



NOTICE OF MEETING

Planning Committee

Thursday 18 June 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, D Birch, Finnie, Mrs Hayes MBE, Heydon, Hill, Mrs Ingham, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Peacey, Phillips, Skinner, Thompson and Worrall

ALISON SANDERS
Director of Corporate Services

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If you require further information, please contact: Greg O'Brien
Telephone: 01344 352044
Email: committee@bracknell-forest.gov.uk
Published: 9 June 2015



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Thursday 18 June 2015, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

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

AGENDA

Page No

1. **Apologies for Absence**

To receive apologies for absence.

2. **Minutes**

To approve as a correct record the minutes of the meetings of the Committee held on 27 and 28 May 2015.

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3. **Declarations of Interest**

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

4. **Urgent Items of Business**

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

PLANNING APPLICATIONS

(Head of Development Management)

The conditions for public speaking have been met in the applications marked 'PS'. For further information or to register for public speaking, please contact Customer Services 01344 352000.

5. **PS Application No 14/00552/FUL - Land At East Lodge, Great Hollands Road, Bracknell**

Erection of 3 storey block of 9 flats (4 x no1 bedroom flats and 5 x no.2 bedroom flats) with creation of a site access off Aysgarth with landscaping, car parking, cycle storage, refuse store and electricity substation.

21 - 38

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| 6. | Application No 14/01317/FUL - 53 All Saints Rise, Warfield, Bracknell | Erection of a part single, part two storey side extension. | 39 - 46 |
| 7. | PS Application No 15/00005/3 - Winkfield St Marys Church Of England Primary School, Winkfield Row, Bracknell | Erection of single-storey extension forming surge classroom and formation of new parking. | 47 - 64 |
| 8. | Application No 15/00122/FUL - Nutcroft, 20 Priory Lane, Warfield | Erection of a single storey rear extension with roof lantern following demolition of existing rear extension, and the erection of outbuilding to front of dwellinghouse forming a car port. | 65 - 72 |
| 9. | Application No 15/00229/FUL - Land At Felix Farm Fisheries, Howe Lane, Binfield | Erection of an acoustic barrier with access and ancillary works. (This application is a revised version of 13/00869/FUL). | 73 - 84 |
| 10. | Application No 15/00235/FUL - 46 All Saints Rise, Warfield, Bracknell | Two storey side extension and single storey front extension. | 85 - 90 |
| 11. | Application No 15/00292/3 - Ambassador Bracknell | Convert grass amenity areas into 7 parking spaces (resubmission of 14/01238/3) | 91 - 98 |
| 12. | Application No 15/00413/PAC - Land To The Rear Of The Elms, Winkfield Lane, Winkfield | Application for prior approval change of use of existing agricultural building to use as a single dwellinghouse (C3). | 99 - 108 |

Miscellaneous Item

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| 13. | Confirmation of Tree Preservation Order - Land at 8 South Hill Road and 12, 14, 19, 26, 40 Harcourt Road and 41 Reeds Hill Road, Bracknell - 2014 | To consider whether to confirm a tree preservation order relating to land at 8 South Hill Road and 12, 14, 19, 26, 40 Harcourt Road and 41 Reeds Hill Road, Bracknell.- | 109 - 112 |
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**PLANNING COMMITTEE
27 MAY 2015
8.37 - 8.38 PM**

Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, D Birch, Finnie, Heydon, Mrs Hayes MBE, Hill, Mrs Ingham, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Peacey, Skinner, Thompson and Worrall

Apologies for absence were received from:

Councillors Phillips

1. Election of Chairman

RESOLVED that Councillor Dudley be appointed Chairman of the Planning Committee for the Municipal Year 2015 - 2016.

COUNCILLOR DUDLEY IN THE CHAIR

2. Appointment of Vice-Chairman

RESOLVED that Councillor Brossard be appointed Vice-Chairman of the Planning Committee for the Municipal Year 2015 - 2016.

CHAIRMAN

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**PLANNING COMMITTEE
28 MAY 2015
7.30 - 8.40 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, D Birch, Finnie, Mrs Hayes MBE, Heydon, Hill, Mrs Ingham, Mrs McKenzie, Mrs McKenzie-Boyle, Mrs Mattick, Peacey, Skinner, Thompson and Worrall

Apologies for absence were received from:

Councillor Phillips

3. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 23 April 2015 be approved as a correct record and signed by the Chairman.

4. Declarations of Interest

Councillor Thompson declared an Affected Interest in Agenda Item no. 6 [Application 15/00168/FUL – 1 Addiscombe Road, Crowthorne] since he lived in close proximity to that site.

5. Urgent Items of Business

There were no items of urgent business.

6. Application 15/00122/FUL - Nutcroft, 20 Priory Lane, Warfield, Bracknell

Erection of a single storey rear extension with roof lantern, and the erection of two outbuildings to provide a car port and an enclosure to existing outdoor swimming pool.

This application was **WITHDRAWN** from the agenda pending clarification from the applicant regarding the outbuilding over the swimming pool.

7. Application 15/00168/FUL - 1 Addiscombe Road, Crowthorne

Erection of a single storey side extension, creation of habitable accommodation within the roof space and roof lights/dormers

A site visit had been held on Saturday 23 May 2015 which had been attended by Councillors Dudley, Mrs Hayes, Hill and Peacey.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Crowthorne Parish Council had recommended refusal of the application due to overdevelopment of the site.

- Five letters of representation had been received objecting to the proposal on the following grounds:
 - Size unduly dominant
 - Overdevelopment
 - Invasion of privacy due to overlooking of neighbouring properties
 - Approval would set a worrying precedent
 - Visually overbearing
 - Prominent development which would erode open gap between properties.
 - History of similar developments being refused
 - Contrary to designated special housing area
 - Inaccuracies within the officers report especially relating to the distances between the proposal and the boundaries.
 - Inaccuracies within the drawings.
 - Obtrusive spilling of light from the proposed rooflights.
 - A site visit from the neighbouring property was not undertaken prior to the report being published.
 - Proposal is not that different to those previously refused.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development shall be carried out in accordance with the following plans and details received by the Local Planning Authority:
1 Addiscombe Road, Location Plan @ 04.03.15, no. ARS1 b, and ARS3 received 05.03.15
ARS2 E. received 27.04.15
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.
04. The internal cill heights of the proposed rooflights shown in the roof slope of the south elevation will not be lower than 1.7m above internal floor level.
05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 southern elevation, facing 15 Blake Close, of the extension hereby permitted except for any which may be shown on the approved drawings.

Having declared an affected interest in this application, Councillor Thompson withdrew from the meeting during consideration of it.

8. **Application 15/00229/FUL - Land At Felix Farm Fisheries, Howe Lane, Binfield, Bracknell**

**Erection of an acoustic barrier with access and ancillary works.
(This application is a revised version of 13/00869/FUL).**

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Binfield Parish Council had recommended refusal for the following reasons:
 - There would be too many movements of heavy duty lorries resulting in unacceptable increase in noise levels
 - It is more about commercial tipping than noise abatement.
 - Debris is likely to be a hazard on countryside roads.
 - Should the application proceed, vehicle movements should only be allowed during working hours, Monday to Friday 9am to 5pm.
- The Royal Borough of Windsor and Maidenhead had objected to the proposal on highway safety grounds and had requested that the applicant should explore alternative routes.
- Bray Parish Council had objected to the proposal on the grounds of increased vehicle movements through Holyport on the A330, Ascot Road.
- 9 representations had been received objecting to the proposal on the following grounds:
 - Proposal would result in debris on the highway resulting in damage to vehicles.
 - M4 8 Lane smart Motorway improvements proposes new low noise road surface throughout reducing the need for the bund.
 - Severe consequences for other users of Howe Lane (i.e. dog walkers, horse riders)
 - Visibility splays could be improved by cutting back vegetation - is this contrary to Green Belt Policy?
 - Bund would be harmful to the visual amenity of the Green Belt.
 - Lorries crossing the narrow bridge on Howe Lane, to the north of the site would be chaos and all traffic should be directed towards Binfield.
 - Proposal would result in the noise of the motorway being deflected towards other surrounding properties.
 - Other acoustic treatments available which would not necessitate the large number of vehicle movements.
 - Hours of operation would be detrimental to the nearby occupiers.
 - Transport report does not detail how HGV's will access Howe Lane.
 - Proposal is unacceptable due to noise and environmental pollution caused by the vehicular movements

The Committee was concerned that there seemed to be very limited means to ensure that the importation of the inert waste material to the site would be carried out and completed satisfactorily within the two year period proposed.

RESOLVED that the application be deferred for further information to be reported to the next meeting.

9. **Application 15/00346/RTD - Junction Of Ellis Road and Old Wokingham Road, Crowthorne**

Replacement of existing 17.5m high monopole, with a new 20m high monopole.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Crowthorne Parish Council had recommended approval.
- One representation had been received objecting to the proposal on the following grounds:
 - Mast is already offensive within the landscape

- Parking of maintenance vehicles causes a nuisance to local residents.

RESOLVED 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 16.04.2015:
Drawing numbers 100 issue A, 200 issue A, 300 issue A, 301 issue A.
02. The mast hereby approved shall be finished in Fir Green RAL 6009 and shall be maintained as such.

10. **Application 12/00993/OUT - Land At Amen Corner, West Of Beehive Road Between The Reading-Waterloo Railway Line and London Road, London Road, Binfield, Bracknell**

This application was reported to Planning Committee on 21 August 2014 when it was resolved that upon the completion of planning obligation(s) under s 106 of the Town and Country Planning Act 1990 the Head of Development Management be authorised to approve the application subject to various conditions. Due to protracted negotiations with the applicant and other landowners, it had not been possible to complete a s106 agreement securing the terms in the committee resolution before the introduction of the Community Infrastructure Levy (CIL) on the 6 April 2015.

The introduction of CIL had resulted in a number of the matters that previously were to be secured through the s106 agreement that would now be secured through CIL payments. The contributions that this related to were:

- on and off-site transport measures (including bus subsidies);
- the provision of Secondary education, post-16 education and Special Educational Needs places;
- the provision of improvements to existing library facilities;
- the provision of improvements to existing built sport facilities.

As a result, these elements could no longer lawfully be sought under the s106 agreement and approval was sought to an amended set of obligations, further discussions having taking place with the applicant and other landowners, to be secured through a s106 agreement.

It was confirmed that all of the contributions previously agreed would be covered by CIL payments or the s106 agreement now recommended.

RESOLVED that authority to approve the application be delegated to the Head of Planning upon the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. The provision of an appropriate level of affordable housing.
02. Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA), including the provision in perpetuity of on-site bespoke Suitable Alternative Natural Greenspace (SANG); a financial contribution towards Strategic Access Management and Monitoring; and any other measures that are required to satisfy Habitat Regulations, the Council's Thames Basins Heaths SPA Avoidance and Mitigation Strategy and relevant guidance.

03. Securing the timely provision of, and/or contributions to, local facilities and services including:

- Transport measures to mitigate the development's impact on roads and encourage sustainable modes of transport, including the provision of a cycleway along the northern side of London Road and Residential and School Travel Plans;
- On-site provision of a Primary School;
- a financial contribution towards the provision by others of a multi-functional community hub;
- a comprehensive package of on-site Open Space of Public Value, in accordance with standards;
- The provision of waste recycling facilities.

Where on-site provision is made for infrastructure or services where the intention is that the responsibility for long term management is to be transferred to the Council or other body, in addition a financial contribution towards commuted maintenance and management costs will be sought.

and subject to the conditions listed below, amended, added to or deleted as he considers necessary.

01. Approval of the details of the scale of the buildings, the access for (other than the vehicular access to/from the site which is not reserved) and the layout, appearance and landscaping of the development (hereinafter called "the Reserved Matters") for each phase of development (as defined within the details to be submitted and approved pursuant to condition 4) shall be obtained from the Local Planning Authority in writing before development of that phase is commenced. Development of each phase shall be implemented in accordance with the approved details for that phase, unless otherwise agreed in writing by the Local Planning Authority.
02. Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.
03. The development hereby permitted shall be begun not later than the expiration of two years from date of the final approval of reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
04. The development hereby permitted shall not be begun until an overarching site wide Phasing Strategy and Planning Submission Programme has been submitted to and approved in writing by the Local Planning Authority.

The Phasing Strategy shall comprise the following details unless otherwise agreed in writing by the Local Planning Authority:

- i. A phasing strategy diagram which illustrates the location of each Phase of development;
- ii. A phasing strategy diagram which illustrates the sequence in which the Phases will be carried out;
- iii. A schedule of the proposed land use components including the approximate number of dwellings and non residential floorspace/ land area within each Phase of the development;

- iv. The Phases within which any occupied buildings and structures will be demolished; existing accesses removed and existing uses will cease;
- v) The Phases within which the on and off site highway works specified in conditions 17, 18 and 21 will be completed;
- vi) The Phases within which areas of Open Space of Public Value and Suitable Alternative Natural Greenspace (SANG) that relate to more than one Phase will be laid out;
- vii) The Phases within which drainage works (Surface and Foul water) that relate to more than one Phase will be undertaken;
- viii) The Phases within which structural earthworks and landscaping that relate to more than one Phase will be carried out;
- ix) The Phases within which Utilities that relate to more than one Phase will be provided; and
- x) The Phases within which land remediation and other Environmental mitigation works identified in the Environmental Statement that relate to more than one Phase will be carried out.

The development shall thereafter only be carried out in accordance with the approved Phasing Strategy (as may be amended from time to time by agreement in writing of the Local Planning Authority).

The Planning Submission Programme shall set out the anticipated sequence for the submission of the Masterplan, Design Code, Reserved Matters and other details as referred to in other conditions attached to this permission

The Masterplan, Design Code, Reserved Matters and other details as referred to in other conditions attached to this permission shall thereafter be submitted in accordance with the approved Planning Submission Programme (as may be amended from time to time by agreement in writing by the Local Planning Authority).

For the purposes of this planning permission the extent of a 'phase' shall be determined in accordance with this condition.

05. Prior to commencement of each phase of development, a Demolition and Construction Programme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Programme will outline the anticipated sequence in which the following works within that phase (where relevant to that phase) will be carried out:
- i. Demolition works;
 - ii. Tree Clearance works;
 - iii. Earthworks;
 - iv. Land remediation and other Environmental mitigation works identified in the Environmental Statement;
 - v. Surface and Foul Water drainage works;
 - vi. Utility works;
 - vii. On and off site highway works, including alterations for construction access;
 - viii. Pedestrian/cyclist routes;
 - viii. Structural landscaping works;
 - vix. Recycling facilities;
 - x. Construction works (including areas of Open Space of Public Value and Suitable Alternative Natural Greenspace);
 - xi. Public Art

Thereafter the development of each phase shall be carried out in accordance with the approved Demolition and Construction Programme for that phase.

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

PD27/D Site application boundary submitted 12th June 2014
PD86/A Site application boundary showing land relating to planning applications to Bracknell Forest Council & Wokingham Borough Council submitted 12th June 2014
PD98/A Parameters Drawing submitted 12th June 2014
PD127 London Road Sections submitted 29th July 2014
23732-001-SK006-C Proposed highway layout (showing details of cycleway) submitted 29th July 2014
23732-001-004-Q Proposed highway layout submitted 29th July 2014

07. Prior to the submission of the first Reserved Matters application a Masterplan for the whole site shall be submitted to and approved in writing by the Local Planning Authority containing the following details:
- (a) The disposition of the development within the site including the proposed land uses and density of development
 - (b) The principles of vehicular, pedestrian and cyclist access to the development
 - (c) The landscaping principles for the development
 - (d) The design principles for the development
 - (e) A plan showing the different Character Areas within the site based on the principles in the Design and Access Statement

The details comprised in the reserved matters shall comply in all respects with the approved Master Plan

08. Prior to the submission of the first Reserved Matters application for each character area within the development a Design Code for that Character area shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall be based on the design principles in the Design and Access Statement and set out further information in relation to the following:

- i. A Built Form Strategy setting out principles of layout, permeability, street enclosure, active frontages, building form, orientation, scale, massing and palette of external materials. This shall include an analysis of how these principles inform character, and contain example streetscenes;
- ii. Mix of dwelling types;
- iii. Hard and soft landscaping strategy including examples of boundary treatment
- iv. A strategy for the design of the public realm including layout of streets, squares, areas of public open space and areas for play;
- v. A Lighting Strategy;
- xi. A Parking Strategy (including cycle parking and storage)
- xii. An Access Strategy to secure an inclusive development for all
- xiii. Integration of strategic utility requirements, landscaping and highway design
- xiv. Public art

Thereafter all Reserved Matters applications shall be submitted in accordance with the approved Design Codes (as may be amended from time to time by written agreement with the Local Planning Authority).

09. The development hereby permitted shall not be begun until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority setting out a phased programme of archaeological works. Thereafter no part of any phase of the development hereby permitted shall commence until the archaeological investigation work for that phase as set out in the approved scheme has been carried out.
10. Any application for the approval of landscaping as a Reserved Matter in a specific phase shall include details of the following (where applicable) in respect of that phase:
 - i. The proposed finished ground levels or contours
 - ii. Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
 - iii. Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.
 - iv. Details of semi mature tree planting.
 - v. Means of enclosure (walls and fences etc)
 - vi. Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts,.
 - vii. Recycling/refuse or other storage units,
 - viii. The creation of new water and associated habitats including landscaped buffers to watercourses
 - ix. Any other landscape features (water features, seating, trellis and pergolas etc).

Each Plot (defined as a building together with its curtilage) shall be landscaped and completed in full accordance with the approved landscape scheme for that Plot, prior to its practical completion. In respect to off-Plot landscaping, the approved landscaping scheme for each phase shall be implemented in accordance with the details approved pursuant to this condition relative to that phase, in the first planting season following completion of the development in the phase and maintained for a period of 5 years thereafter

11. Any application for the approval of landscaping as a Reserved Matter in a specific phase shall include a landscape management plan, including details of:
 - a) long term design objectives;
 - b) timing of works;
 - c) management responsibilities; and
 - d) maintenance schedules

for all publically accessible landscape areas including cycle/footways within that phase (other than the SANGs and domestic gardens). Any approval of landscaping as a reserved Matter shall not be implemented until a Landscape Management Plan in respect thereof has been approved. Each approved

landscape management plan shall be performed and complied with unless otherwise agreed in writing by the Local Planning Authority.

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

12. No Phase of development shall be begun until the following details for that phase have been submitted to and approved in writing by the Local Planning Authority:-
 - a) a comprehensive land (topographical) survey in accordance with Section 4 of British Standard 5837:2012 'Trees In Relation to Construction Recommendations' (or any subsequent revision), identifying the positions of all existing trees over 75mm diameter at 1.5m (unless in woodland when over 150mm diameter) to be retained (including their crown spreads) together with any retained hedgerows or shrubbery on the land to be retained in that phase;
 - b) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the respective phase which overhangs that phase; and
 - c) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the respective phase.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the survey referred to in paragraph (a) above. Any works carried out under b) or c) shall be in accordance with the approved details.

If any retained tree is removed, uprooted, destroyed or dies within 5 years of the completion of a phase, another tree shall be planted at the same location and the replacement tree shall be of such size and species (and shall be planted at such time) as may be specified in writing with the Local Planning Authority.

13. All existing trees, hedgerows and groups of mature shrubs shown to be retained on the survey approved by the Local Planning Authority pursuant to condition 13 (part a) shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2012, or any subsequent revision. The protective fencing shall be erected in the locations to be agreed in writing by the Local Planning Authority prior to the commencement of each phase and shall be retained until the completion of all building operations within that phase.
14. Save for domestic gardens, once laid out/planted the areas shown for hard and soft landscaping purposes on the plans approved by the Local Planning Authority pursuant to condition 1 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.

15. No Phase of the development hereby permitted shall be begun until all existing uses still taking place within the area covered by that phase have ceased, and any existing accesses onto the public highway serving these uses (other than any that are proposed to be re-used for the new development hereby permitted) permanently stopped up.
16. Unless otherwise agreed in a site wide Phasing Strategy approved under condition 4, no construction of any building hereby permitted shall be commenced until the following highway works have been completed in general accordance with the works shown on drawing 23732-001-004-Q:
 - a. construction of a junction between the Spine Road and London Road;
 - b. construction of the north western section of the Spine Road between London Road and the internal roundabout.

During the construction works above, vehicular access shall be maintained at all times to all existing properties on London Road.

17. The following highway works shall be completed in accordance with the site wide Phasing Strategy approved by the Local Planning Authority pursuant to condition 4, and in general accordance with the with the works shown on drawing 23732-001-004-Q:
 - i. construction of improvement works to the Cain Road/ Beehive Road/ John Nike Way roundabout;
 - ii. construction of the southern/ eastern section of the Spine Road between the internal roundabout and the Cain Road roundabout;
 - iii. construction of a new access from Beehive Road to the Spine Road and a new turning head on Beehive Road;
 - iv. construction of a new access from North View to the Spine Road and a new turning head on North View;
 - v. construction of a new access from South View to the Spine Road and a new turning head on South View;

The works i.-v. listed above shall not be begun until replacement parking for the John Nike Leisuresport Complex has been provided in accordance with details set out in an approved reserved matters application.

18. No Phase of the development hereby permitted shall be commenced until the access works in respect of that Phase as set out in the approved Demolition and Construction Programme have been completed to the satisfaction of the Highway Authority in accordance with the following drawings (subject to any minor variations that may be required through the completion of a S278 agreement with the Highway Authority):

23732-001-SK006-C Proposed highway layout (showing details of cycleway)

23732-001-004-Q Proposed highway layout

Thereafter such accesses shall be retained and there shall be no motor vehicular access or egress from the development hereby permitted onto London Road, North View, South View, Beehive road or Cain Road other than from these approved accesses.

