevation, re-cladding and replacement of the existing canopy. Recommendation: Approve.	Michael Ruddock	Basia Polnik
7	15/00146/FUL 4 Knowles Avenue Crowthorne Berkshire (Crowthorne Ward) Erection of a two storey front extension. Recommendation: Approve.	Matthew Miller	Basia Polnik
8	15/00150/FUL 14 Green Lane Sandhurst Berkshire (Central Sandhurst Ward) Erection of detached two-storey dwelling with parking and amenity space following demolition of existing garage Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Sarah Horwood	Basia Polnik
9	15/00205/FUL 5 Farley Moor Golden Orb Wood Binfield (Binfield With Warfield Ward) Erection of a single storey front/side extension to form porch and internal alterations to form new	Sarah Fryer	Basia Polnik

en-suite on 2nd floor and conversion of existing basement into kitchen/gym.
Recommendation: Approve.

- | | | | |
|----|---|-------------|--------------|
| 10 | 15/00263/RTD
Telecommunications Mast Fernbank Road Ascot (Ascot Ward)
Swapout of existing 13.8m Telegraph Pole and replacement with a new 13.8m Jupiter Pole with shrouded antennas and additional cabinet at ground level.
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.

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Unrestricted Report

ITEM NO: 5

Application No. 14/01246/FUL	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

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. The application was originally heard at the 1st April Planning Committee but was deferred on the grounds of requiring an amended parking plan.

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 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/dining room 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.

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

Three objection comments have been received from the occupants of the neighbouring residential property of 30 Carnation Drive to the west. The occupants objected to the originally submitted proposal on the grounds that it would result in overlooking, be overbearing and cause loss of light, thereby harming the residential amenity of the occupants of 30 Carnation Drive. Two further objections have been received in response to the submitted amended plans on the grounds that they are not sufficiently

sympathetic to the character of the surrounding area, when also considering the similar extension at 35 Merlin Cove is single storey. Furthermore the residents object to the proposal on the grounds that the amendments do not address the previously stated concerns over the impact on the residential amenity of 30 Carnation Drive.

An objection has been received from the resident of 20 Saturn Croft. The resident objects to the proposal on the grounds that it would result in an adverse impact on the residential amenity of the occupants of 20 Saturn Croft through loss of privacy and overlooking.

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

Following the receipt of the one objection initially received from the occupants of 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.

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). Policy CP1 of the Site Allocations Local Plan sets out that a positive approach should be taken to considering development proposals (which reflects the presumption in favour of sustainable development set out in the NPPF), 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. However, impacts on the residential amenities of neighbouring properties, character and appearance of surrounding area, and highway safety implications remain, and are assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

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

BFBLP 'Saved' Policy EN20 requires that development does 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 used as a standard for assessing acceptable levels 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 with 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. 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. 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 Staurn 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 BFBLP '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 require 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 parallel with the existing driveway, 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 [to be received] received by the Local Planning Authority on [date to be inserted] have been provided in accordance with the approved plans. The parking spaces shall thereafter be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant 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 openable 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

Unrestricted Report

ITEM NO: 6

Application No. 15/00106/FUL Ward: Binfield With Warfield Date Registered: 18 February 2015 Target Decision Date: 15 April 2015

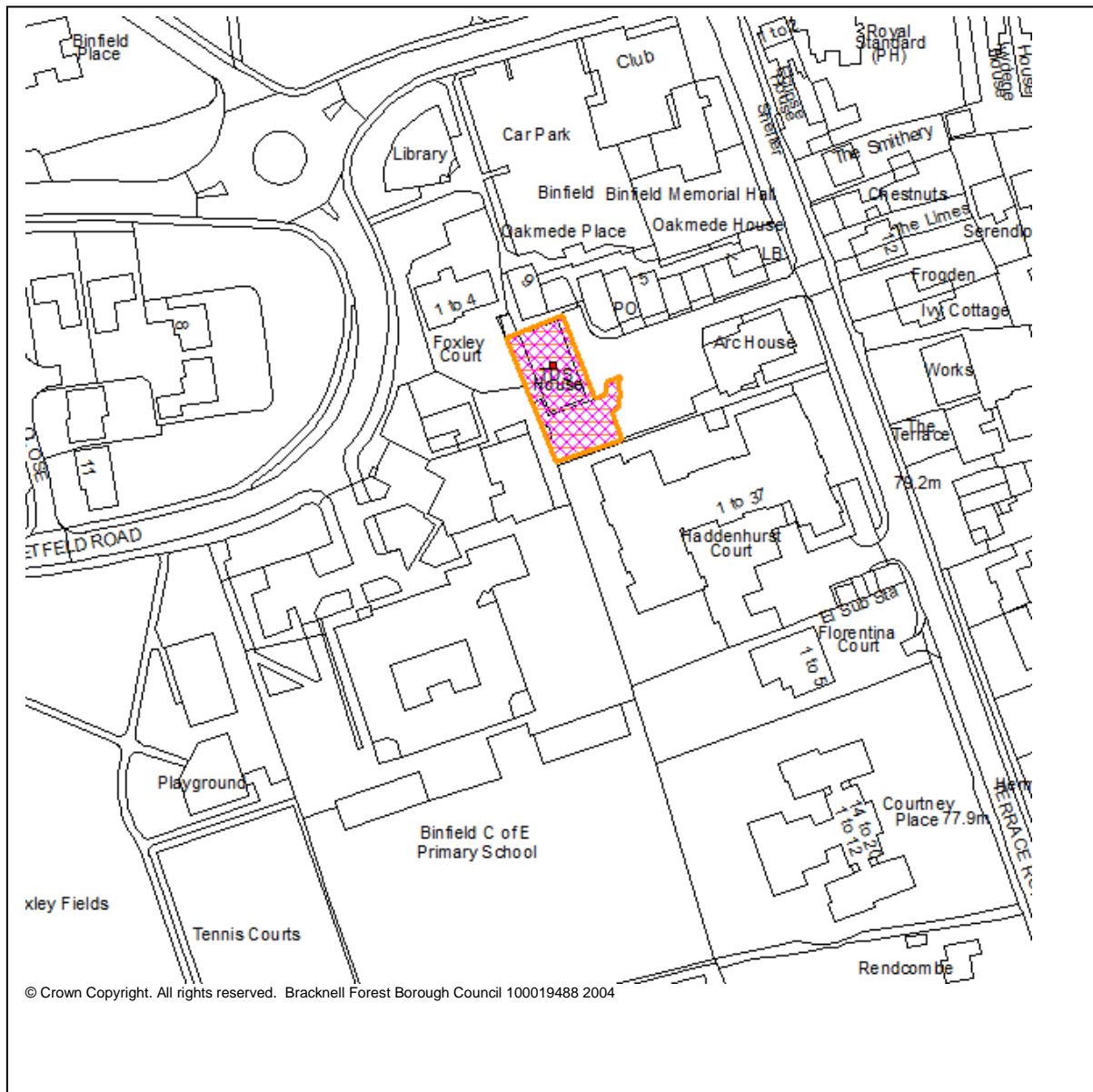
Site Address: **T D S House Terrace Road South Binfield Bracknell Berkshire RG42 4BH**

Proposal: **Replacement of all existing windows, insertion of new windows to front and rear elevations, installation of sliding doors with juliet balconies to front elevation, installation of french doors to the rear elevation, re-cladding and replacement of the existing canopy.**

Applicant: Mr T Young
 Agent: Mr Sean Kelly
 Case Officer: Michael Ruddock, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

2. SITE DESCRIPTION

TDS House is a two storey red brick vacant office building accessed off Terrace Road North via a driveway which also serves Arc House. To the north is Oakmede Place.

To the east is the play area of Binfield C of E Primary School.

3. RELEVANT SITE HISTORY

14/00820/PAC. Application for prior approval for the change of use of an office building into eight one bedroom flats. Prior Approval Granted.

4. THE PROPOSAL

The proposal is to make the office building more residential in appearance by the following external alterations:

- Replace all existing aluminium windows with double glazed UPVC.
- Insertion of 2 no. glass Juliet balconies at first floor in front elevation to replace two windows.
- New entrance canopy and doors.
- New timber brackets to support existing cantilevered windows.
- Replacement of 2 no. ground floor windows with French doors in rear elevation.
- Insertion of 4 first floor windows in rear elevation.

The change of use of the office to residential was granted under 14/00820/PAC. This application is solely for the external alterations.

5. REPRESENTATIONS RECEIVED

Five letters of objection were received from local residents. The reasons for objection can be summarised as follows:

- Loss of privacy to neighbouring properties in Foxley Court and the School Bungalow.
- A portable toilet has been placed just over the fence to the playground, this should be moved.
- A safety fence should be erected for health and safety for the window replacement/insertion.
- Concerns regarding this property on a child protection basis. Being one bedroom flats they could potentially end up as rentals. As the property overlooks the school playground, the owners/tenants should be vetted.

