



NOTICE OF MEETING

Planning Committee

Thursday 16 July 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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Published: 6 July 2015



Planning Committee
Thursday 16 July 2015, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

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

AGENDA

Page No

1. **Apologies for Absence**

To receive apologies for absence.

2. **Minutes**

To approve as a correct record the minutes of the meeting of the Committee held on 18 June 2015.

1 - 20

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 14/01333/OUT - Land To The West Of Locks Ride, Locks Ride, Ascot**

Outline application for a residential development of up to 88 dwellings with vehicular access from Locks Ride, open space and associated works.

25 - 56

(All matters reserved apart from access)

- | | | |
|-----|--|-----------|
| 6. | Application No 15/00203/FUL - 41 Ludlow, Bracknell, RG12 7BZ
Proposed single storey ground floor extension, conversion of garage into habitable accommodation. | 57 - 62 |
| 7. | Application No 15/00216/FUL - Oakwood, Waterloo Road, Wokingham, RG40 3DA
Erection of a detached building to be used as an Indoor Climbing Centre, the creation of an access for cycles and pedestrians directly opposite the end of the cycle path on Waterloo Road and the creation of 50no. parking spaces within the north-east corner of the site. | 63 - 74 |
| 8. | Application No 15/00248/FUL - Land Adjacent To 23 Darwall Drive, Ascot, SL5 8NB
Erection of a detached bungalow on land adjacent to 23 Darwall Drive with parking to the rear following demolition of existing garage. | 75 - 86 |
| 9. | Application No 15/00281/FUL - 9 Vickers Row, Bracknell, RG12 9PQ
Erection of a single storey rear extension and conversion of garage into habitable accommodation. | 87 - 94 |
| 10. | PS Application No 15/00312/FUL - Ramslade House, Austin Way, Bracknell
Erection of 12no. three bedroom houses with associated parking (including 7no. visitor spaces to the south of nos. 11 and 12 Typhoon Close and 1no to south of 10 Tempest Mews), provision of a vehicle turning head on Tempest Mews, landscaping and laying out of commemorative garden, following demolition of Ramslade House. | 95 - 116 |
| 11. | Application No 15/00331/FUL - White Cottage, Devils Highway, Crowthorne, RG45 6SR
Erection of a new 4 bedroom dwelling house following the demolition of the existing bungalow (part retrospective as bungalow has already been demolished). | 117 - 130 |
| 12. | Application No 15/00416/T - Locks Ride Playing Fields, Forest Road, Winkfield Row, Bracknell
Temporary siting of a mobile catering unit. | 131 - 140 |
| 13. | Application No 15/00436/3 - Street Record, Pendlebury, Bracknell
Convert grass amenity area into 3 parking spaces. | 141 - 146 |
| 14. | Application No 15/00455/NMA - 2 Grove Farm Cottages, Lower Sandhurst Road, Sandhurst, GU47 8JG
Non material amendment to planning permission 14/00917/FUL for | 147 - 152 |

larger roof lanterns and additional first floor window to rear.

15. **Application No 15/00542/RTD - Telecommunications Mast,
Waterside House, Longshot Lane, Bracknell**

Removal of existing 14.7 metre high Phase 3 monopole mast and the
installation of a 15 metre high Phase 5 monopole and Samoa cabinet.

153 - 160

**PLANNING COMMITTEE
18 JUNE 2015
7.30 - 10.10 PM**



Present:

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

Also Present:

Councillors Turrell, Ms Gaw and Mrs Temperton

Apologies for absence were received from:

Councillors Angell, Mrs Angell, D Birch and Finnie

11. Minutes

RESOLVED that the minutes of the meetings of the Committee held on 27 and 28 May 2015 be approved as a correct record and signed by the Chairman.

12. Declarations of Interest

Councillor Mrs Phillips declared a non-pecuniary interest in Agenda Item no. 7 [Application No 15/00005/3 – Winkfield St Mary's Church of England Primary School, Winkfield Row] as her children attended the school and her husband was a school governor. This did not affect her ability to take part in consideration of this item.

13. Urgent Items of Business

There were no items of urgent business.

14. 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.

A site visit had been held on Saturday 13 June 2015 which had been attended by Councillors Angell, Mrs Angell, Hill, Mrs Ingham, Mrs McKenzie, Mrs McKenzie-Boyle, Peacey, Ms Phillips and Thompson.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The observations of Bracknell Town Council.
- 9 objections to the proposal, summarised as follows:
 - concerns with regard to privacy
 - loss of view/outlook

- loss of green open space
- loss of wildlife habitat
- pedestrian/cyclist safety
- lack of parking

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Julia Godden, who represented her objections to the proposed development, and Daniel Knight, representing the Agent, on behalf of the applicant.

RESOLVED that 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 Aysgarth 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.
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
03. No development shall take place until samples of the materials to include bricks and roof tiles and other hard surfaces to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
04. The development hereby permitted shall not be begun until details showing the finished slab levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
05. The development 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.

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.

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

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

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 part thereof is occupied.
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.
23. 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.

24. The protective fencing and other protection measures specified by condition 23 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -
- a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
 - f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

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

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.
26. No development (including initial site clearance) shall commence until a programme of supervision/monitoring for all arboricultural protection

measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -

- a) Induction and personnel awareness of arboricultural matters.
- b) Identification of individual responsibilities and key personnel.
- c) Statement of delegated powers.
- d) Timing and methods of site visiting and record keeping.
- e) Procedures for dealing with variations and incidents.

The program of arboricultural monitoring shall be undertaken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the Local Planning Authority. A copy of the signed inspection report shall be sent to the Local Authority following each visit.

27. No development shall commence until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -
 - a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
 - b) Materials including porous surface finish.
 - c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
 - d) Program and method of implementation and arboricultural supervision.The Construction Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to the occupation of the dwelling. The No Dig structure shall be retained in perpetuity thereafter.
28. No development shall commence until a site specific method statement for the removal of all existing hard surfaced areas and/or structures of any other description, located within the minimum Root Protection Areas (RPA's) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
 - a) A site plan at a minimum scale of 1:200, identifying all areas where such work is to be undertaken.
 - b) Reinstatement to soft landscape area including proposed ground de-compaction works.
 - c) Timing and phasing of works.The Construction Method Statement shall be observed, performed and complied with in full accordance with the approved details.
29. No development (including any initial site-clearance works) shall commence until details of the foundation structure/s, of the approved building/s, so designed to minimise their adverse impact on tree roots, have been submitted to and approved in writing by the Local Planning Authority. Details shall be site specific and include: -

An approved layout plan at a minimum scale of 1:200 scale, showing the accurate trunk positions and branch spreads of existing retained trees in relation to the proposals.

 - a) Layout and construction profile drawing/s.
 - b) Engineering/ Arboricultural construction method statement.

c) Implementation method statement including timing/ phasing of works. The foundation structure shall be implemented in full accordance with the approved details.

30. No development shall commence until:
- (i) a site layout plan at a minimum scale of 1:200 showing the proposed layout of all underground services and external lighting and
 - (ii) a programme for the phasing and timing of works
- have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -
- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
 - b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
 - c) Soak-aways (where applicable)
 - d) Gas, electricity, telecom and cable television.
 - e) Lighting columns and all associated ducting for power supply.
 - f) Phasing and timing of works.
- The development shall be carried out in full accordance with the approved site layout and the approved programme.
31. No development shall take place until:
- (i) details of all proposed alterations to the ground levels within the site within 5 metres of the minimum 'Root Protection Areas' calculated in accordance with BS 5837 (2012) recommendations (or any subsequent revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development. The details to include:
 - a) Existing and proposed finished levels.
 - b) Any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.
 - c) Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation, and
 - (ii) a programme and method of implementation have been submitted to and approved in writing by the Local Planning Authority.
- The development shall be carried out in accordance with the approved site layout plan and the approved programme.

RESOLVED in the event of the S106 planning agreement not being completed by 30 November 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).

15. **Application No 14/01317/FUL - 53 All Saints Rise, Warfield, Bracknell**
Erection of a part single, part two storey side extension

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Warfield Parish Council recommending refusal as the proposed extension by reason of its size and mass represented an unacceptable enlargement of the property.
- 3 neighbour objections to the proposal, 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.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 27th February 2015:
MAL/02 (Rev B)
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.
04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (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).
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.

16. **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.

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

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Winkfield Parish Council supported the application but had asked the officers to work with the applicant to improve the layout of the car park to facilitate safer manoeuvring. They had also raised concerns that the number of extra spaces would be insufficient.

- 8 additional letters of support had been received, including one from the Chair of Governors at St Mary's CE Primary School confirming the unanimous support of the Governing Body for the proposal.
- 23 letters of objections to the proposal containing a number of detailed points relating to four main areas of concern, summarised as follows:
School Amenities – a number of facilities at the school including play space and kitchen facilities would be reduced or adversely affected by the proposals.
Parking and Highway Safety Concerns – there is inadequate parking provision in the recreation ground, the additional parking at Locks Ride car park is not suitable and the additional traffic generation and highway safety generally are of concern.
Impact on Character of the Area – use of amenity space for additional parking not acceptable; the proposed extension not in keeping with the existing.
Principle issues – a number of comments about the adequacy of the existing school places for Winkfield children, a query over the need for the additional classroom, the Ofsted rating for the school and the ability of the school to manage additional numbers/buildings.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Jonathan Spring-Rice, who represented his objections to the proposed development, and David Watkins, Chief Officer: Strategy, Resources and Early Intervention, on behalf of the applicant.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:-
5125476-ATK-Z1-ZZ-DR-A-0001 P1 dated 09.09.2014
5125476-ATK-Z1-ZZ-DR-A-0002 P1 dated 09.09.2014
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
03. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
04. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority. The agreed details shall be complied with in full during the development.
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 in line with the agreed scheme.
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.
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. The agreed details shall be retained in perpetuity.
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.
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.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
11. The surge classroom hereby approved shall not 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.

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.
13. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the demolition and construction period. The statement shall provide for:-
 - access to the site for construction traffic,
 - the parking of vehicles of site operatives and visitors
 - maintaining safe pedestrian access to and around the school site at all times,
 - construction and demolition working hours,
 - loading and unloading of plant and materials including the timings of deliveries (not to conflict with school drop off and pick up times),
 - storage of plant and materials used in constructing the development,
 - the erection and maintenance of security hoarding,
 - measures to control the emission of dust and dirt, noise and smell,
 - wheel cleaning facilities
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.
15. The surge classroom hereby approved 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.
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

surge classroom hereby approved shall not be occupied until the approved scheme has been implemented and shall continue to be implemented for as long as the surge classroom is occupied.

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.

18. No development shall take place until a scheme for a temporary construction access from Forest Road has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall address how the temporary access will be constructed and once development is completed how the land will be returned to its former state. The agreed details shall be complied with in full.

Councillor Ms Gaw, in attendance at the meeting, declared a non-pecuniary interest in this item as her children attended the school. This did not affect her ability address the Committee and ask questions.

17. **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.

This application as initially submitted included a proposal for an additional single storey outbuilding to enclose the existing swimming pool. This element of the proposed development has been withdrawn at the request of the applicant and an amended block plan submitted.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- An objection to the proposal from Warfield Parish Council on the grounds that it 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.
- 2 objections from neighbouring properties (received prior to the withdrawal of the outbuilding forming a pool enclosure), 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

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:
 - Block Plan scale 1:500 [Amended] received on 10 June 2015
 - Dwg. Title 'Proposed Ground Floor Plan' [rear extension] received on 5 March 2015
 - Dwg. Title 'Proposed Elevations' [rear extension] received on 5 March 2015
 - 1918 (P) 'Proposed Oak Framed Pool Cover' received on 5 March 2015
 - 1918 jwp 'Proposed Oak Framed Garage' received on 5 March 2015
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.

18. **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).

A site visit had been held on Saturday 13 June 2015 which had been attended by Councillors Angell, Mrs Angell, Hill, Mrs Ingham, Mrs McKenzie, Mrs McKenzie-Boyle, Peacey, Ms Phillips and Thompson.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The objection of Binfield Parish Council, which 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.
- An objection from Bray Parish Council on the grounds of increased vehicle movements through Holyport on the A330 Ascot Road and 9 objections to the proposal, summarised as follows:
 - 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.

RESOLVED that:

(1) 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 on 09.03.15:

Location plan (scale 1:1500), Site plan (scale 1:5000), 0856/1464/01C (redesigned screening bund showing three cross sections)
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.
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.
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.

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.

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.
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.

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 bundWithin 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.

(2) Delegated authority be granted to the Head of Planning to frame an additional condition limiting the hours of operation of vehicle movements to and from the site to those proposed by the applicant.

19. **Application No 15/00235/FUL - 46 All Saints Rise, Warfield, Bracknell**
Two storey side extension and single storey front extension.

A site visit had been held on Saturday 13 June 2015 which had been attended by Councillors Angell, Mrs Angell, Hill, Mrs Ingham, Mrs McKenzie, Mrs McKenzie-Boyle, Peacey, Ms Phillips and Thompson.

The Committee noted:

- An objection to the proposal from Warfield Parish Council, which had recommended refusal on the grounds that the proposed extension by reason of its size and mass represented an unacceptable enlargement of the property.
- 2 neighbour objections had been received 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.

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

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

K/2088/1/A
Amended Roof Plan
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.

20. **Application No 15/00292/3 - Ambassador Bracknell**

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

The Committee noted:

- Bracknell Town Council had raised no objection to the proposal.
- No representations had been received from neighbouring properties.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:

4817 194/AMB 'Ambassador' [Amended] received on 29 May 2015
4817 194 T 'Ambassador - Tree protection details' received on 27 March 2015
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.

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.

21. **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).

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- No comments had been received from Winkfield Parish Council.
- 9 representations had 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

RESOLVED that the application for prior approval for the change of use of the barn and land from agricultural use to a C3 (dwellinghouse) use be granted, as stated below:

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

22. **Confirmation of Tree Preservation Order 1179 - Land at 8 South Hill Road and 12, 14, 19, 26, 40 Harcourt Road and 41 Reeds Hill Road, Bracknell - 2014**

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

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- One objection from the owner/resident of 40 Harcourt Road in respect of Oak T7 situated in the front garden of 40 Harcourt Road raising the following issues:
 - 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.

RESOLVED that Tree Preservation Order 1179 – Land at 8 South Hill Road and 12, 14, 19, 26, 40 Harcourt Road and 41 Reeds Hill Road, Bracknell – 2014, be confirmed.

Councillor Skinner declared a potential interest in this item as a member of the Board of Bracknell Forest Homes (the owner or former owner of some of the trees) and abstained from voting on this decision.

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
16th July 2015**

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

		Case Officer	Reporting Officer
5	14/01333/OUT Land To The West Of Locks Ride Locks Ride Ascot (Winkfield And Cranbourne Ward) Outline application for a residential development of up to 88 dwellings with vehicular access from Locks Ride, open space and associated works. (All matters reserved apart from access) Recommendation: Refuse.	Martin Bourne	Martin Bourne
6	15/00203/FUL 41 Ludlow Bracknell Berkshire (Hanworth Ward) Proposed single storey ground floor extension, conversion of garage into habitable accommodation. Recommendation: Approve.	Charlotte Pinch	Basia Polnik
7	15/00216/FUL Oakwood Waterloo Road Wokingham (Great Hollands North Ward) Erection of a detached building to be used as an Indoor Climbing Centre, the creation of an access for cycles and pedestrians directly opposite the end of the cycle path on Waterloo Road and the creation of 50no. parking spaces within the north-east corner of the site. Recommendation: Refuse.	Simon Roskilly	Basia Polnik
8	15/00248/FUL Land Adjacent To 23 Darwall Drive Ascot Berkshire (Ascot Ward) Erection of a detached bungalow on land adjacent to 23 Darwall Drive with parking to the rear following demolition of existing garage Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Michael Ruddock	Basia Polnik

9	15/00281/FUL 9 Vickers Row Bracknell Berkshire (Harmans Water Ward) Erection of a single storey rear extension and conversion of garage into habitable accommodation Recommendation: Approve.	Gerald Hegarty	Basia Polnik
10	15/00312/FUL Ramslade House Austin Way Bracknell (Harmans Water Ward) Erection of 12no. three bedroom houses with associated parking (including 7no. visitor spaces to the south of nos. 11 and 12 Typhoon Close and 1no to south of 10 Tempest Mews), provision of a vehicle turning head on Tempest Mews, landscaping and laying out of commemorative garden, following demolition of Ramslade House. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Martin Bourne	Martin Bourne
11	15/00331/FUL White Cottage Devils Highway Crowthorne (Crowthorne Ward) Erection of a new 4 bedroom dwelling house following the demolition of the existing bungalow (part retrospective as bungalow has already been demolished) Recommendation: Approve.	Sarah Horwood	Basia Polnik
12	15/00416/T Locks Ride Playing Fields Forest Road Winkfield Row (Winkfield And Cranbourne Ward) Temporary siting of a mobile catering unit Recommendation: Approve.	Sarah Horwood	Basia Polnik
13	15/00436/3 Street Record Pendlebury Bracknell Berkshire (Hanworth Ward) Convert grass amenity area into 3 parking spaces Recommendation: Approve.	Michael Ruddock	Basia Polnik
14	15/00455/NMA 2 Grove Farm Cottages Lower Sandhurst Road Sandhurst (Little Sandhurst And Wellington Ward) Non material amendment to planning permission 14/00917/FUL for larger roof lanterns and additional first floor window to rear. Recommendation:	Sarah Horwood	Basia Polnik

- 15 15/00542/RTD
Telecommunications Mast Waterside House
Longshot Lane
(Binfield With Warfield Ward)
Removal of existing 14.7 metre high Phase 3
monopole mast and the installation of a 15
metre high Phase 5 monopole and Samoa
cabinet.
Recommendation: Approve.

Sarah Horwood 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.

OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

This application is reported to committee at the request of the Chief Officer: Planning and Transport in view of the level of local interest.

2. SITE DESCRIPTION

The application site which has an area of 4.25 ha lies to the west of Locks Ride. It comprises a single field which is fairly flat and is currently under grass. It is bordered to the north by horse stables with an adjoining paddock, and on other sides by residential gardens and further paddocks.

The site's boundaries are formed by hedgerows with trees. A number of Oaks on the site's boundary with Lock's Ride are covered by a tree preservation order (TPO 81).

The north western corner part of the site is within 250m of a landfill site [see Section 20 below].

The Replacement Minerals Local Plan identifies the site as located within an area identified as having Plateau Gravel mineral resources.

3. RELEVANT SITE HISTORY

Various applications for residential development on the site were refused in the 1970s and 1980s, including:

- 613770 (refused 1988): outline application for 100 dwellings. Reasons for refusal included to contrary to policies (in place at the time), and visual intrusion.

- 07/00570/FUL (approved 2007): Application for engineering works for the construction of an underground water supply main pipeline from land south of Drift Road, Foliejon Park to the Surrey Hill and Crowthorne Reservoirs with associated shafts, washout chambers, sluice valve chambers, air valves, kiosks and temporary working areas. [Note: This pipeline crosses the application site with a sluice valve chamber close to the site's boundary with Locks Ride. It will prevent part of the site from being developed. If the application is approved this is a matter for consideration at the reserved matters stage but the 'Development Framework plan' submitted with the application shows the route of the pipeline as open space].

The application site is not allocated in the SALP. It initially formed part of a former potential 'Broad Area 7 - Winkfield Row/Chavey Down' at the Issues and Options stage, and was rejected at the Preferred Option stage. It also forms part of a SHLAA site (site 292), which was rejected at both the Preferred Option stage and at the Draft Submission stage

4. THE PROPOSAL

Outline planning permission is sought for a residential development of up to 88 dwellings with vehicular access from Locks Ride, open space and associated works. All matters are reserved apart from access.

Supporting information accompanying the application includes the following:-

- Planning Statement
- Design and Access Statement
- Ecological Appraisal
- Badger Survey Report
- Great Crested Newt Report
- Air Quality Screening Request
- Soils and Agricultural Use and Quality Report
- Flood Risk Assessment
- Foul Drainage Analysis
- Five Year Land Supply Assessment
- Phase 1 Geo environmental Assessment
- Noise Assessment Report
- Sustainability Report
- Socio-Economic Sustainability Statement
- Transport Assessment
- Framework Travel Plan
- Energy Statement
- Landscape and Visual Impact Assessment
- Arboricultural Survey
- Statement of Community Involvement
- Archaeological Desk Based Assessment

A 'Development Framework plan' submitted with the application shows how the site could be laid out. It includes a proposed residential area of 2.95 ha which, with a development of 88 dwellings, would result in a net density of about 30 dwellings per hectare.

Open space amounting to 1.27ha is shown located principally on the southern part of the site and on the site's boundaries with an attenuation pond on the site's northern boundary. Indicative routes within the site for pedestrians and vehicles are shown linking to access points on the site's Locks Ride frontage. Existing trees/shrubs and hedgerow are shown (to be 'gapped-up' as appropriate) with new tree planting within the site and along its boundaries, particularly the northern boundary.

5. REPRESENTATIONS RECEIVED

The following petition, with 222 signatures, has been received:-

"We, the undersigned, being residents of this area, are opposed to the use of green field Land to the West of Locks Ride being used for housing development. Any development will alter the character and biodiversity of the area and will exacerbate major problems that already exist e.g. schooling, access to public services, traffic etc. Any proposal outside of the Approved Site Allocations Development Plan for Bracknell Forest could lead to major overdevelopment when taken in combination with sites already approved via the Plan."

Society for the Protection of Ascot and Environs

We view this application with considerable concern, as it attempts to use the NPPF guidance to override local and democratically arrived at policies. The BFC site allocations process finalised in 2013, and arrived at through extensive consultation with local communities, defined how the BFC's 5 year land supply target would be met. It did not include this site which is anyway defined as land outside a defined settlement, and therefore subject to policies CS7 and 9 of the Core Strategy Development Plan and saved policy EN 20 of the Local Plan, and which this application would fail to meet.

We therefore find it incredulous that a developer should now justify this application primarily by accusing BFC of not having the 5 year land supply, so recently approved by the community and more particularly by the Inspector. If the democratic process is to be respected this must surely call for a review of the BFC 5 year land supply position by the Secretary of State. We therefore object to the application.

Objections have been received from 123 individuals raising concerns which may be summarised as follows:-

Principle of development and impact on character of area

- the site has already been considered by BFC for development and was rejected as unsustainable. The site was rejected in the SHLAA and was not included as a suitable site.

- not consistent with the BFC's Core Strategy Development plan. This states that the Council is committed to the protection of land outside settlements for its inherent character so that it may be enjoyed by present and future generations

- the development is proposed on previously undeveloped land and is not part of the detailed 5 year Site Allocations Local Plan (SALP) adopted in July 2013.

- village identity and character will be lost completely if more controls are not put in places.

- out of character for the area. The development would not fit with the existing built environment, with much higher building densities and would detrimentally affect the appearance and nature of Chavey Down.

- the development site is clearly agriculture land and this should be protected.

- if planning application is allowed it would also open up the floodgates for applications all along the Forest Road and Braziers Lane and beyond.

- out of character - the development scale is out of character with its surroundings. 88 new houses is more than all the houses currently on Lock Ride. Trees that screen the site are relatively thin and the new build would be easily seen from the road, changing the feel from semi-rural to urban

- existing homes on Locks Ride are typically 4/5 bedrooms; smaller dwellings on small plots would be out of character

- this will adversely affect the character of the area and be precedent setting to the rest of the Winkfield Triangle

- there is a substantial development ongoing at Jennett's Park and we feel that those families needing homes would be better placed there as the necessary infrastructure has been designed in from the outset.

- need to build more houses, but not to the detriment of our green fields and countryside.

Transport

- the local roads are already congested in the morning rush hour, and school drop off times and this will only get worse with the addition of 80+ houses.
- the Locks Ride/Forest Road/Braziers Lane, Locks Ride/Long Hill Road and Locks Ride/Chavey Down Road junctions are particular bottlenecks at present. At peak times traffic queues stretch a considerable distance down Locks Ride from the Forest Road junction past this proposed development's junction. Many drivers also break existing one way restrictions through North Road Chavey Down due to the level of local congestion. This development would simply exacerbate the situation by adding additional traffic to these local roads.
- during the day, traffic speeds down Lock's Ride - there are already issues with speeding vehicles (danger to vehicles, pedestrians, cyclists, horses) - additional vehicles will bring a further risk to the safety of pedestrians and cyclists.
- capacity improvements would be required at all local junctions and substantial modifications to road layouts, for example at the top and bottom of Locks Ride at Chavey Down Farm Braziers Lane. Braziers Lane is a dangerous junction which already struggles with traffic.
- there will be an increased risk of accidents on the junction of Locks Ride and Forest Road, due to the higher percentage of traffic.
- accessibility on foot. Guidance on preferred maximum walking distances to amenities given in the Chartered Institution of Highways and Transportation (CIHT) document "Providing journeys on Foot" indicate that maximum walking distance of 2km to amenities is identified. The developers state that there is a Post Office within 1.9km. This is inaccurate. The nearest Post Office and local food store 'Londis' in New Road is 2.57km walking distance
- both the roads and pavements of Locks Ride and Forest Road are extremely narrow. It isn't that wide to walk children to school and impossible to walk two abreast without being within inches of the passing cars.
- bus timetables show the last bus on the 162 route to leave Bracknell Bus Station Mon- Fri that serves this area is 14.20. Coming the other way from Ascot Railway station the last bus leaves at 14.55. The 152 route which also serves the area leaves Bracknell at 15.55. Neither bus is practical for anyone working a regular 9-5 working day.
- next to children's park therefore dangerous
- the roads are in a bad state of repair.

Services and infrastructure

- poor access to existing community facilities.
- the current infrastructure would not be able to cope; doctors and dentists would become overstretched, hospital facilities are already overstretched and local schools already oversubscribed and have little room for expansion.
- there are no local shops within walking distance, or doctor's surgeries.

- insufficient youth amenities in the area as evidenced by Appendix 1 of the Sustainability Report (which details clubs and societies around Winkfield Row).
- local amenities (shops, post office, doctors & dental surgeries, library, pub etc.) are not within reasonable walking distance
- shops, post office, library and other facilities should be within walking distance of a new development such as this. Even perhaps another church and community centre.
- there is no public transport to speak of in this area - the only way to travel is by car.
- instances of sewage flooding in the area. This is due to the inadequate sewage system. If more demands are put on it by this development it will not cope when there is excessive rainfall. This will lead to a public health issue with the children at Lambrook School
- increase the risk of flooding from surface water run off into neighbouring fields and ditches - particularly at the junction of Locks Ride and Forest Road.
- Affinity Water Company is responsible for the water supply. From the documents that have been lodged it is not evident that Affinity have been consulted and therefore that any opinion has been obtained as to the viability of the existing water supply.
- providing an extra bus for 3 years as local transport - what happens after those 3 years, when the population of the estate will have risen?
- the application mentions that Martin's Heron Station is 3km away and within easy cycling distance. This station has already exceeded its original planned usage with almost no parking space. Very few people cycle to it and any anyone travelling to it by car will increase the amount of rush hour traffic already queuing on Long Hill Road.

Impact on living conditions of local residents

- loss of light and overshadowing.
 - loss of privacy - currently no overlooking.
 - there will be a lot of noise and disturbance created by the development - the area is a quiet peaceful area.
 - young and elderly residents find it already very hard to cross Locks Ride - any additional traffic increase will make it harder for these residents.
 - crime: increase in such properties have been shown to increase level of crime.
- Other environmental impacts
- concern about access to the Bray Water pipeline that was installed by South East Water and lies through the proposed development.
 - light pollution which would be caused by the additional street lighting and illumination from the proposed properties. This would intrude on the existing natural undisturbed semi rural setting.
 - close to Ascot Place and other historic buildings

Trees and Wildlife

- environmental impact within the Thames Basin Heath SPA.
- the trees/hedgerows maintain the character of the area but also sustain local wildlife that will be endangered by this development. There are currently owls and bats in the trees.
- irreplaceable loss of habitat to legally protected animals such as bats
- these fields and meadows are irreplaceable and provide essential drainage, maintain air quality and provide habitat for wildlife.
- ecological disturbances. From property just metres away from the northern corner of the proposed developments bats, deer, snakes and foxes, a host of different species of birds are regularly seen and owls call. Great Crested Newts seen in nearby garden on several occasions.

Representations in support of the application

Thames Valley Chamber of Commerce Group supports the application.

It states that there is immense pressure to find suitable land in the area for affordable homes. We need to be able to hold on to the talent in the region who will need these homes - to be able to take up the local, skilled jobs. It is essential that employees are able to work in the region and that such jobs are protected. This, in itself, feeds into the economy. Such decisions are important to investors. The wellbeing and future of the residents is paramount. This is all essential to Bracknell Forest.

Two letters of support:-

- I am in complete favour of this development. There is a chronic shortage of housing in the South East which contributes to the rise in house prices. There is too much nimbysism allowed to influence what should be decisions based on the general wellbeing of society. (Address in London)
- Overall the site is suitable for housing, when you consider the other options in the local area and housing number requirements. However the character, design and density of the proposal does not reflect the context. In summary:-
 - less houses
 - please do not turn the area into suburbia, it is a village
 - think about more structural landscaping - proper places
 - layout, in terms of density, numbers and character to be more reflective of the context.

Thames Water

It notes that with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. If it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.

It has also identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would therefore like a condition to be imposed seeking the submission, approval and implementation of a drainage strategy for on and/or off site drainage works.

6. SUMMARY OF CONSULTATION RESPONSES

Winkfield Parish Council

WPC strongly objects to this application for the following reasons:-

1. This site is not in BFC's approved and adopted SADPD and therefore should be given no further consideration. It is incredulous that developers are given the opportunity to challenge a Government Planning Inspector's decision.
2. The local infrastructure, doctors, schools, highways, public transport will NOT support an additional 88 dwellings.
3. The development is totally out of character with the area.
4. Local utility infrastructure (water, drainage, sewage) is already stretched and under great strain - adding 88 more homes will cause it to fail.

Lead Local Flood Authority

Drainage proposals in submitted flood risk assessment (FRA) are contrary to sustainable drainage (SuDS) objectives. The applicant should be requested to resubmit the FRA and a new drainage strategy.

Highway Officer

Further information is required to demonstrate that this site does not create harm and does mitigate its impact on the transport network. At present the applicant has not demonstrated that impact of the development can be mitigated in terms of sustainable travel and the traffic impacts at local junctions.

Environmental Health Officer

Recommends a condition is imposed on any approval requiring a working method statement.

There are no issues relating to contaminated land.

Biodiversity Officer

No objection subject to conditions including one securing appropriate precautionary working methods to ensure that potential harm to Great Crested Newts during development of the site is avoided.

Tree Officer

Further detail is required to assess and advise on the suitability of this proposal from an arboricultural perspective.

Berkshire Archaeology

In view of the scale of the site and its largely undeveloped history, Berkshire Archaeology recommends a programme of archaeological investigation. This is in accordance with Paragraph 128 of the NPPF and Policy EN7 of the Council's Core Strategy Development Plan.

As the site is unlikely to contain deposits meriting preservation in situ, mitigation of the impacts of proposed development can therefore be secured by condition, should the application be approved. The first stage of the programme of work should be exploratory investigation, which can be limited to areas outside of the water pipeline, which will have previously been disturbed. The scope of such work can be commensurate with the current uncertain potential of the site. A condition is recommended to be imposed should the application be approved.

7. DEVELOPMENT PLAN

The Development Plan includes the following:-

- Replacement Minerals Local Plan for Berkshire (incorporating the alterations adopted in December 1997 and May 2001)
- Policy NRM6 of the South East Plan (May 2009)
- Core Strategy DPD (February 2008)
- Site Allocations Local Plan (July 2013)
- Bracknell Forest Borough Local Plan (January 2002)
- Bracknell Forest Borough Policies Map 2013

8. PRINCIPLE OF DEVELOPMENT

Relevant policies in terms of the principle of development include the following (note this list is not exhaustive):-

South East Plan

Policy NRM6: Thames Basin Heaths Special Protection Area (see Section 17 below)

Replacement Minerals Local Plan

Saved Policies 2 and 2A (see Section 13 below)

Core Strategy Development Plan Document (Feb 2008)

CS1: Sustainable Development Principles
CS2: Locational Principles
CS7: Design
CS9: Development on Land outside settlements
CS14: Thames Basins Heath Special Protection Area
Policy CS15: Overall housing provision
Policy CS16: Housing Needs of the Community
Policy CS17: Affordable Housing
Policy CS23: Transport

Bracknell Forest Borough Local Plan (Jan 2002) (BFBLP) - saved policies

EN1: Protecting tree and hedgerow cover
EN3: Nature conservation
EN8: Development on land outside settlements
EN20: Design considerations in new development
H5: New dwellings outside settlements

Site Allocations Local Plan (SALP) (July 2013)

Policy CP1 - Presumption in Favour of Sustainable Development

Material considerations

These include:-

- Character Areas Assessment SPD

The SPD was adopted in 2010, following public consultation, so can be afforded significant weight. It provides guidance to supplement Core Strategy Policy CS7 (Design). The site is opposite part of Area D of the Northern Villages Study Area, relating to Chavey Down Road/Locks Ride.