19. Unless otherwise agreed in writing by the Local Planning Authority, no dwelling or other building shall be practically completed until:
- (a) a means of vehicular access for that dwelling or building; and
 - (b) a means of access for that dwelling or building for pedestrians and cyclists;
and
 - (c) vehicle and cycle parking spaces for that dwelling or building;
- have been constructed in accordance with details to be submitted to and approved by the Local Planning Authority. Such accesses and parking spaces shall thereafter be retained.
20. No dwelling hereby permitted shall be constructed to Practical Completion until works to widen the existing footway on the south side of London Road between the proposed signal controlled crossing of London Road and John Nike Way to create a footway/cycleway have been constructed in general accordance with the works shown on drawings 23732-001-004-Q and 23732-001-SK006-C.
21. The development hereby permitted shall not be begun until a strategy outlining the general system of drainage for foul and surface water flows arising from the entire site in accordance with the submitted Flood Risk Assessment, based on sustainable drainage principles, and evidence of an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of any necessary infrastructure required for its implementation. Thereafter, detailed schemes for surface water and foul drainage for any phase of development (pursuant to Conditions 22 and 23) shall be prepared in accordance with the agreed strategy for the entire site.
22. No phase of the development hereby permitted shall be begun until a detailed surface water drainage scheme for that phase, based on the site wide drainage strategy approved under condition 21, has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage strategy for each phase should demonstrate (a) that the surface water run-off rate generated up to and including the 1 in 100 year with an allowance for climate change critical storm will not exceed the run-off rate from the undeveloped site following the corresponding rainfall event; (b) that adequate rights exist to permit discharge into the balancing pond owned by Hewlett Packard in so far as this is relevant to the phase; and, (c) that soakaways are not constructed onto contaminated land. The scheme for each phase shall be implemented in accordance with the approved details prior to the occupation of any development within that phase and retained thereafter.
23. No phase of the development hereby permitted shall be begun until, a detailed foul water drainage strategy for that phase detailing any on and/or off site drainage works to upgrade the foul drainage network in respect of that phase, has been submitted to and approved in writing by the Local Planning Authority. The foul water drainage strategy for each phase shall be implemented in accordance with the approved details prior to the occupation of any dwelling or building within that phase.
24. The development hereby permitted shall not be begun until an Energy Demand Assessment relating to the entire site has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

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

The development hereby permitted shall be constructed in accordance with the measures outlined in the approved assessment and those measures shall be retained thereafter.

- 25. No phase of the development hereby permitted shall 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.
- 26. No Phase of the development hereby permitted shall be begun until a remediation options appraisal and/or a Tier 3 geo-environmental risk assessment containing a detailed site specific Remediation Strategy for that Phase to further assess the identified geo-environmental risks has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented in full before the commencement of the development of that Phase (other than that required to be carried out as part of the approved scheme of remediation) and as approved, unless otherwise agreed in writing by the Local Planning Authority.

No buildings shall be commenced within a Phase until a Site Completion Report for that Phase has been submitted to, and approved in writing by, the Local Planning Authority. The Site Completion Report shall detail the conclusions, actions taken and verification methodology at each stage of the works and include the results of a sampling and analysis programme to confirm the adequacy of decontamination. It should demonstrate that an appropriately qualified person oversaw the implementation of all remediation.

The Site Completion Report shall: (i) include confirmation that all remediation measures have been carried out fully in accordance with the remediation scheme; (ii) include results of the verification programme of post-remediation sampling and monitoring conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and the CIRIA C665 in order to demonstrate that the required remediation has been fully met; and (iii) set out future monitoring and reporting proposals. The future monitoring and reporting proposals shall be implemented and performed.

If, during development, contamination not previously identified is found to be present then no further development (other than any further development agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how the unidentified contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented in full before the continuation of any development of that Phase (other than that required to be carried out as part of the approved scheme of remediation) and as approved, unless otherwise agreed in writing by the Local Planning Authority.

27. No phase of the development hereby permitted shall be begun until a scheme detailing all external street lighting and lighting to public open spaces in that phase has been submitted to and approved in writing by the Local Planning Authority.

The development of each phase shall be implemented in accordance with the approved lighting scheme for that phase prior to first occupation of any development within that phase or within any other period as may be agreed in writing by the Local Planning Authority and retained thereafter.

28. No phase of the development hereby permitted shall be begun until an Ecological Mitigation Scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed the scheme shall include:
- i. all the mitigation measures outlined in chapter 10 of the Environmental Statement;
 - ii. details and a plan showing proposed areas of wildlife permeable fencing;
 - iii. details and a plan showing the provision of bird and bats boxes or wildlife gates.

The development of each phase shall be implemented in accordance with the approved details for that phase and retained thereafter. An ecological site inspection report for each phase shall be submitted to and approved in writing by the Local Planning Authority within three months of the first occupation of any dwelling within each phase.

29. No phase of the development hereby permitted (including site clearance and demolition) shall be begun until:-
- (i) A report containing updated protected species surveys and a new survey of orchids for that phase carried out by a suitably qualified ecologist, together with an assessment of the implications, and revised mitigation and monitoring measures for that phase, has been submitted to and approved by the Local Planning Authority in writing; and
 - (ii) the Local Planning Authority has agreed that either no relocation of protected species or orchids is necessary for that phase, or that the relocation of protected species or orchids has been achieved in accordance with the approved mitigation and monitoring measures.

30. 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.

31. No phase of the development hereby permitted shall be begun until a scheme for protecting the proposed dwellings/gardens within that phase from noise has been submitted to and approved by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority for that phase shall be completed before any dwelling in that phase is occupied.

32. The development hereby permitted shall not commence until a site-wide Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The site-wide CEMP shall incorporate a Site Waste Management Plan; a Materials Management Plan; a Dust Management Plan; and Wildlife Protection Plan.

No phase of development shall commence until a Construction Environmental Management Plan (CEMP) for that Phase has been submitted to and approved in writing by the local planning authority.

The site-wide CEMP and each Phase CEMP shall include as a minimum:

- (i) a Construction Logistics/ Site Organisation Plan (save in respect of the site-wide CEMP)
- (ii) The location of construction access for the relevant phase of demolition and construction (save in respect of the site-wide CEMP);
- (iii) The routing of construction traffic (including directional signage and appropriate traffic management measures) to minimise the impact of local residents and other road users
- (iv) Details of the parking of vehicles of site operatives and visitors
- (v) Areas for loading and unloading of plant and materials
- (vi) Areas for the storage of plant and materials used in constructing the development
- (vii) The erection and maintenance of security hoarding

- (viii) External lighting of the site
- (ix) Method of piling for foundations
- (x) Measures to control the emission of dust, dirt, noise and odour during construction
- (xi) Measures to control surface water run-off
- (xii) Measures to prevent ground and water pollution from contaminants on-site

- (xiii) construction working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;

- (xiv) Details of wheel-washing facilities;
- (xv) details in respect of measures to minimise, re-use and re-cycle waste; minimise the pollution potential of unavoidable waste; and dispose of unavoidable waste in an environmentally acceptable manner;
- (xvi) details of measures to mitigate the impact of construction activities on ecology including a) an appropriate scale plan showing where construction activities are restricted and protective measures; b) details of protective measures to avoid impacts during construction; c) a timetable to show phasing of construction activities; and d) persons responsible for compliance with legal consents, planning conditions, installation of protective measures, inspection and maintenance; and
- (xvii) Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority.

The approved Construction Environmental Management Plans shall be adhered to throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

33. The total amount of floorpace hereby permitted within Use Classes A1, A2, A3 and A4 shall not exceed 1488 sq m gross external area. No retail units within Use Classes A1 or A2 shall individually exceed 560 sq m gross external area. There shall be no amalgamation of units such that at any time any retail unit within Use Classes A1 or A2 exceeds 560 sq m gross external area.

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
18th June 2015**

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

		Case Officer	Reporting Officer
5	14/00552/FUL Land At East Lodge Great Hollands Road Bracknell (Great Hollands North Ward) Erection of 3 storey block of 9 flats (4 x no1 bedroom flats and 5 x no.2 bedroom flats) with creation of a site access off Aysgarth with landscaping, car parking, cycle storage, refuse store and electricity substation. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Paul Corbett	Martin Bourne
6	14/01317/FUL 53 All Saints Rise Warfield Bracknell (Warfield Harvest Ride Ward) Erection of a part single, part two storey side extension Recommendation: Approve.	Michael Ruddock	Basia Polnik
7	15/00005/3 Winkfield St Marys Church Of England Primary School Winkfield Row Bracknell (Winkfield And Cranbourne Ward) Erection of single-storey extension forming surge classroom and formation of new parking. Recommendation: Approve.	Katie Andrews	Martin Bourne
8	15/00122/FUL Nutcroft 20 Priory Lane Warfield (Warfield Harvest Ride Ward) Erection of a single storey rear extension with roof lantern following demolition of existing rear extension, and the erection of outbuilding to front of dwellinghouse forming a car port. Recommendation: Approve.	Matthew Miller	Basia Polnik
9	15/00229/FUL Land At Felix Farm Fisheries Howe Lane	Sarah Fryer	Basia Polnik

	<p>Binfield (Binfield With Warfield Ward) Erection of an acoustic barrier with access and ancillary works. (This application is a revised version of 13/00869/FUL). Recommendation: Approve.</p>		
10	<p>15/00235/FUL 46 All Saints Rise Warfield Bracknell (Warfield Harvest Ride Ward) Two storey side extension and single storey front extension. Recommendation: Approve.</p>	Michael Ruddock	Basia Polnik
11	<p>15/00292/3 Street Record Ambassador Bracknell Berkshire (Great Hollands North Ward) Convert grass amenity areas into 7 parking spaces (resubmission of 14/01238/3). Recommendation: Approve.</p>	Matthew Miller	Basia Polnik
12	<p>15/00413/PAC Land To The Rear Of The Elms Winkfield Lane Winkfield (Winkfield And Cranbourne Ward) Application for prior approval change of use of existing agricultural building to use as a single dwellinghouse (C3). Recommendation:</p>	Paul Corbett	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.
14/00552/FUL
Site Address:

Ward:
Great Hollands North

Date Registered:
6 June 2014

Target Decision Date:
1 August 2014

Land At East Lodge Great Hollands Road Bracknell Berkshire

Proposal:

Erection of 3 storey block of 9 flats (4 x no1 bedroom flats and 5 x no.2 bedroom flats) with creation of a site access off Aysgarth with landscaping, car parking, cycle storage, refuse store and electricity substation.

Applicant:

Ms Linda Hunt

Agent:

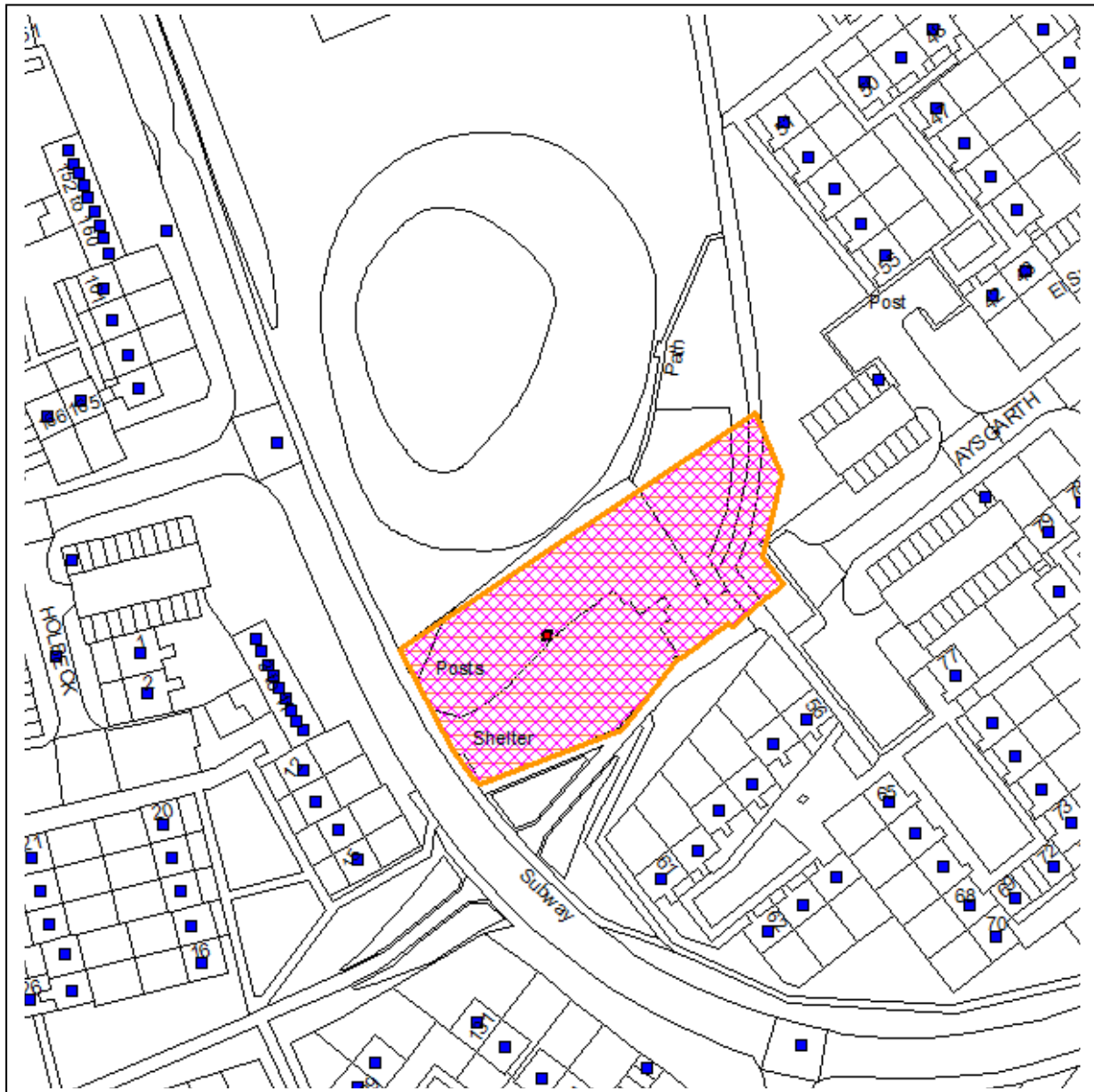
Mr Daniel Knight

Case Officer:

Paul Corbett, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application is reported to the Planning Committee because more than 3 objections have been received.

2. SITE DESCRIPTION

The site comprises previously developed land within the neighbourhood of Great Hollands and is adjacent to a large area of public open space. The building on the site was demolished in 2006.

The previous building included a 19th century lodge positioned to the back of the site with an associated car park accessible from Great Hollands Road. The site had been used over the years as an adventure playground and for local scout groups. It was also used by a local playgroup until alternative accommodation was found, leaving the building and land vacant for a number of years and susceptible to vandalism.

The site is relatively level and positioned between an area of recreational open space and the main residential area of Aysgarth.

The site area is 0.26 ha.

The main constraint on the site is the existing trees.

3. RELEVANT SITE HISTORY

2006 - The building was demolished

1974 - 600220 APPROVED
Use of scout hut as playgroup premises

1969 - 19331 APPROVED
Single story extension to form new scout hall and landscape depot

1969 14363 APPROVED
Change of use of East Lodge to tenant Community Centre and construction of a car park for 20 cars.

4. THE PROPOSAL

Planning permission is sought for the erection of a 3 storey block of 9 flats with creation of a site access off Aysgarth and associated landscaping, car parking, cycle storage, refuse store and electricity substation.

The proposed 3 storey block will comprise 9 flats as follows:

Ground Floor - 1no. 1 Bed 2 Person DPU (70 sqm)
 - 2no. 2 Bed 4 Person Flats (69-71.1 sqm)
First Floor - 3no. 2 Bed 4 Person Flats (69-71.7 sqm)
Second Floor - 3no. 1 Bed 2 Person Flats (51-59 sqm)

(4 no.1beds and 5 no.2 beds)

5. REPRESENTATIONS RECEIVED

This application has attracted 9 objections and their concerns are summarised as follows:

- Concerns with regards to privacy - the flats will overlook the rear gardens of Holbeck opposite
- Loss of view/outlook
- Loss of green open space
- Loss of wildlife habitat
- Pedestrian/Cyclist Safety
- Lack of Parking

The above concerns are addressed within the report.

Officer comment: The original submission did include balconies fronting Great Holland Road however following concerns raised these were removed as part of the negotiations with the applicant.

6. SUMMARY OF CONSULTATION RESPONSES

Bracknell Town Council

Makes an observation on the scheme suggesting parking is by permit and that a bedroom flat for a disable person limits does not make parking provision for a carer to stay.

Biodiversity

No objection subject to conditions

Landscape

No objection subject to conditions

Transportation

No objection subject to conditions

Parks & Countryside

No objection

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

Core Strategy (February 2008) (CSDPD)
Site Allocations Local Plan (July 2013) (SALP)
Policy NRM6 of the South East Plan (May 2009) (SEP)
Bracknell Forest Borough Local Plan (January 2002) (saved policies) (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 secure development that improves the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

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.

CSDPD Policy CS15 requires the provision of 11,139 dwellings in the Borough over the Plan period.

CSCPD Policy CS16 requires a range of housing types, sizes and tenures.

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

The site is located in a residential area within a defined settlement on the Bracknell Forest Borough Policies Map (2013). It has good access to facilities and services and is therefore in a sustainable location.

The NPPF supports reusing previously developed land, provided it is not of high environmental value (NPPF para. 17 (8) and para. 111), which is applicable to this site

Previously developed land (PDL) is defined as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time. (NPPF Annex 2).

Whilst it is acknowledged that part of the site appears to have started to blend into the landscape since the building was demolished it remains of a different character to the rest of the playing fields and the land still comprises areas of hardstanding from where the building and pathways and car park once stood. The site can therefore be regarded as PDL.

The proposal involves a net gain of 9 units (4no 1bed and 5no 2bed flats). In terms of the Council's housing provision, the proposal constitutes a 'small' site and would therefore contribute to the 'small' sites allowance and 5 year supply of deliverable sites. It would also deliver a range of smaller units to the overall stock.

The site is within a defined settlement, which is acceptable in relation to Policy CS2. The site comprises previously developed land, and therefore is also acceptable and supported by the NPPF (in relation to paras. 17 and 111). As a result, the proposed development is considered to be acceptable in principle, subject to it having no adverse impact in relation to loss of open space of public value, impact upon the character of the area, amenity of neighbouring occupiers, highway safety, trees, etc. These issues are addressed elsewhere in this report.

Impact upon open space of Public value

The land was once occupied by a building with a large area of hardstanding for vehicle parking which is still clearly evident on the ground. Being located next to East Lodge Playing Fields, once the buildings had been demolished and the site cleared it began to be maintained by Bracknell Town Council by default and has informally been used as an open area of land primarily as a pedestrian route.

It is acknowledged that this land and building did once provide recreational facilities within the building which once stood on the land until it was demolished in 2006 and therefore it is considered that its last lawful use can be assumed to be recreational and thus should also be firstly assessed against CSDPD Policy CS8.

CSDPD Policy CS8 states that development will be permitted whereby (i) it retains, improves and maintains existing recreational facilities; and/or (ii) provides and maintains new recreational facilities. This is consistent with the NPPF (Chapter 8), and therefore can be afforded significant weight. The supporting text to CS8 (para. 99) sets out recreational facilities can be summarised into the following categories;

1. Open Space of Public Value (OSPV) comprising;
 - o Active OSPV (e.g. sports pitches, tennis courts, allotments, kick-about areas, children's play areas, associated buildings, and other infrastructure).
 - o Passive OSPV (e.g. natural and semi-natural open space, green corridors, country parks, and urban woodlands); and
2. Built Sports Facilities (e.g. sports halls, synthetic pitches and swimming pools); and
3. Leisure and Cultural Facilities (e.g. cinemas, theatres and art centres).

It is not considered that the site as it stands offers any recreational merit when assessed against the above criteria since the building that did provide the recreational function has long gone and the adjacent play area has also since been relocated onto into the wider open space area to the north. The site itself therefore remains primarily a fringe area of open space of little or no recreational value and currently acts as nothing other than a pedestrian thoroughfare and has remained as such for the last 9 years. It is considered that there is little amenity value as an area of open space on the site which is also supported by Parks and Countryside. Furthermore this proposal would broadly cover a similar proportion of the site to that of the previously built form that once stood on the site. Therefore, it is not considered that there would be any conflict with Policy CS8 and the NPPF in this regard.

The Town Council has submitted an observation on the scheme, but not objected and hasn't submitted any objection to the land being developed for residential use and car parking.

Parks and Countryside are also supportive of this proposal.

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. Saved Policy EN1 of the BFBLP seeks to retain trees and hedgerow which are important to the character and appearance of the townscape and act as green links between open spaces. These policies are consistent with the objectives set out within the NPPF.

The drawings submitted demonstrate that the scale and form of the building will only marginally exceed the height of the existing 3 storey block of flats on the opposite side of Great Hollands Road. The drawings also show that the proposed 3 storey block of flats will front Great Hollands Road with a pedestrian entrance only. The proposed building will be partly obscured by the recreation ground which is on higher ground.

The building will only be enclosed by a low knee rail (450mm high) to demarcate the front boundary helping to assimilate this new built form into the generally open landscaped frontage to the street. It is considered that the remainder of the site's boundary treatment shown to be in the form of 1.2m high railings allows for hedging to be planted behind to help green and soften the site's boundaries and help it blend with the local street scene.

The existing large mature trees on the site are to be retained and will form part of the private amenity space around the new flats and will continue to provide an important amenity feature to the area.

In terms of density, the number of units proposed is considered appropriate when compared to the local established density. Furthermore, the scheme accords with the NPPF in that it makes efficient use of the land, given the constraints of the trees on the site's boundaries. It is considered that to accommodate a greater number of dwellings would be out of keeping with the wider visual appearance of the area, and likely to adversely affect the large mature trees within the site, and would not deliver high quality, well designed development in accordance with NPPF.

Objections received refer to this proposal being an over development of the site, but having regard to the form of the surrounding area the proposed density of approximately 24 dwellings per hectare and the scale, massing and appearance this development is not considered to be out of keeping with its surroundings.

In conclusion, it is considered that the proposal accords with the principles of CSDPD Policy CS7, 'Saved' BFBLP Policies EN1 and EN20 and the NPPF.

10. RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. BFBLP 'Saved' Policy EN20 and CSDPD Policy CS7, require the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. These requirements are considered to be consistent with the general design principles in paras. 56 to 66 of the NPPF.

It is acknowledge that part of the proposed block of flats will be directly opposite two storey housing and a three storey block of flats in Holbeck. It is also noted that in

particular nos.12 & 13 Holbeck are most likely to be affected as they have private rear gardens directly opposite the development. The applicant has allowed for the minimum distance considered acceptable (30m) between two and three storey residential development. In fact the intervening distance is 30.5m. The proposed second storey dormer window which is positioned within a direct sight line of no.12 Holbeck is set back further within the roof slope, therefore extending this distance and further minimising any overlooking. It would therefore not warrant a reason for refusal.

The acceptable distance between buildings of equal heights such as the existing block of flats at 3-11 Holbeck opposite the site is normally 22m. In this case it is 23.5m.

The applicants submitted 'Indicative Sections' and a '3D Separation Illustration' which demonstrate visually the intervening distances described.

The residential properties at 58-61 Aysgarth are further away at approximately 45m so are not such a cause for concern. The original submission included balconies fronting Great Hollands Road which were removed and replaced with Juliette balconies to address privacy concerns from residents at 12-15 Holbeck with gardens facing the development.

