



NOTICE OF MEETING

Planning Committee

Tuesday 21 June 2016, 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, Ms Gaw, Mrs Hayes MBE, Heydon, Hill, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Skinner, Thompson and Worrall

ALISON SANDERS
Director of Corporate Services

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Planning Committee
Tuesday 21 June 2016, 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

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|---|---------|
| 1. Apologies for Absence
To receive apologies for absence. | |
| 2. Minutes
To approve as a correct record the minutes of the meeting of the Committee held on 26 May 2016. | 5 - 36 |
| 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. Application 15/01081/FUL Old Whitelock, Garson Lane, Warfield
Change of use from existing barn for storage (B8) purposes. | 41 - 52 |
| 6. Application 16/00339/FUL 117-119 College Road, College Town, Sandhurst | |

Proposed use of dwelling house for the purpose of residential dwelling and Children's Nursery (No.119). Proposed formation of combined driveway to the front of Nos. 117-119. 53 - 62

7. **Application 16/00375/FUL Raj Bhawan, 58 Harmans Water Road, Bracknell**

Erection of part single, part two storey rear extension following demolition of existing conservatory, conversion of garage into habitable accommodation with addition of pitched roof and an extension to the dropped kerb. 63 - 72

8. **16/00509/PAC 32 Wellington Business Park, Dukes Ride, Crowthorne**

Application for a prior approval change of use from offices (B1(a)) to 6no. studio apartments and 6no. 1 bed apartments (C3). 73 - 80

MISCELLANEOUS ITEM

9. **15/01082/FUL 48 - 50 Dukes Ride, Crowthorne, Berkshire** 81 - 120

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**PLANNING COMMITTEE
26 MAY 2016
7.30 - 11.24 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, D Birch, Finnie, Ms Gaw, Mrs Hayes MBE, Hill, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle and Thompson

Also Present:

Councillors Dr Barnard, Peacey, Phillips, Turrell and Virgo

Apologies for absence were received from:

Councillors Heydon and Skinner

3. Apologies for Absence

Councillors Heydon and Skinner.

4. Minutes

RESOLVED that the minutes of the meeting held on 21 April 2016 be approved as a correct record and signed by the Chairman.

5. Declarations of Interest

Councillor Mrs McKenzie declared that she had an Affected Interest in item 7 [Application 16/00215/FUL – 30 Munnings Drive, College Town, Sandhurst, GU47 0FN] since she knew the applicant, and would withdraw from the meeting during consideration of this item.

Councillor Mrs Phillips indicated that she lived in Aldridge Park adjacent to Warfield Park' which was the subject of the application due for consideration at item 5, but she did not have a disclosable pecuniary interest in the matter.

6. Urgent Items of Business

There were no items of urgent business.

7. PS Application 15/00383/FUL - Warfield Park, Warfield, Bracknell

Change of Use of land adjoining Warfield Park for the siting of up to 82 mobile homes (according with the definition of a caravan), suitable alternative natural green space (SANGS) and informal open space, together with access improvements, landscaping and biodiversity measures.

A site visit had been held on Saturday 21 May 2016 which had been attended by Councillors Angell, Mrs Angell, Brossard, Dudley, Ms Gaw, Mrs Hayes, Hill, Mrs Ingham, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments from Warfield Parish Council recommending refusal of the application.
- The comments of Winkfield Parish Council.
- A petition containing 30 signatures objecting to the application, 56 letters of objection and 39 letters of support as summarised in the agenda papers.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Jacquie Lovell on behalf of the Chavey Down Association and local residents and Martin Taylor representing the Agent on behalf of the applicant.

The Committee recognised that as the Council did not currently have a 5 year supply of housing land, if the adverse impacts (harm) associated with the proposed development would not 'significantly and demonstrably' outweigh the benefits, then planning permission should be granted.

A motion to authorise the Head of Planning to approve the application subject to conditions (and following the completion of a planning obligation) as recommended in the Officer report was put to the vote and was lost. An alternative motion to refuse the application was put to the vote and was carried.

RESOLVED that planning application 15/00383/FUL be **REFUSED** for the following reasons:

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 and the NPPF.

02. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policy CS16 of the Core Strategy Development Plan Document and to the Planning Obligations SPD (2015).

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

04. The proposed development would unacceptably increase the pressure on open space of public value. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secures the on-site provision of open space of public value, the proposal is contrary to Policy R4 of the Bracknell Forest Borough Local Plan, Policy CS8 of the Core Strategy Development Plan Document and the Planning Obligations Supplementary Planning Document (adopted February 2015).

05. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off and it has not been shown that use of SuDS would be inappropriate for the development. 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.

8. Application 16/00020/OUT - Blue Mountain Golf Club and Conference Centre, Wood Lane, Binfield, RG42 4EX

Hybrid planning application seeking (a) outline planning permission for up to 400 dwellings, a community facility of up to 1,077 sq m, sports provision and open space (all matters reserved except for means of access) and (b) full planning permission for an all-through school (Learning Village) providing nursery, primary, secondary, post 16 and SEN facilities, approximately 13 ha of Suitable Alternative Natural Greenspace (SANG) land, two vehicular accesses from Temple Way, a spine road through the development and a school drop-off/SANG car park.

A site visit had been held on Saturday 21 May 2016 which had been attended by Councillors Angell, Mrs Angell, Dudley, Ms Gaw, Mrs Hayes, Hill, Mrs Ingham, Mrs Mattick, Mrs McKenzie-Boyle, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Binfield Parish Council.
- 52 letters of representation, a petition containing 33 signatures and a late emailed objection from Historic England, as summarised in the agenda papers and supplementary report.

RESOLVED:

i) that the Planning Committee confirm that the application 16/00020/OUT be considered to be substantially in accordance with policy SA7 of the Site Allocations Local Plan (July 2013); and,

ii) that the Head of Planning be authorised to:

A) APPROVE the application upon the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 broadly relating, but not restricted to:-

Affordable housing
Highway works and Highway Agreements

Car Parking Management
Sustainable Drainage Systems and Management
SPA Mitigation and SANG Management
Open Space of Public Value
Travel Plans
Waste Recycling Facility

The applicant to enter into a S278/S38 of the Highways Act 1980 for the construction of access roads and adoption of the relevant roads and footway/cycleways within the development.

and B) subject to the following conditions or such amendments, additions and deletions thereto as may be necessary:

SITE WIDE CONDITIONS

1. With the exception of Phase 1 and prior to the commencement of any Phase or Sub-phase, applications for the approval of the details relating to layout, scale, appearance and landscaping of the development hereby permitted (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority. The plans and particulars submitted in relation to these Reserved Matters shall be carried out in accordance with these reserved matters.

2. Applications for approval of all the Reserved Matters for the first Phase of residential development shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Applications for approval of the Reserved Matters relating to subsequent phases shall be made to the Local Planning Authority before the expiration of eight years from the date of this permission.

3. The development approved by Reserved Matters shall begin no later than the expiration of three years from the final approval of the reserved matters for that Phase, or, in the case of approval on different dates for a single Phase, the final approval of the last such matter to be approved.

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

10.124/P001 - site location plan
BLV-0100-00-ZZ-DR-A-00000/P4 - location plan
10.24/P021 Rev B - Plan showing the extents of the outline and full planning application

Phase 1 Learning Village Elevations and Layouts:

BLV-0107-00-ZZ-DR-L-00016/P6 - amended planting plan 01
BLV-0107-00-ZZ-DR-L-00003/ - general arrangements plan
BLV-0107-00-ZZ-DR-L-00002/P3 - tree retention and removal plan
BLV-0107-00-ZZ-DR-L-00001/P3 - landscape site plan
BLV-0100-Z1-ZZ-DR-A-21011/P1 - planning - typical bay detail - primary
BLV-0100-Z1-ZZ-DR-A-21010/P1 - planning - typical bay detail - secondary.
BLV-0100-Z1-ZZ-DR-A-00295/P1 - GA elevations - sports - planning
BLV-0100-Z1-ZZ-DR-A-00294/P2 - GA elevations - secondary - courtyard
BLV-0100-Z1-ZZ-DR-A-00293/P1 - GA elevations - secondary - courtyard.-...
BLV-0100-Z1-ZZ-DR-A-00292/P1 - GA elevations - secondary - north & west
BLV-0100-Z1-ZZ-DR-A-00291/P1 - GA elevations – secondary - south & east
BLV-0100-Z1-ZZ-DR-A-00290/P1 - GA elevations - primary - planning

BLV-0100-Z1-ZZ-DR-A-00206/P5 GA elevations - school buildings
BLV-0100-Z1-R1-DR-A-00194/P1 GA PLAN - primary - roof - level 01
BLV-0100-Z1-00-DR-A-00190/P1 GA PLAN - primary - level 00
BLV-0100-00-ZZ-DR-A-00311/P5 - sectional perspectives CC & DD
BLV-0100-00-ZZ-DR-A-00310/P4 - sectional perspectives
BLV-0100-00-ZZ-DR-A-00031/P3 - proposed site sections
BLV-0100-00-ZZ-DR-A-00020/P4 - demolition plan
BLV-0100-00-ZZ-DR-A-00010/P5 - amended out of hours community zone
BLV-0100-00-ZZ-DR-A-00001/P4 - block plan
BLV-0100-00-R4-DR-A-00195/P2 - GA PLAN - ROOF - LEVEL 04
BLV-0100-00-03-DR-A-00193/P1 - GA PLAN - LEVEL 03
BLV-0100-00-02-DR-A-00192/P1 - GA PLAN - LEVEL 02
BLV-0100-00-01-DR-A-00191/P1 - GA PLAN - LEVEL 01
13-274-013/B - AMENDED PROPOSED PLAZA LAYOUT

Learning Village Drainage:

13-274-029 - amended drainage details sheet 2 of 2
13-274-028 - amended highway long section sheet 2
13-274-027 - amended highway long section sheet 1
Detail Drainage Strategy Sheet 1 of 10 Drawing No 13-274-014 Revision G
Detail Drainage Strategy Sheet 2 of 10 Drawing No 13-274-015 Revision G
Detail Drainage Strategy Sheet 3 of 10 Drawing No 13-274-016 Revision G
Drainage Details Sheet 1 Drawing No 13-274-019 Revision C
Detail Drainage Strategy Sheet 4 of 10 Drawing No 13-274-020 Revision F
Detail Drainage Strategy Sheet 5 of 10 Drawing No 13-274-021 Revision F
Detail Drainage Strategy Sheet 6 of 10 Drawing No 13-274-022 Revision B
Detail Drainage Strategy Sheet 7 of 10 Drawing No 13-274-023 Revision B
Detail Drainage Strategy Sheet 8 of 10 Drawing No 13-274-024 Revision C
Detail Drainage Strategy Sheet 9 of 10 Drawing No 13-274-025 Revision A
Detail Drainage Strategy Sheet 10 of 10 Drawing No 13-274-026 Revision A

13-274-018/E - Surface water maintenance plan
13-274-03 Revision E - Foul and Surface Water Drainage Report May 2016
13-274 Revision D - Flood Risk Assessment Report April 2016
13-274-04 - Designers Summary of Significant/Unusual Hazards & Risks within SANGS April 2016
1035 Revision P5 - D7 Binfield Learning Village Planning Drainage Statement April 2016
BLV-0200-00-XX-RP-C-00007

Highway Plans:

Drawing 13-274-005L – Proposed School Drop-Off & ‘SANG’ Car Park
Drawing 13-274-007D - Site Access & Spine Road General Arrangement
Drawing 13-274-008E – Site Access & Spine Road Construction Make-Up
Drawing 13-274-012B – Site Access – General Arrangement
13-274-006 proposed SANG pedestrian access

Outline Application Plans:

CSA/2311/117/A
Site Location Plan – 10.124/P001,
Plan Showing the Extents of the Outline and Full Planning Application - 10.124/P4021 B
Parameter Land Use – 10.124/P401 Rev D,
Parameter Green Infrastructure – 10.124/P411 Rev E,
Parameter Building Heights – 10.124/P421 Rev B,
Parameter Density – 10.124/P431 Rev D

5. No residential development shall take place until a plan identifying the extent of each residential Phase or Sub-phase has been submitted to and approved in writing by the Local Planning Authority.

6. Prior to the submission of the first Reserved Matters application for a residential Phase a Masterplan and Design Code based on the principles in the Design and Access Statement shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan and Design Code will set out design principles in relation to the following:

- i. Layout, form, scale, and massing requirements for specific plots, character areas, Phases or Sub Phases of the development
- ii. Sustainable design and construction, including energy efficiency
- iii. Built form strategies including density and massing, orientation, street grain and permeability, street enclosure, active frontages, type and form of buildings including relationship to plot and landmarks
- iv. External materials
- v. Mix of dwelling types for each Phase or Sub Phase that contains residential development
- vi. Hard and soft landscaping strategy including the retention of important trees
- vii. Strategy for the design of the public realm including layout of streets, squares, areas of public open space and areas for play
- ix. Boundary treatment / fencing / means of enclosure
- x. Street lighting, signage, and other street furniture
- xi. Alignment, width, gradient, and type of construction proposed for all footways, cycleways and highways
- xii. On street and off street vehicle parking, loading and turning areas
- xiii. Cycle parking and storage
- xiv. Securing access to buildings for all
- xv. Integration of strategic utility requirements, surface water drainage, landscaping and highway design
- xvii. External lighting of non-residential buildings, circulatory routes, open spaces and parking areas

Thereafter all Reserved Matters applications relating to a residential Phase shall be submitted in accordance with the approved Masterplan and Design Code (as may be amended from time to time by written agreement with the Local Planning Authority).
REASON: To enable the Local Planning Authority to exercise appropriate control of the design of the development

7. With the exception of works in Phase 1 the development hereby permitted shall not be begun until a Construction Strategy for that Phase of the development, has been submitted to and approved in writing by the Local Planning Authority.

The Construction Strategy shall comprise the following information, where relevant.

1. A Demolition and Construction Programme which shall set out the anticipated sequence in which the following works will be carried out:
 - i. Demolition works
 - ii. Tree clearance works
 - iii. Earthworks
 - iv. Construction of development Phases and Sub-Phases
 - v. Highway works (including pedestrian/cyclist routes and alterations for construction access)
 - vii. Surface water drainage works
 - viii. Landscaping works
 - ix. Utility works

- x. Recycling facilities
 - xi Environmental mitigation works identified in the Environmental Statement
2. In relation to any residential development, a Planning Submission Programme which shall set out the anticipated sequence for the submission of the Masterplan and Design Code and other details as referred to in other conditions attached to this permission.
3. In relation to any residential development, Phasing Strategy Diagrams which shall include the following details:
- i. The location of each Phase and Sub-phase of development
 - ii. The anticipated commencement date and order in which works are to be completed in the development Phases and Sub-phases
 - iii. Landscape (including areas of passive and active Open Space of Public Value), utility and highway works for each Phase and Sub-phase.
- The development shall thereafter only be carried out in accordance with the approved Construction Strategy (as may be amended from time to time by agreement in writing of the Local Planning Authority).
4. In relation to any residential development, a list of the land use components (including number of dwellings and Open Space of Public Value) of each Phase or Sub-phase of the development.

8. No residential development hereby permitted shall begin until a Construction Strategy for the implementation of the Suitable Alternative Natural Greenspace has been submitted to and approved in writing by the Local Planning Authority. The Construction Strategy shall comprise the following information, where relevant:

- 1. A Demolition and Construction Programme which shall set out the anticipated sequence in which the following works will be carried out:
 - i. Demolition works
 - ii. Tree clearance works
 - iii. Earthworks
 - iv. Construction of development Phases
 - vi. Highway works (including construction access)
 - vii. Surface water drainage works
 - viii. Landscaping works
 - viii. Utility works
 - ix. Recycling facilities
 - xi Environmental mitigation works identified in the Environmental Statement

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

9. The development hereby permitted shall not exceed 403 dwellings.

10. The development hereby permitted shall be implemented in accordance with the mitigation measures contained in the Environmental Statement dated January 2016

11. No development within any Phase or Sub-phase, shall take place, including any works of demolition, until a Construction Environmental Management Plan (CEMP) for that Phase or Sub-phase has been submitted to and approved in writing by the Local Planning Authority.

Each CEMP shall include as a minimum:

- (i) a Construction Logistics/ Site Organisation plan
- (ii) The location of construction access for the relevant Phase or Sub phase of demolition and construction

- (iii) The routing of construction traffic (including directional signage and appropriate traffic management measures) to minimise the impact on local residents and other road users;
- (iv) Details of the parking of vehicles of site operatives and visitors
- (v) Areas for loading and unloading of plant and materials
- (vi) Areas for the storage of plant and materials used in constructing the development
- (vii) The erection and maintenance of security hoarding
- (viii) External lighting of the site
- (ix) Method of piling for foundations
- (x) Measures to control the emission of dust, dirt, noise and odour during construction
- (xi) Measures to control surface water run-off
- (xii) Measures to prevent ground and water pollution from contaminants on-site
- (xiii) construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (xiv) Details of wheel-washing facilities;
- (xv) details in respect of measures to minimise, re-use and re-cycle waste, including materials and waste arising from demolition; minimise the pollution potential of unavoidable waste; and dispose of unavoidable waste in an environmentally acceptable manner;
- (xvi) details of measures to mitigate the impact of demolition and construction activities on ecology as set out in paragraphs 7.8.34, 7.8.35, 7.8.42, 7.8.44, 7.8.45, 7.8.47 of the Environmental Statement; and
- (xvii) Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority.

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

12. No site clearance shall take place on any Phase or Sub-phase 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 that Phase of the development has been submitted to and approved in writing by the Local Planning Authority. Any agreed scheme shall be carried out in accordance with the minimisation measured agreed and retained as such thereafter.

13. All planting comprised in the soft landscaping works within all Phases or Sub-phases of development shall be carried out and completed in full accordance with the approved scheme for that particular Phase, in the nearest planting season (1st October to 31st March inclusive) to the completion of the relevant Phase or Sub-phase, 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 relevant Phase or Sub-phase, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

14. Other than works within Phase 1, the development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees, hedgerows and groups of mature shrubs to be retained for that particular Phase in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following for that particular Phase : -

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development where the root protection zone extends into the site.
 - b) Positions and spreads of existing hedgerows and groups of mature shrubs.
 - c) All proposed tree, hedge, shrub removal and retention.
 - d) Minimum 'Root Protection Areas' of all existing retained trees within the site and on neighbouring land adjacent to the approved development, calculated in accordance with BS 5837 recommendations.
 - e) Plans of a minimum scale of 1:200 (unless agreed otherwise by the Local Authority) showing the proposed locations of 2.3m high protective barrier/s, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
 - f) Proposed ground protection measures in accordance with Section 9 (Figure 3) of BS 5837:2012.
 - g) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
 - h) Illustration/s of the proposed fencing structure/s to be erected.
- The development shall be carried out in accordance with the approved scheme and programme.

15. The protective fencing and other protection measures specified by condition 14 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of each Phase 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 that Phase of the site. No activity of any description must occur at any time within these protected areas including but not restricted to the following: -

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

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

16. If any tree or hedgerow shown to be retained on any plan approved by this permission or on any plan approved under any subsequent reserved matter or condition of this consent, is removed, uprooted, destroyed, dies or becomes diseased during the course of the development or within a period of 5 years of the completion of the Phase or Sub-phase, another tree or hedgerow of the same species and size as that originally planted shall be planted at the same place.

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

18. Prior to the commencement of any Phase of the development, the applicant, or their agents, or successors in title, will secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation for that Phase of the development, which has been submitted by the applicant and approved in writing by the local planning authority. The preliminary archaeological results for each Phase shall inform archaeological mitigation measures that may be required for each Phase, to be agreed by the local planning authority. Mitigation measures will be implemented in accordance with those agreed in writing with the local planning authority.'

19. No works associated with the residential development other than substructure works shall take place until full details of recycling facilities (including details of screening) are submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be implemented prior to the occupation of any dwelling and shall thereafter be retained.

20. No residential development shall be occupied until a detailed Landscape Management Plan for that particular Phase or Phases has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- (a) long term design objectives;
- (b) management responsibilities; and
- (c) maintenance schedules for all landscape areas within the development.

The Landscape Management Plan shall be carried out as approved.

21. Prior to the commencement of any Phase or Sub-phase, full details showing the finished floor levels of any new buildings in that Phase hereby approved in relation to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

22. Other than works within Phase 1, prior to the commencement of any new building, an Energy Demand Assessment for that particular building or buildings shall be submitted to and approved in writing by the Local Planning Authority. This Assessment shall demonstrate how (a) the development in that relevant Phase will reduce carbon dioxide emissions by at least 10% and detail what specific measures will be carried out to ensure this, and (b) where relevant will outline, what proportion of the buildings energy requirements will be provided from onsite renewable energy production (which proportion shall be 20% unless otherwise agreed in writing by the Local Planning Authority).

The buildings shall be constructed in accordance with the approved Energy Demand Assessment and retained in accordance therewith, unless the Local Planning Authority gives prior written consent to any variation.

23. No residential development shall commence 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.

24. No building shall be occupied until:

- (a) means of vehicular access;
- (b) means of pedestrian and cycle access; and
- (c) vehicle and cycle parking spaces;

associated with that particular building have been constructed in accordance with the approved details which have been submitted to and approved in writing by the Local Planning Authority.

Such accesses and parking spaces shall thereafter be retained.

25. If Avenue A is identified within any Construction Environmental Management Plan submitted to discharge condition 11 as being required to provide access for construction vehicles, no development (other than the construction of the access) shall take place until Avenue A (as shown on plan Parameter Plan :Access and Movement 10.124/P441 Rev D) has been constructed to provide a safe means of access to any required construction vehicles in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

26. If Avenue A is identified within any Construction Environmental Management Plan submitted to discharge condition 11 as being required to provide access for construction vehicles, before any other part of the development commences the proposed vehicular access from Avenue A to Temple Way shall be formed and provided with visibility splays and temporary drainage to the west of Avenue A (as detailed in the Detail Drainage Strategy Sheet 2 of 10 Drawing No 13-274-015 Revision F) shall be completed. in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The land within the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height measured from the surface of the adjacent carriageway and at all times maintained clear of any obstruction exceeding 0.6 metres in height.

REASON: In the interests of highway safety and to ensure the provision of adequate drainage works to serve the development.

27. No buildings within any Phase or Sub-phase of the development hereby permitted shall be occupied until a plan showing visibility splays within that Phase or Sub-phase 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. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

28. The dwelling(s) shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

29. No dwellings shall be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent carriageway.

The dimensions shall be measured along the edge of the drive and the edge of the carriageway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

30. No building shall be occupied until a temporary 3 metre wide footway/cycleway has been constructed between Avenue A and Temple Way in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

31. Before any other part of the development hereby permitted is commenced details of the vertical alignment and construction of Avenue A shall be submitted to and approved in writing by the Local Planning Authority.

32. The gradient of private residential drives shall not exceed 1 in 12.

33. No residential development in any Phase or Sub-phase hereby permitted shall commence until

- (a) details of the location of visitor car parking spaces, and
- (b) details of the signing for the spaces

have been submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.

34. There shall be at least 6.0 metres between the garage door (when shut) of any dwelling and the highway boundary.

35. Any garage accommodation shall be retained for the use of the parking of vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.

36. Any car ports hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (general Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port, unless otherwise agreed in writing by the Local Planning Authority.

37. With the exception of Phase 1, the development hereby permitted shall not commence until a scheme for that particular Phase has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The Phase shall not be occupied until the approved cycle parking facilities have been implemented and retained thereafter.