Aside from the privacy issue, which is discussed below, these issues are not material to the planning application.

6. SUMMARY OF CONSULTATION RESPONSES

Binfield Parish Council:

Considered No Objection. Special care should be taken during construction to protect the two trees subject to TPOs.

7. DEVELOPMENT PLAN

The Development Plan for this Borough comprises the following:

'Retained' Policies of the South East Plan 2009 (SEP)
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

8. 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.

These policies are considered to be consistent with the sustainable development principles of the NPPF and as a consequence are considered to carry significant weight.

The site is located in a defined settlement within the Village Centre (Inset Map 2) on the Bracknell Forest Borough Policies Map (2013). However, as the residential use was granted under the Prior Approval Procedure, the principle of the use is already agreed. In terms of the current proposals, it is a matter of determining whether or not these design features will conflict with policies and guidance dealing with impact on the street scene, amenity of neighbouring occupiers, highway safety, etc. These issues are addressed elsewhere in this report.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

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

Area 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 in. 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 proposed changes in fenestration would add interest to the current fairly blank elevations. The entrance canopies are of a modest design.

The proposal to soften the appearance of the office building to appear more residential in nature would not be unduly out of character with the surrounding commercial development (Arc House) and the Village Centre.

The site is located within Area A of the Character Area Assessment for Binfield and Popeswood relating to Binfield. This states that Binfield Centre has a distinctive sub-character from the rest of the Character Area, and that heights of up to three storeys are common in this area. Given the nature of the development it is not considered that it would be contrary to the recommendations of the SPD.

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' Policy EN20 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. 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.

The proposed windows in the front elevation would look onto the parking area.

To the rear the windows would look out onto the school grounds, beyond which is the School Bungalow at a distance of 18m away. To the north of the playground is the parking area for Foxley Court. Foxley Court is at a distance of 14m away from the closest corner of TDS House. As a result of these distances the proposal would not result in a loss of residential amenity.

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.

11. 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. For a dwelling that has or two or three bedrooms a minimum of two 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.

It was accepted under the previous prior approval applications that there is sufficient car parking on site. The current proposal does not alter this.

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

12. TREES

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.

There is an oak tree close to the southern corner of the building which is protected by TPO 84. There are no ground works proposed close to this tree, however an informative is recommended to make the applicant aware that it is an offence to wilfully damage or destroy a protected tree.

13. CONCLUSIONS

The principle of residential use has already been established by the previous prior approval, and the proposal for external alterations to the building are considered to be acceptable.

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.

It is therefore considered that the proposed development complies with the Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and BFBLP 'Saved' Policies EN20 and the NPPF.

RECOMMENDATION

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out only in accordance with the following plans:
- Drg no 13.318-001B received by LPA 06.02.2015
 - Drg no 13.318-200B received by LPA 06.02.2015
 - Drg no 13.318-100B received by LPA 06.02.2015
- REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

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. Conditions 01 and 02 do not require the submission of details for discharge.
03. There is an Oak tree covered by TPO 84 adjacent to the building. No materials should be stored under this tree and no works to the tree are permitted without consent from the LPA. The applicant should be aware that a TPO makes it an offence to wilfully damage or destroy a protected tree.

Doc. Ref: Uniform 7/DC/Agenda

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

Unrestricted Report

ITEM NO: 7

Application No.
15/00146/FUL
Site Address:

Ward:
Crowthorne

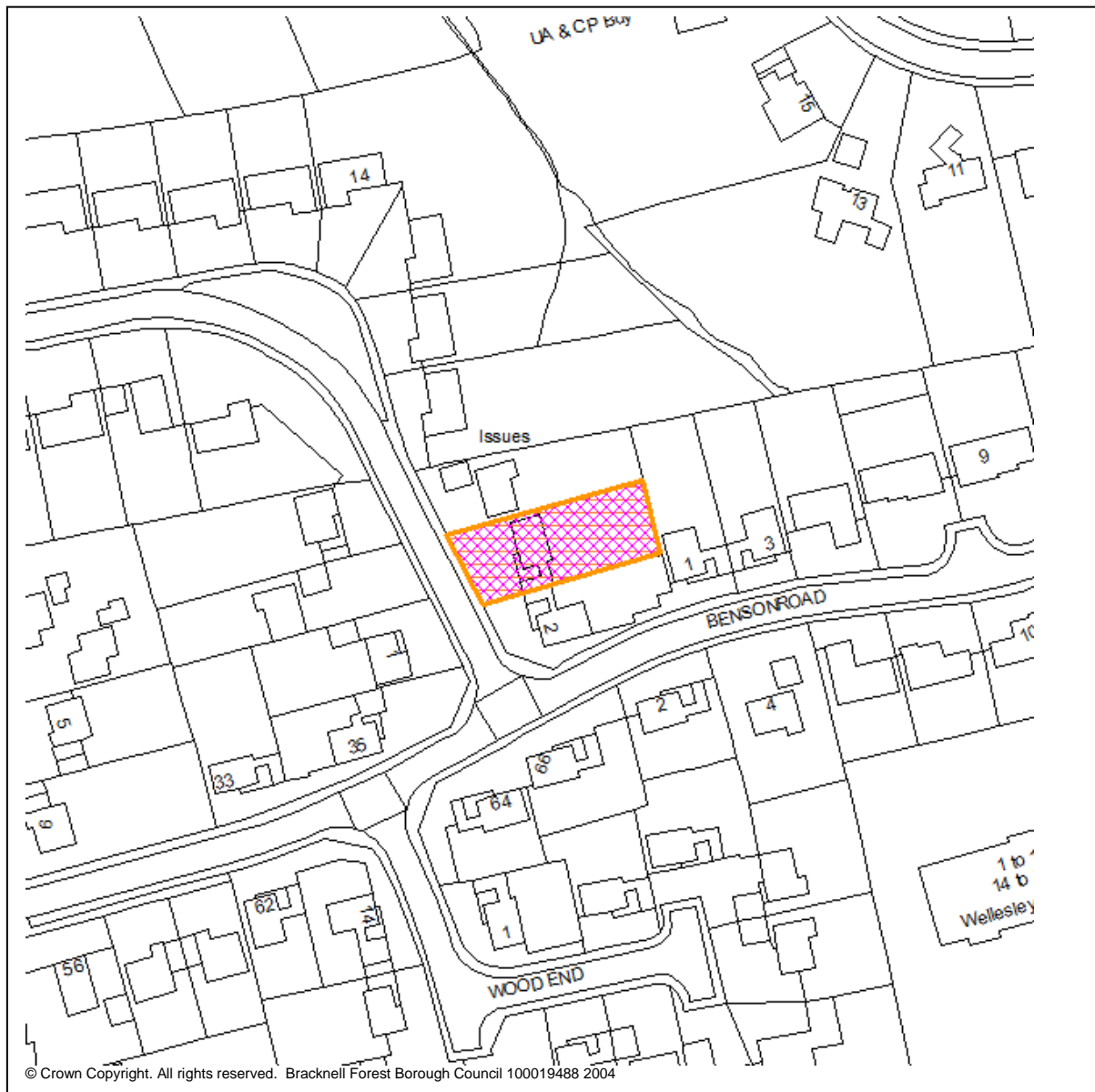
Date Registered:
18 February 2015

Target Decision Date:
15 April 2015

4 Knowles Avenue Crowthorne Berkshire RG45 6DU

Proposal: **Erection of a two storey front extension.**
Applicant: Mr Andrew Miller
Agent: Andy Ward
Case Officer: Matthew Miller, 01344 352000
Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been reported to the Planning Committee following the receipt of more than 3 objections.

2. SITE DESCRIPTION

4 Knowles Avenue is a four bedroom two storey detached dwellinghouse located in a predominately residential area. The property contains an attached single garage to the eastern side with a hardsurfaced driveway to its front providing additional off-street parking, and a soft landscaped front garden in front of the main dwellinghouse. The property benefits from an enclosed rear garden and has been enlarged through a single storey rear extension forming a conservatory.

Trees subject to blanket Tree Preservation Order (TPO) reference TPO 30 are sited to the rear of the property.

3. RELEVANT SITE HISTORY

No planning applications received.

4. THE PROPOSAL

The proposed development is the erection of a two storey extension to the western side of the front elevation projecting 4.2 metres in depth at ground level from the front wall, and 7.0 metres in total depth from the existing roof line, and measuring 5.4 metres in width and 6.5 metres in total height. It would have a gable roof and would form an enlargement to the existing living room at ground floor level, and an enlargement to an existing bedroom, with a dressing room and en-suite bathroom at first floor level.