- The 5 year supply of housing land

The lack of a five year supply of deliverable sites is a material consideration (in relation to para. 49 of the NPPF and Policy CP1 of SALP together with para. 14 of the NPPF in relation to the presumption in favour of sustainable development).

- The National Planning Policy Framework (NPPF)

Assessment

The application site is located outside of the defined settlement boundary, and proposes new residential development. This is not consistent with the provisions in saved BFBLP policies EN8 and H5 which relate to development on land outside of settlements and new dwellings outside settlements. It is also contrary to CSDPD Policies CS2 and CS9 (relating to locational principles and development on land outside of settlements). Accordingly the application has been advertised as a departure from the Development Plan.

In relation to the five year housing land supply the Inspectors in two recent appeals (land north of Tilehurst Lane, Binfield - dismissed 2 February 2015 - and land to the south of The Limes, Warfield - allowed 17 June 2015) concluded that the Council could not demonstrate a five year supply of land for housing. These appeal decisions are a material consideration in the decision-taking process.

The implications of these appeal decisions is that, as the Council cannot demonstrate a five year land supply, in accordance with para. 49 of the NPPF relevant policies for the supply of housing should not be considered up to date and the weight to be attached to them reduces. Of particular relevance is the presumption against development in the countryside (outside of the Green Belt) which can no longer be applied to housing development. This would apply to the following Development Plan policies:

- CSDPD Policies CS2 and CS9

- 'Saved' BFBLP Policies EN8 and H5.

This was confirmed by the Inspectors in the two appeal referred to above who stated that relevant policies for the supply of housing should not be considered up to date - that would include any policies which seek to place a 'blanket ban' on development outside settlement boundaries, such as CSDPD Policy CS9 and BFBLP Policy H5 - but would not include more general policies which seek to protect the character and appearance of an area.

It therefore falls for this application to be considered in relation to the presumption in favour of sustainable development as set out in SALP Policy CP1 (and para. 14 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

The remainder of the report outlines relevant considerations and the final section of this report contains the 'balancing' exercise.

9. IMPACT ON THE CHARACTER AND APPEARANCE OF AREA

Core Strategy Policy CS1 seeks to protect and enhance the character and quality of local landscapes and the wider countryside. Core Strategy Policy CS9 and BFBLP Policy EN8 also seek to safeguard against development which would adversely affect the character, appearance and function of land outside settlements. The weight to be afforded to these policies in relation to impact on the character and appearance of the countryside was considered by 'The Limes' Inspector. In his view:

"...insofar as they are relevant to the proposal before me, policies EN8 and H5 of the Local Plan and CS9 of the CS are relevant to the supply of housing and should not be considered up-to-date. I give the conflict with the policies limited weight accordingly... That is not to say that the effect on the intrinsic character and beauty of the countryside is not material to my decision. Those impacts need to be weighed in the planning balance when considering the presumption in favour of sustainable development under paragraph 14 of the Framework."

Regard can be had to the Character Areas SPD, together with Policies EN20 and CS7, (which are considered to have significant weight in relation to para. 215 of the NPPF, as they are consistent with Chapter 7 of the NPPF). The SPD is a material consideration having been adopted following public consultation, and supplements Policy CS7. As the site contains protected trees, regard can also be had to Policy EN1 of the BFBLP (see below). This policy is considered to be consistent with the NPPF, in particular para. 118, and can therefore be afforded significant weight.

The application site currently comprises an open field, bounded by trees and hedgerows, which is considered to have a pleasant rural character. The application is in outline form with only the details of access submitted for approval at this stage but the submitted Development Framework plan suggests that this vegetation would be substantially retained. The Tree Officer has confirmed that if a vehicular access is taken off Locks Ride, the proposed location is likely to be one of the most suitable locations in arboricultural terms. Further detail is required to assess and advise on the suitability of this proposal from an arboricultural perspective but as the application is in outline form the absence of this information is not considered to constitute a reason to refuse the application.

The site is adjacent to Area D (Winkfield Row South) of the Northern Villages Study Area in the Character Areas Assessment SPD. In terms of Landscape Character the SPD states that Locks Ride is characterised by large gardens with houses set well back at varied distances from the road, although the building line becomes more uniform in the south west; and views through the trees along the north side of Locks Ride to the fields. The accompanying plan identifies the 'view to fields' across the application site as a 'key view'. Relevant comments in the Recommendation are that:-

- Major new estate development could further erode the traditional linear settlement pattern.
- over-development could lead to the loss of glimpses into open fields or to woodland, therefore some visual connectivity with long views into the surrounding landscape should be maintained

The proposed development up to 88 dwellings on the application site would lead to the loss of views across open field identified as one of the elements forming the character of Winkfield Row South in this SPD.

The erection of up to 88 dwellings on the site, together with the formation of a new vehicular access, would result in the introduction of a suburban development into a largely rural landscape.

As this application is in outline form the detailed design of the housing layout is not known but from the type and scale of development proposed it is not considered that it would be in sympathy with the appearance and character of the local environment in itself and in relation to adjoining views as required by BFBLP EN20 (i). Equally it is not considered that it would build on the rural local character and enhance the landscape as sought in CSDPD Policy CS7.

The Landscape and Visual Impact Assessment submitted with the application finds that the proposed development would potentially represent (adverse) moderate direct landscape impacts i.e. a moderate alteration to the key landscape characteristics. This is mainly due to the loss of undeveloped land to new residential development. However, this impact may be offset by the retention and enhancement of existing mature trees, bordering groups of trees and the existing site topography.

The Strategic Housing Site Options Landscape Capacity Study (which formed part of the background work to the SALP) assessed the landscape capacity in this area to be moderate to high. This study recognised, however, that there were key landscape characteristics which would be vulnerable to development, such as the open field pattern. It is recognised that existing vegetation, and any further planting, would provide a degree of screening of built development on the site from views from Locks Ride and beyond, particularly during the times of the year when trees are in leaf, but development on the site would be quite apparent during winter months. The proposed vehicular access would provide views through to the development.

Overall this change to the character and appearance of the site is considered contrary to the development plan policies referred to above and to the NPPF (para. 17, bullet 5) as it would result in harm to the intrinsic character and beauty of the countryside.

10. 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.

As this is an outline application details are not available to enable a detailed consideration of impacts such as overlooking/loss of privacy, loss of sunlight/daylight or overbearing impact on nearby dwellings. Given the site's location and the presence of boundary vegetation it is not considered that any unacceptable impacts are likely to arise in this regard.

The traffic generated by the proposed development would have some impact on the living conditions of the occupants of nearby properties, particularly those close to the proposed access, but it is not considered that this is likely to be so harmful as to justify refusing the application.

11. TRANSPORT IMPLICATIONS

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

Access:

The site is located on Locks Ride a local distributor road that links the B3017 Priory Road to the B3034 Forest Road. Locks Ride is subject to a 30mph speed limit although due to its straight alignment speeds are expected to be at or slightly above the limit.

The site is currently an agricultural field with gated accesses at each end of the site boundary that provide access to maintain the field. These access points do not appear to be very heavily used and it appears that only one is used.

The proposal seeks to provide a new access in a more central location to serve the development. This access will have junction radii and a road width of 5.5m; this complies with the requirements of the highway design guide. The layout shown on the Development Framework plan also indicates a pedestrian access connection at the southern end of the site. In order to construct the main vehicular and pedestrian access the current ditch would need to be partially culverted and the existing access points removed and the ditch opened up.

Adequate visibility from the main access can be achieved in both directions due to the footway and verge in front along Locks Ride. The visibility splays will not require any trees to be removed but to ensure the visibility splays remain free of obstruction some of the trees closest to the site access will need to be crown lifted and any vegetation regularly cut back to ensure the visibility splays are maintained.

Parking and the layout of routes within the site could be addressed at the reserved matters stage.

Vehicle Movements:

The applicant has undertaken a traffic count for the area in 2014 and factored up the data to 2026 which is the end of the local plan period. No consideration has been given to specific planned development across the borough as outlined in the SADPD as well as from neighbouring authorities and thus it has not been demonstrated that the estimated flows submitted by the developer are a reasonable representation of the likely level of traffic in a future year.

Investigations into the outputs from the Bracknell Forest Multi Modal Model, which covers planned development, indicate that flows are higher in 2026 than estimated by the applicant and this could have an effect on the impact development traffic will have on the local road network.

The applicant has currently undertaken impact analysis of the site access and the junction of Locks Ride with Forest Road and Chavey Down Road junctions. The outputs indicate that the Locks Ride/Forest Road/Braziers Lane crossroads junction will be operating close to capacity in a future year which will be exacerbated by additional traffic from this proposal.

This junction has witnessed accidents of a similar nature of the past few years as partially demonstrated from the accident search contained within the transport assessment and the subsequent technical note submitted by the applicant's transport consultant. Putting further strain on this junction in terms of capacity could lead to further accidents with vehicles trying to exit the junction more hastily due to delay at the junction.

The applicant is advised that the impact of the development in respect of junction capacity needs to be mitigated. In that respect investigations should be made into what improvements can be carried out to the Locks Ride/Forest Road/Braziers Lane junction to mitigate the extra demand placed on the junction. Such improvements may require physical alterations and or safety improvements around the junction. The applicant has already indicated that a financial contribution towards traffic calming along Locks Ride would be offered to help mitigate the impact of the development. Such a scheme is currently under consideration and is hoped to be implemented during this financial year. Any further enhancements in the area to calm traffic could be funded by the proposal should they be deemed to be acceptable and sufficient to mitigate the impact at this junction.

An analysis of the junction with Locks Ride and Chavey Down Road has also been carried out and this indicates that capacity of this junction is not compromised on the outputs provided. This may change if the BFC model indicates higher flows along the route.

The applicant has provided junction capacity analysis of the junction if a future year of 2026 with and without development. The analysis indicates that this junction will operate over capacity in that year without the pressure from the development. Clearly any additional pressure from the development will further exacerbate this situation. However this junction has been defined within the CIL reg 123 list as requiring improvement over the plan period. In that regard CIL funding from any development locally could be directed towards any works to improve the junction. The council is currently investigating alterations to this junction but previous work has indicated that the most likely alterations would include straightening the junction and providing a right turn lane from Locks Ride.

At present it has not been sufficiently demonstrated that the impact of this development on the local road network has been fully mitigated. Accordingly a 'holding' reason for refusal is included in the recommendation.

The applicant has indicated that to improve the sustainability of the site and to improve road conditions various mitigation payments would be offered. Such payments are aimed at improving public transport and regulating traffic speed. This development would be liable for CIL charges and monies to support bus subsidies would be covered with the CIL charges. Other site specific measures such as payments towards traffic calming along Locks Ride would be covered by S106. These matters are considered further below.

Opportunity to travel by all modes and accessibility to services and facilities

The Core Strategy's Vision to 2026 states that the Borough will continue to grow sustainably, in a planned manner, with new development being directed to sustainable locations and having good access to a range of local facilities, services, housing and employment. New development will be located so as to maximise the opportunity to travel by all modes and to improve relative accessibility for all.

This vision is reflected in Policy CS1: Sustainable Development Principles. This states at (ii) that development will be permitted which is located so as to reduce the need to travel.

In the accompanying text at Para 46 it is stated:-

"One of the overarching contributors to sustainable development is the need to ensure that development is located so that people are close to a range of services and facilities, thereby reducing the need to travel. In addition to the implications of reducing travel on air quality/climate change, there are benefits to the health and wellbeing of local residents through increased opportunities to walk or cycle...".

CSDPD Policy CS23(i) also states that the Council will use its planning and transport powers to reduce the need to travel.

These policies are considered to be consistent with the guidance contained in the NPPF (core planning principle bullet point 11 and Chapter 4) that people should be given a real choice about how they travel; priority should be given pedestrian and cycle movements and access should be provided to high quality public transport facilities.

The application site forms part of a larger area (the so-called 'Winkfield Triangle') comprising land between Locks Ride and Chavey Down Road which was considered (as a possible site to accommodate some 394 dwellings) in the preparation of the SALP. This area was not allocated in the Site Allocations Development Plan Document: Preferred Option for reasons contained in the background paper.

In relation to accessibility/transport this paper commented as follows:-

"The Broad Area is ranked lowest and being 8th out of 8 when compared with the other Broad Areas in the Transport and Accessibility Assessment (June 2010) with an overall score of -4.5. This site is considered the least suitable for development, in transport sustainability terms, due, in part, to poor accessibility/transport provision of cycle and pedestrian facilities. The public transport accessibility to Bracknell Town Centre is poor. The local centre at Whitegrove can be accessed within a 10-20 minutes walk. Due to the number of planned dwellings, the Broad Area could benefit from public transport

improvements as well as increased frequency on route 162. The site is connected to Bracknell Town Centre via routes on the A329 and A3095, which are congested in peak hours. The site is disadvantaged by lack of proximity to a railway station and long distance bus routes."

In terms of the potential to build a sustainable community including helping to meet local housing needs and wider community benefits the paper commented as follows:-

"Development of this Broad Area would form an extension to a settlement that is currently considered unsustainable, as it has a poor range of facilities (hall and primary school that is currently full). Furthermore, access to other more sustainable settlements by bus, bike or foot, is difficult. The nearest Local Centre is at Whitegrove which is approximately 2 km to the west. Links to Bracknell town Centre are poor compared with most other Broad Areas. The Broad Area was estimated to have a capacity of 1,300-1,500 dwellings at the Options (SADPD Participation) stage. Not all of the area identified at the Options (SADPD Participation) stage is available, which would reduce the capacity of the site, restrict the level and type of infrastructure that could be delivered and would not facilitate in the delivery of a sustainable community. However, a consortium has formed, since the consultation on the SADPD Participation Document relating to the majority of the 'Winkfield Triangle' area bound by Chavey Down Road, Locks Ride and Forest Road (SHLAA site 292). A smaller site, however, would not provide the critical mass for some facilities to be delivered on site and would make improvements to public transport to increase the sustainability of the site less likely to happen or to be viable in the long term."

As originally submitted the application indicated a new pedestrian route linking from the north-west corner of the site towards Chavey Down Road. This has subsequently been withdrawn from the proposal. Accordingly pedestrians would have to use Locks Ride which although it has footways has limited lighting.

In the 'Assessment of Current and Future Sustainability' accompanying the application it is stated that Winkfield Row is well served with a good range of core services available in the village, including shops, public houses and village halls and that in addition to this there are a range of public services, such as doctor's surgeries and dental practices, available in the neighbouring settlements in locations that are well served by public transport.

The Transport Assessment states that, with regards to pedestrian access, there is a footpath on the site side of Locks Ride where the site entrance is located. This gives good pedestrian access to surrounding bus stops, as well as local services including:-

- o Locks Ride Recreation Ground (8 minute walk, 0.6km);
- o Winkfield St Marys CE 5-11 Primary School (9 minute walk, 0.7km);
- o Lambrook School (15 minute walk, 1.2km);
- o A farm shop (12 minute walk, 1km);
- o The Don Beni restaurant (15 minute walk, 1.2km); and
- o Memorial Hall (15 minute walk, 1.2 km).

It is accepted that there is a recreation ground and a local primary school located within walking distance of the application site (it is noted, however, that despite permission being granted recently for a 'surge' classroom at the school it has very limited places and thus it is likely that many children from this development would have to travel to other schools around the area). Otherwise facilities and services which would be used by local residents - including shops, doctors surgeries, secondary schools (Lambrook is a not a state school and thus nearest secondary school would be Charters or Garth Hill

both located some distance from the site) etc - are beyond the 800m "preferred maximum" walking distance from the application site advised by the Chartered Institution of Highways and Transportation (CIHT).

In terms of public transport, the bus services serving the area (152 and 162) have very limited frequency and do not run regularly throughout the day. There are no Sunday services either. As noted above the local primary school has limited places and it is likely that many children from this development would have to travel to other schools around the area.

In a response the applicant's highway consultant states the following:-

"The site layout will be designed in accordance with good practice to accommodate pedestrians and cyclists. 2m footways would be provided on both sides of the access junction, which would link into the existing footways along Locks Ride and a dedicated pedestrian access would be provided onto Locks Ride in the south east section of the site. A £15,000 contribution will also be made towards future traffic calming schemes along Locks Ride.

As described in Section 4.6 of the Transport Assessment, the site has a range of local facilities and services accessible within an acceptable walking distance. This includes a primary school, Lambrook School, farm shop, restaurant, Memorial Hall and bus stops. Martins Heron rail station is located within an acceptable cycling distance of the site. To support the development proposals, two new bus stops would be provided close to the site access and would provide shelter, seating and real-time bus timetables. The details of the bus services which will service these stops will be confirmed in consultation with the Highway Authority.

As outlined within the transport assessment, a contribution would be made to increase the frequency of the 162 bus service through Winkfield Row in support of this application. The contribution would provide additional morning and evening peak hour services at a cost of £90,000 per annum for a period of 3 years, and would represent a significant benefit to the local community. An improvement to the Sunday 162 bus service is also being considered."

These points have been carefully considered but it is still considered that the application site has a very limited opportunity to exploit sustainable means of travel and due to its location access by the car is the only real practical option for most journeys. A contribution to a traffic calming scheme, although of benefit to the potential safety of the route, does not alter the location of the site or make it significantly better to travel by non-car modes. The lack of street lighting, footways and the limited facilities in the area are the most likely to restrict opportunities for travel by non-car modes.

New bus stops and services would have a benefit to the area and the site in terms of supporting sustainable travel but further work will need to be undertaken on the costs of such improvements before it can be concluded that any funding secured under CIL would be sufficient. The reference to £90,000 per annum for 3 years is noted but such a service does not cover weekends and thus a different option may be required. As bus subsidies appear on the CIL Reg 123 list their provision via S106 could not be a planning consideration. There is also no guarantee that CIL receipts will be spent on any particular project.

In relation to travel plans, this site does not meet the current threshold for a travel plan and the school travel plan will cater for all pupils at the school. The main issue is that here there may not be places for children of the development to attend the local school

and thus travel to other schools that may have capacity is most likely to be undertaken in a car due to the locations and times of school drop off/pick up.

In your officers' view the application site is poorly located with regard to most necessary services and facilities with access by car the only real practical option for most journeys. The proposal is therefore contrary to CSDPD Policies CS1 and CS23(i) which are considered to be consistent with the NPPF, in particular paras. 29 and 35, and can therefore be afforded significant weight.

12. DRAINAGE

Surface water drainage

The written ministerial statement (HCWS161) dated 18 December 2014 states:

"...we expect local planning policies and decisions on planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning Development Management Procedure) (England) Order 2010) - to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate."

Paragraph 051 of the Planning Practice Guidance says:

Sustainable drainage systems are designed to control surface water run off close to where it falls and mimic natural drainage as closely as possible. They provide opportunities to:

- o reduce the causes and impacts of flooding;
- o remove pollutants from urban run-off at source;
- o combine water management with green space with benefits for amenity, recreation and wildlife.

The department for Communities and Local Government has confirmed that the Ministerial statement is effective from 6th April 2015., and that with any application determined after that date, the local planning authority should give weight to the revised planning practice guidance.

The submitted Flood Risk Assessment has been assessed by the Council as Lead Local Flood Authority. It should be amended to:-

- o Conform with government policy and guidance, by removing reference to the use and adoption of a Thames Water adopted gravity sewer
- o Confirm that calculations demonstrating the greenfield runoff, peak flow rate and storage (attenuation) requirements, etc; are applicable to the site if a sustainable drainage system is used. They should not be based upon an adopted gravity sewer system.
- o Refer to the use of a sustainable drainage system for the proposed development, which is to be maintained for the lifetime of the development in a manner to be approved by the Local Planning Authority (not to be offered for adoption by the local sewage authority)
- o Refer to the use of a sustainable drainage system which will adhere to the DEFRA technical standards
- o Refer to the correct SFRA published by Bracknell Forest Council, and incorporating any necessary amendments to the proposed drainage strategy and flood risk assessment which may be necessary.

These concerns have been communicated to the applicant but as a satisfactorily amended FRA has not yet been received a holding reason for refusal is recommended to address this matter.

Foul water drainage

A number of objections refer to existing problems with foul water drainage in the vicinity of the application site with concerns that these would be exacerbated if the proposed development were to proceed.

Water and sewerage companies have a duty to provide, maintain and extend their network to accommodate new development. With regard to upgrades to the existing network developers pay a sewerage infrastructure charge per plot to the relevant company (in this instance Thames Water) for work to be undertaken to upgrade the network. Once a new development is complete and occupied the new residents pay water rates to the sewerage company.

Whilst Thames Water has raised concerns in relation to this application, existing foul water drainage deficiencies in the area are not a valid reason to refuse planning permission. It is noted that, should planning permission be granted for the proposed development, imposing a condition on any planning permission to secure the implementation of an approved strategy for off-site foul drainage works is unlikely to meet the test for a 'Grampian' style condition.

13. MINERALS

The Survey Map 'East Sheet' contained within the Replacement Minerals Local Plan (RMLP) identifies that the application site is located within an area identified as having Plateau Gravel mineral resources. The British Geological Survey information indicates this site contains London Clay formation (clay, silt and sand).

Saved Policy 2 states that LPAs will oppose development which would cause the sterilisation of mineral deposits on the proposed development site, and provides a list of exceptions including:

- (i) no commercial interest,
- (ii) having regard to all relevant planning considerations, there is an overriding case to allow proposed development without the prior extraction of material
- (iii) extraction would be subject to strong environmental or other objections

Saved Policy 2A notes that LPAs will (where appropriate) encourage the extraction of minerals prior to other more permanent forms of development taking place.

The site is not identified as a preferred area for extraction through Policy 8. The eastern part of the site is identified as an area where there is a strong presumption against allowing gravel extraction (policies, 8, 10, 13 and 14 apply); the western part does not appear to be covered by this presumption and, therefore, Policies 2 and 2A would apply.

The applicant notes that the RMLP states that the Preferred Areas are believed to be capable of supplying enough sharp sand and gravel to meet the requirement. The applicant states that the protection of living conditions in individual houses and the Winkfield Row settlement as a whole would also suffer through any mineral extraction here and therefore should planning permission for dwellings be approved the applicant does not envisage that any prior extraction of minerals will take place on the site.

This is noted. It is concluded that overall the application does not conflict with the RMLP.

14. BIODIVERSITY

Chapter 11 of the NPPF seeks to conserve and enhance the natural environment and in doing so requires the planning system to contribute to, and enhance, the natural and local environment in a number of ways. This includes recognising the wider benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible. Para 114 specifically requires Local Planning Authorities to set out a strategic approach (in Local Plans) to plan positively for the creation, protection, enhancement and management of networks of biodiversity.

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

The ecological appraisal reports surveys carried out on the site. It provides details of foraging and commuting bats using the site, a record of a Barn owl using the site and some suitable habitat for reptiles. It also reports on the potential for Great Crested Newts to be using the site. The report identifies a total of 11 ponds within 500 metres of the site boundary. Of these only two (ponds P1 and P2) are connected to the site by semi-natural habitat. In paragraph 4.22 the report recommends that these two ponds are surveyed for the presence of Great Crested Newts (GCN) in the period March to June 2015.

Natural England, the government's advisor on nature conservation issued Standing Advice on Protected Species in September 2008. This guidance has the same weight as a letter of objection from a statutory consultee. In addition, standing advice from Natural England states that if further survey is required, this information must also be included in the application submission.

Paragraph 99 of the ODPM Circular 06/2005 states "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."

The GCN survey was only able to access one of the two ponds that are directly connected to the site proposed for development by suitable habitat. Access to pond P1 in the survey was not granted by the landowner. Section 5.8 of the report suggests that the historical absence of GCN in the area means it is unlikely that GCN are present. However, the absence of data is not evidence of absence of GCN, merely evidence of the absence of suitable surveys for this species. Given the uncertainties surrounding the presence or otherwise of GCN in pond P1, there remains a small risk of GCN being present on the site. However, this risk can be reduced by appropriate precautionary working methods, details of which could be secured by condition.

Attention has been drawn to the fact that Great Crested Newt eggs were found at Chavey Down Farm in a survey undertaken in March 2015 in association with another planning application. The Council's Biodiversity Officer states that because of the distance from the Locks Ride site, and the absence of suitable habitat to connect the sites, it is very unlikely that Great Crested Newts from this pond would be using the Lock's Ride site during their terrestrial phase.

15. AGRICULTURAL LAND

CSDPD Policy CS1(vii) states that development will be permitted which protects and enhances the quality of natural resources including land. This policy is considered to be consistent with the NPPF, Para 112 of which states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The Soils and Agricultural Use and Quality Report accompanying the application identifies fine loamy soils on the site, with slowly permeable subsoil, giving an agricultural quality of subgrades 3a and 3b, limited by soil wetness. The best and most versatile land is defined as Grades 1, 2 and 3a and is the land which is most flexible, productive and efficient in response to inputs and which can best deliver food and non-food crops for future generations.

The development of the site would therefore result in the loss of land which is largely of higher agricultural quality. The weight which can be attached to this loss is limited by the modest size of this site in agricultural terms (4.25 ha) but nonetheless it is considered that this issue to add in to the balancing exercise.

16. SECURING NECESSARY INFRASTRUCTURE

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

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

Guidance in the Planning Obligations SPD, which came into effect (with CIL) on 6 April, is relevant.

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. It applies to any new build but in the case of outline applications is calculated when reserved matters are submitted.

If this outline application were to be approved, and following approval of reserved matters, CIL payments would be collected following commencement of the development. CIL receipts could be spent on infrastructure projects or types of infrastructure identified in the Council's Regulation 123 list of infrastructure that it intends will be wholly or partly funded by CIL. These comprise:-

- Provision and enhancement of land to Suitable alternative Natural Greenspace (SANG) standard (part of Special Protection Area (SPA) Avoidance and Mitigation measures)
- specified Local Road Network capacity improvements (this includes capacity improvements on Locks Ride/Long Hill Road)
- strategic road network improvement outside the borough

- specified footpath and cycleway improvements
- bus service subsidies
- specified educational projects
- libraries
- built sports facilities

CIL receipts could be spent on items not listed on the Regulation 123 list that meet the government criteria on CIL spending.

The applicant has indicated that it would enter into a section 106 agreement to secure the provision and future management of 1.27ha of public open space (this exceeds the requirement for 88 dwellings by 0.4ha).

17. AFFORDABLE HOUSING

CSDPD Policies CS16 and CS17, BFBLP Policy H8, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive on 29 March 2011. seek to address the housing needs of the community through providing a level of affordable housing on suitable development sites. The Planning Statement makes reference to "25% affordable housing" (22 dwellings if a total of 88 dwellings are built). The Planning Statement also includes an Affordable Housing Statement at Appendix 8 which also refers to 25% affordable housing and 22 dwellings.

Advice from the Council's Housing Enabling Officer states that the following issues should be addressed and included in the S106 for any outline planning permission:-

Number and Tenure - 25% of the total of 88 = 22 affordable dwellings. The tenure mix should be 70% (15) for Affordable Rent and 30% (7) for Intermediate Housing which meets the council's stated intentions for addressing local housing need. The affordable housing should be delivered in line with the delivery model set out in the HCA Affordable Homes Programme Framework 2015-2018 (or its successor) with no reliance on Social Housing Grant for this Section 106 site.

Location - The affordable homes should be properly integrated into the development with no difference in external appearance compared to market housing. This should be in the form of affordable clusters or individual blocks of flats, rather than pepper-potting of individual dwellings.

Type and Size - The application form at Section 17 "Residential Units" refers to 11 dwellings for rent and 11 dwellings for intermediate housing. However, the affordable housing should be in line with following tenures and types, given that the site is capable of delivering a range of dwelling types:

There should be a proportion (5-10% of the affordable total i.e. at least 2) of dwellings designed to allow for full wheelchair access and mobility throughout the dwelling, in accordance with the Habinteg Wheelchair Housing Design Guide. This can relate to flats, houses or bungalows which meet the housing needs of households on the Council's Special Needs Housing Register. Standards of Construction

There should be sustainable standards of construction in accordance with the HCA's Design and Quality Standards and including the following criteria:-

- o Environmental sustainability
- o Internal environment - minimum Housing Quality Indicator (HQI) scores for unit size, layout and noise

o External environment - at least 12 out of 20 of the Building for Life criteria
Registered Provider

A Registered Provider(s) which is active in Bracknell Forest will need to pay a price to the developer at a level which ensures the proposal will deliver the affordable housing as stated above. Page 24 of the Planning Statement refers to a suitable Registered Provider delivering the agreed affordable housing.

The applicant has confirmed in writing that the provision of 25% affordable with a tenure mix of 70% (15 units) affordable rent and 30% (7 units) intermediate housing is accepted on the site. This could be secured by a s106 agreement.

18. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

The Council, in consultation with Natural England (NE), has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (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 4.7 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

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

The following guidance and policies apply:

- o South East Plan (May 2009) Policy NRM6
- o Bracknell Forest Borough Local Plan (2002) Policy EN3
- o Bracknell Forest Core Strategy Development Plan Document (DPD)
- o Bracknell Forest Site Allocations Local Plan (July 2013)
- o Thames Basin Heaths SPA Avoidance and Mitigation SPD (March 2012)
- o Planning Obligations Supplementary Planning Document (February 2015)
- o Thames Basin Heaths SPA Delivery Framework (2009)

The project as proposed would not adversely impact on the integrity of the SPA if avoidance and mitigation measures are provided as stipulated by these policies. In this case a full Appropriate Assessment is not required.

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

a) The provision of Suitable Alternative Natural Greenspace (SANG) and its ongoing maintenance in perpetuity.

In accordance with the SPA SPD, the development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG). As this development leads to a net increase of less than 109 dwellings, the developer may make a payment contribution towards strategic SANGs (subject to SANGs capacity in the right location within Bracknell Forest).

The cost of the SANG enhancement works will be funded through the Community Infrastructure Levy (CIL) whether or not this development is liable for CIL. This is equal to around 9.5% of the total SANG contributions set out in the SPA SPD Summary Table 1. The remaining SANG contributions will be taken through Section 106 contributions.

The development will result in a net increase of 88 dwellings replacing a single 5 bed dwelling. Depending on the dwelling mix, the level of SANG payments after discounting the 9.5% CIL amount as above is set out as follows:

The enhancement of open space works at Englemere Pond SANG is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG).

An occupation restriction will be included in the Section 106 Agreement. This serves to ensure that the SANGs enhancement works have been carried out before occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) & (v), and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2

b. Strategic Access Management and Monitoring (SAMM) Contribution

The development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it. See section 3.4 in the SPA SPD for more information. This contribution should be secured through a section 106 Agreement.

Conclusion on SPA issue

A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). In the absence of any appropriate avoidance and mitigation measures the Habitats Regulations Assessment will conclude that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse planning permission.

Provided that the applicant is prepared to make a financial contribution (see paragraph 3 above) towards the costs of SPA avoidance and mitigation measures, the application will accord with the SPA mitigation requirements as set out in the relevant policies above.

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

The applicant company has indicated that it will enter into a Section 106 Agreement to secure these measures.

19. SUSTAINABLE RESOURCES AND RENEWABLE ENERGY

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

Policy CS10 requires the submission of a Sustainability Statement demonstrating how the residential aspect of the development meets current best practice standards. Policy CS12 requires development proposals for five or more net additional dwellings to be accompanied by an energy demand assessment demonstrating how (potential) carbon dioxide emissions will be reduced by at least 10% and will provide at least 20% of their energy requirements from on-site renewable energy generation.

The proposed strategy submitted with the application is based on an improvement in standard energy efficiency to meet Part L of the Building Regulations 2013. Full details of how the scheme will fully achieve any Part L Building Regulation targets can only be confirmed at detailed design stage but will encompass a 'Fabric First' approach and will include the following;

- o Increase insulation
- o Reduce the effects of thermal bridging
- o Effective air tightness
- o Improved controlled ventilation
- o Energy efficient lighting

Additional renewable energy generation technology may need to be installed within the development to achieve the required CO2 emissions targets and the renewable energy generation targets. This can only be developed in more detail as further design and layout information becomes available.

This approach is considered to be acceptable.

20. CONTAMINATED LAND

The Environmental Health Officer has reviewed information held on the contaminated land register at Bracknell Forest Borough Council. The potential contaminated land site was investigated through a desk top study and site walkover and has been rejected as being contaminated land. Accordingly there are no issues relating to contaminated land affecting this application.