38. No gates shall be provided at the vehicular access to any residential Phase.

39. Prior to the commencement of works to construct Avenue A a scheme shall be submitted to and approved in writing by the Local Planning Authority for off site highway works for:

Access into the site from Temple Way as shown on plan 13-274-008 Rev E
The buildings provided by the carrying out of the development shall not be occupied until the off site highway works have been completed in accordance with the scheme. Prior to the commencement of each of the works below a scheme shall be submitted to and approved in writing by the Local Planning Authority for each of the works to include:

* Wood Lane/Temple Way/Popeswood Roundabout junction works

- * Wood Lane enhancements including road and footway improvements to the site and the footway/cycleway improvements north of the site linking to Forest Road
- * Toucan crossing on Temple Way
- * Works to Forest Road to provide access to car park and bus stop enhancements

No building shall be occupied until the off site highway works have been completed in accordance with the scheme.

40. Other than works within Phase 1 no part of the development within any phase or sub phase shall commence until details for the design of the sustainable drainage scheme for that particular Phase or Sub-phase in accordance with the approved drainage strategy have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include:

- a) how the design meets the Defra Non-Statutory Technical Standards and the Lead Local Flood Authority's Local Flood Risk Management Strategy
- b) how the design meets National and Local planning policies and guidance.
- c) any works required on-site to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- d) any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts and headwalls where relevant)

41. Other than works within Phase 1 no part of the development within any phase or sub phase shall be occupied until a management plan containing details of the maintenance and operation of the sustainable drainage scheme for the lifetime of the development in that particular Phase or Sub-phase have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include:-

- (a) arrangements for adoption by any public body or statutory undertaker, or;
- (b) arrangements to secure management by a private/residents management company or suitable other arrangements;
- (c) maintenance schedule for the sustainable drainage scheme;
- (d) operation of the sustainable drainage scheme including repair, replacement and servicing.

The scheme shall thereafter be operated and maintained in accordance with the approved management plan for the lifetime of the development.

42. Other than Phase 1 of the development, no building hereby permitted shall be occupied until the sustainable drainage scheme serving that building has been implemented in accordance with the submitted and approved details..

43. No Phase or Sub-phase of the development shall be occupied until details of the proposed bus stops have been submitted to and approved in writing by the Local Planning Authority. The bus stops shall be constructed in accordance with the approved plans.

PHASE 1 conditions only

44. Phase 1 of the development hereby permitted shall be begun before the expiration of three years from the date of this permission.

45. Prior to the commencement of any superstructure works in respect of Phase 1, full details of all external facing materials and hard landscaping for the Phase 1 buildings, and surfacing materials for Avenue A shall be submitted to and approved in writing by the Local Planning Authority for each part of the works. The samples shall be made available on-site for inspection and details to be submitted shall include:-

- a) A sample panel for each facing material and surfacing materials
- b) Supporting drawings;
- c) Manufacturer's specifications where relevant;
- d) Any necessary illustrative material in the form of photographic examples, and supporting textual material.

The development shall be carried out strictly in accordance with the approved details and maintained as such thereafter.

46. The development hereby permitted shall not be occupied until a scheme for the design of car parking areas to serve the Learning Village and community facilities has been submitted to and approved in writing by the Local Planning Authority and shall include details of:

- (a) directional signs and their locations to each car park and section of car park
- (b) surface markings
- (c) pedestrian routes within the car park
- (d) location and design of cycle parking
- (e) car parking for people with disabilities including Signage
- (f) gradients of the pedestrian and access routes

The approved scheme shall be implemented prior to the first occupation of the part of the development to be served by the parking areas shall thereafter be retained.

47. Prior to the commencement of any superstructure works in respect of Phase 1 a scheme for covered and secure cycle parking facilities (including shower facilities and lockers for employees) shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the approved scheme has been implemented. Save as otherwise agreed in writing by the Local Planning Authority, the facilities shall be retained.

48. The car parking indicated on the approved plans as car parking for people with disabilities shall be marked out, signed and provided prior to the first occupation of the building that the parking relates to and shall thereafter be retained, unless otherwise agreed in writing by the Local Planning Authority.

49. Prior to the commencement of any superstructure works in respect of Phase 1, a full lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of all freestanding external site lighting, including details of the lighting units and levels of illumination, for all adopted and unadopted roads required to serve the buildings in Phase 1 of the development, car parking areas and sports pitches and facilities associated with the Learning Village. The lighting scheme shall include as a minimum:

- Details of lighting columns within the northern section of Wood Lane to ensure that the top of the Wood Lane vegetation is not lit
- Details of cowls and/or screens to block light
- Details of sensor lighting or restricted lighting hours
- Avoiding light wavelengths <500nm
- Lux lighting levels and any light wavelengths

No lighting shall be provided at the site other than in accordance with the approved details. The approved lighting scheme shall be installed prior to the first occupation of Phase 1.

50. Within three months of the final occupation of Phase 1, a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum BREEAM standard of "Very Good".

51. Prior to the first occupation of any building within Phase 1, full details of facilities for the separation and collection of different types of waste (including details of screening) shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be implemented prior to the occupation of any building in Phase 1 and shall thereafter be retained.

52. Prior to the first occupation of any building within Phase 1, full details of cycle parking facilities to serve Phase 1 of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall comprise of covered and secure parking provision and no building shall be occupied until the approved scheme has been implemented. The approved details shall be retained as such thereafter.

53. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Figure 2 of British Standard 5837:2012, or any subsequent revision.

54. The development hereby permitted (including initial site-clearance) shall not be begun until the protective fencing and other protection measures specified by condition 53 has been erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). No activity of any description must occur at any time within these protected areas including but not restricted to the following: -

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

In addition to the protection measures specified above,

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

55. No superstructure works in respect of Phase 1 shall begin until:-

- 1) details of both hard and soft landscaping works, and
- 2) a comprehensive five year post planting maintenance schedule

have been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be performed and complied with. The details in respect of 1), above shall include:

- a) Comprehensive planting plans that provide adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.
- b) Details of native planting and biodiversity friendly planting;
- c) Details of semi mature tree planting to include tree planting in the vicinity of Wood Lane. Details of tree planting in the vicinity of Wood Lane to be agreed following consultation with Historic England
- d) Comprehensive 5 year post planting maintenance schedule.
- e) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
- f) Paving including paths, patios, proposed materials and construction methods, cycle routes, parking signage and marking,
- h) Other landscape features.

Phase 1 shall be landscaped and completed in full accordance with the approved landscape scheme, prior to its first occupation. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of Phase 1 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.

56. The level of noise emitted from plant on the premises shall not exceed the noise levels set out in the Operational Noise section of Chapter 11 of the submitted Environmental Statement, dated January 2016

57. Prior to the pitch provision and sports facilities within Phase 1 being brought into use, details of its community use shall be submitted to and approved in writing by the Local Planning Authority. The details shall apply to pitch provision, sports facilities and ancillary provision including car parking and changing facilities and include details of pricing policy, hours of use, access, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities.

REASON: To secure well managed, safe community access to the sports facility / facilities, to secure sufficient benefit to the development of sport and accord with Development Plan policy.

58. No superstructure works associated with the development shall commence until the surface water drainage connecting Avenue A to the SANG as detailed in Detail Drainage Strategy Sheet 1 of 10 Drawing No 13-274-014 Revision G and Detail Drainage Strategy Sheet 2 of 10 Drawing No 13-274-015 Revision G has been completed.

59. Prior to the commencement of superstructure works in Phase 1, the surface water drainage connecting the Learning Village to the SANG as detailed in Detail

Drainage Strategy Sheet 4 of 10 Drawing No 13-274-020 Revision F shall be completed.

60. Prior to the commencement of any superstructure works in Phase 1, the construction of temporary drainage to the west of Avenue A as detailed in the Detail Drainage Strategy Sheet 2 of 10 Drawing No 13-274-015 Revision G shall be completed.

61. Buildings within Phase 1 shall not be occupied until the sustainable drainage scheme serving that building has been implemented in accordance with the submitted and approved details and maintained in accordance with the agreed management plan for the lifetime of the development.

62. The surface water drainage serving the SANG shall be completed in accordance with the approved plans and strategy and the drainage operated and maintained thereafter for the life of the development.

63. The total number of pupils occupying the Learning Village shall not exceed:

Nursery school - 52 children
Primary school - 420 children
Secondary school - 1,050 pupils
Post 16 - 315 students
Integrated SEN - 40 pupils.

9. **PS Application 16/00215/FUL - 30 Munnings Drive, College Town, Sandhurst, GU47 0FN**

Erection of two storey side extension.

A site visit had been held on Saturday 21 May 2016 which had been attended by Councillors Angell, Mrs Angell, Brossard, Dudley, Ms Gaw, Mrs Hayes, Hill, Mrs Ingham, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The objection of Sandhurst Town Council to the proposal on the grounds that it would result in an adverse impact on the amenities of the neighbouring properties through being overbearing.
- 18 objections received from the residents of neighbouring properties, as summarised in the agenda papers and supplementary report.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Mrs Terri Bonnici on behalf of local residents and Mrs Shelagh Spurway Ash, 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 approved plans received by the Local Planning Authority:

DWG – SSAJ5 R4 ‘Floor and Roof Plans’ received on 7 March 2016
DWG - SSAJ9 R4 ‘Proposed Elevations’ received on 7 March 2016
DWG – SSAJ17 R1 ‘Proposed Site/Block Views’ received on 4 April 2016
DWG – SSAJ18 R1 ‘OS Map Dimensions’ received on 4 April 2016
DWG – SSAJ20A R1 ‘Part Roof Plan & Sections 1 of 2’ received on 16 May 2016
DWG – SSAJ20A R1 ‘Part Roof Plan & Sections 1 of 2’ received on 16 May 2016

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 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed on the west- or northwest-facing elevation of the development hereby permitted.
05. The 2no. windows the first floor of the west-facing side 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. Any replacement window shall be glazed and fixed to this standard, and retained as such.
06. The hedging sited along the northeastern boundary with the highway of Munnings Drive as identified on drawing DWG – SSAJ17 R1 ‘Proposed Site/Block Views’ received on 4 April 2016 shall be retained in the location shown. Any replacement hedging shall be sited in the location shown, and retained as such.

Councillor Mrs McKenzie, having declared an Affected Interest in the item, withdrew from the meeting and took no part in the consideration of it.

10. **Application 16/00062/FUL - 10 Popham Close, Bracknell, RG12 0XZ**
Erection of single storey side extension and two storey rear extension, following the demolition of the existing garage.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The objection of Winkfield Parish Council to the proposal on the grounds that it would constitute overdevelopment of the site, to the detriment of the character of the surrounding area, and also raise concerns that an inadequate parking provision has been provided, in view of the loss of the garage.
- 9 objections received from the residents of surrounding properties, as summarised in the agenda papers and supplementary report.

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 18 May 2016:
Dwg. Title 'Proposed single storey and two storey extension' [Amended]
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 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed on the south-facing elevation of the development hereby permitted.
05. The 1no. window serving the en-suite bathroom on the first floor of the west-facing side 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. Any replacement window shall be glazed and fixed to this standard, and retained as such.
06. The development hereby permitted shall not be occupied until the 2no. off-street parking spaces as shown on drawing title 'Proposed single storey and two storey extension' [Amended], received by the Local Planning Authority on 18 May 2016, has been provided in accordance with the approved plans. The parking space shall thereafter be retained for the use of the parking of vehicles at all times.

11. **Application 16/00162/FUL - Land Adjacent To 6 Peacock Cottages, Peacock Lane, Wokingham**
Erection of one pair of semi-detached dwellinghouses.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Bracknell Town Council
- Five letters of objection had been received in respect of the proposal, as summarised in the agenda papers.

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

- Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA).

That the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

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

02. The development hereby submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 25.02.16 and 10.05.16:

1765/10 (Rev B)
1765/11 (Rev B)
1765/12 (Rev D)
1765/13 (Rev B)
03. No construction works shall take place until brick and tile samples to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the north or south facing side elevations of the dwellings hereby permitted except for any which may be shown on the approved drawing(s).
05. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with the approved plan site layout.
06. No dwelling shall be occupied until the associated vehicle parking has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
07. The garage accommodation shall be retained for the use of the parking of vehicles and cycles at all times.
08. No construction works shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
 - (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.
09. The dwellings shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent carriageway. The dimensions shall be measured along the edge of the drive and the edge of the carriageway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.
10. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision.

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

11. The protective fencing and other protection measures specified by condition 10 shall be erected 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. 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.

12. The development hereby permitted shall not be begun until:
 - (i) a site layout plan showing the proposed layout of all underground services and external lighting and
 - (ii) a programme for the phasing and timing of workshave been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -
 - a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
 - b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
 - c) Soak-aways (where applicable)
 - d) Gas, electricity, telecom and cable television.
 - e) Lighting columns and all associated ducting for power supply.
 - f) Phasing and timing of works.

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

13. No development hereby permitted shall be begun until a site specific method statement for the removal of all existing hard surfaced areas and structures of any other description, located within the minimum Root Protection Areas (RPA's) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
 - a) A site plan identifying all areas where such work is to be undertaken.
 - b) Reinstatement to soft landscape area including proposed ground de-compaction works.
 - c) Timing and phasing of works.

The approved Method Statement shall be observed, performed and complied with.

14. No development (including initial site clearance) shall commence until a programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
 - a) Induction and personnel awareness of arboricultural matters.
 - b) Identification of individual responsibilities and key personnel.
 - c) Statement of delegated powers.
 - d) Timing and methods of site visiting and record keeping.
 - e) Procedures for dealing with variations and incidents.The programme of arboricultural supervision/monitoring shall be undertaken in full compliance with the approved details.
15. The development hereby permitted shall not be begun until a detailed site specific method statement for the construction of the new gate within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -
 - a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
 - b) Materials including porous surface finish.
 - c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
 - d) Program and method of implementation.The Construction Method Statement shall be observed, performed and complied with.
16. No 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.
17. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). It shall be operated and maintained as such thereafter.
18. The development hereby permitted shall not be begun until details of the septic tanks, including specification and location, have been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be carried out before the development or any thereof is occupied.
19. No dwelling shall be occupied until the vehicle turning area has been set out in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. The area shall not thereafter be used for any purpose other than turning.

In the event of the S106 agreement not being completed by 31 August 2016, the Head of Planning be authorised to either extend the period further or 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).

12. **Application 16/00113/FUL - 1 Lakeside, Bracknell, RG42 2LE**

Erection of a part single and part two storey side extension, following demolition of existing garage.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Bracknell Town Council
- Five letters of objection had been received in respect of the proposal, as summarised in the agenda papers and supplementary report.

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 1 April 2016

Drg.04 'Proposed Floor Plans' received on 8 February 2016

Drg.05 Rev. A 'Proposed Elevations' received on 20 April 2016

Drg.06 'Ground Floor Plan Showing Additional Parking Spaces' received on 1 April 2016

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 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed on the south-facing elevation of the development hereby permitted.

05. The 2no. windows to the first floor of the west-facing side elevation serving the en-suite bathroom and additional bathroom 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). They shall at all times be fixed

shut with the exception of a top hung openable fanlight. Any replacement window shall be glazed and fixed shut to this standard, and retained as such.

06. The development hereby permitted shall not be occupied until the 3no. off-street parking spaces as shown on drawing Drg.06 'Ground Floor Plan Showing Additional Parking Spaces', received by the Local Planning Authority on 1 April 2016, has been provided in accordance with the approved plans. The parking spaces shall thereafter be retained for the use of the parking of vehicles at all times.

13. **Application 16/00169/FUL - Land Adjacent To 52 Florence Road, College Town, Sandhurst, GU47 0QD**

Erection of a 2 no bed bungalow.

The Committee noted:

- The comments of Sandhurst Town Council
- Four neighbour objections had been received in respect of the proposal, as summarised in the agenda papers.

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

- Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA).

That the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 23.02.16:

2857-1
2857-2
2857-10
03. No construction works shall take place until brick and tile samples 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 dwelling shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plan site layout.
05. No dwelling shall be occupied until the associated vehicle parking has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

06. The dwelling shall not be occupied until secure and covered refuse storage and parking for bicycles has been provided in accordance with the approved drawing. They shall be retained as such thereafter.
07. No construction works shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
 - (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives
 and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.
08. 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.
09. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy 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 shall be carried out in accordance with the approved assessment and retained as such thereafter.
10. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). It shall be operated and maintained as such thereafter.

In the event of the S106 agreement not being completed by 31 August 2016, the Head of Planning be authorised to either extend the period further or 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).

14. **Application 15/01132/FUL - 9 Minstead Close, Bracknell, RG12 9FE**
Erection of a part first floor, part single storey side and rear extension and a single storey rear extension for proposed family room.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Winkfield Parish Council objecting to the proposal
- Four letters of objection received in respect of the proposal, as summarised in the agenda papers.

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:
T/2145 'Roof/Block Plan', received on 16 November 2015
T/2145/1 'Proposed Plans and Elevations', received on 16 November 2015
Parking Plan, received on 13 May 2016
03. The materials to be used in the construction of the external surfaces of the part first floor, part single storey side and rear extension hereby permitted shall be similar in 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 windows, similar openings or enlargement thereof shall be constructed in the north elevation of the proposed side extension at first floor level or above hereby permitted.
05. The three car parking spaces shown on the approved parking plan (Final) (2) received 13 May 2016 shall be implemented in accordance with the approved details prior to the garage conversion being brought into use. The parking spaces shall be retained thereafter for the use of the parking of vehicles at all times.

15. **Application 15/01262/FUL - Land Adjacent To 23 Darwall Drive, Ascot
Erection of detached residential dwelling and associated car parking.**

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Winkfield Parish Council had recommended refusal as the application was considered to be out of keeping with the character and openness of the area.
- Four letters of objection received in respect of the proposal from neighbouring residential properties, as summarised in the agenda papers and supplementary report.

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 submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 04.04.16 and 06.05.16:

15-P1217-01 (Rev C)

15-P1217-02 (Rev D)

15-P1217-03 (Rev C)

03. No construction works shall take place until brick and tile samples 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 first floor bathroom and landing windows in the north west and south east facing side elevations of the dwelling hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut up to a height of 1.7m from the internal floor level.
05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the north west of south east facing side elevations of the dwelling hereby permitted except for any which may be shown on the approved drawing(s).
06. The dwelling shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plan site layout.
07. The dwelling shall not be occupied until a plan showing pedestrian visibility splays at the vehicular access has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
08. The dwelling hereby approved shall not be occupied until the associated vehicle parking for the proposed dwelling has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
09. The dwelling shall not be occupied until secure and covered refuse storage and parking for bicycles has been provided in accordance with the approved drawings. They shall be retained as such thereafter.
10. No construction works shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
 - (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operativesand each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.
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.

12. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy 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 shall be carried out in accordance with the approved assessment and retained as such thereafter.

16. **Application 16/00265/FUL - Wildwoods, 24 Prince Consort Drive, Ascot, SL5 8AW**

Section 73 application for the variation of condition 2 (approved plans) of planning permission 14/01295/FUL for the erection of a detached two storey dwelling with associated garages following the demolition of the existing buildings.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Winkfield Parish Council had recommended refusal for the reason that the development should comply with the approved plans. Any variation which would be inappropriate in the Green Belt would be unacceptable.
- Three letters of objection had been received in respect of the proposal from neighbouring properties, as summarised in the agenda papers and supplementary report.

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 submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 17.03.16:

P14/19/S/101 (Revision E)
P14/19/S/110 (Revision C)
03. The first floor en suite windows in the north east and south west facing side elevations of the dwelling and the first floor shower room rooflight in the north east facing rear elevation of the garage hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut up to a height of 1.7m from the internal floor level.
04. The second floor rooflights in the north east and south west facing side elevations of the dwelling hereby permitted shall at all times be high level windows having a sill height of not less than 1.8m above internal floor.
05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows,

similar openings or enlargement thereof shall be constructed at first floor level or above in the north east or south west facing side elevations of the dwelling or the north east facing rear elevation of the garage hereby permitted except for any which may be shown on the approved drawing(s).

06. 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.

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

08. The protective fencing and other protection measures specified by condition 10 of planning permission 14/01295/FUL and detailed within the document 'Tree Survey, Arboricultural Implication Assessment and Method Statement' and Plans 2020, 2021 and 2022 submitted in respect of application 15/00201/COND pursuant to condition 10:

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

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

09. 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.

10. 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 enlargement, addition, improvement or other alteration permitted by Classes A, B or E of Part 1 of the Second Schedule of the 2015 Order shall be carried out.

11. 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 hard surface as permitted by Class F of Part 1 of the Second schedule of the 2015 Order shall be provided for any purpose incidental to the enjoyment of the dwelling house
12. 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.
13. All ecological measures and/or works shall be carried out in full accordance with the details contained in AA Environmental Ltd.'s report dated December 2014.
14. The areas shown for bat roost purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.
16. If more than 2 years elapse between the previous bat survey and the due commencement date of works, an updated bat survey shall be carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site. The development shall be carried out in accordance with the approved scheme.
17. The demolition of any and all buildings on site shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
 - a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity will require a licence.

18. The garage and the accommodation above the garage hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse, known as Wildwoods, No.24 Prince Consort Drive, and shall at no time form a separate dwelling.

17. **Application 16/00032/TRTPO - Ashberry, 90 Horatio Avenue, Warfield, Bracknell, RG42 3TJ**

TPO 393 - Application to Fell 1 tree

A site visit had been held on Saturday 21 May 2016 which had been attended by Councillors Angell, Mrs Angell, Brossard, Dudley, Ms Gaw, Mrs Hayes, Hill, Mrs Ingham, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Warfield Parish Council had raised an objection to the removal of the hawthorn tree.
- No other representations had been received.

RESOLVED that consent be granted for the proposed work with no conditions.

18. **Application 16/00276/RTD - Telecommunications Mast, Savernake Way, Bracknell**

Replacement of 11.7M phase 3 monopole with a 12.5M phase 5 monopole with 1 no. additional equipment cabinet (re-submission of 15/01038/RTD).

This application was withdrawn from the agenda and determined under delegated powers as no objections had been received in the consultation period.

CHAIRMAN

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

**PLANNING COMMITTEE
21st June 2016**

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

		Case Officer	Reporting Officer
5	<p>15/01081/FUL Old Whitelocks Garsons Lane Warfield (Winkfield And Cranbourne Ward) Change of use from existing barn for storage (B8) purposes. Recommendation: Approve.</p>	Sarah Horwood	Basia Polnik
6	<p>16/00339/FUL 117-119 College Road College Town Sandhurst (College Town Ward) Proposed use of dwellinghouse for the purpose of residential dwelling and Children's Nursery (No.119). Proposed formation of combined driveway to the front of Nos. 117-119. Recommendation:</p>	Sarah Horwood	Basia Polnik
7	<p>16/00375/FUL Raj Bhawan 58 Harmans Water Road Bracknell (Harmans Water Ward) Erection of part single, part two storey rear extension following demolition of existing conservatory, conversion of garage into habitable accommodation with addition of pitched roof and an extension to the dropped kerb Recommendation: Approve.</p>	Shannon Kimber	Basia Polnik
8	<p>16/00509/PAC 32 Wellington Business Park Dukes Ride Crowthorne (Crowthorne Ward) Application for a prior approval change of use from offices (B1(a)) to 6no. studio apartments and 6no. 1 bed apartments (C3). Recommendation:</p>	Sarah Horwood	Basia Polnik

MISCELLANEOUS ITEM

9	15/01082/FUL 48 - 50 Dukes Ride Crowthorne Berkshire (Crowthorne Ward)	Simon Roskilly	Martin Bourne
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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.