5. REPRESENTATIONS RECEIVED

A total of 5no. objections have been received from residents of surrounding properties. The objections can be summarised as follows:

- The proposal would be out of character with the host dwelling and the surrounding area.
- Piped streams are located underneath the site, and there are concerns that the construction process could damage or interrupt the flow of these features.
- There are concerns over encroachment onto the neighbouring property of 6 Knowles Avenue to the north.
- There are concerns that adequate matching materials could not be practically obtained.

[Officer Note: The concerns over the impact of the proposal on the character of the host dwelling and surrounding area are discussed in the report below. In respect of concerns about piped streams and the construction process, the property would be subject to separate Building Regulations. The submitted site plan shows that the proposed extension would be set back from the boundary with 6 Knowles Avenue to the north, and level with the northern side elevation of the host dwelling, and therefore it is not considered that any encroachment would occur. A condition will be imposed to ensure that the materials used on the external surfaces of the development match those of the host dwelling].

6. SUMMARY OF CONSULTATION RESPONSES

Crowthorne Parish Council:

Crowthorne Parish Council raise no objection.

No further statutory or non-statutory consultations have been required.

7. DEVELOPMENT PLAN

The development plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CP1 of the Site Allocations Local Plan sets out that a positive approach should be taken to considering development proposals (which reflects the presumption in favour of sustainable development set out in the NPPF), 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, CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF. However, impacts on the residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications remain, and are assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

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

These policies are considered to be consistent with the objectives set out within the NPPF, and as such can be afforded full weight. Para. 56 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 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 proposed gable roof of the extension would form a sympathetic link to the dual-pitched roof layout of the host dwelling. The proposal would also be subordinate in height to the main dwelling. The design and use of external materials would be similar to that of the host dwelling, including the use of brickwork at ground floor level and tiles at first floor level to match the existing dwelling. Considering this and the overall massing of the proposal in relation to the host dwelling and its attached garage, it is not considered that the proposal would be adversely out of character with the host dwelling.

The proposal would be visible in the street scene of Knowles Avenue to the front (west) and south. Residential dwellings within the immediate surrounding area have varying setbacks from the highway, and various properties, including the neighbouring property of 6 Knowles Avenue to the north, have single storey detached garages sited to the front of the main dwellings. The host dwelling is set back further from the highway of Knowles Avenue than the neighbouring property of no.6, and the front elevation of the extension would be level with the front elevation of no. 6, and therefore the massing of the development is considered acceptable, when also taking into account its proposed width. Furthermore, the extension would be set back 7 metres (at the shortest point) from the highway. Considering the above, particularly the presence of existing front garages, and the varying layout of properties, it is not considered that the scale and location of the proposal would be out of character with the surrounding area.

It is also not considered that the proposed design, comprising a front-projecting gable would be out of character with the surrounding area considering the presence of gable roof layouts on the dwellings at nos. 2 and 35 Knowles Avenue to the south (among others).

Trees subject to TPO 30 are sited to the rear of the property. Considering that the proposal would be sited to the front of the property and would be separated by the existing built form of the host dwelling, it is not considered that there would be any implications on protected trees.

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

10. IMPACT ON RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas, through ensuring that development would not result in an adverse impact on neighbouring properties through loss of light, loss of privacy or overbearing impacts. This is considered to be consistent with the core design principle set out in paragraph 17 of the NPPF, which states that 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 used as a standard for assessing acceptable levels of light.

With the exception of the overhanging eaves, the proposal would not extend past the front elevation of the neighbouring dwelling of 6 Knowles Avenue to the north. It is

therefore not considered that the proposal would result in an adverse loss of light or overbearing impact on the occupants of no. 6. No north-facing side windows are proposed to be installed on the proposal, and it is recommended that a condition be imposed to restrict the formation of such windows at first floor level, in the interests of preventing an adverse loss of privacy to the occupants of no. 6.

The proposal would be visible from the residential property of 2 Knowles Avenue to the south. Considering the separation distance of 9 metres between the proposal and the northern boundary of no. 2, it is not considered that the proposal would result in an adverse impact on the residential amenity of no. 2 with regards to loss of light or overbearing. It is recommended that a condition be imposed to restrict the formation of windows at first floor level on the south-facing elevation, in the interests of preventing an adverse loss of privacy to the residents of no. 2, and also considering the presence of the proposed en-suite bathroom.

The proposal would be visible from the residential properties sited on the opposite side of the highway of Knowles Avenue to the west. However, considering the separation distance to these properties, it is not considered that the proposal would result in an adverse impact on the residential amenity of these properties.

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

11. TRANSPORT IMPLICATIONS

'Saved' Policy M9 of the BFBLP ensures that development provides satisfactory parking provision. Further guidance on the implementation of this policy 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.

The proposal would not involve a net increase in bedrooms or affect existing parking arrangements. The proposed dressing room would be too insignificant in size to provide practical use as a bedroom.

12. CONCLUSIONS

It is not considered that the development would result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties, subject to the recommended conditions. There would be no highway safety implications. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2 and CS7, BFBLP 'Saved' Policy EN20 and M9, 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 18 February 2015:
ADEP 3644 Sheet 2 'Proposed plans, elevations & location plan'
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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed on either the north- or south-facing side elevations of the two storey front extension hereby permitted.
REASON: In the interests of the residential amenity of the neighbouring properties of 2 and 6 Knowles Avenue, Crowthorne.
[Relevant Policy: BFBLP 'Saved' Policy EN20].

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission subject to conditions, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
1. Commencement
 2. Approved Plans
 3. Materials
 4. Side windows

Doc. Ref: Uniform 7/DC/Agenda

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

Unrestricted Report

ITEM NO: 8

Application No.
15/00150/FUL
Site Address:

Ward:
Central Sandhurst

Date Registered:
17 February 2015

Target Decision Date:
14 April 2015

14 Green Lane Sandhurst Berkshire GU47 9AG

Proposal: **Erection of detached two-storey dwelling with parking and amenity space following demolition of existing garage**

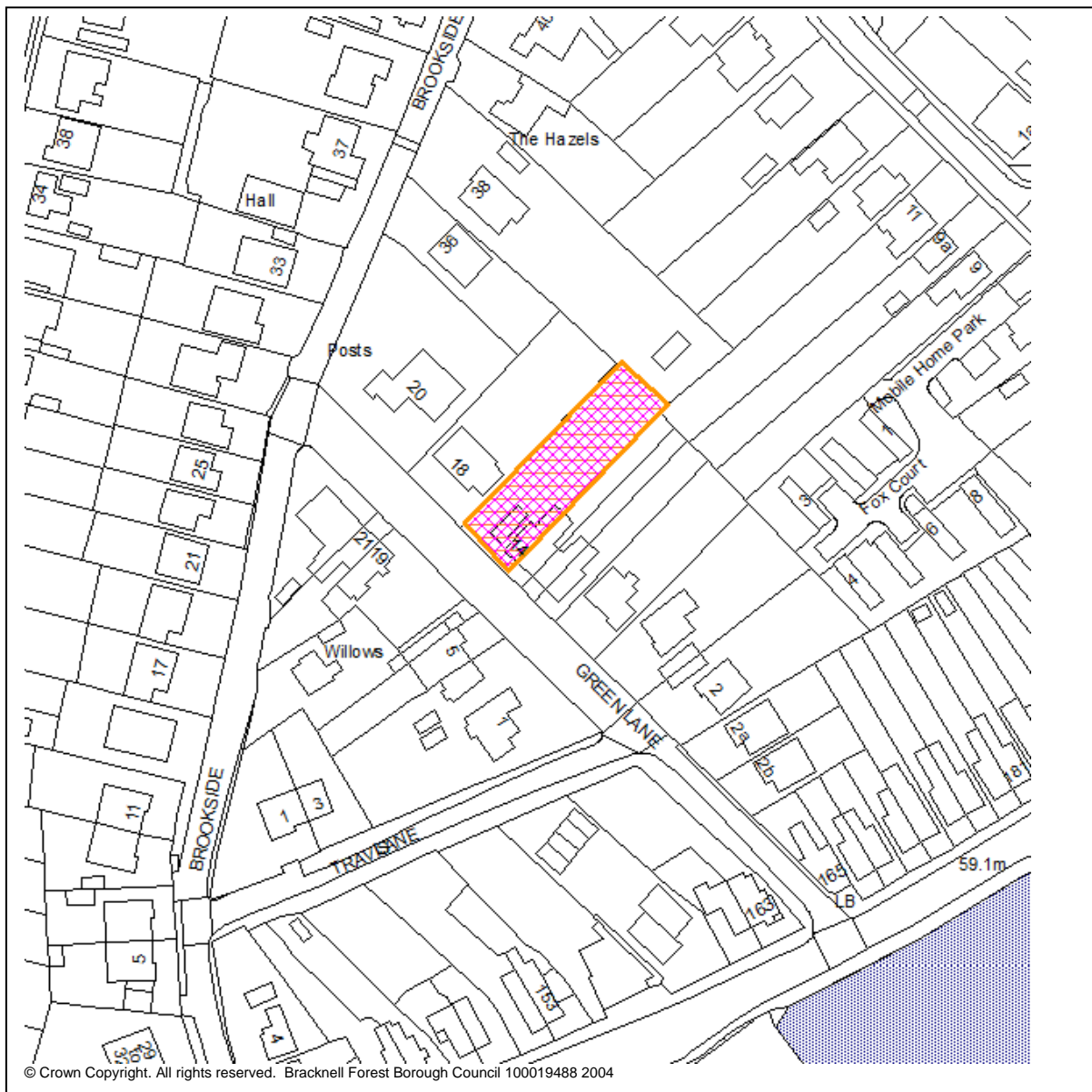
Applicant: Churchgate Premier Homes

Agent: Mr Jake Collinge

Case Officer: Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO PLANNING COMMITTEE