Access off Aysgarth will result in some impacts on the neighbouring residential properties within Aysgarth itself, primarily from additional vehicular movements. It is noted that a number of properties within Aysgarth have private rear gardens which back onto Aysgarth. Given the scale and nature of this development it is not considered that the small increase in vehicular movements would be unacceptably detrimental to the living conditions of the residents of Aysgarth.

The three storey building would have windows that would provide some degree of natural surveillance over the surrounding public areas in particular the adjacent play area positioned to the north which is on higher ground. Overall it is considered that the impact of the proposed development on the adjoining open space is acceptable.

It is considered that the scheme as now amended is designed so as not to create any adverse impacts on the amenities of nearby residents and is therefore in accordance with CSDPD Policy CS7 and saved BFBLP Policy EN20 of the BFBLP and the NPPF.

11. TRANSPORT IMPLICATIONS

CSDPD CS23 states that the Local Planning Authority will use its powers to reduce the need to travel and increase the safety of travel, while simultaneously promoting alternative modes of travel. Saved Policies M4 and M9 of the BFBLP ensure that development provides satisfactory highway measures and parking provision. To supplement this policy, the Local Planning Authority's Parking Standards SPD (2007) sets out the advised levels and size of parking spaces for residential dwellings. The SPD was adopted following public consultation, so can be afforded significant weight. The NPPF allows for LPAs to set their own parking standards for residential development. The quoted policies are considered to be consistent with the NPPF.

The development will provide 16 car parking spaces inclusive of 1 space for a disabled driver to the rear of the site which complies with the Council's Car Parking Standards

The proposal has been designed with a vehicular entrance off Aysgarth, which facilitates an improved layout of the site and alleviates the pressure on the main on-site constraint, the trees. It would also overcome the potential for vehicular conflict with the

existing bus stops and refuse collection services which rely on the use of Great Holland's Road.

The proposal also created the opportunity to realign the footway/cycleway immediately adjacent to the southern boundary.

It is noted that concerns have arisen over the creation of a new access off Aysgarth specifically in relation to additional vehicular movements along Aysgarth and pedestrian/cyclist safety where the access crosses the footway/cycleway. Given the scale of the development it is considered that the additional vehicle movements along Aysgarth can be accommodated without impacting upon the highway safety. The cross-over point can also be made safe for pedestrians/cyclist by an engineering solution which will be secured as part of the section 278/38 legal agreement.

The Highways Officer supports this proposal subject to securing the vehicle/pedestrian access from Aysgarth and realignment works to the public footway/cycleway adjacent to the site via a s106 legal agreement in accordance with the design principles identified on the applicant's site layout drawing accompanying the application.

The proposal provides sufficient on-site parking which accords with the Council's residential car parking standards.

Secure cycle parking is provided as part of the development.

In respect of refuse storage/collection, the number and types of refuse and recycling bins would comply with the requirements of the Highway Authority and these would be stored within a detached bin store to the rear of the site. The proposed residential site would accommodate a turning area for refuse vehicles which would continue to use the existing turning head at the end of Aysgarth.

The proposal would generate around 45 movements per day with around 5 two way movements in each peak hour. As the previous use of the site has been removed these trips should be treated as new trips onto the network. This level of traffic in isolation will have a minimal impact on the local transport network but, cumulatively with other developments, this impact will increase. The additional trips are not expected to impact negatively on the use of Aysgarth.

Construction traffic will need to be controlled by condition but Aysgarth is considered wide enough to accommodate such vehicles.

For the reasons given above the proposal is considered to accord with Saved Policies M4 and M9 of the BFBLP, Policy CS23 of the Core Strategy DPD and the NPPF.

12. ACCESSIBILITY

BFBLP Saved Policy EN22 and CSDPD Policy CS7 state that the Local Planning Authority will ensure that new development provides convenient access, parking space and facilities for people with disabilities. These policies are considered to be consistent with the NPPF which states that LPAs should take into account the accessibility of the development.

The proposal will need to comply with Part M of the Building Regulations with respect to access to and within the building as well as general access arrangements. It is therefore considered that the proposal would comply with the requirements of Development Plan and the NPPF.

13. TREES AND LANDSCAPING IMPLICATIONS

BFBLP Saved Policies EN1 and EN2 state that the LPA will seek to protect tree and hedgerow cover. CSDPD Policy CS1 also seeks to protect the character of the local landscape. These policies are considered to be consistent with the NPPF section 11 which encourages LPAs to conserve and enhance the natural environment by protecting and enhancing valued landscapes.

The potential loss of wildlife habitat as raised by a neighbour is unwarranted as a large part of the site is laid to hardstanding and relatively short grass and offers little opportunity as habitat for wildlife as confirmed by the Biodiversity Officer. However it is acknowledged that some of the hedge and much of the site will need to be cleared with the exception of the mature trees to the front of the site, and there a condition is recommended to avoid site clearance during the bird nesting season.

The general principles for Root Protection Zones and specialised non-dig construction methods were agreed at a separation distance of 10.20 meters between the south elevation and the veteran oak tree which fell short of what the Tree Officer would have preferred (11m). However, because the applicant has agreed to propose special foundations within this sensitive zone it is considered that this marginal difference would be acceptable. It is recommended that the foundations details are secured by condition.

The retention of the existing trees (which make an important visual contribution to the area overall) and proposed landscaping strategy for the site are considered acceptable in principle and are considered to comply with Saved BFBLP Policy EN1.

It is considered that, subject to the tree protection being implemented before works commence on the site, the existing trees can be safeguarded and this can be secured by condition.

The proposed landscaping is considered acceptable in principle and this will also be secured by condition.

Therefore, subject to conditions, the proposal would comply with the relevant policies quoted and the NPPF.

14. BIODIVERSITY IMPLICATIONS

CSDPD Policy CS1 seeks to protect and enhance biodiversity and CS7 seeks to enhance and promote biodiversity. This is considered to be consistent with the NPPF which states that planning should contribute to "minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."

The applicant's ecological report shows that the site has limited ecological value.

The Biodiversity Officer supports this proposal subject to the imposition of a number of suggested conditions including securing bird and bat boxes (and other biodiversity enhancements) which would protect and enhance the wildlife value of the development. Subject to these conditions the proposal would comply with the quoted policies and the NPPF.

15. DRAINAGE

The NPPF (para. 103) states that new development should ensure that risks from flooding can be managed through suitable adaptation measures, including through the planning of green infrastructure and the use of sustainable drainage systems to reduce the causes and impacts of flooding.

The Councils SuDs Engineers have suggested a standard condition to secure these details before any development may commence.

Subject to conditions, the proposal would comply with the NPPF.

16. SUSTAINABILITY AND ENERGY DEMAND

Since the publication of a Ministerial Statement (25th March 2015) CSDPD Policy CS10 requires the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. The development will then have to be implemented in accordance with the submitted Sustainability Statement.

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

The applicant has submitted an Energy Statement demonstrating that they would more than meet with the 10% reduction in carbon emissions. The applicant has stated that they can't meet the requirement for 20% of the development's energy demand to be met from renewable sources. Based on the applicant's approach of an initial reduction in carbon emissions significantly greater than the 10% required, a lesser energy demand offset would be accepted. The applicant has not confirmed which technology they would implement, however, it is that this can be secured by condition.

Subject to conditions the proposal would comply with the requirements of CSDPD Policies are CS10 and CS12 and the NPPF.

17. WASTE AND RECYCLING ISSUES

Section 9 of the Street Scene SPD requires any new residential development to provide a bin collection point within 25m of the highway with a carry distance for residents not exceeding 30m. Given this application is for 9 flats, it has been designed with these thresholds in mind and as such incorporates a communal bin store within close proximity of the highway (Aysgarth) which is already serviced by a refuse vehicle without the need for the vehicle to enter the site.

18. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

Retained South East Plan Policy NRM6 and Core Strategy DPD Policy CS14 seek to avoid any adverse impact upon the integrity of the Thames Basins Heaths Special Protection Area The Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) (March 2012) provides guidance on implementing these policies.

NPPF para 118 states that when determining planning applications, LPAs should aim to conserve and enhance biodiversity.

The Development Plan policies are considered to be consistent with the NPPF and should therefore be given full weight.

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

This site is located approximately 1.4 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

A contribution is calculated on a per-bedroom basis to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. In this instance, this application is for 4no 1 bedroom and 5no 2 bedroom dwellings. The SANG costs are as follows:

Total SANG Contribution - 1 bedrooms (£1221) = £4,884 (4 X 1221)
2 bedrooms (£1601) = £8,005 (5 X 1601)

The open space works at The Cut Countryside Corridor SANG is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The legal agreement will also incorporate a clause requiring occupancy to be restricted until the works and measures are in place.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis as follows:

Total SAMM Contribution - 1 bedrooms (£399) = £1,596 (4 X 399)
2 bedrooms (£526) = £2,630 (5 X 526)

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £17,115 (i.e. £12,889 + £4,226) that will need to be secured by S106 Legal Agreement.

Therefore, subject to the completion of a S106 agreement, the proposal would comply with the quoted policies and the NPPF

19. COMMUNITY INFRASTRUCTURE LEVY

Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of net new development. The amount payable varies depending on the location of the development within the borough and the type of development.

CIL applies to any new build, including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

As the application is for the creation of affordable housing it would be exempt from the payment of CIL.

20. CONCLUSIONS

It is considered that this proposal provides a scale of development within the settlement that makes efficient use of previously developed land and is sympathetic to its context in terms of its form and layout. It does not compromise the streetscene, pattern of development or character of the local area. The scale, mass, design, layout and siting of the proposed flats are considered appropriate and to relate satisfactorily to adjoining buildings, spaces and existing trees. The proposed vehicular access off Aysgrath and realignment of the existing footpath/cycleway would also minimise impacts on the main roads and promote alternative means of travel as the site fronts a route with a frequent bus service and is located adjacent to a cycle route.

The proposal is considered to be in accordance with the Development Plan policies and the NPPF.

RECOMMENDATION

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

01. (i) a vehicle/pedestrian access from Aysgrath and realignment works to public footway/cycleway adjacent to the site.
- (ii) SPA Mitigation

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details.
 - 1014-PD01 G - Proposed Site and Location Plans received 09.10.14
 - 1014-PD02 E - Proposed Floor Plans received 09.10.14
 - 1014-PD02 F - Proposed Elevations received 09.10.14
 - 1014 PD04 - Boundary Treatment received 18.07.14
 - 1014-PD05 B - Open Space Plan received 09.10.14
 - 1014-PD06 C - Indicative Sections received 09.10.14
 - EDS 07-0102.01 C - Electricity Substation Details Sheet 1 of 2 received 18.07.14
 - EDS 07-0102.01 C - Electricity Substation Details Sheet 2 of 2 received 18.07.14

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

03. No development shall take place until samples of the materials to include bricks and roof tiles and other hard surfaces to be used in the construction of the external surfaces of the development hereby permitted have been submitted to

and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP Saved Policy EN20, Core Strategy DPD Policy CS7]

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

REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP Saved Policies EN20, Core Strategy DPD Policy CS7]

05. The development shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, 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 Policy CS10]

06. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:
- (a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and
 - (b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production.

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 resource
[Relevant Plans and Policies: CSDPD Policy CS12]

07. The development hereby permitted shall not be occupied until a means of access for pedestrians has been constructed in accordance with the approved site layout.

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
[Relevant Policies: BEBLP Saved Policy M6, Core Strategy DPD Policy CS23]

08. The development hereby permitted shall not be occupied until the associated vehicle parking and turning space including drainage has been constructed and surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The vehicle parking and turning spaces shall not thereafter be used for any purpose other than parking and turning.

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

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

09. The means of vehicular access and egress to the permitted residential accommodation shall be from Aysgarth only.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

10. The development hereby permitted shall not be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

11. The development hereby permitted shall not be occupied until the existing access to the site has been closed and a footway/ verge is provided over the closed access in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; the footway/verge shall be retained thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

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

- to form an access into the site from Aysgarth
- footpath/cycleway diversion

The buildings provided by the carrying out of the development shall not be occupied until the off site highway works have been completed in accordance with the approved scheme.

REASON: In the interests of highway safety.

[Relevant Policy: BFBLP Saved Policy M4]

13. The development hereby permitted shall not be begun until a scheme for the phasing of the provision of the access and any re-routing of the footpath/cycleway has been submitted to and approved in writing by the Local Planning Authority and shall include details of:

- (a) directional signs and their locations
- (b) fencing/barriers
- (c) pedestrian/cycle routes
- (d) site lighting
- (e) phasing of all works

The approved scheme shall be performed, observed and complied with.

REASON: In the interests of the accessibility and pedestrian and cyclists safety.

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

14. The development hereby permitted shall not be occupied until secure and covered parking for bicycles has been provided in accordance with the approved

details. The cycle store shall therefore be retained and used as approved.

REASON: In order to ensure bicycle facilities are provided.

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

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

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD Policy CS23]

16. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for the occupiers of, or visitors to, any of the buildings hereby permitted.

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

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

17. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives
 - (f) Construction management plan setting out measures to minimise impacts of this development upon the existing residents of the area and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use.
 - (g) No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (f) above.

REASON: In the interests of amenity and road safety.

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

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP Saved Policy EN3, Core Strategy DPD Policies CS1, CS7]

19. No development shall commence until a scheme for the installation of bird and bat boxes, including a plan or drawing showing the location of the boxes, has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: Core Strategy DPD Policies CS1, CS7]

20. The scheme hereby permitted shall be carried out in accordance with the mitigation and enhancement measures outlined in FOA Ecology Ltd report, dated May 2014. An ecological site inspection report shall be submitted to and approved in writing by the Local Planning Authority within three months of the first occupation of the development hereby approved.

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

21. The development hereby permitted shall not be begun until details of a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be carried out before the development or any thereof is occupied.

REASON: In order to ensure the provision of adequate foul and surface water drainage to serve the development.
[Relevant Policy: BWLP WLP6]

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

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

REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP Saved Policies EN2 and EN20, Core Strategy DPD Policy CS7]

23. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

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

[Relevant Policies: BFBLP Saved Policy EN1 and EN20, Core Strategy DPD Policy CS7]

24. The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following:
- a) Accurate trunk positions and canopy spreads of all existing trees
 - b) Minimum 'Root Protection Areas' of all existing trees
 - c) Plans of a minimum scale of 1:200 showing the proposed locations of protective barrier/s, constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
 - d) Proposed ground protection measures in accordance with Section 6 (Figure 3) of BS 5837:2012.
 - e) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
 - f) Illustration/s of the proposed fencing structure/s to be erected.
- The development shall be carried out in accordance with the approved scheme and programme.

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

[Relevant Policies: BFBLP Saved Policy EN1 and EN20, Core Strategy DPD Policy CS7]

25. No building work or deliveries shall take place during the construction of the development hereby approved outside the hours of 08.00 hours and 18.00 hours Monday to Friday; 08.00 hours and 13.00 hours Saturday and not at all on Sundays and Public Holidays.

REASON: In the interests of the amenities of the local residents.

[Relevant Policies: BFBLP Saved Policy EN25]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal subject to conditions, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

In the event of the S106 planning agreement not being completed by 31 August 2015 the Head of Planning be authorised to REFUSE the application on the grounds of:-

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

Doc. Ref: Uniform 7/DC/Agenda

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

Unrestricted Report

ITEM NO: 6

Application No.
14/01317/FUL
Site Address:

Ward:
Warfield Harvest Ride

Date Registered:
5 January 2015

Target Decision Date:
2 March 2015

53 All Saints Rise Warfield Bracknell Berkshire RG42 3DS

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

Applicant: Mr & Mrs Mallach

Agent: Abracad Architects

Case Officer: Michael Ruddock, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

2. SITE DESCRIPTION

No.53 All Saints Rise is an end of terrace dwelling, one of a group of three terraced dwellings which have a shared access. Parking is located at the front of the properties, and each has a separate private garden to the rear. The site is bordered by the adjoining terraced dwelling of No.51 All Saints Rise to the east, and No.55 All Saints Rise to the west. No.55 is set further forward towards the front of the site and the highway than No.53. A further group of dwellings facing All Saints Rise to the east border the site to the south.

3. RELEVANT SITE HISTORY

No relevant planning history.

4. THE PROPOSAL

The proposed development is for the erection of a part single storey, part two storey extension to the side of the property. The extension would project 2.8m to the side of the property and would have an overall depth of 7.2m, set 0.5m back from the front elevation. It would be set in by 1.5m at first floor level, giving this element a depth of 5.7m, set 2.0m back from the front elevation. The extension would have an overall height of 6.7m which would be 0.8m lower in height than the main dwelling, and the single storey element would have a height of 3.5m. The extension would provide a new kitchen and dining room at ground floor level, and an additional third bedroom with en suite at first floor level.

As originally submitted, the proposal was for a two storey extension set back 0.5m from the front elevation, and has been amended to set back the first floor element 2.0m from this elevation creating a ground floor element with a depth of 1.5m. The height of the extension has also been reduced from 7.4m to 6.7m.

5. REPRESENTATIONS RECEIVED

Warfield Parish Council

Recommend refusal as the proposed extension by reason of its size and mass represents an unacceptable enlargement of the property.

Other Representations

Three neighbour objections have been received that can be summarised as follows:

- The proposed development would result in a detrimental effect on the amenities of the residents of the neighbouring properties both to the west and the south, by reason of loss of light, overbearing and overlooking.
- The scale of the development would be out of character with the surrounding area by reason of its size and mass.
- Increase in issues with water drainage.

[OFFICER COMMENT: The site is not located within a Flood Zone, and it is not considered that the amount of built form proposed would result in any significant drainage issues. The other issues are dealt with in the report.]

6. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

The Highways Officer was consulted on the application, and has no objection to the proposed development.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the SALP which sets out the need to take a positive approach to considering development proposals which reflect in 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.

CSDPD Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements. No.53 All Saints Rise 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 impacts upon residential amenities of neighbouring properties and character and appearance of surrounding area together with highway safety implications, remain to be assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

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

These policies are considered to be consistent with the objectives set out within the NPPF. In addition paragraph 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, and therefore these policies can be afforded significant weight.

The extension would project to the side of the dwelling and would therefore be visible in the streetscene. The extension would be set 0.8m lower in height than the main dwelling and set back 2.0m from the front elevation at first floor level. It is considered that this design would result in an extension that would appear subordinate to the host dwelling and would not appear out of keeping with the design of the existing dwelling.

The existing dwelling is set back over 11m from the highway as existing, and the extension would be set further back still. It is not considered that such an extension with a width of 2.8m, set 0.8m lower in height than the host dwelling would result in an overly prominent feature in the streetscene. It is noted that a number of properties on All Saints Rise have been enlarged with either two storey or first floor extensions. Although these extensions have related to detached dwellings rather than terraced dwellings, as the extension is considered to be acceptable in terms of its design it is not considered that it would appear out of keeping with the existing streetscene on All Saints Rise.

It is therefore not considered that the development would result in an adverse impact on the character and appearance of the area, and the development would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

10. RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 (vii) refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFBLP 'Saved' Policy EN20 is for the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. This is considered to be consistent with the core principle relating to design in paragraph 17 of the NPPF, which states that LPAs should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and consistent with the general design principles laid out in paragraphs 56 to 66 of the NPPF.

As the extension would not project forward or rear of the existing dwelling it would not be visible from the front or rear facing windows of the neighbouring terraced properties to the east. With regard to No.55 All Saints Rise to the west, the extension would project closer to both the common boundary between the properties and the rear elevation of the neighbouring property. At present No.53 is set off the boundary by 4.0m and there is a gap of 7.4m between the two dwellings.

The extension would be set off the boundary with No.55 by 1.2m and set off the neighbouring dwelling by 4.4m. In accordance with guidance contained within the British Research Establishment Document 'Site Layout Planning For Daylight and Sunlight: A Guide to Good Practice (2011) a 45 degree line drawn on the horizontal plane from the midpoint of the nearest rear facing window at No.55 would intersect the extension, as demonstrated on the proposed site plan. However a 45 degree line drawn from the point of intersection towards the window would not overshadow any part of the window, and it is therefore not considered that the extension would result in an unacceptable loss of light to the rear facing windows at that property. Furthermore, as demonstrated on the proposed floor plan at the point of intersection the extension would be set off the rear of the neighbouring dwelling by 8.6m.

The extension would project closer to the western boundary than the existing dwelling, however it is not considered that the additional impact of the extension on the rear of these properties, bringing the dwelling 2.8m closer to the boundary than at present,

would result in such an unduly overbearing effect that refusal of the application on this basis is warranted. The reduction in the height of the extension and set back at first floor level has also reduced the amount of built form that would be visible from the west. No windows are proposed in the side elevation, and although a rooflight is proposed this would be more than 1.8m from floor level and would not offer a view into the neighbouring property. Conditions will be imposed to ensure that this situation remains the case. It is not considered that the front facing window in the extension would result in an unacceptable loss of privacy to No.55 as the angle between this window and the rear elevation of the neighbouring property would be too oblique.

In respect of the properties to the rear, the extension would be no closer to the boundary than the existing dwelling and as such it is not considered that it would result in an unacceptable loss of light or additional overbearing impact to these properties. Only one additional rear facing window is proposed which would serve a shower room. As this window would be set 13m off the rear boundary it is not considered that it would result in an unacceptable loss of privacy to the neighbouring properties. It is therefore not considered that a condition requiring this window to be glazed with obscure glass and fixed shut is necessary. In any case, this window is no nearer the rear boundary than the existing rear facing windows.

Concerns have been raised regarding drainage however it is not considered that the built form proposed would result in an unacceptable increase in this issue that would warrant refusal of the application. Furthermore the site is not located within a Flood Zone.

It is therefore not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties. It would therefore not be contrary to 'Saved' BFBLP Policy EN20 or 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 (The SPD is a material consideration, and was adopted in 2007). 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, and can be afforded significant weight.

For a dwelling that has two or three bedrooms (as is the case with No.53 All Saints Rise), a parking requirement of two off street spaces is set out. The increase in the number of bedrooms from two to three does not give rise to any additional parking requirement, therefore no further parking is required as a result of the proposed development. Access to the rear of the site would be maintained.

It is therefore not considered that the development would result in an adverse impact on highway safety, and would therefore not be contrary to CSDPD Policy CS23, BFBLP 'Saved' Policy M9 or the NPPF.

12. COMMUNITY INFRASTRUCTURE LEVY

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

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

As the proposal would involve an existing dwelling and at 29.4 square metres of additional floor area it would not result in an extension of over 100 square metres of gross internal floor space, the development is therefore not CIL liable.