BFBLP Bracknell Forest Borough Local Plan
CSDPD Core Strategy Development Plan Document
SALP Site Allocations Local Plan
RMLP Replacement Minerals Local Plan
WLP Waste Local Plan for Berkshire

SPG Supplementary Planning Guidance
SPD Supplementary Planning Document

RSS Regional Spatial Strategy (also known as the SEP South East Plan)

NPPF National Planning Policy Framework (Published by DCLG)
NPPG National 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

SITE LOCATION PLAN

For information the plans are orientated so that north is always at the top of the page.

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.

ITEM NO: 5

Application No.
15/01081/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
2 November 2015

Target Decision Date:
28 December 2015

Site Address:

**Old Whitelocks Garsons Lane Warfield Bracknell
Berkshire RG42 6JA**

Proposal:

Change of use from existing barn for storage (B8) purposes.

Applicant:

Mr Nick Wells

Agent:

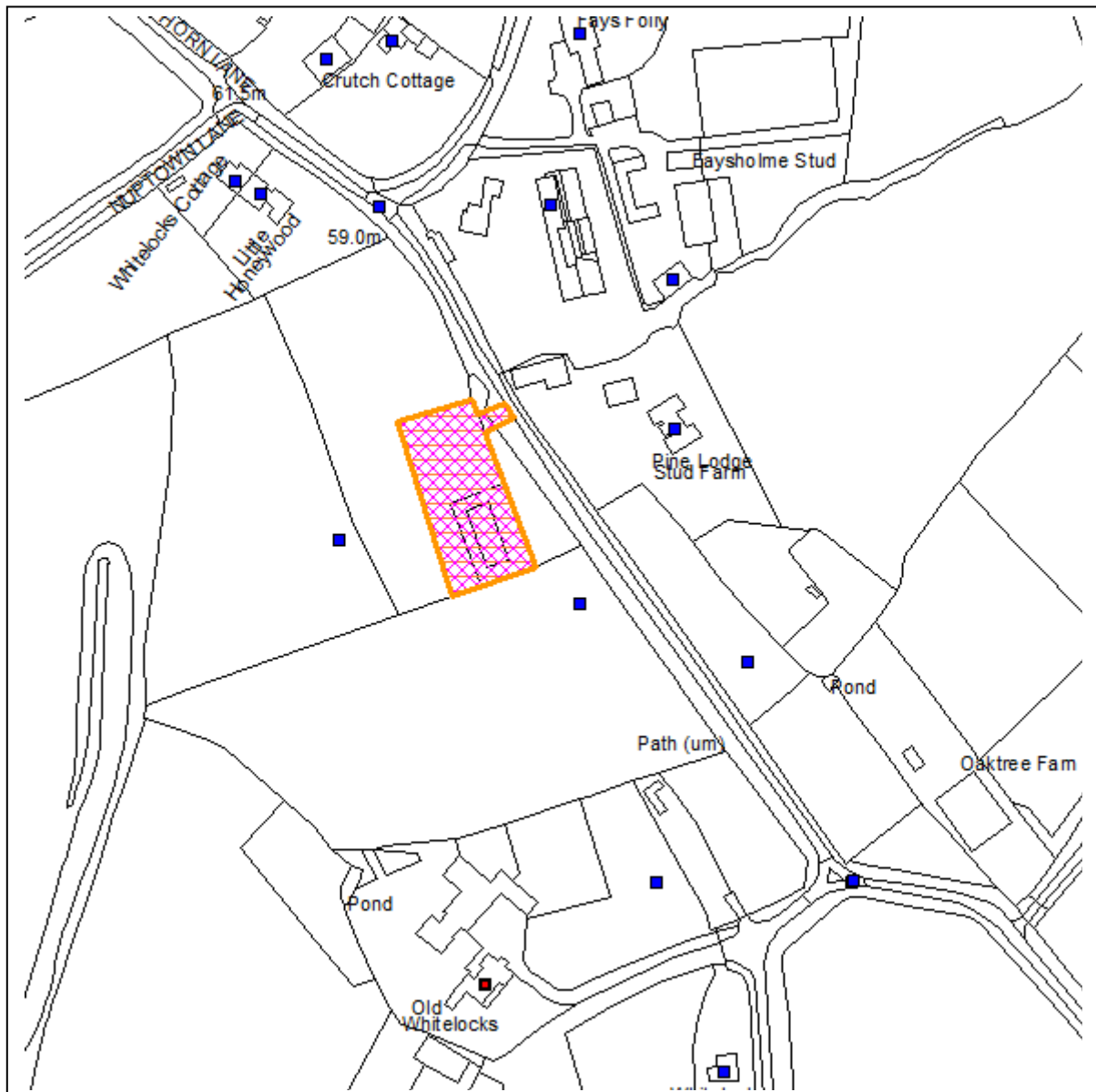
Mr Rob Huntley

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. SUMMARY

- 1.1 The proposed conversion of an existing barn to B8 storage purposes would constitute appropriate development within the Green Belt, not adversely impact upon the openness of the Green Belt and would not detract from the character of the area. Further, the proposal would not adversely impact upon the residential amenities of neighbouring properties and no adverse highway implications would result. There would be no ecological or tree implications.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within Green Belt
Trees along the eastern boundary covered by Tree Preservation Orders (ref: TPO 1121)

- 3.1 The barn is located within a large field that is bounded by mature tree and hedgerow facing out onto Hawthorn Lane. Some of the trees along the eastern boundary of the site are covered by TPOs.
- 3.2 The existing barn comprises feather edge timber boarding and a profiled metal edge sheet roof.
- 3.3 There are dwellings to the north/north-east of the site and then to the south of the site.

4. RELEVANT SITE HISTORY

06/00838/FUL approved for erection of detached barn.

12/00773/FUL refused for conversion of existing barn to form 1 no. 4 bed dwelling. Appeal dismissed.

13/01033/FUL approved for construction of culvert over ditch to facilitate access to existing field gate.

5. THE PROPOSAL

- 5.1 Full permission is sought for the change of use of an existing barn for storage (B8) purposes.
- 5.2 A gravel bound surface parking and turning area is proposed within the site, which would connect to an access approved by permission 13/01033/FUL.

5.3 A new hedgerow is proposed along with timber post and rail fencing to separate the site off from the remainder of the open land.

6. REPRESENTATIONS RECEIVED

Warfield Parish Council

6.1 Objects on the following grounds – “The proposal represents inappropriate change of use within the Green belt due to Hawthorn Lane being unsuitable for large vehicles and no passing bays are available for vehicles moving in both directions”.

Other representations

6.2 7no. letters of objection received which can be summarised as follows:

- Inappropriate development within the Green Belt and harmful to openness of Green Belt
- Highway implications - the single track lanes are unsuitable for heavy traffic and would cause a hazard to horse riders, cyclists, etc
- Increased vehicular movements to and from the site
- The area is used by walkers, horse riders, cyclists, etc and is a beauty spot and increased traffic would impact this.
- Could be an incremental step in securing change of use of the building to residential
- Industrialisation in ever decreasing rural part of Bracknell
- Will a replacement barn be required
- Increased noise and disturbance resulting from the proposed use
- Parking and turning area would be visually intrusive
- No local need for storage. Are other storage facilities in the wider area
- Building not been used for agricultural purposes and should be demolished
- No very special circumstances exist to use the barn for B8 purposes.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Parking	CS23 of CSDPD, Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Green Belt	CS9 of CSDPD, Saved Policies	CS9 is consistent

	GB2, GB4 of BFBLP	GB2 is not consistent GB4 is more descriptive, not entirely consistent with NPPF
Trees/Landscaping	CS1 and CS7 of CSDPD, Saved Policies EN1 and EN2 of BFBLP	Consistent
Biodiversity	CS1 and CS7 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD,		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Community Infrastructure Levy (CIL)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Residential amenity
- iii. Impact on character and appearance of the area
- iv. Impact on highway safety
- v. Impact on trees
- vi. Impact on biodiversity
- vii. Community Infrastructure Levy

i. PRINCIPLE OF DEVELOPMENT

9.2 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).

9.3 Site Allocations Local Plan (SALP) Policy CP1 refers to the presumption in favour of sustainable development as outlined in the National Planning Policy Framework (NPPF). SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible, and to improve the economic, social and environmental conditions within the area. Planning applications that accord with the Development Plan for Bracknell Forest Council shall be approved without delay unless material considerations indicated otherwise. Where there are no policies relevant to the application or the relevant policies are considered to be out of date, then permission shall be granted unless material considerations indicate otherwise. It further states that where there are no policies relevant to the application or relevant policies are out-of-date at the time of making the decision, then permission will be granted unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or where specific policies in the NPPF indicate that development should be restricted.

9.4 The site is located within the Green Belt, as shown on the Bracknell Forest Borough Policies Map (2013).

- 9.5 As the site is located within the Green Belt, the main consideration from a policy perspective is whether the proposal constitutes inappropriate development within the Green Belt, and therefore the following matters require consideration:
1. Whether the proposed development constitutes inappropriate development in the Green Belt
 2. The effect of the proposal on the openness of the Green Belt
- 9.6 The NPPF stresses the fundamental aim of Green Belt policy being to prevent urban sprawl by keeping land permanently open, and the essential characteristic of Green Belts are their openness and permanence (para. 79). The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (para. 87), and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (para 88). The construction of new buildings in the Green Belt should be regarded as inappropriate, subject to certain exceptions (paras. 89 and 90)
- 9.7 Core Strategy Policy CS9 refers to the need to protect the Green Belt from inappropriate development and seeks to protect land outside the defined settlements for its own sake, particularly from development that would harm the character, appearance or function of the land.
- 9.8 Saved Policy GB2 of the BFBLP refers to the change of use of land within the Green Belt. The policy states there is a general presumption against change of use of land in the Green Belt unless the proposal relates to outdoor sport/recreation; cemeteries or other uses which protect the open, rural and undeveloped character of the area.
- 9.9 Saved Policy GB4 of the BFBLP allows for the re-use and change of use of buildings within the Green Belt. "Within the Green Belt, the change of use and adaptation of existing buildings will only be acceptable where:
- (i) the impact of the proposal on the existing open, rural, and undeveloped character of the Green Belt will not be materially greater than that of the present use; and
 - (ii) strict control is exercised over the extension of re-used buildings, and the associated land around them which might conflict with the existing open, rural, and undeveloped character of the Green Belt; and
 - (iii) the building is of permanent construction and its scale, design, bulk and form are in keeping with its surroundings; and
 - (iv) the proposed change of use or adaptation would not be detrimental to the character of the building, its surroundings and landscape setting; and
 - (v) the proposed change of use, within any individual building or complex of buildings within a close proximity, would not result in a net increase of more than 500 square metres of business, industrial, distribution or storage (use Classes B1 to B8) floorspace; and
 - (vi) the proposal would not cause significant environmental, road safety or traffic generation problems; and
 - (vii) the proposed change of use of the building is small scale and appropriate to a rural area."

9.10 The NPPF allows for the re-use of buildings provided that the buildings are of permanent and substantial construction, however GB4 goes further than the NPPF and provides the 7 criteria listed above that the proposal should be assessed against. As this policy is not entirely in conformity with the NPPF the approach set out within the NPPF should be applied instead.

9.11 The following paragraphs of the NPPF relating to the Green Belt are of specific relevance to this application, especially as Green Belt development plan policies are not entirely consistent with the NPPF and therefore carry limited weight:

Para 79 - the Government attaches great importance to Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Para 87 - makes it clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Para 88 - substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

Para 90 lists forms of development that are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt. The re-use of buildings provided that the buildings are of permanent and substantial construction is included on the list of development that may not be inappropriate.

1) Whether the proposal constitutes inappropriate development within the Green Belt

9.12 The application proposes the re-use of an existing agricultural building as a dwelling. The proposal must be tested against the criteria contained in the Bracknell Forest Borough Local Plan Policy GB4 and Policy CS9 in the Core Strategy Development Plan Document in so far as they are consistent with the NPPF and the NPPF to assess if it is still acceptable development in the Green Belt.

9.13 Paragraph 90 of the NPPF states: "Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are... the re-use of buildings provided that the buildings are of permanent and substantial construction;"

9.14 The proposed change of use of the barn to B8 purposes is considered to be in accordance with Saved Policy GB4 as follows:

- As the proposal does not increase the built form on site it is considered that there is no greater impact upon the open undeveloped character of the Green Belt than at present.
- There are no extensions proposed to the building to facilitate the change of use to B8.
- The proposed change of use would not result in a net increase of more than 500 square metres of business, industrial, distribution or storage (use Classes B1 to B8) floorspace;
- No alterations are proposed to the building itself to facilitate the change of use to B8.
- The building was granted planning permission in December 2016 and is less than 10 years old. It is of sound, substantial construction due to its age and design (constructed from feather edge boarding and metal roof sheeting). No alterations are required to the building externally to facilitate the change of use and the building is open plan internally so lends itself to use for storage purposes
- Adequate space exists on site to provide on-site parking and turning required connected to the proposed use of the building for B8 storage purposes.

9.15 In summary, it is considered that the scale and nature of the development connected to the change of use of the building is not inappropriate development within the Green Belt.

9.16 Further, a parking and turning area is proposed connected to the proposed use of the barn for B8 purposes. This would be essential to support the proposed use of the building.

2) Effect of the proposal upon the openness of the Green Belt

9.17 Para. 79 of the NPPF indicates that 'openness' is an essential characteristic of the Green Belt. The term openness is not defined in the NPPF, however given the lack of definition; it could reasonably be interpreted as the absence of built development. Openness can be harmed by (among other things) new built form, external storage, extensive hard standing, car parking and boundary walls or fencing. Landscapes are very important to the openness and amenity of the Green Belt. The visual impact on landscape forms part of the consideration of harm, and is not just associated with views from public vantage points.

9.18 The NPPF states that certain forms of development are not inappropriate in the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purpose of including land within the Green Belt. The NPPF lists development of this kind and includes: "the re-use of buildings provided that the buildings are of permanent and substantial construction."

9.19 It is not considered that the scale and nature of the development proposed would impact upon the purposes of including land within the Green Belt. There are no extensions or additions proposed which ensures that the proposal would not harm the open undeveloped character of the Green Belt. The building is already in situ and results in its conversion only and would bring the building back into use.

9.20 To further protect the openness of the Green Belt, a planning condition is recommended to ensure no external storage of machinery, equipment, materials, etc, occurs outside of the building.

9.21 The proposed parking and turning area would be concentrated mainly to the north of the building and would be restricted to development at ground level only. The eastern boundary of the site facing onto Hawthorn Lane is well screened by existing trees and hedgerow and further hedgerow planting is proposed within the site to provide further visual screening to the parking and turning area. As such, the proposed parking and turning area would not be considered to adversely impact upon the openness of the Green Belt.

ii. Residential amenity

9.22 The nearest residential dwellings are to the north-east and east of the site, some 50m away. The proposed change of use of the barn to B8 use would result in increased vehicular movements to and from the site (approximately generating in the region of 10 two-way vehicular movements over the course of a typical day) which would result in increased noise and disturbance to adjoining properties; however the site is well screened facing onto Hawthorn Lane by existing trees as are the front boundaries of adjoining properties which would mitigate potential noise and disturbance. As such, the resulting vehicular movements would not result in such adverse impact to adjoining properties through noise and disturbance as to be harmful in view of the separation distances of the nearest dwellings to the application site.

- 9.23 The use of the building itself for storage purposes would not in itself be a noise generating use.
- 9.24 Due to the existing screening along the eastern boundary facing onto Hawthorn Lane, the associated works with the change of use of the building - the parking and turning area would not appear visually intrusive to surrounding properties.
- 9.25 The planning condition recommended to prohibit external storage would also be in the interests of the residential amenities of neighbouring properties.
- 9.26 As such, the proposal would not be considered to affect the residential amenities of neighbouring properties and would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

iii. Impact on character and appearance of surrounding area

- 9.27 No external alterations would be required to the existing barn itself to facilitate a change of use to B8 use.
- 9.28 Access to the barn would require the implementation of extant planning permission 13/01033/FUL for an access onto Hawthorn Lane and a new internal track is proposed which would connect the access to the barn and create a parking and turning area for vehicles and a lorry. Whilst the access track and parking and turning area would have some urbanising impact upon the rural character of the area, the works would be limited at surface level and given the level of screening provided along the eastern boundary facing onto Hawthorn Lane, this element of the scheme would not be readily visible from outside of the site.
- 9.29 The planning condition recommended to prohibit external storage would be beneficial to the visual amenities and rural character of the area.
- 9.30 As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

iv. Highway safety

Access

- 9.31 The existing barn is located in a field adjacent to Hawthorn Lane, an unclassified country lane which is de-restricted, though speeds are likely to be well below this due to its relatively narrow width and rural character. Hawthorn Lane is a shared surface for all road users with verges to either side and is unlit.
- 9.32 The development would be served by a new vehicular access onto Hawthorn Lane which was approved by the LPA (ref:13/01033/FUL) and includes a culvert of the existing ditch adjacent to Hawthorn Lane. This access has not been implemented. The means of access should be provided prior to occupation of the development and this could be secured by planning condition.
- 9.33 Adequate sight-lines can be achieved along Hawthorn Lane for vehicles exiting the site and the slightly wider width at the access provides some potential for vehicles to wait or pass each other, as do the verges. The Council's Highways Officer is in agreement with the applicant that the development is unlikely to generate significant movements by large vehicles over and above the current use of the lane by horse boxes,

agricultural vehicles and refuse vehicles. Widening the lane is likely to affect the ditch/roadside drainage and is not considered justified for the scale of development.

Parking

- 9.34 4 parking spaces are proposed and this does not comply with the Bracknell Forest Parking Standards for 207m² of B8 storage and distribution which is 8 parking spaces. Also, parking spaces 3 and 4 are shown on the Site Plan (drawing RHPC/SP/001) as being around 3.5 metres in length and this does not comply with the current standards (a minimum length of 4.8 metres is required) and access to these parking spaces is likely to be difficult due to the limited space/lack of formal turning provision.
- 9.35 As such, the development is only served by 2 parking spaces which comply with the current standard resulting in a shortfall in parking provision of 6 spaces. Over-spill parking is likely to affect and turning on-site, including access for larger vehicles that are likely to access the site. On-street parking is un-restricted on Hawthorn Lane. A lorry space has not been provided and one space should be provided to comply with the parking standards.
- 9.36 It does not appear possible to provide 8 parking spaces plus a lorry space and turning on the site, however, the provision of at least 4 parking spaces plus a lorry space and turning is likely to be both achievable and acceptable. A revised parking and turning plan could be secured by planning condition prior to occupation of the development.

Trips

- 9.37 The use of the barn for B8 storage could generate in the region of 10 two-way vehicular movements over the course of a typical day. The existing barn is likely to generate very few vehicular movements over the course of a typical day. Furthermore, vehicular movements are likely to be seasonal and there could well be no vehicular movements for many months throughout the year.
- 9.38 Subject to the imposition of conditions, the proposal is considered to be in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9 and the NPPF and would not result in highway implications.

v. Trees

- 9.39 The eastern boundary of the site is occupied by a small wooded copse consisting primarily of maturing/ semi mature Oak and a small number of Ash. The maturing / semi mature Oaks on this site are a valuable long term asset particularly as many of these trees have substantial further growth potential. The most important of these specimens are protected by confirmed Tree Preservation Order 1121.
- 9.40 The proposed access track leading from the access approved by permission 13/01033/FUL would be outside of the root protection area (RPA) of existing trees and therefore would not adversely impact upon these trees. There is an existing post and wire fence that separates the barn and land from the trees along the eastern boundary which would provide a physical barrier on site to ensure protection from storage of materials, etc on site. As such, it is not considered that any works proposed subject to this application would in themselves result in damage to existing trees. For information, tree protection measures in relation to the access were considered as part of that approved application.

9.41 As such the proposal would 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.

vi. Biodiversity

9.42 Due to the modern age of the building and its substantial design of weather boarding and metal sheet roofing, the building would not be suitable for bats or birds, including barn owls. As such, an ecological survey is not required.

vii. Community Infrastructure Levy (CIL)

9.43 As the proposed development relates to the change of use of an existing agricultural barn to B8 storage purposes, it is not considered development that is CIL chargeable as the development does not relate to residential use, specialist residential accommodation for older people or convenience based supermarkets/superstores and retail warehousing as set out in the Council's Community Infrastructure Levy Charging Schedule.

10. CONCLUSIONS

10.1 The proposed conversion of an existing barn to B8 storage purposes would constitute appropriate development within the Green Belt, not adversely impact upon the openness of the Green Belt and would not detract from the character of the area. The proposal would not adversely impact upon the residential amenities of neighbouring properties.

10.2 No adverse highway implications would result from the proposal. There would be no ecological implications or adverse impact to trees

10.3 The scheme is not CIL liable.

10.4 The proposal is therefore considered to comply with CSDPD CS1, CS7, CS9, CS23, Saved Policies EN1, EN20, GB2, GB4, M9 of the BFBLP and the NPPF. The application is therefore recommended for conditional approval.

11. RECOMMENDATION

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

1. The use 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.

2. The development hereby permitted shall be carried out only in accordance with the approved plans received by the Local Planning Authority on 2 November 2015.

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

3. No goods, materials, plant or machinery shall be stored outside the building on the site.

REASON: In the interests of the visual amenities of the surrounding area and the openness of the Green Belt.