This application has been reported to the Planning Committee as more than 3 objections have been received.

2. SITE DESCRIPTION

14 Green Lane is a two storey end of terrace dwelling located on an unmade highway. There is an existing detached single garage sited to the north of the dwelling which would be demolished as part of the proposal for the new dwelling.

14 Green Lane is one of a row of 4 terraced properties which are two storeys high.

18 Green Lane is a detached chalet bungalow with existing garage set 1m from the boundary with the application site.

The surrounding area is residential characterised by a mix of styles of properties including some relatively modern detached dwellings.

3. RELEVANT SITE HISTORY

19258 approved in 1973 for erection of a garage.

614051 approved in 1988 for demolition of existing garage and erection of a three bedroom house with integral garage attached to existing terrace.

14/01135/FUL withdrawn February 2015 for erection of detached 3 bedroomed dwelling with associated parking and amenity space following the demolition of existing garage and provision of replacement parking for No. 14.

4. THE PROPOSAL

Full permission is sought for the erection of a new, detached two-storey dwelling with parking and amenity space following demolition of existing garage.

The proposed dwelling would be 7.9m wide and 12.2m deep at the widest and deepest parts. The dwelling would have an eaves height of 5.1m and a ridge height of 8m. It would be set 1m from the flank wall of the adjoining property at no. 14 Green Lane and approximately 0.5m from the boundary with no. 18 Green Lane. The front elevation of the dwelling would be set 6m from the front boundary of the site. The dwelling would result in the demolition of the existing detached flat roofed garage serving 14 Green Lane.

A canopy is proposed on the front elevation of the dwelling at ground floor level over the front door. The dwelling would be constructed from a suitable brick with tiled roof to match the adjoining terraces at nos. 8 to 14 Green Lane. It would include soldier course brick detailing over the proposed windows and garage door.

The proposed dwelling would comprise the following layout:

GROUND FLOOR: hallway, kitchen, integral garage, cloakroom, lounge/dining room;

FIRST FLOOR: 3no. bedrooms, bathroom, airing cupboard.

The proposed dwelling would benefit from 2no. parking spaces - 1no. space in the proposed integral garage and 1no. space to the front of the garage. A parking space for the existing dwelling at 14 Green Lane would be provided to the front of the proposed dwelling to compensate for the loss of the garage.

A rear garden 12.4m deep and 8.8m wide would be provided for the proposed dwelling following the subdivision of the plot to 14 Green Lane to provide garden space for both the existing and proposed new dwelling.

The current application differs from the scheme proposed under withdrawn application 14/01135/FUL in that:

- the eaves height and ridge height of the roof have been reduced;
- there has been a reduction in the amount of floor space at first floor level;
- the front facing gable has been omitted; and
- an attempt has been made to address issues around parking and land ownership.

5. REPRESENTATIONS RECEIVED

3no. letters of objection which can be summarised as follows:

- Inaccuracies in application: reference is made to no. 16 Green Lane which does not exist, it is no. 18 which is the neighbouring property; no reference made to demolition of garage at no. 14 Green Lane; plans do not show location or size of existing dwelling at no. 18 and the extension approved at this dwelling;
- Overdevelopment;
- Businesses run from 14 Green Lane (vehicle recovery business and car sales);
- Parking;
- Access including damage to the lane
- Impact to residential amenities of neighbouring properties
- Installation of solar panels will be unsightly
- There is a mobile home in rear garden of no. 14 Green Lane

1no. letter of support received from 14 Green Lane which can be summarised as follows:

- Revised application attempts to address issues raised under previous application which was withdrawn;
- Mobile home in garden of no. 14 Green Lane will be removed;
- No business run from property;
- Issue of condition of Green Lane is ongoing;
- No impact to parking

6. SUMMARY OF CONSULTATION RESPONSES

Sandhurst Town Council

Recommend refusal for the following reasons:

- i) the application will result in a cramped development
- ii) there is inadequate parking provision for a three bedroom property

Highways Officer:

No objection subject to conditions.

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. 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 should be taken to considering development proposals which reflect the presumption in favour of sustainable development as set out in the NPPF 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 location has good access to facilities and services and lies 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 contribute towards the Borough's overall housing requirement.

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.

The NPPF at para. 7 refers to sustainable development and states there are 3 dimensions to sustainable development; economic, social and environmental. The economic role refers to sufficient land of the right type being available in the right places; the social role refers to providing housing supply which meets the needs of the present and future generations and creating a high quality built environment and the environmental role refers to protecting and enhancing the natural, built and historic environment.

The NPPF at paras 17 and 111 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 within the defined settlement, such as this. Furthermore, the proposal will add to the supply and type 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 acceptable in principle. This is subject to it causing no adverse impacts upon residential amenities of neighbouring properties, the 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 to this proposal. 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.

The site lies within the Central Sandhurst 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. The SPD identifies the area as having inconsistent architecture; redevelopment of individual plots is acceptable subject to no detrimental impact upon the character of the area.

FLOOR AREA, HEIGHT AND SITING

Green Lane is characterised by a mix of sizes of dwellings. The proposed new 3 bedroom dwelling would not be dissimilar in size to properties in the surrounding area.

The proposed eaves and ridge heights of the dwelling would be acceptable, as both are of a similar height to those of the row of terraces at nos. 8 to 14 Green Lane which the new dwelling would be sited close to. The adjoining property at no. 18 Green Lane is a chalet bungalow which has planning permission to be extended and the proposed new dwelling would be approximately 2m higher than this dwelling. Whilst the proposed new dwelling would exceed the height of no. 18; it would be similar in height to nos. 8 to 14 Green Lane and would therefore assimilate into the street scene.

There is no established building line along Green Lane. The proposed new dwelling would be set back approximately 2m from the front elevation of the adjoining terraces at nos. 8 to 14 Green Lane (excluding the porches - approximately 3m if including the porch of no. 14 Green Lane) but set forward of the adjoining property at no. 18 Green Lane by approximately 1m. As such the siting of the proposed new dwelling, given it would be sited between the front building lines of adjoining properties, would be acceptable.

The proposed new dwelling would be sited 1m from the flank wall of the adjoining property at no. 14 Green Lane. This would be an acceptable physical and visual separation between the existing dwelling and proposed new dwelling.

The proposed new dwelling would be sited 0.5m from the boundary with no. 18 Green Lane at the closest point at ground floor level and 1m from the boundary at first floor

level. There is an existing flat roofed garage at no. 18 which is set approximately 1m from the boundary with the application site. The proposed new dwelling would be sited 1.5m from the flank wall of the garage of no. 18 at ground floor level and there would be a 2m separation distance at first floor level. This would be an acceptable physical and visual separation between the proposed new dwelling and the adjoining property at no. 18 Green Lane.

A side and rear extension has been approved at no. 18 Green Lane which has yet to be implemented - LPA ref: 14/00984/FUL. This extension would be set 0.765m from the boundary of the application site following the demolition of the garage of no. 18. In the event of this extant planning permission being implemented and the new dwelling being erected, there would be a 1.2m separation distance at ground floor level and 1.76m separation distance at first floor level between the proposed new dwelling and the flank wall of the approved side extension at no. 18 Green Lane. This would be an acceptable physical and visual separation between the proposed new dwelling and the adjoining property.

Whilst the new 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.