13. CONCLUSIONS

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 highway safety. It is therefore not considered that the development would be contrary to CSDPD Policies CS7 and CS23, BFBLP 'Saved' Policies EN20 and M9 or the NPPF.

14. RECOMMENDATION

The application is recommended for conditional approval.

RECOMMENDATION

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 27th February 2015:
MAL/02 (Rev B)
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the west facing side elevation of the extension hereby permitted except for any which may be shown on the approved drawing(s).
REASON: To prevent the overlooking of neighbouring property.
[Relevant Policies: BFBLP EN20]

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

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
- 01. Time Limit
 - 02. Approved Plan
 - 03. Materials
 - 04. Restrictions on side facing windows
 - 05. High level windows

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 7

Application No.
15/00005/3

Ward:
Winkfield And
Cranbourne

Date Registered:
6 January 2015

Target Decision Date:
3 March 2015

Site Address:

**Winkfield St Marys Church Of England Primary
School Winkfield Row Bracknell Berkshire RG42 6NH**
Erection of single-storey extension forming surge classroom and
formation of new parking.

Proposal:

Applicant:

Mr C Taylor

Agent:

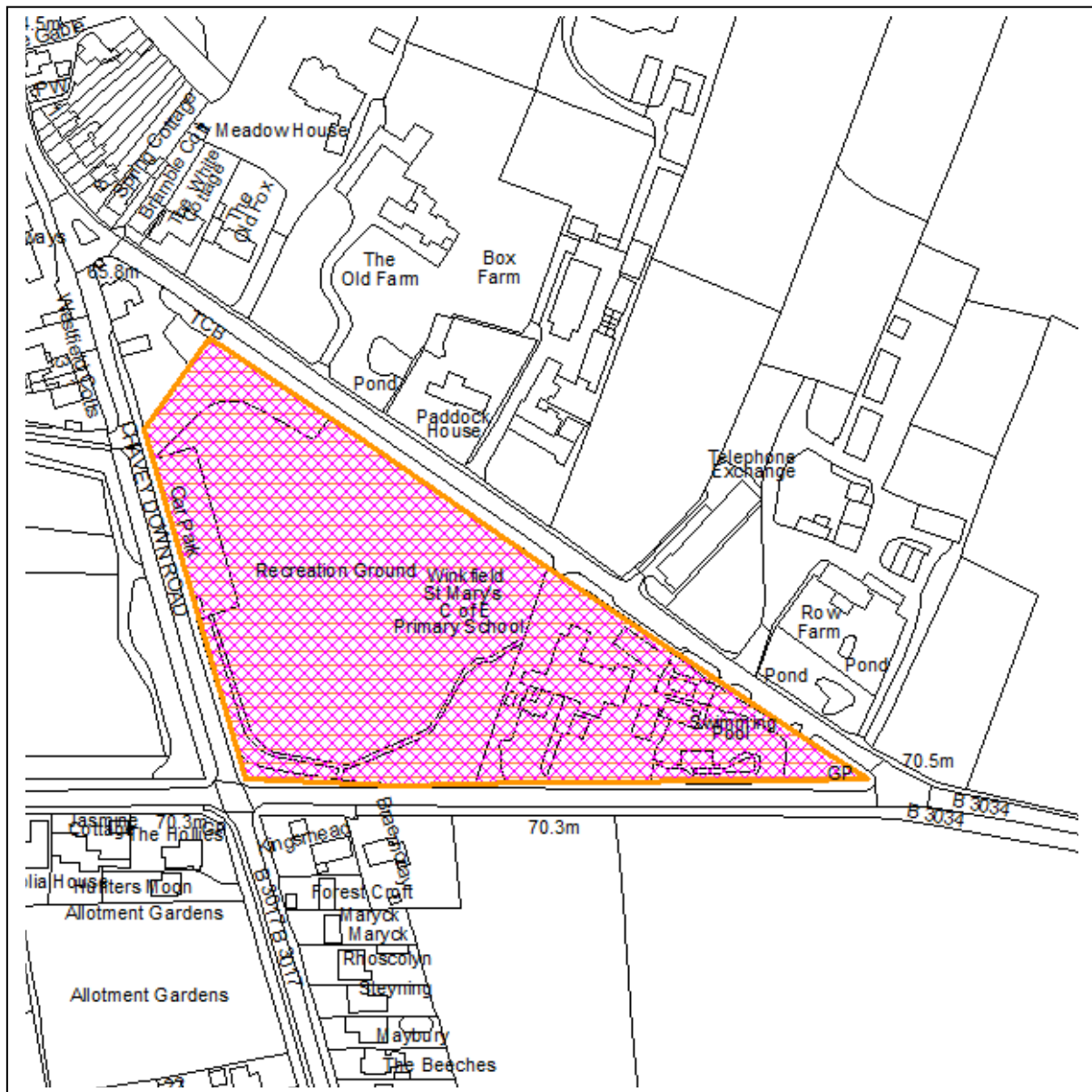
Mr N Griffin

Case Officer:

Katie Andrews, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

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

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

2. SITE DESCRIPTION

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

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

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

Residential properties lie to the north, south and west of the school site.

3. RELEVANT SITE HISTORY

Most recent planning history:

14/01216/FUL - Erection of a single storey extension forming a Surge classroom. Withdrawn

4. THE PROPOSAL

This is a regulation 3 planning application for the erection of a single storey extension to form a surge classroom of 98 sqm and the provision of 10 new parking bays within the recreation ground.

Surge classrooms can be provided in primary schools to take an additional form of entry for one year only. The surge class moves up through the school year by year until the pupils leave. After seven years the classroom becomes available again for re-use as a new surge classroom, or for an alternative use.

The site can currently accommodate 210 pupils as a 1 form entry Primary School; and therefore the provision of a surge classroom would allow for the school to have a capacity for 240 pupils at any one time. The level of staff would increase from 20 to 22.

The proposal to provide a surge classroom at Winkfield St Mary's Primary School is an essential component of the Council's strategy for meeting its statutory obligation of providing sufficient primary school places for its residents. As such the need for this aspect of the development is recognised at both national and local level by the Government and the Bracknell Forest Partnership.

5. REPRESENTATIONS RECEIVED

20 Letters of objection have been received. These are summarised below:

School Amenities

- o The school has the smallest outdoor open space of any primary school in Bracknell Forest. Building will reduce this area further causing disturbance to the amenities of the existing pupils.
- o All shared school facilities would come under pressure (ICT room, Library, Staff Room, Swimming Pool)
- o Existing facilities inadequate.
- o School cannot cope with providing hot school meals for 30 more children.
- o Consideration of enhancing walking routes to the school should be made.
- o Consideration should be given to enhancing the play facilities and drainage at the park.
- o Childrens play space will be lost to parking of vehicles during construction which will not be contained to school holidays.

Parking and Highway Safety Concerns

- o Transport Statement Inaccurate - all the additional children would travel by car.
- o Existing car parking provision inadequate.
- o Traffic generation and highway safety issues.
- o Existing carpark is not up to standard.
- o Does not accord with para.13 of the NPPF as not being located to ensure need for travel is minimised or where the use of sustainable transport modes can be maximised.
- o A construction management plan should be provided in advance of the application being determined.
- o School travel plan will need to be revised at the application stage.
- o No point in increased cycle parking provision as pupils will not be safe cycling on the roads.
- o Primary School Places have now been allocated. At least 10 pupils out of 30 will be from outside the catchment area leaving no choice but to drive.
- o Previous report to Committee failed to consider:
 - appropriate working hours for the site given the traffic congestion in the area at school drop off and pick up times.
 - failed to seek to control construction deliveries to the site at these times and did not address where construction vehicles would park on site.
- o The school has no control over the Locks Ride car park and it would only be appropriate to secure its availability through a legal agreement to its availability.
- o Locks Ride car park is well used during the summer months by the public and sports teams.
- o The new pedestrian access from the Locks Ride car park should be implemented prior to the extension being first occupied.
- o Unlikely that the Locks Ride car park will be used and condition to secure it unenforceable beyond initial implementation.
- o A condition is being recommended for details of construction access to Forest Road yet this would require planning permission in its own right.

Impact on Character of Area

- o Use of public amenity space for school parking is not acceptable.
- o Parking on the playing field contravenes para. 74 of the NPPF as the land is open space.

- o Proposed extension is designed to be in keeping with existing.
- o No reference in the Design and Access Statement to the character study for the northern villages. Bullet 2 of the recommendations is relevant as trees are to be removed.

Principle Issues

- o Historically have been told the school cannot expand when Chavey Down children were unable to attend the school.
- o Failure to properly plan school sites.
- o Winkfield Row is a small village with a single form entry primary school that has not been able to fill its reception class from the catchment area.
- o The greatest need for school places is in Warfield not Winkfield Row.
- o Additional pupils will come from outside the area.
- o School has gone from 'good' to 'requires improvement'. School is already struggling to cope.
- o School is located in the countryside and not within a centre of population.
- o Financial questions surrounding the acceptability of the surge classroom.
- o The 'need' for this surge classroom does not exist, it has not been demonstrated to be "an essential component of the Council's strategy to meet its statutory obligation to provide school places".
- o There is no clear need to expand this school as shown by the Council's own 2015/16 primary admissions breakdown on the Council's website.
- o With the total absence of need for the proposal in this location the Departure from the development plan is significant, need cannot be used as a material consideration to weigh in the balance against policy.

These matters will be considered further below where appropriate.

6. SUMMARY OF CONSULTATION RESPONSES

Winkfield Parish Council:

Winkfield Parish Council supports the application but would ask officers to work with the applicant to improve the layout of the car park to facilitate safer manoeuvring. They have raised concerns that the number of extra spaces will be insufficient.

Sport England:

Sport England originally objected to the application on the grounds that the proposal would result in the loss of useable playing fields. They have now withdrawn their objection following plans submitted by the applicant showing pitch layouts that have been used in the past and the potential for 2 under 9/10 7v7 pitches in the future.

Transportation Officer:

Initially the Transportation Officer was concerned over the potential for pupil numbers to increase from 210 to 240 as existing car parking provision is insufficient to accommodate the additional demand which is likely to be created. Additional on-street parking would create risks to highway safety.

The application proposes 10 additional off-site parking spaces within the adjacent playing fields and the applicant has now secured additional off site car parking at Locks Ride Sport and Recreation Ground with the agreement of Winkfield Parish Council to provide parking during drop off and pick up times.

Therefore subject to conditions securing the following the Highway Authority has no objection to the proposal:-

- (i) Securing Locks Ride Sport and Recreation Ground car park
- (ii) Securing vehicle parking (details to be approved)
- (iii) Securing Cycle parking and facilities (details to be provided)
- (iv) Securing site organisation
- (v) Securing a Travel Plan to promote the use of the Locks Ride Sport and Recreation Ground car park with children being walked to/from the school by adults.

Biodiversity Officer:

No objection subject to conditions.

7. APPLICANT'S POINTS

The Applicant carried out a public consultation exercise between 3 March - 30 March 2015 in response to the issues and concerns raised by local residents with an open afternoon/evening presentation held at the Primary School on 16 March 2015.

The applicants have summarised the response as:

- 66 responses to the web and leaflet based consultation were received.
- 90.91% agreed that pupils in Bracknell Forest schools should have access to modern teaching facilities within the Borough.
- 42.42% supported the proposal to construct the surge classroom at Winkfield St Mary's CE Primary School with 51.52% against this proposal.
- 56.06% agreed that if the Surge Classroom was built at the school that additional parking should be provided to mitigate the impact on surrounding areas, whilst 34.85% disagreed on the requirement for this additional parking.
- 53.03% of the respondents were from the Winkfield St Mary's Primary School Community and 28.79% from local residents.

The applicants advise that the majority of negative responses were received from current school parents however this was countered by equally strong support from other Winkfield St Mary's Primary School stakeholders and residents.

They have further advised that the Local Highways Agency are satisfied that the traffic load associated with the increased school capacity is met by the proposed use of George V recreation ground and the additional 10 car parking spaces proposed on it and the park and stride drop off and pick up facility at Locks Ride car park. The School will adapt their Travel Plan accordingly. Careful selection of the Contractor and their programme coupled with access for delivery solutions and additional temporary soft play areas on George V recreation ground will minimise disruption to the School. The School site will meet BB103 standards for hard play areas (the only BB103 area affected) once the surge classroom has been completed.

8. DEVELOPMENT PLAN

For Bracknell Forest, the Development Plan includes the following:-

- Core Strategy (February 2008) (CS)
- Bracknell Forest Borough Local Plan (January 2002) (BFBLP)
- Site Allocations Local Plan (July 2013) (SALP)
- Bracknell Forest Borough Policies Map (2013)

9. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This is reflected in SALP Policy CP1, which sets out that planning applications which accord with the Development Plan should be approved without delay, unless material considerations indicate otherwise. Policy CP1 also sets out a positive approach to considering development proposed that reflects the presumption in favour of sustainable development contained in the NPPF (which in turn contains caveats regarding specific policies within the NPPF which indicate development should be restricted).

CSDPD Policy CS1 sets out a number of sustainable development principles and CSDPD Policy CS2 relates to locational principles. CSDPD Policy CS9 and saved BFBLP Policy EN8 relates to development on land outside of settlements. These policies are considered to be consistent with the NPPF, and as a consequence are considered to carry significant weight.

The proposal is to provide a new classroom within the existing built envelope of the school with an area for new parking, extending an existing car park on the adjacent recreation ground. CSDPD Policy CS2 states the following: 'Development will be permitted within defined settlements and on Allocated Sites'. The site lies outside of a defined settlement so conflicts with this policy. CSDPD Policy CS9 and saved BFBLP Policy EN8 seek to protect the countryside for its own sake. Development will only be permitted where it would not adversely affect the character, appearance or function of the land, and would not damage its landscape quality. Whilst BFBLP Policy EN8 lists possible developments that may be permitted in the countryside, subject to character and other considerations, the proposed development does not fall under any of these types of development.

As such the proposal as a whole is not considered acceptable in principle and the application has been advertised as such.

10. IMPACT ON OPEN SPACE OF PUBLIC VALUE

CSDPD Policy CS8 and NPPF and bullet point 1 of para 74 are considered relevant as they seek to protect areas of OSPV from development.

The proposal would result in new parking spaces encroaching on an existing area of playing field which is considered to meet the definition of Open Space of Public Value (OSPV) and for this reason Sport England was consulted. Sport England originally objected to the application on the grounds that the proposal would result in the loss of useable playing fields. However, plans were submitted by the Applicant, which show that the site can still support the pitch layouts that have been used in the past and the potential for 2 under 9/10 7v7 pitches in the future. Sport England has therefore withdrawn its objection on this basis.

In this case, the proposal would result in the loss of playing field from the edge of the field continuing an existing area of carpark. Due to the small area of land involved and as Sport England has taken the view that the development would not prejudice the use of the remaining playing field, the proposal is not considered contrary to CSDPD Policy CS8 and the NPPF.

11. IMPACT ON CHARACTER AND APPEARANCE OF AREA

CSDPD Policy CS7 and saved BFBLP Policy EN20 set out various design considerations to be taken into account in new development.

CSDPD Policy CS7 requires a high quality of design which builds on local character and respects local patterns of development. Of particular relevance to the current application is that it expects development proposals to promote safe communities; enhance the landscape and promote biodiversity; aid movement through accessibility, connectivity, permeability and legibility and to provide high quality useable open spaces and public realm. This policy is considered to be consistent with the NPPF.

The Character Areas SPD provides guidance to supplement CSDPD Policy CS7 (Design). The site is in Area C: Winkfield Row North of the 'Northern Village Study Area'. The SPD requires that any future development on existing school grounds must reflect the openness and protect the existing landscape character and mature trees.

Saved BFBLP Policy EN20 requires that the development be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials, layout and siting, both within itself and in relation to adjoining buildings, spaces and views. Proviso (ii) seeks the retention of beneficial landscape or ecological features. Proviso (iii) seeks to ensure that the design promotes, or creates local character and a sense of local identity. Proviso (vi) seeks to avoid the loss of natural features such as trees. This policy is considered to be consistent with the NPPF.

Saved BFBLP Policy EN1 seeks to prevent the loss of trees which are important to the retention of, inter alia, the character and appearance of the landscape or townscape. These policies are considered to have significant weight, as they are consistent with sections 7 & 11 of the NPPF.

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

Proposed extensions

The existing school buildings are a mixture of single and two storey development and are of various ages. The original building is Victorian and constructed from buff brick with a pitched tiled roof with previous extensions a mixture of traditionally designed extensions and pre fabricated buildings. The proposed extension would be sited within the existing building envelope and has been designed to reflect the previous traditionally designed extensions with a pitch tiled roof and brickwork to match the existing. Glazing is proposed to the eastern elevation to replicate the glazing used in an adjacent building. A new glazed roof and entrance door will provide an access link corridor linking the extension to the existing building.

Overall the design of the extensions, and the proposed materials, is considered to be acceptable.

Works to the car park

The proposed works to the existing car park to provide 10 additional parking spaces within the adjacent recreation ground would result in the loss of a small area of open space. However it is not considered to significantly alter the character of the recreation ground in view that it would lie next to the existing parking and on the edge of the

playing field. No alterations are proposed to the existing vehicular access with the existing hedge line to retain. The car park is proposed to be constructed of tarmac to match the existing with the existing metal fencing extended to enclose the new parking. An existing gate out of the carpark will be relocated and the existing footpath adjusted to retain the access walkway between the car park and the school.

Overall the extension to the carpark is not considered to harm the amenities or landscape character of the street scene.

Trees and Landscaping

The provision of the surge classroom and 10 additional parking spaces within the adjacent recreation ground would not affect existing trees/hedges on the site. However some vegetation is proposed to be removed from an existing access along Forest Road to provide a temporary site access during the construction works. The vegetation that could be removed to enable a temporary access would not be detrimental to the landscaped character of the street scene however this would need to be considered under a construction method statement and replacement planting would be required. It is therefore considered appropriate that a landscaping scheme and construction method statement should be conditioned to consider this temporary access further.

Overall the proposed development is considered to comply with CSDPD Policy CS7, saved BFBLP Policies EN1 and EN20, The Character Areas SPD and the NPPF.

12. RESIDENTIAL AMENITY

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

The site is currently the location of a Primary School with associated parking and play areas with an existing playing field and parking located to the west of the site. The closest residential properties to the extensions are Braemoray and The Follies located to the south of the proposed extension along Forest Road situated some 80m from the proposed extension. The extension is not considered to result in any impact on their residential amenity.

The amendment to the proposed parking creates 10 new parking spaces within an existing car park. This is not considered to result in an impact on amenity.

Given the assessment made above the proposal as a whole is not considered to result in any significant impacts upon residential amenity. As such the proposal is considered to comply with saved BFBLP Policy EN20 proviso (vii) and the NPPF.

13. TRANSPORT IMPLICATIONS

Saved BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 seek to promote or retain safe highway access and suitable off-road parking provisions, thus avoiding highway safety implications. These policies are consistent with the objectives of the NPPF (Chapter 4, in particular para. 32), and can therefore be afforded significant weight. The adopted Parking Standards SPD was referred to in the assessment of this proposal.

Access:

The site is located on Winkfield Road, which is subject to a 20mph speed limit and is traffic calmed. The school currently has three vehicular access points along Winkfield Road. The access to the west of the site is the main vehicular access which is used for kitchen deliveries, the central access is used access by maintenance vehicles and the access to the east of the site is used for staff parking. The vehicular accesses to the school already exist and will remain unchanged as part of this application.

Primary pedestrian access to the school is adjacent to the main vehicular access and across a hard play area to the school reception. A secondary pedestrian access is provided from Forest Road, which runs along the schools southern boundary with a third pedestrian access across the recreation ground to the west of the site.

As mentioned above a potential construction access is proposed from Forest Road however this would need to be considered under a construction method statement which can be secured by condition.

Parking Requirements:

The level of parking on site is around 7 spaces within the staff car park to the south of the site with some double parking occurring leading to 9 spaces. Current demand on site equates to around 12 spaces with the proposal equating to demand for 14 spaces on site. Therefore there is an existing shortfall of 5 spaces and 7 spaces when considering the application for a surge classroom. However on-site car parking will remain at its existing level, due to the constraints of the site. The proposal will increase parking capacity off site within the Chavey Down Road Car and the Car Park at the Locks Ride Sports and Recreation Ground. This parking provision is discussed below.

Cycle parking within the site is being increased from 22 spaces to 24 spaces and the facility is to be covered. This complies with the cycle parking standards and can be secured by condition.

Vehicle Movements/per day:

The proposed surge classroom will lead to an increase of 30 pupils over the existing level that the school can accommodate. The level of staff will also increase by 2. Considering current travel to school data the applicant has stated that the surge classroom is predicted to generate an additional 15 car-based arrivals and 13 car-based departure trips (taking into account 2 additional staff members) during the weekday morning peak drop -off period and 13 arrivals and 13 departure trips during the school afternoon pick-up period. The afternoon pick up period is noted as 15:00 to 16:00, as teaching staff commonly leave after 16:00.

The applicant has undertaken an analysis of the local road network around the school and this indicates that many of the roads around the school are heavily parked during the school drop-off and pick-up times. The Highway Officer's observations indicate that the parking demand was high which concurs with the parking survey carried out by the applicant. However the Highway Authority observed that there was no remaining capacity on Winkfield Row during the afternoon pick up at 14:50 and 15:00 with the parking on the adjacent recreation ground full at 15:10.

The figures and predictions for the travel data has been based on school census data which is considered to be accurate, it is however likely that the majority of the additional pupils will travel to the school from a wider area than the existing pupils.

Thus it is more likely that the proportion of additional trips to the school by car would be higher than existing figures.

In order to address the issue of future demand from the proposal the application proposes 10 additional parking spaces within the adjacent recreation ground. The existing parking spaces within this car park do not accord with the latest standards and reversing/manoeuvring space is sub-standard however the proposed spaces will be required to comply with the latest requirements. Details of the car parking spaces can be secured by condition.

In addition to these works it is proposed to make use of the existing car park which serves the Locks Ride Sports and Recreation Ground. This is owned by Winkfield Parish Council who have given their permission for the school to use the car park during school drop off and pick up times. The car park is approximately 300 metres from the school and planning permission has been granted under 14/01255/FUL for a pedestrian safety scheme comprising of a new footpath link into the site from Forest Road at the western end of the car park, culverting of a ditch, a new footpath around the outside perimeter of the car park and a new gate and fencing. These measures will allow the facility to be more effectively used by parents to park and walk to the school.

Overall it is felt that a combination of the off site works will provide sufficient mitigation for the proposed surge classroom.

