



NOTICE OF MEETING

Planning Committee

Thursday 18 August 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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- 2 Follow the green signs.
- 3 Use the stairs not the lifts.
- 4 Do not re-enter the building until told to do so.

If you require further information, please contact: Hannah Stevenson
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Email: hannah.stevenson@bracknell-forest.gov.uk
Published: 8 August 2016



Planning Committee
Thursday 18 August 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

Page No

1. **Apologies for Absence**

To receive apologies for absence.

2. **Minutes**

To approve as a correct record the minutes of the meeting of the Committee held on 21 July 2016 .

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3. **Declarations of Interest**

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

4. **Urgent Items of Business**

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

PLANNING APPLICATIONS

(Head of Development Management)

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

5. **PS Application 16/00689/PAA Nuptown Piggeries, Hawthorn Lane, Warfield, Bracknell**

Prior approval change of use from 2 no. agricultural buildings to 2 no. residential dwelling houses.

21 - 30

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|-----|---|---------|
| 6. | Application 16/00138/FUL Land At 75 Avocet Crescent, Sandhurst, Berkshire
Erection of a 3 no bed semi-detached dwelling, following demolition of the detached garage. | 31 - 44 |
| 7. | Application 16/00435/FUL 85 Prince Andrew Way, Ascot, Berkshire
Erection of a single front extension, a two storey side extension and a single storey rear extension with alterations to roof of existing single storey rear extension. | 45 - 54 |
| 8. | Application 16/00450/FUL Land Adjacent To 7 Chaucer Road, Crowthorne, Berkshire
Erection of 4 no. bed detached dwelling. | 55 - 68 |
| 9. | Application 16/00505/FUL Arncliffe, Bracknell
Formation of 10no. parking spaces in 7 locations, with associated alterations to kerb lines. | 69 - 76 |
| 10. | Application 16/00516/3 Easthampstead Park Community School, Ringmead, Great Hollands, Bracknell
Erection of cycle shelter and retention of hardstanding. | 77 - 82 |
| 11. | Application 16/00735/PAC 32 Wellington Business Park, Dukes Ride, Crowthorne, Berkshire
Prior approval change of use application from B1(a) offices to 8no. C3 dwelling houses. | 83 - 90 |

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PLANNING COMMITTEE
21 JULY 2016
7.30 - 8.50 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, Thompson and Worrall

Also Present:

Councillor Turrell

Apologies for absence were received from:

Councillor Heydon

28. **Minutes**

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

29. **Declarations of Interest**

There were no declarations of interest.

30. **Urgent Items of Business**

There were no urgent items of business.

31. **Application 15/00403/FUL Jolly Farmer, Yorktown Road, College Town**

The Committee noted:

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

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.

RESOLVED 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:-

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 received by the Local Planning Authority.

Received 11.07.2016

Tree Protection Plan 1325-BT9

Arboriculture Impact Appraisal and Method Statement dated 11.07.2016

4753/202 Rev. B (Swept path analysis Sheet 2 of 4)

4753/204 Rev B (Swept path analysis Sheet 4 of 4)

4753/205 Rev D (Swept path analysis proposed car park access)

4753/206 Rev A (Swept path analysis proposed service vehicle access)

(Swept Path analysis proposed service vehicle access)

4753/209 Rev. A (Swept Path analysis car park basement)

Received 05.07.2016

ASP.13.024.001 REV D (Location and block plan)

ASP.15.037.002 REV L (Site plan)

ASP.15.037.003 REV J (Car park layout)

ASP.15.037.100 REV J (Proposed ground floor plan)

ASP.15.037.101 REV H (Proposed first floor plan)

ASP.15.037.102 REV H (Proposed second floor plan)

ASP.15.037.103 REV G (Proposed third floor plan)

ASP.15.037.105 REV I (Proposed basement plan)

ASP.15.037.201 REV E (Proposed elevations)

ASP.15.037.203 Rev D (Proposed car park section and retaining wall elevation)

Received 11.01.2016

ASP.15.037.202 REV E (Proposed streetscene)

ASP.15.037.104 REV E (Proposed roof plan and sections)

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

3. 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]
4. The development hereby permitted shall not be begun until details showing the finished floor level of the building hereby approved, and surrounding external hard landscaped surfaces, in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
5. Prior to the commencement of development the tree protection fencing shall be erected in accordance with the details contained upon approved plan 1325-BT9 received 11.07.2016 and remain for the period of construction. The proposal shall be carried out in accordance with approved method statement

details and the submitted Arboricultural Impact Appraisal and method statement (ref. Barrell 11.07.2016).

REASON: In the interest of protecting the trees subject to the TPO and shown to be retained on the site.

[Relevant Policies: BFBLP EN1, Core Strategy DPD CS1, CS7)

6. 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]

7. 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 at least 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]

8. The development hereby permitted shall not be occupied until a scheme to enhance the bio-diversity and ecology within the site has been submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the first occupation of the development.

REASON: In the interest of biodiversity.

[Relevant Plans and Policies: CSDPD Policy CS1, BFLP Policy EN1]

9. The development hereby permitted shall not be occupied 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: -

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.

- a) Details of semi mature tree planting.
- b) Comprehensive 5 year post planting maintenance schedule.
- c) Means of enclosure (walls and fences etc)
- d) Paving including pedestrian open spaces, paths, patios, proposed materials.

- e) Other landscape features (water features, seating, trellis and pergolas etc).

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

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

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

10. The development hereby approved shall not be occupied until signage to be installed on the access ramp to the basement parking, and directional signage, has been submitted to and approved in writing by the Local Planning Authority. The signage shall be installed in accordance with the approved details prior to the first occupation of the development and thereafter retained.
REASON: In the interests of highway safety.
[Relevant Plans and Policies: CS23 of the CSDPD].
11. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the approved Drainage Strategy prepared by Rushby Brewster, Rev A, dated 18.01.16 and drawing RRL013500/P2 received 27th May 2016. Thereafter the on-going maintenance and operation of the approved sustainable drainage scheme following construction shall be in accordance with section 3.2 of the aforementioned report.
REASON: To ensure that the site is properly drained and does not increase the risk of flooding
[Relevant Plans and Policies: CSDPD CS1]
12. The development hereby permitted shall not be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority. The details should include, details of the proposed ramp, and signage to control vehicle priority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
13. The development hereby approved shall not be occupied until a means of access for pedestrians has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of accessibility and to facilitate access by pedestrians.