21. CONCLUSIONS

As noted above the Council is unable to demonstrate a 5 year supply of land for housing. It therefore falls for the application to be considered in relation to the presumption in favour of sustainable development as set in SALP Policy CP1 (and

para. 14 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

Consideration of benefits of the proposal

In the Planning Statement submitted with the application the applicant considers the site is highly sustainable set against the economic, social, and environmental dimensions, in the following ways:-

An Economic Role:

There are significant economic benefits associated with the development proposals. House building is a recognised important provider of economic growth and therefore in turn indirect economic benefits to the construction industry. The applicant is promoting underutilised land now, ensuring that sufficient land is available in a sustainable location to support the identified housing growth needs. In addition, this will include, up to £11.1 million in investment in construction; 98 full time construction jobs created over a 3 year build period; these new jobs will provide opportunity for the 30 residents of Bracknell Forest who were claiming Job Seekers Allowance in November 2014 and seeking skilled construction and building trade occupations; £3,829,827 annual household expenditure in Bracknell Forest; approximately £800,000 in New Homes Bonus Scheme investment, to be provided to the Council to the benefit of the community; continued support to the viability of retail and other businesses in the Winkfield Row and surrounding area, and through increasing the level of houses available for local people it would contribute to an expansion of the local housing market area and affordability of open market housing.

A Social Role:

The application promotes up to 88 new homes which will contribute to meeting the deliverable five year supply in the District, this is the principal social benefit of the proposed development. This will include up to 22 affordable homes either as an on-site contribution or through a commuted sum for provision off-site to aid regeneration elsewhere thus providing housing to meet local needs. In light of the Framework's priority to '...boost significantly the supply of housing...' The applicant considers the additional dwellings to be provided must carry very substantial weight.

There has been a considerable increase in house prices during a period of 'sluggish' wage growth, which has decreased housing affordability in the Bracknell Forest. The applicant therefore considers that the provision of affordable housing is to be considered a substantial benefit of this scheme with both economic and social dimensions and considerable weight should be attached to this consideration.

The site is considered in a sustainable location, providing around 29% of the site as public open space, this open space includes an equipped play area.

The accessibility of existing services and facilities within Winkfield Row and the wider Bracknell area (including Primary School, Shopping Hub, Doctors, Pharmacy, Dentist, Public houses and Public Transportation Links) and a range of social activities at Winkfield Row, demonstrates the Site's social and sustainability credentials and ability

to support a strong, vibrant and healthy community. The provision of additional market and affordable housing must be applied significant weight.

An Environmental Role:

The application will contribute to protecting and enhancing the natural environment. In addition enhancement across the site will be through retention of the vast majority of trees and hedgerows and new planting thus in turn creating a platform for enhanced biodiversity at the site.

Enhanced structural landscaping throughout the site will provide a net gain to the biodiversity of the Site and through a contribution and enhancement of habitats will formal future maintenance which does not take place at present.

The Environment Agency map confirms that the majority of the Site is located within Flood Zone 1 (low risk). This is land designated as having less than 0.1% annual probability of flooding from rivers or the sea in any year (less than a 1 in 1,000 annual probability of flooding).

The balancing pond proposed as part of this development will provide an increase of 30% of what would be required to meet the greenfield run-off rates for the Site. This will enhance the flood protection downstream and benefit the local area.

The development will be a high quality design and will provide a good standard of amenity and open space. The location of the Site allows for a choice of modes of transport to be used to access local facilities. The application proposes to improve the existing facilities through new bus seating Real Time Information and improved bus service (on Locks Ride) during the peak PM period.

The new homes on site will be built to the latest building regulation standards, such as moving to allow for a higher carbon economy.

Weight to be afforded to benefits associated with the application

In making its decision the committee will have to decide what weight to apportion to the benefits identified by the applicant.

In your officers' view the main benefit of the proposal is the provision of housing. The NPPF is a material consideration, and this seeks (para. 47) to 'boost significantly the supply of housing'. In considering this aspect, a proposal for housing needs to be deliverable.

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

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

To represent a benefit in terms of the presumption in favour of sustainable development, a site should be capable of delivering housing completions within the next 5 years.

The planning statement sets out (section 4.6) that development of this site (if approved and subject to market conditions) could deliver on average around 30 market dwellings

per annum, potentially 60 if two house builders were on site, and that it is anticipated that development would take in the order of 2-3 years to start to deliver housing, which would form part of the 5 year supply. If it would take the next 3 years to start delivering housing, at a rate of 30pa, then some of the proposed housing would not form part of the 5 year supply (i.e. only 60 units instead of 88).

The fact that an outline application needs to be approved, followed by reserved matters and conditions approval, could 'push back' any start date on the site and therefore its position within the trajectory, particularly if there were a delay in the process, or in disposing of the site. This could mean that only 1 year, or possibly no completions, would be within the 5 year supply period which has an implication for considering the benefits of the proposal, against any harm. Para. 4.6.1 states that "The Applicant has a legal agreement with the landowner to dispose of the Site following the grant of planning permission, there are therefore no landownership constraints preventing the development of the land." It is not clear whether there is a current house builder involved, or any developer interest, and it is therefore uncertain whether the site is genuinely deliverable within the next 5 years. This will lessen the effect of the benefits in the overall presumption in favour of sustainable development balance.

The applicant has indicated a willingness to enter into a s106 agreement to secure the provision of 25% affordable housing on the site with a tenure mix in line with that sought by the Council's Housing Enabling Officer.

Contributions to increase the frequency of the bus service through Winkfield Row with additional morning and evening peak hour services, and a possible improvement to the Sunday bus service, would be of wider benefit to the local community but there is no certainty that this would continue beyond an initial 3 year period.

Under the provisions of Regulation 123 of the Community Infrastructure Regulations (2010) (as amended), a planning obligation may not constitute a reason for granting planning permission for the development to the extent that the obligation provides for the funding or provision of relevant infrastructure. The Regulation also specifies that "relevant infrastructure" means:-

- (a) where a charging authority has published on its website a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL, those infrastructure projects or types of infrastructure, or
- (b) where no such list has been published, any infrastructure.

Bracknell Forest has published on its website a list of infrastructure to be wholly or partly funded by CIL and this includes bus service subsidies in the Transport Section. This means that the proposed contribution to bus services cannot be weighed in the balance and constitute a reason for granting permission.

Consideration of the adverse impacts of the proposal

Against the benefits of the proposed development must be weighed the adverse impacts.

Loss of agricultural land

The site is largely grade 3a which is better quality agricultural land. As noted above the weight which can be attached to this loss is limited by the modest size of the site but it is an adverse impact associated with the proposal.

Impact on character and appearance of area

As outlined in Section 9 above, the proposed erection of up to 88 dwellings on the site is considered to be contrary to development plan policies seeking to protect the countryside from development which would adversely affect its character and appearance. In undertaking the balancing exercise the severity of the harm needs to be established. The applicant's Landscape and Visual Impact Assessment acknowledges that the proposal would have an adverse effect but concludes that the proposed development would result in only a moderate alteration to the key landscape characteristics. Your officers consider that the harmful impact on the character and appearance of the area, and the views identified in the Character Areas Assessment SPD, would be greater, particularly in winter months.

The extent to which the proposed dwellings would be accessible by sustainable modes of transport

As noted above the application would be liable for CIL contributions which could go towards bus service subsidies. The applicant has also offered a financial contribution, to be secured by a s106 agreement, to increase the frequency of the local bus service for a 3 year period.

There is no guarantee that CIL funding would be allocated to transport subsidy, particularly in light of the shortage of education capacity. The provision of subsidised bus transport via a planning obligation cannot be considered as a reason to grant permission due to the provision of CIL Regulation 123.

While any moves to increase public transport provision would in principle be welcome it is not considered that they address a fundamental concern that, as confirmed in the SALP related study referred to in Section 11 above, the application site lies in an area which has a poor range of facilities and from which access to other more sustainable settlements by bus, cycle or foot, is difficult.

To approve dwellings here would clearly be contrary to CSDPD Policy CS1 as they would not be located so as to reduce the need to travel. The residents of the proposed development would not have real choice about how they travel as sought in the NPPF. One of the overarching contributors to the sustainable development identified in the CSDPD - the need to ensure that development is located so that people are close to a range of services and facilities, thereby reducing the need to travel - would be absent. This is considered to be a significant adverse impact associated with the proposal the subject of this application.

Overall conclusion

This section has outlined the economic, social and environmental benefits put forward in relation to this application. In your officers' view there are benefits associated with this application. The provision of up to 88 dwellings, 25% of them affordable, would help with the current housing land supply situation in the Borough - although the weight afforded to this needs to be tempered by uncertainty as to the likelihood that all 88 would be delivered within the 5 year period. The provision of upgraded bus services in the area would be of wider benefit to local residents as well as those living on the application site but there is no certainty that improved bus services would continue beyond a limited period, and this cannot be a reason for granting planning permission.

The applicant refers to a range of other benefits including increased Council tax, New

Homes Bonus and the economic benefits to the area in terms of additional revenue for services but in your officers' view these should be accorded less weight.

Weighed against these benefits your officers consider that the proposal would result in harm to the character and appearance of the area and, more significantly, result in a development poorly located with regard to services and facilities with dwellings not accessible by sustainable modes of transport. In your officers' opinion these matters significantly and demonstrably outweigh the benefits of the development. Overall it is not considered, therefore, that the proposed development can be regarded as sustainable.

The proposed development would be contrary to development plan policies as noted above and notwithstanding the benefits of the proposal and the weight that should be attached to the NPPF and the need significantly to boost the supply of housing it is not considered that this conflict is outweighed. The application is therefore recommended for refusal.

RECOMMENDATION

That the application be **REFUSED** for the following reason(s):-

01. The proposed development would be poorly located with regard to services and facilities with inadequate accessibility to non-car borne modes of transport which would leave future residents with no real choice about how they travel. Furthermore it would detract from the character and appearance of the countryside. The proposal is therefore not sustainable development and the application is contrary to Core Strategy Development Plan Document Policies CS1, CS7 and CS23, Bracknell Forest Borough Local Plan Policy EN20, the Character Areas Assessment Supplementary Planning Document and the NPPF.
02. It has not been demonstrated that the impact of the proposed development on the local road network can be fully mitigated. As it could adversely affect road safety and the flow of traffic the proposal is therefore contrary to Policy CS23 of the Core Strategy Development Plan Document.
03. The submitted drainage strategy has not demonstrated to the satisfaction of the Lead Local Flood Authority:-
 - a) a proposed method of draining the development using sustainable drainage;
 - b) a method of maintaining the sustainable drainage system; and
 - c) how the sustainable drainage system will be designed to meet the technical standards.This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18.12.2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15.04.2015.
04. 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).

05. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive on 29 March 2011.

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.
02. This refusal is in respect of plan numbers:
- GLA18/018 - Development framework (detail of site boundary - red line - only)
 - C14513/001D: Proposed access arrangement
 - C14513/002A: Proposed access arrangement visibility splays
03. The applicant is advised that it may be possible that reason for refusal 02, relating to the impact of the proposal on the local road network, could be overcome by the further enhancements in the area to calm traffic secured by a s106 agreement.
04. The applicant is advised that reason for refusal 03 in relation to sustainable drainage could be addressed by a suitably amended flood risk assessment.
05. The applicant is advised that reasons for refusal 04 and 05 in relation to:-
- failing to provide adequate measures to mitigate any impacts on the Thames Basin Heaths SPA, and
 - failing to secure affordable housing
- could be addressed by planning obligations, formulated in terms which are acceptable to the Local Planning Authority and entered into as provided for by Section 106 of the Town and Country Planning Act.

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: 6

Application No.
15/00203/FUL

Ward:
Hanworth

Date Registered:
7 April 2015

Target Decision Date:
2 June 2015

Site Address:

41 Ludlow Bracknell Berkshire RG12 7BZ

Proposal:

Proposed single storey ground floor extension, conversion of garage into habitable accommodation.

Applicant:

Mr D Lewis

Agent:

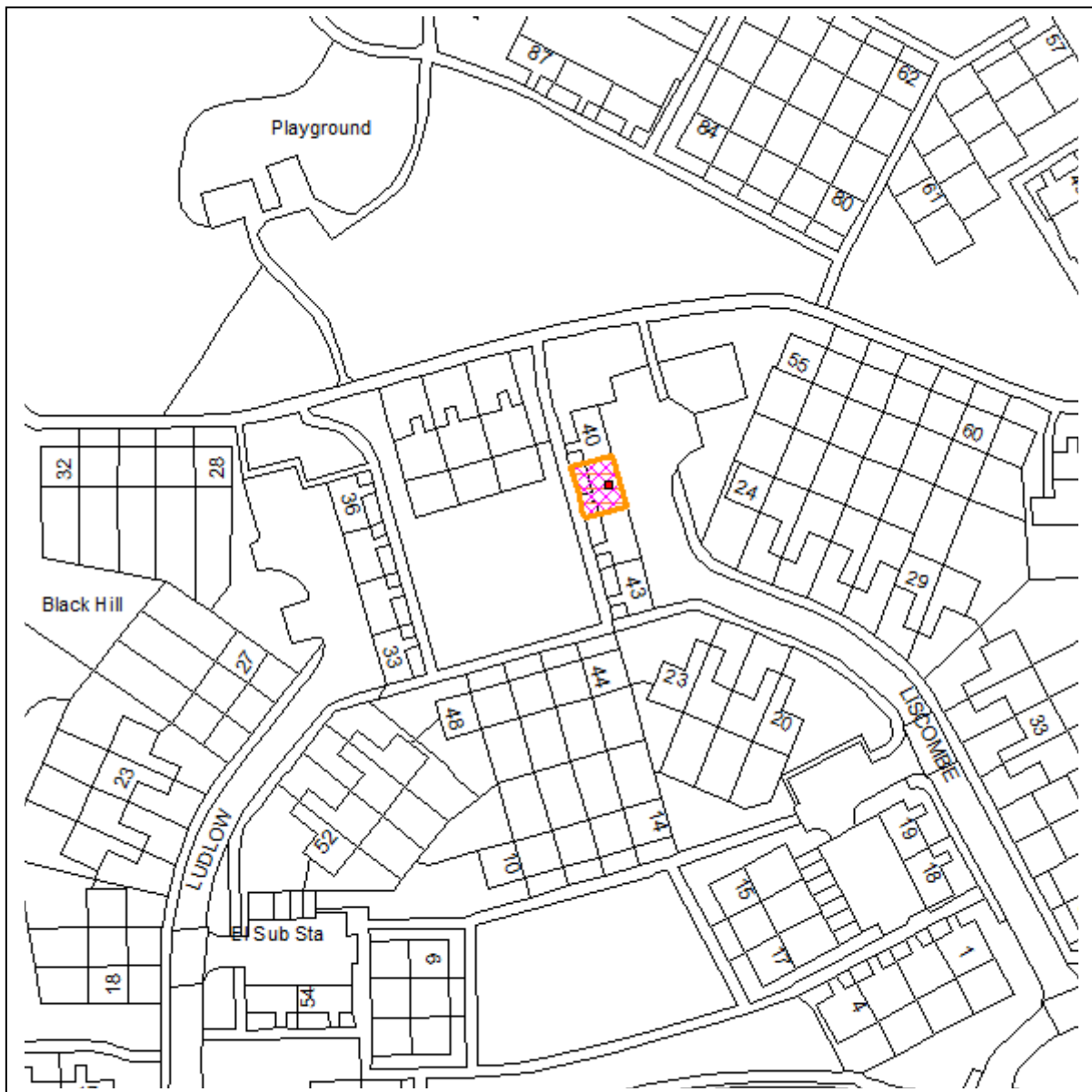
Mr S John

Case Officer:

Charlotte Pinch, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been reported to the Planning Committee at the request of Councillor Dudley due to concerns over parking provisions and that the proposal may further exacerbate existing parking issues in the area.

2. SITE DESCRIPTION

No. 41 Ludlow is a first floor flat over garage (FOG) and is located in a predominantly residential area. The property has a small patio area and grassed area to the front of the property, which leads onto a public footpath.

3. RELEVANT PLANNING HISTORY

There have been no relevant planning applications received for this site.

4. THE PROPOSAL

Full planning permission is sought for a single storey ground floor front extension and the conversion of the garage into habitable accommodation. The ground floor extension will form a lounge and dining room and the garage will be converted into a bedroom with en-suite. The single storey extension will project 2.8 metres in depth from the front elevation of the building, 9.9 metres in width and 3.1 metres in height.

During the course of the application process amended plans were received on 28 May 2015, replacing the kitchenette with a lounge in the proposed extension. Further amended plans were received on 24 June 2015, removing the lounge on the ground floor and labelling the bedroom 'Bedroom 1'.

A statutory declaration was signed by the applicant on 2 June 2015 to declare that the property of 41 Ludlow, proposed extension and converted garage, will not be used as a separate dwelling/annexe.

5. REPRESENTATIONS RECEIVED

Bracknell Town Council

An objection was received from Bracknell Town Council. They objected to the proposal on the grounds that the loss of parking will have a negative effect on the area.

[Officer Note: The matters regarding the loss of parking and highway safety are assessed in the report below.]

No other representations were received from neighbouring properties.

6. SUMMARY OF CONSULTATION RESPONSES

Highways Authority

The dwelling takes pedestrian access from Ludlow via an adopted footpath to the front of the property. The existing on-plot parking is an integral garage which is accessed to the rear via Liscombe, an adopted residential cul-de-sac.

The proposal would result in the loss of the garage parking space and this existing 2-bed dwelling would have no on-plot parking. It is noted that the existing garage is sub-standard and it is likely that the resident's park their vehicle in the area to the front of the garage. The loss of the garage would not alter this existing situation.

The Highway Authority has carried out an early morning parking survey and observed there to be 3 spaces available in the bays adjacent to the amenity land/play area. As such there would be space to accommodate the demand for one additional vehicle.

The Highway Authority has no objection.

No other statutory or non-statutory consultations were required.

7. DEVELOPMENT PLAN

The development plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

Planning law 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 National Planning Policy Framework (NPPF) (paragraphs 2 and 12).

The Site Allocations Local Plan (SALP) Policy CP1 states that the council will take a positive approach to considering development proposals that reflect the presumption in favour of sustainable development, outlined in the NPPF. The council will work proactively with applicants to seek solutions which mean that proposals can be approved wherever possible and secure development that improves economic, social and environmental conditions.

CSDPD Policy CS1 outlines sustainable development principles, such as making efficient use of land and buildings, reducing the need to travel and protecting the quality of local landscapes.

CSDPD Policy CS2 states that development will be permitted within defined settlements and on allocated sites. Development which is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.

No. 41 Ludlow is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013).

These policies are considered to be consistent with the NPPF, and as a consequence are considered to carry significant weight.

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 Policy CS1(Sustainable Development) and CSDPD Policy CS2 (Locational

Principles) and the NPPF but details such as no adverse impact on the street scene, amenity of neighbouring occupiers, highway safety etc. 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, provide safe communities and enhance the local landscape. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local environment. It also states that the design of development should promote local character and identity.

Paragraph 56 of the NPPF emphasises the importance of good design as a key aspect of sustainable development, in order to contribute positively to making places better for people to live. Additionally, paragraph 64 of the NPPF states that the design of developments should help improve the character and quality of an area and the way it functions.

The front extension will be readily visible in the street scene of Ludlow; its design, size and scale are in keeping with properties in the area. There are some examples of similar front extensions in the Ludlow area and a number of adjacent properties have fenced off their front gardens in a similar way.

The size and scale of the proposal is not considered to be out of keeping with, or detrimental to, the existing design of the dwelling. It will have a pitched roof and 3 front facing windows and be constructed of brown brick to match that of the existing building.

The proposed garage conversion would consist of the installation of a new window and brick wall. Due to its positioning it would be visible in the street scene, however due to its modest size it would not appear obtrusive. In addition, there is a condition attached to this permission stating 'the materials to be used in the construction of the external surfaces of the garage hereby permitted shall be similar in appearance to those of the existing building'.

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

10. IMPACT ON RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 refers to the need to avoid adversely affecting the amenity of surrounding properties and adjoining areas, through ensuring there is no loss of privacy, light or overbearing impacts.

Paragraph 17 of the NPPF states that LPAs should ensure high quality design and amenity for all existing and future occupants of land and buildings.

The proposed garage conversion and associated works would be adjoining No. 42 Ludlow and be approximately 7 metres from the boundary with No. 40 Ludlow.

It is not considered that the proposed extension would result in loss of light or overshadowing to No. 40 and 42 Ludlow, particularly because their living accommodation is on the first floor. Nor would there be any adverse impact on the living conditions of other neighbouring properties.

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

11. TRANSPORT IMPLICATIONS

CSDPD CS23 states that the Local Planning Authority will seek to increase the safety of travel. 'Saved' Policy M9 of the BFBLP aims to ensure that in normal circumstances satisfactory off-carriageway parking provision will be made for the traffic generated by new development. Policy M9 is supplemented by the Parking Standards SPD (The SPD is a material consideration, and was adopted in 2007 following public consultation). 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.

The proposed garage conversion and associated works would not result in a reduction of the existing parking area in front of the existing garage.

Furthermore, the Highways Officer commented that the existing garage is sub-standard for parking a car and it is likely that the residents park their vehicle in the area to the front of the garage, therefore the loss of the garage would not alter this situation.

In addition, following an early morning parking survey, it was observed that there were 3 parking spaces available in the bays adjacent to the amenity land, therefore there would be space to accommodate the demand for one additional vehicle.

Therefore, the proposal would not be considered to affect the existing parking provision provided and would be in accordance with CSDPD Policy CS23, 'Saved' Policy M9 of the BFBLP, NPPF and Parking Standards SPD.

12. 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.

This proposal would not result in an extension of over 100 square metres of gross internal floor space, therefore the development is 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 host dwelling or local area, the amenities of the neighbouring properties, or on highway safety. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, and CS7, BFBLP 'Saved' Policies EN20, NPPF and Parking Standards SPD.

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:
121/AS/12 F 'Proposed Ground Floor Plan'
121/AS/13 B 'Proposed First Floor Plan'
121/AS/14 C 'Proposed Elevations'
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 garage conversion and extension hereby permitted shall be similar in appearance to those of the existing building.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Time limit
 2. Approved plans
 3. Materials
03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.

Doc. Ref: Uniform 7/DC/Agenda

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

Unrestricted Report

ITEM NO: 7

Application No.
15/00216/FUL
Site Address:

Ward:
Great Hollands North

Date Registered:
6 March 2015

Target Decision Date:
1 May 2015

Oakwood Waterloo Road Wokingham Berkshire RG40 3DA

Proposal:

Erection of a detached building to be used as an Indoor Climbing Centre, the creation of an access for cycles and pedestrians directly opposite the end of the cycle path on Waterloo Road and the creation of 50no. parking spaces within the north-east corner of the site.

Applicant:

Mr Anthony Pudner

Agent:

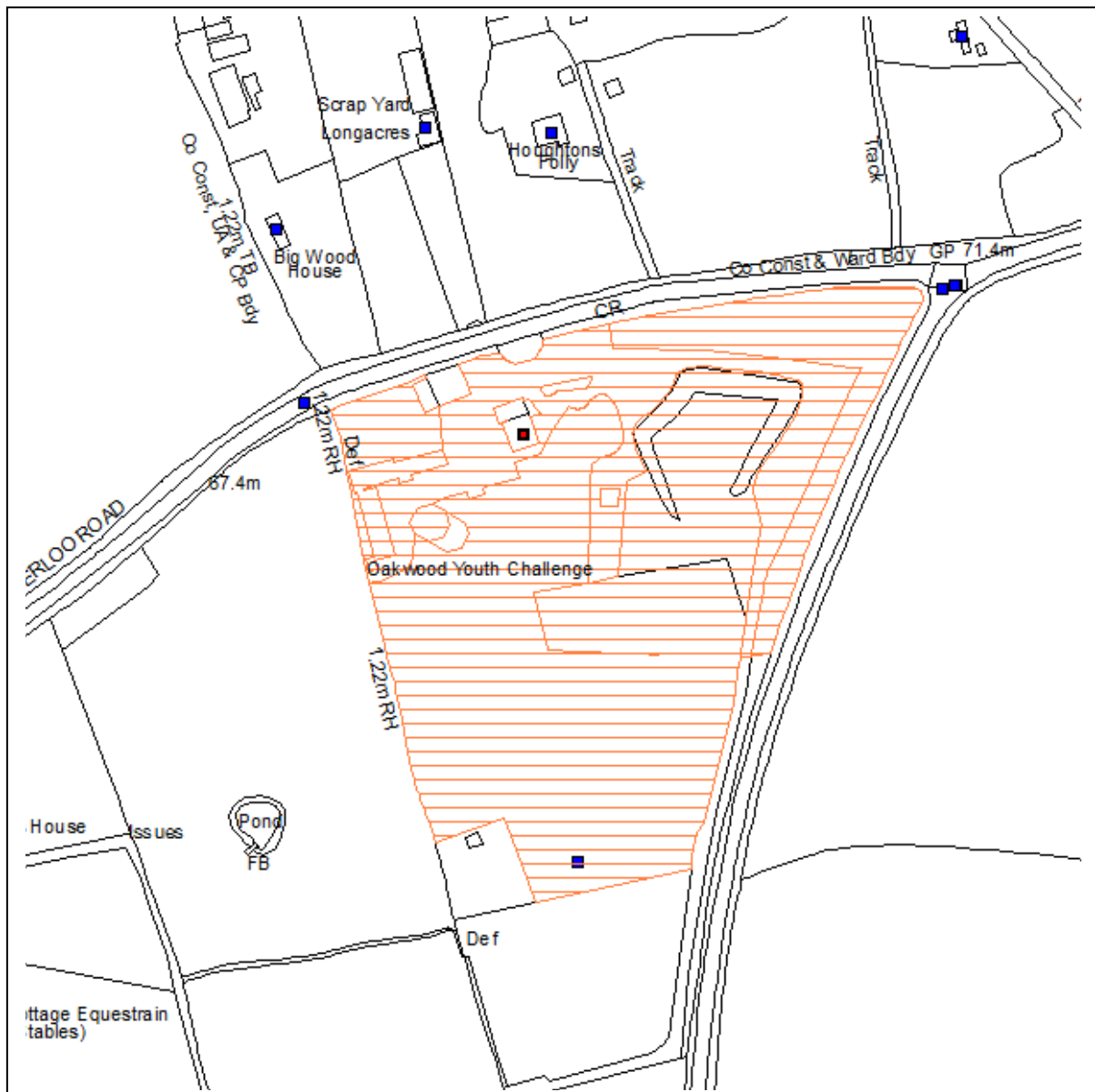
(There is no agent for this application)

Case Officer:

Simon Roskilly, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been reported to the Planning Committee at the request of Councillor Dudley as it is felt there is a need for such a facility within the borough and that the site can accommodate such a use.

2. SITE DESCRIPTION

The application site is a 8.1 hectare (20 acres) area of land currently comprising outbuildings used in association with a lawful use as an Outdoor Pursuits Centre and Youth Centre. The site also contains facilities such as an amphitheatre, high climbing/abseiling tower, skateboard, BMX and mountain boarding courses, archery and football pitches and a farm with stables. There is a residential accommodation available for 60 young adults however according to the applicant this is seldom used during the week.

The application site is accessed off Waterloo Road and the facility lies partly in Bracknell Forest Borough and partly in Wokingham Borough. The majority of the outdoor pursuits centre lies within Bracknell Forest Borough; however the farm and stables are located within Wokingham Borough.

The application site as outlined on the submission is located within an area designated under the Bracknell Forest Borough Policies Map as land outside the settlement (countryside).

3. RELEVANT SITE HISTORY

The youth activity centre was originally granted planning permission in May 2001 (01/00160/FUL). Due to uncertainty at that time about the precise activity associated with the proposed use and the impact this would have upon the surrounding area, it was decided that the permission should be limited to a five year period. Subsequently in 2006 permanent consent was given for the Youth Activity Centre (06/00115/FUL).

The buildings, structures and equipment with temporary permissions which were incorporated within the approved permanent consent (06/00115/FUL) were:

1. Two single storey buildings and an open sided store which were erected on the footprints of existing nissen buildings and timber cladding on buildings that were being retained. This development enabled the buildings being used for the youth activity centre to comply with the Building Regulations and other safety regulations. (01/00783/FUL - Approved September 2001).
2. The siting of equipment for use in conjunction with youth activity centre including the erection of a tower for climbing and abseiling (02/00186/FUL - Approved May 2002).
3. The change of use of part of Building A to ancillary residential accommodation to enable a member of staff to live on site and improve site security. (03/00293/FUL - Approved May 2003).
4. The erection of dormitory accommodation on the footprint of a stable block. (03/00952/FUL - Approved November 2003).

5. A single storey extension to Building B to form kitchen area, the erection of a high ropes course and alterations for BMX course(s) - (04/00181/FUL - 2004).

Other applications:

05/01099/FUL - Erection of detached bungalow to provide additional staff accommodation. Refused on the grounds of the development being inappropriate to the detriment of the character and appearance of the countryside setting.

05/01100/FUL - Section 73 application to vary condition 3 of planning consent 01/00160/FUL to allow use of the site as a youth activity centre to be permanent. Withdrawn in 2006.

05/01102/FUL - Erection of detached toilet block and addition of dormers to building A. Approved in 2006.

06/00115/FUL- Permanent use of site as youth activity centre with retention of associated buildings, structures and equipment. Approved at Planning and Highways Committee April 2006.

08/00256/FUL- Erection of octagonal building forming youth club. Refused at Planning and Highways Committee August 2008.

08/00889/FUL- Erection of octagonal building forming youth club. It was resolved at Planning and Highways Committee October 2008 to approve the application subject to the completion of satisfactory S106 agreement. This application was withdrawn.

09/00339/FUL - Erection of detached activity club building. Approved at Planning and Highways Committee August 2009.

11/00290/FUL - Provision of new track along eastern boundary to replace existing track along western boundary leading to stable yard. Approved.

4. THE PROPOSAL

Erection of a detached building to be used as an Indoor Climbing Centre, the creation of an access for cycles and pedestrians directly opposite the end of the cycle path on Waterloo Road and the creation of 50no. parking spaces within the north-east corner of the site.

The climbing centre would be 42m in length, 25m in width and 8m in height. The majority of the building will consist of a climbing hall although a café will be available on a mezzanine level whilst office reception and office functions are proposed on the ground floor.

The climbing building will be located within the centre of the site replacing an existing 20m high climbing tower.

Fifty additional car parking spaces are proposed within the north-eastern corner of the site on an area that currently contains soil that originated from a recent excavation of the large grassed mound. This additional parking is proposed to serve both the existing Oakwood Activity Centre and the climbing centre.

The applicant states that it is the intention to provide an international standard climbing centre to respond to the need in the area. Three additional staff would be employed to

work at the centre which would be an independent operation but would benefit Oakwood Youth Centre as an additional on-site facility.

5. REPRESENTATIONS RECEIVED

4no. letters have been received in support of the proposal from local schools that use the site and believe there is a need for such a facility in the area. There is also a letter of support from the Rt.Hon. Dr Phillip Lee MP.

2no. letters of objection have been received expressing the following concerns:-

- The proposal represents an overdevelopment of the site that is out of keeping with the character and appearance of the area when viewed from outside the site.
- Inappropriate development on green belt land. [Officer Comment: The site is not located within the Green Belt but is located within land outside of the settlement (countryside).]
- The proposal is a commercial activity and should not be given any special consideration.

6. SUMMARY OF CONSULTATION RESPONSES

Bracknell Town Council

Observations:-

Bracknell Town Council would like to be assured that the building will be in keeping with the area and its use restricted to that of an indoor climbing centre. No further lighting should be added to the site to ensure the amenity of the area is not compromised.

Environmental Health

The Environment and Communities Team has no objections to this application.

Environmental Health Commercial do not have any objections subject to informatives.

Transportation Officer

Recommends that the application be refused as the applicant has failed to demonstrate that there is sufficient parking on site to accommodate both the existing uses and the proposed independent climbing centre.

Drainage

The Council's Drainage Engineer recommends refusal as the applicant has failed to address on site sustainable drainage.

Trees

Concerns that trees located along the northern boundary of the site along Waterloo Road would be threatened and/or harmed by the proposed parking spaces.

7. DEVELOPMENT PLAN

The Development Plan includes the following:-

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

8. PRINCIPLE OF DEVELOPMENT

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

Policy CP1 is consistent with para. 14 of the NPPF in relation to the presumption in favour of sustainable development, and can be afforded full weight. Regard will also need to be had to Policy CS1 of the CSDPD relating to sustainable development principles, which is considered to be consistent with the NPPF (and can be afforded full weight). (See comments below on transport/sustainability in relation to Policy CS1).

Whilst Core Strategy Policy CS8 seeks to permit development which retains, improves or enhances recreational facilities, and/or provide/maintain new, it should be noted that as the site is not allocated, and is outside of a defined settlement, it would be contrary to Policy CS2, and Policy CS9 (which seeks to protect the countryside for its own sake). The latter two policies are consistent with the NPPF (para. 17), so can be afforded weight.