[Relevant Policies: CSDPD CS7, CS9, BFBLP EN20, GB2, GB4]

4. The building shall be used for B8 storage purposes and for no other purpose (including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
REASON: In the interests of residential amenities of neighbouring properties and to ensure the development is provided with adequate car parking to prevent the likelihood of on-street car parking.
[Relevant Policies: BFBLP EN20, M9, Core Strategy DPD CS23]
5. No additional floorspace, including mezzanine floors, shall be constructed within the building connected to the use hereby approved.
REASON: To prevent an over-development of the site and to ensure adequate parking.
[Relevant Policy: BFBLP M9]
6. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved. The areas shown for landscaping shall thereafter be retained.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS7]

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ITEM NO: 6

Application No.
16/00339/FUL
Site Address:

Ward:
College Town

Date Registered:
13 April 2016

Target Decision Date:
8 June 2016

**117-119 College Road College Town Sandhurst
Berkshire GU47 0RD**

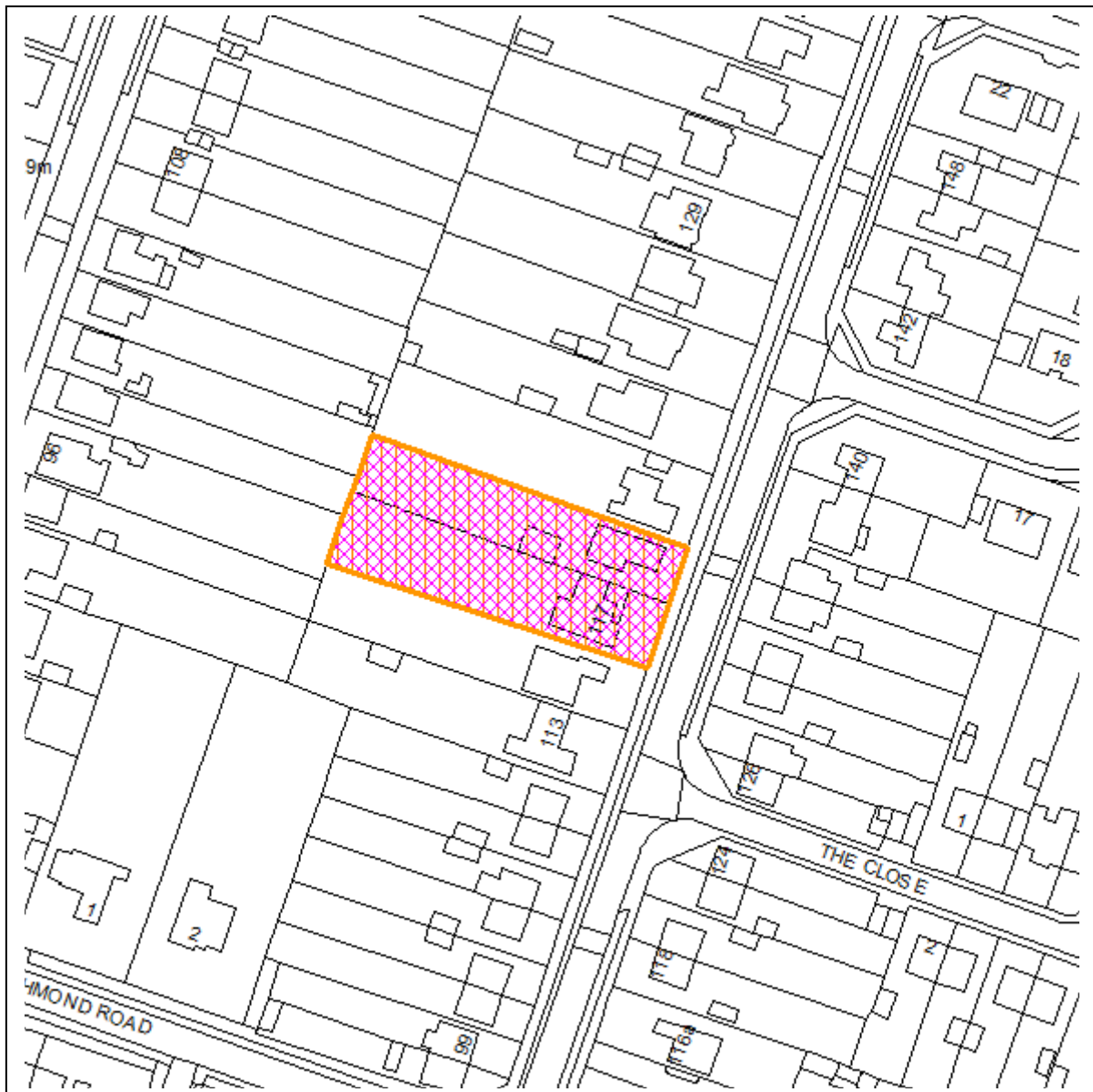
Proposal: **Proposed use of dwellinghouse for the purpose of residential dwelling and Children's Nursery (No.119). Proposed formation of combined driveway to the front of Nos. 117-119.**

Applicant: Mr and Mrs M and L Sanderson

Agent: Mr Paul Scott

Case Officer: Sarah Horwood, 01344 352000
development.control@bracknell-forest.gov.uk

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



1. SUMMARY

1.1 Full permission is sought for the proposed use of 119 College Road for the purpose of residential dwelling and Children's Nursery and a combined driveway to the frontages of nos. 117 to 119 College Road.

1.2 The proposed development would not result in significant adverse impacts to the residential amenities of adjoining properties or character and appearance of the surrounding area. Further, no adverse highway safety issues would result.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 This application has been reported to the Planning Committee at the request of Councillor Dudley due to concerns over highway safety and parking.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Character Area – Area E

3.1 117 and 119 College Road are detached buildings located to the west of the highway. 117 College Road is utilised in full as a nursery. There is a garden to the rear of the building which comprises outbuildings including a swimming pool and learning areas all connected to the nursery. 119 College Road is a chalet bungalow which comprises 4no. bedrooms. There is a private residential garden to the rear. The surrounding area is residential in nature.

3.2 Both buildings at 117 and 119 College Road are under the ownership of the manager of the Montessori Nursery run from 117 College Road.

3.3 As way of background, the nursery school at 117 College Road commenced in 1990. Currently, it accommodates 45 children during the hours of 08:00 hours and 18:00 hours, Monday to Friday and is closed on weekends and bank holidays.

3.4 The nursery offers three alternative sessions when children can attend:

- Full day care from 08:00 to 18:00 hours;
- Shortened day care from 09:15 to 16:00 hours;
- Half day from either 09:15 to 12:30 or 12:30 to 16:00 hours.

3.5 Currently out of the 45 children that attend the nursery, 27 receive full day care, 16 attend shortened day care and 2 attend the half day sessions.

3.6 The nursery employs 11 members of staff, 2 of which are part time.

4. RELEVANT SITE HISTORY

4.1 117 College Road was granted temporary permission for the change of use to nursery in 1990 for no more than 12 children. Originally it was a nursery school open only during school terms and for part of the summer holiday.

- 4.2 Over the years a number of planning applications have been submitted and approved to:-
- increase the number of children permitted to attend the nursery at any one time
 - increase the number of weeks in the year the nursery is open
 - increase the opening hours to allow some day care provision as well as nursery school provision;
- and
- increase the use from a mixed residential and nursery use to a nursery use of the whole building.

4.3 The most recent application relating to the nursery at 117 College Road was:

14/01043/FUL - Section 73 application for continued use of the property as a children's nursery without compliance with conditions 3 and 4 of planning permission 10/00599/FUL. [Note for clarification: this is an application to increase the maximum number of children who may be present at the nursery to 45 between the hours of 09.15 and 16.00]. The application was reported to Planning Committee in December 2014 with an officer recommendation to approve the application; however Committee members overturned the recommendation and subsequently refused the application for the following reasons:

1. Increasing the number of children from 39 to 45 between the hours of 09.15 and 16.00 will result in an increase in vehicular traffic caused by the coming and going of parents dropping off and collecting children. As a result of the increase in activity and the limited on-site parking available the proposal will result in additional roadside parking which is not compatible with the amenities of the occupiers of adjoining residential properties and will have a detrimental impact on other users of the highway on this bus route. Increasing the number of children extends the problems associated with the use and therefore does not comply with the aims and objective of Bracknell Forest Borough Local Plan 'Saved' Policies E4 and M9.
2. The increase in number of children on site would create additional noise, nuisance and disturbance to the detriment of the living conditions of the occupants of the neighbouring dwellings. The proposals would therefore be contrary to 'Saved' Policies EN20 and EN25 of the Bracknell Forest Borough Local Plan.

4.4 An appeal was lodged against the refusal of the application and was allowed at appeal.

5. THE PROPOSAL

5.1 Full permission is sought for the proposed use of the dwellinghouse for the purpose of residential dwelling and Children's Nursery (No.119). Proposed formation of combined driveway to the front of Nos. 117-119.

5.2 The proposal would result in the mixed use of 119 College Road for nursery and residential use. The existing dwelling on site is currently a 4 bedroom property. It is proposed that the ground floor of the dwelling be separated into separate uses during the operational hours of the nursery - with the nursery use comprising a sleep room, bathroom and activity room; and the residential element comprising kitchen/diner, bathroom and lounge and at first floor level a bedroom. There would be no sharing of facilities and the uses would remain separate from each other during the operational hours of the nursery. After the operational hours of the nursery, the part of the building (ground floor only) used for the nursery would revert back to residential use.

5.3 The use of part of 119 College Road as a nursery would not result in an increase in children numbers, instead it would accommodate some of the children who already attend the nursery at 117 College Road. The nursery proposes the use of part of 119 College Road as a nursery to enhance the space and facilities available for children who attend the premises.

5.4 No external alterations are proposed to the existing building at 119 College Road.

5.5 An in/out access is proposed to the front of nos. 117 and 119 College Road. A drop off area is proposed directly to the front of 117 College Road. 3no. parking spaces for staff of the nursery are proposed between the buildings of no. 117 and 119 College Road and 2no. additional parking spaces are proposed for residential purposes for the retained dwelling at 119 to the front and side of that building.

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 Raised no objection.

Other representations

6.2 3no. objections received which raise the following:

- only 2 cars will be able to use the drop off and will result in cars blocking adjoining driveways
- longer drop off time than that stated, not 2 minutes but 6-7 minutes
- will be 3 spaces for parking compared to 9 spaces at Cherry Tree Nursery however clients still park on road
- no car sharing and staff park on road
- nursery outgrown the area
- parking is an issue in the area due to influx of traffic, parked cars, drop off for schools/nurseries,
- proposal will cause more chaos on a bus route
- concern about increase in pupil numbers then leading to increased traffic
- concern that an accident will occur soon
- bottleneck created on the highway due to congestion
- issues reported to both the Council and police.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection.

Environmental Health Officer

7.2 No objection.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Retention of housing	Saved Policy H11 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.

Supplementary Planning Documents (SPD)
Parking standards SPD
Character Area Assessment SPD
Other publications
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on residential amenity
- iii. Impact on character and appearance of the area
- iv. Impact on highway safety

i. Principle of development

9.2 SALP Policy CP1 refers to the presumption in favour of sustainable development as outlined within the National Planning Policy Framework (NPPF). SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible, and to improve the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

9.3 The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013).

9.4 CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings and locating development in locations that reduce the need to travel. In particular the policy refers to promoting a mix of uses and protecting and enhancing the education of the local population.

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

9.6 These policies are considered to be consistent with the sustainable development principles of the National Planning Policy Framework (NPPF), and as a consequence are considered to carry significant weight.

9.7 Policy H11 of the BFBLP refers to the retention of housing stock and states:

"Development which would result in any loss of the existing dwelling stock will not be permitted except where:

- (i) a change of use is the only way of ensuring that a building listed as being of special architectural or historic interest could be kept in good order; or
- (ii) the continuation of a residential use would result in adverse local environmental conditions; or
- (iii) community benefits would result which could not be achieved by other means".

9.8 Para 5.76 states "the existing housing stock makes an important contribution to the housing needs and character of the Borough...to make full use of the dwelling stock, the Borough Council will for the most part resist any development, including changes of use, which would result in the loss of, or prejudice the retention of residential units". A residential unit of accommodation would

be retained at all times separated off from the part use of the ground floor connected to the nursery, and outside of the operational hours of the nursery, the use of part of the ground floor for that purpose would revert back to residential use. The proposal would not result in the loss of an existing residential unit of accommodation in accordance with Policy H11 of the BFBLP.

9.9 Para 7 of the NPPF refers to achieving sustainable development through three dimensions – economic, social and environmental roles. The social role refers to “supporting strong, vibrant and healthy communities...with accessible local services that reflect the community’s needs and support its health, social and cultural well-being”.

9.10 The proposed use of part of 119 College Road for nursery purposes connected to 117 College Road would improve the overall operation of the nursery, improving space and facilities for children, in accordance with the aforementioned paragraph of the NPPF.

9.11 The proposal is therefore acceptable in principle subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.

ii. Impact on residential amenity

9.12 The proposals would not result in an increase in the number of children that would attend the nursery and therefore the level of noise and disturbance connected to vehicular movements and pedestrian movements to and from the site in connection with drop off and collection times would not increase over and above that currently generated.

9.13 The rear garden of 119 College Road would not be used for outdoor play connected to the nursery; this would only occur within the grounds of 117 College Road within the designated areas approved by previous permissions.

9.14 Given the proposed mixed use of 119 College Road as a nursery/residential dwelling would be contained within the building itself, it is not considered that any undue impacts would result to surrounding properties through noise and disturbance as a result of the nursery use. Children would be supervised when moving between 117 and 119 College Road in the interests of the residential amenities of surrounding properties (including the residential dwelling at 119).

9.15 In relation to impact to the residential amenities of the occupiers of 119 College Road and ensuring they are adequately safeguarded, the rear garden of 119 would not be utilised for nursery purposes and would remain for the sole residential use of the dwelling at no. 119.

9.16 The main impact of the nursery on the living conditions of residential properties is the inconvenience and disturbance which results from on-street parking in the vicinity of the nursery, when children are dropped off and collected, and from noise from the nursery, principally when children are in the garden. The proposed formation of an in/out drop off and collection zone to the frontages of 117 and 119 College Road for the nursery would reduce the number of vehicles parked on-street when dropping off and collecting children from the nursery which would be beneficial to the residential amenities of neighbouring properties.

9.17 The Council's Environmental Heath Team has raised no objection to the proposal.

9.18 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.

iii. Impact on character and appearance of surrounding area

9.19 The use of 119 College Road for mixed use purposes of nursery and dwellinghouse would not result in any external changes to the existing dwelling itself. The building sits next to 117 College Road where the existing nursery has run since 1990 and the proposed use of 119 for mixed use of nursery and dwellinghouse would not impact upon the character of the area.

9.20 The site lies within an area designated as a Character Area by the Council's Character Area Assessment Supplementary Planning Guidance. The SPD was adopted in 2010. The site lies within Area E: College Town of the SPD which refers to the plot pattern being very distinct in plan but is hardly visible on the ground, due to the wide variety of house types and architectural approaches. The only common denominator is the linear development pattern. The proposal would not detract from any features identified in the SPD given the only external alteration proposed would be an in/out access.

9.21 The proposed formation of an in and out access to the frontages of 117 and 119 College Road is not considered to detract from the character and appearance of the surrounding area which is predominately residential in nature and where there are numerous examples of dwellings with the frontages dominated by hard surfacing and used for parking of vehicles.

9.22 The development would therefore not result in an adverse impact on the character and appearance of the area and would be in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, the Character Area Assessment SPD and the NPPF.

iv. Transport implications

9.23 The site takes access off College Road which is subject to a 30mph speed limit and is traffic calmed with road humps. On-street parking is un-restricted.

9.24 At present, no. 117 College Road is used as a children's nursery with the driveway used for staff parking only, while parents/guardians drop-off (and pick-up) from the roadside. The adjacent property, no 119 College Road is a residential property with associated residential parking.

9.25 The Cherry Town Nursery on Branksome Hill Road is cited as an example of a nursery operating a drop-off zone. However, it should be noted that there is more space within the frontage of Cherry Town for a properly laid out parking and turning area without the interaction with a residential property.

9.26 A drop-off (and pick-up) zone is proposed across the driveways of both 117 and 119 College Road as 5 metres wide by 9.6 metres long. The drawing notes, 'Drop off areas X 4', however it is unlikely that 4 vehicles could be accommodated at the same time.

9.27 It is noted that the nursery has 45 children, with 27 attending the full day care session and 16 attending the shortened day care session, though only 2 children attend the half day sessions on the same day. As a result of this, the morning drop-off time span extends for 90 minutes (08.00-09.30) and the afternoon pick-up time span extends for 90 minutes (15.45-16.15 and 17.00-18.00).

9.28 Travel information was provided with a previous planning application (14/01043/FUL) which indicated that around one third of children arrive by car and therefore it is unlikely that 4 cars would arrive at the same time, as potentially, 9 cars (one third of 27) would be using the zone between 8am and 9am. In any case, there is space within the zone for at least two cars and this should ensure vehicles waiting to enter do not block the footway. The zone could be managed by staff on a day-to-day basis and would remove cars from the road which is likely to improve access along College Road.

9.29 A pedestrian route is to be provided around the drop-off zone to the front door of the nursery and while pedestrians may well use the entrance and exit, vehicles accessing and exiting would be

nursery traffic unlikely to create conflict with other parents and children. Also, the occupiers of the one-bed house would be aware of the situation.

9.30 The existing access serving 117 College Road is to be relocated to the southern boundary (with 115 College Road). A new dropped kerb/crossover will require the consent of the Highway Authority and the applicant should be advised of this by way of informative. The access is proposed to be 3.79 metres wide and is shown as the entrance. The existing access serving 119 College Road is to be widened to 3.79 metres as an exit to the drop-off zone and an access to both the residential and staff parking. Alterations to reinstate the kerb and verge will be required (this will be covered by informative).

9.31 3 tandem parking spaces are shown to the side of 117 and 119 College Road. There are currently 3 staff spaces on the driveway of 117 College Road and this provision is therefore being retained.

9.32 The proposals also include converting part of 119 College Road from residential use to nursery use. The plans indicate that 119 College Road would become a one-bed property and 1 parking space is to be provided.

9.33 The 3no. staff parking spaces would be accessible. 1no. resident parking space is proposed to the front of the site and access to the front door of 119 College Road would not be obstructed by parked cars.

9.34 The proposals will create around 30m² of D1 floor space, shown on the plans as an activity room and sleep room for the nursery. It is advised that this have an associated planning condition that it remain part of the existing nursery to restrict further traffic and parking demand. It is noted that the nursery does not intend to increase the number of children as part of this application; however, in view of the additional floor space proposed, it is advisable to restrict child numbers at current permitted levels and potentially staff numbers as well.

9.35 Parking and turning provision is shown as being within the red line area for nos. 117 and 119 and should be secured by planning condition.

9.36 Subject to the imposition of conditions, the proposal is considered to be in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9 and the NPPF.

10. CONCLUSIONS

10.1 The proposed development would not result in significant adverse impacts to the residential amenities of adjoining properties and would not adversely affect the character and appearance of the surrounding area.

10.2 Subject to the imposition of conditions in relation to highways, the proposal would not result in undue highway safety issues.

10.3 As such, the proposal is considered to be in accordance with Policies CS1, CS2, CS7 and CS23 of the CSDPD, Saved Policies EN20, EN25, H11 and M9 of the BFBLP and Policy CP1 of the Site Allocations Local Plan, all in accordance with the NPPF. The application is therefore recommend for approval.

11. RECOMMENDATION

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

1. 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.

2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 13 April and 8 June 2016:

drawing no. 433-01 C

drawing no. RS1501 Rev 6

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

3. The number of children present at the nursery at 117 and 119 College Road during the nursery's operational hours shall not in total exceed 45 at any one time.

REASON: To enable the Local Planning Authority to maintain control over the use of the site in the interests of the amenities of adjoining residents.

[Relevant Plans and Policies: CSDPD CS1]

4. The hours of operation of 117 and 119 College Road connected to the nursery use shall be restricted to 08.00 to 18.00 hours (for up to a maximum of 27 children) and 09.15 to 16.00 hours (for up to a maximum of 45 children) Mondays to Fridays for a maximum of 46 weeks in any calendar year and the premises at 117 College Road shall not be used for the purposes of a nursery at any other time.

REASON: To enable the Local Planning Authority to maintain control over the use of the site in the interests of the amenities of adjoining residents.

[Relevant Plans and Policies: CSDPD CS1]

5. The Nursery Travel Plan, Update 2015 received 7 July 2015 by the Local Planning Authority shall be operated in accordance with the details submitted and approved under discharge of condition application 15/00124/COND and shall continue in operation thereafter.

REASON: To enable the Local Planning Authority to maintain control over the use of the site.

[Relevant Plans and Policies: CSDPD CS1]

6. The times of the nursery school sessions shall be staggered as set out in table 1 at page 5 of the Planning and Access Statement by Scott Planning Associates Ltd submitted with the application and received by the Local Planning Authority on 13 April 2016.

REASON: To enable the Local Planning Authority to maintain control over the use of the site in the interests of the amenities of adjoining residents.

[Relevant Plans and Policies: CSDPD CS1]

7. The use of the rear garden of 117 College Road in connection with the nursery shall be limited to the enclosed swimming pool and changing room and the covered outdoor play area in accordance with paragraph 4.10 of the Planning Statement by Scott Planning Associates Ltd submitted with the application as additional information and received by the local planning authority on 24 September 2014 connected to application 14/01043/FUL. No part of the rear garden of 119 College Road shall be used in connection with the nursery operations and shall only be used for C3 residential purposes.

REASON: To enable the Local Planning Authority to maintain control over the use of the site.

[Relevant Plans and Policies: CSDPD CS1]

8. Use of 119 College Road as a D1 nursery shall not commence until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be retained and 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]

9. The nursery use of 119 College Road shall at no time be split from the operation and use of 117 College Road as a nursery, and 119 College Road shall at no time operate as an independent nursery D1 unit.

REASON: To enable the Local Planning Authority to maintain control over the use of the site.

[Relevant Plans and Policies: CSDPD CS1]

10. No other D1 use (other than nursery) shall take place at 117 and 119 College Road outside of the operational hours of the nursery.

REASON: To enable the Local Planning Authority to maintain control over the use of the site.

[Relevant Plans and Policies: CSDPD CS1]

11. In the event that the D1 (nursery) use of 117 College Road ceases, the D1 (nursery) use of 119 College Road shall also cease and the use of 119 College Road revert back to sole use as a single dwellinghouse.

REASON: To enable the Local Planning Authority to maintain control over the use of the site.

[Relevant Plans and Policies: CSDPD CS1]

12. Outside of the operational hours of the nursery, 119 College Road shall return to sole C3 (residential) use and shall solely be used for C3 (residential) use at weekends and bank holidays.

REASON: To enable the Local Planning Authority to maintain control over the use of the site.

[Relevant Plans and Policies: CSDPD CS1]

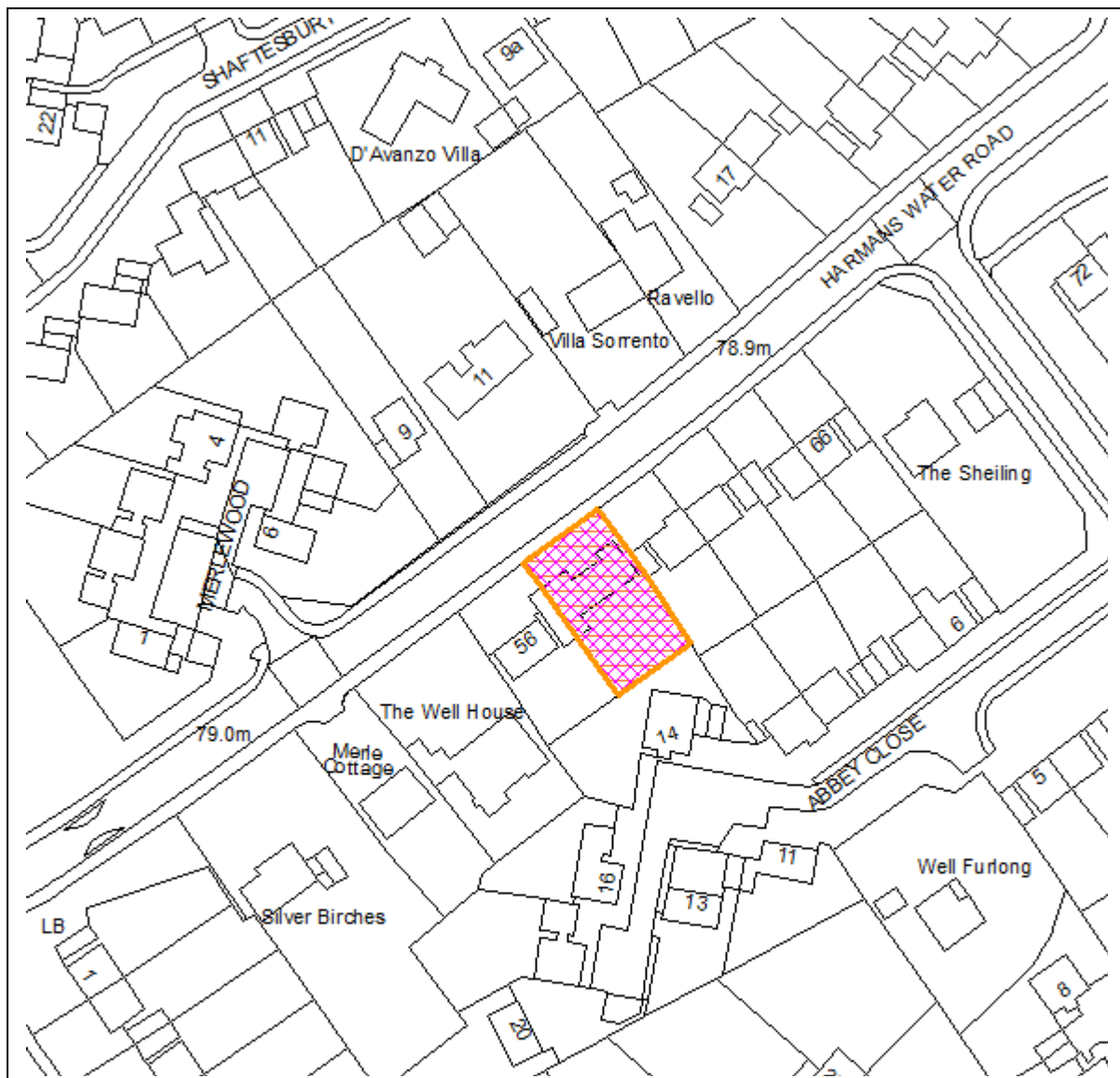
13. The part of the ground floor and the first floor of 119 College Road identified in red for C3 (residential) use on drawing no. 433-01 C received by the Local Planning Authority on 13 April 2016 shall be used solely for C3 (residential) use at all times.