An enhanced travel plan for the school will be required and this will need to focus on measures that support a reduction in car travel or parking in close proximity of the school gates. Consideration will also need to be given to a formal park and stride system from the Locks Ride Sports and Recreation Ground with children being walked to/from the school by adults. This is recommended to be secured by condition.

Therefore subject to suitable conditions the proposal is considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24, Parking Standards SPD and the NPPF.

14. ACCESSIBILITY

There are no concerns regarding accessibility. As such the proposal is considered to be in accordance with the requirements of Policy CS7 of the CSDPD and saved BFBLP Policy EN22. These are considered to be consistent with Section 7 of the NPPF which requires inclusive design with accessible environments and can be afforded significant weight.

15. BIODIVERSITY

Policy CS1 of the CSDPD seeks to protect and enhance the quality of natural resources including biodiversity. Policy CS7 also requires the design of new development to enhance and promote biodiversity. These policies are consistent with NPPF para. 118 and therefore can be afforded significant weight.

The applicant has provided an Ecological Impact Assessment which concludes there is general low potential impact on biodiversity as a result of this development. A single bat survey was carried out which shows that no bats were using the building at the time of the survey. The Council's Ecology Officer has advised that the level of survey effort for bats is substandard. However he has stated that there is a low risk of bats using the area of the building to which the surge classroom is attached.

A further survey of the building in the area of development can be secured by condition immediately prior to the commencement of construction. Additionally, a method statement to cover building of the surge classroom in a manner that will reduce the risk of harm being caused to bats can be secured and the Ecological Impact Assessment also sets out a number of recommendations for mitigating the impact of proposed development and these should be adhered to in full. With these conditions the proposal is considered to comply with both policies CS1 and CS7 as overall it would safeguard the ecology of the site.

16. SUSTAINABLE CONSTRUCTION

Policy CS12 of the CSDPD is considered to be consistent with chapter 10, para 95 of the NPPF and the recent Ministerial Statement on 25 March. This advises that for the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until changes are expected in 2016.

Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. No documentation regarding Policy CS12 has been submitted and it is recommended that a condition is applied to address the requirement of the policy.

17. COMMUNITY INFRASTRUCTURE LEVY

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

CIL applies to any new build, including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

As the proposal would involve the creation of a surge classroom the development is not CIL liable.

18. OTHER MATERIAL CONSIDERATIONS

The applicant states in their submission that the challenge for Bracknell Forest Council is to establish an effective plan to provide the right number of school places in the right locations and at the right time for the rising population of young people who will be seeking school places over the next 5 to 19 years. This school is one of many across the borough that are being redesigned, on a master plan level, to increase the numbers of forms on entry at the schools to meet the requirement of increasing student number places in the area.

The NPPF para. 72 states that Local Planning Authorities should give great weight to the ability of schools to be able to expand or be altered. The purpose of the proposal is to respond to a local need and a statutory requirement to provide school places within the Borough. The applicant's have provided a statement setting out why the surge classroom is required, with Winkfield St Mary's Primary School falling in the planning area for school places of Bracknell North. They advise that the Bracknell North area continues to experience increasing pupil numbers and pressure on the intake year in primary schools, which is also seen across the rest of the Borough.

The applicants advise that there are 12 primary/infant/junior schools in this school planning area with a total of 3,942 places. By 2019 they anticipate an increase in pupil numbers of 828 in this school planning area resulting in a shortfall of 553 places. They have advised that in recent years the options for providing new places in north Bracknell have reduced as expansion of existing schools has taken place. This has included increasing capacity at Meadow Vale, Sandy Lane and Holly Spring, with a surge classroom at Cranbourne Primary School. The applicant's have demonstrated a need to expand Winkfield St Mary's Primary School by meeting the identified increase in demand for primary school places across the Bracknell North school places planning area.

The proposed surge classroom falls within the existing built envelope of the school on previously developed land with the proposed additional parking within the recreation ground providing an extension to the existing car park. The school has a long established use at the site and a clear need has been demonstrated for the extension and car parking.

The proposal would provide a modern permanent classroom and would provide 4 new toilets that would be easily accessible. The schedule for outdoor accommodation and internal accommodation would be determined by the Education Authority's requirements. However the location of the proposed classroom would fall on an area of land with a walkway, steps, flower bed and an old stage area. It would therefore not result in the loss of a large area of usable outdoor space and would therefore provide improved facilities for the school.

The need for the school accommodation and the environmental considerations are material considerations that are felt to outweigh the harm to the Countryside as a result of the development being contrary to Local Plan Policies EN8 and Policies CS2 and CS9 of the CSDPD.

19. CONCLUSIONS

In conclusion, the proposed surge classroom and additional parking spaces, although not in accordance with BFBLP Policies EN8 and CSDPD Policies CS2 and CS9, are considered acceptable as there are social and environmental material considerations that outweigh this policy conflict. It is also a material consideration that the school use is an established use within the countryside setting.

The application proposes the addition of a surge classroom which has been designed to be sympathetic to the appearance of the existing school whilst meeting the demand for places from rising roles. Demand for additional parking will be required at drop off and pick up times and off-site parking is proposed within the adjacent recreation ground and to be secured at the Locks Ride Sport and Recreation Ground car park.

For the reasons given above the proposal is considered acceptable and recommended for conditional approval as it complies with BFBLP saved policies EN1, EN2, EN20, EN22, M4, M7 and M9 and CSDPD Policies CS1, CS7, CS10, CS12, CS23 and CS24 and the NPPF.

RECOMMENDATION

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-
5125476-ATK-Z1-ZZ-DR-A-0001 P1 dated 09.09.2015
5125476-ATK-Z1-ZZ-DR-A-0002 P1 dated 09.09.2015
5125476-ATK-Z1-ZZ-DR-A-0003 P1 dated 09.09.2014
5125476-ATK-Z1-ZZ-DR-A-0004 P1 dated 09.09.2014
5125476-ATK-Z1-ZZ-DR-A-0102 P1 dated 20.10.2014
5125476-ATK-Z1-ZZ-DR-A-0103 P1 dated 20.10.2014
5125476-ATK-Z1-ZZ-DR-A-0111 P2 dated 20.10.2014
5125476-ATK-Z1-ZZ-DR-A-0115 P1 dated 20.10.2014
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3, CSDPD CS1, CS7]
05. The development (including site clearance and demolition) shall not be begun until:-
(i) the buildings subject to development have been further surveyed for the presence of bats, and
(ii) the further survey has been submitted to and approved by the Local Planning Authority, and
(iii) either the Local Planning Authority have agreed that no relocation of bats is necessary or a scheme for the relocation of an bats has been submitted and approved by the Local Planning Authority. The scheme shall be performed, observed and complied with (insert by when).
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]
06. All ecological measures and/or works shall be carried out in accordance with the details contained in Atkins' Ecological Impact Assessment report dated November 2014 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

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

07. The development shall not be occupied until bird and bat boxes (and other biodiversity enhancements), have been provided in accordance with a scheme - including a plan or drawing showing the location of these enhancements - which has been submitted to and approved in writing by the Local Planning Authority
REASON: In the interests of nature conservation.
[Relevant Plans and Policies: CSDPD CS1, CS7]
08. No development shall take place (including ground works and site clearance) until a method statement for the sensitive construction of the surge classroom to avoid the potential of harm to bats in any buildings on site has been submitted to and approved by the local planning authority. The content of the method statement shall include:
o the purpose and objectives for the proposed works
o detailed designs and/or working methods to achieve the stated objectives
o extent and location of the proposed works shown on an appropriate plan
o a timetable for implementation
o details of persons responsible for implementing the works
The works shall be carried out strictly in accordance with the approved details.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
09. No development shall take place until details of the materials to be used in the construction of the external surfaces of the carpark hereby permitted have been submitted to an approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
(Relevant Policies:BFBLP EN20, Core Strategy DPD CS7)
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of visual amenity.
[Relevant Policies: BFBLP EN15, EN20 and EN25]
11. No development shall be occupied until the associated vehicle parking at the recreation ground on Chavey Down Road has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
12. The surge classroom hereby approved shall not be occupied until covered and secure cycle parking facilities have been provided in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

13. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives
 - (f) Details of working hours for the site to include details of construction delivery times
- and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above without the prior written permission of the Local Planning Authority.
- REASON: In the interests of amenity and road safety.
14. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.
- All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved, unless the Local Planning Authority gives written consent to any variation.
- REASON: In the interests of good landscape design and the visual amenity of the area.
- [Relevant Policies: BSP DP5, BFBLP EN2 and EN20, CSDPD CS7]
15. The extensions hereby permitted shall not be occupied until an updated Travel Plan, including measures as to implementation, monitoring and review has been submitted to and approved in writing by the Local Planning Authority. Thereafter the travel plan shall be implemented in accordance with the approved details.
- REASON: To ensure at the development does not give rise to an increase in traffic to and from the school, which could result in a detrimental and unmitigated impact on the local road network.
- [Relevant Plans and Policies: BFBLP M4 and CSDPD CS23]
16. No development shall take place until full details of a scheme to secure off site parking at the Locks Ride Sport and Recreation Ground has been submitted to and approved in writing by the Local Planning Authority. The extensions hereby

permitted shall not be occupied until the approved scheme has been implemented.

REASON: In the interests of highway safety and the accessibility of the development to pedestrians.

[Policies: BFBLP M6 and CSDPD CS23]

17. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:-
- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
 - b) Positions and spreads of existing hedgerows and groups of mature shrubs.
 - c) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
 - d) Proposed location/s of 2.4m high protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
 - e) Illustration/s of the proposed protective barriers to be erected.
 - f) Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
 - g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
 - h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
 - i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.
- The development shall be carried out in full accordance with the approved scheme.

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

18. 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]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 8

Application No.
15/00122/FUL
Site Address:

Ward:
Warfield Harvest Ride

Date Registered:
5 March 2015

Target Decision Date:
30 April 2015

**Nutcroft 20 Priory Lane Warfield Bracknell Berkshire
RG42 2JU**

Proposal: **Erection of a single storey rear extension with roof lantern following demolition of existing rear extension, and the erection of outbuilding to front of dwellinghouse forming a car port.**

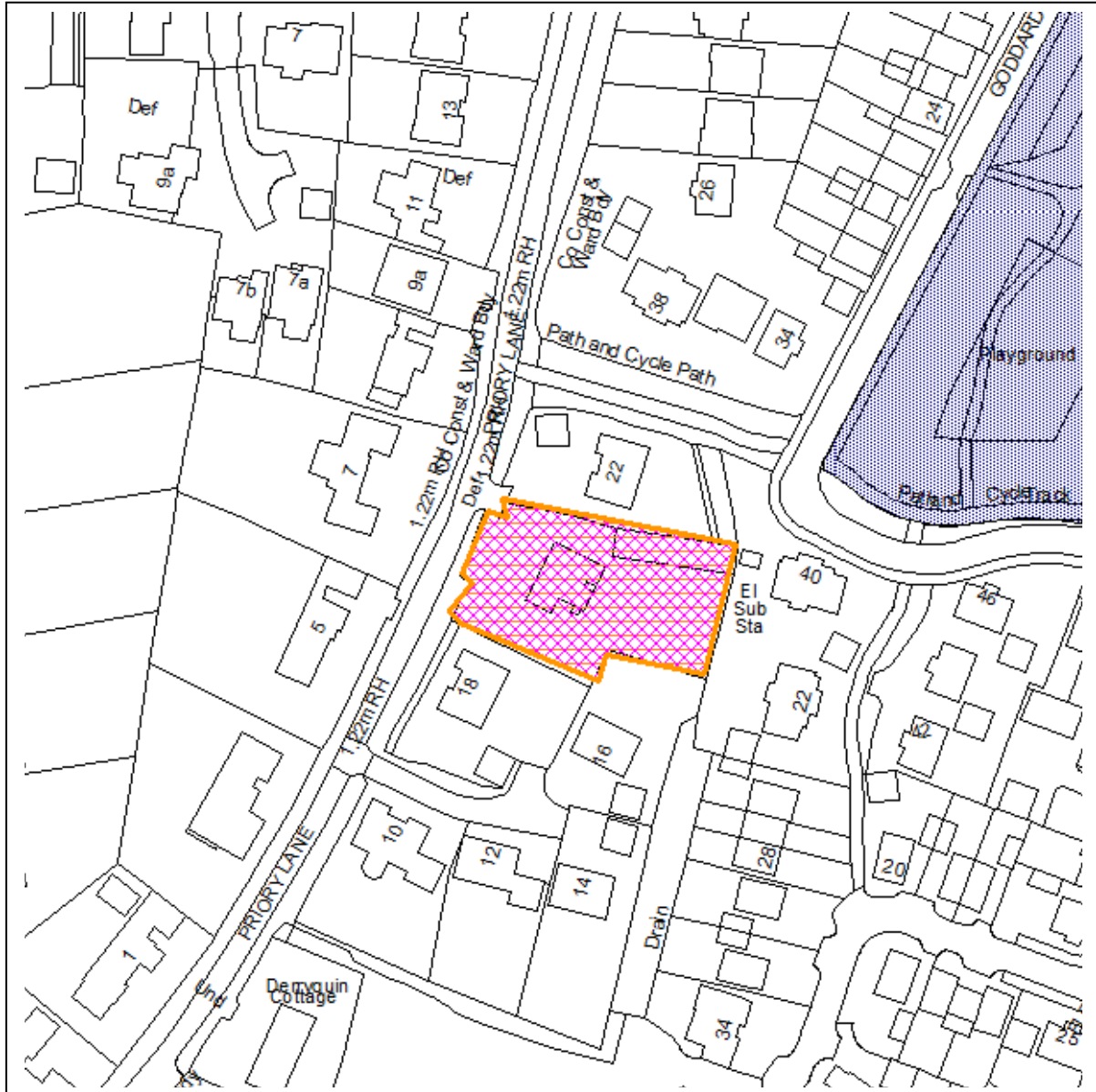
Applicant: Mr Paul Marsden

Agent: (There is no agent for this application)

Case Officer: Matthew Miller, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been reported to the Planning Committee at the request of Councillor Thompson due to concerns that the proposed development would be out of character with the surrounding area, and would result in an adverse impact on the residential amenity of neighbouring properties.

2. SITE DESCRIPTION

'Nutcroft', 20 Priory Lane is a two storey detached dwellinghouse located within a predominately residential area. Although the area is within defined settlement, it has a distinctive semi-rural character with a narrow main highway and high levels of tall planting fronting residential properties. The property contains a garage which has been converted into residential accommodation without the need of a planning application, with a hardsurfaced gravel driveway and soft landscaped front area. The property benefits from an enclosed rear garden with an outdoor swimming pool and has previously been extended to the rear and southern side at single storey level.

The site is located within the 'Warfield Road, Priory Lane and Gough's Lane, Bracknell' study area defined within the Character Area Assessments Supplementary Planning Document (SPD) (2010).

3. RELEVANT PLANNING HISTORY

13606

Demolition of dilapidated building and re-erection of new garage/store.
Approved (1968)

19116

Application for proposed lounge and rear porch extension.
Approved (1973)

20202

Restoration of existing stable outbuilding and re-commencement of use as livery stable.
Approved (1974)

602820

Application for single storey extension at rear forming flat for elderly relative.
Refused (1977)

15/00129/PAH

Application for prior approval for the erection of a single storey extension following the demolition of the existing conservatory.
Withdrawn (2015)

4. THE PROPOSAL

The development is the erection of a single storey rear extension that would connect the host dwelling to the detached garage to the northeast, following the demolition of the existing single storey rear extension. It would form a kitchen, dining and living area, with associated internal alterations made to the main dwelling. It would have a flat roof

with one roof lantern, and would measure 8.3 metres in total depth, 12.7 metres in width, and 4.5 metres in height (when including the roof lantern).

In addition it is proposed to erect a single storey outbuilding forming a double car port with a store room to the front (southwest) of the main dwelling. It would have a dual-pitched roof and measure 5.5 metres in depth, 8.5 metres in width, and 4.1 metres in height.

The application as initially submitted included a proposal for an additional single storey outbuilding to enclose the existing swimming pool sited southeast of the main dwelling. However this element of the proposal has been withdrawn at the request of the applicant, and an amended block plan has been submitted to confirm this.

The proposal is not CIL liable as the total floor space created would not exceed 100 square metres (taking into account the demolition of the existing rear extension, and the removal of the additional outbuilding from the proposal)_

5. REPRESENTATIONS RECEIVED

Warfield Parish Council:

Warfield Parish Council object to the proposal on the grounds that the proposal would constitute overdevelopment of the site, to the detriment of the character of the surrounding area, and would result in an adverse impact on the residential amenity of the surrounding properties through being overbearing.

Other representations:

A total of 2no. objections have been received from the surrounding residential properties of 16 Priory Lane and 'Hazelbury', 18 Priory Lane. The objections have been received prior to the withdrawal of the outbuilding forming a pool enclosure from the proposal, and can be summarised as follows:

- The proposed outbuildings would result in an adverse loss of light, and be overbearing to the residents of 16 Priory Lane and 'Hazelbury', 18 Priory Lane
- The proposed outbuildings would be out of character with the surrounding area and the development as whole would constitute overdevelopment of the site.
- The proposed swimming pool outbuilding would result in an adverse impact on the roots of the trees to the immediate south.
- The proposal would potentially result in an adverse impact on the foundations of the surrounding properties.

[Officer Note: the matters regarding the impact of the development on the character of the surrounding area, residential amenity and trees are assessed in the report below. Building foundations are not a planning matter, and are subject to separate Building Regulations].

No further representations have been received from neighbouring properties.

6. SUMMARY OF CONSULTATION RESPONSES

Highway Officer:

The Highway Officer raises no objection to the development.

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). This is also reflected in Policy CP1 of the SALP sets out that a positive approach to considering development proposals which reflect in the presumption in favour of sustainable development as set out in the NPPF should be taken, and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

CSDPD Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements. 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 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, INCLUDING TREES

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 states that planning permission will not be granted for development which would result in the destruction of trees and hedgerows which are important to the character and appearance of the surrounding area. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area. It further states that the design of the development should promote local character and a sense of local identity.

These policies are considered to be consistent with the objectives set out within the NPPF, and as such can be afforded full weight. Para. 56 the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live. Furthermore para. 64 of the NPPF states that the design of developments should take the opportunities where available to improve the character and quality of an area and the way it functions.

The property is located within the 'Warfield Road, Priory Lane and Gough's Lane, Bracknell' study area defined within the Character Area Assessments SPD (2010). The SPD establishes that the area is defined by the high levels of planting fronting the main highway and within the area as a whole, and the area is defined as having an inconsistent architectural approach.

The rear extension would not be considered to be out of character with the host dwelling considering its proposed single storey height and its design. The extension would be partly visible in the street scene to the front of the existing garage, however considering its proposed single storey height and its set back from the main highway it is not considered to be out of character with the surrounding area.

The proposed outbuilding is not considered to be out of character with the host dwelling considering its nature as an ancillary structure to the main dwellinghouse, and its overall massing and form in relation to the host dwelling. As the surrounding area has a predominately semi-rural character it is not considered that the proposed timber design of the outbuilding would be out of keeping in the surrounding area. In any case the proposed outbuilding would be significantly screened in the street scene of Priory Lane by the existing tall planting including hedging and trees. Although the proposed outbuilding would be sited forward of the main dwelling, various properties within Priory Lane contain detached outbuildings forming garages to the front of the main dwellings, and therefore the siting of the proposal in such a location is not considered to be out of character.

Considering the overall size of the property of 'Nutcroft', including its rear and front gardens, and the levels of screening, it is not considered that the development would constitute overdevelopment of the site.

With respect to existing trees, none of the trees within the surrounding area benefit from Tree Preservation Orders (TPOs). In the event of granting planning permission it is recommended that a condition be imposed to provide details of the retention and maintenance of the existing soft landscaping features sited on the western and southern boundaries of the property, in the interests of the character of the surrounding area. Alternatively replacement planting could be formed provided that it would be of a similar height and overall size, and have the same screening impact. This is also to be detailed within the recommended condition. This proposed condition is in line with BFBLP 'Saved' Policy EN2 (supplementing tree and hedgerow cover), and also in relation to preserving the landscape character of the area as identified in the Character Area Assessments SPD. The condition would be required to be discharged prior to commencement in order to ensure that the impact of the proposed development is mitigated at all times, including initial construction.

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' Policies EN1, EN2 and EN20, the Character Area Assessments SPD and the NPPF, subject to the recommended landscaping condition.

10. IMPACT ON RESIDENTIAL AMENITY

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

In association with the assessment of potential loss of light and overshadowing, guidance within the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011) is utilised as a standard for assessing acceptable levels of visual amenity with concern to loss of light.

It is not considered that the rear extension would result in an adverse impact of the residential amenity of 22 Priory Lane to the north considering its separation distance, its single storey height and the built form of the existing garage to which it would connect. It is not considered that the rear extension would adversely affect the other surrounding properties in terms of residential amenity.

The proposed outbuilding forming a car port and storage would be visible from the neighbouring property of 'Hazelbury', Priory Lane to the south. Considering the proposed outbuilding's single storey height, the presence of tall hedging and trees would serve to significantly screen this outbuilding from the property. Furthermore, considering the siting of this outbuilding in relation to the main dwellinghouse of 'Hazelbury', it is not considered that it would result in an adverse loss of light impact or be overbearing to the occupants of this property.

The car port outbuilding would also be visible from the residential properties on the opposite side of Priory Lane to the west, however considering the separation distance and the presence of planting, it is not considered that the proposal would result in an adverse impact on the residential amenity of the occupants of these properties.

As stated in the report above, in the event of planning permission being granted, it is recommended that a condition be imposed regarding the retention and maintenance of existing soft landscaping, or the provision of satisfactory replacement landscaping, in order to maintain the current level of screening in relation to the amenity of the neighbouring 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 landscaping condition.

11. TRANSPORT IMPLICATIONS

CSDPD Policy CS23 states that the Local Planning Authority will seek to increase the safety of travel. BFBLP 'Saved' Policy M9 states that development will not be permitted unless satisfactory parking provision is made for vehicles. 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 proposal would not involve a net increase in bedrooms, however it would potentially impact existing parking arrangements.

The Highway Officer has been consulted on the proposal and advised that although the proposed double car port would be insufficient in internal size to provide acceptable parking (in accordance with the guidance contained within the Parking Standards SPD (2007)), the existing gravel driveway would not be affected by the proposal and therefore the existing parking arrangements would be retained. Furthermore, the retained driveway provides acceptable retained space following erection of the single storey rear extension, which has been sited on part of the former driveway

As a result it is not considered that the proposed development would result in an adverse impact on highway safety, in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9, the Parking Standards SPD, and the NPPF.