Saved BFBLP Policy EN8 seeks to protect the countryside for its own sake. Outside the defined boundaries, development will be permitted only where it would not adversely affect the character, appearance or function of the land, would not damage its landscape quality and. Where conspicuous from the Green Belt, would not injure the visual amenities of the Green Belt.

Saved BFBLP Policy R7 provides for recreational use of the countryside provided that it would not adversely affect residential amenity or the function or character of the countryside. It states that organised recreational activity - such as golf courses, orienteering, polo pitches - may be acceptable provided the activity is appropriate to a countryside location and can be undertaken without affecting the character of the countryside. The need for any recreational activity will be assessed against any disturbance to local residents, adverse change to the landscape or rural character of the area, damage to nature conservation interests or other harmful environmental impact. Proposals should normally be easily accessible to public transport links.

The NPPF supports a prosperous rural economy, including leisure development that benefit business in rural areas, communities and visitors (para. 28), and is also supportive of leisure facilities (para. 70).

The Planning Statement (March 2015) accompanying the application refers to the provision of a 'bespoke climbing centre' (para. 1.7), and comparison is made to other climbing centre facilities around the country (para. 2.1 and 2.2). The Planning Statement also refers to the building including a café on a mezzanine floor, and reception/office functions (para. 2.4). The original planning statement said that of the 92 parking spaces available at Oakwood, 50 are to be allocated for users of the climbing centre (para. 2.5), and 3 additional member's of staff employed to supervise the climbing centre (para. 2.6). Usage of the site would range between 50-150 visits at any one time (first table in para. 2.7).

It is considered, therefore, that the proposal is for a self-contained independent commercial use separate from that of the current Oakwood Youth Activity Centre. It is not considered that there is a need for the proposed use to be located in the countryside. Rather it fits in with the definition of a main town centre use as set out in Annex 2 of the NPPF as a 'more intensive sport and recreation use' more akin to a health and fitness centres or indoor bowling centres than the uses quoted in relation to Policy R7 above.

Para. 24 of the NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

This matter is not addressed in the planning statement accompanying the application. The applicant was therefore asked to provide a 'sequential test' in accordance with para 24 of the NPPF but he has declined to carry one out. As the NPPF para 24 requirement has not been addressed it has not been demonstrated that the principle of the development in the countryside is acceptable. The application is therefore contrary to CSDPD Policies CS2 and CS9 and BFBLP Policies EN8 and R7.

Detailed matters are considered below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

CSDPD Policy CS1 seeks to protect and enhance the character and quality of local landscapes and the wider countryside. Policy CS7 (i) seeks development which will build on the urban, suburban, and rural local character, and respect local patterns of development, and (iii) to enhance landscape. Policy CS9 also seeks to safeguard against development which would adversely affect the character, appearance and function of land (outside settlements). In addition, BFBLP Policy EN20 (i) refers to being in sympathy with the appearance and character of the local environment; (iii) refers to retaining beneficial landscape features, BFBLP Policy R7 provides for recreational use of the countryside provided that it would not adversely affect residential amenity or the function or character of the countryside; and BFBLP Policy EN8 which states that development should not adversely affect the character, appearance or function of the land, and not damage its landscape quality. It is considered that these elements of the policies are cross cutting in relation to consideration of character, and can be afforded full weight in relation to the NPPF (para. 215), and are consistent with the NPPF (para. 17, bullet 5) in relation to "recognising the intrinsic character and beauty of the countryside", and Chapters 7, 11 and overall sustainability principles set out in the NPPF.

In addition para. 56 the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live.

(i) Site Layout and design

The site lies within a countryside area characterised by low level sporadic development and tree screening. The area is rural in character. Although the proposed 8m high building would be built into an existing mound it still would be viewed from Waterloo road. The tree screening to the front of the site is deciduous and therefore these trees would not screen the development all year round.

The size and bulk of the proposed building is not in keeping with the low level development of which is single storey and has over the years, apart from the octagonal youth building, replaced low key single storey agricultural buildings on the site. This proposal would provide a spread of development within the site resulting in further erosion to the countryside location that is considered detrimental to the character and appearance of the rural setting.

It is noted that the timber finish is a suitable material to be used in such a location. It is also acknowledged that there are clear benefits with the removal of a 20m high climbing tower that can be seen from outside the site. However these benefits are not considered to outweigh the harm to the countryside location that the bulk, massing and overall spread of development would have.

(ii) Trees

Saved BFBLP Policy EN1 seeks to protect trees that are considered important to the retention, where applicable, of (i) a clear distinction between built up areas and the countryside; or (ii) the character and appearance of the landscape or townscape. NPPF para 118 also seeks to retain trees in order to conserve biodiversity.

50no. additional parking spaces have been shown to be part of the proposal within the north-eastern corner of the site close to trees that screen the site.

The following comments were provided by a Tree Officer:-

The overriding principle is to keep any construction as far away from the trees as possible.

The row of bays nearest the road will have to be moved away from the boundary with Waterloo Road.

This may require the second row of bays to be re-aligned to create sufficient gap between the rows to enable cars to turn.

As a guide the constructed edge of the bays should not be closer to the trees than their canopy drip-line.

The soil-levels along the area where the bays are to be constructed has been raised (in the last few months) by approximately 30-40 cms. This will have to be removed back to 'original soil-level' to facilitate construction; however, no level changes should be allowed along the entire North edge of the site as defined by the canopy-line of the trees (regarded as the nominal RPA)

Entrance point of proposed cycleway will have to be outside of the tree Root Protection Areas and/or be of specialist construction.

As it stands the trees shown on the northern boundary of the site along Waterloo Road play an important role in screening and softening the site from external views. Although the trees are not protected it has not been demonstrated that the trees and the proposed parking and cycle access can coexist; and as such would not have an adverse impact upon the character and appearance of the countryside setting.

(iii) Conclusion

It is considered that the proposal would adversely affect the character and appearance of the surrounding countryside area and would therefore be contrary to 'Saved' Policies EN1, EN8, EN20, and R7 of the Bracknell Forest Borough Local Plan, Policies CS1, CS7 and CS9 of the Core Strategy DPD and the National Planning Policy Framework.

10. RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFPLP 'Saved' Policy EN20 is for the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. Saved BFBLP Policy R7 also seeks to protect residential amenity from recreational uses within the countryside.

This is considered to be consistent with the general design principles laid out in paras. 56 to 66 of the NPPF, and para. 66 in particular where applicants are expected to work closely with the surrounding community and generate designs that take into account their views.

There are no dwellings immediately adjacent to the site that would be affected.

As such, the proposal would not be considered to affect the residential amenities of neighbouring properties and would be in accordance with 'Saved' Policies EN20 and R7 of the Bracknell Forest Borough Local Plan and the National Planning Policy Framework.

11. TRANSPORT IMPLICATIONS

BFBLP Policies M4 and M9 and CSDPD Policies CS(ii) in relation to the need to travel, CS23 and CS24 seek to promote or retain safe highway access and suitable off-road parking provisions, thus avoiding highway safety implications. BFBLP Policy R7 states that proposals should normally be easily accessible to public transport links. This is consistent with the objectives of the NPPF.

(i) Highway safety

Transportation Officer Comments:

Whilst 50 additional spaces are shown in the north-east corner of the site for the climbing centre, a robust rationale for this has not been provided. Climbing may well be a group activity; however, it does not follow that individuals will necessarily car share. Furthermore, whilst climbers may require prolonged breaks between climbs, individuals are likely to stay for a few hours, thus adding to the car parking accumulation. Also,

whilst information has been provided regarding the school and youth groups using the climbing wall, it is clear that this planning application is for an independent climbing wall and thus information should be provided to clearly understand the impacts of this.

The Reading Climbing Centre was cited as an example in the initial submission of a similar site with 50 parking spaces and whilst the GFA of this climbing centre would be similar to the Oakwood Climbing Centre (circa 1000m²), the LHA considers that Reading is a more sustainable location, close to a bus route and within a large residential catchment, including students. Oakwood is not on a bus route and does not have a residential catchment which could reasonably access the site by non-car modes. Nonetheless, a survey of the Reading Climbing Centre could prove useful as a starting point and this survey should include the number of people entering and exiting over the course of a typical day and the parking demand/accumulation. The applicant may wish to provide survey data for an alternative site in the region which has similar characteristics to Oakwood.

The LHA is concerned that the latest plan appears to remove parking provision which was approved to serve the existing site uses with planning permission 09/00399/FUL and the applicant is required to provide a survey of the on-site parking demand created by the existing uses. This has been requested but the applicant has declined to provide it.

Also, the latest plan shows that the residential parking is to be hived off via the introduction of a gated enclosed area and the LHA is concerned, particularly as the approved parking for 09/00399/FUL included an area of over-spill parking for residential visits along the site boundary.

To conclude, it has not been demonstrated that there is sufficient parking on site to allow both the existing Oakwood Youth Activity Centre use and independent climbing centre to operate safely and not result in any Highway Safety concerns. As such it has not been demonstrated that the proposal would comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

(ii) Sustainable location

The proposed indoor climbing centre would be located outside of a defined settlement in an area poorly served by public transport. The applicant refers to a climbing centre in Reading that is located within an employment area that is better served by public transport. Town Centre locations of edge of centres are considered more appropriate for this type of use and that is why a sequential test was sought.

As such the proposal in this location would represent unsustainable development within the countryside contrary to CSDPD Policies CS1 and CS2, BFBLP Policy R7 and the paragraph 17 of the NPPF.

12. ACCESSIBILITY

There are no real concerns regarding accessibility that could not be conditioned. Therefore subject to a suitable condition the proposal is considered to be in accordance with the requirements of Policy CS7 of the CS and saved BFBLP Policies EN22 and H14.

13. COMMUNITY INFRASTRUCTURE LEVY (CIL)

The proposed development is not CIL liable.

14. SUSTAINABLE CONSTRUCTION

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

CSDPD Policy CS10 requires that the applicant submits a sustainability statement demonstrating that the building likely to be complied with BREEAM 'Very Good' as a minimum requirement. This has not as yet been provided and therefore if the application were to be approved a condition is recommended to be imposed in-order to secure this.

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

The applicant has not submitted an 'Energy Statement'. This has not as yet been provided and therefore if the application were to be approved a condition is recommended to be imposed in-order to secure this.

15. SUSTAINABLE DRAINAGE

House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014 has amended the National Planning Policy Framework (NPPF) with regard to the provision of surface water drainage on development.

The Planning Practice Guidance 'Flood Risk and Coastal Change' as amended 15/04/2015 advises under para. 079 that when considering major development, as defined under in the Town and Country Planning (Development Management Procedure) (England) Order 2015, sustainable drainage systems should be provided unless demonstrated to be inappropriate.

This is a major application however no sustainable drainage details have been provided with the application. A drainage statement would be required so it could be ascertained that the developed would incorporate a sustainable drainage system for the management of run-off. No information has been submitted to demonstrate this would be inappropriate for the site and this would therefore form a reason for refusal as it is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15/04/2015.

16. CONCLUSIONS

This site is located within land outside of the settlement (countryside) where the independent climbing centre is considered to represent a commercial activity separate from that of Oakwood Youth Activity Centre, although the centre would benefit from the facilities.

The proposed use is considered to represent an appropriate Town Centre use as set out in the NPPF.

The applicant has failed to provide a 'sequential test' as required by para 24 of the NPPF and as such they have not demonstrated that there are no other suitable alternative locations for the town centre use. As such the principle of development cannot be accepted within land outside of the settlement.

The site is not considered to be a sustainable location for such a use, as the site is not well served by public transport and is considered remote.

The size and bulk of the proposed building is not in keeping with the low level development on site and the additional building further spreads development into the countryside to the detriment of its character and appearance.

It has not been demonstrated that the trees along the northern boundary of the site and the proposed parking and cycle access can coexist; and as such would not have an adverse impact upon the character and appearance of the countryside setting.

It has not been demonstrated that there is adequate on-site parking to address both the existing use and the operation of the proposed independent climbing centre in a location not considered to be sustainable. Therefore it has not been demonstrated that the proposal would not result in any highway safety implications.

It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (if appropriate for this site) for the management of surface water run-off.

RECOMMENDATION

That the application be **REFUSED** for the following reason(s):-

01. The proposed indoor climbing centre is considered inappropriate development within the countryside and strategic gap location, No 'Sequential Test', as required under para 24 of the NPPF, has been provided to justify this location. As such the proposal is contrary to Bracknell Forest Borough Local Plan Policies EN8 and R7, Core Strategy Development Plan Document Policies CS1, CS2 and CS9 and the NPPF.
02. The proposed indoor climbing centre would be located outside of a defined settlement in an area poorly served by public transport. The proposal in this location would represent unsustainable development within the countryside contrary to Core Strategy Development Plan Document Policies CS1 and CS2, Bracknell Forest Borough Local Plan Policy R7 and the NPPF.

03. It has not been demonstrated that the operation of an independent climbing centre on a site with an existing use would not have any materially adverse impacts upon highway safety. As such the proposal is contrary to Bracknell Forest Borough Local Plan Policy M9, Core Strategy Development Plan Document Policy CS23.
04. The bulk, massing and overall spread of development within the countryside location, including the proposed parking and cycle access are considered to adversely affect the character and appearance of the surrounding countryside area and would therefore be contrary to 'Saved' Policies EN1, EN8, EN20 and R7 of the Bracknell Forest Borough Local Plan, Policies CS1, CS7 and CS9 of the Core Strategy DPD and the NPPF.
05. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (if appropriate for this site) for the management of surface water run-off. This is contrary to The House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18.12.2014, NPPF 2012 and the Flood Risk and Coastal Change PPG updated 15.04.2015.

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.
02. This refusal is in respect of the following plans:-

Revised Site Location Plan received 27.03.15
Elevations and Floor Plans received 06.03.15
Proposed Layout Plan received 06.05.15

[Please note that the applicant did not amend all the plans to reflect the overall amended 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: 8

Application No.
15/00248/FUL

Ward:
Ascot

Date Registered:
10 April 2015

Target Decision Date:
5 June 2015

Site Address:

**Land Adjacent To 23 Darwall Drive Ascot Berkshire
SL5 8NB**

Proposal:

Erection of a detached bungalow on land adjacent to 23 Darwall Drive with parking to the rear following demolition of existing garage

Applicant:

Mrs O'Rourke

Agent:

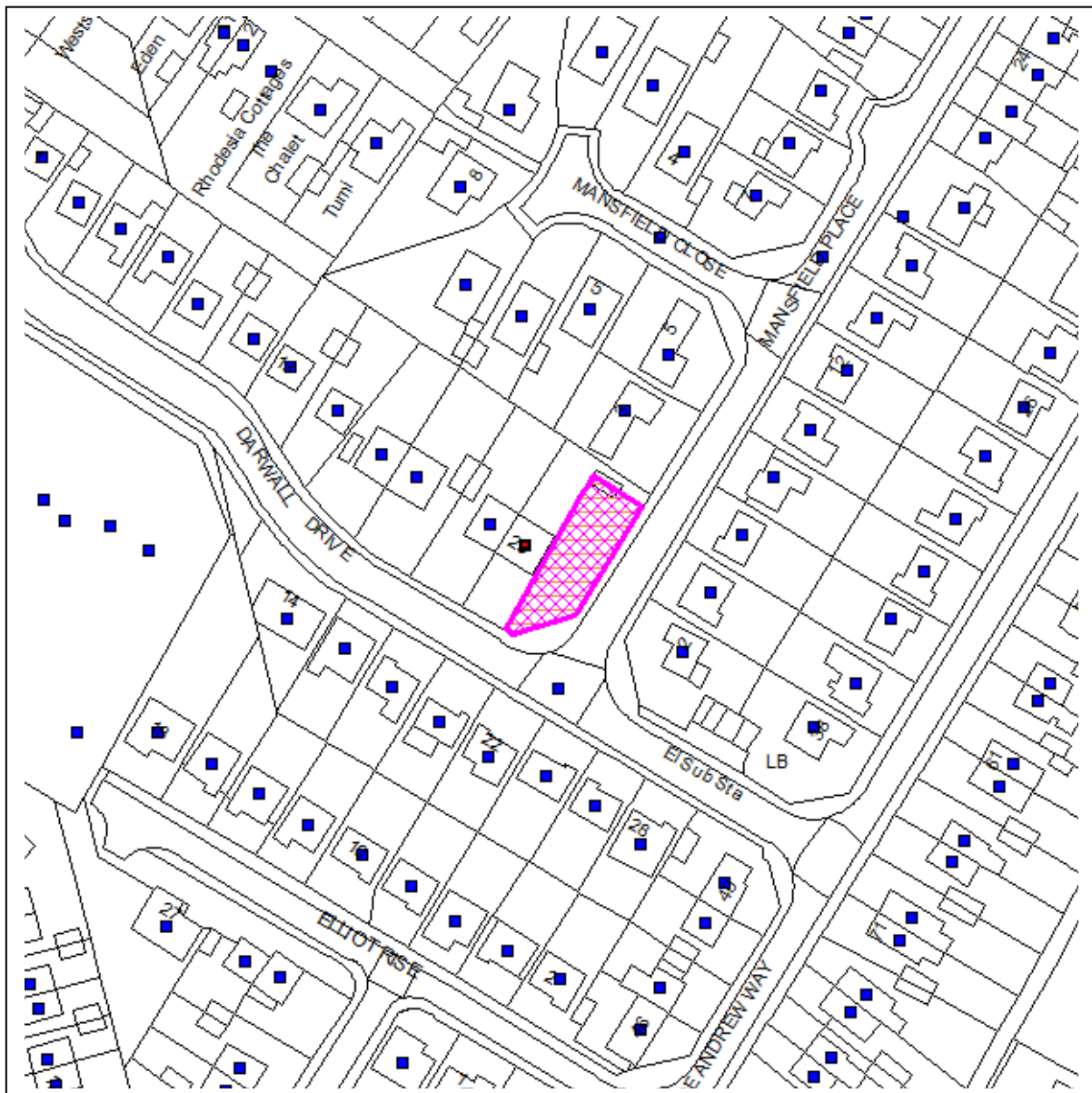
Mr Jason O'Donnell

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.23 Darwall Drive is a semi detached bungalow located on the corner of the junction between Darwall Drive and Mansfield Place. The dwelling has a garden area to the side and rear of the property which is enclosed by a brick boundary wall. Grassed amenity areas are located to the front and side of the property, and parking is located to the rear of the site in the form of a detached garage with hardstanding in front, accessed from Mansfield Place. The property is bordered by the adjoining dwelling of No.21 Darwall Drive to the north west, No.3 Mansfield Place to the north east and the adopted highway to the south east.

3. RELEVANT SITE HISTORY

Application 14/00212/FUL - Erection of a single storey side extension and porch, replacement of door with window on front elevation, and erection of garage following demolition of existing garage and shed - APPROVED 2014

4. THE PROPOSAL

The proposed development is for the erection of a single detached dwelling on the land adjacent to No.23 Darwall Drive to the south east side of the existing dwelling, and the formation of parking to the rear following the demolition of the existing garage.

The dwelling would have a width of 7.06m with a depth of 9.9m and a maximum height of 5.4m. The dwelling would be a bungalow, with only ground floor accommodation provided. This accommodation would comprise of the following:

- Entrance hall
- Two bedrooms
- Open plan kitchen/lounge/dining area
- Bathroom
- Cupboard

Pedestrian access would be provided from Mansfield Place with low level boundary vegetation to the front and side. The dwelling would be set off the boundary to the side by 2.9m, meaning that the existing set back of the wall from the highway would be maintained. Initially vegetation was shown up to the front of the property, however this has been removed to ensure that an open frontage is retained.

Parking would be located to the rear, following the demolition of the existing garage. Originally a new garage was proposed however this has now been removed from the scheme. Four spaces would be provided to the rear, two for the existing dwelling and two for the proposed with access to the rear gardens of both dwellings from the spaces.

5. REPRESENTATIONS RECEIVED

Winkfield Parish Council

Recommend refusal due to concerns that the proposal would be an overdevelopment of the site, and are concerned that insufficient parking would be provided. The proposal would set a precedent for this type of application in this area, and have asked the Case Officer to check the ownership of the land.

[OFFICER COMMENT: The site is wholly within the ownership of the applicants. A red line has been drawn around the site of the proposed dwelling and its parking, and a blue line around the existing dwelling and its parking. The plans correspond with Land Registry plans that have been submitted to accompany the draft Section 106 agreement.]

Other Letters of Representation

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

- The erection of a dwelling in this location would result in an adverse impact on the character and appearance of the area, and would be an overdevelopment of the site.
- The dwelling would appear out of keeping with the streetscene and would be a cramped form of development.
- Detrimental impact on neighbouring properties through loss of privacy.
- Highway safety concerns due to additional cars and poor access.

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

6. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

Holding objection in response to the initial plans. Following this recommendation, amended plans were submitted to overcome the concerns, and conditional approval is now recommended.

Biodiversity Officer

Recommend conditional approval.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the SALP which sets out 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.23 Darwall Drive 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 dwelling would be located adjacent to the junction between Darwall Drive and Mansfield Place and as such would be a prominent feature in the streetscene. With regard to its design, the dwelling would be similar in appearance to the neighbouring dwellings at No.23 and No.21 Darwall Drive in terms of its height and roof. The materials to be used would be of similar appearance to No.23. Although the bungalows to the north west are semi detached properties, a detached dwelling would not be uncharacteristic of the area and as such would not appear out of keeping with the streetscene in this location.

The dwelling would be set 2.9m off the boundary with the highway on Mansfield Place to the side, which would be a similar set back to the existing wall in this location. Although its appearance would be softened to some extent by the low level soft landscaping, the dwelling would be a more prominent feature in the streetscene than the existing wall and would erode a significant part of the gap between the built form and the adopted highway on Mansfield Place. However, account needs to be taken of the extension that was previously approved in this location and what additional impact the new dwelling would have on the streetscene.

The extension that was approved under application 14/00212/FUL had a width of 7.7m. Taking into account the 1.2m gap that is shown between No.23 Darwall Drive and the new dwelling, the 7.06m wide dwelling would therefore project an additional 0.56m towards the highway than the extension. The extension is shown to be slightly lower in height than the existing dwelling, however it is not considered that such an additional projection and height would result in such a significant difference over what has previously been approved at this site that refusal of the application on this basis would be warranted. The amenity areas to the rear of both the existing and proposed dwellings are considered to be of sufficient size, and it is not considered that the

proposal would result in a cramped form of development. Given the size of the dwelling and the amenity area provided, and taking into account the previous extension it is not considered that the proposal would result in an overdevelopment of the site.

In respect of the landscaping and means of enclosure, the hedge to the side would be similar to an existing hedge in this location. The amenity area that would remain would be similar in width to the existing, which would be acceptable. An additional soft landscaped area would be provided to the rear where there is an area of hard standing as existing. The amount of landscaping to the front has been reduced to ensure that an open area of amenity land remains, which is characteristic of the area. A 1.8m high fence would border the new garden to the rear, which is not considered to be out of keeping with the streetscene in this location.

It is therefore not considered that the development would result in a adverse impact on the character and appearance of the area. It 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 dwelling would project slightly forward and rear of the existing dwelling at No.23 Darwall Drive, however it would not result in an unacceptable loss of light to the front or rear facing windows at that property. Furthermore it would not appear unduly overbearing when viewed from the rear garden of No.23.

The dwellings fronting Mansfield Place to the south east of the site would face onto the side elevation of the dwelling. They would be set off the new dwelling by approximately 18m and as the new dwelling would be a bungalow with a height of 5.4m it is not considered that it would result in an unacceptable loss of light to the front facing windows of these properties. Concerns have been raised that the new windows on this elevation would result in an unacceptable loss of privacy to the neighbouring properties, however given this set off and that only ground floor windows are proposed it is not considered that this would be the case. As the new dwelling would be a bungalow a condition restricting side facing windows at first floor level and above is not considered necessary.

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

11. TRANSPORT IMPLICATIONS

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 refers to highway safety and 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 bedrooms (as is the case with the dwelling proposed), a parking requirement of two off street spaces is set out. Two spaces are also required to be retained for the existing two bedroom dwelling.

As initially proposed, two garages were included at the rear to replace the existing. However the garages were too small to be considered as parking spaces in accordance with the Parking Standards, and were located too close to the boundary with No.3 Mansfield Place to achieve an acceptable level of visibility when exiting the spaces.

In response to these comments, the garages have been removed from the scheme and two tandem spaces are shown for each property. The spaces would all have a width of 2.4m and a depth of 4.8m which comply with the requirements of the Parking Standards. Two spaces in tandem are acceptable. Furthermore the spaces have been set off the boundary with No.3 Mansfield Place by 1.45m, which ensures that a sight line can be provided within land that is under the applicants control in both directions. Conditions will be imposed to ensure that the parking and the visibility splays are provided in accordance with the approved plans and retained as such thereafter.

Access to the parking would be taken off Mansfield Place, an adopted residential road which is subject to a 20mph speed limit, with pedestrian access to the rear of both dwellings from the parking area which can provide access for bin storage. Pedestrian access from the adopted highway to the front of both properties is shown which is acceptable. The existing dropped kerb would need to be widened to provide individual access to the parking spaces. This can be done under licence by the Street Works Team at Bracknell Forest Council and an informative will be included to advise the applicant of this. Cycle parking is not shown and a condition will be imposed to ensure that this is included. A further condition will require details of the site organisation during development, in the interests both of highway safety and the amenities of neighbouring residents. Due to the nature of the condition these details will be required prior to the commencement of works on site.

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

12. BIODIVERSITY CONSIDERATIONS

CSDPD Policies CS1 and CS7 state that development will be permitted which protects and enhances the quality of natural resources including biodiversity. This is consistent with the NPPF which states in para 109 that planning should contribute to "minimising impacts on biodiversity and providing net gains in biodiversity where possible." Paragraph 118 states that "When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity".

The site is not of any ecological value. As such an ecological survey is not required, and the Biodiversity Officer has not raised any concerns regarding the development. A condition has been recommended requiring a scheme of biodiversity enhancements to be submitted to and approved by the Local Planning Authority however it is not

considered that such a condition is reasonable or necessary in this case as the site is of little ecological value and there is no harm to be mitigated against.

A landscaping condition was also recommended by the Biodiversity Officer, however given that soft landscaping has already been shown and is considered sufficient for a site of this size, this condition is not considered necessary on this occasion.

It is therefore not considered that the development would result in an adverse impact on biodiversity, and as such would not be contrary to CSDPD Policies CS1 and CS7 or the NPPF.

13. SUSTAINABILITY

CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, cover water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. This is considered to be consistent with the NPPF which states in para 95 "To support the move to a low carbon future, local planning authorities should actively support energy efficiency improvements to existing buildings.

No such statement has been submitted in support of the application, therefore in the event of an approval a condition would be included requiring the submission of a Sustainability Statement prior to the occupation of the development in accordance with CSDPD Policy CS10 and the NPPF.

CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. Again, this Policy is consistent with para 95 of the NPPF.

As highlighted in the Council's Sustainable Resource Management Supplementary Planning Document (<http://www.bracknell-forest.gov.uk/srm>), an energy demand assessment should be submitted and include the following:

- A prediction of the energy demand (in kWh) and carbon emissions (in kg/CO₂) for the site;
 - List of assumptions used i.e. whether these have come from Building Regulations or benchmarks;
 - Details of energy efficiency measures;
 - A prediction of the energy demand and carbon emissions for the site taking into account energy efficiency measures;
 - A feasibility study for all relevant renewable energy technologies;
- The choice of renewable energy systems proposed and the associated energy and carbon savings.

No such assessment has been submitted in support of the application, therefore in the event of an approval a condition would be included requiring the submission of an Energy Demand Assessment prior to the commencement of development in accordance with CSDPD Policy CS12 and the NPPF.

14. 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. The proposal involves the creation of an additional dwelling with an internal floor area of 56.07 square metres. The existing garage would be demolished to make way for the parking, and this has a floor area of 16.97 square metres which will be offset against the new floor area for the purposes of calculating the CIL charge. The applicants have also shown that a shed with a floor area of 5 square metres would be removed and should be offset, however due to the location of the shed its demolition is not required to make way for the development. As such it can not be offset against the CIL charge.

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

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

The application site lies within the Northern Parishes zone, and a CIL Liability Notice will be issued with any planning permission given.

15. SPA

The Council, in consultation with Natural England (NE), has formed the view that that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (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 4km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures. Therefore, a Habitats Regulations Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the SPA.

In accordance with the SPA SPD, the development will be required to provide alternative land to attract new residents away from the SPA. The term given to this alternative land is Suitable Alternative Natural Greenspace (SANG). As this development leads to a net increase of less than 109 dwellings, the developer may make a payment contribution towards strategic SANGs (subject to SANGs capacity in the right location within Bracknell Forest). The cost of the SANG enhancement works will be funded through the Community Infrastructure Levy (CIL) whether or not this development is liable for CIL. This is equal to 9.5% of the total SANG contributions set out in the SPA SPD Summary Table 1. The remaining SANG contributions will be taken through Section 106 contributions.

The development would result in a net increase of 1x 2 bedroom dwelling. The SANG payment required for such a dwelling would be £1601. An occupation restriction will be included in the Section 106 Agreement. This serves to ensure that the SANGs

enhancement works have been carried out before occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2.

The development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it. See section 3.4 in the SPA SPD for more information.

The level of contributions is calculated on a per bedroom basis as set out in the SPA SPD Summary Table 1. The application for this development is for 1x 2 bedroom dwelling. The SAMM payment required for such a dwelling would be £526. In summary, the total SPA related financial contributions applied through a Section 106 agreement for the proposal would be £2127 (£1601 + £526). CIL contributions, where relevant, will be applied separately.

Provided that the applicant is prepared to make a financial contribution towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above. The Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) as amended, and permission may be granted. If the applicant does not agree with the above mitigation and enter into a Section 106 Agreement to secure the measures then the application must be refused

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

16. CONCLUSIONS

The proposed new dwelling relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of adjoining properties and would not adversely impact upon the character and appearance of the surrounding area. No highway safety implications will arise subject to the imposition of conditions. Relevant conditions will be imposed in relation to sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable. The proposal is therefore considered to be in accordance with 'Saved' Policies EN20 and M9 of the BFBLP, CS1, CS7, and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

17. RECOMMENDATION

The application is recommended for conditional approval, subject to the completion of the Section 106 agreement.

RECOMMENDATION

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

01. Thames Basin Heath Special Protection Area

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 10th April and 3rd June 2015:
P14/50/S/101/A
P14/50/S/110
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 at No.23 Darwall Drive.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. No construction works shall take place until details showing the finished floor levels of the dwelling hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
05. No development shall be occupied until a means of vehicular access has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
06. No development shall be occupied until all the visibility splays shown on the approved drawings have been provided. Those areas shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
07. The dwelling hereby approved shall not be occupied until the associated vehicle parking for both the existing dwelling and proposed dwelling has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

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

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

08. The development hereby permitted shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The development shall be carried out in accordance with the approved plans.

REASON: In the interests of accessibility of the development to cyclists.

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

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

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

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

REASON: In the interests of amenity and road safety.