REASON: To enable the Local Planning Authority to maintain control over the use of the site.

[Relevant Plans and Policies: CSDPD CS1]

ITEM NO: 7			
Application No. 16/00375/FUL	Ward: Harmans Water	Date Registered: 25 April 2016	Target Decision Date: 20 June 2016
Site Address: Raj Bhawan 58 Harmans Water Road Bracknell Berkshire RG12 9PT			
Proposal:	Erection of part single, part two storey rear extension following demolition of existing conservatory, conversion of garage into habitable accommodation with addition of pitched roof and an extension to the dropped kerb		
Applicant:	Mr and Mrs Manish and Jyoti Goyal		
Agent:	ArchDezine Limited		
Case Officer:	Shannon Kimber, 01344 352000 development.control@bracknell-forest.gov.uk		

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



OFFICER REPORT

1. SUMMARY

- 1.1 The proposal is for the erection of a part single, part two storey rear extension following demolition of existing conservatory, conversion of garage into habitable accommodation with addition of pitched roof and an extension to the dropped kerb.
- 1.2 There would be no significant effect on the streetscene or on the occupiers of the neighbouring properties as a result of this development. The development would be in keeping with the host dwelling and with the character of the surrounding area.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 Following concerns by local residents, Councillor Turrell has requested that the application be considered by the Planning Committee due to concerns over the bulkiness of the proposed extensions.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

- 3.1 Raj Bhawan is an extended two storey, linked-detached dwelling located on the south east side of Harmans Water Road.

4. RELEVANT SITE HISTORY

- 4.1 14255
Section 6/1 approval New Towns Act 1965 (Prop 251 33 dwellings)
Approved 1968
- 4.2 604472
Two storey side extension to form lounge and bedroom, erection of front storm porch.
Approved 1979
- 4.3 615894
Single storey front extension.
Approved 1990

5. THE PROPOSAL

- 5.1 The proposed two storey rear extension element of this development would have a pitched roof and would provide an enlarged master bedroom, with an enclosed balcony to the rear. This structure would have a depth of 4 metres, a width of 4.5 metres and a maximum height of 6.2 metres with an eaves height of 5.3 metres.
- 5.2 The single storey rear extension would extend the full width of the two storey part of the existing dwelling, with the two storey extension located over the middle section. The proposed single storey rear extensions, either side of the two storey extension would have mono-pitched roofs and would provide a kitchen and dining room, as well as an

additional bedroom. This structure would have a depth of 4 metres, a width of 12.6 metres and a maximum height of 3.7 metres with an eaves height of 2.7 metres.

- 5.3 The proposed development also includes the conversion of the garage to form another additional bedroom. There would also be a replacement roof over the whole of this existing single storey side element. The existing roof is flat and would be replaced with a pitched roof and a gable to the south west elevation. It would have a maximum height of 3.9 metres with the eaves at a height of 2.7 metres.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

- 6.1 Bracknell Town Council has no objections in principle to the application as long as it remains a family dwelling.

Other Representations:

- 6.2 An objection was received from 56 Harmans Water Road, which is the attached property to the south west. Concerns raised regarding the conversion of the garage to habitable accommodation, included specifically:
- The existing fifth bedroom to the rear of the existing single storey side element. This aspect of the dwelling, according to the neighbour, does not have a damp proof course. This has led to the neighbouring garage flooding (through the permeable dividing breeze block wall);
 - Construction of the new gable end over the existing garage to facilitate the replacement pitched roof. According to the neighbour, the boundary wall is a single cell wall and the existing foundations would not be able to cope with the increased weight of the wall. Also the proposed internal layout of the dwelling would not comply with building regulations in terms of insulation;
 - The additional door to the front elevation and the proposed two additional bedrooms, resulting in a total of seven bedrooms, would suggest that a change of use of the property might be contemplated.
- 6.3 *[Officer Note: the points raised in the objection comments relate to building regulations and have not been addressed in this planning application]*
- 6.4 *The applicant has applied for alterations and extensions to the existing dwellinghouse. The formation of a House in Multiple Occupation for more than six would require a separate application.]*
- 6.5 The objection also requested that the Council, in the event of planning permission being granted, considers the following matters:
- Materials to be similar to the main house;
 - Sewer lines not ruptured or otherwise compromised as a result of the garage conversion;
 - Concerns about blocking drains and run off,
 - Restrict the working hours during construction of the proposed development.
- 6.6 *[Officer Note: the proposed materials would be similar in appearance to those used in the existing dwelling]*
- 6.7 For a development of this size and nature, in an area in flood zone 3, sewers, drainage and runoff are dealt with under Building Regulations.

6.8 *The noise generated by the construction of a development of this size and any associated impacts are considered short term and as such hours of construction would not be restricted.]*

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

7.1 The Highway Authority (HA) was consulted on this application. Following their initial comments, a revised parking plan was submitted. The HA has raised no objections to the amended plan and recommend that this planning application be approved subject to conditions.

7.2 No other statutory or non-statutory consultations have been required.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and associated policies are:

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD	Consistent
Design	CS7 of the CSDPD,	Consistent
Amenity	'Saved' policy EN20 of the BFBLP	Consistent
Highways	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent - Para. 39 refers to LPAs setting their own parking standards for residential development
Supplementary Planning Documents (SPD)		
Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016		
Other publications		
National Planning Policy Framework (NPPF) Bracknell Forest Borough Council 'Extending your home: A Householder's Guide' (2003) Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (SLPDS)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Impact on Residential Amenity
- iv. Transport and Highways Considerations
- v. Tree Implications
- vi. Community Infrastructure Levy

i. Principle of Development

9.2 Raj Bhawan is located within a defined settlement as designated by the Bracknell Forest Borough Polices Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), SC2 (Location Principles) and the NPPF subject to no

adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, highway safety, etc. These matters are assessed below.

ii. Impact on Character and Appearance of Surrounding Area

- 9.3 Raj Bhawan has been previously extended. The existing rear conservatory will be demolished. It is noted that there are similar extensions in the surrounding area, including a rear extension at the attached neighbouring property to the south west, 56 Harmans Water Road and a first floor side extension at 62 Harmans Water Road. Other near-by dwellings have also applied for the formation of dropped kerbs. As such the proposed development would be considered in keeping with the character of the area.
- 9.4 It has been confirmed in the submitted application form that the materials to be used in the construction of the proposed developments would match in appearance those used in the existing dwelling. Therefore the proposal would be considered to be in keeping with the host dwelling.
- 9.5 The replacement roof to the single storey side element would be subservient to the existing dwelling. The roof over the proposed two storey rear development would match the pitch of the existing roof over the main dwellinghouse. This roof would be set at a lower level than the existing ridge line; thereby the extension would not appear to dominate the rear elevation. The eaves height for both the two storey extension and the single storey extension would maintain the existing eaves height. As such the design of the proposed development would be considered to be sympathetic to the appearance of the host dwelling.
- 9.6 The proposed single storey rear extensions are considered modest in size and would not be visible from the highway. The first floor extension would be set back by a minimum of 5.5 metres from a boundary of the site. The proposal is therefore not considered to be bulky or out of keeping with the character of the area
- 9.7 The replacement roof to the south west side of the dwelling would be visible from the highway. However, as the existing property has gable ends to the roof and the replacement roof would maintain this design, the proposal would enhance the appearance of the dwelling. The window which would replace the garage door following the conversion to habitable accommodation would be set back from the existing front elevation by 1.2 metres. It would not be considered to have a dominant impact on the streetscene.
- 9.8 The proposal would therefore be in line with CSDPD Policy CS7, 'Saved' BFBLP Policy EN20 and the NPPF.

iii. Impact on Residential Amenity

- 9.9 The proposed garage conversion would not increase the footprint of the existing dwellinghouse. Therefore this aspect of the proposed development would not affect the amenities of the occupiers of the surrounding dwellings in terms of being overbearing or causing overshadowing.
- 9.10 A window would be inserted into the front elevation to facilitate the proposed garage conversion. As this window is at ground floor level, there would be no harmful overlooking implications. There are no proposed windows to be inserted into side elevations.

- 9.11 The proposed two storey rear extension would have patio doors and a balcony at first floor level. These would serve an enlarged master bedroom. The balcony would be enclosed with solid brick walls to the south west and north east, thereby preventing potential overlooking impacts on the neighbouring properties to either side.
- 9.12 14 Abbey Close is the property to the rear of Raj Bhawan. Due to the orientation of this dwelling in relation to the application site, the outlook from the proposed balcony would be at an oblique angle to the property to the rear. The proposed balcony would be sited 11 metres from the rear boundary of the application site, at the closest point. The distance from the balcony to the nearest window at 14 Abby Close would be approximately 14.5 metres. Due to these distances the proposed development would not result in any significant overlooking of the neighbouring dwelling to the rear or their private amenity areas.
- 9.13 The proposed replacement roof over the existing garage and bedroom to the south west of the application site would be located adjacent to the boundary with the attached neighbouring property, 56 Harmans Water Road. This aspect of the development would result in a gable feature adjacent to the boundary and an increase in the height of the roof by a maximum of 1.5 metres. The neighbouring property has a tandem garage sited along this boundary. The proposed replacement roof would be located 3.5 metres from the main dwellinghouse at 56 Harmans Water Road. Due to the separation distance and the modest increase in height, it is not considered that this aspect of the proposed development would have an overbearing impact on the amenities of the occupiers of number 56.
- 9.14 The single storey rear extension would be sited 3 metres from the south west boundary of the application site. The neighbouring property to this side, 56 Harmans Water Road, has been extended to the rear. The main private amenity space would be to the rear of this extension. The proposed extension would not extend beyond the rear elevation of the neighbouring properties extension; as such this aspect of the proposal would not be considered overbearing on the amenities of the occupiers of this dwelling.
- 9.15 The single storey rear extension would be sited 1 metre from the boundary to the north east. This boundary is denoted by a timber fence in excess of 2 metres high. The neighbouring property, 60 Harmans Water Road, is set back from the boundary by 4 metres and there is a single garage between the two properties. Due to the height of the boundary treatment, it is not considered that the single storey rear extension would have a negative impact on the amenities of the occupiers of number 60.
- 9.16 The proposed two storey rear extension would be located 8.5 metres from the main dwellinghouse at number 56 to the south west and 11 metres from the main dwellinghouse at number 60 to the north east. Due to these separation distances, this aspect of the proposed development would not be considered to result in adverse harm to the amenities of the occupiers of either of these neighbouring properties
- 9.17 Due to the distances to the boundaries from the proposed extension, the boundary treatment and the location of garages adjacent to the application site, the proposal would not result any significant overshadowing impact on the occupiers of the neighbouring dwellings.
- 9.18 The proposed development would be acceptable in line with 'Saved' BFBLP Policy EN20.

iv. Transport and Highways Considerations

- 9.19 Raj Bwahan takes access off of Harmans Water Road, a local distributor road (classified C road) which is subject to a 30mph speed limit and is traffic calmed with give-way priority features.
- 9.20 The application site is currently a five-bedroom property and would become a seven-bedroom property as a result of this development, if permitted. The Parking Standards SPD requires three vehicle parking spaces for a dwelling with four or more bedrooms. An amended parking plan has been submitted showing five parking spaces across the frontage. Whilst the existing garage is to be converted, the proposed parking layout would exceed the requirements of the Parking Standards SPD.
- 9.21 The existing dropped kerb provides access to the garage and driveway space in front only and does not cover the entire frontage. The existing situation results in vehicles accessing spaces by indiscriminately driving across a full height kerb and footway. In the absence of a clearly defined dropped kerb for vehicle access, pedestrians would be unaware of vehicles crossing the footway which can only create risks to the safety of pedestrians, including children given there is a nearby school. Also, bumping the kerb can create damage.
- 9.22 The proposed extension to the dropped kerb would require planning permission as Harmans Water Road is a classified road. A revised parking plan has been provided showing the desired dropped kerb extension. The extended dropped kerb would improve the existing situation in terms of highway safety.
- 9.23 A side pedestrian access is to remain and this would enable access to the rear for bin and cycle storage.
- 9.24 The proposal would therefore be in line with CSDPD Policy CS23 and 'Saved' BFBLP Policy M9.

v. Tree Implications

- 9.25 There is a blanket Tree Preservation Order (TPO) reference number: TPO 1053, located in the rear garden of Raj Bhawan, adjacent to the rear boundary. All trees within this TPO are protected. There is one tree in the rear garden of the application site which is within TPO 1053.
- 9.26 This protected tree is a Silver Birch. The trunk forks near ground level, resulting in two trunks. The agent has confirmed via email, received 8th May 2016, that hand diggers would be used in the area towards the roots of the tree for protection. A tree protection plan has been submitted during the course of this application. This plan displays the extent of the root protection area, the location of the site protection fencing and the location for the storage of associated building materials. Informal discussions have been held with the Tree Service and they are satisfied that if the proposed protection measures are put in place for the construction phase of the development when the works would not result in an adverse impact on the health of the protected tree. It is recommended that these protection measures are secured by condition.
- 9.27 Subject to the recommended condition, the proposal would be in line with CSDPD Policy CS1 and 'Saved' BFBLP Policy EN1.

vi. Community Infrastructure Levy (CIL)

9.28 Following the introduction on the 6th April 2015 of the Community Infrastructure Levy (CIL), all applications for planning permission will be assessed as to whether they are liable. As this development is a householder application, it will not be liable for a charge.

10. CONCLUSIONS

10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the host dwelling or surrounding area. The development would not result in a negative impact on the residential amenity of the neighbouring properties, highway safety or the health of protected trees. It is therefore considered that the proposed development complies with 'Saved' policies EN1, M9 and EN20 of the BFBLP, Policies CS2, CS7 and CS23 of the CSDPD and the NPPF.

11. RECOMMENDATION

11.1 The application is recommended to be **APPROVED** subject to the following conditions:-

1. 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.

2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:
Proposed Floor Plan, Elevations and Block Plan, Drawing number: D1564-02,
received 17.09.2015

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in appearance those of the existing dwelling.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

4. The development hereby permitted shall be carried out only in accordance with the submitted Tree Protection Plan. All existing tree(s) shown to be retained on the approved drawing (Reference BFC/HR/TPP) shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2012, or any subsequent revision.

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

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

11.2 Informative(s):

1. 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.

2. 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 match existing
 4. Tree Protection Plan
3. 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.
4. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

Doc. Ref:

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

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ITEM NO: 8

Application No.
16/00509/PAC
 Site Address:

Ward:
 Crowthorne

Date Registered:
 23 May 2016

Target Decision Date:
 18 July 2016

**32 Wellington Business Park Dukes Ride Crowthorne
 Berkshire RG45 6LS**

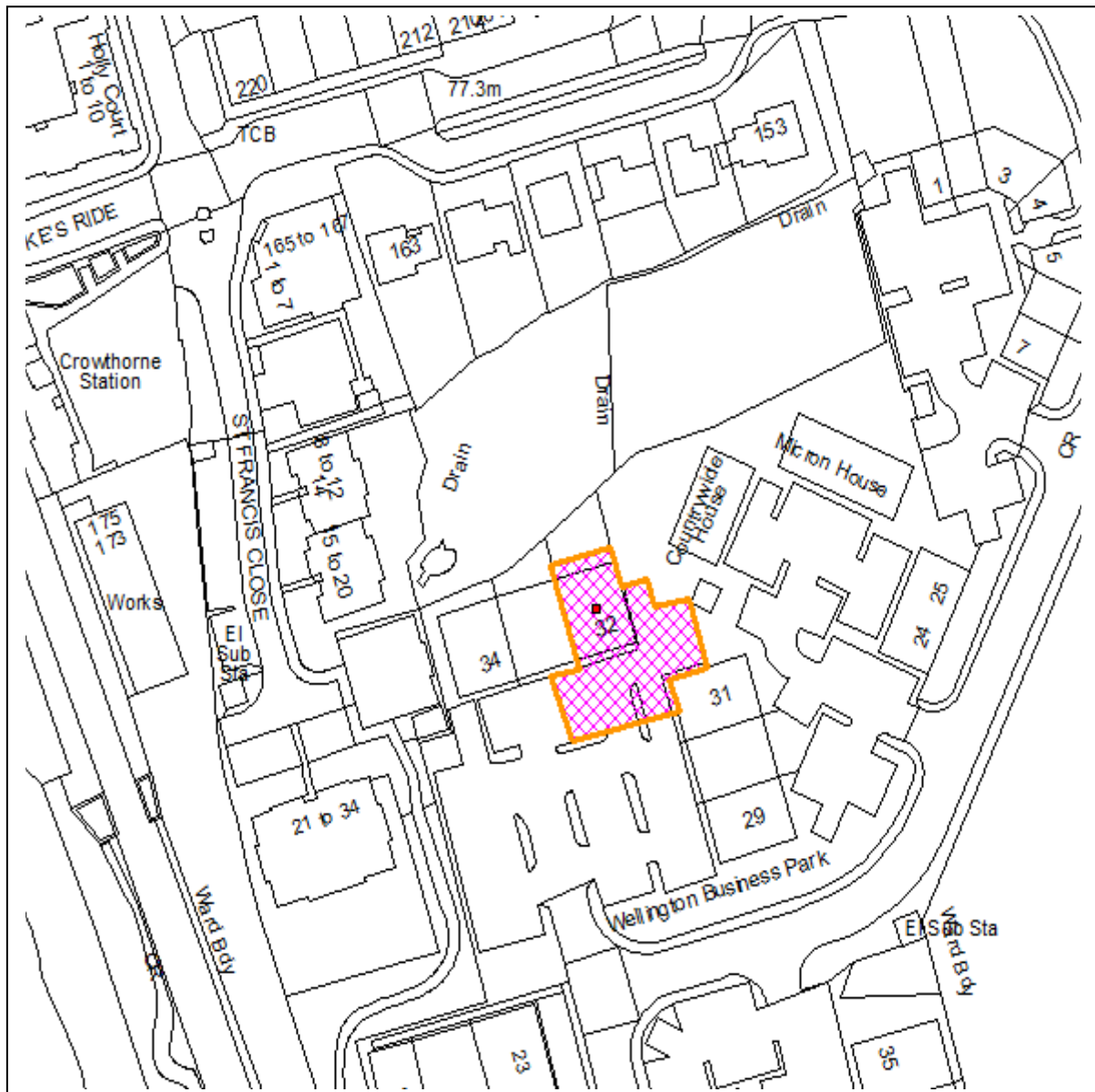
Proposal: **Application for a prior approval change of use from offices (B1(a))
 to 6no. studio apartments and 6no. 1 bed apartments (C3).**

Applicant: KB Real Estate Management

Agent: Miss Jen Sanders

Case Officer: Sarah Horwood, 01344 352000
development.control@bracknell-forest.gov.uk

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



1. SUMMARY

- 1.1 Prior approval is sought for the change of use of 32 Wellington Business Park from B1(a) offices to 12no. flats.
- 1.2 The proposal would not result in contamination issues or flood issues. Further, there would not be any adverse impact of noise from surrounding commercial premises on the future occupiers of the proposed flats and no adverse transport and highway implications.
- 1.3 Prior Approval can therefore be granted.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 This prior approval must be determined and a decision issued accordingly within 56 days.

3. PLANNING STATUS AND SITE DESCRIPTION

- 3.1 32 Wellington Business Park is a two storey unit accessed via a no through road from Dukes Ride.
- 3.2 There is parking to the front of the building.
- 3.3 To the north and north-west are residential dwellings. Within the business park itself are further offices along with former offices which have already been converted under the prior approval process to residential units at 35-36 and 37-38 Wellington Business Park.

4. RELEVANT SITE HISTORY

10/00622/FUL approved for change of use from office (Class B1) to chiropractic clinic (Class D1) in November 2010.

12/00406/FUL refused for change of use from Office (Class B1) to mixed Chiropractic Clinic/Yoga Centre (Class D1/D2) in August 2012 for the following reasons:

1. The proposal would not comply with the Local Planning Authority's standards in respect of vehicle and cycle parking and turning. This would be likely to encourage on-street parking and therefore have a detrimental impact upon road safety and the flow of traffic. The proposed development would therefore be contrary to Policy T4 of the South East Plan, Policy M9 of the Bracknell Forest Borough Local Plan, Policy CS23 of the Core Strategy Development Plan Document and Bracknell Forest Borough Parking Standards (Supplementary Planning Document approved July 2007).
2. In the absence of a completed and satisfactory s106 agreement to secure the necessary mitigation, it has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal would not have an impact upon the local road network. As such, the development would be contrary to Policy M4 of the Bracknell Forest Borough Local Plan and Policy CS24 of the Core Strategy Development Plan Document.

16/00110/PAC refused for prior approval for the change of use of a building and any land within its curtilage from class B1(a) to class C3 in March 2016 for the following reason:

1. The proposed change of use would have a detrimental impact on highway safety and therefore would not comply with Schedule 2, Part 3, Class O.2 (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

5. THE PROPOSAL

5.1 Prior approval is sought for the change of use of 32 Wellington Business Park from Class B1(a) (offices) to C3 (dwellinghouses) in accordance with Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5.2 It is proposed to convert the office floor space into 12no. flats – 6no. studio flats and 6no. 1 bedroom flats. 3no. studio flats and 3no. 1 bedroom flats are proposed at ground floor level and at first floor level, a further 3no. studio flats and 3no. 1 bedroom flats.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council:

- 6.1 Recommend refusal on the grounds of:
- Block Plan submitted with no specific curtilage delineated
 - Material harm to close proximity businesses
 - Complete car parking report has not been submitted considering: disabled car parking; visitor car parking; motor cycle's storage; enclosed storage for bicycles; and with a shortfall of 3 car parking spaces for 12 units
 - Impact on SPA due to change of use class.

Other representations:

- 6.2 None received at time of printing report. Any representations will be reported in the supplementary report.
- 6.3 Officer note: The 21 days for the site notice expires on 27 June 2016. Any further comments received past the deadline of the Committee Report will be included on the Supplementary Report. The application will then be delegated to the Head of Planning in view of any comments received between the Planning Committee of 21 June and the 27 June deadline.

7. SUMMARY OF CONSULTATION RESPONSES

Transportation Officer

7.1 No objection.

Environmental Health Officer

7.2 No objection.

8. PRINCIPLE OF DEVELOPMENT

- 8.1 In assessing this type of prior approval application the Council can only assess whether the proposal is likely to result in transport and highway implications, contamination issues, flooding issues and impacts of noise from commercial premises on the intended occupiers of development.
- 8.2 If there are no implications associated with these matters, the development is considered to be permitted development.

9. ASSESSMENT

9.1 Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows 'development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.'

9.2 The legislation is set out as follows:

O.1

Development is not permitted by Class O if:

- (a) the building is on article 2(5) land and an application under paragraph O.2(1) in respect of the development is received by the local planning authority on or before 30th May 2019;"
- (b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order—
- (i) on 29th May 2013, or
- (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use;
- (c) the site is, or forms part of, a safety hazard area;
- (d) the site is, or forms part of, a military explosives storage area;
- (e) the building is a listed building or is within the curtilage of a listed building; or
- (f) the site is, or contains, a scheduled monument.