12. CONCLUSIONS

It is not considered that the development would result in an adverse impact on the character and appearance of the 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, EN2, EN20 and M9, the Character Area Assessments SPD, the Parking Standards SPD, and the NPPF.

RECOMMENDATION

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 5 March 2015:

Block Plan scale 1:500

Dwg. Title 'Proposed Ground Floor Plan' [rear extension]

Dwg. Title 'Proposed Elevations' [rear extension]

1918 (P) 'Proposed Oak Framed Pool Cover'

1918 jwp 'Proposed Oak Framed Garage'

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

03. No development (including initial site clearance) shall be begun until a scheme depicting the retention of and/or replacement of 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 proposed 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.. As a minimum, the quality of all proposed soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed,

shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

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

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern at pre-application and application stage, and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Commencement
 2. Approved plans

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

3. Landscaping scheme

Doc. Ref: Uniform 7/DC/Agenda

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

Unrestricted Report

ITEM NO: 9

Application No.
15/00229/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
11 March 2015

Target Decision Date:
6 May 2015

Land At Felix Farm Fisheries Howe Lane Binfield Bracknell Berkshire

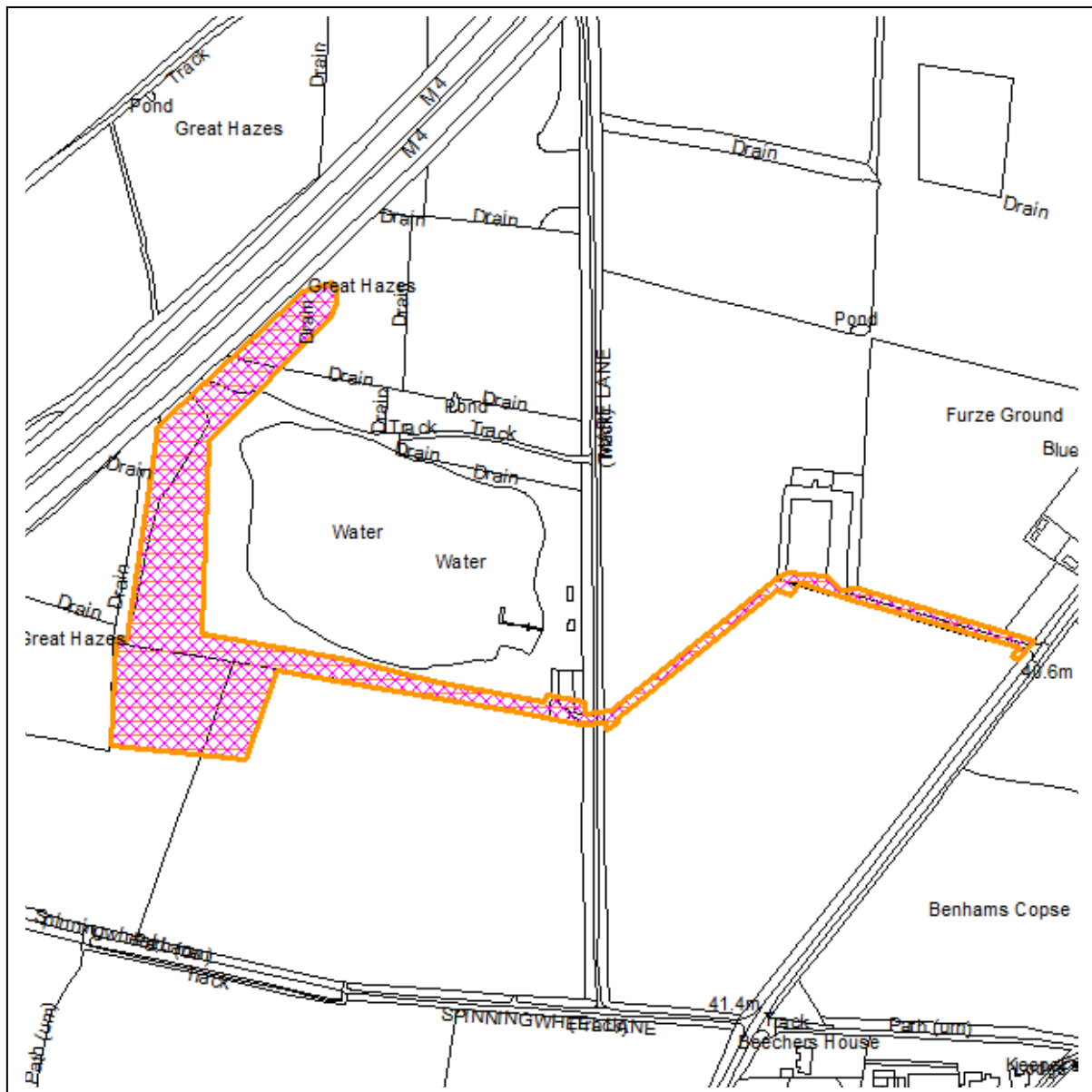
Proposal: **Erection of an acoustic barrier with access and ancillary works.
(This application is a revised version of 13/00869/FUL).**

Applicant: Felix Farm Fisheries

Agent: Land and Mineral Mangement

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

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

Members will recall that this application was deferred at the previous committee to enable officers to seek clarification on how to control the length of the operation and type of material that is to be imported.

2. SITE DESCRIPTION

The site is a fishing lake surrounded by grass and vegetation. There is a small car park with access off an unmade track and two buildings on site. To the north the site is bounded by the M4, with wooded areas to the north and west. To the south and east is farmland.

3. RELEVANT SITE HISTORY

13/00869/FUL Formation of acoustic barrier with access and ancillary works
 Refused 25.02.2015 (Refused on highway safety grounds due to conflict with other users of a public bridleway which was used to provide access to the site.)

4. THE PROPOSAL

The proposal is for the construction of an acoustic barrier in the form of a 6.25m high bund and a temporary access road at Felix Farm Fisheries. The bund has been sited as to wrap around the western side of the lake, would be approximately 285m long and varying in width between 70m and 45m.

The acoustic barrier is proposed in order to reduce the noise generated by the M4 to the North West and would be created from inert waste from other sites. The bund would be subject to extensive planting of native shrub and tree species. The barrier would be constructed from inert material imported from surrounding development sites.

A noise assessment has been undertaken and submitted in support of the application. This states that the World Health Organisation (WHO) recommended day time noise levels in amenity areas should not exceed 50 dB and state that 55 dB is the threshold above which people get seriously annoyed. The noise level from the motorway as recorded on 1st February 2012 was typically 69 to 70dB. The bund has been designed to reduce noise levels to between 55 and 60 dB across the site.

The application includes the construction of a temporary access road, or haul road, to transport material on to the site. This would utilise an existing agricultural access onto Howe Lane which currently serves an agricultural building located to the east of the lake, from which a temporary access road would be constructed across the field, to the existing entrance of the fisheries, and around the southern side of the lake. The temporary road would be removed once the bund was constructed. The access route has been amended since the previous application was refused.

5. REPRESENTATIONS RECEIVED

Binfield Parish Council

Recommend refusal for the following reasons:

There would be too many movements of heavy duty lorries resulting in unacceptable increase in noise levels

It is more about commercial tipping than noise abatement.

Debris is likely to be a hazard on countryside roads.

Should the application proceed, vehicle movements should only be allowed during working hours, Monday to Friday 9am to 5pm.

Other representations

Bray Parish Council object to the proposal on the grounds of the increased vehicle movements through Holyport on the A330, Ascot Road.

9 representations have been received objecting to the proposal on the following grounds

Proposal would result in debris on the highway resulting in damage to vehicles.

M4 8 Lane smart Motorway improvements proposes new low noise road surface throughout reducing the need for the bund.

Severe consequences for other users of Howe Lane (i.e. dog walkers, horse riders)

Visibility splays could be improved by cutting back vegetation- is this contrary to Green Belt Policy?

Bund would be harmful to the visual amenity of the Green Belt.

Lorries crossing the narrow bridge on Howe Lane, to the north of the site, would be chaos and all traffic should be directed towards Binfield.

Proposal would result in the noise of the motorway being deflected towards other surrounding properties.

Other acoustic treatments available which would not necessitate the large number of vehicle movements.

Hours of operation would be detrimental to the nearby occupiers.

Transport report does not detail how HGV's will access Howe Lane.

Proposal is unacceptable due to noise and environmental pollution caused by the vehicular movements.

6. SUMMARY OF CONSULTATION RESPONSES

Highways England- No objections

Environmental Health- No objections

Environment Agency - No objections but informatives requested

Berkshire Archaeology- No objections subject to conditions

Highways Officer- No objections subject to conditions

Bio-diversity Officer- No objections subject to conditions

Rights of Way Officer - No objections subject to conditions

Wokingham Borough Council - No objections

Royal Borough of Windsor and Maidenhead- Objects on highway safety grounds

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

Site Allocations Local Plan 2013 (SALP)

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

8. PRINCIPLE OF DEVELOPMENT

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.

The site is located in within the Green Belt on the Bracknell Forest Borough Policies Map (2013).

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.

'Saved' Policy GB1 of the Bracknell Forest Borough Local Plan states:

Approval will not be given, except in very special circumstances, for any new building in the Green Belt unless it is acceptable in scale, form, effect, character and siting, would not cause road safety or traffic generation problems and is for one of the following purposes:

- (i) construction of buildings for agriculture or forestry; or
- (ii) construction of buildings essential for outdoor sport and recreation or other uses of land which preserve the openness of the Green Belt; or
- (iii) construction of buildings essential for cemeteries; or
- (iv) replacement, alteration or limited extension of existing dwellings; or
- (v) construction of domestic outbuildings incidental to the enjoyment of an existing dwelling.

'Saved' Policy GB1 is not considered to be entirely consistent with the NPPF. The NPPF does not change the statutory status of the development plan as the starting point for decision making. However, it is a material consideration.

The proposal is development not listed in saved Policy GB1 and is therefore contrary to 'Saved' Policy GB1 of the Bracknell Forest Borough Local Plan. However, as already mentioned, Policy GB1 is not entirely consistent with the NPPF. As it was adopted prior to 2004, the weight that can be given to this policy is diminished.

The NPPF states (para 90):

"Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations"

Under the NPPF the proposed bund and temporary access road is an engineering operation and could be considered acceptable in the Green Belt provided they do not affect the openness of the Green Belt. This is discussed below.

It is therefore considered that the proposal is acceptable in principle.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

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

These policies are considered to be consistent with the objectives set out within the NPPF. In addition para. 56 of the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live. 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 earth bund would be barely visible from any public vantage point and it would be set back within the site which is well screened on all boundaries.

Given the applicants proposal to seed the earth bund with native species and it's existing setting in close proximity to the M4, a man-made structure, it is not considered that it would impact upon the visual openness of the Green Belt setting insofar as detracting from its natural topography so as to warrant a reason for refusal. It is recommended that landscaping conditions be imposed to ensure that a suitable planting scheme is implemented and retained.

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

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 core principle relating to design in paragraph 17 of the NPPF, which states that LPAs should seek a good standard of amenity for all existing and future occupants of land and buildings.

The closest dwelling is some 320m from the proposed bund. At such a distance it is not considered that the proposal would result in a loss of amenity to this dwelling.

Objections have been received regarding the potential deflection of noise by the bund increasing the noise levels at surrounding residential properties. The Environmental Health Officer has been consulted on this specific point and has stated that this would

be unlikely as the bund would have absorptive properties. It is considered that it would not be possible to sustain a reason for refusal on loss of amenity from the proposal.

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. The NPPF seeks to achieve a safe and suitable access to new development sites for all people. The policy is therefore considered to be consistent with the NPPF.

The proposed bund would require the importation of 60,000 cubic metres of inert waste material on to the site. It is proposed that this will be completed over 2 years using HGV's at around 8-10 loads per day, and not more than 25 loads in a single day.

Access to the proposal has been amended from application 13/00869/FUL so that vehicles utilise an existing dairy access consisting of an 8m wide concrete road. The access road would pass south of the dairy unit building, and follow a new 150m haul road into the Felix Farm property where it would cross over Mare Lane at right angles, reducing the conflict with public rights of way.

The Highways Officer has noted that the existing dairy farm access is already used by large vehicles accessing the dairy farm and the 8m wide concrete surfaced access would enable additional large vehicles to access the site at its junction with Howe Lane. Sight lines in excess of 200m can be achieved in either direction at a set back of 2.4 metres, considered appropriate for the national speed limit road. The current access proposals would be acceptable to the Highway Authority subject to the following conditions:-

Details demonstrating on-site turning for large vehicles within the site so that vehicles can exit the site across Mare Lane in a forward gear.

Wheel washing facilities to prevent mud and debris being transported on to the public highway and causing a danger for other road users.

Specific details including the width, surfacing and drainage of the haul road, including signage to ensure the safe movement of large vehicles across a right of way.

The applicant has confirmed that vehicles would be able to turn within the site and it would be unlikely that any would reverse from the site. It is therefore not considered that this condition is necessary.

The applicant has raised concerns of practicality and cost to install wheel washing facilities at the exit on to Howe Lane. It is considered that given the length of the hard surfacing, minimal mud, and debris would transfer onto the public highway. The applicant has stated that it may be possible to clean the wheels at the agricultural building and therefore it is recommended that a condition be worded to require a scheme for the washing of wheels to be submitted, so a practical but effective solution can be found.

Objections have been received regarding vehicle movements on Howe Lane. This is an unnumbered classified road and not subject to weight restrictions and used by large farm vehicles and trucks. As no objection has been received from the Highways Officer, it is not considered that the increased vehicle movements by HGVs would be a sustained reason for refusal.

Royal Borough of Windsor and Maidenhead (RBWM) have objected to the proposal on highway safety grounds. They state that the increased use of the A330 Ascot Road, north of Strutt Green, by HGVs, would have a detrimental impact on road safety and the free flow of traffic. Sections of this road are characterised by substandard forward visibility splays and narrow carriageways. This has resulted in vehicles mounting the western footway and the RBWM Highway Authority cannot approve of any other proposal that would exacerbate the existing problems and increase harm to those that travel and reside in the area.

The RBWM Highway Authority is currently exploring various options to improve the safe and free flow of traffic in the area and therefore cannot approve of such a proposal which runs contrary to this aim.

The RBWM Highway Authority sees no reason why the applicant cannot explore other alternative routes and must question whether the applicant undertook a site assessment of the lorry routing arrangement, or whether this is purely a desk top assessment. The applicant is advised to consider the following two options:-

Option 1~ south bound journeys

Proceed north along Howe Lane, then turning east on Drift Road and south along the A330 Ascot Road and head south west on the A3095 to access the M3 via the A332.

Option 2 ~ north bound journeys

Proceed north along Howe Lane, then turning east on Drift Road and north along the A330 Ascot Road, then head east on the B3024 Forest Green Road/Oakley Green Road to access the M4 via the A308 Maidenhead Road/A332 Windsor relief road.

The objection cited by the RBWM is on the grounds of the impact of the increased vehicle movements caused by the transportation of the waste material onto the site on an unweight restricted classified 'A' road. Class A roads are defined as major roads intended to provide large-scale transport links and whilst there may be existing safety issues regarding a point on this road, given its classification and that other HGVs can use this route, it would be not be reasonable to refuse this application on these grounds.

It is therefore considered that the proposal is in accordance with CSDPD Policy CS23 and the NPPF.

12. BIO-DIVERSITY

CSDPD Policies CS1 and CS7 seek to protect and enhance biodiversity. This is considered to be consistent with the NPPF which states that planning should contribute to "minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."

The ecological appraisal shows a good population of reptiles on site. An outline mitigation plan has been included along with the survey results. However, details are missing from this and a full mitigation strategy for reptiles should be prepared and submitted.

Some details are included for a planting and management plan for the bund. More details are required including a timetabled and costed management plan for the bund.

Further details of how this plan would contribute to the Biodiversity Opportunity Area are required. Consideration to ecological connectivity should also be given when designing the planting scheme. A planting and management plan could also be a condition of planning permission.

Therefore the following conditions are required to cover bio-diversity:

- Protection of nesting birds
- Bio-diversity enhancement scheme
- Hard and soft landscaping
- Reptile mitigation scheme

Accordingly, subject to the above conditions the proposal is not considered to harm the bio-diversity of the site and therefore is considered acceptable on grounds of bio-diversity, and the proposal accords with Policies CS1 and CS7 of the CSDPD.

13. PUBLIC RIGHT OF WAY

'Saved' Policy R8 of the BFBLP seeks the protection, extension and enhancement of public rights of way. This is considered to be in accordance with the NPPF's objectives of promoting sustainable transport and improving local health.

The revised proposed access would cross Mere Lane, a restricted byway (byway 23) at right angles opposite the existing access to the fisheries. The proposal has been amended to reduce the conflict with Binfield Restricted Byway 22 to a crossing point. The Right of Way Officer has supported the Highways Officer request for details of signs, visibility splays at the crossing point of the proposed haul road and byway.

Subject to the imposition of suitability worded condition to reduce the impact of the proposed haul road on users of the public by way, then there are no objections from a public right of way perspective and the proposal is considered to comply with 'Saved' Policy R8 of the BFBLP.

14. ARCHAEOLOGY

'Saved' Policy EN7 seeks protect important archaeological remains, and where appropriate will require an assessment of the site. The NPPF seeks the preservation of heritage assets in an approach proportionate with their significance .

The lake at Felix Farm Fisheries was originally a gravel pit providing gravel in the construction of the M4. An archaeological desk based assessment was undertaken in 1994 in relation to the widening of the motorway. This confirmed that a significant part of land on which the bund will be placed has lost any archaeological potential. The applicants have suggested laying a temporary track system which would negate the need to remove any topsoil and therefore leave any archaeological remains in situ. Following the submission of this information the Archaeologist has removed the requirement for a archaeological desk top assessment, and has requested a condition relating to the construction of the haul road.

Subject to a condition to ensure that the haul road is constructed so not as to remove the top soil, the proposal would be unlikely to adversely affect any archaeological remains and therefore the proposal is considered to comply with 'Saved' Policy EN7 of the BFBLP.

15. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

As this development does not involve new build, it is not CIL chargeable.

16. OTHER ISSUES

At the previous committee concerns were raised regarding what material would be brought onto the site and that the site would not become a waste transfer station which material would also be exported from. The proposal would use inert or 'chemically inactive' material that is waste from surrounding development sites. Before commencing development the applicant has to be granted by the Environment Agency a permit to import inert material onto the site. This permit will control the type of material the bund would be constructed from, and only allows the importation of the material onto the site. The Environment Agency has powers to enforce should the terms of the permit be broken or material also be removed from the site.

To ensure that the bund is completed as expediently as possible a condition is recommended ensuring that the importation of materials cease after 2 years from the start of the operation. It is also thought prudent to phase the implementation of the planting scheme to ensure that, as sections of the bund are completed, they are landscaped to ensure that the bund assimilates into the landscape as quickly as possible.

Objections have been received on the grounds that there are other engineering solutions to reducing the noise levels within the area of the lake. Whilst this might be the case, the application should be considered as submitted. Whilst the proposal would not achieve the WHO recommended noise levels across the whole of the site, the noise report demonstrates that a significant reduction in the noise levels across the site would be achieved with the construction of the bund.

17. CONCLUSION

It is not considered that the proposed bund would detrimentally affect the visual amenity of the area, nor would the proposed vehicle movements required to import the material result in a detriment to highway safety. The proposal is not considered to detrimentally affect the safe continued use of the public by-way which it crosses nor detrimentally affect the bio-diversity of the area. The proposal is therefore considered to comply with Policies CS1, CS2 CS7 and CS23 of the CSDPD and 'Saved' Policies EN7, R8, GB1 and EN20 of the BFBLP, 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 shall be carried out in accordance with the following plans and details received by the Local Planning Authority on 09.03.15:

Location plan (scale 1:1500), Site plan (scale 1:5000), 0856/1464/01C (redesigned screening bund showing three cross sections)
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 proposed construction of the new haul road, including details of how the junction with Mere Lane shall be managed, have been submitted and approved in writing by the Local Planning Authority. The haul road shall then be implemented in accordance with the approved details.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
04. Prior to the commencement of development a scheme for the cleaning of wheels of the construction vehicles, to prevent the transportation of mud, stones, and debris from the site onto the public highway, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in accordance with the approved detail and shall not be removed until the proposed bund is constructed.
REASON: In the interest of highway safety.
05. The development shall not be begun until a scheme depicting 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, which will include a phasing schedule. As a minimum, the quality of all soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

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

06. 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. This shall be implemented as approved.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]
07. The development shall not be begun until a scheme for the provision of biodiversity enhancements (e.g. reptile refugia, nest boxes etc), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
08. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on reptiles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:
- o measures to avoid harm to reptiles
 - o features provided to mitigate the loss of habitat (e.g. hibernacula)
 - o habitat enhancements (not mitigation)
 - o on-going management of new features/habitat
- The mitigation scheme shall be implemented in accordance with the approved details.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]
09. The developer shall notify the LPA in writing within 21 days of:
- i the commencement of works on site
 - ii the date on which waste is imported for construction of the acoustic bund
- Within 2 years of the notice period provided to the LPA under part ii, the construction of the acoustic bund authorised by this permission shall cease, and the haul road be removed and the land over which it extended returned to its former condition.
REASON: To ensure that the development is completed in a timely manner and to ensure that the impacts on the amenities in the area are kept to a minimum.
[Relevant Plans and Policies: BFBLP EN20.

Informative(s):

01. Your attention is drawn to the conditions attached to this permission. Conditions 4, 5, 6, 7, 8 and 9, require details to be submitted prior to commencement of development. All conditions must be complied with.
02. This development will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency.

We recommended producing a site waste management plan (SWMP). you must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care.

03. 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.
04. Condition 4 requires details of how the junction between the Haul Road and Mare Lane will be constructed. These details should include, signage making drivers aware of the public driveway and possibly requiring them to stop before crossing, especially from an easterly direction and the visibility splays onto Mare Lane especially for vehicles travelling in a westerly direction.