[Relevant Policies: BFBLP EN20, Core Strategy DPD CS23]

10. No part of the dwelling shall be occupied 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 CS10]

11. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy requirements will be provided from on-site renewable energy production, has been submitted to and approved in writing by the Local Planning Authority. The dwelling as 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.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Time limit
 2. Approved plans
 3. Materials
 5. Access
 6. Visibility
 7. Parking

The applicant is advised that the following conditions require discharging prior to commencement of construction works

9. Site Organisation
11. Energy Demand Assessment

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

8. Cycle parking
10. Sustainability Statement

In the event of the S106 planning obligation(s) not being completed by 30 September 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: 9

Application No.
15/00281/FUL
Site Address:

Ward:
Harmans Water

Date Registered:
25 March 2015

Target Decision Date:
20 May 2015

9 Vickers Row Bracknell Berkshire RG12 9PQ

Proposal: **Erection of a single storey rear extension and conversion of garage into habitable accommodation**

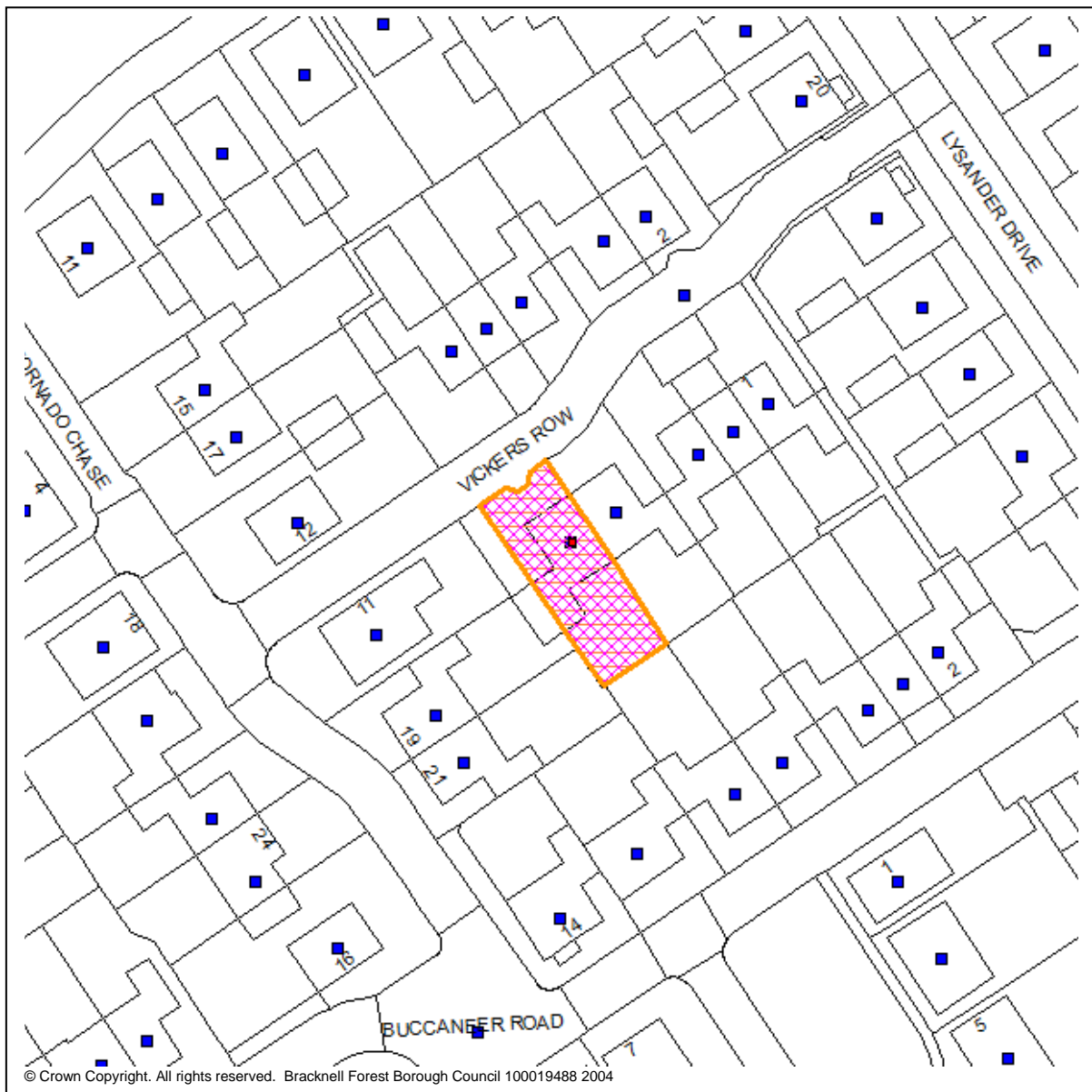
Applicant: Mr & Mrs Sanket Banawalikar

Agent: Mrs Anupama Srivastava

Case Officer: Gerald Hegarty, 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

Councillor Dudley has requested this application to be considered by the Planning Committee, due to concerns over potential impact on the residential amenity of adjoining properties and whether adequate parking can be provided.

2. SITE DESCRIPTION

No. 9 Vickers Row is a semi detached dwelling located to the south of the highway. There are two tandem parking spaces available to the front of the dwelling's attached garage. The surrounding area is residential. The site is attached to No. 7 Vickers Row.

3. RELEVANT SITE HISTORY

There is no planning history relevant to the proposed development.

4. THE PROPOSAL

Full planning permission is sought for the erection of a single storey rear extension and the conversion of the attached garage accommodation, including the installation of a window on the rear elevation of the garage. The proposed rear extension would have a maximum depth of approximately 3.6 metres, would be 6.3 metres in width, would have a maximum height of approx. 3.4 metres and would have an eaves height of approx. 3.6 metres.

It is noted that the reason for the proposed development is to create an adapted living space for a severely disabled child.

5. REPRESENTATIONS RECEIVED

Bracknell Town Council

Bracknell Town Council have recommended that the application be refused as there is a condition on application 03/00567/OUT for the dwelling, which states that all garage accommodation should be retained for the use of parking at all times.

Other Letters of Representation

2 Letters of objection have been received which can be summarised as follows:
-Size of the extension is not in keeping with the size of the plot.
-Loss of light to their back garden.
-Increased traffic and congestion in this part of Vickers Row during the construction period. Increased congestion during construction is not a material consideration.

[Officer Comments: Other issues are considered in the report].

Two letters of support has been received commenting that the proposed development would help the applicant's disabled child.

6. SUMMARY OF CONSULTATIONS RESPONSES

Highways Officer

The Highways Officer recommends that the application be approved, subject to a condition to secure parking and a garage roller shutter door to maximise the length of the driveway for parking.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

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

Policy CP1 is consistent with para. 14 of the NPPF in relation to the presumption in favour of sustainable development, and can be afforded full weight. Regard will also need to be had to Policy CS1 of the CS relating to sustainable development principles, which is considered to be consistent with the NPPF (and can be afforded full weight).

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. 9 Vickers Row is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety etc. These matters are assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

Policy CS7 of the CSDPD and Saved Policy EN20 of the BFBLP relate to design considerations in new proposals and are relevant considerations. These policies seek to ensure that developments are sympathetic to the character of the area and are of a high design. This is consistent with paragraph 56 and 57 of the NPPF.

The proposed rear extension would be sited to the rear of the dwelling, some 7.6 metres from its rear boundary. Due to its siting and modest size, it would not appear obtrusive in the street scene, nor would it be considered to be an overdevelopment of the site.

The proposed garage conversion would involve the installation of a window in the southern elevation of the garage. Due to its positioning and modest size, it would not appear obtrusive in the street scene.

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

It is noted that there is an example of a side extension and a garage conversion in the surrounding area, including Nos. 11 and 4 Vickers Row respectively. Furthermore, there is an example of a rear extension in the immediate area, including No. 21 Tornado Chase. Therefore, the proposed development would not be out of character in the surrounding area.

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

10. RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 (vii) refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. This is consistent with the NPPF.

The proposed rear extension would be built up to the boundary with No. 7 Vickers Row. The proposed rear extension would be approx. 3.6 metres in depth and would have a maximum height of approx. 3.4 metres. It would also have an eaves height of approx. 2.6 metres. The proposed rear extension would be visible to No. 7 Vickers Row, however, it is considered that it would not appear visually intrusive to the detriment of the residential amenity of No. 7. No overlooking would result from the proposed development due to the boundary screening, including 1.8 metre wooden boundary fencing, bordering the application site and No. 7, and there are no side windows proposed on the east elevation facing No. 7. In addition, the relative orientation of the two dwellings means that no significant overshadowing is considered likely to occur as a result of the proposed development.

In association with the assessment of potential loss of light, guidance within the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011 - second edition) is utilised as a standard for assessing acceptable levels of loss of light. A 45 degree line is drawn on the horizontal plane from the midpoint of the closest window serving a habitable room at the affected residential property. If this line intersects the development, a 45 degree line is drawn on the vertical plan from the point of intersection towards this window. If the line intersects more than half of the window, it would be considered that the development would result in an adverse impact on the property with regards to loss of light.

The proposed rear extension would be visible from the rear of the attached residential property of No. 7 Vickers Row to the east. A 45 degree line drawn on the horizontal plane from the midpoint of the nearest ground floor window, serving a habitable room on the rear elevation of No. 7 Vickers Row, indicates that the proposed rear extension would encroach upon the horizontal plane in respect of the 45 degree angle from the

ground lounge window at No. 7 Vickers Row. However, a 45 degree line on the vertical plane was drawn from the midpoint of the nearest ground floor lounge window and less than half of the window would be obscured by the proposed rear extension and, therefore, the impact upon loss of daylight to the ground floor lounge window at No. 7 Vickers Row is considered not to be so adverse to warrant refusal of the application.

The proposed rear extension would be set back some 7.6 metres from its rear boundary that is screened from the rear boundaries of Nos. 8 and 10 Buccaneer Road by existing 1.8 metre wooden boundary fencing. The proposed rear extension would also be set approx. 4.6 metres from the boundary with Nos. 19 and 21 Tornado Chase. In view of the separation distances, boundary screening and the proposed extension's height of 3.4 metres, it is considered that it would not appear visually prominent to Nos. 8 and 10 Buccaneer Road and Nos. 19 and 21 Tornado Chase.

The proposed garage conversion and associated works would be set approx. 3 metres from the boundary with No. 11 Vickers Row and approx. 16.3 metres from the boundary with No. 10 Vickers Row. It would be set approx. 7.6 metres from the boundaries with Nos. 8 and 10 Buccaneer Road and approx. 4.6 metres from the boundary with Nos. 19 and 21 Tornado Chase.

It is not considered that the proposed garage conversion and associated works would result in any detrimental impact on the living conditions of the occupiers of Nos. 10 and 11 Vickers Row, Nos. 8 and 10 Buccaneer Road and Nos. 19 and 21 Tornado Chase due its siting and modest size and scale of the proposed works.

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

11. HIGHWAY CONSIDERATIONS

Saved Policy M9 of the BFBLP ensures that development provides satisfactory parking provision. A further material consideration for parking provision is provided in the Council's adopted Parking Standards SPD. This supplements Policy M9. The SPD is a material consideration, and was adopted in 2007 (following public consultation). 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.

The proposed garage conversion and associated works would result in the loss of a parking space. However, the applicant has demonstrated that there is capacity for two tandem spaces located to the front of the garage, for the three bedroom dwelling. However, the Highway Officer has recommended that a revised parking plan should be provided to show 2 on-plot parking spaces being provided, which can be secured by condition. The conversion of the garage would remove access through the rear of the property for bin and cycle storage. In order to alleviate, the applicant submitted revised drawings, that shows a storage area of bicycles and bins at the front of the garage and the Highways Officer has concluded that these revisions address concerns regarding cycle parking and bin storage. It is also recommended that a roller shutter door be installed to maximise the length of the driveway for parking. This will be secured by condition.

Subject to compliance with the foregoing condition, the proposal would not be considered to affect the existing parking provision provided and would be in

accordance with Saved Policy M9 of the BFBLP, the Parking Standards SPD and the NPPF.

12. CONCLUSIONS

It is considered that the development would not result in an adverse impact on the character and appearance of the host dwelling or local area or the amenities of the residents of the neighbouring properties, and adequate parking can be achieved. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, CS23, BFBLP 'Saved' Policies EN20 and M9 and the NPPF.

Therefore recommend approval.

RECOMMENDATION

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans:
BFC/VR-01 'Block Plan', received on 25 March 2015
BFC/VR-02R 'Proposed Ground Floor Plan', received on 02 May 2015
BRF/VR-03R 'Proposed Elevations', received on 02 May 2015
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. Prior to the occupation of the garage conversion hereby approved a roller shutter door shall be inserted to the front of the cycle / storage area. Any replacement or repair shall only be with a roller shutter type garage door
REASON: To ensure that the garages are still accessible while a car is parked to the front of the properties avoiding inappropriately parked cars comprising the communal reversing/turning area.
[Relevant Policy: BFBLP M9]
04. The development hereby approved shall not be occupied until details of the associated vehicle parking has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking.
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]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Time limit
 2. Approved plans
 4. Roller shutter garage door

Details are required to be submitted in relation to the following condition;

 3. Provision of Parking

03. Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, the granting of planning permission does not authorise you to carry out works on, over and under land not within the applicant's ownership.

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 10

Application No.
15/00312/FUL

Site Address:

Ward:
Harmans Water

Date Registered:
10 April 2015

Target Decision Date:
10 July 2015

Ramslade House Austin Way Bracknell Berkshire

Proposal:

Erection of 12no. three bedroom houses with associated parking (including 7no. visitor spaces to the south of nos. 11 and 12 Typhoon Close and 1no to south of 10 Tempest Mews), provision of a vehicle turning head on Tempest Mews, landscaping and laying out of commemorative garden, following demolition of Ramslade House.

Applicant:

Mr Alan Pitt

Agent:

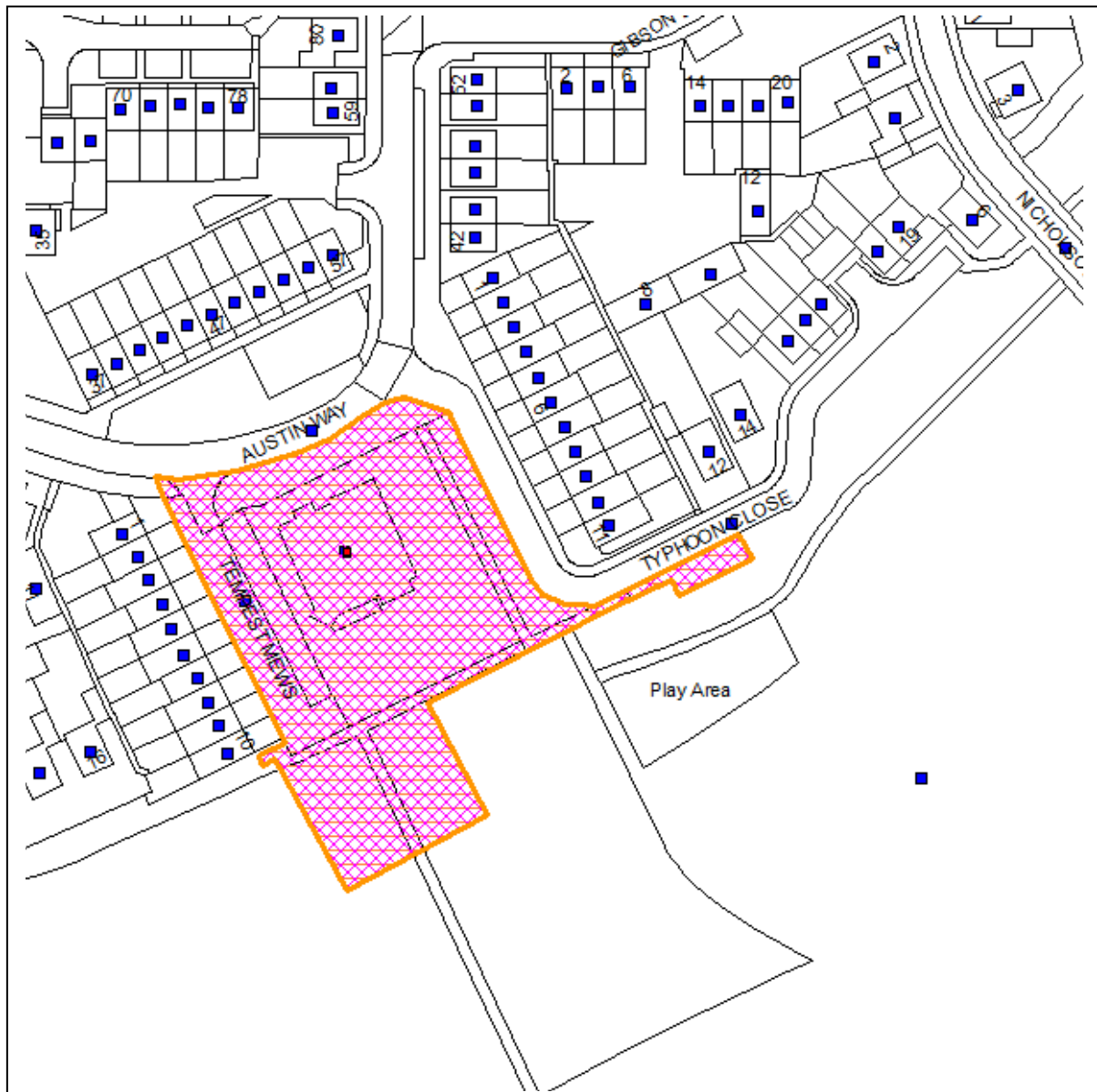
Miss Henny Collins

Case Officer:

Martin Bourne, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

2. SITE DESCRIPTION

The 0.3ha site lies within The Parks development. It comprises land currently occupied by Ramslade House and the road at Tempest Mews to the west, an area of open space to the south and a small area of land to the east adjoining Typhoon Close.

The part of the site occupied by Ramslade House is bounded to the north by Austin Way, a main route through the northern part of The Parks, to the west by town houses at Tempest Mews and to the east by Typhoon Close. These cul-de-sacs link to Austin Way. This part of the site is faced on three sides by three-storey town houses. Land to the east of this part of the site lies at a slightly lower level.

The part of the site which is open space is separated from the part of the site occupied by Ramslade House by a footpath which runs roughly east-west along the northern edge of a large area of open space. This part of the site is under grass and is bounded by lines of trees to the east and west. It is bisected by a hoggin path running broadly north-south across it.

The final part of the application site comprises a lay-by on the south side of Typhoon Close.

3. RELEVANT SITE HISTORY

The RAF Staff College site was vacated by the MoD in 2001. Outline planning permission for its redevelopment was granted in 2003 and it was subsequently sold to English Partnerships (now the Homes and Communities Agency - HCA) whose development partners, Taylor Wimpey, are building on the site.

Guidance on the development of the Staff College site is contained in The Staff College Planning and Design Brief which was approved in October 2002 following public consultation.

Outline planning permission for the redevelopment of the former Staff College site for 730 dwellings, open space and associated facilities was granted in December 2003 (reference 03/00567/OUT) following the completion of a legal agreement (Section 299A agreement). Amongst other things the agreement secured the provision of a 'community facility' and a sports pavilion.

The agreement contains a schedule setting out the facilities to be provided by the community facility and secures a sum of £345,000 (index linked) towards it from the developer. The agreement gives two options for the provision of this community facility: either

- 1) as part of Ramslade House, or
- 2) as a new build.

The agreement provided for a pavilion located adjacent to the sports pitches and secured a sum of £350,000 (index linked) towards it.

When the developer submitted the application for the approval of reserved matters for housing on the site (ref 06/00567/REM) it showed Ramslade House being converted, with an extension, to provide the community facility. The reserved matters application including these details was approved in September 2006.

Building on the Staff College site commenced in 2007. In 2008 an application was submitted to increase the number of dwellings to be built on the site from 730 to 1120. This application was refused and the subsequent appeal dismissed in 2009.

Following the dismissal of the appeal Taylor Wimpey costed the conversion of Ramslade House to provide the community facility. This exceeded £1m and the Council was not in a position to fund the difference between this amount and the £345,000 (indexed) secured by the legal agreement.

Accordingly providing the community facility and the pavilion together, in a new building located on the site of existing squash courts, was considered and by:-

- combining the sums of money secured by the legal agreement for the 'community facility' and the sports pavilion
 - making savings by providing only one recycling centre (rather than two) and demolishing rather than refurbishing the squash courts
 - drawing on s106 monies from recent developments in the vicinity of the site
- it was possible to fund a community building/pavilion meeting the specifications contained in the legal agreement.

This building was given planning permission in November 2011 (reference 11/00416/FUL) and has recently been completed.

Ramslade House itself has remained vacant since the MoD left the site.

A similar application to that the subject of this application - planning application 13/00878/FUL for the erection of 12no. three bedroom houses with associated parking (including 3no. visitor spaces to the south of nos. 11 and 12 Typhoon Close) and landscaping, and laying out of commemorative garden, following demolition of Ramslade House - was refused by Planning Committee at its meeting in March 2014. A subsequent appeal was dismissed on the ground that the proposed development was unacceptable on highway safety grounds given the absence of a turning head at the southern end of Tempest Mews.

4. THE PROPOSAL

The current planning application seeks to overcome the concern the Inspector had in dismissing the appeal against the refusal of the previous application by amending the proposal to include a turning head on Tempest Mews. The other main difference from the previous application is that additional visitor parking spaces are proposed to the south of Typhoon Close to make up for parking spaces lost on the east side of Tempest Mews with the formation of the turning head.

The current application then seeks full planning permission for the erection of 12no. three bedroom houses with associated parking (including 15no. visitor spaces of which 7 would be provided to the south of nos. 11 and 12 Typhoon Close) and landscaping, and the laying out of a commemorative garden, following demolition of Ramslade House.

The houses are proposed to be built on land currently occupied by Ramslade House and would be in the form of 4no. terraces each of 3no. houses. Six houses of three storeys would face north towards Austin Way and the other six (of two and a half storeys) would face south towards the main area of open space at The Parks. The houses would be about 10m tall. The terraces on the eastern side of the site would be at a slightly lower level than those on the west side reflecting the fall of the land down from west to east.

Each house would have 2no. allocated parking spaces in the rows of parking spaces generally as already laid out on the east and west sides of Ramslade House and served by Tempest Mews/Typhoon Close. Eight visitor spaces (including those which could be used by disabled people) are also shown in these areas together with a further 7no. visitor spaces in a lay-by to the south of Typhoon Close to the east of Ramslade House. These latter spaces are to be provided where a recycling centre was to have been built (this is now being provided in the car park to the east of the new community building).

A commemorative garden is proposed to the south on the edge of the main area of open space at The Parks. It is designed to celebrate the historical use of the site by the RAF. It will be laid out as a formal garden space designed to contrast with the more informal parkland character adjacent with flower borders enclosed by evergreen hedges. Pergola structures are proposed to provide height, shade and structure for climbing plants, with benches for seating. A plinth is proposed to be installed to take a central piece of artwork incorporating a memorial plaque or inscription which will inform current and future residents of the site's former use.

5. REPRESENTATIONS RECEIVED

The Bracknell Forest Society objects to loss of Ramslade House

Warfield Parish Council

does not support the loss of historic buildings which are being rapidly eroded from Bracknell's history.

Objections have been received from 25 individuals raising concerns which may be summarised as follows:-

Loss of Ramslade House

- there are few old or historic buildings remaining in Bracknell
- Ramslade House is a beautiful old building, with original architecture and features and links to the RAF - the applicant has neglected it: money should have been spent on it instead of public art.
- it should be put to a community or education use
- Ramslade House is a focus for views on the site - only old building in a sea of new

Highways and parking

- the planned parking bays are on land already used by residents and visitors - their use will lead to increased parking on the narrow roads/on bends/on footways which is a safety concern and already an issue
- insufficient parking spaces for residents of new properties
- existing garages in Tempest Mews and Typhoon Close are too small
- loss of proposed disabled spaces

- there are better and fairer parking solutions
- the 7 parking spaces adjacent to no 11/12 Typhoon Close will be used by people visiting the park rather than residents and their visitors
- Tempest Mews is a private road which residents maintain - if residents withdraw consent for access to this road all traffic and parking will focus on Typhoon Close
- children play in Tempest Mews in summer months - their safety will be affected
- no need for the proposed bin store in Tempest Mews - it will increase traffic on a private road: who will pay for damage to the road?
- Tempest Mews cannot accommodate 2 passing vehicles without crossing the frontage owned by residents
- Increased traffic in the estate and local roads to detriment of road safety

Residential amenity/impact on character

- 12 properties is excessive - they should have integral garages and driveways as per Tempest Mews
- concerns about health and safety due to proximity of properties, highway and pedestrians
- loss of sunlight from tall houses
- density and overdevelopment - adverse effect on character of neighbourhood and residential amenity of neighbours
- total footprint substantially greater than current and out of character - will block off views of green space
- disturbance from more cars - more noise, dust and fumes
- proposal would represent overdevelopment
- loss of green space to area

Nearby play area and community centre

- increased traffic and parking will adversely affect safety of children using nearby playground
- the Community Centre is being built nearby, this will also increase the traffic loads and parking in the area
- The number of houses will now exceed the original promised number of 730 - extra housing already being built next to the railway.
- The new community centre has reduced the amount of green space from that originally agreed. Converting Ramslade House site to green space/wooded area/allotments would offset some of this

Other points

- The commemorative garden takes away even more open park space
- impact of the proposal on the biodiversity, including bats, on the site
- no real difference from scheme dismissed at appeal.

6. SUMMARY OF CONSULTATION RESPONSES

Bracknell Town Council

Recommend Refusal

When purchasing their properties on The Parks Estate potential buyers were told that Ramslade House would be preserved as a Community Facility.

If this is now to be changed all residents of the estate and residents of Broad Lane should be fully consulted about the proposals to change the original planning design. This proposal will not only change the original design but also exceed the number of houses approved for this site. This would be an overdevelopment of the site and cause traffic and parking congestion.

The loss of parking spaces (including the loss of disabled spaces) will have a detrimental impact on the surrounding roads and the safety of users of the adjacent play area.

Highway Officer

No objection subject to conditions and a Section 106 agreement to secure modifications to the Section 38 agreement.

Parks and Countryside Development Officer

Satisfied with the landscape proposals on the public facing side.

The commemorative garden projects into the public open space and will require a much higher level of horticultural maintenance. This is an interesting feature which should be a very positive addition to the open space, providing colour, structure and a reference to the historic significance of the site to the RAF.

The loss of public parking spaces near the open space is a disadvantage of the scheme, but set against this the new car park serving the community centre and sports pavilion will be available, and 7 additional spaces are to be provided in the layby originally designed to serve the recycling centre - since relocated to the community centre car park - so overall the effect on users of the open space should be minimal.

Environmental Health Officer

Recommends imposition of conditions to control the environmental effects of the demolition and construction work.

Lead Local Flood Authority

As long as the drainage for the proposed development is constructed to an adequate standard I would not have any concerns that this proposed development would not be adequately drained.

Biodiversity Officer

Requires a further bat survey to provide up to date information. [see Section 12 below]

Housing Enabling Officer

The affordable housing provision is consistent with the previous proposal and is therefore supported. Other issues highlighted above should also be properly addressed to successfully deliver the affordable housing.

7. DEVELOPMENT PLAN

The Development Plan includes the following:-

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

8. PRINCIPLE OF DEVELOPMENT

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

The site lies within a settlement. The part proposed to be built on does not encroach on the open space of public value to be provided pursuant to the outline planning permission and reserved matters approval covering The Parks development.

The principle of the proposed development is therefore considered to be acceptable. The remainder of the report considers whether there are any material considerations which are an obstacle to the grant of planning permission.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

The demolition of Ramslade House

A Building Assessment accompanying the application states that research and an examination of the existing structure indicates that Ramslade House as it stands today is part of a substantial late-Victorian dwelling with three floors and a basement, probably built in about 1895 and incorporating the shell of a modest, suburban-style villa, probably erected in about 1840.

From at least 1881 until 1931 the property on the site was occupied by high-ranking army officers and their households. During the Second World War it was the headquarters building of the Second Tactical Air Force and in 1945 it was adapted and extended as the Royal Air Force Staff College, serving as the officers' mess. The college was disbanded in 1997 and since that time most of the college buildings have been demolished, along with parts of the late nineteenth century house.

The building is not listed and is not considered to be of such special architectural or historical interest as to justify listing. The Building Assessment considers that the surviving structure is not of special architectural or historical merit, particularly since it is only part of the original late 19th century house and because it was altered extensively in the second half of the twentieth century. It was not innovative in its design or use of materials, and it is not a good example of a type. The Buildings of England: Berkshire (Pevsner et al) rather unkindly describes it as 'a clumsy agglomeration, to the eye mostly Victorian stucco'.

Notwithstanding this Ramslade House is considered to be of local interest. The new housing at The Parks has been designed around it and it is a focal point for views from the Broad Lane entrance to The Parks from the north, along Austin Way and from the large area of open space to the south.

Historically, aside from the modern air cadets building, it is the last surviving building left from the use of the site as the RAF Staff College and given Bracknell's history as a new town there are relatively few buildings of this age in the area.

The building has not been occupied for over 15 years. Whilst it has been fenced off with a combination of hoardings and safety fencing it has suffered from vandalism and theft. Lead flashings, lead cladding and lead valley and parapet gutters at roof level have been stolen in recent years and as a consequence the inside of the building is extremely wet and dry rot has become established in various locations, in particular in the timber floor and timber panelling in the main hallway at ground level. Overall the building is in a very poor condition.

Guidance on the development of the Staff College site is contained in The Staff College Planning and Design Brief (2002). Para 4.8, 'Building Retention', anticipates that Ramslade House will be retained, and lists possible advantages. Para 5.15 states, however, that: 'Ramslade House is proposed for retention, but consideration could be given to its demolition if it could be shown that it would assist the development of the site'.

Given its age, its links with the former uses of the site and its physical presence on the site the demolition of Ramslade House would be unfortunate. As it is not listed, however, the applicant could, under the GDPO, apply for a determination as to whether prior approval is required for its demolition and the only considerations would be those relating to the method of demolition/restoration.

As outlined in the site history section above, Ramslade House is not required to be retained to provide community facilities in association with housing being built at The Parks as these are now provided in a new building. The costs which made the conversion of Ramslade House for community uses prohibitively expensive are also understood to make its conversion to other uses, such as flats, uneconomic.

In the light of the above it is concluded that the loss of Ramslade House, unfortunate though it would be, is not in itself a reason to refuse this planning application. This view was concurred with by the appeal Inspector:-

"The proposed development involves the demolition of Ramslade House. It is not part of the Council's case that this house should be retained. However, some locally consider that it merits retention on account of it being one of the few old historic buildings in Bracknell and its architecture and links to the RAF. However, the building is not listed and the appellant has produced a detailed heritage statement on the building. The conclusions are that the building has no special architectural or historic merit and, other than a relatively recent use by the RAF, no special historical connection with persons or events. There is nothing in the building to indicate this former connection and its original setting has now been lost to redevelopment. It has little significance, therefore, as a non-designated heritage asset. There is no suggestion that the building merits retention and there is no equally comprehensive analysis of the proposal from objectors. In light of the above I consider the Council to have been correct in not refusing permission on the grounds of the loss of the building."

Proposed houses

It is important, however, that if the site is redeveloped any new buildings are acceptable in terms of their impact on the character and appearance of the area. In this regard 'saved' BFBLP Policy EN20 and CSDPD Policies CS1 and CS7 (which are

considered to have significant weight in relation to para. 215 of the NPPF, as they are consistent with Chapter 7 of the NPPF) are relevant.

As noted above new housing in the vicinity of Ramslade House was designed taking account of that building and the site is visually prominent with views from the north, west and south. It is important, therefore that if Ramslade House is demolished, what replaces it responds to this setting.

In terms of siting it is considered that the proposed houses respond appropriately. They front both on to Austin Way to the north and to the area of open space to the south providing active elevations and forming an attractive conclusion to the views referred to above.

The bulk, height and massing of the houses is considered appropriate to in the context of the three-storey town houses which face towards the site from three sides.

Architecturally there are differences between the design of the terraces on the north and south of the site. The terraces fronting Austin Way take cues from the design of Ramslade House. The Design and Access Statement notes that the parapet finish to the three-storey frontage is circa 8.3m high, and this along with the white rendered walls with large formatted openings are all features that draw on the inspiration of Ramslade House and its generous proportions. It continues: "The vertically-arranged glazing and panels of contrasting material arranged to emphasise the height all help to increase the stature of the buildings and mark their important location in the overall development of The Parks. Similarly, a reduced pallet of materials is in keeping with the 'classic' character of the existing Victorian building. Although the surrounding houses are all brick finished, the white painted facades here help to mark the continuity of this site being a focal point between the two terraces on Tempest Mews and Typhoon Close".

The terraces on the south of the site, overlooking the open space are of a different, more contemporary, design. The Design and Access Statement notes that in contrast to the more 'urban' character of the north elevation, "the south elevation overlooks the park and has been appropriately reduced in scale, whilst still retaining a formal character as an important frontage to the public open space by adopting a similar treatment of vertical glazing and a flanking parapet detail on the gable ends. The reduced pallet of materials is carried through from the front with a white painted finish as a reference to the character of the old Ramslade House".

Overall the siting, bulk, height and massing, architectural design and materials proposed are considered to be acceptable.

In this regard the appeal Inspector commented as follows:-

"The Council has no objection to the height of the proposed houses. Correctly so in my view given that they reflect the height of Ramslade House and the surrounding houses. Nor has the Council any objection to the detailed design of the proposed houses. Again correctly so because, with their white render finish, vertical emphasis to the fenestration and parapet detailing, they would reflect the character and appearance of the existing house on site. As such the new development would stand out in a way that would provide an attractive focal point between the 2 adjoining terraces and be a reminder of past development."

He concluded on this point that "the proposed development would not detract from the character and appearance of the surrounding area. There would be compliance

with Policy CS7 of the Council's Core Strategy (2008) and Policy EN20 of the Bracknell Forest Borough Local Plan which require high quality design respecting local patterns of development and that development be appropriate in scale, mass, design and materials."

Proposed commemorative garden

The principle of the proposed commemorative garden is considered to be acceptable. It is situated on an existing area of open space and it is considered that the formal planting proposed will complement the less formal 'passive open space' and the pitches contained in the main area of open space at The Parks.

The proposed garden is off-set from the axis of the proposed houses and does not respond to the symmetry of the built-form proposed. This is unfortunate - it is dictated by the desire to retain existing trees - but is not an over-riding concern.

The Inspector's view was that "any disadvantage...in terms of symmetry is outweighed by the fact that this allows for the garden to be centred between 2 existing groups of trees. This would be pleasing visually and enable the retention of trees."