[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

14. The development hereby approved shall not be occupied until all the visibility splays shown on the approved drawing (ASAP.15.037.002 rev K) have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway and thereafter retained as such.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
15. Notwithstanding the approved plans, the development hereby permitted shall not be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include allocation of spaces for each type of user (resident, visitor or commercial). The spaces shall not thereafter be used for any purpose other than parking and turning.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
16. The approved development shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities shall be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
17. No gates, chains, bollards or other forms of barriers shall be provided across the vehicular accesses to the site.
REASON: In the interests of highway safety.
[Relevant Policy: Core Strategy DPD CS23]
18. The development hereby approved shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works including the following:
 - Relocation of phonebox
 - Access worksThe development shall not be occupied/open for trade until the off site highway works have been completed in accordance with the approved scheme.
REASON: In the interests of highway safety.
[Relevant Policy: BFBLP M4]
19. The organisation of the site during construction shall be carried out in accordance with the Construction Method Statement dated 26.01.2016 prepared by the Hackwood Group.
REASON: In the interest of the amenities of neighbouring residents and the interest of highway safety.
[Relevant Policy: BFBLP M4, EN20, CSDPD CS23]

Should the applicant fail to complete the required Section 106 agreement by 30.9.2016 the Head of Planning be authorised to extend this period or refuse the application for the following reasons:

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).
02. The applicant has failed to provide affordable housing in accordance with Policy CS17 of the CSDPD.
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.

32. **Application 15/00428/FUL 90 New Road, Ascot, Berkshire**

The Committee noted:

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

RESOLVED 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 26 November 2015, 4 July 2016:
drawing no. 15/04/21 Rev A
drawing no. 15/04/22 Rev A
drawing no. 15/04/23 Rev A
drawing no. 15/04/24 Rev B
drawing no. 15/04/25 Rev A
drawing no. 15/04/28
drawing no. 15/04/29
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted

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

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

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

4. The first floor windows in the side (north and south) elevations hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
5. 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 side elevations (north and south elevations) hereby permitted except for any which may be shown on the approved drawings.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
6. The base of the rooflights in the roof slopes facing north and south shall at all times be no less than 1.7 metres above internal floor level.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
7. The development hereby permitted shall not be begun until details showing the finished floor levels of the building hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
8. 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]

9. No development shall be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of the new dwellings and retained as such thereafter.
REASON: In the interests of the visual amenities of the area.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]
10. 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]
11. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.
REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD Policy CS12]
12. The dwellings hereby permitted shall not be occupied 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 kept available for parking and turning at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
13. The dwellings hereby permitted shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans received by the Local Planning Authority on 4 July 2016.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
14. The new access shall not be brought into use until the existing access to the site has been closed and a verge is provided over the closed access in accordance with details which have been submitted to and approved in writing by the Local Planning Authority prior to the occupation of the dwellings hereby permitted; the verge shall be retained thereafter.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

15. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.
- REASON: In the interests of amenity and road safety.
16. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings.
REASON: In order to ensure bicycle facilities are provided.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
17. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority. The scheme, if required, shall be implemented in accordance with the approved details.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]
18. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on bats has been submitted to and approved in writing by the local planning authority. The scheme shall include details of:
- details of methods to avoid killing, injury or disturbance to bats during development
 - details of the provision of temporary roosts during construction
 - details of the provision of replacement roosts
 - details of habitat management and enhancement, e.g. suitable lighting and planting
 - details of appropriate post construction monitoring
- The mitigation scheme shall be implemented in accordance with the approved details. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]
19. 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 report, if required, shall be implemented in accordance with the approved details.
Reason: To ensure the status of bats on site has not changed since the last survey.
[Relevant Plans and Policies: CSDPD CS1]

20. 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 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.
- REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
21. The demolition shall not be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.
- REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
22. 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.
- REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme.
[Relevant Policies: CSDPD CS1, BFBLP EN25]
23. The dwellings hereby permitted shall be constructed in accordance with the details contained in the Flood Risk Assessment and Drainage Statement received 22 May 2015, email from Neil Jones dated 11 February 2016 and 23 March 2016 in relation to flood levels and topographical survey levels and drawing nos. 15/04/26 Rev A and B received 4 July 2016 by the Local Planning Authority.
- REASON: To prevent increased risk of flooding
[Relevant Policies: CSDPD CS1, BFBLP EN25]
24. No gates shall be provided at the vehicular access to the site.
- REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
33. **Application 16/00639/PAC Apex House, London Road, Bracknell**
This item was withdrawn from the agenda.

34. **Miscellaneous item**

The Committee noted the information contained in the Planning Performance Report – Quarter One 2016/17 which was provided in the supplementary report tabled at the meeting.

It is intended that this information will be reported to the Committee for each quarter on an ongoing basis.

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
18th August 2016**

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

		Case Officer	Reporting Officer
5	16/00689/PAA Nuptown Piggeries Hawthorn Lane Warfield (Winkfield And Cranbourne Ward) Application for prior approval for the change of use of 2no. agricultural buildings to 2no. dwellinghouses following the demolition of part of the buildings. Recommendation: Prior Approval COU	Katie Walker	Basia Polnik
6	16/00138/FUL Land At 75 Avocet Crescent Sandhurst Berkshire (Central Sandhurst Ward) Erection of a 3 no bed semi-detached dwelling, following demolition of the detached garage. Recommendation: Approve.	Gerald Hegarty	Basia Polnik
7	16/00435/FUL 85 Prince Andrew Way Ascot Berkshire (Ascot Ward) Erection of a single storey front extension, a two storey side extension and a single storey rear extension with alterations to roof of existing single storey rear extension, also for the erection of a bin store to the front of the dwelling Recommendation: Approve.	Shannon Kimber	Basia Polnik
8	16/00450/FUL Land Adjacent To 7 Chaucer Road Crowthorne (Little Sandhurst And Wellington Ward) Erection of 4 no. bed detached dwelling. Recommendation: Approve	Michael Ruddock	Basia Polnik
9	16/00505/FUL Street Record Arncliffe Bracknell Berkshire (Wildridings And Central Ward) Formation of 10no. parking spaces in 7 locations, with associated alterations to kerb	Matthew Miller	Basia Polnik

lines.

Recommendation: Approve.

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|----|--|---------------|---------------|
| 10 | 16/00516/3
Easthampstead Park Community School
Ringmead Great Hollands
(Great Hollands South Ward)
Erection of cycle shelter and retention of
hardstanding.
Recommendation: Approve. | Katie Andrews | Martin Bourne |
| 11 | 16/00735/PAC
32 Wellington Business Park Dukes Ride
Crowthorne
(Crowthorne Ward)
Prior approval for change of use from B1(a)
offices to 8no. C3 dwellings
Recommendation: Prior Approval COU | Sarah Horwood | Basia Polnik |

Background Papers

Background papers comprise the relevant planning application file and any document therein with the exception of any document which would lead to disclosure of confidential or exempt information as defined in section 100A of the Local Government Act 1972 as amended.

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

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.