Doc. Ref: Uniform 7/DC/Agenda

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

Unrestricted Report

ITEM NO: 10

Application No.
15/00235/FUL
Site Address:

Ward:
Warfield Harvest Ride

Date Registered:
17 March 2015

Target Decision Date:
12 May 2015

46 All Saints Rise Warfield Bracknell Berkshire RG42 3SR

Proposal: **Two storey side extension and single storey front extension.**

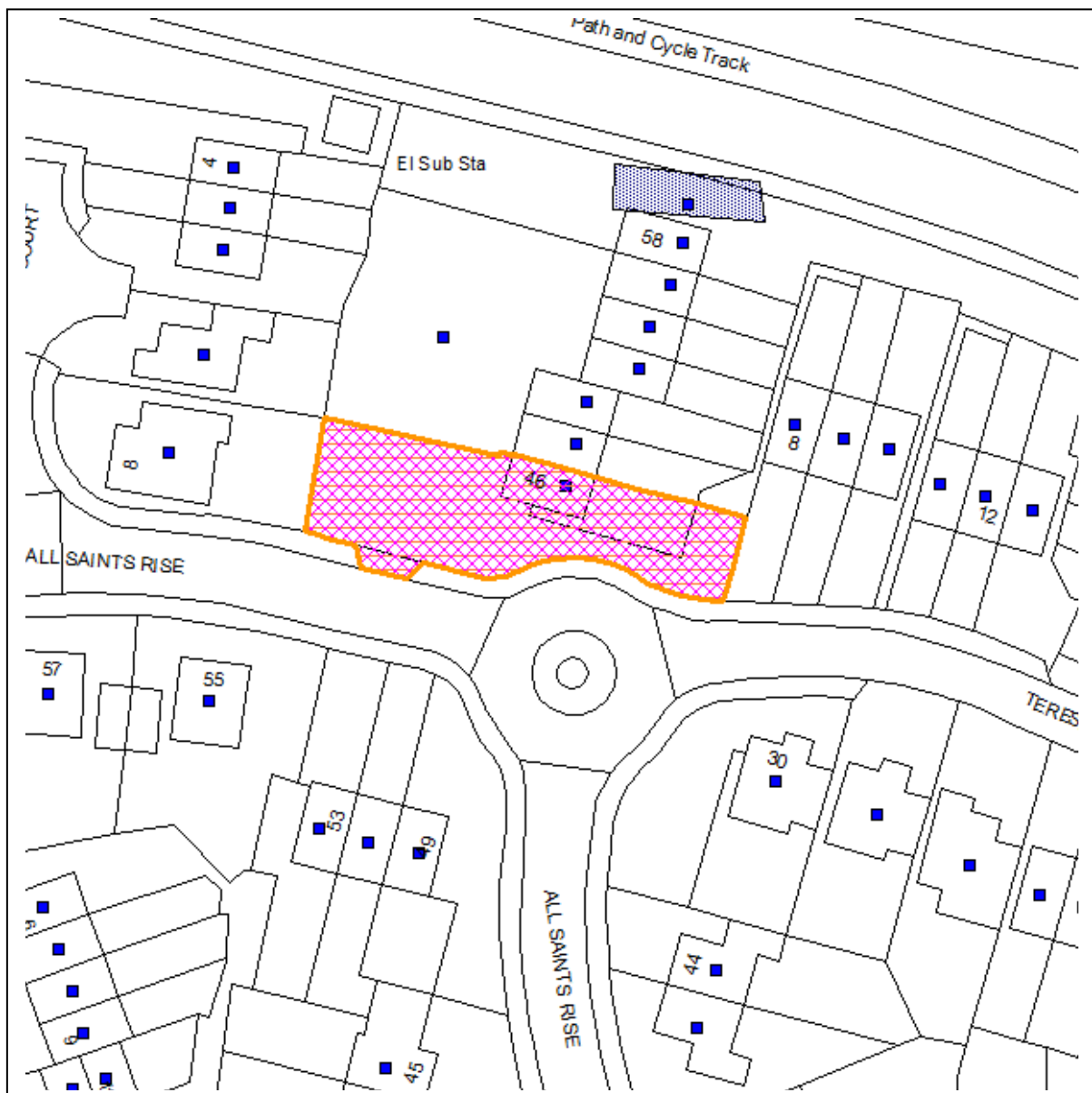
Applicant: Mr B Khomin

Agent: Mrs Helen Nightingale

Case Officer: Michael Ruddock, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application is reported to the Committee at the request of Councillor Dudley and Councillor Thompson due to concerns that the proposal would be an overdevelopment of the site, out of keeping with the character and appearance of the area.

2. SITE DESCRIPTION

No.46 All Saints Rise is an end of terrace dwelling, one of a group of seven dwellings which share an access off All Saints Rise. Parking is located forward of the dwellings and each has a separate private garden to the rear. The site is bordered by the adjoining terraced dwelling of No.48 All Saints Rise to the north and a parking court at the front of properties on Teresa Vale to the east. The adopted highway borders the site to the south.

3. RELEVANT SITE HISTORY

Application 02/00230/FUL - Change of use of amenity land to private garden through re-siting of 1.8m close boarded wooden fence to side of property. Formation of new hard standing to front of property - APPROVED 2002

4. THE PROPOSAL

The proposed development is for the erection of a two storey extension to the side of the property. The extension would project 2.8m to the side of the dwelling. A single storey element would project 1.0m forward of the main extension in line with an existing porch. The extension would be set back from the front elevation of the dwelling by 0.5m at first floor level, and would be set 0.2m lower in height than the main dwelling which has a height of 7.9m.

As originally submitted the extension was set flush to the front elevation of the dwelling with the same height, and this has been amended during the course of the application to the development now proposed.

5. REPRESENTATIONS RECEIVED

Warfield Parish Council

Recommend refusal as the proposed extension by reason of its size and mass represents an unacceptable enlargement of the property.

Other Representations

Two neighbour objections have been received that can be summarised as follows:

- The proposed extension is not in keeping with the surrounding area.
- The development would result in a detrimental impact on properties to the west through loss of light and privacy.

[OFFICER COMMENT: These issues are addressed in the report.]

6. SUMMARY OF CONSULTATION RESPONSES

No internal consultations were required.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the SALP which sets out the need to take a positive approach to considering development proposals which reflect in 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.

CSDPD Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements. No.46 All Saints Rise 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 impacts upon residential amenities of neighbouring properties and character and appearance of surrounding area together with highway safety implications, remain to be assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

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

These policies are considered to be consistent with the objectives set out within the NPPF. In addition paragraph 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, and therefore these policies can be afforded significant weight.

The extension would increase the width of the dwelling by 2.8m from 4.2m to 7.0m, and it is not considered that such an extension would be an overly prominent addition to the property. The application has been amended to set the extension back from the front elevation of the dwelling and lower the roof line, and it is considered that these alterations have resulted in an extension that would appear subordinate to the host dwelling and not out of keeping with the design of the existing dwelling.

The existing dwelling is set at a right angle to the highway, and as a result the extension would project closer to the highway. However the boundary between the

main highway and No.46 All Saints Rise is well covered with vegetation, and it is not considered that such an extension projecting 2.8m closer to the highway would appear overly prominent in the streetscene or an overdevelopment of the site. It is noted that a number of properties on All Saints Rise have been enlarged with either two storey or first floor extensions. Although these extensions have related to detached dwellings rather than terraced dwellings, as the extension is considered to be acceptable in terms of its design it is not considered that it would appear out of keeping with the existing streetscene on All Saints Rise.

It is therefore not considered that the development would result in an adverse impact on the character and appearance of the area, and the development would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

10. RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 (vii) refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFBLP 'Saved' Policy EN20 is for the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. This is considered to be consistent with the core principle relating to design in paragraph 17 of the NPPF, which states that LPAs should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and consistent with the general design principles laid out in paragraphs 56 to 66 of the NPPF.

The two storey element would not project forward or rear of the existing dwelling, and the single storey element would not project forward of the existing porch. It is therefore not considered that the development would result in any impact on the front or rear of the adjoining property to the north at No.48.

Concerns have been raised regarding the impact on the properties to the west, and the extension would be visible from the rear facing windows of No.8 Joseph Court, however at first floor level it would be no closer to that dwelling than the existing house. In any case as it would be set over 26m from the rear elevation of that dwelling and over 15m from the rear boundary it is not considered that it would result in an unacceptable loss of light or loss of privacy to the neighbouring property.

With regard to the properties to the rear the extension would be no closer than the main dwelling and would have minimal impact. No properties border the site to the south and the nearest dwelling would be over 25m from the extension, therefore it is not considered necessary to restrict side facing windows by means of condition. It is therefore not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties. It would therefore not be contrary to 'Saved' BFBLP Policy EN20 or 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 (The SPD is a material consideration, and was adopted in 2007). 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, and can be afforded significant weight.

For a dwelling that has two or three bedrooms (as is the case with No.46 All Saints Rise), a parking requirement of two off street spaces is set out. The increase in the number of bedrooms from two to three does not give rise to any additional parking requirement, therefore no further parking is required as a result of the proposed development.

It is therefore not considered that the development would result in an adverse impact on highway safety, and would therefore not be contrary to CSDPD Policy CS23, BFBLP 'Saved' Policy M9 or the NPPF.

12. COMMUNITY INFRASTRUCTURE LEVY

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

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

As the proposal would involve an existing dwelling and at 33.3 square metres of additional floor area it would not result in an extension of over 100 square metres of gross internal floor space, the development is therefore not CIL liable.

13. CONCLUSIONS

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 highway safety. It is therefore not considered that the development would be contrary to CSDPD Policies CS7 and CS23, BFBLP 'Saved' Policies EN20 and M9 or the NPPF.

14. RECOMMENDATION

The application is recommended for conditional approval.

RECOMMENDATION

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 14th May 2015:

K/2088/1/A
Amended Roof 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: BFBLP EN20, Core Strategy DPD CS7]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 01. Time Limit
 02. Approved Plan
 03. Materials

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: 11

Application No.

15/00292/3

Site Address:

Ward:

Great Hollands North

Date Registered:

27 March 2015

Target Decision Date:

22 May 2015

Street Record Ambassador Bracknell Berkshire

Proposal:

Convert grass amenity areas into 7 parking spaces (resubmission of 14/01238/3).

Applicant:

Bracknell Forest Council

Agent:

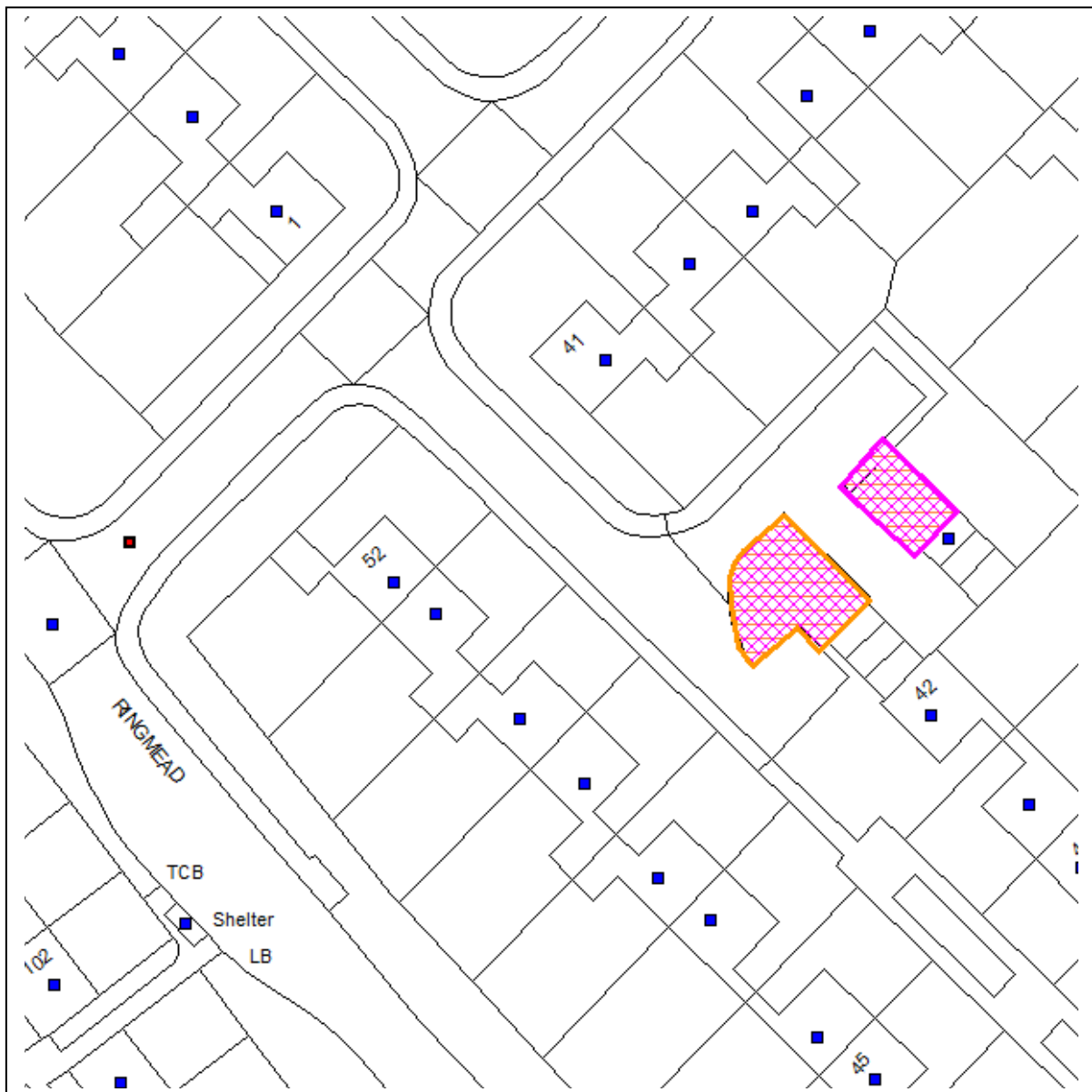
(There is no agent for this application)

Case Officer:

Matthew Miller, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

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

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

2. SITE DESCRIPTION

The street scene of Ambassador consists of predominately two storey semi-detached residential dwellings. Soft landscaped amenity areas of varying size are sited throughout the area. Various communal parking areas, including garage blocks, are sited within the street scene, and access to the residential properties is often through adopted pedestrian footpaths connecting to these parking areas.

The application site itself consists of two sections of grassed amenity land, with two trees and knee-rail fencing to the front, and a garage court sited to the immediate east.

The application site falls under the ownership of the Local Authority.

3. RELEVANT SITE HISTORY

14/01238/3

Conversion of grassed amenity areas into 7no. parking spaces.
Withdrawn (2015)

The proposed development differs from the above withdrawn application in that tree protection measures have now been included.

4. PROPOSAL

The proposed development is the formation of a total of 7no. additional parking bays on two sections of amenity land sited directly west of the residential property of 42 Ambassador, sited between this property and the garage court sited further to the west. Three bays would be sited on the northern-most section, and four on the southern section. In addition it is proposed to install replacement knee-rail fencing.

The proposal is not CIL liable as it consists of external hard standing.

5. REPRESENTATIONS RECEIVED

Bracknell Town Council:

Bracknell Town Council raise no objection.

No representations have been received from residents of neighbouring properties in respect of this application.

6. SUMMARY OF CONSULTATION RESPONSES

Highway Officer:

The Highway Officer raises no objection to the proposal.

Landscape Officer:

As tree protection measures have now been provided in respect of the proposal, the Landscape Officer raises no objection, subject to the provision of an acceptable proposed landscaping scheme, details of which can be provided by planning condition.

7. DEVELOPMENT PLAN

The development plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the 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, INCLUDING TREES

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. The Streetscene Supplementary Planning Document (SPD) (2010) provides further guidance to supplement the implementation of this policy.

BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area. It further states that the design of the development should promote local character and a sense of local identity.

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

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

areas of planting should be provided, and therefore conditions are recommended. This is in line with BFBLP Policy EN2 (supplementing tree and hedgerow cover). This policy is considered to be in accordance with the NPPF (Chapter 11), and can be afforded significant weight.

These policies are considered to be consistent with the objectives set out within the NPPF, and as such can be afforded full weight. Para. 56 the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live. Furthermore para. 64 of the NPPF states that the design of developments should take the opportunities where available to improve the character and quality of an area and the way it functions.

The two sections of amenity land are considered to make a reasonably positive contribution to the character of the surrounding area, particularly including the presence of two trees. However, considering that the amenity land to the front (south) would be retained, and the presence of soft landscaping on the opposite side of the highway to the south, it is not considered that the proposed parking bays would result in an appearance that would be detrimental to the visual amenities of the surrounding area, subject to the provision of an acceptable replacement soft landscaping scheme to preserve and enhance the retained land. Furthermore the proposed bays would form a visual continuation of the existing area of hardstanding forming garage court adjacent to the site, and would therefore not be overly incongruous.

Although the trees within the application site are not subject to Tree Preservation Orders (TPOs), they are considered to make a significant contribution to the visual amenity of the area. Proposed tree protection measures have been provided in respect of the proposal, involving restricting excavation works around the immediate vicinity of the trees, and to provide temporary protective fencing to the trees. These measures would aid in preserving these trees during the construction process and beyond. Furthermore knee rail fencing is proposed to be installed to prevent further parking on the retained amenity land and in the vicinity of the trees. It is recommended that a condition be imposed to confirm and secure the time scales for implementing the tree protection measures in relation to the parking bay construction works.

Full details of the proposed planting scheme in support of the proposal can be provided by condition. This condition and the aforementioned tree protection condition are required to be discharged prior to commencement in order to confirm the acceptability of the scheme before works commence, in the interests of the character of the area.

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

10. IMPACT ON RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas, through ensuring that development would not result in an adverse impact on neighbouring properties through loss of light, loss of privacy or overbearing impacts. BFBLP 'Saved' Policy EN25 states that development will not be permitted if it would generate unacceptable levels of noise, fumes or other environmental pollution which would adversely affect the amenities of the surrounding occupants. This is considered to be consistent with the core design principle set out in paragraph 17 of the NPPF, which states that Local Planning

Authorities (LPAs) should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and as such these policies should be afforded significant weight.

The proposal would have a separation distance of approximately 20 metres to the dwellings the south (at the shortest point). The proposal would be obscured from the residential dwellings to the west and north by the existing 1.8 metre high brick boundary walls. The proposal would also be obscured from the dwellings to the east by the existing garage court.

Furthermore it is not considered that the noise pollution or other disturbance formed by the additional parking bays would be unacceptable in a built-up residential area that currently experiences high levels of on-street parking.

It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policies EN20 and EN25, and the NPPF.

11. TRANSPORT IMPLICATIONS

CSDPD Policy CS23 states that the Council will use its powers to increase the safety of travel. BFBLP 'Saved' Policy M9 states that development will not be permitted unless satisfactory parking provision is made for vehicles. It further states that the Council will promote and provide additional residential parking areas in locations where there is a lack of sufficient car parking provision. To supplement the above policies the adopted Parking Standards Supplementary Planning Document (SPD) (2007) sets out the advised levels and size of parking spaces for residential areas.

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

Ambassador is an adopted residential highway where on-street parking is unrestricted. The highway experiences indiscriminate parking, including within allocated turning areas and the access route to the adjoining garage court, to the detriment of highway safety. Historically garage blocks have been provided for the residential properties, however these are likely to be under-utilised as they do not provide practical parking spaces for modern requirements. Therefore there is a clear demand for additional off-street parking to be provided in this location.

The Highway Officer has been consulted on the proposal and advises that the proposed size and manoeuvring space for the parking bays would be acceptable. The parking bays are to be SuDS compliant which would be acceptable to the Highway Authority.

As a result it is not considered that the proposed development would result in an adverse impact on highway safety, in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9, the Parking Standards SPD, and the NPPF.

12. CONCLUSIONS

It is not considered that the development would result in an adverse impact on the character and appearance of the surrounding area, the amenities of the residents of the neighbouring properties, or on highway safety, subject to the recommended

condition. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies EN2, EN20, EN25 and M9, the Streetscene SPD, the Parking Standards SPD, and the NPPF.

RECOMMENDATION

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:

4817 194/AMB 'Ambassador' [Amended] received on 29 May 2015
4817 194 T 'Ambassador - Tree protection details' received on 27 March 2015
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The development shall not be begun until a scheme depicting hard and soft landscaping, including the provision of knee-rail fencing and the proposed maximum heights of planting, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.
All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: Core Strategy DPD CS7, BFBLP 'Saved' Policies EN2 and EN20]
04. No development shall commence until details of the proposed time scale for the implementation of the tree protection measures in relation to the construction of the parking bays as identified in approved drawing 4817 194 T 'Ambassador - Tree protection details', received by the Local Planning Authority on 27 March

2015, has been submitted to and approved in writing by the Local Planning Authority. The protection measures and time scales shall be carried out as approved.

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

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

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Time Limit
 2. Approved plans

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

3. Landscaping scheme
4. Tree protection

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 12

Application No.
15/00413/PAC

Ward:
Winkfield And
Cranbourne

Date Registered:
5 May 2015

Target Decision Date:
30 June 2015

Site Address:

**Land To The Rear Of The Elms Winkfield Lane
Winkfield Windsor Berkshire SL4 4QU**

Proposal:

Application for prior approval change of use of existing agricultural building to use as a single dwellinghouse (C3).