O.2.

(1) Development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development,
- (b) contamination risks on the site,
- (c) flooding risks on the site, and
- (d) impacts of noise from commercial premises on the intended occupiers of the development,

and the provisions of paragraph W (prior approval) apply in relation to that application.

(2) Development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date.

Interpretation of Class O

O.3. For the purposes of Class O "commercial premises" means any premises normally used for the purpose of any commercial or industrial undertaking which existed on the date of the application ...and includes any premises licensed under the Licensing Act 2003(a) or any other place of public entertainment.

Officer note: this is applicable in assessing whether any existing commercial premises would result in noise to the intended occupiers of the development under section O.2(d).

Section W sets out the procedure to be followed where a developer is required to apply for prior approval to the Local Planning Authority under any class falling within Part 3.

9.3 The assessment of the proposed development in accordance with the above legislation is as follows:

9.4 Paragraph O.1 compliance:

- The building is not on article 2(5) land and an application has been made on or before 30 May 2019.
- The building was last used for a use falling within Class B1(a) offices.
- The site does not form part of a safety hazard area.
- The site does not form part of a military explosives storage area.
- The building is not listed or within the curtilage of a listed building
- The site is not and does not contain a scheduled monument.

Paragraph O.2 conditions:

(a) Transport and highways impacts of the development

9.5 Previous prior approval application 16/00110/PAC was refused on the grounds of inadequate parking. Previously, 16 flats were proposed and there was a shortfall of 10 parking spaces (7 resident spaces and 3 visitor spaces) when compared with the Council's parking standards.

9.6 While this current application does not provide parking to comply with the Council's parking standards, 9 spaces would be provided for 12 no. 1 bed apartments/flats, a shortfall of 5 spaces (3 resident spaces and 2 visitor spaces). Thus the shortfall and potential harm on the highway has been reduced.

Access

9.7 The site takes off an adopted road serving the Wellington Business Park which is subject to a 30mph speed limit. The road also provides access to Bowman Court and Wellington College via Smith's Path and is considered suitable for residential access. There is a footway on the western side of the road linking the site to Duke's Ride and the area is lit.

9.8 Current bin collection arrangements for the existing offices would be via commercial carriers and the applicant will need to investigate bin collection arrangements for the proposed residential use.

Parking

9.9 The existing office is currently served by 9 parking spaces. 14 parking spaces (12 resident spaces plus 2 visitor spaces) would be required to comply with the Council's parking standards (2016) for 12no. 1 bed apartments/flats and the provision of 9 spaces (as per the existing office use) for the residential use would create a shortfall of 5 spaces.

9.10 Units 35 and 36 Wellington Business Park were granted prior approval for change of use from office to residential under application 13/00854/PAC for 8 no. 2 bed residential units with 14 parking spaces. This is 2 spaces below the Council's parking standards for residents and 1 space below visitor requirements, a total shortfall of 3no. spaces. Whilst there would be a shortfall of 5no. spaces in total with this application, prior approval has been granted at units 35 and 36 also with a shortfall of parking provision. It is not considered that there would be such a material impact to the surrounding highway as a result of this proposal. The following matters are also considered as material considerations in relation to highways as discussed at paragraphs 9.11 to 9.14 of this report.

- 9.11 The Transport Statement notes, *'there are a number of local shops and facilities which serve the local community. This includes a convenience store with post office adjacent to Crowthorne railway station, a pharmacy, hairdressers and restaurants/cafes'*. While these local facilities are relatively modest, the Transport Statement also highlights the proximity of the site to the railway station and the potential destinations and this may reduce car use and ownership.
- 9.12 The Transport Statement provides an assessment of potential car ownership based on census information of car ownership within Crowthorne for flats/apartments. This identifies that this development could generate a parking demand of 8 vehicles. The provision of 9 spaces within the car park exceeds this requirement by one space.
- 9.13 Time-limited parking restrictions (between 8am and 6pm, Monday to Friday) are in operation along part of the road serving the Wellington Business Park to restrict over-spill office parking and the railway station. Such restrictions do not cover the entire road and the Transport Statement notes, *'on-street parking currently occurs without issue to the wider road network. Any on-street parking currently associated with the existing business park operation would be unlikely to conflict with the times when prospective residents would wish to park'*. While the applicant has not provided any evidence to substantiate the above assertion and considerable parking has been observed to occur, the previous proposal could have resulted in potentially 7 residents vehicles and 3 visitors vehicles parking on-street, displacing current parking with impacts on access and highway safety. This current proposal reduces these impacts with potentially, 3 residents vehicles and 2 visitors vehicles parking on-street, limiting the severity of the highway impacts.
- 9.14 The Transport Statement notes, *'the development site is also in close proximity to a BFBC car park which would enable visitor, overnight and Sunday parking to be accommodated clear of all local roads, in the unlikely event this is required'*. This car park permits free parking for up-to 2 hours between 8am and 6pm, Monday to Saturday and some use of this by visitors is likely to be acceptable.
- 9.15 The parking spaces are shown within the red line area and on the Block Plan. 14 cycle spaces are provided to comply with the Council's cycle parking standards and this is shown on the Block Plan. Access to the cycle store appears to be tight.

Trips

- 9.16 12 flats could generate in the region of 25 two-way trips over the course of a typical day with 3 movements in both the morning and evening peak periods. The current permitted office use is likely to generate 44 two-way trips over the course of a typical day with 6 in both the morning and evening peak periods and therefore the proposed residential development will generate fewer movements.
- 9.17 It is therefore not considered that any adverse transport and highways impacts would result due to the development.
- (b) Contamination risks on the site
- 9.18 32 Wellington Business Park is not situated on land that has been indicated as a potential contaminated land site. It is therefore not considered that there are any contamination risks on the site.
- (c) Flooding risks on the site
- 9.19 The site is within Flood Zone 1 and not considered to have any critical drainage issues. It is therefore not considered that there are any flooding risks on the site.

- (d) Impacts of noise from commercial premises on the intended occupiers of the development.
- 9.20 An acoustic assessment has been submitted with the application. This assessment included conducting a sound level survey over a 24 hour period where it was concluded that intrusive sound levels within the proposed flats would comply with British Standard guidelines and no adverse impacts would result to future occupiers of the proposal. Further, the site would have the benefit of surrounding offices being used primarily during the weekdays and would not generate noise during the evenings and weekends when future occupiers would be more at risk of disturbance.
- 9.21 The Council's Licensing Department provided details of all licensed premises within close proximity to the application site which include premises where the sale of alcohol is permitted. The Council's Environmental Health Officer raised no concern about nearby licensed premises and resulting impact from noise on the intended future occupiers of the development.
- 9.22 It is therefore not considered that there would be any adverse impact of noise from surrounding commercial premises on the future occupiers of the proposed flats.
- (e) Other matters
- 9.23 The site is located within 5km of the Thames Basin Heaths Special Protection Area. It is a condition of any planning permission granted by a general development order that any development which is likely to have a significant effect upon a Special Protection Area cannot proceed unless the Local Planning Authority has given written approval under the Habitats Regulations 2010. The prior approval process does not in itself constitute approval under these Regulations.
- 9.24 This proposal would create additional dwellings and is located within an area where additional dwellings would lead to a significant impact on the SPA, if not mitigated. The decision notice should therefore include an informative advising the applicant how to apply for approval under the Habitats Regulations 2010 and that a Section 106 Agreement must be entered into in the event of prior approval being granted.
- 9.25 Further, this prior approval relates only to the use of the building. Any external alterations would require the submission of a full planning application.

10. CONCLUSION

- 10.1 The proposal would not result in contamination issues or flood issues. There would not be any adverse impact of noise from surrounding commercial premises on the future occupiers of the proposed flats and no adverse transport and highway implications.

11. RECOMMENDATION

- 11.1 Delegate to the Head of Planning to grant prior approval following the expiry of the site notice on 27 June 2016. Prior Approval is required and Prior Approval can be granted. The proposal complies with Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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MISCELLANEOUS ITEM NO. 9

PLANNING AND HIGHWAYS COMMITTEE

21.06.16

PLANNING APPLICATION: 15/01082/FUL

SITE ADDRESS: 48 - 50 Dukes Ride Crowthorne Berkshire RG45 6NX

1 BACKGROUND

1.1 At the 21st April Committee members resolved that the Head of Planning be authorised to approve planning application 15/01082/FUL subject to the completion of a Section 106 Legal Agreement and a number of conditions. The application is currently undetermined pending the completion of the required S106 Legal Agreement.

1.2 The application is for the erection of a block of 32 sheltered apartments for the elderly with detached binstore/cycle store; modification of existing access (to No.50) and closure of existing access to No.48; construction of basement parking and other associated parking, following the demolition of existing buildings.

2 REASON FOR MISCELLANEOUS ITEM

2.2 Following the Committee meeting of the 21st April correspondence was received from a member of the public that lives at 5 Wiltshire Avenue and also Crowthorne Parish Council. This report is for members' information and provides a summary of the points raised and officers' responses to each point:

3 POINTS RAISED AND OFFICERS' RESPONSES

3.1 The concerns raised in the recent correspondence are summarised below with an Officer's response to each point.

Point 1

3.2 The wording of paragraph 9.23 of the report to the 21st April Planning Committee refers, amongst other things, to the lower parts of first floor windows being obscure glazed and how would this be defined given the fact that the conditions do not seek to secure this. It is suggested that Members of the Planning Committee were misled as there will be no obscure glazed windows in the rear wing facing no. 5 Wiltshire Avenue.

Officer Response

3.3 Section 9(iv) of the report considers the impacts of the proposed development on the living conditions of adjoining properties. There is a section considering the impact on no. 5 Wiltshire Avenue, and para 9.22 states:-

3.4 "9.22 This property is a chalet style bungalow that backs onto the site. The proposed eastern flank of the building closest to 5 Wiltshire Avenue would be located 23m from the rear of the property. Given this separation it is not considered that any unacceptably adverse overlooking

would arise or that the proposed building would appear overbearing and/or overshadow this neighbouring property.”

3.5 The Council has guidelines regarding the distance of proposed windows above ground floor level from existing properties which seek to avoid the unacceptable overlooking of back gardens and the windows of habitable rooms. These guidelines are contained in a leaflet, ‘Extending your home: a householders guide’. The relevant guidelines in this instance are that first-floor windows in a new building should avoid overlooking an adjoining boundary less than 10 metres away or bring properties (and therefore facing windows) closer than 22 metres.

3.6 The first-floor windows on the part of the proposed building that will face towards the rear of no. 5 Wiltshire Avenue are at least 12m from the back garden boundary and therefore comply with this guidance. The distance between the nearest first-floor windows in the proposed building and the main back wall of no.5 Wiltshire Avenue exceeds 22m again according with the guidance. The distance between the nearest first-floor window and the conservatory at no.5 Wiltshire Avenue is slightly less than 22m but this is not considered to be an overriding concern; the site plan (see below) shows proposed new tree planting (to be secured by condition 08) to supplement existing vegetation on this boundary which would help provide screening.



3.7 In the light of the above the obscure glazing of all or part of the first-floor windows on the part of the proposed building closest to no. 5 Wiltshire Avenue would not be necessary.

3.8 Due to an administrative error paragraph 9.23 was inserted in the officer report. Paragraph 9.23 states:-

3.9 “9.23 In order to address the perception of being overlooked cill heights at first floor level have been raised, lower parts of the first floor windows will be obscure glazed and any side-facing rooflights will be 1.7m above floor area to avoid any overlooking.”

3.10 Members will note that the wording is the same as that of paragraph 9.26 which is part of the text dealing with the relationship between the east wing of the proposed building and Stoney Stacks. Here the buildings are much closer to each other and the guidelines referred to above are not achieved. For this reason obscure glazing is necessary to avoid unacceptable overlooking and

loss of privacy and indeed condition 04 requires all of the relevant windows to be obscure-glazed, not just the lower parts.

3.11 Further confirmation that paragraph 9.23 was included in error is that it refers to rooflights. These are not present on the part of the building nearest to no.5 Wiltshire Avenue - they are located in the roof of the east wing closer to Stoney Stacks. Also, the annotations on the floor plans referred to in condition 04 show the first-floor windows in the sides of the east and west wings which are to be obscure glazed. The condition is worded to reflect drawing ASP.14.027.101 Rev I where it shows only the lower panes of the windows on the west wing to be obscure glazed and the condition requires the relevant windows to be fully obscure glazed.

3.12 To conclude on this point although there was an error in the report it was never considered necessary for there to be obscure glazing in the rear wing of the proposed building facing no. 5 Wiltshire Avenue which was in part made clear in paragraph 9.22 of the report. The officer who accompanied members at the Committee site visit has confirmed that members assessed, on site, the relationship of the proposed building with neighbouring properties.

Point 2

3.13 The way the Council were applying distance guidelines for development is questioned and it is pointed out that the proposal is for a 11m high building within 2m of the boundary.

Officer Response

3.14 The closest element of the proposed building to the eastern boundary (the stairwell) is 5.5m tall and lies more than 2m from the boundary. The planning officer, who accompanied councillors on their site visit prior to application 14/01073/FUL being considered by Planning Committee, has confirmed that councillors looked at the relationship between the proposed building and dwellings to the east (Nos 5 and 7 Wiltshire Avenue and Stoney Stacks).



Point 3

3.15 Inconsistencies are identified between floor plans and north/west elevations regarding obscure glazing.

Officer Response

3.16 There is a minor inconsistency between the submitted plan and the elevation drawings but planning condition 04 makes it clear which windows would be obscure glazed. Reference was made to this condition in the officer presentation at Committee.

Point 4

3.17 In the Committee presentation the officer did not mention what form the glazing would take when referring to the rear wing of the building that would face no. 5 Wiltshire Avenue.

Officer Response:

3.18 The presenting officer did, in the Committee presentation, refer to clear glazing being acceptable on this part of the proposed building in this instance given the distances. For the reasons set out in the points above it is considered that the proposed glazing is appropriate.

Point 5

3.19 Do not agree that the landscaping and screening on the boundary with no.5 Wiltshire Avenue will help to screen the development.

Officer Response:

3.20 The screening afforded by existing and proposed vegetation is a relevant consideration. There is a level of screening on the boundary between no.5 Wiltshire Avenue and the site consisting of a tree and some leylandi. However in-order to thicken the screening, and screen gaps, the applicant has always shown on the plans proposed landscaping. The details of the landscaping/screening will be secured by condition. However it is important for members to understand that as mentioned earlier in the report it was previously expressed at Committee that the rear wing facing no. 5 Wiltshire Avenue would not result in any significant averse overlooking due to the distances achieved. The screening will only further reduce this non-significant impact.

Point 6

3.21 Clarification is sought as to how officers applied the parking standards and in particular what the difference is between 'retirement housing' and 'sheltered housing'.

Officer Response:

3.22 This issue relates to the provision of parking and a potential conflict with the standards set out in the Parking Standards SPD from 2007. The SPD includes standards for both 'sheltered housing' and 'retirement housing' which leads to a difference in parking requirement of 9 spaces.

3.23 As explained at the April Committee meeting this proposal is considered to fit within Use Class C3 (Residential) as the flats would be independent units. However, given the nature of the use and the evidence put forward, in terms of parking requirements, it is considered appropriate to apply the standard for sheltered housing. The building has a communal lounge and grounds, a concierge service and residents will be restricted so that no one under the age of 65 years would reside in the flats. This restriction has been accepted by the applicant as this is the type of person that is seen to occupy this type of accommodation. This approach was expressed by officers at the Committee meeting.

3.24 The starting point when assessing any proposal is to refer to the relevant standards, however should evidence or other material considerations be provided then a lower level of provision could be acceptable. This is what occurred in this case. The evidence supplied by the applicant of other similar sites around the country indicated a far lower likely demand for parking.

3.25 The Highway Authority also carried out parking surveys at the following sheltered accommodation sites in the Borough, which confirmed that parking provision and demand was less than the adopted standards would indicate:-

Winterbourne Court, Tebbit Close, Bracknell

3.26 This site has 21 parking spaces serving 40 sheltered apartments plus a warden's flat (planning permission; 612605). The car park was observed to be around 50% full (12 parked vehicles) during an early morning survey at 7.30am on Tuesday 13th October 2015. The car park was around 80% (17 parked vehicles) during a further survey carried out at 10.30am on the same day.

McKernan Court, High Street, Sandhurst

3.27 This site has 26 parking spaces serving 54 sheltered apartments plus a warden's flat (planning permission; 611538). The car park was observed to be around 60% full (16 parked vehicles) during a mid-morning survey at around 11.00am on Tuesday 13th October 2015.

Warner Court, Yorktown Road, College Town

3.28 This site has 12 parking spaces serving 33 sheltered apartments plus manager's accommodation (planning permission; 624392). The car park was observed to be around 75% full (9 parked vehicles) during a mid-morning survey at around 11.30am on Tuesday 13th October 2015.

Wyatt Court, Yorktown Road, College Town

3.29 This site has 15 parking spaces serving 32 sheltered flats plus a manager's flat (planning permission; 02/00513/FUL). The car park was observed to be around 60% full (9 parked vehicles) during a mid-morning survey at around 11.15am on Tuesday 13th October 2015.

3.30 When the previous application on this site (14/01073/FUL, which did not benefit from basement car parking) was presented to members at Committee The Highway Authority's view was that this survey information supported the view that the provision of 17 car parking spaces would be adequate to serve the 32 sheltered flats.

3.31 The above sites would, if being assessed today, be classed as Use Class C3 Residential, however again due to way they operate they require on-site parking at a lower level than the full C3 standard. On the basis of this evidence the provision of 31 spaces is considered to provide an acceptable level of parking for the proposed development whichever term is used to describe the accommodation proposed.

4 CONCLUSIONS

4.1 Notwithstanding the error in the Committee report, it is considered for the reasons given above that members were not misled and that the proposed glazing meets with Council guidance for this type of siting relationship and will not result in any unacceptably adverse impacts upon residential amenity. Situations where overlooking could occur have been shown to members on site and in the committee presentation and conditions will secure suitable mitigation in the form of obscure glazing where necessary.

4.2 With regard to parking provision the Local Highway Authority has assessed the scheme in light of the nature of the accommodation proposed, how it will be operated and the adequacy of parking provided at other similar sheltered accommodation schemes within the borough. This evidence was used to formulate the view that the parking as proposed and approved by Committee in April 2016 was adequate in this case.

5 RECOMMENDATION

5.1 (i) That members note the information contained in this report and the conclusion reached.

Background Papers

April 21st 2016 Committee Report for 15/01082/FUL 48 - 50 Dukes Ride Crowthorne.

Contact for further information

Simon Roskilly (Senior Planning Officer)

Tel: 01344 352569

simon.roskilly@bracknell-forest.gov.uk

Doc. Ref

ITEM NO: 6

Application No.
15/01082/FUL
Site Address:

Ward: Crowthorne
Date Registered: 19 November 2015
Target Decision Date: 18 February 2016
48 - 50 Dukes Ride Crowthorne Berkshire RG45 6NX

Proposal: **Erection of a block of 32 sheltered apartments for the elderly with detached binstore/cycle store; modification of existing access (to No.50) and closure of existing access to No.48; construction of basement parking and other associated parking, following the demolition of existing buildings. (Re-submission of 14/01073/FUL with amendments).**

Applicant: Mr Peter Tanner
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. SUMMARY

1.1 Full planning permission is sought for the erection of a block of 32 sheltered apartments for the elderly with detached binstore/cycle store; modification of existing access (to No.50) and closure of existing access to No.48; construction of basement parking and other associated parking, following the demolition of existing buildings. (Re-submission of 14/01073/FUL).

1.2 The application is considered to address concerns raised in a previous appeal decision which included this site and also the more recent refusal of a similar scheme. With appropriate materials and finishes the proposed building is considered to be in keeping with the area. The relationship with adjoining properties is acceptable and adequate car parking is proposed.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report and a Section 106 legal agreement.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

Trees on site protected by TPO

Within 5km buffer to the Thames Basin Heaths Special Protection Area
--

Within Area B (West Crowthorne) of the Crowthorne Area Character Assessment

3.1 The site's area is 0.43 hectares and it currently contains 2no. large detached dwellings.

3.2 The application site is located off Dukes Ride (B3348), to the west of Wiltshire Avenue.

3.3 Part of the north-eastern corner of the site is located within Wokingham Borough however this triangular piece of land is outlined in blue on the site plan and therefore does not fall within the red line of the application site. This is not considered to be a concern as the size and shape of this triangular piece of land would mean that it would remain as land that could also be used as part of the residential amenity space should the scheme be approved.

3.4 There are residential properties east of the site including Stoney Stacks, and nos. 5 and 7 Wiltshire Avenue. West of the site is no.52 Dukes Ride, a residential property, with no. 8 Thornbury Close and no. 9 Wiltshire Avenue being located north of the site.

3.5 To the front of the site, on the opposite side of Dukes Ride, is the Little Red House Nursery.

3.6 There are no significant level changes on the site.

3.7 Trees on and adjoining the site, generally on its southern and northern edges, are protected by TPOs 549 and 647. Other trees lie in the centre of the site between Nos 48 and 50 Dukes Ride.

3.8 The route of the Devil's Highway, a Roman Road, runs close to the site's northern boundary.

4. RELEVANT SITE HISTORY

4.1 07/00001/FUL- Redevelopment of site for a part 2, and part 3 storey building providing 60no. units of accommodation for the 'frail elderly' with associated car parking. REFUSED on the grounds of overbearing, overshadowing, overdevelopment, lack of Transport Assessment and S106 contributions.

4.2 07/01165/FUL- Redevelopment of site for a part 2, and part 3 storey building providing 50no. units of accommodation for the 'frail elderly' with associated car parking. REFUSED for the following reason:-

The proposed development would not contribute positively to Dukes Ride and would not be appropriate within its context. Furthermore the proposal is not in sympathy with the appearance and character of the local environment and is not appropriate in scale, mass, design and layout, both in itself and in relation to adjoining buildings, spaces and views. As such the proposal is contrary to National Planning Policy contained within PPS1, Policy CS7 of the Bracknell Forest Core Strategy DPD and Policy EN20 of the Bracknell Forest Borough Local Plan.

4.3 There were also S106 related reasons for refusal.

4.4 This application was the subject of an appeal the decision letter is appended to this report.

4.5 The appeal was dismissed mainly due to the size and design of the proposed building. The Inspector considered that the size of the proposed building, with an unbroken frontage of some 67 metres, would considerably exceed the scale of that of any other development along the road and that its appearance would be unlike that of any other development in the area. Whilst he considered the building was of appropriate scale, design and layout for the proposed use and could be accommodated on the site without appearing cramped or as an overdevelopment, he concluded that the solid mass and extensive roofscape would be of uncharacteristic scale within Dukes Ride and together with the uncharacteristic and uncompromising modern-looking curved roof forms would fail to integrate successfully into the surroundings.

4.6 The Inspector did not consider the principle of the development, impact on the amenity of neighbouring properties or the loss of the existing buildings to be of over-riding concern.

4.7 It will be noted that both of the above applications related to a larger site than the current application as they also included land at no. 52 Dukes Ride.

4.8 14/01073/FUL- Erection of a block of 32no. sheltered apartments for the elderly with detached binstore/cycle/electric buggy store; modification of existing access (to No.50) and closure of existing access to No.48 following the demolition of existing buildings.

4.9 This application was refused at Committee for the following reasons:-

01. The development as proposed would provide inadequate on-site parking provision to serve the 32 sheltered apartments. This is likely to lead to increased on-street parking on surrounding roads to the detriment of highway safety. The proposed development is therefore contrary to Bracknell Forest Borough Local Plan Policy M9 and Core Strategy Development Plan Document Policy CS23 and the NPPF.