Overall the details of the commemorative garden are considered to be acceptable subject to the proposed artwork forming a centre piece to the garden, and a contribution to the long-term maintenance of the garden, being secured through a s106 agreement.

10. RESIDENTIAL AMENITY

BFBLP Policy EN20 seeks to protect the amenity of surrounding properties. The Policy requires the Council to have regard to ensuring new development does not adversely affect the amenity of surrounding properties and adjoining area. This is consistent with the NPPF.

In considering the impact of the proposed development on the living conditions of local residents the 'fallback position' is the use of Ramslade House as a community building as approved under reserved matters approval 06/00573/REM. This approval also provided for a part two, part-three storey extension on the eastern side of Ramslade House accommodating a stairwell and WCs and alterations to the fenestration of the building. Parking down either side of the building, to serve the proposed community use, which has been laid out was also approved at this stage.

The minimum distance between the side of the proposed houses and the front of the nearest houses at Tempest Mews and Typhoon Close is just over 20m. The proposed houses have side-facing windows above ground floor level serving habitable rooms and stairwells, together with balconies. Given the separation and the fact that the relationship is with the front of the nearby houses (which are less private than rear-facing windows) this relationship is considered to be acceptable.

In his decision letter the appeal Inspector stated: "The orientation of the proposed houses, and their distance from neighbouring properties, would prevent any unacceptable loss of privacy and light. The outlook from some properties would change but, being onto an attractive scheme, would remain acceptable."

The use by new residents of the parking areas will affect existing residents of Tempest Mews and Typhoon Close but it is not considered that the impact would be materially different from that associated with the current approved use as parking for a community

facility. Equally the impact of the 7no. visitor spaces to the south of nos. 11 and 12 Typhoon Close is unlikely to cause more disturbance to the occupiers of nearby houses than the underground recycling facility originally approved in this location.

The appeal Inspector in relation to the previous scheme stated on this matter: "Development of this relatively small scale would result in a negligible percentage increase in traffic. This being so I consider that no unacceptable harm would arise on highway safety/congestion grounds...and there is no substantial evidence to the contrary."

The current application introduces a turning facility opposite Nos. 5 and 6 Tempest Mews but it is not considered that its use is likely to result in an unacceptably harmful impact on the living conditions of the occupants of those properties.

Given the design of the proposed houses and the minimum separation of over 25m between rear-facing windows above ground floor level it is not considered that the backs of the proposed houses, or their back garden areas, would be unacceptably overlooked.

11. TRANSPORT IMPLICATIONS

Bracknell Forest Borough Local Plan Policy M9 and Core Strategy Policies CS23 and CS24 seek to promote or retain safe highway access and suitable off road parking provisions, thus avoiding highway safety implications. This is consistent with the objectives of the NPPF.

Background

This application is similar in nature to 13/00878/FUL which was dismissed at appeal on the grounds of highway safety due to the lack of a turning head on Tempest Mews. This application seeks to address this matter. As the majority of the application is similar to the earlier submission many of the comments will also be similar.

Access:

The site is bounded by Austen Way, Typhoon Close and Tempest Mews. Austin Way and Typhoon Close are not yet formally adopted but are included within a legal agreement under Section 38 of the Highway Act 1980, which when concluded will secure their adoption as public highways. The area to the front of Ramslade House on Austin Way forms part of a shared footway/cycleway and this facility must be maintained to serve the wider accessibility needs of the development. Measures will be required to prevent vehicles from parking on it and these will need to be agreed with the Highway Authority. Tempest Mews should be brought up to an adoptable standard, as would the current recreational footpath between Ramslade House and the ornamental garden.

The applicant has indicated a turning head in the centre of Tempest Mews. The Highway Officer is satisfied that a refuse vehicle will be able to turn within the space provided. The provision of this facility should be secured by condition.

Drawings have been amended in the course of the consideration of the application to address concerns that the footway that runs behind the turning head could be blocked when bins are placed there on collection day - the bin collection point now lies further into the site away from the footway.

It is also noted that the current hoggin path that runs adjacent to the open space would be altered to a more formal paved surface, this would be sought to provide a safe and adopted path to the units fronting the open space.

The adoption of Tempest Mews, including the turning head, will be sought. In any event the Highway Officer requires the adoption of the footway on the east side of Tempest Mews linking from Austin Way to the path running along the northern edge of the open space to the south. This could be dealt with by way of an addendum to the existing highway agreement (S38), secured through a Section 106 agreement.

Parking

The Parking Standards (July 2007) Supplementary Planning Document sets a requirement for two car parking spaces for 3 bedroom dwellings together with the provision of 1 visitor space per 5 new dwellings. The scheme submitted provides a total of 32 parking spaces with 24 car parking spaces being allocated for the 12 no. new dwellings, the rest would be for visitors to existing or new residents. In addition a further 7 visitor spaces are proposed adjacent to the play area on an area formerly proposed for recycling facilities which have now been relocated elsewhere within the development.

There are varying levels of parking provided across The Parks development. The level of parking approved as part of the original, wider scheme is somewhat lower than the current standards and it is acknowledged that this has created some parking pressures within parts of the wider development. However this submission proposes sufficient parking for the scale of development and meets current residential parking standards and exceeds the current requirements with respect to visitor parking which will help to mitigate any localised pressures.

In relation to the appeal against the refusal of the previous application the appellants noted that if Ramslade House had been used for community uses parking along the two sides of the site would have been utilised for that purpose and would have had its own impacts and demands for the parking. It was pointed out that the parking areas to either side of the site being used by existing residents are still in the appellant's ownership and could be removed or their use restricted at any time. It concluded that while residents are utilising these areas they do not have any rights to these parking areas and all of the houses along Tempest Mews and Typhoon Close facing the development site have a garage and driveway parking.

The appeal Inspector referred to this matter in his decision letter but did not conclude that parking concerns were a reason to dismiss the appeal.

Concerns have been raised about the possible road safety implications of the additional visitor parking close to the children's play area. There are 3 lay-by spaces currently in this location. These spaces have to be accessed by a vehicle parallel parking which means that any vehicles that enter the road are likely to pull over onto the other side of the road and have to reverse into the space which could lead to conflict with other road users. Vehicles do have the option of turning around in the turning head at the end of Typhoon Close and then returning to the bays on the correct side of the road but a reversing manoeuvre into the bay is still required which could heighten the chance of conflict near to the bend.

Whilst the proposal is for more parking spaces which would increase activity, the parking manoeuvre to access the proposed spaces is simpler and less likely to lead to vehicles trying to access a bay by reversing into it.

The increased level of provision will help reduce demand for on-street parking from residents and other users of the open space. The parking area is still located well away from the crossing point on the road and thus the route for pedestrians using the play area will not be adversely affected. Footways are to be provided in the area, some of which will be enhanced by the proposal, and thus the need for pedestrians to walk in the road has been removed in this part of the site.

It is important to note that no details have been submitted regarding the management and maintenance of the parking spaces. It is assumed that the residential spaces would be included in the freehold of the dwellings. The delivery of the 15 visitor spaces is crucial to the scheme and the Highway Authority therefore recommends that the parking layout is secured and retained by condition.

In respect of bicycle parking, the proposals include garden sheds and rear access gates to all the gardens for the secure storage of bicycles in line with the requirements of the Parking Standards (July 2007) SPD.

Vehicle Movements:

The provision of 12 3-bedroom town houses has the potential to generate an additional 84 (12 x 7) movements per day. This would add in the region of 9 trips to both the a.m. and p.m. periods. This represents an increase of 1.6% on the peak hour trip generations agreed as part of the Transport Assessment when the original development received approval. An application of this scale falls outside the threshold requiring the submission of a Transport Assessment. The provision of additional residential development will add to the cumulative pressures on the highway network. Mitigation for these impacts could be provided by the use of CIL receipts (see Section 14 below).

Overall, no objection is raised on highway grounds subject to conditions and obligations to address the matters raised above.

12. BIODIVERSITY

The submitted bat reports (Internal Bat Inspection Report; The Parks Bat report) both detail evidence of use by bats of Ramslade House as a roost. However, both these reports are now considered out of date. Surveys for The Internal Bat Inspection Report were carried out in February 2008 and the surveys for The Parks Bat Report were carried out in summer 2011. In accordance with BS 42020:2013 Biodiversity - Code of practice for planning and development, surveys are considered out of date if they are more than two/three years old. Therefore, up to date surveys to determine the status of bats in Ramslade House are required.

It is considered that the cumulative risk of impacting on protected species from these points signifies that an ecological survey is required to be conducted by a qualified ecologist. Therefore, an ecological survey including consideration of other species potential is required to comply with policies CS1 and CS7 to protect and enhance biodiversity.

It will be noted that further survey work is being carried out at the end of June and an update will be provided in the supplementary report.

13. SUSTAINABILITY STATEMENT AND ENERGY DEMAND ASSESSMENT

The NPPF outlines how the impacts of climate change and the delivery of renewable and low carbon energy and associated infrastructure is central to the economic, social and environmental dimensions of sustainable development. Para 96 of the Framework states that in determining planning applications, Local Planning Authorities should expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards. A condition is recommended to be imposed to ensure that this is implemented.

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.

The applicant has provided an Energy Statement demonstrating that through passive design the overall reduction in Carbon emissions would be reduced by 6% over that of Part L 2010 and on top of this 20% of the development's energy demand would be provided as a result of implementing Solar PV.

As the applicant has used Part L 2010 as the baseline, the overall Carbon emission reduction will be greater than the current policy requirement which asks for it to be assessed against Part L 2006. Therefore the applicant's approach is in accordance with Policy CS12. A condition is recommended to be imposed to secure compliance with the submitted statement.

14. PLANNING OBLIGATIONS AND CIL

The application should comply with guidance in:-

- o Planning Obligations SPD, this came into effect (with CIL) on 6 April.
- o TBHSPA Avoidance and Mitigation SPD.

This Application is for CIL chargeable development. It lies within the Outer Bracknell CIL Charging Zone. CIL payments may be used to mitigate the impact on the following which would previously have been addressed by contributions secured by a s106 agreement:-

- the wider transportation network
- open space and outdoor recreational facilities
- built sports facilities serving the development
- local education facilities
- local library facilities
- local community facilities
- local youth facilities
- part of the measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA)

Matters to be secured by S106 Agreement now comprise:-

- provision of an artwork in the commemorative garden
- a financial contribution to cover that long-term maintenance of the commemorative garden (to reflect the higher level of horticultural maintenance required compared with the informal open space it will replace)
- the applicant entering into an appropriate S38/S278 agreement to provide adopted routes to serve the development
- the main measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA) (see Section 15 below)
- The provision of affordable housing

Affordable Housing

Policies CS16 and CS17 of the CSDPD (in relation to housing needs and affordable housing) can be afforded full weight (in relation to para. 215 of the NPPF) as they are consistent with para. 50 of the NPPF which relates to delivering a wider choice of homes, a mix of housing and affordable housing. The Council's affordable housing policy currently applies to proposals involving 15 net dwellings or more.

Although the development on its own falls below the threshold (15 dwellings) it is felt appropriate to consider it as an element of a larger development. Subject to viability, 25% of the units proposed (3no. houses) should be affordable.

The Council's Housing Enabling Officer comments as follows:-

"The application form for the new proposal refers to 3x 3-bed dwellings for intermediate housing. The layout plan shows the 3 houses in the north east corner as "HA" which is consistent with the previous proposal. A CIL Form 2 has been submitted which seeks CIL relief for the 3 affordable houses at plots 4, 5 and 6.

Number and Tenure - 25% of total of 12 = 3 affordable dwellings. The affordable housing should be delivered in line with the delivery model set out in the HCA Affordable Homes Programme Framework 2011-2015 with no reliance on Social Housing Grant for this Section 106 site.

Location - The affordable homes should be properly integrated into the development with no difference in external appearance compared to market housing. The applicant is proposing the 3 affordable houses in the north-eastern block which is acceptable.

Type and Size - The affordable housing should generally reflect the type and size of market housing. All 12 houses are 3-bed.

Standards of Construction

There should be sustainable standards of construction in accordance with the HCA's Design and Quality Standards and including the following criteria:

- o Internal environment - minimum Housing Quality Indicator (HQI) scores for unit size, layout and noise
- o External environment - at least 12 out of 20 of the Building for Life criteria

Registered Provider

A Registered Provider which is active in Bracknell Forest will need to pay a price to the developer at a level which ensures the proposal will deliver the affordable housing as stated above."

The affordable units should be secured by planning obligations entered into by S106 Agreement.

15. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

Relevant policy and guidance includes SEP Policy NRM6, CSDPD Policy CS14 and the Thames Basin Heaths Avoidance and Mitigation Supplementary Planning Document. These policies seek to ensure that the development will not adversely affect the integrity of the Thames Basin Heaths SPA.

Outline planning permission 03/00567/OUT provided for the development of 605 dwellings (net) (730 dwellings gross) on the Staff College site. The passive open space provision for this permission and the subsequent reserved matters approval has been reviewed and it has been agreed with Natural England that the provision is acceptable as (suitable alternative natural green space (SANG) which can mitigate the impact of the development on the SPA

It has been established that the surplus SANG/passive OSPV at The Parks can accommodate the 12 dwellings associated with this application as well as the net increase of 7 dwellings associated with the appeal allowed on the pumping station site elsewhere on The Parks. Therefore, this application does not require any SANGs or Passive OSPV to satisfy the Council's policy and guidance requirements in order to comply with the Habitats Regulations.

In line with South East Plan Policy NRM6, the Council has reviewed its SPA avoidance and mitigation strategy in the form of the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPASPD) (March 2012). This includes a requirement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis. A contribution towards SAMM should be secured in association with this application.

The Council is satisfied, following consultation with Natural England, that the above measures will prevent an adverse affect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2012) permission may be granted.

16. CONCLUSIONS

SALP Policy CP1 and paragraph 14 of the NPPF set out the Government's presumption in favour of sustainable development. This requires that development proposals should be approved that accord with the development plan or where the Development Plan is absent, silent or relevant policies are out of date unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or where specific policies indicate development should be restricted.

This report has concluded that the relevant development plan policies relating to the principle of development are up to date and consistent with the NPPF and as such should carry substantial weight.

The proposed development, which lies within a settlement, is considered to be acceptable in principle. It will involve the demolition of Ramslade House, a building dating from the 19th century which has links with the former use of the wider site as the RAF Staff College. This building is not listed and is not considered worthy of listing, is not required to be retained under the outline permission and accompanying s299A agreement for the development on The Parks and is in such a poor condition that its conversion into flats or other uses is unlikely to be economically viable. Accordingly, unfortunate though this may be, it is considered that its redevelopment for a well-designed residential scheme would be acceptable.

The appeal Inspector dealing with the previous, very similar, proposal on this site concluded as follows:-

"Drawing together my views the proposed development is entirely satisfactory in terms of its effect on the character and appearance of the area and would be beneficial in increasing the supply of housing. In addition whilst I note the range of other local concerns against the proposal under the heading "Other matters" above, they are not matters to stand against the proposal. However, I attach considerable weight to the highway safety issue. In my view the harm in this regard outweighs my finding on the main issue, and benefits of the proposed scheme such as the provision of additional housing, and is decisive in this case."

The current application addresses this matter, to the satisfaction of the Highway Authority, by the addition of a turning facility in Tempest Mews and related adjustments to visitor parking. The application is therefore recommended for conditional approval subject to the prior completion of a legal agreement to mitigate its impact on the SPA and to secure affordable housing, a contribution to the long-term maintenance of the commemorative garden, and provision of an artwork there, and an amendment to the s38 agreement.

RECOMMENDATION

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

01. - provision of an artwork in the commemorative garden
- a financial contribution to cover that long-term maintenance of the commemorative garden (to reflect the higher level of horticultural maintenance required compared with the informal open space it will replace)
- the applicant entering into an appropriate S38/S278 agreement to provide adopted routes to serve the development
- the main measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA)
- The provision of affordable housing

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans:-
AA3120/2.1/001H: Site Layout
AA3120/2.1/002B: Roof Plan
AA3120/2.1/003: Elevations & Views
AA3120/2.1/004: Site Location Plan
AA3120/2.1/008A: House Type 3BA & 3BAv1
AA3120/2.1/009A: House Type 3BB & 3BBv1
AA3120/2.1/011: Street Elevations
AA3120/2.1/012: Street Elevations
CSA/2262/100E: External Works Plan
CSA/2262/101E: Planting Plan
CSA/2262/102A: Detailed Landscape Plan
Surface Water Drainage Strategy ref: ST290572/DB/DW/221
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The development hereby permitted shall not be begun until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. None of the dwellings hereby permitted shall be occupied until the turning head on Tempest Mews has (a) been constructed in accordance with the approved plans and (b) is available for use. It shall thereafter be retained and kept available for turning.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

05. None of the dwellings hereby permitted shall be occupied until a means of access to it for pedestrians and/or cyclists has been constructed in accordance with the approved plans.
REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]
06. None of the dwellings hereby permitted shall be occupied until the associated vehicle parking spaces serving the development, including visitor parking, have been provided in accordance with the approved drawings. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
07. There shall be no restrictions on the use of the car parking spaces shown on the approved plan as visitor parking for visitors to the dwellings hereby permitted.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street parking which would be a danger to other road users.
[Relevant Policy: BFBLP M9]
08. The dwellings hereby permitted shall not be occupied until cycle parking facilities have been provided in accordance with the approved plans. The cycle parking spaces and facilities shall thereafter be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
09. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting serving the parking areas, including lighting units and levels of illumination. The approved scheme shall be implemented before the first use of that area and the lighting retained in accordance therewith.
REASON: In the interests of the amenity of the neighbouring properties and biodiversity.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]
10. 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, unless the Local Planning Authority gives written consent to any variation.

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

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

11. No dwelling shall be occupied until all works that form part of the approved surface water drainage strategy have been carried out.
REASON: To ensure the provision of surface water drainage.
12. 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 CS10]
13. The development hereby permitted shall be implemented in accordance with the Energy Statement prepared by FES (dated September 2013) and thereafter the buildings constructed by the carrying out of the development shall be operated in accordance with the submitted Energy Statement.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS12]
14. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - (i) control of noise
 - (ii) control of dust, smell and other effluvia
 - (iii) site security arrangements including hoardings
 - (iv) proposed method of piling for foundations
 - (v) construction and demolition working hours
 - (vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the siteThe development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the area.
15. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
 - (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operativesand each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above without the prior written permission of the Local Planning Authority.
REASON: In the interests of amenity and road safety.

16. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, Core Strategy DPD CS7]
17. The development hereby permitted (including site clearance and demolition) shall not be begun until:-
(i) all the buildings/structures on the site and any trees to be felled 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 the relocation of any bats has been achieved in accordance with mitigation and monitoring proposals previously submitted in writing to and approved by the Local Planning Authority.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: Core Strategy DPD CS1]
18. The development hereby permitted shall not be begun until a scheme for on-site provisions to encourage wildlife has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include planting of value to wildlife and the installation of bat boxes and a timetable for implementation. The approved scheme shall be observed, performed and complied with.
REASON: In the interests of nature conservation.
[Relevant Plans and Policies: Core Strategy DPD CS1]

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.

In the event of the S106 planning obligation(s) not being completed by 28 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).
02. The occupants of the proposed development would unacceptably increase pressure on the transportation network and upon local open spaces. In the absence of provision being made, in terms that are satisfactory to the Local Planning Authority to secure suitable adopted routes to serve the development and the long-term maintenance of the commemorative garden, the proposal is contrary to Policies R4 and M4 of the Bracknell Forest Borough Local Plan, Policies CS6, CS8 and CS24 of the Core Strategy Development Plan Document and to the Planning Obligations Supplementary Planning Document (2015).

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.
15/00331/FUL
Site Address:

Ward:
Crowthorne

Date Registered:
22 April 2015

Target Decision Date:
17 June 2015

**White Cottage Devils Highway Crowthorne Berkshire
RG45 6SR**

Proposal: **Erection of a new 4 bedroom dwelling house following the demolition of the existing bungalow (part retrospective as bungalow has already been demolished)**

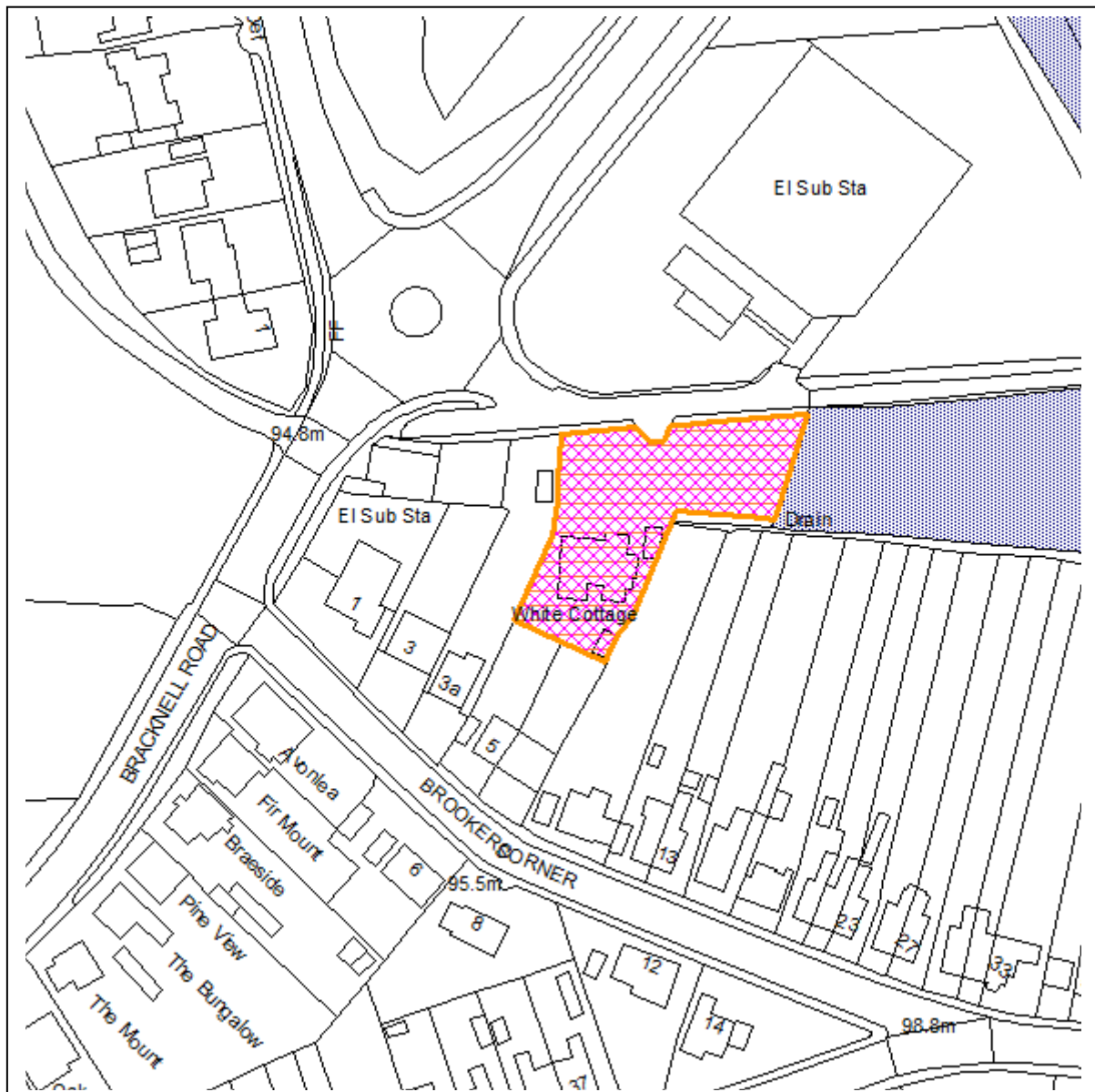
Applicant: Mr Nikki Bull

Agent: (There is no agent for this application)

Case Officer: Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

The application has been reported to the Planning Committee at the request of Councillor Wade and Councillor Finnie over potential overbearing impact of the replacement dwelling to neighbouring properties.

2. SITE DESCRIPTION

The application site lies to the south of the Devils Highway, an unmade track which was known as the Roman Highway. The track leads to Crowthorne Woods, a well used public recreational site for dog walkers and cyclists.

The former dwelling on site comprised a bungalow finished in white render with slate roof. The main garden for the dwelling faced onto the highway, sited forward of the front wall of the dwelling. The dwelling sits on a plot some 0.12 hectares. There is an electrical sub station to the north/north-east of the site. The rear boundary of the application site abuts the rear gardens of dwellings at Brookers Corner.

The former bungalow has been demolished and the replacement dwelling is up to roof height on site.

3. RELEVANT SITE HISTORY

7689 approved for garage (1962).

9519 approved for extension to White Cottage (1964).

14/01281/FUL for erection of a replacement dwelling with associated detached garage to replace the existing bungalow, garage and outbuilding refused February 2015 for the following reason:

"The proposed development would be located in the Countryside where no existing dwelling exists and as such, the proposal is not acceptable in principle, resulting in an inappropriate form of development. Further by reason of the layout, siting, design and height, the proposal would represent a more prominent form of development, resulting in an urbanising impact to the land, harmful to the rural character and visual amenities of the area. The proposal would therefore be contrary to Policies EN8, EN20 and H5 of the Bracknell Forest Borough Local Plan and Policies CS7 and CS9 of the Core Strategy Development Plan Document".

The current application differs to the above application which was refused in that the replacement dwelling was located in a different location and outside of the defined settlement boundary. The current application is for a replacement dwelling on a similar footprint to that of the former bungalow and located within the defined settlement boundary.

4. THE PROPOSAL

Full permission is sought for the erection of a replacement dwelling following demolition of the existing bungalow.

The applicant's originally intention was to extend the existing dwelling on site however during the course of these works, the external walls of the building collapsed and it was

decided to demolish the whole building and rebuild the dwelling on a similar footprint to that of the existing. The replacement dwelling is located within the part of the site that is within the defined settlement boundary.

It is noted that the demolition works have been completed and at the time of the site visit, works were progressing on the replacement dwelling with the breezeblock external walls in situ. A mobile home is sited in the front garden close to the Devils Highway where the applicant and his family are residing whilst the building works take place. For information, the applicant is aware that he is continuing works without the benefit of planning permission for the replacement dwelling and these works are being undertaken at his own risk and expense pending the outcome of the application. No immediate harm is resulting from the works progressing on site such as a highway safety danger and therefore it would not be expedient to pursue enforcement action.

The replacement dwelling would be 14.5m wide and 16m deep at its widest and deepest parts. It would have an eaves height of 2.5m (+0.2 to 0.5m increase over former dwelling) and ridge height of 8m (+3.7m increase over former dwelling). The front elevation of the dwelling would comprise a projecting two storey high gable with full height glazing located in a central position on the building. 2no. dormer windows are proposed either side of the gable on the front elevation. To the rear would be a flat roofed rear element with roof lanterns. 4no velux windows are proposed in the roof slope of the dwelling to the rear.

The replacement dwelling would comprise the following layout:
GROUND FLOOR: hall, WC, playroom, study, kitchen/dining/family room, lounge, utility room, 2no. bedrooms with shared en-suite bathroom
FIRST FLOOR: 2no. bedrooms, both with dressing rooms and en-suite bathrooms

The existing vehicular and pedestrian access from the Devils Highway would be retained and utilised for the replacement dwelling and the existing single garage on site would be retained. The main garden area for the replacement dwelling would be to the front of the dwelling facing onto the Devils Highway.

5. REPRESENTATIONS RECEIVED

Crowthorne Parish Council:
recommend approval.

Other letters of representation

1no. letter of objection received which raise the following:

- New dwelling imposing and eyesore
- Out of character with surrounding area and other properties
- New build has destroyed views of woodland from garden of 3 Brookers Corner
- Overlooking
- Overbearing due to size compared to that of former bungalow
- Noise due to construction work including early mornings and weekends
- Is an investment and property will be sold on after built
- Build not approved by LPA but has not delayed construction

Officer comment: these matters are discussed in this report.

2no. letters of support received, which are summarised as follows:

- New build more environmentally friendly as better insulated

- Careful consideration given to design to ensure no overlooking to surrounding properties
- Property will enhance area when finished
- Will be an attractive, well built dwelling

6. SUMMARY OF CONSULTATION RESPONSES

Highways Officer:

no objection subject to conditions.

Biodiversity Officer:

no objection subject to conditions.

Tree Officer:

no objection subject to conditions.

Archaeology:

no objection.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

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

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

CSDPD Policy CS2 sets out the sequence in which the Council will allocate land for development and states that development will be permitted within defined settlements and on allocated sites.

The application site is sub-divided into two land designations: the part of the land closest to the Devils Highway is on land outside of Settlement, known as Countryside - this is where the front garden and vehicular access to the existing dwelling is located, whereas the remaining part of the land where the former dwelling and garage is located is within the settlement boundary.

The replacement dwelling would be located within the part of the site that is within the defined settlement boundary. The land outside the defined settlement boundary would be utilised as residential garden, access and parking (the same arrangement as that of the former dwelling).

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

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

Saved Policy EN20 of the BFBLP and Policy CS7 of the CSDPD relate to design considerations in new proposals and are relevant considerations. These policies seek to ensure that developments are sympathetic to the character of the area and are of a high design. This is consistent with the NPPF.

The site lies within the East Crowthorne Area designated by the Council's Character Area Assessment SPD adopted March 2010. The SPD supplements Policy CS7 of the CSDPD and is a material consideration in the determination of planning applications. The SPD identifies areas with distinctive and positive character and makes recommendations for future development proposals. The SPD identifies the area as comprising mainly 2 storey dwellings, predominately constructed from red brick with some render and low level boundary treatments.

Floor area, height and siting

The chalet style dormer dwelling with first floor accommodation being constructed on site replaces a former bungalow. Whilst there would be an increase in floor area due to the provision of first floor accommodation, the replacement dwelling would sit on a similar footprint to the former dwelling but the ridge height of the roof would be increased from 4.3m (the former dwelling) to 8m high. Given the increase in the height of the replacement dwelling, its bulk and massing would increase and as a result would be more visually prominent, however the surrounding area is characterised by a mix of two storey dwellings and bungalows on Bracknell Road and Brookers Corner, the site is located within the settlement boundary and the replacement dwelling at a height of 8m would therefore be acceptable, assimilating with the surrounding built form when viewed in its wider context.

The replacement dwelling would be sited on a similar footprint to the former dwelling, set back 17m from the highway to the north on the Devils Highway. Due to the increase in the ridge height of the replacement dwelling along with its design, it would appear more visible when viewed from the Devils Highway and Bracknell Road to the north-west compared to the former dwelling, however given the siting of the replacement dwelling and that the increase in ridge height is acceptable, the proposal would not be considered to appear obtrusive to the detriment of the surrounding area. The replacement dwelling is sited within the Defined Settlement boundary and differs to the previously refused application which proposed a dwelling located within the Countryside.

The proposal would not represent overdevelopment of the plot given the replacement dwelling would sit on a similar footprint to the former dwelling with a similar landscape layout - the main garden area provided forward of the front elevation of the dwelling

facing onto the Devils Highway along with the retention of the existing vehicular and pedestrian access.

Design and materials

The replacement dwelling comprises a pitched roof with front facing projecting gable and front facing dormer windows with pitched roofs. It would have a low eaves height at 2.5m with a 45 degree pitched roof to provide accommodation at first floor level. The design of the dwelling would be acceptable. The dwelling is set in an isolated position on the Devils Highway but the surrounding area comprises housing on Brookers Corner and Bracknell Road where there are a mix of styles and designs of dwellings.

The replacement dwelling would be rendered brickwork, the same as the former dwelling and a slate roof tile would be used, similar in appearance to that of the former dwelling. The Character Area SPD refers to the use of render within the area so the proposal would respect the specific design features identified in the SPD.

The former dwelling which has been demolished was not of any architectural significance - a white rendered dwelling with a piecemeal of extensions and differing roof heights, not worthy of listing or protection. As such, its demolition and re-build is acceptable.

Residential curtilage

The replacement dwelling would sit on a similar footprint to that of the former dwelling. The main garden for the dwelling is sited forward of the front wall of the dwelling facing onto the Devils Highway. The same would apply to the replacement dwelling. Sufficient amenity space would be provided for the replacement dwelling.

Planning conditions will be imposed requiring details to be submitted to the LPA for approval in relation to hard and soft landscaping and boundary treatment.

Subject to the imposition of the relevant conditions, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with 'Saved' Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

10. RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. This is consistent with the NPPF.

3 Brookers Corner

The replacement dwelling would be sited 20m from no. 3 Brookers Corner at the closest point to the single storey part of the dwelling and 22m to first floor level. Due to the increase in height of the replacement dwelling of 3.7m over and above that of the former dwelling at the highest point of the ridge, the visual prominence of the dwelling would be increased, however given the 20m separation distance to no. 3, the proposal would not appear unduly overbearing when viewed from no. 3. No windows are proposed at first floor level in the western flank wall facing towards the garden of no. 3 and therefore no overlooking or loss of privacy would result. A planning condition would be imposed to restrict the addition of windows in this elevation. The objection letter received from 3 Brookers Corner identifies there has been a loss of view to their property, however this is not a material planning consideration.