DESIGN AND MATERIALS

There is no established house type within Green Lane which includes terraced and detached two storey dwellings and chalet bungalows. However the proposed two storey dwelling would be similar in design to that of the row of terraces at nos. 8 to 14 Green Lane which it be sited close to. As such, the design of the proposed dwelling would be acceptable and would assimilate well with the adjoining terraced properties at nos. 8 to 14 Green Lane.

Given the non-uniform style of houses within the area and that the design of the new dwelling would be similar to that of the row of terraces at nos. 8 to 14 Green Lane; the proposal would not detract from the Central Sandhurst Character Area.

The materials for the proposed dwelling have not been specified; however the planning statement refers to the materials matching the neighbouring terraces. A planning condition is recommended requiring details of materials to be submitted to the LPA for approval.

RESIDENTIAL CURTILAGE

The existing garden of no. 14 Green Lane 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 and the new dwelling would be comparable to other plots within the wider area of Green Lane and Brookside. The rear garden for the proposed dwelling would be approximately 8m wide and 12.4m deep.

The rear garden for the existing dwelling would be between 5m and 14m wide (at the narrowest and widest parts) and 30m deep at the deepest part.

As such, the proposal would not constitute a cramped form of development, providing a sufficient amenity space for both the existing and proposed dwellings.

To the front of the site, 2no. parking spaces would be provided - 1no. space for the proposed new dwelling and 1no. space for the existing dwelling at no. 14 Green Lane. Whilst the majority of the frontage of the site would be laid to hard surfacing to provide

parking and pedestrian access; there would be some scope for soft landscaping and a planning condition is recommended to ensure the proposal is acceptable in the street scene.

As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with 'Saved' 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 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. 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 new dwelling would be located 1m from the flank wall of no. 14 Green Lane. The front elevation of the new dwelling would be set back from the front elevation of no. 14 and therefore the new dwelling would not appear unduly overbearing to the front elevation of no. 14.

The proposed new dwelling would have a staggered rear elevation at two storey level. 2m of the proposed new dwelling closest to the boundary with no. 14 would project beyond the first floor of no. 14, set 1m from the flank wall of no. 14. This projection would not appear unduly overbearing or result in loss of daylight to the first floor of no. 14. The remainder of the two storey element of the new dwelling would be set in 3m from the flank wall of no. 14 and would project an additional 2m beyond the first floor of no. 14. This would not appear unduly overbearing or result in loss of daylight to the first floor of no. 14.

The single storey element of the proposed dwelling forming a lounge/dining room would be set 2m from the proposed boundary with no. 14 Green Lane and would project 3.7m beyond the rear elevation of no. 14 at ground floor level, set 3m from the flank wall of no. 14. The proposed dwelling would therefore not appear unduly overbearing or result in loss of daylight to rear facing ground floor windows serving habitable rooms at no. 14.

1no. window is proposed in the flank wall of the proposed new dwelling facing no. 14 Green Lane at ground floor level serving a WC. A footpath is proposed between the existing dwelling and the new dwelling to provide access to the rear gardens of both dwellings. It is recommended that the WC window is conditioned to be obscure glazed and fixed shut with the exception of a top opening fanlight in the interests of the privacy of the proposed new dwelling.

An existing side facing window at first floor level serving a bedroom at no. 14 Green Lane would be relocated from the flank wall to the rear elevation of the dwelling under permitted development to improve the outlook from this habitable room. A planning condition is recommended to ensure this is undertaken prior to the commencement of development in relation to the new dwelling.

The proposed new dwelling would be located approximately 1.5m from the flank wall of the garage of no. 18 Green Lane. The new dwelling would project approximately 2m beyond the front elevation of no. 18 closest to the application site - this being the garage. The proposed new dwelling would not appear unduly overbearing to the front elevation of the dwelling in view of the projection and separation distance and further would not result in loss of daylight to any front facing windows at no. 18. To the rear, the proposed new dwelling would project approximately 3.8m beyond the garage of no. 18, with only 1m of this projection being at two storey height, the remainder being the proposed lounge/dining room at ground floor level and single storey height. The proposed new dwelling would not appear unduly overbearing to the rear elevation of the dwelling in view of the projection and separation distance and further would not result in loss of daylight to any rear facing windows at no. 18. Further, the proposed new dwelling is not considered to be unduly overshadow the rear garden of no. 18.

There is an existing window in the flank wall of no. 18 facing the application site which serves a garage. This is not a habitable room and therefore any loss of daylight to this window would not be harmful to the residential amenities of no. 18.

1no. window is proposed in the flank wall of the proposed new dwelling facing no. 18 Green Lane at first floor level serving a bathroom. It is recommended that the bathroom window is conditioned to be obscure glazed and fixed shut with the exception of a top opening fanlight in the interests of the privacy of the adjoining property.

In the event of the extant planning permission at no. 18 Green Lane being implemented, the visual impact of the proposed new dwelling would be further reduced. From assessing the approved plans relating to permission 14/00984/FUL, 1no. door is proposed in the flank wall of the side extension facing the new dwelling, however this would serve a utility room and would not be a habitable room. As such, there would be no loss of daylight to any approved doors/windows serving habitable rooms in the event of 14/00984/FUL being implemented.

The proposed new dwelling would be located approximately 20m from the front elevations of properties to the south-west and west of the site at nos. 5 and 19 Green Lane. Whilst the proposed new dwelling would appear visible to these properties, in view of the 20m separation distances, it would not appear unduly prominent to these properties and further, would not result in undue overlooking to the front gardens and front elevations of these properties.

The residential amenities of the future occupiers of the proposed new dwelling would be acceptable, with no adverse issues of overlooking to the dwelling or its proposed amenity space to the rear from adjoining properties at nos. 14 and 18 Green Lane.

The adjoining properties would not appear unduly overbearing to the detriment of the proposed new dwelling.

No. 14 would project 2m at two storey level beyond the front elevation of the new dwelling; with the inclusion of the single storey porch, no. 14 would project 3.4m beyond the front elevation of the new dwelling. The projection of no. 14 beyond the front elevation of the proposed new dwelling would not appear unduly overbearing to the detriment of the future occupiers of the new dwelling and would not result in loss of daylight to proposed front facing windows of the proposed new dwelling. The rear most part of the proposed new dwelling at both ground floor and first floor level would project beyond the rear elevation of no. 14 and therefore no overbearing impact would result to the new dwelling to the rear from no. 14. Further, there would be no loss of daylight to any proposed rear facing windows of the new dwelling.

The proposed new dwelling would project beyond the front and rear elevations of no. 18 Green Lane (including if extant permission 14/00984/FUL is implemented) and therefore no overbearing impact would result to the new dwelling from no. 18. Further there would be no loss of daylight to any proposed windows.

Sufficient amenity space is proposed to serve the new dwelling.

As such, the proposal is not considered to affect the residential amenities of neighbouring properties and future occupiers of the new dwelling would be provided with an acceptable level of residential amenity. Therefore the proposal 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.

The application site is located on a private road. There are no footways and on-street parking appears to be un-restricted, though it is noted within local comments that there are restrictions on parking in-front of other properties.

The submitted information indicates that the existing 2-bed property (no. 14) currently has 2 parking spaces and that one parking space would be provided for this existing dwelling as part of this proposed development. This represents a shortfall of one space and a vehicle would park on-street. The parking of vehicles outside other properties is a legal matter and from a highways perspective, a vehicle could park outside of the existing property (no. 14) without detrimental impact to access and safety on this private road.

Whilst the red-line area includes an area of hard-standing to the side of the existing property which could provide at least 2 parking spaces, this area is gated and a vehicle is currently being parked in-front of the gate. Also, it is noted that the existing garage does not appear from the planning history to have an associated planning condition requiring it to be retained for vehicle parking and a vehicle parked in-front of the garage is likely to over-hang the private road.

The new off-street parking space for the existing dwelling (no. 14) complies with the latest standards for practical and useable vehicular parking. Also, the existing dwelling is included within the red-line area and therefore the proposed parking provision for the existing property (no. 14) can be secured by planning condition. The parking space would be in-front of a separate dwelling and this could be considered to reduce the amenity for residents of the new dwelling.

2 no. parking spaces are to be provided for this new 3-bed dwelling, which complies with the parking standards. The proposed garage and driveway parking space have the required dimensions to be practical and useable to accord with the latest standards.

Off-street parking provision should be secured by planning condition in the interests of highway safety.

Pedestrian access to the main front door of the new dwelling is acceptable and access through to the rear of the property is to be provided. The latter is shared with the existing property (no. 14) and as the existing property is included within the red-line area rear access for bins, cycle storage and existing out-buildings would be maintained.

A Construction Traffic Management Plan is required for residential amenity and safety on Green Lane, in particular, but also the surrounding public highway. This could be secured by planning condition.