02. In the absence of a planning obligation to secure contributions towards 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, Policy CS16 of the Core Strategy Development Plan Document and to the Planning Obligations SPD (2015)

03. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicants have not satisfactorily mitigated the development to comply with the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012. In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would therefore be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and to the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012.
04. The applicant has failed to provide an adequate and safe parking layout for the unrestricted C3 Residential Use and this could lead to vehicles parking on the highways to the detriment of road safety. The proposed development is therefore contrary to Local Plan Policy M9 and Core Strategy Policy CS23 and the NPPF.
05. The applicant has failed to secure contributions in order to implement Traffic Regulation Orders needed to prevent on-street parking in inappropriate locations that would lead to highway safety implications. The proposed development is therefore contrary to Local Plan Policy M9 and Core Strategy Policy CS23 and the NPPF.

5. THE PROPOSAL

5.1 Full planning permission is sought for the erection of a block of 32 sheltered apartments for the elderly with detached binstore/cycle store; modification of existing access (to No.50) and closure of existing access to No.48; construction of basement parking and other associated parking, following the demolition of existing buildings. (Re-submission of 14/01073/FUL).

5.2 The building above ground both in its siting, bulk, massing and design is no different to the scheme recently refused at Committee (14/01073/FUL) apart from the layout of the parking above ground, alterations to the bin and cycle/buggy store and the creation of basement parking underneath the proposed building. The changes seek to address concerns the Committee had when refusing 14/01073/FUL.

5.3 The block consists of two part two-storey/part three-storey wings (east and west) fronting Dukes Ride and linked by a single-storey glazed element. Both wings have been designed so as to look different to each other and have the appearance of two separate large buildings. The proposal also provides a part two-storey/part three-storey element extending out into the rear of the site (rear wing).

5.4 The building is of traditional design with features such as pitched roofs, projecting gabled bays and sash windows to pick up local design cues. Proposed materials include contrasting areas of facing brick and areas of painted render with decorative tile hanging to upper floor gables and stone cills and window heads.

5.5 The development would have one main access point off Dukes Ride close to the boundary with no. 52 Dukes Ride serving an access road running north close to the boundary with no. 52 Dukes Ride. Parking would be located within the north-western part of the site and under the building in a basement. Landscaping in the form of trees is proposed to enhance existing vegetation. Grassed amenity space is proposed around the building with the largest area located within the north-eastern corner of the site.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council:

6.1 Crowthorne Parish Council has considered the application as amended and recommends Refusal on the following grounds:

- overdevelopment of site
- overbearing
- area is prone to flooding

Wokingham Without Parish Council

6.2 Recommend refusal for the following reasons:-

- The proposed development is not in keeping with the residential area. Accordingly it would degrade the mixed-community nature of the area and be harmful to the existing street scene.
- It would set an unwelcome precedent along Dukes Ride for large-scale overbearing developments.
- The building is too close to adjacent properties and would affect the privacy of the occupants. Many of the apartments would overlook rear gardens.
- The car park would introduce unwelcome noise and movement affecting the use of the back gardens of adjacent properties.

Other representations:

6.3 Forty three objections were received at the time this report was written from separate addresses.

The concerns raised have been summarised below of which the majority of the concerns were covered in the previous Committee report for 14/01073/FUL:-

- Underground carpark not suitable in a village location and will not work. *[Officer Comment: Underground carparking is not considered inappropriate in this location. It is not considered to have a detrimental impact upon the character of Crowthorne Village. As for whether or not the underground car park will work this is addressed in section 9 - Transport Implications]*
- Concerns regarding the basement carparking and existing on-site drainage concerns. *[Officer Comment: Existing drainage issues and the proposed basement carpark have been considered by the Lead Local Flood Authority and this assessment is addressed in section 9 – Drainage]*
- Viability of the development. *[Officer Comment: This is addressed in section 9- Planning Obligations.]*
- Inappropriate development on greenfield land that has not been allocated *[Officer Comment: The site is located within the settlement whereby development of this nature is acceptable in principle]*
- Adverse impact upon surrounding residential amenity *[Officer Comment: These concerns are addressed under section 9 - Residential Amenity.]*
- Lack of parking, traffic and highway safety. *[Officer Comment: These concerns are addressed in section 9 - Transport Implications]*
- Adverse impact upon the character and appearance of the area through inappropriate scale, massing, design, density and loss of character buildings. *[Officer Comment: These concerns are*

addressed under section 9 - Impact Upon Character and Appearance of the Area. However regarding the loss of the existing buildings, the Inspector when assessing the previous scheme at appeal, had no concerns with the loss of the buildings which included an additional building at no. 52. The two buildings that are to be demolished are not listed, not located within a conservation area and are not considered to form non-designated heritage assets.]

- Impact upon local wildlife and the Thames Basin Heaths SPA. [Officer Comment: These concerns are addressed in section 9 - Biodiversity and The Thames Basin Heaths SPA.]

- Impact upon Trees. [Officer Comment: This concern is addressed in section 9 - Trees.]

- Is there a need for this type of accommodation? [Officer Comment: The Inspector when determining the appeal for the refusal of application 07/01165/FUL did not dispute the proposed nature of the development. If the developers are willing to provide such accommodation then there must be a recognised need.]

- Waste and Odour [Officer Comment: Any issues regarding waste and odour from the proposed bin store can be dealt with under separate health and safety legislation.]

- Impact upon GP facilities in the area [Officer Comment: It is not for this application to determine whether there are sufficient health facilities in the area it is for other bodies to provide health facilities to meet the needs of the population and the Council can allocate CIL funds towards such provision if appropriate].

- No public consultation from the developer. [Officer Comment: It is best practice that developers seek the views of the local residents at the early stages of development planning. However they do not have to do this and this application has been the subject of public consultation at every stage, which includes various revised submissions.]

7. SUMMARY OF CONSULTATION RESPONSES

Wokingham Borough Council

Had no comments to make.

Environmental Health

Recommends conditional approval.

Transportation Officer

Concerns expressed regarding how the basement parking ramp will be used. Further information is to be submitted setting out how a traffic signalisation scheme will address the officers concerns. An update will be provided via a supplementary report.

Biodiversity Officer

Recommends conditional approval.

Tree Officer

Recommends conditional approval.

Local Lead Flood Authority

Recommend conditional approval.

Berkshire Archaeology

No objection subject to a condition.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary planning policies and associated guidance applying to this site are:-

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS16, CS17 of CSDPD, Saved policy H8 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD	Consistent
Trees, Landscape and Biodiversity	Saved policies EN1, EN2 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
SPA	CS14 of CSDPD, NRM6 of SEP, Saved policy E3 of BFBLP	Consistent
Sustainability (resources)	CS10 and CS12 of CSDPD	Consistent
Archaeology	Saved policies BFBLP EN6 and EN7 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Planning Obligations SPD		
Character Areas Assessment SPD		
Thames Basin Heath Special Protection Area (SPD)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Bracknell Forest Community Infrastructure Levy Charging Schedule (2015)		
The House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:-

- i. Principle of development
- ii. Impact on character and appearance of the area
- iii. Trees
- iv. Impact on residential amenity
- v. Transport implications

- vi. Biodiversity
- vii. Sustainability (resources)
- viii. Affordable Housing
- ix. Thames Basin Heaths Special Protection Area
- x. Drainage
- xi. Archaeology
- xii. Planning obligations

i. PRINCIPLE OF DEVELOPMENT

9.2 The site lies within a settlement and will contribute to meeting the housing needs of the community. It is therefore considered to be acceptable in principle complying with CSDPD Policies CS1 and CS16 and the NPPF. The remainder of this report considers matters of detail.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

(i) Site Layout

9.3 As noted above the application site currently contains two large detached houses. The frontage of the eastern part of the site (No 48) contains a number of trees, that of No 50 is more open. The boundary treatment of both is a low wooden fence.

9.4 The application site lies in Area B (West Crowthorne) of the Crowthorne study area. A number of points in this SPD are relevant to development in Dukes Ride including the importance of boundary treatments in blending different plot sizes and buildings styles into a cohesive character. In this regard hedges and low walls are identified as the predominant boundary treatment. Building materials are noted to be predominantly red brick, with the odd use of yellow brick and render.

9.5 The proposed building is set back from Dukes Ride to respect the general building line along this part of the road. A single-storey bin store/cycle store/buggy store is located close to the front entrance into the site but set slightly back to allow planting to take place around it and for further planting on the site's frontage to maintain and reinforce existing hedging.

9.6 The layout of the proposed scheme is considered to represent a sympathetic development that respects the pattern of built form surrounding the site and the existing building line along this part of Dukes Ride. It provides a suitable balance between built-form, amenity space and parking.

9.7 Adequate landscaping has been incorporated in order to soften the proposed building from the Dukes Ride frontage and surrounding residential properties. Details of landscaping are to be conditioned.

(ii) External appearance of the dwellings

9.8 The proposed building would have two large wings on the Dukes Ride frontage, connected by a single-storey glazed element. This is considered to address the appeal Inspector's concerns regarding the mass of the building and how it is read within the streetscene. The single-storey glazed central element provides a link essential to the use of the building but at the same time breaks up the mass of the building on the frontage. The rear wing of the proposed building, again connected by the single-storey glazed element, is considered to be set back sufficiently so as not to fill the gap when viewed from Dukes Ride.

9.9 On the previous scheme the applicant was required to provide a design sympathetic to its surroundings and yet have distinguishing features on the two wings facing Dukes Ride which

means the wings read as two separate buildings. The design was also changed to address residential amenity concerns regarding the height of the flank walls, both east and west, so that they were two storey. The design has been replicated for the purposes of this resubmission. The building, when seen from the street, and with the flank wall changes, is considered to appear as having two sympathetic yet differing wings.

9.10 The external materials proposed are considered to be in keeping with other buildings on Dukes Ride, and in line with the Character Areas SPD, and at the same time resulting in two wings to the building that differ from each other and resemble stand alone buildings. A condition is recommended to be imposed to secure final details of the materials.

9.11 Further screening and landscaping will be established within the site to soften the development's appearance from neighbouring properties and views from Dukes Ride.

9.12 Overall the external appearance of the building, subject to suitable materials, is considered in keeping with the character and appearance of the area and addresses concerns raised previously at appeal for a similar development albeit bigger in scale to the one assessed under this submission.

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

iii. TREES

9.14 A number of trees in the centre of the site are proposed to be removed but the trees on the site's boundary, covered by a TPO, are to be retained. Since the previous Committee refusal a basement parking area has now been proposed as well as a drainage scheme that seeks to meet with current Government drainage requirements.

9.15 The Tree Service has confirmed that, subject to the imposition of suitable conditions, the proposal would not adversely affect protected trees on and adjoining the site which are important in the street scene. The application is therefore considered to be in accordance with BFBLP Policies EN1 and EN20 and CSDPD Policies CS1 and CS7.

iv. RESIDENTIAL AMENITY

(i) Impact upon the living conditions of adjoining properties

9.16 The impact on the following properties, considered to be those most affected by the proposal, has been assessed as follows:

8 Thornbury Close

9.17 No. 8 Thornbury Close is located north of the site. There is natural screening consisting of trees and hedging between the neighbouring property and the site approximately 4.5m high. There are areas along this boundary where trees have been lopped however there is a substantial screen between the two sites.

9.18 The proposed northern part of the building has now been located so that it has first-floor windows no closer than 10m to the boundary with no. 8 Thornbury Close. There are no first floor rear-facing windows closer than 22m to the rear of no. 8 Thornbury Close with a rear facing window also being 21m from the side of the property. There are second floor rooflights within the roof that would be located 1.7m above floor level so as to avoid overlooking.

9.19 All these distances and heights of rooflights meet with Council guidelines and it is not considered that any significant overlooking of no. 8 Thornbury Close would result.

9.20 Also given the distances, existing screening and proposed planting the building would not appear unduly overbearing and would not significantly overshadow this property.

9.21 The proposed parking at the rear of the site is not considered to be so close as to result in any unacceptably adverse impacts upon the residential amenity of this dwelling or its garden.

5 Wiltshire Avenue

9.22 This property is a chalet style bungalow that backs onto the site. The proposed eastern flank of the building closest to 5 Wiltshire Avenue would be located 23m from the rear of the property. Given this separation it is not considered that any unacceptably adverse overlooking would arise or that the proposed building would appear overbearing and/or overshadow this neighbouring property.

9.23 In order to address the perception of being overlooked cill heights at first floor level have been raised, lower parts of the first floor windows will be obscure glazed and any side-facing rooflights will be 1.7m above floor area to avoid any overlooking.

Stoney Stacks

9.24 Following concerns expressed that plans may not have correctly shown what was present at Stoney Stacks a follow up site visit was carried out to measure the distance of Stoney Stacks from the boundary of the application site.

9.25 Stoney Stacks, like 5 Wiltshire Avenue, shares a boundary with the site and is located to the east. The closest point of the proposed building (a stairwell) is 12.1m from the rear of Stoney Stacks and not 13.6m as set out in the supplementary report associated with the previous application. Although the distance is 1.5m less than previously reported, given the boundary treatment, the fact that there are no habitable windows at first floor level in the part of the extension projecting to the west and that a ground floor window in Stoney Stacks is set back a further 1m under a canopy (13.1m from the proposed stairwell), it is not considered that the proposed building will result in any unacceptably adverse overlooking/overshadowing or appear overbearing in relation this neighbouring property. The distance of the main proposed building, not including the stairwell, from the lounge window facing west would be 14.1m. There is a secondary side-facing sitting room window facing west toward the application site that would be 3.82m from the boundary, however due to current screening there would be no significant impact to it.

9.26 In order to address any perception of overlooking cill heights at first floor level have been raised, lower parts of the first floor windows will be obscure glazed and any side facing rooflights will be 1.7m above floor level.

9.27 Overall, and given an assessment on site, it is considered that the proposal would not result in any unacceptably adverse impacts upon the amenity of Stoney Stacks.

52 Dukes Ride

9.28 No. 52 Dukes Ride shares a boundary on the western side of the site and its principal elevation faces east towards the application site. The closest part of the proposed western wing would be some 15.5m away from this elevation. The proposed west facing flank wall has been reduced to 2 storeys in height so that the impact is similar to the existing relationship with the house at no. 50.

9.29 As per 7 Wiltshire Avenue and Stoney Stacks this side to rear/front relationship is considered to be acceptable with no unacceptably adverse overlooking or overbearing/overshadowing impacts.

9.30 The lower panes at first-floor level facing west in the front wing will be obscure glazed and any side-facing rooflights will be 1.7m above floor area to avoid any unacceptable overlooking.

9.31 The rear wing of the building would have 3rd floor Juliet balcony windows no closer than 25m from the boundary with no. 52 Dukes Ride with the Council guideline distance being 15m. There would be no direct window to window overlooking from the rear wing and the rear of no. 52 Dukes Ride. As such it is not considered that the rear wing of the building would result in any significant overlooking or overshadowing and would not appear unduly overbearing due to the distances quoted above.

9.32 The proposed access road along the side of the boundary with no. 52 Dukes Ride will result in an increase in activity on the boundary. However the majority of the access road would be east of the adjoining property's garage and driveway with only a short length being close to the rear garden of no. 52. It is not considered that the driveway and parking would result in any significant adverse impacts upon the residential amenity of the occupants of no. 52 Dukes Ride.

(ii) Living conditions of future residents

9.33 Due to its orientation and design the proposed development does not result in any adverse overlooking and/or overbearing impacts upon any of proposed residential units. It is considered that adequate amenity space is provided around the proposed building.

Conclusion on residential amenity:

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

v. TRANSPORT IMPLICATIONS

9.35 This planning application is a re-submission of 14/01073/FUL which was refused by the Council's Planning Committee. The decision notice identifies two highway safety reasons both related to inadequate parking provision resulting in vehicles parking on the highway to the detriment of highway safety. There is an additional highway-related reason for refusal concerning the failure of the applicant to secure contributions for Traffic Regulation Orders needed to prevent on-street parking in inappropriate locations (i.e. parking restrictions). It is noted that the Local Highway Authority (LHA) raised no objection to the proposed parking provision for 14/01073/FUL.

Access

9.36 The site takes access off Duke's Ride, a local distributor road (the B3348) on the boundary of an existing 30mph speed limit and 20mph zone. There is traffic-calming in the form of road humps within the 20mph zone heading eastwards along Duke's Ride towards Crowthorne Town Centre.

9.37 There are currently three vehicular accesses serving the two residential properties which are to be demolished. These are to be removed and replaced with one single point of access on the western side of the site.

9.38 The new proposed site access would be around 5 metres into the 20mph zone and visibility splays of 43 metres are proposed in either direction for vehicles exiting onto Duke's Ride. These visibility splays comply with the Manual for Streets requirements for a 30mph speed limit urban

road and this caters for those vehicles which are likely to be travelling at more like 30mph when approaching and exiting the 20mph zone. In reality, greater sight-lines can be achieved due to the straightness of Duke's Ride and the eastwards sight-line could be taken to the centre-line of the road given that very little overtaking is likely to occur. The visibility splays are not wholly contained within the highway, but are covered by the red-line and it is therefore advised that they be secured by planning condition as shown on the Site Plan (drawing ASP.14.027-002.Rev O) for highway safety.

9.39 The new site access would be located approximately 30 metres eastwards of Heath Hill Road North, an unmade private road serving around 15 properties and providing access to a children's nursery. This distance provides adequate inter-visibility between drivers in the event that vehicles are entering and exiting these two accesses at the same time. Also, the new site access is around 15 metres from the driveway serving the adjacent property to separate these accesses.

9.40 The existing hedge fronting the site which is shown on drawing ASP.14.027-002.Rev O as being retained and reinforced appears to be on the boundary of the ancient highway, as indicated by the adjacent property fencing and position of existing street lighting columns and traffic signs across the frontage. The planting is shown on drawing ASP.14.027-002.Rev O such that pedestrian visibility splays can be achieved and this should be secured by planning condition.

9.41 The means of access should be implemented as shown on approved plans prior to occupation of the development. The site has existing accesses and access arrangements during demolition and construction could be dealt with by a construction management plan (secured by planning condition). Highway access works will require the consent of the LHA. This may include amending the position of the 30mph and 20mph speed limits and re-locating a street lighting column at the applicant's expense. The applicant should be advised to contact the LHA by way of informative.

9.42 A 4.8 metre wide access road is proposed for the first 15 metres when entering the site and this would enable two vehicles to pass each other. Vehicle access gates are proposed and these are shown on drawing ASP.14.027-002.Rev O as being set back 6 metres from the road enabling a standard car to pull clear of passing traffic while gates are opening. A separate footpath and gated access is proposed adjacent to the vehicular access and this is shown on drawing ASP.14.027-002.Rev O as being 1.5 metres wide which would assist with pedestrian access off Duke's Ride into the site.

9.43 The pedestrian path leads to a shared surface road and this has a short 3.7 metre narrowing for a distance of around 6 metres around the corner of the building with a 4.1 metre wide shared surface thereafter leading to the car park and the main pedestrian entrance to the rear of the building. A 3.7 metre width is tight for a vehicle and pedestrian to pass each other and certainly two vehicles would be unable to pass each other, though a fire tender could access the site. A narrowing is likely to reduce speeds within the site, though the access narrows around a slight bend and this is likely to result in conflict. The provision of pedestrian paths across the amenity land fronting the building, potentially linking the path adjacent to the vehicular access or linking to the footway adjacent to Duke's Ride would reduce the number of pedestrians using the access road down the side of the building resulting in reduced potential for conflict.

9.44 A 4.1 metre wide road is adequate for vehicle and pedestrian movements along a private access road and two vehicles should be able to pass each other along this straight section of road which has a 500mm margin on its western side.

Parking

9.45 At the October 2015 Planning Committee an almost identical scheme above ground was recommended for approval. The officer view was that the amount of parking proposed, although

below standard, was adequate given the nature of the accommodation sought and the age restriction that was to be put in place. Members subsequently refused the application due to insufficient parking.

9.46 The applicant has now submitted a scheme providing parking that fully meets the standard for sheltered housing contained in the Council's Parking Standards SPD (2007). A total of 31 parking spaces are proposed when 30 spaces including visitor spaces is the requirement. The additional 14 parking spaces have been accommodated on site by proposing a basement car park. The new Parking Standards were adopted on the 16th March however schemes that were submitted prior to this date up until the 1st July will have to comply with the 2007 Parking Standards. After this the scheme would need to comply with the new 2016 standards which this scheme would also comply with.

9.47 The layout of the basement parking is considered acceptable. However there are some concerns that the width of the ramp, its proximity to pedestrian routes and restricted visibility could cause internal safety concerns regarding car users, buggy users and pedestrians. The applicant has stated that they have, on other schemes, implemented traffic signalisation of ramps to avoid such conflicts. Further information has been sought on how this will work and this measure can be subsequently secured via a planning condition. A further update will be provided to members via a supplementary report.

Deliveries and Servicing

9.48 A communal bin store is proposed within 10 metres of the access off Duke's Ride and this would enable bin collection by the Council from the main road. A number of the ground floor units are located around 50 metres from the bin store which is nearly twice the recommended distance for an individual resident to carry their waste. Clearly, residents on the first and second floors exceed this recommended distance. The applicant states that there would be a concierge who would assist with carrying waste to a collection point.

9.59 A turning space is proposed close to the site access and this provides adequate access and turning for a domestic delivery vehicle to exit onto Duke's Ride in a forward gear. A refuse vehicle would not enter the site, as explained above.

Trips

9.50 The Transport Statement provided in support of 14/01073/FUL indicated that each assisted living retirement apartment is likely to generate 1.66 vehicle movements per 12 hour day. This was based on surveys of the total traffic movements at a number of existing sites. Applying this trip rate to this current proposal for 32 units could result in a total of 54 two-way vehicle movements. The existing dwellings could create in the region of 12 to 16 two-way vehicle movements. The development, if permitted would be liable for CIL charges and financial contributions could be used to fund general transport improvements in the local area to mitigate the cumulative highway impacts of development.

Summary

9.51 The applicant has proposed parking to comply with the adopted standards to overcome the previous reason for refusal. However the Local Highway Authority currently has concerns that the operational use of the basement parking ramp could lead to conflict between pedestrians and vehicles. The applicant will provide the Council and LHA with clarification on how this concern can be addressed through an on-site traffic management scheme. An update will be provided via the supplementary report.

9.52 To conclude, with positive feedback from the LHA, suitable conditions and planning obligations to restrict occupants to those with a minimum age of 65 and to secure contributions to TROs, the proposal is not considered to result in any unacceptable highway safety implications and is therefore considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

vi. BIODIVERSITY

9.53 The proposal, subject to conditions, is considered acceptable in terms of biodiversity and therefore accords with Core Strategy Policies CS1 and CS7 and the NPPF.

vii. SUSTAINABILITY (RESOURCES)

9.54 Since the Government's Ministerial statement of the 26th March 2015 for residential development CSDPD Policy CS10 is only taken to require the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. An adequate Sustainability Statement has not as yet been received therefore a condition is recommended to be imposed in order to secure this.

9.55 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. No Energy Demand Assessment has been submitted therefore again a condition is recommended to be imposed in-order to secure this.

viii. AFFORDABLE HOUSING

9.56 CSDPD Policy CS17 and BFBLP Policy H8 seek the provision of a level of affordable housing on suitable development sites, taking account of the economics of provision. The policies are consistent with the NPPF.