Unrestricted Report

ITEM NO: 05

Application No. 16/00689/PAA	Ward: Winkfield And Cranbourne	Date Registered: 8 July 2016	Target Decision Date: 2 September 2016
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Site Address: **Nuptown Piggeries Hawthorn Lane Warfield
Bracknell Berkshire RG42 6HU**

Proposal: **Prior approval change of use from 2 no. agricultural buildings to 2 no. residential dwellinghouses.**

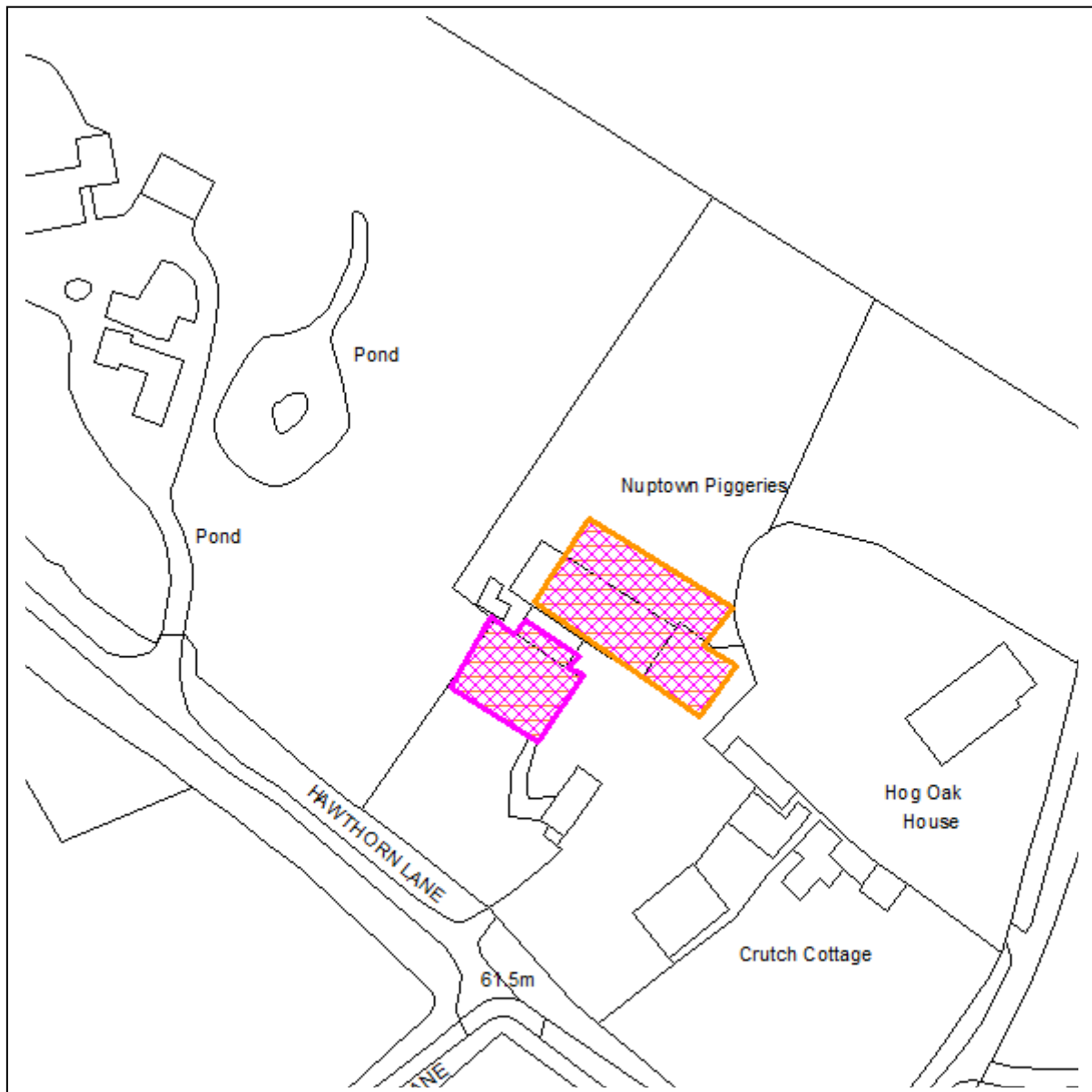
Applicant: Mr Derek Chesterman

Agent: Mr Nick Kirby

Case Officer: Katie Walker, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SITE DESCRIPTION

1.1 The site is Nuptown Piggeries. It is bounded to: the north by open fields; the east by Hogoak House, beyond which is Hogoak Lane; the south by Hawthorn Lane, beyond which is Whitelocks Cottage, Little Honeywood, and open fields; and the west by thick tree planting, beyond which is Nuptown Farm.

1.2 The site is currently occupied by vacant buildings, including a large barn which has planning permission to be converted to a residential dwelling with a detached garage.

1.3 The site is sited beyond 5 kilometres of the Thames Basin Heath Special Protection Area (SPA).

2. RELEVANT SITE HISTORY

2.1 The relevant site history can be summarised as follows:

16/00154/PAA: Application for prior approval for the change of use of 2no. agricultural buildings to 2no. dwellinghouses following the demolition of part of the buildings – Refused 2016.

15/01131/FUL: Change of use of agricultural land to residential and erection of a detached dwellinghouse and driveway, and construction of a new driveway for Hogoak House following the demolition of the existing agricultural buildings and hardstanding - Refused 2015.

13/00156/FUL: Change of use of existing agricultural barn to form 1 no. 6 bed detached dwelling and erection of detached garage following demolition of existing derelict buildings - Approved 2013.

10/00792/OUT: Outline application with all matters reserved, for the erection of 1no. detached dwelling and garage following demolition of all existing buildings - Refused 2011.

03/00418/FUL: Continued use of agricultural buildings (total floor space 402 sq.m.) for storage purposes with ancillary offices - Refused 2003.

01/00662/FUL: Erection of 1no. five bedroomed house and building containing 4no. stables following demolition of existing buildings - Refused 2001.

3. THE PROPOSAL

3.1 Prior approval is sought for the change the use of two agricultural buildings (buildings A and E) to two dwellinghouses (Use Class C3) in accordance with class Q and section W of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal would include the demolition of part of each building. The applicant has submitted details to show the location of the buildings and existing and proposed plans of the buildings to demonstrate the changes in their appearance, proposed floor plans and the residential curtilage.

3.2 Building A is a large barn of 324.23 square metres. The proposal includes the demolition of part of the building, leaving a resultant 273.96 square metres of floor space to be converted to residential use. The building would have four sets of bi-fold doors and four high level windows on the northeast elevation; a front door and 6 windows on the southwest elevation; 4 windows on the southeast elevation and 3 sets of patio doors on the northwest

elevation. The resultant house would comprise four bedrooms, one with en-suite, a lounge, study, kitchen/diner, bathroom, cloakroom and utility/boot room.

3.3 Building E has a lean-to structure and this would be demolished. The resultant floorspace of the building would be 175.86 square metres. The building would have glazing installed to the first floor of the southeast (front) elevation, as well as patio doors. There would be 6 windows inserted into the roof slope of each side of the buildings, with 4 sets of patio doors to the southwest elevations and 4 windows and a door in the northeast elevation. There would also be 2 windows in the rear elevation. The proposed house would have 4 bedrooms, one with ensuite, a bathroom and an open plan kitchen, dining and lounge area.