The issue of noise and disturbance as a result of the building works has been raised. If the working hours are resulting in a nuisance, this matter could be pursued by the Council's Environmental Health department.

The issue of the property being sold on as an investment is not a material planning consideration.

3A Brookers Corner

The replacement dwelling would be sited approximately 1m from the boundary with no. 3A Brookers Corner with a 16m separation distance to the rear elevation of no. 3A, measured at single storey level and 21m separation distance at first floor level. Due to the increase in height of the replacement dwelling of 3.7m over and above that of the former dwelling at the highest point of the ridge, the visual prominence of the dwelling would be increased, however given the 15m separation distance to the rear elevation of no. 3A, the proposal would not appear unduly overbearing when viewed from the rear elevation of no. 3A. There is a garage and parking area to the rear of no. 3A close to the Devils Highway where the replacement dwelling would be visible from, however this is not considered a private amenity space to no. 3A.

4no. roof lights are proposed in the rear facing roof slope of the replacement dwelling which would serve 2no. en-suite bathrooms and 2no. dressing rooms proposed at first floor level. These windows would be sited some 20m from the rear elevation of no. 3A at the closest point. In view of this separation distance, they would not result in overlooking or loss of privacy to the rear garden or rear elevation of no. 3A.

No windows are proposed at first floor level in the western flank wall facing over the garden of no. 3A and therefore no overlooking or loss of privacy would result. A planning condition would be imposed to restrict the addition of windows in this elevation.

The windows proposed in the front elevation of the dwelling would have views over and across the parking area and garage of no. 3A sited to the north-west of the front elevation of the replacement dwelling, however this is not considered a private amenity space to no. 3A and therefore would not result in undue harm to the residential amenities of this property.

5 Brookers Corner

The replacement dwelling would be sited 5.5m from the boundary with no. 5 Brookers Corner with a 23m separation distance to the rear elevation of no. 5 measured at single storey level and 28m measured from first floor level. Due to the increase in height of the replacement dwelling of 3.7m over and above that of the existing dwelling at the highest point of the ridge, the visual prominence of the dwelling would be increased, however given the separation distances between the rear elevation of the replacement dwelling and the rear elevation of no. 5 at the closest points, the proposed replacement dwelling would not appear unduly overbearing to the detriment of no. 5. Further, the part of the replacement dwelling closest to the boundary with no. 5 would be the flat roofed single storey element of the build which would further mitigate the visual impact of the replacement dwelling.

The 4no. roof lights proposed in the rear facing roof slope of the replacement dwelling which at first floor level would be sited 10m from the boundary with no. 5 Brookers Corner with a 28m separation distance to the rear elevation of no. 5. In view of these separation distances, they would not result in overlooking or loss of privacy to the rear garden or rear elevation of no. 5.

7 Brookers Corner

The replacement dwelling would be sited 7m from the boundary with no.7 Brookers Corner with 22m separation distance to the rear elevation of no. 7 at the closest point (taken to the existing single storey rear extension at no. 7) and 27m at first floor level. Due to the increase in height of the replacement dwelling of 3.7m over and above that of the existing dwelling at the highest point of the ridge, the visual prominence of the dwelling would be increased, however given the separation distances between the rear elevation of the replacement dwelling and the rear elevation of no. 7 at the closest points, the proposed replacement dwelling would not appear unduly overbearing to the detriment of no. 7 Brookers Corner. Further, the part of the replacement dwelling closest to the boundary with no. 7 would be the flat roofed single storey element of the build which would further mitigate the visual impact of the replacement dwelling.

The 4no. roof lights proposed in the rear facing roof slope of the replacement dwelling which at first floor level would be sited 12m from the boundary with no. 7 Brookers Corner with a 27m separation distance to the rear elevation of no. 7. In view of these separation distances, they would not result in overlooking or loss of privacy to the rear garden or rear elevation of no. 7.

9 Brookers Corner

The replacement dwelling would be sited 2m from the boundary with no. 9 Brookers Corner with some 30m separation distance to the rear elevation of no. 9 at the closest point (taken to an existing rear extension) measured from the single storey rear element and 35m measured from first floor level. In view of the separation distance between the rear elevation of the replacement dwelling and the rear elevation of no. 9 at the closest point the proposed replacement dwelling would not appear unduly overbearing to the detriment of no. 9 Brookers Corner when viewed directly from the rear elevation of no. 9. The replacement dwelling would be sited along the rear most part of the garden of no. 9 (the garden runs south to north away from the rear of the dwelling), set between 2m and 5m from the eastern boundary with no. 9. Given the increase in ridge height of the roof of the replacement dwelling, its visual prominence when viewed from the rear most part of the garden of no. 9 would be increased, however given this is not the dwelling's most useable, private garden area, the proposal would not be considered to appear unduly overbearing to the detriment of no. 9.

The 4no. velux windows proposed in the rear facing roof slope of the replacement dwelling which at first floor level would be sited some 35m from the rear elevation of no. 9. In view of this separation distance, they would not result in overlooking or loss of privacy to the rear elevation of no.9 or their patio area.

2no. windows are proposed in the eastern flank wall facing east towards the boundary with no. 9, and 1no. window is proposed at first floor level. The first floor window would face onto the rear most part of the garden of no. 9, however given it is a secondary source of light to a bedroom with the primary light source being in the front elevation, it is considered reasonable that this window be obscure glazed and fixed shut with the exception of top opening fanlights to prevent overlooking and loss of privacy to no. 9, despite the area which the window would overlooking not being the adjoining property's most useable, private garden area.

There are no residential dwellings to the north and east of the site and therefore the replacement dwelling would not impact upon any properties to the north and east of the site through visual prominence or overlooking.

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

11. TRANSPORT IMPLICATIONS

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

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

Devils Highway is a private road and also a public right of way.

The proposal seeks to replace an existing dwelling with a new dwelling. No changes are being proposed to existing vehicular and pedestrian access which is considered acceptable.

3 parking spaces are required as the replacement dwelling would comprise 4no. bedrooms and details of parking provision could be secured by planning condition. On-street parking is un-restricted in the local area. There is sufficient space to the frontage to provide the required parking.

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

12. TREES

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

There are trees along the eastern boundary of the site on adjoining land, some of which are subject to Tree Preservation Orders. The erection of the replacement dwelling would be outside of the root protection area of these adjoining trees and therefore no adverse impact would result during construction works. Tree protection barriers are on site to protect the root protection zone of these trees during the course of building works from storage of materials, parking of vehicles, etc.

There are trees within the rear garden of no. 9 Brookers Row close to where the replacement dwelling is being constructed including a silver birch and maple. Given the replacement dwelling sits on a similar footprint to that of the former dwelling and is located close to the side boundary of the site where there is restricted working space, ground protection measures are being utilised to protect the root protection area of existing trees off site. To the rear of the replacement dwelling, given there is more working space, protective fencing is on site to protect existing trees.

Given a tree protection plan has been submitted along with details of ground protection measures, planning conditions can be imposed in relation to the retention of tree protection during the course of building works and exclusion zones in relation to storage of materials, machinery to safeguard existing trees. As such, the proposal is

considered to be in accordance with Policy EN1 of the Bracknell Forest Borough Local Plan and the NPPF and would not result in an adverse impact on existing trees.

13. BIODIVERSITY

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

A bat survey was submitted with the application where no evidence of bats were found on site. No further surveys are required due to the low risk of bats on site.

Planning conditions are recommended to enhance biodiversity on site, including the provision of biodiversity enhancements such as bird and bat boxes. Subject to the aforementioned planning conditions, the proposal is considered to be in accordance with Policies CS1 and CS7 of the CSDPD and the NPPF

14. THAMES BASINS HEATH SPA

As the proposal is for a replacement dwelling, it would not result in a net increase in residential units within the Borough. The site is within 400m of the Thames Basins Heath SPA, however as it is a replacement dwelling, no harm would result to the SPA.

As the proposal is for a one for one replacement dwelling, no financial contributions would be required via section 106 agreement to mitigate the impact of the development on the SPA.

15. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

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

The application site lies within the zone of Sandhurst/Crowthorne. In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued for the development. For information, the applicant cannot claim self build exemption given the works are retrospective. As such, the penalty for works commencing on site in advance of planning permission being granted is that the development is CIL liable.

16. SUSTAINABILITY

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

relation to the submission of a Sustainability Statement to satisfy the requirements of Policy CS10 of the CSDPD.

Policy CS12 is not relevant as the scheme does not represent a net gain in dwellings.

17. ARCHAEOLOGY

The proposal relates to the erection of a replacement dwelling primarily located over the footprint of the dormer bungalow on site. As such, there are no implications on buried archaeological heritage from this current application.

18. CONCLUSION

The replacement dwelling relates to a site within the settlement boundary and is therefore acceptable in principle. Whilst it is acknowledged that the replacement dwelling is taller and larger, it is concluded that the proposal would not adversely affect the residential amenities of immediate properties and would not adversely impact upon the character and appearance of the surrounding area. No highway safety implications and ecological implications will arise subject to the imposition of conditions. Relevant conditions will be imposed in relation to trees and sustainability. The scheme is CIL liable. No archaeological implications result. The proposal is therefore considered to be in accordance with 'Saved' Policies EN1, EN20 and M9 of the BFBLP, CS1, CS2, CS7 and CS23 of the CSDPD, Policy CP1 of the SALP, the Parking Standards SPD and Character Area Assessment SPD, all in accordance with the NPPF.

The application is therefore recommended for approval.

RECOMMENDATION

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

01. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 22 April 2015 and 1 June 2015:

proposed layout block plan

proposed layout block plan showing tree protection measures

drawing no. NB/002

drawing no. NB/004

Document entitled Tree Protection Barrier Specification

Document entitled Ground Protection Specification

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

02. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those outlined in the planning application form received 22 April 2015 and emails received 13 May 2015 and 9 June 2015 - use of smooth white render and Natural Spanish slate roof tiles
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or

enlargement thereof shall be constructed at first floor level or above in the side elevations of the building hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

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

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

05. The 4no. skylight in the roof slope facing south of the proposed development shall at all times be no less than 1.7 metres above internal floor level.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

06. No part of the dwelling shall be occupied 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) prior to the occupation of any part of the approved development. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved. The areas shown for landscaping shall thereafter be retained.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

07. No part of the dwelling shall be occupied until a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission.

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

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

08. No part of the dwelling shall be occupied until the associated vehicle parking space has been surfaced in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking.

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]

09. No part of the dwelling shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The dwelling shall not be occupied until the approved scheme has been implemented. The facilities shall thereafter be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
10. The protective fencing and other protection measures as shown on drawing entitled proposed layout received 1 June 2015, document entitled Tree Protection Barrier Specification received 1 June 2015 and Ground Protection Specification received 15 May 2015 shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. No activity of any description must occur at any time within these areas including but not restricted to the following: -
- a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
 - f) Parking/use of tracked or wheeled machinery or vehicles of any description.
- In addition to the protection measures specified above,
- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
 - b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.
- REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1, EN20, CSDPD CS7]
11. No part of the dwelling shall be occupied 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 CS10]
12. No part of the dwelling shall be occupied until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be performed, observed and complied with.
REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

Informative(s):

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

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

6. Soft landscaping
7. Boundary treatment
8. Parking plan
9. Cycle parking
11. Sustainability Statement
12. Bat and bird boxes

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: 12

Application No.
15/00416/T

Ward:
Winkfield And
Cranbourne

Date Registered:
15 May 2015

Target Decision Date:
10 July 2015

Site Address:

**Locks Ride Playing Fields Forest Road Winkfield
Row Bracknell Berkshire**

Proposal:

Temporary siting of a mobile catering unit

Applicant:

Mrs Annemarie Edwards

Agent:

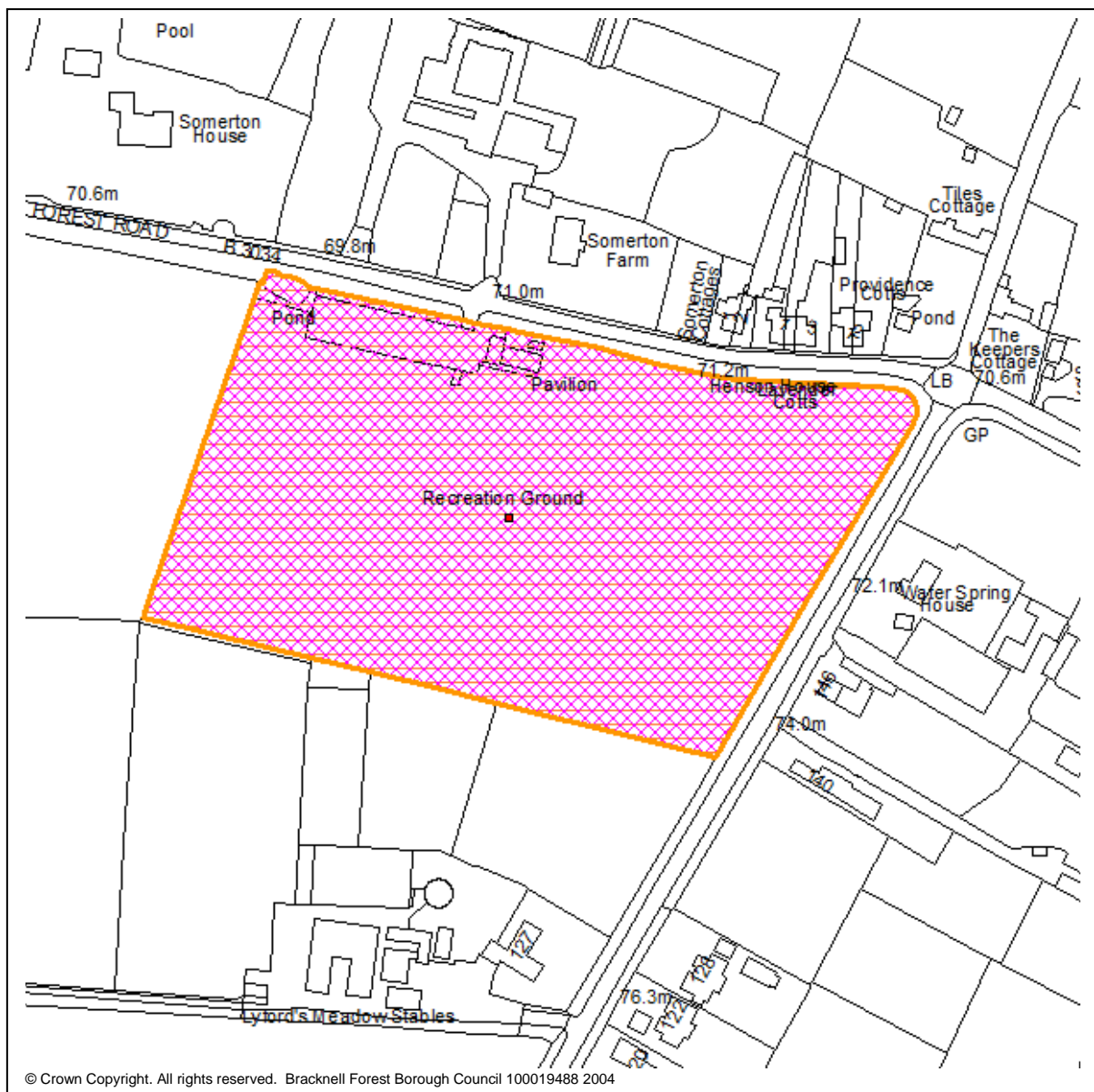
(There is no agent for this application)

Case Officer:

Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

This application has been reported to the Planning Committee at the request of Councillor Dudley over concerns about the proposed use on the application site and odour issues.

2. SITE DESCRIPTION

Locks Ride Playing Fields are located to the south of Forest Road and to the west of Locks Ride and covers an area of 3.2ha. Vehicular access to the site is off Forest Road. The site comprises a pavilion and changing rooms located on the northern boundary, the public car park is located to the west of the pavilion and there are 2 full sized football pitches and a cricket square. The children's play area is located along the northern and eastern boundaries of the site.

3. RELEVANT SITE HISTORY

There is an extensive history relating to the site which has been used for recreational purposes since the 1960s. The most recent applications relating to the site are:

12/00806/FUL approved January 2013 for retention of sanded play area and associated play equipment and works.

12/00807/LDC granted January 2013 for certificate of lawfulness for the retention of recreational equipment.

13/00789/FUL approved in November 2013 for installation of 2m high palisade fencing and gate to replace existing wooden fencing and gate on south eastern corner of playing fields facing Locks Ride.

14/01255/FUL approved in February 2015 for pedestrian safety scheme comprising a new footpath link into the site from Forest Road at the western end of the car park. Culverting of ditch. New footpath around the outside perimeter of the car park. New gate and fencing.

4. THE PROPOSAL

Planning permission is sought for the temporary siting of a mobile catering unit between May and September which would trade 7 days a week between the hours of 9am and 6pm at Locks Ride Playing Fields. The applicant is applying for the catering unit to be sited on the land from the time of granting permission up until the end of September 2015 and then annually from May until September thereafter.

The catering unit would be towed to site and left in situ for the relevant trading periods. It would be sited close to the sports pavilion on site.

The catering unit would sell breakfast baps, hot and cold drinks, sandwiches, sweets, crisps, etc.

The catering unit would not exceed the following dimensions of 5m wide x 2.5m deep x 3.5m in height.

5. REPRESENTATIONS RECEIVED

The application has been made by Winkfield Parish Council and therefore they have not commented on the application.

2no. letters of objection received which raise the following:

- Impact on character of area
- Cause traffic congestion and parking issues
- Object to any cooking which would generate smells (eg. onions/burgers/hot dogs) especially as the proposal is for 7 days a week from 9am to 6pm
- Increase in rubbish may lead to increase in rats, etc
- There are bbqs already on site
- Increase in noise
- No need for a monstrosity

Officer comment: issues of impact to character of the area, visual impact, highway safety, noise and odour are dealt with in the report.

6. SUMMARY OF CONSULTATION RESPONSES

Highways Officer:

No objection

Environmental Health:

No objection, although odour could be an issue. Informatives recommended in relation to food business operators and health and safety.

Licensing:

Informatives recommended in relation to street trader permits and premises licence.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

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

The site is located on "Land outside of Defined Settlement" as designated by the Bracknell Forest Borough Policies Map. Policy EN8 of the BFBLP and Policy CS9 of the CSDPD refer to developments within the Countryside and developments in this location maybe acceptable where there is no adverse impact to the function, character and appearance of the land.

Policy EN8 of the BFBLP states that any development in the Countryside outside the Green Belt may include "recreation development suitable in the Countryside". Further, policy R7 of the BFBLP refers to countryside recreation and states: "Outside the settlements, proposals to improve access to, or increase the recreational use of, the countryside will be permitted provided that they would not adversely affect:

- (i) residential amenity; or
- (ii) the function or character of the countryside".

Locks Ride Playing Fields is located within a Countryside location and has been established for recreational use since the 1960's. The site is also designated as an open space of public value (OSPV). OSPV is defined in para 99 of the CSDPD and this site would be classed as active OSPV which includes sports pitches, childrens play areas, tennis courts, etc. Policy CS8 of the CSDPD refers to recreation and culture and states "development will be permitted which retains, improves and maintains existing recreational facilities".

The NPPF at para 28 also supports leisure developments that benefit visitors in rural areas.

Any further development of the Playing Fields would have to be assessed against the relevant planning policies at local level - policies EN8 and R7 of the BFBLP and CS8 and CS9 of the CSDPD, along with the NPPF to establish the acceptability of the development in respect of impact on character and appearance of surrounding area and impact upon the residential amenity of neighbouring properties.

The proposed catering unit would provide a service to visitors of the playing fields, providing them with an opportunity to purchase food and drink on the site. It would therefore compliment the use of the site for recreational purposes and enhance the facilities provided to recreational users visiting the playing fields. Further, the unit due to its modest size and that it would not be a permanent fixture on the land, it would only be sited on the land for a temporary period of time, it would not result in harm to the Countryside setting of the site.

The proposal is therefore acceptable in principle subject to no adverse impact upon the residential amenities of neighbouring properties, character and appearance of surrounding area, highway implications, etc.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

Saved Policy EN20 of the BFBLP and Policy CS7 of the CSDPD relate to design considerations in new proposals and are relevant considerations. These policies seek to ensure that developments are sympathetic to the character of the area and are of a high design. This is consistent with the NPPF.

Policy EN8 of the BFBLP and Policy CS9 of the CSDPD refer to developments within the Countryside and developments in this location maybe acceptable where there is no adverse impact to the function, character and appearance of the land.

The catering unit would be sited within the grounds of Locks Ride playing fields, close to the sports pavilion. It would be sited for a temporary period between the months of May and September. The unit would be a maximum of 5m x 2.5m and 3.5m high. The catering unit would appear visible within the grounds of the playing fields; however it would not appear obtrusive within the site due to its size and would not be a structure which would be at odds within a site used for recreational purposes. Given the exact dimensions of the catering unit have not been specified, a planning condition will be

imposed requiring details of the size of the catering unit to be submitted to the LPA for approval.

The unit may appear visible when viewed from Forest Road, however due to the modest dimensions and existing screening along the boundary of the site with Forest Road (trees and vegetation), the unit would not appear unduly prominent viewed from outside the site.

The unit would be sited at the playing fields for a temporary period so would not result in irreversible harm to the landscape.

It would be sited close to the existing sports pavilion and car park, thereby in an area already containing built form and hard landscaping and would not erode the rural character of the area.

As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policies EN8 and EN20 of the BFBLP, Policies CS7 and CS9 of CSDPD and the NPPF.

10. RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. This is consistent with the NPPF.

BFBLP Saved Policy EN25 refers to development which should not generate unacceptable levels of noise or other environmental pollution which would adversely affect the amenities of surrounding buildings or outdoor space. The NPPF states that developments should "avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development...mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions". Saved Policy EN25 therefore is consistent with the NPPF.

NOISE

Taking into account the following:

- i.the proposed hours of operation of the catering unit (09:00-18:00hrs, 7 days per week) and;
- ii. the proposal to operate during summer months only;
- iii.the proposed siting of the unit and its distance from neighbouring residential properties; and
- iv.the existing use of the site as a sports facility and play area,

The additional noise from the increased number of vehicles and people on site that may occur as a result of the proposal is unlikely to result in significant noise disturbance to neighbouring residential properties. Whilst it is noted that reference has been made to the proposed catering unit not resulting in noise and disturbance to surrounding residential properties due to the proposed trading hours of 09:00-18:00hours, it is not considered reasonable that a condition is imposed restricting the hours of operation given this would be within the remit of Environmental Health to control if it became a nuisance. Further, the enforceability of such a condition would be difficult if the catering unit was being stocked up/set up for a days trading before 09:00hours, as an example, as it would have to be demonstrated what harm was being caused. As such, the imposition of a condition relating to operational hours would not be required given it would be covered under other statutory powers of other Council departments and could result in difficulties in enforcing such a condition.

ODOUR

Whether the proposal will result in odour problems to neighbouring residential properties will depend, in part, on the type of "snacks" being prepared/sold. The site already has barbecue facilities for use by members of the public. It has been confirmed that the catering unit would sell breakfast baps, hot and cold drinks, sandwiches, sweets, crisps, etc.

The sale of breakfast baps which could mean grilled/fried bacon, eggs, sausages, etc could result in complaints of odour, particularly if sold throughout the day. It is likely that the proposed sale of such food items could therefore result in a significant increase in cooking odours at the site over the current levels produced by bbqs on the site, however it is difficult to ascertain if this would be problematic to properties to the north and east of the site, as factors such as wind direction or speed would play a part.

If the issue of odour were to become problematical, it could be considered a Statutory Nuisance and could be dealt with by the Council's Environmental Health department under their statutory powers.

Given the catering unit would be a temporary structure which would be on site only during the busy summer periods, it is recommended that a temporary permission is granted to monitor whether any issues arise in relation to odour. It is considered that the granting of a temporary permission until the end of September 2016 would permit the catering unit to trade from the grant of planning permission until the end of September 2015, be removed from the site and then brought back to the site from 1 May 2016 to trade until September 2016 - this would allow the unit to trade on site for a period of 8 months in total (with a break between October and April).

REFUSE CONTROL

Refuse generated by the proposed development could, in theory, result in loss of amenity and the encouragement of rodents and other pests if not controlled adequately. However, the persons responsible for operating such a unit have legal duties to ensure that it is properly controlled to prevent these undesirable consequences.

VISUAL IMPACT

The proposed catering unit would be sited some 50m from the nearest residential dwellings to the north on Forest Road, including Somerton Farm and Somerton Cottages. Given the separation distances to adjoining residential properties and the dimensions of the catering unit, along with existing screening along the northern boundary, it would not appear obtrusive to surrounding properties.

Subject to the granting of a temporary permission until September 2016 to monitor whether issues of odour arise, the proposal would not be considered to affect the residential amenities of neighbouring properties and would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

11. TRANSPORT IMPLICATIONS

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

The proposed mobile catering unit would be sited to the east of the pavilion, adjacent to a footpath leading to a playing area.

Temporary permission is being sought until September 2015 to coincide with the busy summer months and thus trade would be mainly by young families already using the playing fields. The applicant has not specified the provider and the range of food/snacks on offer and a hot-food take-away could attract more outside users and increase trips.

It is difficult to estimate the potential trips generated by a mobile catering unit with certainty, though the parking standards of 1 space per 5m² of takeaway could be taken as a guide of the potential parking demand which could be generated by a hot food takeaway. Acceptable sight-lines are available at the existing vehicular access to the car park.

No details of vehicular access for the proposed mobile catering unit have been provided. There is a gated access through to the playing field close to the pavilion and an additional gated access in the south-west corner of the car park (for access to over-flow parking). Whilst this could be secured by planning condition it is advised that details of access be provided by the applicant now. The applicant will need to ensure that the operator of the mobile catering unit has unfettered access (keys to gates etc) otherwise this may result in the mobile catering unit being sited in the car park. This would reduce available car parking and could create circulation problems within the car park. Details of access should be provided now.

Following the above, it has been confirmed that the catering unit would remain on site during the relevant trading period and would not be transported to and from the site on a daily basis. As such, it would not be sited in the car park waiting to gain access to the playing fields and therefore details of access as requested by the Highways Officer would not be required.

Further, the granting of a temporary consent until September 2016 would allow the parking to be monitored on site over the 8 month trading period (from granting of planning permission until September 2015 and from May until September 2016) and to assess how well used the catering unit would be on site during the relevant periods.

12. OTHER ISSUES

The Council's Licensing section states that a street trader permit will be required for the proposed catering unit. A premises licence will also be required if hot food or drink will be available between the hours of 23:00-05:00 (however the unit would not trade between these hours and therefore would not be applicable). An informative can be imposed to address the above.

The Council's Environmental Health Section requests that informatives are imposed on any forthcoming planning permission to cover matters including food hygiene and health and safety.

13. CONCLUSION

The proposed catering unit would not result in significant adverse impacts to the residential amenities of adjoining properties or result in highway implications, however a temporary permission is recommended until September 2016 to monitor whether any odour complaints are received from surrounding residential properties and whether any parking implications result. The proposal would not adversely affect the character and appearance of the surrounding area.

As such, the proposal is considered to be in accordance with CS7, CS8, CS9 and CS23 of the CSDPD, Saved Policies EN8, EN20, EN25 and R7 of the BFBLP and Policy CP1 of the Site Allocations Local Plan, all in accordance with the NPPF.

It is therefore recommended that a temporary planning permission be granted.

RECOMMENDATION

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

01. The catering unit should trade from site from the time of granting planning permission until 30 September 2015 and thereafter be removed from site and be brought back onto site and commence trading again from 1 May 2016 until 30 September 2016 from where it shall be removed and the land restored to its former condition on or before 30 September 2016.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS7]
02. The development hereby permitted shall be carried out only in accordance with the approved plans/photographs received by the Local Planning Authority on 15 May 2015.
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. Notwithstanding the details submitted, the catering unit shall not be brought onto the site until details of the catering unit including its measurements and siting have been submitted to and approved in writing by the Local Planning Authority. The catering unit shall be sited on the land in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS7]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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. Temporary permission
 2. Approved plans

The applicant is advised that the following conditions require discharging prior to the catering unit being brought onto site:

3. Details of catering unit

03. A street trader permit will be required. The applicant is advised to contact the Licensing team for further information. If hot food or drink is to be available between the hours of 23.00 hours and 05.00 hours, a premises licence will also be required.
04. Before catering operations commence the Food Business Operator will be required to Register details with Bracknell Forest Council and have them placed on a Public Register, in accordance with Article 6 (2) of Regulation (EC) No 852/2004. Details relating to registration can be found at <http://www.bracknell-forest.gov.uk/registrationfoodbusinesses> You may request a copy of the Application by ringing our Customer Service Centre on 01344 352000, which is open from 8.30am to 5.00pm, Mondays to Fridays, or by emailing Environmental.Health@bracknell-forest.gov.uk.

Should the applicant be successful, and the catering operators/Food Business Operator are registered with another Local Authority and not Bracknell Forest Borough Council, we would ask that the successful caterers please contact our Customer Service Centre or email Environmental.Health@bracknell-forest.gov.uk to discuss the proposed location, siting and operation of the mobile catering unit at Locks Ride Playing Fields prior to commencing operations, in order to minimise the risk of non compliance with the relevant food hygiene legislation.

Bracknell Forest Council are the responsible Authority for the regulation of Health and Safety in catering establishments. Further information on Employer duties and responsibilities can be found to the Health and Safety Executive website, available at <http://www.hse.gov.uk>

Doc. Ref: Uniform 7/DC/Agenda

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

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Unrestricted Report

ITEM NO: 13

Application No.

15/00436/3

Site Address:

Ward:

Hanworth

Date Registered:

15 May 2015

Target Decision Date:

10 July 2015

Street Record Pendlebury Bracknell Berkshire

Proposal:

Convert grass amenity area into 3 parking spaces

Applicant:

Bracknell Forest Council

Agent:

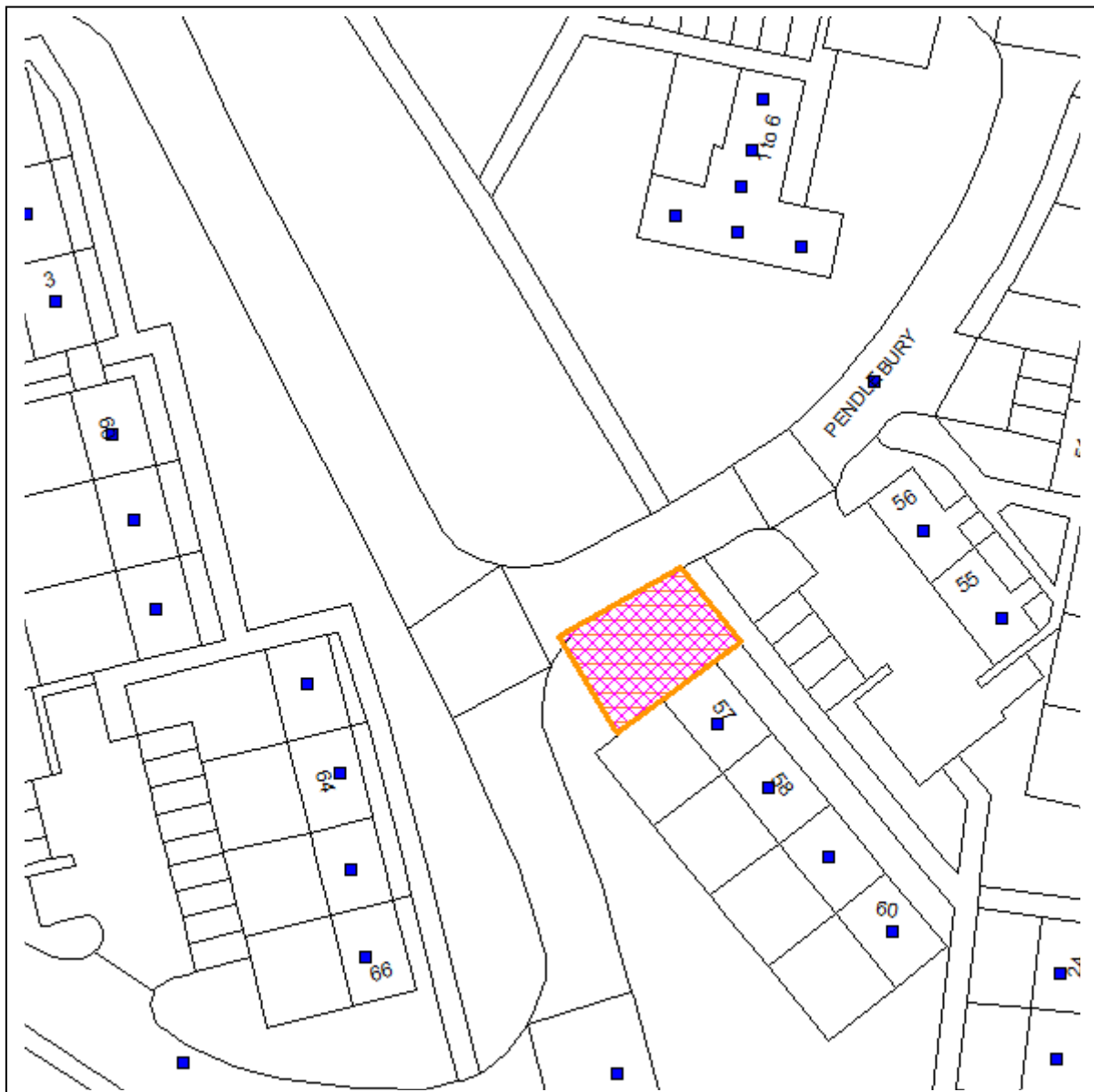
(There is no agent for this application)

Case Officer:

Michael Ruddock, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

2. SITE DESCRIPTION

Pendlebury consists of a mix of terraced and semi detached dwellings and two groups of six flats. Two communal parking courts are located at the rear of an access road from Hanworth Road, with soft landscaped amenity areas on both sides of the road. A significant amount of on street parking was observed to occur on the access road.