Planning conditions are recommended in relation to provision of parking spaces, retention of the garage proposed in the new dwelling, cycle parking and site organisation. Subject to the imposition of the above conditions, the proposal would 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. BIODIVERSITY IMPLICATIONS

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 involves the demolition of a garage. Structures such as this generally have a low likelihood of support roosting bats. Nevertheless, the applicant is reminded that many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010, which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended). If bats are discovered, all works should stop immediately and Natural England should be contacted for advice on any special precautions before continuing.

Works should also not take place that will disturb nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000.

Planning conditions are recommended in relation to no site clearance during the main bird nesting season; biodiversity enhancements (including bird and bat boxes) and soft landscaping in the interests of nature conservation and the visual amenities of the surrounding area. Subject to the imposition of the above conditions, the proposal would be in accordance with Policies CS1 and CS7 of the CSDPD and the NPPF.

13. SPA IMPLICATIONS

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 0.65 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 application is for a 1 X three bedroom dwelling. The SANG costs are £2171.

The open space works at Horseshoe Lake SANG 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 require an additional financial contribution which is £711.

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £2882 (2171 + 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 SANGs works are in place before occupation thereby giving the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2.

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.

A Section 106 agreement has been requested to secure mitigation towards the SPA and that the proposal is in line with the specified development plan policies.

14. COMMUNITY INFRASTRUCTURE LEVY (CIL)

Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.

CIL applies to any new build (except outline applications and some reserved matters applications) including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

The proposal would be CIL liable as no exemption or relief has been applied for.

CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development. The charging schedule states how much CIL will be charged (in pounds per square metre of net additional floorspace) based on the development type and location within the borough. The five zones are based around Central Bracknell, Outer Bracknell, Sandhurst/Crowthorne, Northern Parishes, and Warfield Strategic Development.

The application site lies within the zone of Sandhurst/Crowthorne. In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued for the development.

Mitigation towards the Thames Basin Heath SPA will continue to be secured through a Section 106 agreement as outlined above.

15. SUSTAINABILITY IMPLICATIONS

Policy CS10 of the CSDPD requires the submission of a Sustainability Statement . No Sustainability Statement has been submitted. A planning condition is recommended in relation to the submission of a Sustainability Statement to satisfy the requirements of Policy CS10 of the CSDPD.

Policy CS12 requires the submission of an Energy Demand Assessment. No Energy Demand Assessment has been submitted. A planning condition is recommended in relation to the submission of an Energy Demand Assessment to satisfy the requirements of Policy CS12 of the CSDPD.

16. CONCLUSION

The proposed new 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 and would not adversely impact upon the character and appearance of the surrounding area. No highway safety implications and ecological implications will arise subject to the imposition of conditions. Relevant conditions will be imposed in relation to sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable. The proposal is therefore considered to be in accordance with 'Saved' Policies EN20 and M9 of the BFBLP, CS1, CS6, 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 and securing CIL contributions/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 Special Protection Area

That the Head of Planning 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 17 February 2015:
drawing no. 2140/PL/200
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 side elevations of the dwelling hereby permitted except for any which may be shown on the approved drawing.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
05. The ground floor and first floor windows in the side elevations 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. 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]

07. 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. The areas shown for landscaping shall thereafter be retained.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

08. 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]

09. The new dwelling shall not be occupied until the associated vehicle parking spaces for the proposed new dwelling and the existing dwelling at 14 Green Lane has been surfaced in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

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

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

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

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

[Relevant Policy: BFBLP M9]

11. 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) Temporary portacabins and welfare for site operatives

(e) wheel washing facilities

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 Policy: CSDPD CS23, BFBLP M9]

12. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The building 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, CSDPD CS23]
13. 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]
14. 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]
15. The development shall not be begun until a Sustainability Statement, in accordance with the requirements set out in the Sustainable Resource Supplementary Planning Document (October 2008), has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]
16. 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]
17. No development shall take place until the side facing window at first floor level serving a bedroom at 14 Green Lane has been relocated to the rear elevation of 14 Green Lane at first floor level as shown on drawing no. 2140/PL/200 received by the Local Planning Authority on 17 February 2015.

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
 4. Restrictions on windows
 5. Obscure glass
 10. Garage retention
 13. Site clearance

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

3. Materials
6. Floor level
7. Landscaping
8. Means of enclosure
11. Site management
12. Cycle parking
14. Bat and bird boxes
15. Sustainability Statement
16. Energy Demand Statement
17. Relocation of window at 14 Green Lane

The following conditions require discharge prior to the occupation of the dwellings hereby approved:

9. Parking

03. The applicant is reminded that all bat species are protected under section 41 of the Conservation of Habitats and Species Regulations 2010, the 1981 Wildlife and Countryside Act (as amended) and the 2000 Countryside and Rights of Way Act. It is illegal to obstruct, disturb, damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. Planning consent for a development does not provide a defence against prosecution under this legislation. If you are aware that bats roost in the trees or buildings for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300 228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England (0845 600 3078) for advice before continuing.

In the event of the S106 planning obligation(s) not being completed by 12 June 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

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Unrestricted Report

ITEM NO: 9

Application No.
15/00205/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
6 March 2015

Target Decision Date:
1 May 2015

**5 Farley Moor Golden Orb Wood Binfield Bracknell
Berkshire RG42 4BW**

Proposal:

Erection of a single storey front/side extension to form porch and internal alterations to form new en-suite on 2nd floor and conversion of existing basement into kitchen/gym.

Applicant:

Mr & Mrs G Glover

Agent:

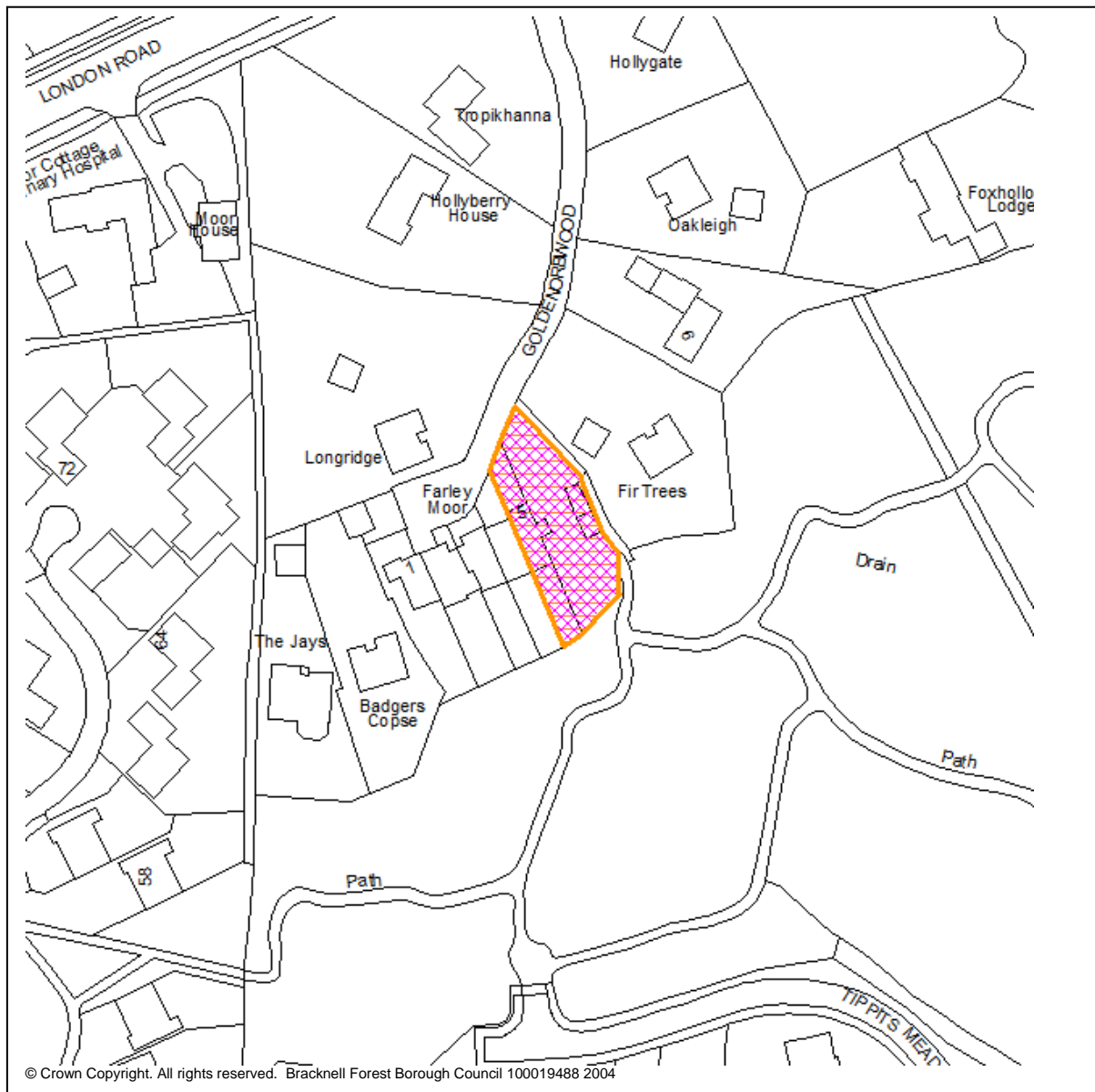
Mr Lee Norris

Case Officer:

Sarah Fryer, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

This application has been reported before the Planning Committee as the application has been submitted by an employee of the planning section.