3.4 The overall floorspace of the buildings to be converted would be 449.82 square metres.

4. REPRESENTATIONS RECEIVED

Warfield Parish Council:

4.1 Warfield Parish Council recommended refusal for the following reasons:

There is evidence to suggest that the site was not in use on 20 March 2013 (the Planning Report submitted as part of planning application 13/00156/FUL for one of the buildings, dated February 2013, stated that 'There are a number of buildings on the site, all unused and in various states of disrepair' and this was confirmed by the Great Crested Newt Habitat Suitability Index Assessment, dated April 2013 and also submitted as part of this planning application) and, when the buildings on site were last used, they were not used solely for an agricultural use as part of an agricultural unit, having been used for light industry up until 2010 (Warfield Parish Council can confirm this), and previously for storage of household items and motor vehicles, the storage and refurbishment of photocopiers, and for office use (as identified by Enforcement Notices dated 21 December 2006 and 2 August 1996, reference EN/05/00379/UCOU, and planning application 03/00418/FUL for the 'Continued use of agricultural buildings for storage purposes with ancillary offices'). However if Bracknell Forest Council is minded to approve this application then Warfield Parish Council has the following observation: The site, especially the buildings on the site, have the potential for supporting wildlife and, in particular, bats. The wildlife must be protected.

Other representations

4.2 21 letters of objection were received from 13 neighbouring properties. The issues raised can be summarised as follows:

- Evidence suggests that the site was not solely in agricultural use on 20/3/16.
- Adjoining neighbours have not seen agricultural activity
- There is a covenant on the site relating to building E restricting development.
- A bat roost was found in 2013.
- No large scale machinery required to move the hay bales as set out in the applicant's information has been seen on the site.
- The Nuptown Area Preservation Society seeks to protect the character of Nuptown and the "Countryside Experience". This should be preserved and is already being eroded.
- Impacts on the countryside.
- The proposal is inappropriate development in the Green Belt.
- There is room for a second floor to be constructed which would then exceed the 450 square metre limit. If permitted there should be conditions to remove buildings B,C and D and to barr construction of a first floor [*officer note: conditions cannot be attached to prior approval consents. The plans show one floor in each building, and the prior approval should be determined on the basis of the submitted plans, which comply with the floorspace requirement*].

- The buildings are not suited to the storage of large rectangular hay bales.
- Various reports have referred to the buildings as being vacant in the past.
- The definition of agriculture does not include hay storage [*officer note: the definition of agriculture as set out in the Town and Country Planning Act 1990 is not an exhaustive list, and as such a balanced view should be taken. This is discussed in detail in the report*].
- Only small bales of hay have been stored.
- The site has a history of enforcement notice [*officer note: all enforcement cases for the site have been closed*].
- One residence, as already permitted, would be acceptable.
- Evidence to suggest the barns are empty.
- Increase in traffic from proposed development would have a detrimental impact on other users of Nuptown Lane and Hawthorne Lane.
- The case officer refused the previous application as it was considered that on the balance of probabilities, the site was not in agricultural use [*officer note: additional information has been provided since the previous application, which is set out in the report*].
- There are no bat or newt surveys [*officer note: these are not a requirement of a prior approval application*].
- Converting one barn could set a precedent allowing all barns to be converted [*officer note: the prior approval legislation allows for the conversion of up to three barns only per agricultural unit, up to a floorspace of 450 square metres. Should this prior approval be granted, no further conversion would be allowed under the prior approval process as the floorspace limit will have been reached*].

4.3 One letter was received in support of the application, stating that in August 2012 the neighbor assisted Mr Chesterman in the unloading of hay into a truck. The truck is container so no hay would have spilled on to the nearby roads to view. The forklift entered the site once and left in less than two and a half hours.

5. SUMMARY OF CONSULTATION RESPONSES

Highway Officer:

5.1 No objections.

SuDS:

5.2 No objections.

Environmental Health

5.3 No objections.

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

6. RELEVANT LEGISLATION

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

(a) a change of use of a building and any land within its curtilage from use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Class Order; and

(b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.'

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

(a) the site was not used solely for an agricultural use, as part of an established agricultural unit -

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

6.3 Paragraph Q.2 (1) states that Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, the

developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to-

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

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

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

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

6.6 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. This paragraph states that the Local Planning Authority may refuse an application where, in the opinion of the Authority, the proposed development does not comply with or the developer has provided insufficient information to enable the Authority to establish whether the proposed development complies with any conditions, limitations or restrictions specified in this Part as being applicable to the development in question.

7. ASSESSMENT

- (a) (i) The Council considers that, on the balance of probability, the application site was in use for agricultural use on 20 March 2013.

7.1 For the previous prior approval application for the same proposal, officers considered that the buildings were not in agricultural use on 20 March 2013, or when it was last used as would be required under (a)(ii), for buildings which were not in use on that date. Officers did not dispute that the lawful use of the site was agricultural, but considered that the buildings were not in an agricultural use on the requisite date.

7.2 The applicant has provided additional information for the current application to demonstrate that the buildings were in agricultural use on 20 March 2013. This information comprises:

- A signed statutory declaration from the site's owner, Mr Chesterman, explaining that both Mr Slade of Halo Farm in Warfield, and Mr Chesterman of Pikes Farm in Wokingham both used the subject buildings to store large hay bales over the requisite dates. Mr Slade cuts and bales hay in the area, and Mr Chesterman farms, cuts and bales hay.
- A signed letter from Mr Slade confirming that he started using barn 1 (building A in this application) for storing hay in 2012 for the storage of hay until required by him or other livestock farmers for overwinter feed.

- A letter from the site's previous owner, stating that although he paid business rates on the two buildings, they remained unused for business purposes since early 2012.
- An invoice from Mr Slade to Mr Frost of Row Farm in Warfield, requiring payment 'to supply hay and straw for cattle through the winter months'.
- A letter from Mr Short at Planners Farm, Warfield, confirming that hay was taken from the buildings during the winter of 2012/2013 to feed livestock at his farm.
- A letter from Ms Seaton, the site's previous owner, confirming that Mr Chesterman and Mr Slade stored large rectangular hay bales in the two buildings, which were used for overwinter feed by both themselves or sold on for this purpose. The site was sold to Mr Chesterman in 2014.
- A letter from Pike Smith & Kemp Rural confirming that the proposed buildings were used for the storage of large rectangular hay bales, and that such hay bales are generally restricted to agricultural users as their size and weight requires large scale machinery to facilitate handling, and because they provide an efficient quantity of feed for several head of agriculture per bale. The letter also confirms that the storage of hay for distribution to the feeding of livestock elsewhere conforms with the definition of agriculture as set out in Section 336 of the Town and Country Planning Act 1990.

7.3 The information provided confirms that the buildings would be vacant in February/March each year until June/July due to the cycle of hay, and the letter from Pike, Smith & Kemp states that it is common that two grass cuts are achieved on grassland throughout the year, in June/July and September/October. This may explain why some neighbours for the previous prior approval application considered the site was not in use on 20th March 2013. This may also explain why the design and access statement dated February 2013 for the previously refused planning application also considered the site to be vacant. However, a gap in between the hay storage periods does not mean that the use of the site has changed or ceased in the meantime, as long as no other substantial use takes place in between and Officers have no reason to believe that such an intervening use took place.