Applicant:

Mr Mark Barney

Agent:

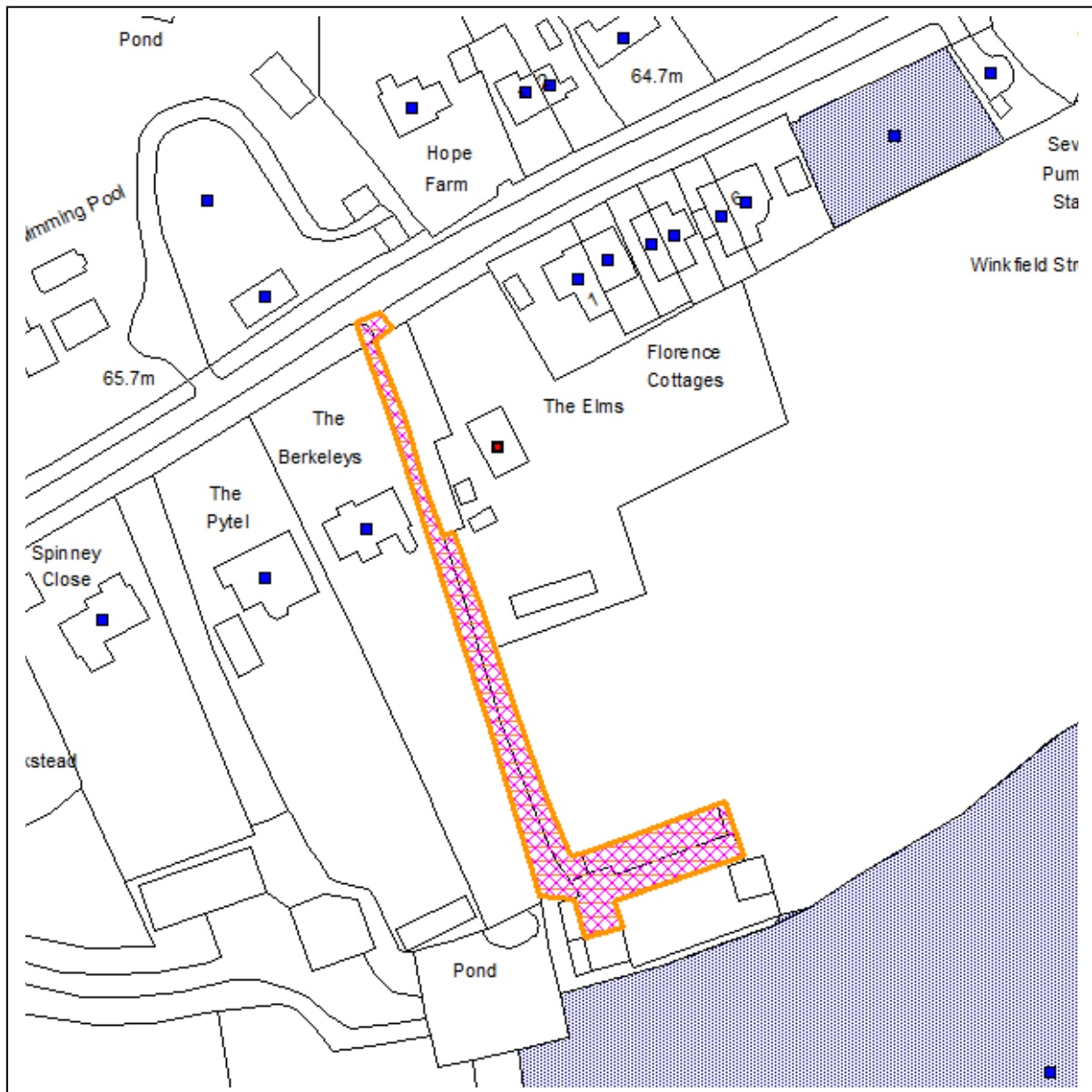
Miss Amy Cater

Case Officer:

Paul Corbett, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING TO COMMITTEE

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

2. SITE DESCRIPTION

The application site is located to the south of Winkfield Lane between the residential properties known as The Berkeleys and Florence Cottages. The barn the subject of this application for prior approval is located some 120m back from the highway. The site is positioned to most south western corner of the land associated with the wider land parcel known as The Elms.

A vehicle access track leads from the gated access with highway past the existing residential dwelling known as The Elms parallel with the common boundary with a neighbouring residential property known as The Berkeleys to a collection of outbuildings to the rear of the site. The collection of buildings are considered to form agricultural buildings having previously been used for the storage of agricultural machinery such as tractors.

This site is located more than 5km from Thames Basin Heath Special Protection Area (SPA) and therefore will not result in any effect on the SPA as defined in the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document and as such there is no requirement to secure any mitigation for this proposal.

3. RELEVANT SITE HISTORY

The historic records make reference to the land as accommodating a smallholding. A smallholding is normally a piece of land and its adjacent living quarters for the smallholder and stabling for farm animals, on a smaller scale than that of a farm but larger than an allotment, usually under 50 acres (0.20 km²). It is often established for the breeding of farm animals on an organic basis on free-range pastures. Alternatively, the smallholder may concentrate on the growing of vegetables by various traditional methods or in a more modern way using plastic covers, Polytunneling or cloches for quick growth. It often provided the owner with a means of achieving self-sufficiency as to his and his family's own needs which he may be able to supplement by selling surplus produce at a farmers market and/or temporary booths or more permanent shop facilities are often part of a smallholding.

Our records also indicate that the residential bungalow to the front of the site was erected on the site in 1954 for the purposes of a smallholding. REF: DC2598 1954

The site does have small orchard and number of green houses of which the larger of them has a purpose built coal fired boiler attached which would have been for the heating of the green house. Our records show that the large greenhouse was purposely constructed for agricultural purposes.

The records also clearly identify 2 large buildings positioned to the far end of the site which were noted to be of brick construction were erected for agricultural purposes and the drawings and application form stated these were for agricultural purposes to store a tractor and implements. REF: BC20239 1973.

4. THE PROPOSAL

The applicant wishes to change the use of the agricultural barn to one dwellinghouse (Use Class C3) in accordance with Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Pursuant to paragraph W of the same legislation, the applicant is applying for prior approval for this change of use. The applicants have submitted details to show the location of the building itself, and existing and proposed plans of the barn to show the change to its appearance and what would be its curtilage.

New doors and windows would replace the existing windows and doors some additional infilling of the part open southern elevation of the building is proposed.

The building is currently of brick and block construction with timber cladding over the bricks and corrugated sheeting roof. The proposal is to keep the brick and block walls and use render over part of the building. Additional black metal framed windows are to be inserted which will be in keeping with the existing openings. The corrugated sheet roof will be replaced with slates.

The existing access track leading from Winkfield Lane would be utilised to serve the building. 2no. parking spaces will be required to serve the proposed residential dwelling.

The building is already is connected to electricity and water. It can be connected to mains sewage.

The building would comprise an entrance hall, kitchen/dining/utility, living room and 3no. bedrooms and a communal bathroom, two of the bedrooms have en-suites.

5. REPRESENTATIONS RECEIVED

9 representations have been received in relation to the proposal comprising 9 objections which are summarised as follows:

The isolated siting of the building makes the change of use undesirable
Noise related impact from vehicular movements would be unacceptable
The site poses a contamination risk
The site poses a flood risk

6. SUMMARY OF CONSULTATION RESPONSES

Winkfield Parish Council were consulted and their comments are awaited

The Council's Highways Officer were consulted and their comments are awaited.

The Council's Environmental Health Officer states there are no noise implications or land contamination issues but advises that a condition is imposed restricting construction times due to the proximity to neighbours.

7. RELEVANT LEGISLATION

Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows 'development consisting of -

- (a) a change of use of a building and any land within its curtilage from use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Class Order; and
- (b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.'

Paragraph Q.1 states: Development is not permitted by Class Q if:

- (a) the site was not used solely for an agricultural use, as part of an established agricultural unit -
 - (i) on 20th March 2013;
 - (ii) if the site was not in use on that date, when it was last in use; or
 - (iii) if the site was brought into use after that date, for ten years before the date the development begins
- (b) the cumulative floor space of the existing building or buildings changing use under Class Q within an established agricultural unit exceeds 450 square metres;
- (c) the cumulative number of separate dwellinghouses developed under Class Q within an established agricultural unit exceeds three;
- (d) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;
- (e) less than one year before the date development begins -
 - (i) an agricultural tenancy over the site has been terminated, and
 - (ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;
- (f) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit -
 - (i) since 20th March 2013, or
 - (ii) where development under Class Q begins after 20 March 2023, during the period which is 10 years before the date development under Class Q begins;
- (g) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;
- (h) the development under Class Q (together with any previous development under Class Q) would result in a building or buildings having more than 450 square metres of floor space having a use falling within Class C3 (dwellinghouses);
- (i) the development under Class Q(b) would consist of building operations other than -
 - (i) the installation or replacement of -
 - (aa) windows, doors, roofs, or exterior walls, or
 - (bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse; and
 - (ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);
- (j) the site is on article 2(3) land;
- (k) the site is or form part of -

- (i) a site of special scientific interest;
 - (ii) a safety hazard area;
 - (iii) a military explosives storage area;
- (l) the site is, or contains, a scheduled monument;
- (m) the building is a listed building.

Paragraph Q.2 (1) states that Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to-

- (a) transport and highways impacts of the development,
- (b) noise impacts of the development,
- (c) contamination risks on the site,
- (d) flooding risks on the site, or
- (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; and
- (f) the design or external appearance of the building,

and the provisions of paragraph W (prior approval) of this Part shall apply in relation to any such application.

Paragraph Q.2 (2) states that Class Q(a) development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the items referred to in sub-paragraphs (1) (a) to (e) and the provisions of paragraph W (prior approval).

Paragraph Q.2 (3) states that development under Class Q is permitted subject to the condition that development under Class Q(a) and under Class Q(b) must be completed within a period of 3 years starting with the prior approval date.

Paragraph W sets out the procedure to be followed where a developer is required to apply for prior approval to the LPA under any class falling within Part 3. This paragraph states that the Local Planning Authority may refuse an application where, in the opinion of the Authority, the proposed development does not comply with or the developer has provided insufficient information to enable the Authority to establish whether the proposed development complies with any conditions, limitations or restrictions specified in this Part as being applicable to the development in question.

8. ASSESSMENT

The proposal complies with the following caveats outlined in Q.1:

a) The applicants statement in the form of the covering letter from Tozers Ref: AC/4295-37 received by the LPA 05 May 2015 states that the building subject to the change of use was in use solely for agricultural use, as part of an established agricultural unit on 20th March 2013.

The covering letter states: "The previous owner, who used the property for agricultural purposes, continued to live at the property until his death in May 2013. When Mr Barney submitted an application for a replacement dwelling (to replace the bungalow) in late summer 2014 (ref: 14/00868/FUL) a number of neighbours objected to the

proposal. Many of the objection letters refer to the agricultural use of the land and how the previous owner had used the barns, orchard and paddock for agricultural purposes up until his death.

The barns were erected in approximately 1973 for agricultural purposes and this particular barn was used for tractor and implement storage. The permission for the barns was given Council reference BC20239. The land remained in the same ownership following the grant of permission until Mr Barney purchased it. It is understood that the previous owner and his parents had originally kept pigs and poultry as well as growing crops. Later the owner grew crops, and sold flowers and fruit. The paddock was used for grazing or hay."

An objection from Maidens Green Society refers to the use of the land as horticultural rather than agricultural. The applicant confirms that the land has been used for keeping livestock,

pasture, horticulture, market gardening and the buildings were used for storing agricultural implements and tractors. The barn was constructed for agricultural purposes under ref: BC20239. In any event the definition of "agriculture" set out in s.336 of the Town and Country Planning Act 1990 is as follows: "agriculture includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be constructed accordingly."

No contradictory evidence has been formally submitted to the Council to refute the claim the barn and land has not been used for agricultural purposes..

Upon the evidence available the LPA does not dispute that the site was not used solely for an agricultural use prior to 20th March 2013.

b) The cumulative floor space of the building changing use is under 450 square metres, at 148.25 square metres. No additional floor space is proposed.

c) A single residential unit would be created by this prior approval; therefore the cumulative number of dwellinghouses developed under Class Q within the established agricultural unit would not exceed three.

d) The site is not occupied under an agricultural tenancy.

e) An agricultural tenancy has not been terminated within a year.

f) No development has taken place under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) since 20th March 2013 or over the past 10 years.

g) The development would not result in the external dimensions of the building extending beyond the existing building - the only changes proposed are to fenestration and materials.

h) No previous change of use under Class Q have taken place at the site. As such the proposed development would not exceed the cumulative threshold of floor space having a C3 (dwellinghouse) use of 450 square metres.

i) The development under Class Q(b) would comprise replacement roof and additional windows and doors. The roof would be no higher than the existing roof. The building is currently of brick and block construction with timber cladding over the bricks and corrugated sheeting roof. The proposal is to keep the brick and block walls and use render over part of the building. Additional black metal framed windows are to be inserted which will be in keeping with the existing openings. The corrugated sheet roof will be replaced with slates.

The works are considered reasonably necessary to carry out the building operations. The proposed development would therefore sit within the parameters allowed.

The existing building is already connected to electricity and water. It can be connected to mains sewage.

j) The site is not on Article 2(3) land.

k) The site is not located in an SSSI, a safety hazard area or a military explosives storage area.

l) The site does not contain any scheduled monuments.

m) The building subject to this application is not listed.

With regard to the conditions listed in paragraph Q.2 (1):

a) Transport and Highways Impacts of the Development

Third party concerns are that the proposed development would not prevent agricultural vehicles accessing the paddock. There is already sufficient space along the track to enable agricultural vehicles to enter the paddock at any given point.

The Highway Officer confirms:

- That the existing access onto Winkfield Lane is wide enough to enable two vehicles to pass each other at low speed being 4.1 metres wide from gate post to gate post. The LHA has measured this on-site to be correct.
- The existing gates are to be set-back 6 metres from the edge of the road and a standard car would be able to be clear of the main road while gates are being opened.
- That a 4.1 metre wide access road (drawing 990-BSK01-A) can be achieved between Winkfield Lane and the existing dwelling and this will minimise conflict between vehicular movements from the existing dwelling and this proposed dwelling.
- Beyond the existing dwelling the driveway varies in width generally being 3.8 metres and no less than 3.1 metres which is acceptable for access to a single dwelling and for access by domestic delivery vehicles and emergency services. The two tandem spaces shown for this proposed 3-bed dwelling and the associated turning area identified for access to these spaces is acceptable proving no access is required to the existing garage building. The applicant confirmed in an email dated 04 June 2014 that turning area will not conflict with access to the building outside of the application site as it is not intended use what is considered to be an agricultural building as a domestic garage.

b) Noise Impacts of the Development

The site is not located close to any noise generating uses. The Council's Environmental Health Officer confirms there is no history of noise complaints regarding the site and the proposed change of use of the barn to residential would not result in significant noise impacts either.

c) Contamination Risks on the site

The Council's Environmental Health Officer confirmed that the site is not contaminated land as described in Part 2A of the Environmental Protection Act 1990.

d) Flooding Risks on the site

The application site is not located on either Flood Zone 2 or Flood Zone 3. The site is located within Flood Zone 1 but not in an area known for drainage issues.

e) Whether the Location or Siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order

Planning Practice Guidance with regard to this condition was published on 5 March 2015. This states that "Impractical reflects that the location and siting would 'not be sensible or realistic', and undesirable reflects that it would be 'harmful or objectionable'.

When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development rights grant planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval." The existing barn is located within the Green Belt, a considerable distance away from local facilities such as schools and shops, however this is not considered to be a reason to refuse prior approval. Within the immediate area, there are existing residential properties and the building is sited close to existing built form including stables and a mobile home. It is therefore not located within an isolated location.

The guidance goes on to state "There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building is on top of a hill with no road access, power source or other services its conversion is impractical." The application site is located off Winkfield Lane. The existing building is already connected to electricity and water. It can be connected to mains sewage. As such, it is not considered that the proposed conversion would be impractical.

The guidance also states "Additionally the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines and chemicals.' The existing barn subject to this application would not be adjacent to any such uses, and in this respect it would not be harmful or objectionable to change the use of the building to a residential use in this location. It is therefore not considered that the siting of a building in this location proposed to be used for residential purposes would be undesirable, for the purposes of this condition.

Finally, the guidance states "When a local authority considers location and siting it should not therefore be applying tests from the National Planning Policy Framework except to the extent these are relevant to the subject matter of the prior approval." Therefore although the NPPF seeks to avoid isolated homes in the countryside other than in particular circumstances, this is not relevant to an application for prior approval.

It is therefore not considered that the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order.

(f) The design or external appearance of the building

Proposed floor plans and elevations have been submitted to the LPA in relation to the design and external appearance of the building - drawing no. 990-BSK02 Proposed Plan and Elevations received by the LPA 05 May 2015. The proposed elevations show the alterations to the fenestration of the building and the materials to be used in the external finish of the building.

The applicant confirms that the building operations that would be carried out would comprise a replacement roof and additional windows and doors. The roof would be no higher than the existing roof. The building is currently of brick and block construction with timber cladding over the bricks and corrugated sheeting roof. The proposal is to keep the brick and block walls and use render over part of the building. Additional black metal framed windows are to be inserted which will be in keeping with the existing openings. The corrugated sheet roof will be replaced with slates.

These details are considered satisfactory in allowing an assessment to be made on the design and external appearance of the building.

CONCLUSION

An assessment has been made of the proposal and it is considered that prior approval is required for the change of use of the barn and land from an agricultural use to a C3 (dwellinghouse) use. An assessment has also been made of the building operations necessary to convert the building to a C3 use.

The proposal satisfies the criteria in Q.1 and the conditions in Q.2 and therefore prior approval can be granted.

RECOMMENDATION

01. This prior approval decision is based on the following:-

990-SLP01 Site Location Plan received by the LPA 05 May 2015
990-BSK01 A Existing Plan and Elevations and Block Plan received by the LPA 04 June 2015
990-BSK02 A Proposed Plan and Elevations received by the LPA 04 June 2015
Covering Letter from Tozers Ref: AC/4295-37 received by the LPA 05 May 2015
Email from Michael Pagliaroli dated 01 June 2015
Email from Tozers (Amy Cater) dated 04 June 2015
Car Parking Plan (Block Plan) received by the LPA 01 June 2015

Informative(s):

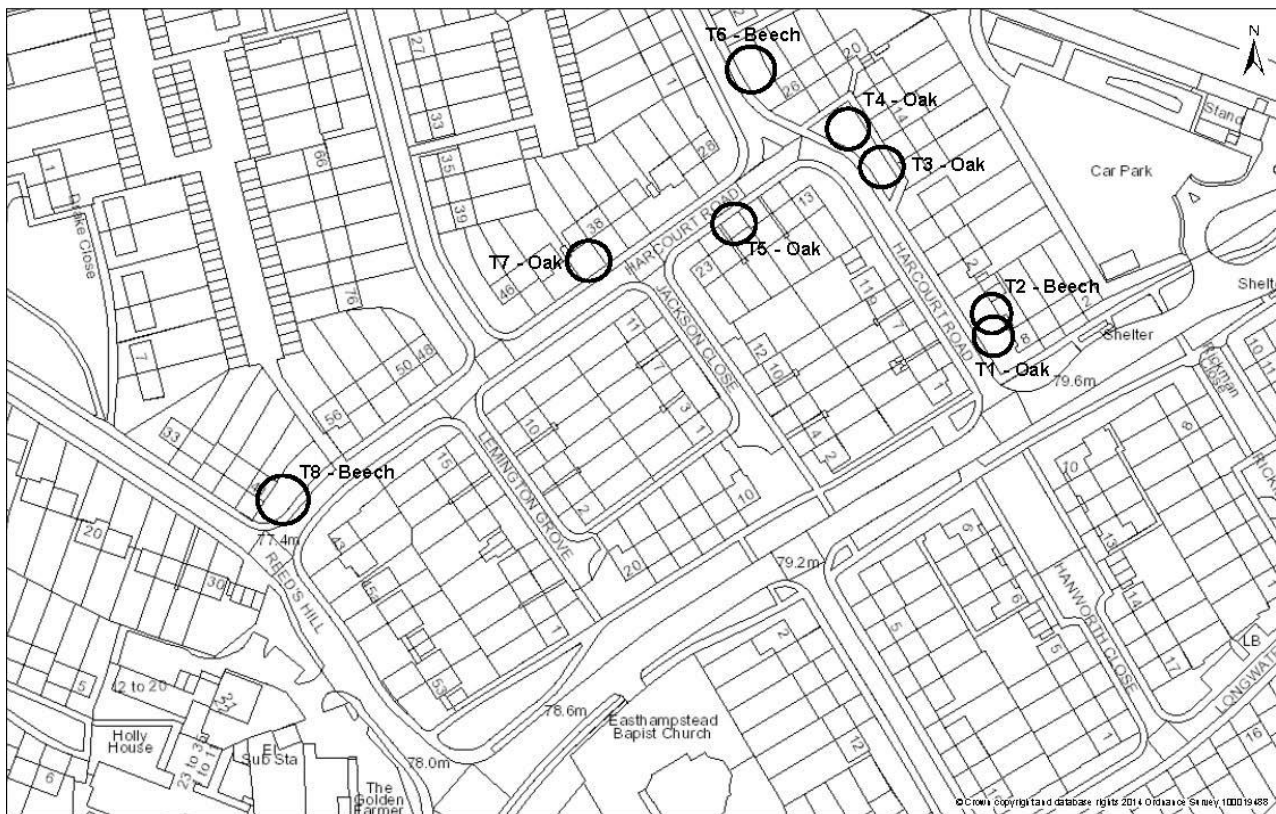
01. Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.
02. The applicant is advised that the proposed residential dwelling does not comply with the requirements of the Council for bin collection as it is approximately 120 metres from Winkfield Lane. A refuse vehicle would not enter the site. As such any occupiers will need to carry their bins/refuse to the front of the site.

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

PLANNING COMMITTEE 18th. June 2015

CONFIRMATION OF TREE PRESERVATION ORDER Land at 8 South Hill Road and 12, 14, 19, 26, 40 Harcourt Road and 41 Reeds Hill Road, Bracknell - 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 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.

5. DETAILS OF RESIDENTS' OBJECTIONS

- 5.1. One objection from the owner/resident of 40 Harcourt Road.
- 5.2. The objection is in respect of Oak T7 which is in the front garden of No. 40 Harcourt Road.
- 5.3. The issues raised as part of the objection to this particular tree relate to: -
- Concerns about public safety and the risk to persons by falling branches (particularly in adverse weather)
 - Concerns about the potential for the tree to cause subsidence damage to house foundations.

6. TREE SERVICE PROCEDURE

- 6.1. In receiving an objection to a new TPO, the Tree Service acknowledges any communications and provides advice and guidance in respect of the resident's right to make an application to manage their tree by providing an application form and guidance on how to source Government advice on TPO procedures. The objectors correspondence is reviewed in respect of Council policies and to address the issues raised, a report is compiled and subsequently brought before Committee.
- 6.2. The Council's response to the objections include: -
- The amenity assessment undertaken on the trees has been developed by the Council and is based on Central Government Guidelines, industry 'best practice' and the Council's own policy.
 - The tree is visible from public vantage points and there are few amenity trees of the same quality and impact in the immediate landscape.
 - The Council's amenity assessment is not a full & detailed tree-survey; and although now protected, this does not remove any legal responsibility from the tree-owner to ensure their safe condition. It is therefore strongly advised that if the objector/tree-owner considers the tree/s to be in any way dangerous, hazardous or unsafe, that they seek independent professional advice.

- Any concerns about the condition of the tree and incidents of dropping debris can be addressed by routine inspection and maintenance pruning to ensure that safety and nuisance are prevented.
- In respect of alleged damage to property by tree-roots, no evidence was presented in respect of root damage to the property. If the objector believes they are experiencing problems with tree-roots damaging any structures on their property, they must provide supporting evidence in order for the Tree Service to re-assess the situation taking in to account that information.

7. SUPPORTING PLANNING INFORMATION

7.1. The Planning Authority carried-out an appraisal of the trees within the landscape and subsequently requested that the TPO be served.

8. CONCLUSION

8.1. The Council has followed due legislative process, procedure and policy and has stated the reasons for protecting the trees. The various objections and specific issues raised by correspondents have been addressed within this report.

End of Report

Contact for further information: -

Jan Polnik
Principal Tree Officer 01344 354115
jan.polnik@bracknell-forest.gov.uk