2 SITE DESCRIPTION

This application relates to an end terrace dwelling located off Golden Orb Wood a private road, within the Parish of Binfield. North, east and west of the site are residential properties, set within a leafy area with open space to the south. The property is a traditional three storey dwelling, with an existing basement. The property is constructed on a slope, with the land falling away to the rear of the property.

3. RELEVANT SITE HISTORY

Application 1074 Application for conversion of 'Farley Moor' into smaller residential units. (Outline). Approved 15.11.1950 Application 1163 Application for conversion of 'Farley Moor' and cottage into small residential units. Approved 14.03.1951

Application 05/01048/FUL Erection of a side extension forming conservatory
Approved 15.12.2005

4. THE PROPOSAL

Planning permission is sought for the erection of a porch to the front door of the property which is located on the side elevation at the junction of the side projecting two storey gable element and projecting front gable. The porch would project between 3m and 1.5m at an angle of 45 degrees between the side projecting gable and principal front element. The proposal would have a pitched roof which would project forward of the door creating a covered area in front of the door and over two steps. The proposal would enable access to the utility/ store through the original dwelling house.

Other internal alterations are shown on the plans including relocation of the kitchen from the ground floor to the basement, additional bathroom at second floor level and other internal alterations all of which do not require planning permission.

5. REPRESENTATIONS RECEIVED

Binfield Parish Council:

No objection.

6. SUMMARY OF CONSULTATION RESPONSES

None received

7. DEVELOPMENT PLAN

The development plan documents and policies relevant to this application are:

Site Allocations Local Plan (SALP)
Policy CP1 - Presumption in favour of sustainable development.

Core Strategy Development Plan Document (CSDPD)
Policy CS1: Sustainable Development Principles.
Policy CS2: Locational Principles
Policy CS6: Limiting the Impact of Development
Policy CS7: Design

Bracknell Forest Borough Local Plan (BFBLP)
'Saved' Policy EN20: Design considerations in new development

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

Policies CS7 of the Core Strategy and 'saved' Policy EN20 seeks new development to be of a high standard of design that compliment the scale, massing and design of surrounding developments. Section 7 of the NPPF attaches great importance to the design of the built environment, and Policies CS7 and EN20 criterion i, are considered to be consistent with this and therefore can be given significant weight.

The proposal seeks consent for a small extension to an existing property. The proposed steeply pitch of the roof is in keeping with the traditional design of the main property although the projecting angle of the porch is out of keeping with the traditional relationship of the other elements which are sited at 90 degrees to each other. The design of the porch would mirror the garage design, whilst maintaining light and access to the existing basement window and ground floor windows. The dwelling is set back from the private access road and away from the public highway. The proposal would be seen against the mass of the existing dwelling house and due to its size and form, is considered to be a subservient extension to the dwelling. It is not considered that the proposal would be so detrimental to the character of the area and dwelling as to sustain a reason for refusal. The proposal is considered to be in accordance with Policies CS7 of CSDPC and 'Saved' Policy EN20 of BFBLP .

10. RESIDENTIAL AMENITY

Saved Policy EN20 of the Bracknell Forest Local Plan, criterion vii states that development should not adversely affect the amenity of surrounding properties and adjoining areas. This is in accordance with one of the Core Planning Principles contained within the NPPF and is therefore considered up to date and can be afforded weight.

The proposed porch would face towards Fir Trees, a detached dwelling house located 22m to the east. Given this distance and the single storey nature of the proposal it is not considered that the proposal would detrimentally affect the amenities of occupiers of this property. Accordingly the proposal is considered to comply with 'Saved' Policy EN20 of BFBLP, criterion vii.

11. CONCLUSION

The proposed small porch extension is not considered to detrimentally affect the character or appearance of the area or the amenities currently enjoyed by neighbouring residents. The proposal would not affect existing off street parking arrangements. The proposal is therefore considered to be in accordance with Policies CS7 of CSDPD and 'Saved' Policy EN20 of BFBLP.

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 shall be carried out in accordance with the following plans and details received by the Local Planning Authority on 06.03.15:
001 (Existing floor plans), 002 (Existing elevations), 003 (Proposed floor plans), 004 (Proposed elevations), 005 (Location and block plan)
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be similar in appearance to those of the existing building.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

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 imposed conditions however they are required to be complied with:

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 10

Application No.
15/00263/RTD
Site Address:

Ward:
Ascot

Date Registered:
19 March 2015

Target Decision Date:
13 May 2015

Telecommunications Mast Fernbank Road Ascot Berkshire

Proposal:

Swapout of existing 13.8m Telegraph Pole and replacement with a new 13.8m Jupiter Pole with shrouded antennas and additional cabinet at ground level.

Applicant:

Vodafone and CTIL

Agent:

Mr Chris Jefferies

Case Officer:

Sarah Fryer, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

This application has been reported before the Planning Committee as 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 therefore as proposed the mast complies with the above criteria.

However, as the proposal is adjacent to a classified road, in a prominent location, and it is proposed to change the design of the mast 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 Fernbank Road, opposite the junction with Darwall Drive within a residential area. The mast is sited on the highway verge, which slopes up away from the road and in front of a low wall with a hedge behind. The site is outside St Christopher Gardens a three storey sheltered housing complex, which is set back from the highway behind an enclosed grassed amenity area. The area has a variety of existing street furniture including lamp posts, telegraph poles and an electric substation.

4. RELEVANT SITE HISTORY

Application 10/00256/RTD Installation of a 14.85m telecommunications mast with associated equipment cabinet. Refused 21.06.10

Application 14/00068/RTD Replacement of existing 13.8m high monopole and internally shrouded antennas with new 13.8m high monopole, 1 no. additional cabinet with ancillary development. Approved 03.03.14

Application 14/00080/RTD Replacement of existing 12M column with a 15m dual user replica telegraph pole with associated equipment cabinet and ancillary development (including meter cabinet). Approved 28.02.14

5. THE PROPOSAL

This application seeks prior approval to replace the existing 13.8m telegraph style mast with a 13.8m Jupiter pole, and an additional equipment cabinet measuring 1.3m by 0.7m and 1.6m in height to be located to the south of the mast. The application form indicates that the mast would be painted brown whilst the equipment cabinet would be green. The only change is therefore the appearance of the mast from a telegraph style to a Jupiter pole.

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 also to 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 antennae 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 520m from LVS School and 650m from Ascot Heath C of E School. The mast is located directly in front of St Christophers Gardens, a sheltered housing complex.

6. REPRESENTATIONS RECEIVED

One objection has been received raising concerns that a new mast may interfere with and block television signals.

7. SUMMARY OF CONSULTATION RESPONSES

None received

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 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 seeks consent to change the external appearance of the mast resulting in the antennae being confined to the top 2.1m which would increase in width from 30cm to 50cm. The proposal would be sited in the same location as the existing mast and would be painted a brown colour, the same colour as the existing mast. It is not considered that the additional 20cm to the width of the antennas and change in appearance would be so detrimental on the visual appearance as to sustain a reason for refusal.

The additional cabinet would be located to the south of the mast within the street verge and painted green, the same colour of the existing cabinets. This element while adding an additional structure in the area, would be sited in an area where there are existing street cabinets and the siting back from the footpath and against an existing wall and established hedge results in a non-intrusive structure not considered harmful to the character and appearance of the area.

The proposed design of the mast and equipment cabinet is considered to comply with BFBLP 'saved' Policy EN20, and CSDPD Policy CS7 and therefore is considered to be acceptable.

11. RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 (criterion vii) 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.

As the location of the mast would remain the same and with no increase in height proposed, it is not considered that the proposal would detrimentally affect the amenities of neighbouring residents.

The proposed equipment cabinet would be sited within the verge against the existing wall adjacent to existing cabinets, and therefore it is not considered that this would detrimentally affect the amenities of nearby residents.

One objection has been received raising concerns that the proposal would block television signals to the neighbouring retirement home. This is not a material consideration in the determination of this 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, criterion vii, of the BFBLP and the NPPF.