7.4 Agricultural uses are a commercial enterprise and the selling of hay produced by Mr Chesterman and Mr Slade from the buildings at Nuptown Piggeries to farmers to feed their livestock does not preclude this use from agriculture. Taking the above information into account, Officers are satisfied that, on the balance of probabilities, the buildings were in use on 20 March 2013 for agriculture, through the storage of hay by farmers, to sell use to feed their livestock or to sell to other farmers to feed livestock.

- (b) The cumulative floor space of the existing buildings changing use under Class Q within an established agricultural unit would not exceed 450 square metres (following the demolition of part of the buildings);
- (c) The cumulative number of separate dwellinghouses developed under Class Q within the established agricultural unit would be 2 and would therefore not exceed 3, and no other dwelling houses within the agricultural unit have been granted through the prior approval process;
- (d) The site is not occupied under an agricultural tenancy;
- (e) The site has not been occupied under an agricultural tenancy and therefore an agricultural tenancy has not been terminated less than 1 year before the date the development would begin;
- (f) No development under Class A(a) or Class B(a) of Part 6 of the schedule (agricultural buildings and operations) has been carried out on the established agricultural unit;
- (g) The development would not result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;
- (h) The development under Class Q (together with any previous development under Class Q) would not result in a building or buildings having more than 450 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use

Classes Order as the development would result in 449.82 square metres of building in C3 use and no other floorspace within the agricultural unit has changed use to residential under the prior approval process;

- (i) (i) (aa) The development would consist of the installation of windows, doors, roofs and exterior walls;
- (bb) and would also be connected to relevant utilities and services.
- (ii) The lean-to structure to be demolished from building E is not suitable for conversion and therefore its demolition is considered acceptable. Part of building A is not required for conversion and is also proposed for demolition, however this is considered acceptable under Q (b);
- (j) The site is not on article 2(3) land;
- (k) The site is not an SSSI, safety hazard area or a military explosives storage area;
- (l) The site is not a scheduled monument and the site does not contain any scheduled monuments;
- (m) The building is not listed.

7.5 With regard to the conditions listed in paragraph Q2:

a) Transport and Highways Impacts of the Development:

7.6 These two new dwellings would take access off Hawthorn Lane via an existing gated access serving the existing agricultural buildings on the site. This access is onto an unmade section of Hawthorn Lane which is a byway and an existing traffic sign notes it is, 'Unsuitable for Motors'. This section of the lane currently serves a few existing properties as well as Nuptown Piggeries.

7.7 The lane is wider between the access and the junction with Nuptown Lane for vehicles to pass each other before narrowing to a single track lane to the north and adequate sight-lines can be achieved to either side of the access.

7.8 Three parking spaces are shown on drawing D1235-26 which complies with the parking standards for these 4 bed dwellings. The access, parking and turning shown on this drawing would be adequate. No details of cycle parking have been provided, however, a Highway Authority objection on these grounds would be unsustainable and Officers consider that there would be adequate space on the site for cycle storage.

7.9 Residents would be required to bring the bins to the roadside for collection by the Council in the same way as existing residents along this unmade section of Hawthorn Lane.

Trips

7.10 Two new dwellings are likely to generate 12 two-way vehicle movements over the course of a typical day with one or two movements in both the morning and evening peak periods. The existing agricultural buildings are likely to have a low number of infrequent traffic movements with seasonal variations likely.

b) Noise Impacts of the Development:

7.11 The site is not located close to any noise generating uses.

c) Contamination Risks on the Site:

7.12 The site is not located on any known contaminated land.

d) Flooding Risks on the Site:

7.13 The proposal does not pose any flooding risks.

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

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

7.15 When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development rights grant planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval." Therefore the siting of this dwelling in a Green Belt location, a considerable distance away from important local facilities such as schools, shops, health centres and public transport, is not a reason to refuse prior approval.

7.16 The guidance goes on to state "There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building is on top of a hill with no road access, power source or other services its conversion is impractical." As the site is located adjacent to the public highway and has access to services it is not considered that the proposed conversion would be impractical.

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

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

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

8. CONCLUSIONS

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

8.2 The proposal complies with the criteria set within Paragraph Q.1 of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Furthermore the proposal satisfies the conditions set out under Q2, provided that the development is completed within 3 years of the date of the planning permission. As such, prior approval should be granted.

9.0 RECOMMENDATION

This decision is based on the following plans and information received by the Local Planning Authority on 6 July 2016:

Planning Statement by Pegasus Planning dated July 2016.

D1235-01b Site Location Plan

Site Plan

D1235-21 Existing Building A, Floorplans

D1235-22 Existing Building A, Elevations

D1235-27a Proposals – Building A – Floor Plans

D1235-28a Proposals – Building A -Elevations

D1235-24 Existing Building E – Elevations

D1235-23 Existing Building E – Floor Plans

D1235-30a Proposals Building E – Elevations

D1235-29a Proposals Building E – Floor Plans

And the following plan received by the Local Planning Authority on 1 August 2016:

D1235-26D Proposed Site Layout Plan

Informative(s):

01. The applicant is advised that this development is subject to Regulation 64 of the The Community Infrastructure Levy Regulations 2010 (as amended).

02. Such a building in a rural area may support roosting bats or nesting birds. The legislation protecting these species overrides Permitted Development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification). As such the building should be surveyed for such species prior to any works taking place at the site. Any works that result in a harm to such species may be liable to prosecution.

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

Unrestricted Report

ITEM NO: 6

Application No. 16/00138/FUL	Ward: Central Sandhurst	Date Registered: 22 February 2016	Target Decision Date: 18 April 2016
Site Address: Land At 75 Avocet Crescent Sandhurst Berkshire GU47 0XW			