9.57 The proposal would see the implementation of 32no. flats for elderly people. This goes beyond the threshold of 15 units and therefore the applicant is required to provide 25% of the proposed units as affordable housing. Due to the nature of the development it has been accepted in other cases that on-site affordable housing is not appropriate and that suitable financial contributions could be an acceptable solution. The applicant has stated their willingness to provide a financial contribution towards the provision of off-site affordable housing. Following an independent assessment of the applicant's viability report their offer has been accepted as a way of meeting with policy CSDPD Policy CS17 and BFBLP Policy H8. It is recommended that the acceptable contribution is secured by way of a Section 106 Legal Agreement.

ix. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

9.58 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 SPA is likely to have a significant effect on the SPA, either alone or in combination with other plans or projects.

9.59 This site is located approximately 0.82 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.

9.60 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.

SPA Avoidance and Mitigation Measures

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

9.61 In accordance with the SPA SPD, the development will be required to provide alternative land (SANG) to attract new residents away from the SPA. 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).

9.62 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.

9.63 The enhancement of open space works at The Ambarrow Hill/Court SANG is the most appropriate to this proposal.

9.64 An occupation restriction will be included in the Section 106 Agreement. This is to ensure that the SANGs enhancement works to be secured by the CIL 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

b) Strategic Access Management and Monitoring (SAMM) Contribution

9.65 The development will also be required to make a contribution towards SAMM. This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it

Conclusion on SPA mitigation

9.66 A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). Without 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 a planning application.

9.67 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.

9.68 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.

x. DRAINAGE

9.69 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 the Town and Country Planning (Development Management Procedure) (England) Order 2015, sustainable drainage systems should be provided unless demonstrated to be inappropriate.

9.70 The applicant has submitted a revised Drainage Strategy which the Council's Drainage Engineer has assessed and considers to be acceptable. A condition should be included to ensure the drainage system is built and maintained in accordance with the strategy.

xi. ARCHAEOLOGY

9.71 There are potential archaeological implications associated with this application as identified on Berkshire Archaeology's Historic Environment Record. The site lies immediately adjacent to the Devil's Highway, the Roman Road from *Londinium* (London) to *Calleva Atrebatum* (Silchester). The route of the Road is known to the east and west of Crowthorne and in places, such as on Bagshot Heath, stretches of the Road are protected as a nationally important Scheduled Monument. The course of the Roman Road within the built-up area of Crowthorne is less certain although one of the roadside ditches was thought to have been identified in Wiltshire Avenue in 1993.

9.72 Perhaps more significantly a series of Roman settlements and buildings are known to lie close to the line of the Roman Road, some probably servicing the needs of travellers along this important route from London to the west. The large Roman settlement at Wickham Bushes lies to the east of Crowthorne and is a nationally important Scheduled Monument. Further to the east in Sunningdale two possible Roman buildings are thought to lie close to the line of the road, one of which included a tessellated pavement and may represent a villa site. To the west in Finchampstead at Wheatlands Manor, there is another Roman settlement that straddles the line of the Roman and this also is a Scheduled Monument.

9.73 Although the site at 48-50 Duke's Ride has witnessed some development from the construction of the existing buildings, areas of the application site are largely undeveloped garden areas. There are therefore reasonable grounds to suggest that the site at 48-50 Duke's Ride may contain surviving buried remains relating to the Roman road and other Roman features which may be impacted by the proposed development. As it is unlikely that such remains would merit preservation *in situ*, the mitigation of the impacts of development can be secured by condition. This is considered to be in accordance with saved BFBLP Policies EN6 and EN7 and the NPPF.

xii. PLANNING OBLIGATIONS

9.74 The proposal would be CIL liable. 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.

9.75 The following obligations will be included within a Section 106 Legal Agreement:-

- affordable Housing contributions;
- Thames Basin Heaths SPA mitigation; and
- An occupancy restriction so that minimum age for occupancy of the flats is 65 years.

10. CONCLUSIONS

10.1 This site is located within the settlement and therefore the proposed development is considered to be acceptable in principle. The 32 flats (30 net increase in dwellings) contribute to the Council's housing supply which is a material consideration.

10.2 A large number of objections were received. The report has sought to address these.

10.3 In terms of visual character, and subject to appropriate materials and finish, the development is considered to be sympathetic within the streetscene when viewed from Dukes Ride. The layout,

bulk, massing and design are considered to have addressed concerns raised by an Inspector at the appeal of a previous refusal on this site and land at no. 52 Dukes Ride, insofar as the building although linked by a single-storey glazed element is sufficiently broken up visually so as not to detract from its setting.

10.4 The proposed vehicular access to the site and the level of parking provision are considered acceptable. However there are concerns that the operational use of the basement parking ramp could lead to pedestrian and vehicle conflict. The applicant will provide the Council and LHA with clarification on how this concern can be addressed through an on-site traffic management scheme. An update will be provided via the supplementary report.

10.5 The impact of the proposal on the living conditions of the occupiers of nearby houses, in terms of the proposed flats, parking and access, has been carefully considered. The scheme is considered acceptable in this regard.

10.6 It is concluded that the proposed development provides housing without compromising the character and appearance of the area and residential amenity. The amount of parking proposed meets the relevant Council standard and therefore addresses the concern the Planning Committee had in relation to the previous application on the site. The application is therefore recommended for approval subject to positive feedback from consultees regarding highway safety, appropriate conditions and the completion of a Section 106 legal agreement to secure the matters referred to in Section 9(xi).

11. RECOMMENDATION

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

01. a financial contribution to the off-site provision of affordable Housing;
02. mitigation of impacts on the Thames Basin Heaths SPA; and
03. an occupancy restriction so that minimum age for occupancy of the flats is 65 years.

That the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

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

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

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

ASP.14.018.202/N Amended Sections received 19th February 2016.

ASP.14.027.001/G Amended Location and Block Plan received 19th November 2015.

ASP.14.027.002/O Amended Site Plan received 19th February 2016.

ASP.14.027.104/C Proposed Basement Plan received 19th February 2016.

ASP.14.027.100/G Amended Proposed Ground Floor Plan received 19th November 2015.

ASP.14.027.101/I Amended Proposed First Floor Plan received 19th November 2015.

ASP.14.027.102/G Amended Proposed Second Floor Plan received 19th November 2015.

ASP.14.027.103/G Amended Proposed Roof Plan received 19th November 2015.

ASP.14.027.200/J Amended Elevations received 25th November 2015.

ASP.14.027.201/H Amended Elevations received 25th November 2016.

Drainage Strategy Report Rev E received 3rd March 2016.

Drainage Strategy drawing 500 Rev P7 received 3rd March 2016.

Tree Protection Plan received 3rd March 2016.

Arboricultural Impact Report received 3rd March 2016.

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

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

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

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

04. Notwithstanding the annotations on the floor plans the first-floor windows in the east facing elevation of the east wing of the building and the west facing elevation of the west wing of the building hereby permitted shall not have the windows glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). The windows shall be fixed shut with the exception of the top half being openable.

REASON: To prevent the overlooking of neighbouring properties .

05. All rooflights at second floor level shall be installed so that the lower cill is a minimum of 1.7m above floor level.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

06. No windows at first floor level or above other than those shown on the approved drawings shall be inserted in the west elevation of the west wing, the east elevation of the east wing and east elevation of the rear wing hereby approved.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

07. The development hereby permitted shall not be begun until details showing the finished floor levels of the building, bin/scooter store and the levels of the road and parking hereby approved in relation to a fixed datum point 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 character of the area.

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

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

a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.

b) Details of semi mature tree planting.

c) Comprehensive 5 year post planting maintenance schedule.

d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.

e) Means of enclosure (walls and fences etc) including fencing that is permeable to badgers at the end of both the existing and propose badger corridors.

f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.

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

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

REASON: In the interests of good landscape design, visual amenity of the area and biodiversity.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

09. No development, not including demolition above ground, shall take place until the implementation of a programme of archaeological work (which may comprise more than one phase of work) has been secured in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority.

REASON: The site lies in an area of archaeological potential, particularly for Roman remains. The potential impacts can be mitigated through a programme of archaeological work in accordance with national and local planning policy.

REASON: In the interests of the archaeological and historical heritage of the Borough.
[Relevant Policies: BFBLP EN6, EN7]

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

REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

11. No development shall take place (including demolition, ground works and site clearance) until a method statement for the sensitive demolition 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:-

- the purpose and objectives for the proposed works
- detailed designs and/or working methods to achieve the stated objectives
- extent and location of the proposed works shown on an appropriate plan
- a timetable for implementation
- details of persons responsible for implementing the works

The works shall be carried out in accordance with the approved method statement.

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

12. The demolition of buildings as identified in Abbas Ecology's report dated September 2014 shall not in any circumstances commence unless the Local Planning Authority has been provided with either:-

- a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity will require a licence.

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

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

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

14. All ecological measures and/or works shall be carried out in accordance with the details contained in Abbas Ecology's report dated September 2014 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

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

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order England 2015 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:-

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

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

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

REASON: In the interests of nature conservation.

16. The demolition shall not be begun until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.

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

17. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include control of dust, smell, and other effluvia. The approved scheme shall be performed, observed and complied with.

REASON: In the interest of amenity.

18. Demolition or construction work shall take place at the site only between 08:00hrs and 18:00hrs Monday - Friday, between 08:00hrs and 13:00hrs on Saturdays, and not at all on Sundays or public holidays. The measures included in the approved scheme shall be implemented prior to the first occupation and use of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme.

REASON: In the interest of amenity.

19. If ventilation equipment or air conditioning equipment is to be installed, no superstructure works shall begin until a scheme has been submitted to and approved in writing by the Local Planning Authority for the control of noise emanating from noise sources. The measures included in the approved scheme shall be implemented prior to the first occupation and use of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme.

REASON: In the interest of residential amenity.

20. No development shall take place until details in respect of measures to:

- (a) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition;
- (b) Minimise the pollution potential of unavoidable waste;
- (c) Dispose of unavoidable waste in an environmentally acceptable manner;

have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of all building operations.

REASON: In the interest of amenity.

21. No development shall take place until details of on-site refuse storage for any waste (arising from the legitimate use of the development) awaiting disposal have been submitted to and approved in writing by the Local Planning Authority. The details should include the method used to determine the size/capacity of the proposed covered bin store, and whether any additional bin storage areas will be required, and whether any such additional bin storage areas will be open air storage. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: In the interest of amenity.

22. No information has been submitted regarding potential existing contamination of the site with harmful substances. The records held by this Department do not indicate any contamination on this site. However, should evidence of contamination be discovered, then a scheme to deal with this contamination should be submitted and approved in writing by the Local Planning Authority. The scheme should include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, buildings and environment, when change of use takes place. The approved scheme shall be performed, observed and complied with.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

[Relevant Policies: BFBLP EN25]

23. 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]

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

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

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

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

[Relevant Plans and Policies: CSDPD Policy CS12]

25. The development hereby permitted shall incorporate a surface water drainage system as set out in the Drainage Strategy Report Rev E and drawing 500 Rev P7 received 3rd March 2016. The scheme shall be implemented and thereafter be managed in accordance with the approved Drainage Strategy Report Rev E and drawing 500 Rev P7 received 3rd March 2016

REASON: In the interest of amenity.

26. No dwelling shall be occupied until the existing accesses to the site have been closed and the footways/verges are provided over the closed accesses in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; the footway/verge shall be retained thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

27. No dwelling shall be occupied until the vehicular and pedestrian access from Dukes Ride has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

28. No dwelling 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]

29. No dwelling shall be occupied until the associated vehicle parking and on-site turning has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

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

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

30. 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, the building hereby permitted.

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

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

31. No dwelling shall be occupied until the covered bin store/cycle store/buggy store has been provided in accordance with the approved drawings.

REASON: In order to ensure that bin storage and bicycle and buggy parking is provided.

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

32. 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.

33. 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:

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.

Positions and spreads of existing hedgerows and groups of mature shrubs.

All proposed tree, hedge or shrub removal. Shown clearly with a broken line.

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.

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

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.

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

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

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

Proposed measures to prevent any run off from the construction areas into the Construction/ Tree Protection Areas.

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

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

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

34. The protective fencing and other protection measures specified by condition 34 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

a) No mixing of cement or any other materials.

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

- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

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

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

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

35. 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.

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 Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

36. No development shall commence until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -

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

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

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

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

37. 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.

REASON: - In order to safeguard tree roots and thereby safeguard trees in the interests of the visual amenity of the area.

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

38. 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: -

- a) 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.
- b) Layout and construction profile drawing/s.
- c) Engineering/ Arboricultural construction method statement.
- d) Implementation method statement including timing/ phasing of works.

The foundation structure shall be implemented in full accordance with the approved details.

REASON: - In order to safeguard tree roots and thereby safeguard trees considered worthy of retention in the interests of visual amenity of the area.

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

39. 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.

(ii) Installation Method statement for all drainage proposals to the front of the site and along the eastern site boundary using trenchless technology.

have been submitted to and approved in writing by the Local Planning Authority. Details 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.
- g) Clearly identified areas where trenchless technology is to be used in accordance with an approved method statement.

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

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

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

40. No development shall commence until site specific details of the design and installation method of all proposed storm block drainage catch pits has been submitted to and approved in writing by the Local Planning Authority. Details shall include;

a) 1:200 cross section drawings showing the full design specification detail of the proposed structures and extent of any excavation required.

b) Design specific installation method statement

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

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

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

41. 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.

REASON: In the interests of safeguarding the long term health and survival of retained trees, hedges and other vegetation considered worthy of retention.

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

42. No development shall commence until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission or as may otherwise be agreed in writing by the Local planning Authority.

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 and EN1, CSDPD Policies CS1 and CS7]

Informatives:

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: 01, 02, 04, 05, 06, 10, 13, 14, 15, 18, 22, 25, 30 and 34.

03. The applicant is advised that the following conditions require discharging prior to commencement of works: 03, 07, 08, 09, 11, 12, 16, 17, 19, 20, 21, 23, 24, 32, 33, 35, 36, 37, 38, 39, 40, 41 and 42.

04. The following conditions require discharge prior to the occupation of the dwellings hereby approved: 26, 27, 28, 29 and 31.

05. The Street Care Team should be contacted at the Environment, Culture and Communities Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.

06. Superstructure works refers to works carried out above ground and therefore does not include demolition of a building or the digging of foundations.

07. This planning permission contains certain conditions that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site (including any initial clearance works). Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised. This may be highlighted in any subsequent search carried out on the property/ properties.

08. Trees on and adjacent to this site are/may be protected by Tree Preservation Orders and/or Conservation Area legislation. In simple terms, detailed written consent must be therefore obtained from the Council's Tree Section before undertaking any form of work to such trees (including any work affecting their root systems), unless detailed works to such trees have been specifically approved in writing as a part of this planning permission. Any pruning or removal of trees without the necessary consent or any damage arising from non compliance with other conditions of this permission or otherwise may be liable to prosecution by the Council. This may be in addition to any enforcement action deemed appropriate for non compliance with relevant planning conditions. Property owners, developers and/ or any other relevant persons are therefore advised to take appropriate measures to ensure that all persons responsible for overseeing works approved under this permission are suitably briefed on this matter.

09. Please note that trees on and/or adjacent to this site are protected by Tree Preservation Orders. The legislation protecting these trees overrides Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification). Prior written consent must be obtained from

the Council's Tree Service before undertaking any works which require the removal/ and or pruning of a protected tree or may affect / cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description, foundations for garden structures, construction of retaining walls, topsoil stripping, excavation/ alterations to existing ground conditions of any other description near trees. Any pruning, removal of a protected tree as a result of such works, without the necessary consent or any damage arising from non compliance with this requirement may be liable to prosecution by the Council.

In the event of the S106 agreement not being completed by 21 June 2016, the Head of Planning be authorised to extend this period or refuse the application on the grounds of:-

01. In the absence of a planning obligation to secure contributions towards 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, Policy CS16 of the Core Strategy Development Plan Document and to the Planning Obligations SPD (2015).

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

03. The applicant has failed to provide an adequate and safe parking layout for the unrestricted C3 Residential Use and this could lead to vehicles parking on the highways to the detriment of road safety. The proposed development is therefore contrary to Local Plan Policy M9 and Core Strategy Policy CS23 and the NPPF.

BRACKNELL FOREST BOROUGH COUNCIL
PLANNING COMMITTEE
21st April 2016
SUPPLEMENTARY REPORT

Correspondence received and matters arising following preparation of the agenda.

Item No: 5
15/01041/FUL
The Gold Cup 102 Fernbank Road Ascot Berkshire SL5 8JN

ISSUE DATE: 21.4.2016

Correction to officer report

Section 10 - Conclusion

Para 10.2 should read:

The application is therefore recommended for approval in conjunction with the completed S106 Agreement.

Amendment to recommendation:

Information in relation to conditions 24 and 25 have been received and therefore these conditions require updating:

Condition 24 (foundation structure of garage on plot 5) should read:

The foundation structure of the garage on plot 5 should be undertaken in full accordance with the details shown on drawing no. P14/35/S/301A received 23 February 2016 and document "no dig garage construction" received 20 April 2016 by the Local Planning Authority.

REASON: In order to safeguard tree roots and thereby safeguard trees considered worthy of retention in the interests of visual amenity of the area.

Condition 25 (construction method statement for all hard surfaced areas) should read:

The parking space labelled P3.1 shall be constructed in full accordance with the no-dig details shown on drawing no. P14/35/S/301A received 23 February 2016 by the Local Planning Authority prior to the occupation of the dwellings. The No Dig structure shall be retained in perpetuity thereafter.

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

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

Update to informative

No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

1. Time limit
2. Approved plans
3. Materials
4. Obscure glass
5. Restrictions on windows
6. Rooflights
7. Floor levels
8. Hours of construction

9. Landscaping
10. Retention of soft landscaping
11. Boundary treatment
12. Sustainability statement
13. Energy demand assessment
15. Visibility
16. Parking and turning
17. Retention of garage
18. Retention of car port
19. Cycle parking
20. Site organisation
21. Bird and bat boxes and other biodiversity enhancements
22. No lighting
23. SuDs
24. Foundation of garage on plot 5
25. Construction method statement for all hard surfaced areas
26. No gates

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

14. Vehicular access

Item No: 6
15/01082/FUL
48 - 50 Dukes Ride Crowthorne Berkshire RG45 6NX

ISSUE DATE 19.04.16

Additional Information

Further clarification was sought from the Local Highway Authority (LHA) on how traffic signalisation could prevent conflict within the site given concerns regarding the use of the proposed basement ramp. Following receipt of further information the LHA made the following comments:-

It has been acknowledged by the LHA that the likelihood for two vehicles to meet each other within the site is relatively low and thus the likelihood of a vehicle exiting the basement before a red light has been triggered by a vehicle entering the site is even lower. However it is considered desirable to put measures in place that would prevent conflict and therefore details of a suitable on-site signalisation scheme should be sought via a condition.

Amendment to Recommendation

Amendment to condition 31:-

No dwelling shall be occupied until the covered bin store to the front of the site and the cycle store/buggy store located within the basement have been provided in accordance with the approved drawings. These facilities shall thereafter be retained.

REASON: In order to ensure that bin storage and bicycle and buggy parking is provided.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

Additional condition

43. No development shall commence until a basement ramp traffic control scheme, including details of traffic lights, detectors, timings, signage, road markings and timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and remain in operation thereafter.

REASON: To ensure safe access to and from the basement car park for all users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

ISSUE DATE 21.04.16

Additional Information

4no. objections were received since the Committee report was written. They raise the following new issues:-

-The proposed basement would cause noise implications for residents [Officer Comment: The basement parking would not result in any adverse noise issues for residents that abut the site. If there are any future noise complaints these can be dealt with under Environmental Health legislation]

- The basement parking will result in drainage implications [Officer Comment: The basement proposal, as well as the development as a whole, has been assessed by the Lead Local Flood Authority and they considered the on-site drainage strategy acceptable]

- The signalisation of basement access does not work. [The LHA believe a solution is achievable and will work with the applicant in-order to find a solution by way of an imposed planning condition]

- The proposed ramp would adversely affect trees [Officer Comment: The Council's Tree Service is of the opinion that, subject to conditions, the development would not adversely affect existing trees.]

- Officers report incorrectly applying separation distances when assessing the scheme. [Officer Comment: The 10m and 15m guidelines mentioned in the residents email are the guideline distances we seek between existing boundaries and proposed windows at first and second floor level. The distance of 3.2m as quoted by the resident, which was actually measured as 3.82m on site with a laser measuring device, is a distance from a secondary side-facing ground floor sitting room window and the shared boundary. The guidelines quoted by the resident apply to the distance from the new build to the existing boundary and not the existing relationship the neighbouring property has with the development site boundary.]

Amendment to condition

Condition 02 should read as:-

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

ASP.14.018.202/N Amended Sections received 19th February 2016.

ASP.14.027.001/G Amended Location and Block Plan received 19th November 2015.

ASP.14.027.002/O Amended Site Plan received 19th February 2016.

ASP.14.027.104/C Proposed Basement Plan received 19th February 2016.

ASP.14.027.100/H Amended Proposed Ground Floor Plan received 25th November 2015.

ASP.14.027.101/I Amended Proposed First Floor Plan received 19th November 2015.

ASP.14.027.102/G Amended Proposed Second Floor Plan received 19th November 2015.

ASP.14.027.103/G Amended Proposed Roof Plan received 19th November 2015.

ASP.14.027.200/J Amended Elevations received 25th November 2015.

ASP.14.027.201/H Amended Elevations received 25th November 2016.

Drainage Strategy Report Rev E received 3rd March 2016.

Drainage Strategy drawing 500 Rev P7 received 3rd March 2016.

Tree Protection Plan received 3rd March 2016.

Arboricultural Impact Report received 3rd March 2016.

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

Condition 32, 10th line - replace '(a) to (d)' with '(a) to (e)'.

Condition 40, 5th line - replace 'extend' with 'extent'.

Item No: 7

15/01269/FUL

The Mango Tree 63 Church Street Crowthorne Berkshire RG45 7AW

ISSUE DATE 19.04.16

Amendment to Officer Report:

The description of the application on Page 81 should read:

'Change of use from a restaurant with residential flat over to residential flats providing 2no. two bedroom units at the ground floor level and 1no. two bedroom unit and 1no. one bedroom unit at first floor level with shared amenity space.'

Amendments to recommendation:

Condition 2 should read:

'The development hereby submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 18.02.16 and 15.04.16:

2015064 02 A

2015064 03 A

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

Condition 9 should read:

No additional flat shall be occupied until secure and covered refuse storage and parking for bicycles has been provided in accordance with the approved drawing. They shall be retained as such thereafter.

REASON: In order to ensure that refuse storage and bicycle facilities are provided.

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

Item No: 8

16/00049/FUL

Land To Rear Of Murrell Cottage Murrell Hill Lane Binfield Bracknell Berkshire

ISSUE DATE: 19.04.16

Amendment to Recommendation

Condition 35 is a duplication of condition 13. Therefore condition 35 is to be removed.

Additional Information

When considering the changes put forward under this Section 73 application they are not considered to be in conflict with the emerging Binfield Neighbourhood Plan.

ISSUE DATE 21.04.16

Additional Information

Councillor Peacey requests that the application be taken to Committee as it represents an over development in an area of countryside beside an important historic park garden (Popes Manor) with single carriageway lane access.

Amendment to Recommendation

Condition 2 to read as:

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

P.196.02 21.01.16

P.196.03 21.01.16

P.196.04 21.01.16

P.196.05 21.01.16

P.196.06 21.01.16

P.196.07 21.01.16

T.196.00.540B Proposed Levels and Drainage 20.04.16

6111-SK-001-A Site Access received 05.03.15.

Energy Statement received 05.03.15

Amended Tree Report received 23.06.15.

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

Condition 28 to read as:

On the development hereby permitted no property shall be occupied until a sustainable drainage scheme which serves the property has been constructed in accordance with the approved Proposed Levels and Drainage T.196.00.540B 20.04.16. The drainage scheme shall be retained thereafter.

REASON: To prevent the increased risk of flooding.

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