12. HIGHWAY SAFETY

CSDPD Policy CS23 states that the LPA will seek to increase highway safety. This policy is considered consistent with the NPPF.

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.

13. 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.

14. 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.

15. CONCLUSION

It is considered that the proposed new mast of a different design but in the same location and of the same height as 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. The development shall be carried out in accordance with the following plans and details received by the Local Planning Authority on 18.03.15:
Drawing number 100 issue V1; 300 issue V1; 301 issue V1; 200 issue V1; 201 issue V1.

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.
02. The applicant is recommended to use anti-graffiti paint on the equipment cabinets.

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

**TO: PLANNING COMMITTEE
23 APRIL 2015**

**BINFIELD HOUSE NURSERY – APPLICATION 13/00966/FUL
Director of Environment, Culture and Communities**

1 INTRODUCTION

- 1.1 The purpose of this report is to appraise the Committee of an urgent action decision taken by the Director of Environment, Culture and Communities relating to the application for planning permission for development at Binfield House, Nursery.

2 SUPPORTING INFORMATION

- 2.1 The application for planning permission for the development of Binfield House Nursery was last considered by the Committee at its meeting on 26 February 2015. The Committee resolved to approve the application subject to a number of conditions, including a condition in the following terms:-

“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”.

- 2.2 Although the large majority of part of the application site is currently owned by the Council a relatively small part is owned by third parties. Following the Committee meeting a draft Section 106 Agreement was prepared. The applicant’s solicitors requested that the land in third party ownership be excluded from the Section 106 Agreement. After consideration by the Borough Solicitor it was determined that the exclusion of the land in third party ownership would not undermine the effect of the proposed planning obligations in the draft Section 106 Agreement.

- 2.3 Acting upon the advice of the Borough Solicitor and with the concurrence of the Chairman of the Committee a decision was made under the Council’s urgent decisions procedure (Section 6.4, Part 2 of the Council’s Constitution) to amend proposed Condition 41 such that the Section 106 Agreement will apply to land shown on a plan annexed to the Section 106 Agreement (which excludes the third party land). The decision was required to be taken before 6 April as otherwise the development would have been subject to the CIL Charging Schedule.

3 EQUALITIES IMPACT ASSESSMENT

- 3.1 Not required.

4 STRATEGIC RISK MANAGEMENT ISSUES

- 4.1 None.

Background Papers

File of Borough Solicitor (exempt).

Contact for Further Information

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Doc. Ref

Aj/f/reports/Planning Committee – Binfield Nursery – 23.4.15

TO: **PLANNING COMMITTEE**
23 April 2015

**CONFIRMATION OF TREE PRESERVATION ORDER (TPO) 1176
LAND AT 53, 57, 59, 61 & 65 OXFORD ROAD, SANDHURST - 2014
(Director of Environment, Culture & Communities)**

1. PURPOSE OF DECISION

- 1.1 Under section 198 of the Town and Country Planning Act 1990, the Council has made a Tree Preservation Order (TPO) to retain and protect trees that are assessed to be of amenity value and were judged to be at expedient risk of removal or other adverse affect. Objections have been raised and they are the subject of this Committee report.

2. RECOMMENDATION

- 2.1. That the Committee approves the Confirmation of this Tree Preservation Order

3. ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

3.1. Borough Solicitor

3.1.1. Guidance on Tree Preservation Orders and their making and confirmation has been provided in a Communities and Local Government (CLG) booklet titled "Tree Preservation Orders: A Guide to the Law and Practice". That guidance indicates that in the Secretary of State's view TPO's should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and it's enjoyment by the public. Local Planning Authorities should be able to show that a reasonable degree of public benefit would accrue before TPO's are made or confirmed.

3.1.2. The guidance advises that three factors in particular are of relevance, namely:-

- Visibility - the extent to which the tree can be seen by the public
- Individual impact - The Local Planning Authority should assess a tree's particular importance by reference to it's size and form, it's future potential as an amenity taking into account any special factors
- Wider impact - the significance of the tree in it's local surrounding should be assessed

3.2. Borough Treasurer

3.2.1. The Borough Treasurer has noted the report. There are no significant financial implications arising from the recommendation in this report.

3.3. Equalities Impact Assessment

3.3.1. Not applicable

3.4. Strategic Risk Management Issues

3.4.1. Not applicable

3.5. Other Officers

3.5.1. Head of Planning Development Management has noted the report.

4. **BACKGROUND**

4.1. Existing trees, that is individuals, groups, areas and woodlands were viewed and assessed for their amenity impact using a system to evaluate the suitability of trees for a TPO. This system is based on factors that assess: -

- Their health & condition
- Their remaining longevity
- Their relative public visibility
- Specialist considerations such as 'veteran' status, historical interest etc.
- The known (or perceived) 'threat' to their health & condition or existence
- The impact of the trees on the landscape
- Special factors such as proximity and orientation to the nearest habitable structure.

4.2. These factors follow criteria based on government guidance and 'best-practice' and the assessment system follows policy developed by the Tree Policy Review Group (2007). The assessment gives a value that informs the Tree Service in considering whether or not to make a TPO.

4.3. Once the new TPO is served, affected residents have 28 days in which to make representation to the Council. Some representations are letters of support whilst others request clarification, but more commonly they are objections to the making of the Order. Objections can be made on any grounds; if objections are duly made, the Local Planning Authority cannot confirm the TPO unless those objections have first been considered.

4.4. The TPO consists of five individual Oaks within the front gardens of 53, 57, 59, 61 and 65 Oxford Road. The original TPO (1156) was made subsequent to a request to remove the trees within 57 & 59 Oxford Road. That TPO lapsed before it could be considered by Committee and so TPO 1176 was served.

5. **RESIDENTS' OBJECTIONS**

5.1. No letters of support were received. Two objections were received from 57 and 59 Oxford Road. One objector is elderly, disabled and lives alone.

5.2. The issues raised in objecting to this TPO relate to: -

- Concerns about safety and the risk to persons and property by falling branches (particularly in adverse weather)
- Shading and the subsequent loss of sunlight & ambient light to the rooms within the houses.
- The maintenance implications caused by falling leaves, blocked gutters etc.
- Concerns about the potential for the tree to cause subsidence damage to house foundations.

6. **TREE SERVICE PROCEDURE**

6.1. The Tree Service provides the following responses to the principal objections: -

- The amenity assessment that the trees have undergone has been developed and based on Central Government Guidelines, industry ‘best practice’ and Council policy.
- The protected trees were subject to the Council’s amenity assessment and not a full & detailed tree-survey; however the assessment takes into account any evidence that they might be dangerous, hazardous or unsafe before the Council serves a TPO and no such evidence was found. Nonetheless, the Council recommends that if the objector/tree-owner considers a tree to be in any way dangerous, hazardous or unsafe, that they seek independent professional advice.
- The matter of shade cast by trees is not a material consideration in either making or confirming a TPO. An application to carry-out appropriate pruning maintenance would not be unreasonably refused by the Council and may lead to shade being alleviated.
- Falling debris from the tree (such as leaves, seed & fruit, twigs and small branches etc) is the natural consequence of tree growth. Whilst sympathising with the difficulty encountered in maintaining a property; the sort of debris described is not recognised in English Law as a ‘legal nuisance, and the judiciary regard falling leaves; fruit etc. as ‘incidental to nature’.
- In respect of potential damage to property by tree-roots, no evidence was presented in respect of damage to any adjoining properties and there is no prescriptive model that can be applied to demonstrate that any particular tree will actually cause damage. Any claim for damages as a result of tree-roots or subsidence is a matter of fact and investigation by the affected party. Any subsequent application to prune or remove a protected tree for this reason would have to be supported by the appropriate evidential report.

6.2. The trees are visually prominent and contribute to the landscape character of Oxford Road and the surrounding estate which was previously managed by Bracknell Forest Homes. Due to past pruning works undertaken to some of the trees (removing low branches raising the lower crown to allow light underneath) they are considered to be sustainable. The remaining trees in this group could also be pruned in a similar fashion to address resident concerns, subsequently, limited pruning works may be required in the future to maintain the status quo of the pruned trees, but the amount of pruning required would be considered reasonable management.

7. SUPPORTING PLANNING INFORMATION

7.1. Planning & Transport supports the TPO.

8. CONCLUSION

8.1. The Council has followed due legislative process, procedure and policy. It has explained its position in respect of the reasons for the TPO and provided a response to the objections raised by correspondents. The objections maintained are on the basis of: -

- A perceived hazard to public & property posed by the trees
- Assertions that the resident’s quality of life is adversely affected by virtue of the presence, size and characteristics of the tree.

Contact for further information: -

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