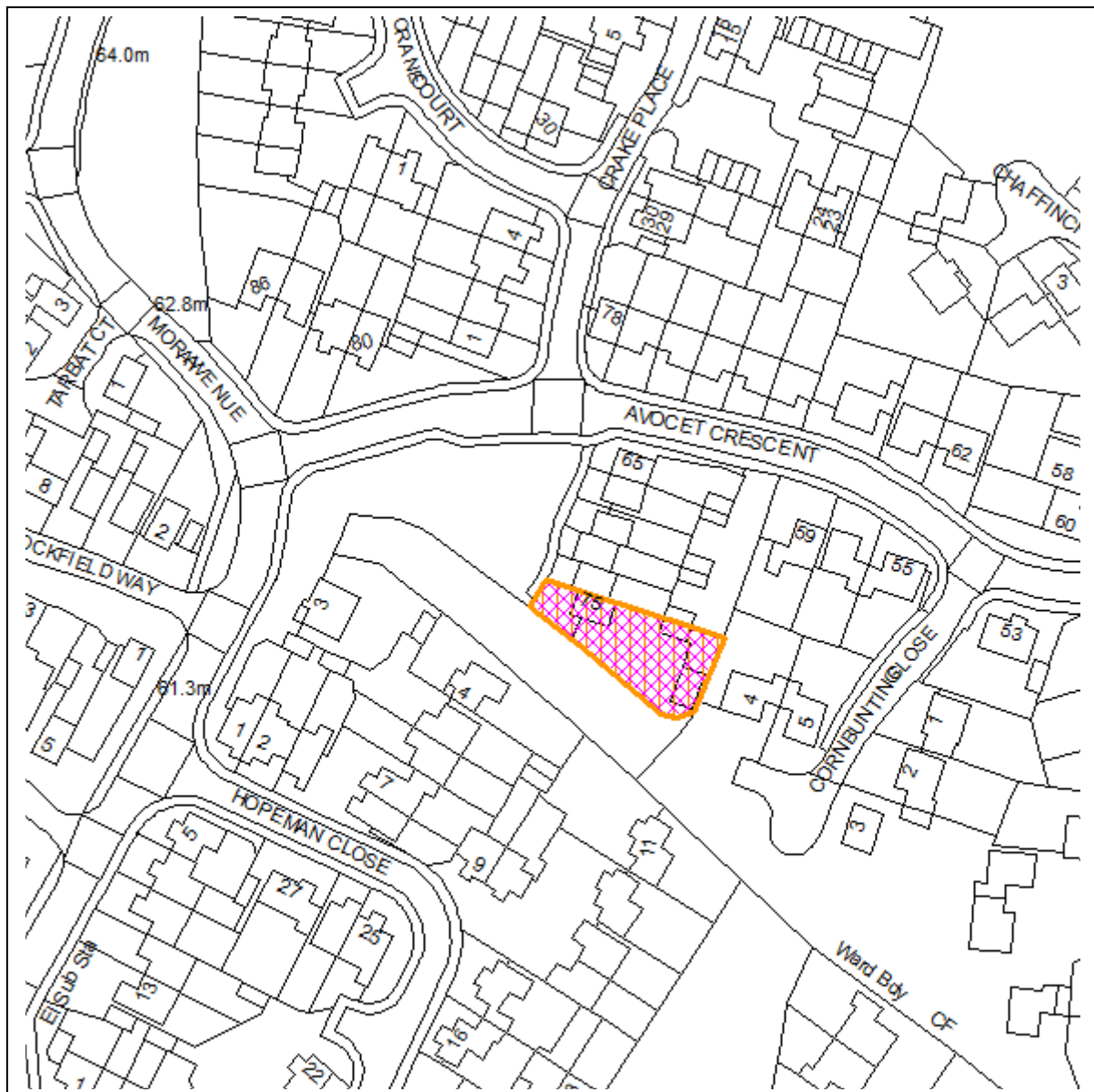
Proposal: **Erection of a 3 no bed semi-detached dwelling, following demolition of the detached garage.**

Applicant: Mr & Mrs Turney

Agent: Mr Alistair Lloyd

Case Officer: Gerald Hegarty, 01344 352000
Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the erection of a 3 no. bed semi-detached dwelling, following demolition of a detached garage.

1.2 Considering the nature and siting of the proposed works and host dwelling, the design is considered acceptable. There would be no adverse impact on the streetscene or character of the area, highway safety and the adjoining oak tree, subject to ground protection measures being applied before and during construction. The relationship with adjoining properties is also acceptable.

RECOMMENDATION

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 More than 3 objections have been received and therefore the application is to be considered by the Planning Committee.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

TPO to the south of the application site
--

5 km of the Thames Basin Heath Special Protection Area
--

3.1 No. 75 Avocet Crescent is an end terraced dwelling to a row of four dwellings. The application site is set some 26 metres south of Avocet Crescent and the front of No. 75 is accessed via a footpath that is adjoining a soft landscape open space area and trees. No. 75 is served by single and double garages providing two parking spaces to the east and south east of the site that are accessed via an un-adopted highway south of Avocet Crescent. There is a TPO (soon to be confirmed) on an oak tree adjoining (south) No. 75 Avocet Crescent referred to as T1 of TPO 1210. The application site shares boundaries with No. 73 Avocet Crescent (north) and No. 4 Cornbunting Close (east).

4. RELEVANT SITE HISTORY

4.1 Application 609946 - Erection of detached double garage to rear of existing house – Approved July 1985.

5. THE PROPOSAL

5.1 Full planning permission is sought for the erection of a 3. no. bed semi-detached dwelling. The proposal includes the provision of a kitchen, hall, a wc and a dining / living area at ground floor level and a staircase leading to three bedrooms and a bathroom at first floor level. The proposed dwelling would have a maximum depth of approx. 9.6 metres, a maximum width of approx. 5.9 metres, a ridge height of approx. 6.8 metres and an eaves height of approx. 5.1 metres. The proposal has been revised during the course of the application.

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 Sandhurst Town Council has recommended that the application is refused for the following reasons:

- It would be a cramped development built up to the boundary of the plot;
- It would be out of keeping with the pattern of development in the area, and
- It would be detrimental to the amenities of adjoining properties.

Other Letters of Representation

6.2 8 Letters of objection have been received which can be summarised as follows:

- the proposal would be out of keeping with the design of adjoining properties;
- the proposal would lead to parking pressures in Avocet Crescent, and
- the proposal would cause overshadowing of adjoining land.

[Officer Note: The issues raised by the Town Council and neighbouring dwellings are considered in this report].

7. SUMMARY OF CONSULTATION RESPONSES

Highways

7.1 The Highways Officer has no objection to the proposed development and recommends that it is approved, subject to the submission of a construction management plan. This will be secured by planning condition.

Trees

7.2 The Tree Officer has no objection to the proposal, subject to the submission of a ground protection plan and method statement for demolition of the detached garage. This will be secured by planning condition.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The key policies and guidance applying to the site and the associated policies are:

General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent with para. 56, 57, 64 and 215
Design, Trees and Parking	CS7 of CSDPD, 'Saved' Policies EN1, EN20 and M9 of BFBLP	Consistent with para. 35, 56, 57, 64, 118 and 215
Sustainable Resources and Renewable Energy	CS10 and CS12 of the CSDPD	Consistent with para. 95
Thames Basin Heath Special Protection Area	SEP Saved Policy NRM6, 'Saved' Policy EN3 of the BFBLP and CS14 of CSDPD	Consistent with para. 76 and 77
Other publications		

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 Impact on residential amenity
- iv. Impact on protected tree
- v. Impact on highway safety
- vi. Sustainability
- vii. SPA
- viii. Community Infrastructure Levy