The application site itself falls under the ownership of the Local Authority, and is located on the southern side of the access road, adjacent to the entrance. It is a section of grassed amenity land.

For information, an additional application (ref. 15/00437/FUL) has been submitted for eight spaces to the north side of the access road. This application has been submitted by Bracknell Forest Homes and as such is likely to be determined under delegated powers.

3. RELEVANT SITE HISTORY

No relevant planning history.

4. THE PROPOSAL

The proposed development is to convert part of the grassed amenity area to the southern side of the access road into three parking spaces. The spaces would all have a depth of 4.8m and a width of 2.4m, and would be constructed from 80mm porous blocks. New landscaping would be included to the side and rear of the spaces, with new knee rail fencing on either side.

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

5. REPRESENTATIONS RECEIVED

Bracknell Town Council

No objection is raised to the proposed development.

Other Representations

No neighbour objections were received.

6. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

No objection.

Landscaping Officer

Recommend conditional approval.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

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

8. PRINCIPLE OF DEVELOPMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the SALP which sets out 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. Pendlebury 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. The Streetscene Supplementary Planning Document (SPD) (2010) provides further guidance to supplement the implementation of this policy and is a material consideration.

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.

The area of amenity land is considered to make a reasonable positive contribution to the character of the surrounding area, however an area adjacent to the road junction between Pendlebury and Hanworth Road would be retained and additional soft landscaping would be included. It is therefore not considered that the proposed parking bays would result in an appearance that would be detrimental to the visual amenities of the surrounding area. A landscaping condition will be included to ensure that the proposed planting would be acceptable, and designed as a continuous feature with the landscaping adjacent to the bays proposed on the opposite side of the road under application 15/00437/FUL. This condition will be required to be discharged prior to commencement of development 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. 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 spaces would be adjacent to the side elevation of No.57 Pendlebury, however they would not be visually prominent from any windows in that dwelling as there are no side facing windows that would face towards the spaces. They would be visible from the front facing windows of No.56 Pendlebury, however the spaces would be located approximately 19m from the front elevation of that dwelling and as such would not have an unacceptable impact on that property. In any case 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.

Pendlebury is an adopted residential cul-de-sac, and parking has been observed to occur on the main access road which can make access difficult. On street parking is unrestricted.

The proposed parking spaces will have minimum dimensions of 2.4m x 4.8m and 6m of space would be provided at the rear of the spaces for access. This complies with the current standards for practical and usable vehicular parking.

The proposed parking bays would be located approximately 10 metres from the junction with Hanworth Road and adequate sight lines can be achieved. The bays will be constructed using SUDs which complies with the latest requirements.

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 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 EN2, EN20, EN25 and M9, the Streetscene SPD, the Parking Standards SPD, and the NPPF.

13. 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 15th May 2015:

4817 80 - Pendlebury

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]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

- 01. Time Limit
- 02. Approved Plans

The applicant is advised that the following condition requires discharging prior to commencement or completion of the development:

- 03. Landscaping

Doc. Ref: Uniform 7/DC/Agenda

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

Unrestricted Report

ITEM NO: 14

Application No.
15/00455/NMA

Ward:
Little Sandhurst And
Wellington

Date Registered:
5 May 2015

Target Decision Date:
2 June 2015

Site Address:

**2 Grove Farm Cottages Lower Sandhurst Road
Sandhurst Berkshire GU47 8JG**

Proposal:

**Non material amendment to planning permission 14/00917/FUL for
larger roof lanterns and additional first floor window to rear.**

Applicant:

Mr and Mrs Pulleyn

Agent:

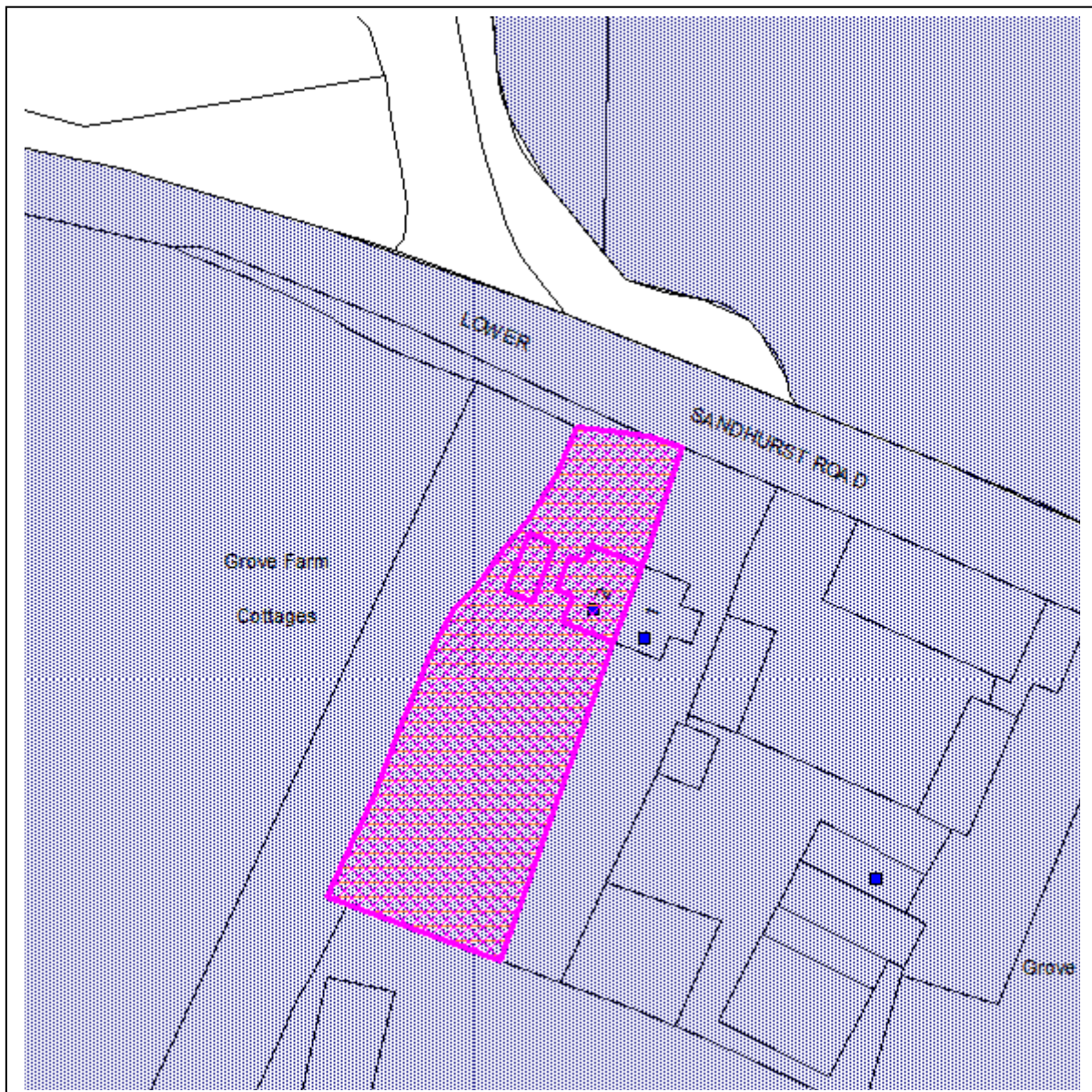
Mr Alistair Lloyd

Case Officer:

Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

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

i) BACKGROUND

14/00917/FUL approved October 2014 for erection of a single storey rear and a 2 storey side and rear extension including insertion of roof lights, following the demolition of the existing conservatory.

The extensions approved by the aforementioned planning permission are nearing completion on site. During the course of the building works, the Local Planning Authority (LPA) were informed in April 2015 that works were being undertaken on site which were not in accordance with planning permission 14/00917/FUL with an increase in the size of the openings in the flat roof of the single storey rear extension where roof lanterns were being installed. The architect subsequently contacted the LPA about the changes made to the size of the roof lanterns and proceeded with the submission of a non material amendment application to increase the size of the roof lanterns, received by the LPA on 1 May 2015, ref: 15/00455/NMA.

The applicant was informed that any works which were being undertaken on site not in accordance with the plans approved by permission 14/00917/FUL were done at their own risk and expense, however the submission of the NMA allows the LPA to assess the amendments made to the size of the roof lanterns and their acceptability and any other proposed amendments.

ii) PROPOSAL

In October 2009, changes to dealing with amendments to existing planning permissions were introduced - non-material amendments (NMA) and minor material amendments (MMA).

NMAs are not a new or replacement planning permission but an annexe to the original planning permission. Existing conditions can be altered or removed or new conditions imposed. There is no statutory consultation or publicity requirement for NMA applications, it is at the discretion of the LPA. LPAs have 28 days in which to determine a NMA, although a longer period can be agreed with the applicant where necessary.

Application 15/00455/NMA has been submitted to the LPA for a non material amendment to planning permission 14/00914/FUL relating to the following alterations:

- Increase in the size of 1no. roof lantern over the single storey flat roof extension over the orangery and the insertion of a roof lantern instead of skylight over the kitchen.
- Insertion of single panel window (obscure glazed) in the rear elevation of the existing dwelling at first floor level serving en-suite bathroom.

The NMA relates only to the amendments as applied for. Planning permission has already been granted for the extensions which are nearing completion on site and this NMA focuses solely on whether the amendments as applied for to the approved scheme are acceptable, with the assessment focusing on what was granted planning permission versus what has been constructed on site and whether there is any additional resulting harm due to the amendments.

The roof lantern over the orangery has increased in size from 2.5m x 1.5m approved by permission 14/00917/FUL to 4m x 2m (+4.25sqm increase in size) as installed on site.

The roof lantern over the kitchen has replaced a skylight originally approved by permission 14/00917/FUL and has increased in size from 1.2m x 1.2m approved by permission 14/00917/FUL to 2m x 2m (+2.56sqm increase in size) as installed on site.

The roof lanterns are approximately 0.5m to 0.6m in height and are white UPVC frames with clear glass.

The roof lanterns have already been installed.

The size of the roof lanterns have increased in order to provide more natural daylight into the single storey rear extension and the kitchen.

The additional single pane window in the existing rear wall of the dwelling at first floor level serving an en-suite bathroom is required after the internal layout of the dwelling has altered so that an en-suite is created to serve the master bedroom.

These changes are shown on drawing received by the LPA on 1 May 2015: drawing no. PUL/15/02

The adjoining property at 1 Grove Farm Cottages were consulted on the NMA and have objected on the following grounds (summarised):

- Works have not been undertaken in accordance with the approved planning permission
- Materials are inappropriate and out of keeping with the character of the cottages
- Size and scale of roof lanterns has detrimental impact on area
- Impact to privacy - clear line of sight from the bedroom window of no. 1 Grove Farm Cottage into both the orangery and kitchen areas of No.2 and vice versa through overlooking.
- Appear that the intent was always to build the apertures at this size and scale given the continuation of the roof build despite the intervention of the Council.
- The scale of the works are overbearing
- First floor window would impact privacy of rear garden of no. 1.
- The submitted drawings show different detail for the porch arrangement, than is currently approved but the revised planning application makes no mention of this. The roof overhang is greater in depth in the now 'as-built status' than detailed on the drawings and as such increases the bulk nature of the new build as viewed from both the highway, and No.1 Grove Farm Cottage.
- Works have not been monitored by the Council

Officer note:

- *The current NMA relates to the increase in the size of the roof lanterns and the insertion of an additional window at first floor level. The alteration to the porch on the front elevation and the increased canopy overhang do not form part of this current NMA application and the applicant would have to remedy this matter through the submission of a further appropriate application.*
- *The Council do not have the resources to monitor every build in the Authority. If the Council receives a complaint about works not being undertaken in accordance with a planning permission, then an investigation is subsequently undertaken and appropriate action taken where necessary. In this instance, a NMA has been submitted to remedy the works undertaken which deviate from the approved plans as part of permission 14/00917/FUL.*

iii) SITE

2 Grove Farm Cottages is a two storey semi-detached dwelling located to the south of Lower Sandhurst Road. The extensions approved by permission 14/00917/FUL are nearing completion on site. There is a parking area to the front of the dwelling. Site levels decrease from north to south through the site so that the rear garden sits at a lower level to that of the house.

iv) PRINCIPLE OF DEVELOPMENT

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

The site is located within Land outside of a defined settlement, known as Countryside as designated by the Bracknell Forest Policies Maps.

The principle of extensions to the dwelling have been established by permission 14/00917/FUL.

v) RESIDENTIAL AMENITY

The roof lanterns do not result in loss of privacy and overlooking into the first floor rear facing bedroom window at no. 1 Grove Farm Cottages given anybody standing in the kitchen or orangery would be at ground floor level looking up towards a first floor window and views into that room are not possible. The existing bedroom window at no. 1 at first floor level due to its positioning has partial views into the ground floor kitchen and orangery through the roof lanterns. The increase in the size of the roof lanterns has only increased the loss of privacy to the applicants when using the kitchen/orangery from the existing first floor rear facing window at no. 1, not increased the risk of loss of privacy or overlooking to no. 1.

The roof lanterns are located under an existing first floor rear facing bedroom window at no. 1. The roof lanterns are visible from the first floor window due to their size, colour and design, however do not appear unduly overbearing viewed from the first floor window as they are located in the flat roof of a single storey rear extension and are approximately 0.6m in height. The bedroom window at no. 1 looks down onto the roof lanterns and they do not appear unduly overbearing from this first floor window. Planning permission has been granted for a smaller roof lantern over the orangery and whilst the increase in size of the roof lantern from 2.5m x 1.5m to 4m x 2m increases the visual prominence of the roof lantern, it is not so significant and the fallback position is to install the smaller roof lantern which would still be visible from the bedroom window at no. 1, albeit smaller.

The roof lanterns are located in the existing single storey rear extension constructed under permission 14/00917/FUL. The extension projects in line with the rear elevation of an existing single storey rear extension at no. 1. The roof lanterns project 0.6m above the flat roof of the extension, however do not appear unduly overbearing when viewed from the rear garden of no. 1 due to their modest height and their positioning on an extension which projects in line with the existing extension at no. 1.

The installation of a single panel window on the rear elevation of the dwelling at first floor level to serve an en-suite bathroom does not require planning permission in its own right given it would be installed in the existing rear wall of the dwelling. Notwithstanding this, the window would be installed in the rear elevation of the dwelling at first floor level and there is already an existing first floor rear facing window 0.7m closer to the boundary with no. 1 Grove Farm House which serves a bedroom.

As such, the retention of the larger roof lantern over the orangery and the installation of a roof lantern in place of a skylight over the kitchen and the installation of a single pane window to serve an en-suite bathroom at first floor level in the rear elevation do not result in significantly increased harm to the residential amenities of no. 1 Grove Farm Cottages over and above that of the approved permission 14/00917/FUL.

vi) IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA

The increase in the size of the roof lantern over the orangery to the rear of the dwelling has increased its visual prominence when viewed from the rear of the dwelling as the width has increased by 1.5m and the length increased by 0.5m over and above the size of the roof lantern approved by permission 14/00917/FUL. The roof lantern is constructed from white UPVC.

Whilst the increase in the size of the roof lantern is acknowledged, the resulting harm to the visual amenities of the area is not so significant and the fallback position is for the applicant to revert back to the approved plans of permission 14/00917/FUL for a roof lantern which is 2.5m x 1.5m as opposed to 4m x 2m as installed on site. The roof lantern is located on the flat roof of the single storey rear extension and is approximately 0.6m high. Given its modest height and its location on a flat roofed single storey extension, it does not appear so obtrusive to the detriment of the surrounding area.

The roof lantern which has been installed over the kitchen is located behind the roof lantern over the orangery and has been installed in place of a skylight. Given its positioning behind the orangery roof lantern, it does not appear readily visible when viewed from the rear elevation of the dwelling.

The installation of white framed UPVC roof lanterns are not considered out of keeping on a residential dwelling. The roof lantern over the orangery as approved by permission 14/00917/FUL would have been of the same colour and material.

The roof lanterns are sited to the rear of the dwelling and are not readily visible from the highway on Lower Sandhurst Road. There is a public footpath that runs to the rear of the site some 180m away, the roof lanterns would appear visible from this public vantage point, however given the 180m separation distance, they would not appear so obtrusive over and above what was approved by permission 14/00917/FUL.

The insertion of 1no. single pane window in the rear elevation of the dwelling at first floor level to serve the en-suite bathroom due to its modest size does not appear prominent on the rear elevation of the dwelling. Given the siting of the window to the rear, it does not appear visible from the front and side of the dwelling. There is a public footpath that runs to the rear of the site some 180m away, however the window would not appear readily visible from this public vantage point in view of the separation distances.

As such, the retention of the larger roof lantern over the orangery and the installation of a roof lantern in place of a skylight over the kitchen are not considered to unduly

detract from the character and appearance of the surrounding area to such a degree as to be unacceptable.

The fallback position is to revert back to the installation of a smaller roof lantern over the orangery and a skylight over the kitchen as approved by permission 14/00917/FUL, however the resulting harm of what has been implemented on site is not so adverse as to be unacceptable.

vii) HIGHWAY IMPLICATIONS

The amendments to the size of the roof lanterns on the single storey rear extension and insertion of 1no. window on the rear elevation of the dwelling at first floor level do not affect on-site parking provision and generate no requirement for additional on-site parking provision.

viii) FALLBACK POSITION

The alterations are considered to be non-material in nature and are not considered to result in increased material harm to the residential amenities of neighbouring properties or the character and appearance of the surrounding area.

In the event that the NMA is not considered acceptable, the fallback position is for the applicant to apply for planning permission for the amendments to the size of the roof lanterns on the single storey rear extension and insertion of 1no. window on the rear elevation; or to revert back to the approved plans as part of permission 14/00917/FUL. The Council cannot demonstrate that significant harm has resulted to the residential amenities of neighbouring properties or the character and appearance of the surrounding area as a result of the amendments for them to be unacceptable.

ix) CONCLUSION

The increase in the size of the roof lanterns on the single storey rear extension and insertion of 1no. window on the rear elevation of the dwelling at first floor level are considered to constitute non-material amendments.

RECOMMENDATION

01. Non-Material Amendment 15/00455/NMA relates only to the following approved plans received by the Local Planning Authority on 1 May 2015:

drawing no. PUL/15/02

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

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: 15

Application No.
15/00542/RTD
Site Address:

Ward:
Binfield With Warfield

Date Registered:
10 June 2015

Target Decision Date:
4 August 2015

Telecommunications Mast Waterside House Longshot Lane Bracknell Berkshire

Proposal:

Removal of existing 14.7 metre high Phase 3 monopole mast and the installation of a 15 metre high Phase 5 monopole and Samoa cabinet.

Applicant:

H3G UK Limited

Agent:

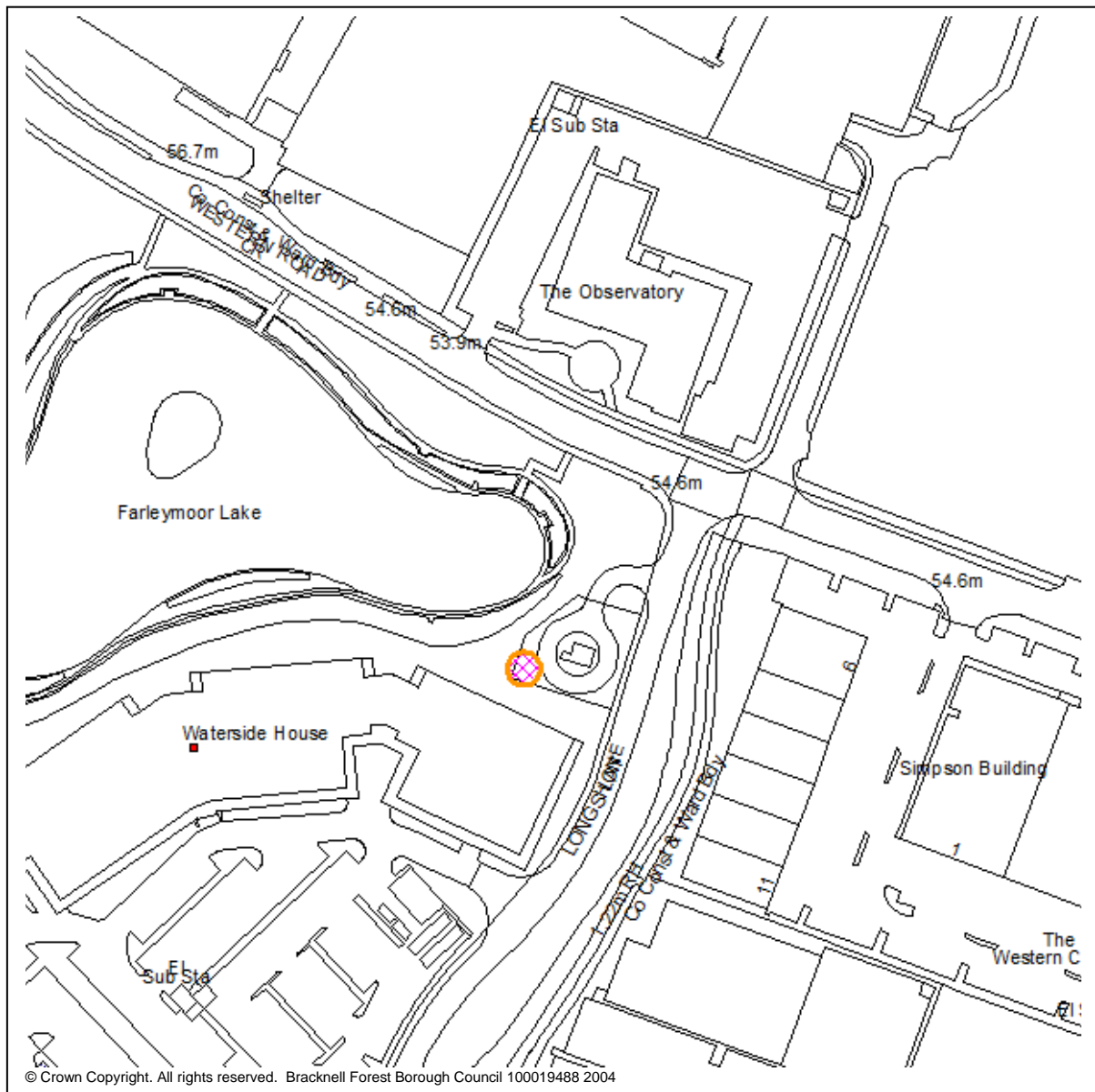
Miss Victoria Parsons

Case Officer:

Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

This application has been reported before the Planning Committee as the application has to be determined within 56 days.

2. PERMITTED DEVELOPMENT RIGHTS FOR TELECOMMUNICATIONS DEVELOPMENT

Class (a) A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 deals with permitted development for telecommunications development.

Class (a) A relates to the installation, alteration or replacement of any telecommunications apparatus.

A.1 states that development is not permitted by Class A (a) if-

(c) in the case of the alteration or replacement of an existing mast (other than on a building or other structure, on article 2(3) land or on any land which is, or is within, a site of special scientific interest)-

(i) the mast, excluding any antenna, would when altered or replaced-

(aa) exceed a height of 20 metres above ground level

(bb) at any given height exceed the width of the existing mast at the same height by more than one third.

The proposed replacement mast would not exceed 20m and as such the mast complies with this. The GPDO also allows for cabinets where they do not exceed 1.5 sqm. The ground area of the proposed additional cabinet would be under this size criteria.

However as the replacement mast would be relocated to a revised position and would be increased in height by 0.3m over and above that of the existing mast subject to this upgrade, along with the installation of an additional cabinet, it is necessary to assess the siting of the mast and associated cabinet in terms of highway safety and visual appearance and as such Prior Approval is therefore required.

3. SITE DESCRIPTION

The application site is located to the west of Longshot Lane, accessed from the highway by a gravel access road with off-road parking to serve a nearby pumping station owned by Thames Water (TW). The existing mast and associated equipment are located within an existing compound. The compound is itself located in a larger compound for the TW pumping station, enclosed by brick walls and fencing. The compound is accessed through double gates.

To the south of the mast is Waterside House, a B1 office building. To the west is Farley Moor Lake, to the north further office buildings and to the east are industrial units at the Western Centre.

4. RELEVANT SITE HISTORY

00/01115/RTD42 approved for siting and design for 1no. monopole mast, three cross polar antennas, one dish antenna and a radio equipment cabin (December 2000).

5. THE PROPOSAL

This application seeks prior approval to erect a 15m high Phase 5 monopole with 3no. antennas. The proposed replacement mast would be sited approximately 2.5m away from the existing mast. 1no. additional Samo cabinet is proposed which would be 0.75m x 0.6m x height of 1.98m. The replacement mast and additional cabinet would match the colour of the existing equipment (being grey in colour). The development would be located within an existing compound where the existing mast is.

The existing 14.7m high monopole would be removed following the completion of the upgrade.

The proposed antenna would be located on the same bearings as the existing antenna. The nearest school or nursery is located some 400m away - the Dolphin Nursery on Wokingham Road.

The proposed mast would be upgraded to maintain continued coverage and capacity of the exiting network for Hutchison 3G UK Limited but to also allow faster downloading and a reduction in call drop outs.

The mast and associated antennas are 'permitted development', but the developer must apply to the Local Planning Authority (LPA) to ascertain whether prior approval is required for the siting and appearance of the development. In this instance the applicants have submitted these details for approval and the Council has 56 days in which to consider them.

The applicant has submitted a certificate, which confirms that the proposed mast meets ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines.

6. REPRESENTATIONS RECEIVED

Binfield Parish Council –
no objection.

No further representations have been received at the time of the printing of this report. The 21 day consultation period expires 10 July 2015. Any representations received will be reported in the Supplementary Report.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer:
No objection.

8. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

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

9. PRINCIPLE OF DEVELOPMENT

In assessing RTD applications the Council must only consider the impacts in terms of the character and appearance of the area and highway safety. As such the principle of the development is not required to be assessed.

10. IMPACT ON CHARACTER AND APPEARANCE OF AREA

Policy CS7 of the CSDPD and 'saved' Policy EN20 of the BFBLP relate to design considerations in new proposals and are relevant considerations. These policies seek to ensure that developments are sympathetic to the character of the area. This is consistent with the NPPF.

'Saved' Policy SC4 of the BFBLP states: "Planning permission for network telecommunications development will be permitted provided that... There is no reasonable possibility of erecting antennas in an existing building or structure or of sharing facilities...The development must be sited so as to minimise its visual impact, subject to technical and operational considerations."

Section 5 of the NPPF refers to supporting high quality communications infrastructure. Para 43 states that local planning authorities should "aim to keep the number of radio and telecommunication masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used".

The replacement mast would be 0.3m higher than the existing mast on site. The replacement mast would also be increased in width from 0.2m to 0.3m (+0.1m) at the bottom of the pole and the antenna shroud increased in width from 0.35m to 0.6m (+0.25m). The increase in width and height of the replacement mast would nominally increase its visual prominence in the street scene when viewed from Longshot Lane and Western Road; however the increases are modest which would not appear so unduly prominent in the street scene. The surrounding area is industrial/commercial in character and the replacement mast would not detract from the visual amenities of the area.

The visual prominence of the replacement mast would be further mitigated by the set back of the mast from Longshot Lane - a set back of some 25m from the highway at the closest point. Further, the replacement mast would be relocated 2.5m westwards from its current location, further away from the highway.

Given the relocation of the replacement mast in an alternative location to that of the existing mast, a planning condition would be required in the event of prior approval being granted for the replacement mast that the existing mast is removed once the new mast is operational.

1no. additional cabinet is proposed. The proposed cabinet and retained existing equipment would not appear visually prominent in the street scene, due to the siting of the cabinet within an existing compound set away from the highway some 25m.

As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Policy CS7 of CSDPD, 'saved' Policy EN20 and parts of 'saved' policy SC4 of the BFBLP which is consistent with the NPPF.

'Saved' Policy EN20 of the BFBLP states that developments should not adversely affect the amenity of surrounding properties. This is consistent with the NPPF.

The site is located within an industrial/commercial area with no residential dwellings in close proximity. As such, the proposed replacement mast would not impact upon any residential dwellings.

The nearest building to the replacement mast would be Waterside House to the south, some 10m away. The rear elevation of the building faces onto the application site, however there is a band of trees between the building and the mast which are some 10-12m high which would mitigate views of the replacement mast and given it would retain its slimline design, albeit modestly wider and higher than the existing mast it would replace, it would not appear visually intrusive when viewed from Waterside House.

To the west are the units at the Western Centre, some 60m away. In view of this separation distance, the replacement mast would not appear visually intrusive viewed from these units.

To the north is an office building some 80m away. In view of this separation distance, the replacement mast would not appear visually intrusive viewed from this building.

11. HIGHWAY SAFETY

CSDPD Policy CS23 states that the LPA will seek to increase highway safety.

The replacement mast would be located some 25m from Longshot Lane, sited within an existing compound. Given its siting within a compound and its set back from the highway, it would not result in any highway safety implications.

The existing mast and associated equipment are accessed for maintenance purposes through the double gates which provide access into the TW pumping station compound. The compound contains an area of hardstanding surrounding the pumping station which allows for parking and turning. Access for maintenance of the replacement mast would remain the same as existing, with the ability for any maintenance vehicle to access the TW compound and park within the compound. As such, no maintenance vehicles would have to park on Longshot Lane given the access arrangements. As such, no highway safety issues would result from the proposal and it would be in accordance with CS23 of the CSDPD and the NPPF

12. HEALTH IMPLICATIONS

Section 5 of the NPPF relates to supporting high quality communications infrastructure. Para 46 states "Local planning authorities must determine applications on planning grounds. They should not...determine health safeguards if the proposal meets International Commission guidelines for public exposure".

The applicant has submitted a certificate, which confirms that the proposed mast meets ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines.

The International Commission on Non-Ionizing Radiation Protection (ICNIRP) is an independent scientific body which has produced an international set of guidelines for public exposure to radio frequency waves.

These guidelines were recommended in the Stewart Report and adopted by the Government, replacing the National Radiological Protection Board (NRPB) guidelines.

It is considered; therefore, that there are no grounds for refusal based on perceived health risks.

13. NEED

'Saved' Policy SC4 of BFBLP refers to telecommunication development being permitted provided there is a need for the development.

Para 46 of the NPPF also relates to need of telecommunications infrastructure. "Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system".

As such, the issue of need is not a planning consideration and therefore in this respect 'saved' policy SC4 of BFBLP carries limited weight.

14. CONCLUSION

It is considered that the proposed replacement telecommunications mast at a height of 15m and 1 no. additional equipment cabinet would not have significant increased impact to the visual amenities of the surrounding area. Further, no highway safety implications would result from the proposal. As such, the proposal is considered to be in accordance with policies CS7 and CS23 of the CSDPD, Policy CP1 of SALP, 'Saved' Policy EN20 of BFBLP and the NPPF. With regard to 'Saved' policy SC4 limited weight is given to this policy as stated earlier in this report.

Therefore recommend that prior approval be granted.

RECOMMENDATION

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

01. Drawing entitled site location received by Local Planning Authority on 10 June 2015
Drawing entitled site layout received by Local Planning Authority on 10 June 2015
Drawing entitled equipment layout received by Local Planning Authority on 10 June 2015
Drawing entitled site elevation received by Local Planning Authority on 10 June 2015
Drawing entitled antenna details received by Local Planning Authority on 10 June 2015
02. The existing 14.7m high mast shall immediately be removed following the installation of the replacement mast hereby permitted once it is operational.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

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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