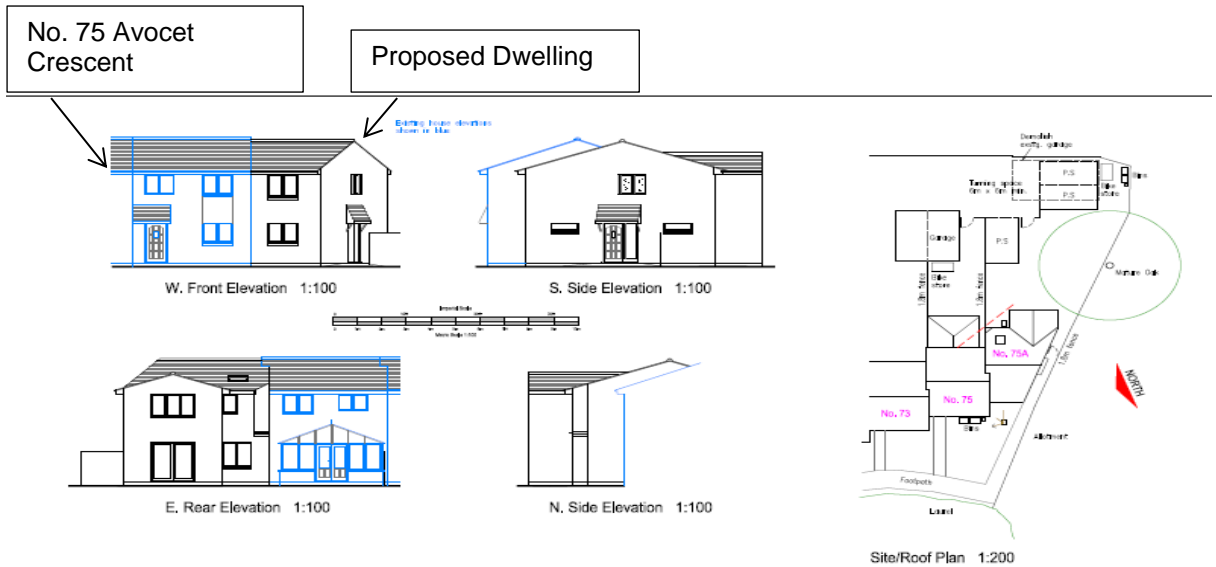
i. Principle of development

9.2 No. 75 Avocet Crescent is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF, subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, the adjoining oak tree, highway safety, etc. These matters are assessed below.

ii. Impact on Character and Appearance of the Area

9.3 The proposed new dwelling would be attached to No. 75 Avocet Crescent, would be set back from the front elevation of No. 75 by some 1.5 metres and therefore would not be readily visible in the adjoining street scenes due to the proposed setting and the large trees to the front (west) and side (south) of the application site. The proposed dwelling would follow the existing form of development of the row of terraced dwellings that it would be attached to. The proposed materials to be used would match the existing materials on the external surfaces for No. 75 and adjoining terraced dwellings, therefore the proposed materials would not be out of character in the surrounding area.

9.4 The proposed new dwelling would maintain a 1 metre gap from the allotment south of the application site. The rear garden of No. 75 Avocet Crescent would be subdivided with the rear garden to serve No. 75 being substantially reduced in size compared with the proposed rear garden of the new dwelling. Nonetheless, No. 75 Avocet Crescent's new rear garden would be similar to the rear gardens of the attached terraced dwellings and larger end terraced rear gardens are characteristic in the surrounding area.

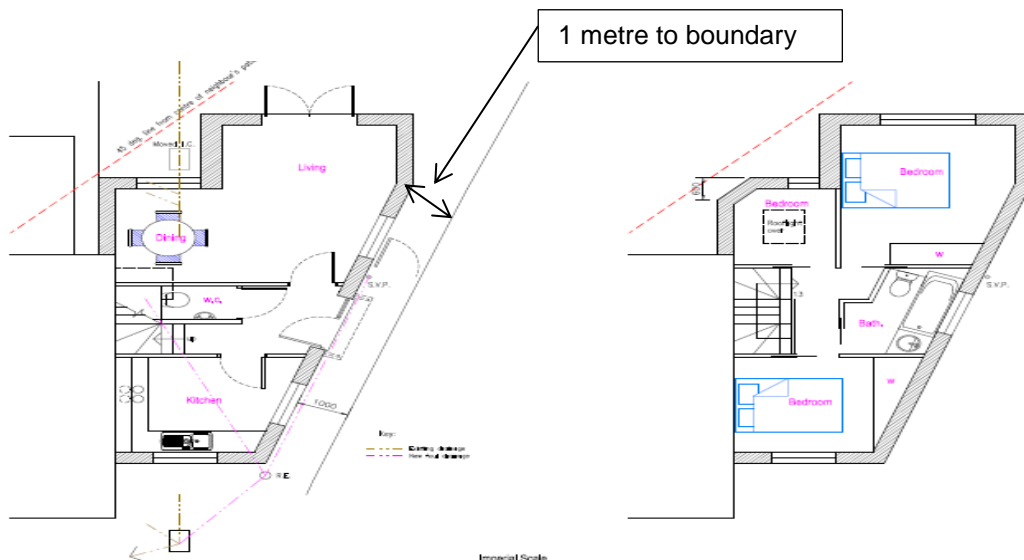


9.5 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area in accordance with, Policy CS7 of CSDPD, Saved Policy EN20 of the BFBLP and the NPPF.

iii. Impact on Residential Amenity

9.6 The proposed new dwelling would be attached to No. 75 Avocet Crescent, would be set some 16.4 metres from the boundary with No. 4 Cornbunting Close, would be set some 13 metres from the boundary with No. 4 Hopeman Close and would be set some 15 metres from the boundary with 11 Hopeman Close. It is not considered that the proposed new dwelling, comprising of a ridge height of approx. 6.8 metres, an eaves height of approx. 5.1 metres and a maximum width of approx. 5.9, would have a detrimental impact on the residential amenities of the occupiers to the aforementioned dwellings, including overlooking, significant overshadowing or adverse overbearing and loss of light, considering the proposed separation distances.

9.7 The impact on the adjacent ground floor and first floor habitable windows on the rear elevation of No. 75 Avocet Crescent have been assessed in accordance with the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011 - second edition) and the revised plan complies with this.



9.8 Adequate amenity area would be provided for both the existing and proposed dwellings.

9.9 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring occupiers, and therefore accords with BFBLP 'Saved' Policy EN20 and the NPPF.

iv. Impact on protected tree

9.10 The proposed new dwelling would be sited in close proximity to an oak tree, referred to as T1 of TPO 1210 (which is in the process of being confirmed). The arboricultural report complies with BS5837, however the report has not considered the impacts of proposed parking spaces following demolition of the detached double garage on the root protection area (RPA) of the oak tree. Therefore, the Tree Officer advises that the proposed car parking space closest to the oak tree should be constructed of a cellular confinement system that allows gas and water permeability. This will be secured by planning condition.

9.11 The proposed new dwelling would encroach the RPA of the oak tree by approx. 6.4% and the Tree Officer does not consider this to be excessive, subject to the use of appropriate surface construction, protective fencing and ground protection measures before and during the construction phase. This will be secured by planning condition.

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

v. Impact on highway safety

9.13 There is an adopted footpath at the western frontage of the application site that provides a suitable pedestrian access to the front of the dwelling and there is a private path within the proposed development linking the proposed new dwelling to the adopted footpath. There is an existing shared driveway to the rear of the application site providing rear access to Nos. 65 to 75 Avocet Crescent and the associated garages. The proposal includes new parking at the end of this road, following demolition of the existing double garage, and while this would increase vehicle use the road provides access to garages of 6 properties and the resulting increase in traffic is likely to be modest. The shared driveway is also wide enough at 5.5 metres and there are adequate sight lines for vehicles existing on to Avocet Crescent.

9.14 The Highway Officer recommends that a construction management plan is submitted showing where construction vehicles will be parked on site during construction works, etc. This will be secured by planning condition.

9.15 3 Parking spaces are proposed and the provision of 3 new usable parking spaces on site complies with the Council's adopted parking standards. The proposed parking spaces would be 2.4 metres wide by 4.8 metres long and 6 metres access / manoeuvring space would also be provided. This would comply with the current parking standards. The 3 parking spaces and proposed bike store to the rear of the application will be retained and secured by planning condition. The proposed bin area is to the south eastern end of the application site and bins can be easily wheeled around 30 metres to the adopted footpath fronting no. 75 Avocet Crescent for collection by the Council on collection days.

9.16 As such, it is not considered that the development would result in an adverse impact on highway safety, contrary to BFBLP 'Saved' Policy M9 and the NPPF.

vi. Sustainability

9.17 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards for water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. No such statement has been submitted in support of the application, therefore a condition is recommended requiring the submission of a Sustainability Statement prior to the occupation of the development in accordance with CSDPD Policy CS10 and the NPPF.

9.18 CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. As highlighted in the Council's Sustainable Resource Management Supplementary Planning Document (<http://www.bracknell-forest.gov.uk/srm>), an energy demand assessment should be submitted and include the following:

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

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

vii. SPA

9.20 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in combination with other plans or projects. This site is located approximately 0.8km 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.

9.21 On commencement of the development, a contribution (calculated on a per bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures which Natural England will spend upon the SPA land. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.22 In this instance, the development would result in a single three bedroom dwelling which results in a total SANG contribution of £2,171.

9.23 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £711.

9.24 The total SPA related financial contribution for this proposal is £2,882. The applicant will need to agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

viii. Community Infrastructure Levy

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

9.26 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings.

9.27 The development would result in a net increase of one dwelling, and as such is CIL liable. A CIL liability notice will therefore be issued with any permission given.

10. CONCLUSION

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the area, residential amenity, trees or highway safety subject to the recommended conditions. It is therefore not considered that the development would be contrary to SALP CP1, CSDPD Policies CS1, CS2 and CS7, BFBLP 'Saved' Policies EN1, EN20 and M9 or the NPPF.

11. RECOMMENDATION

11.1 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 authorized 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:
TUR/01 Rev C 'Existing & Proposed Plans & Elevations', received on 27 July 2016
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as outlined in drawing TUR/01 Rev C 'Existing & Proposed Plans & Elevations'.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS7]
04. The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following: -
- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development.
 - 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 6 (Figure 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
 - f) Proposed ground protection measures in accordance with Section 6 (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.
REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
05. The protective fencing and other protection measures specified by condition 4 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial

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

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

In addition to the protection measures specified above,

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

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

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

06. No demolition hereby permitted shall be begun until a site specific method statement for the removal of all existing hard surfaced areas, associated with the double garage to be demolished, 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) The proposed car parking space closest to the oak tree should be constructed of a cellular confinement system that allows gas and water permeability.
- d) Timing and phasing of works.

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

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

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

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

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

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

REASON: In the interests of amenity and road safety.

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

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.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]
09. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy requirements will be provided from on-site renewable energy production, has been submitted to and approved in writing by the Local Planning Authority. The dwelling as constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.
REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD Policy CS12]
10. The three car parking spaces shown on the approved drawing shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9]
11. The garage accommodation at No. 75 Avocet Crescent shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
12. The dwelling shall not be occupied until secure and covered parking for bicycles , and shall be retained, has been provided in accordance with the approved drawing.
REASON: In order to ensure bicycle facilities are provided.
[Relevant Policies: BFBLP M9, CSDPD CS23]
13. The development hereby permitted shall not be begun until details showing the finished floor levels of the building hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
14. No development shall commence until details of fences or other means of enclosure has been submitted to and approved in writing by the Local Planning

Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission.

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

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

15. 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.

REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme.

[Relevant Policies: CSDPD CS1, BFBLP EN25]

Informative(s):

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

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

1. Time limit
2. Approved plans
3. Materials
10. Retention of car parking spaces
11. Retention of garage accommodation at No. 75 Avocet Crescent
12. Provision and retention of secure and covered parking for bicycles
15. Surface water drainage

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

4. Protection of existing trees
5. Locations of protected fencing
6. Method statement for all existing hard surfaced areas and structures
7. Construction management plan
8. Sustainability statement
9. Energy demand assessment
13. Finished floor levels
14. Fences or other means of enclosure

03. Please note that a tree adjoining the site is due to be protected by a Tree Preservation Order. The legislation protecting trees overrides Permitted Development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification). Prior written consent must be obtained from the Council's Tree Service before undertaking any works which require the removal/ and or pruning of a protected tree or may affect / cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description, foundations for garden

structures, including decking areas, construction of retaining walls, topsoil stripping, excavation / alterations to existing ground conditions of any other description near trees. Any pruning or 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.

04. In the event of the S106 agreement not being completed by 30 November 2016, the Head of Planning be authorized 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 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 and Policy CS14 of the Core Strategy Development Plan Document.

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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Unrestricted Report

ITEM NO: 7

Application No.
16/00435/FUL
Site Address:

Ward:
Ascot

Date Registered:
23 May 2016

Target Decision Date:
18 July 2016

85 Prince Andrew Way Ascot Berkshire SL5 8NH

Proposal:

Erection of a single front extension, a two storey side extension and a single storey rear extension with alterations to roof of existing single storey rear extension

Applicant:

Mr R Keresztes

Agent:

Mr Robert Cole

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 single storey front extension, a two storey side extension and a single storey rear extension with alterations to the roof of the existing single storey rear extension. Permission is also sought for the erection of a bin store to the front of the dwelling.
- 1.2 The site is within the settlement boundary. It would not adversely affect the residential amenities of neighbouring properties or character and appearance of the surrounding area. No adverse highway safety implications would result from this development.

RECOMMENDATION

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 Following the receipt of two objections, the Local Authority's 1-3 Objection Procedure was undertaken. Councillor Dudley has requested that the application be considered by the Planning Committee as it is felt that the development would be out of keeping with the character of the area, the development would result in a terracing effect, the development would be unneighbourly in terms of loss of privacy, feasibility issues for construction and maintenance of the development and insufficient usable off-road parking.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

- 3.1 No. 85 is a two storey, semi-detached dwelling located on the south east side of Prince Andrew Way. The site is opposite the junction of Prince Andrew Way and Elliot Rise. The surrounding area is predominantly residential. Blackmoor Stream runs immediately to the east of the rear boundary of the application site which marks the boundary between Bracknell Forest Borough Council and the Royal Borough of Windsor and Maidenhead.

4. RELEVANT SITE HISTORY

- 4.1 8805
31 dwellings and garages. (Affects 41-111 odds Prince Andrew Way)
Approved 1963

- 4.2 9445
Application for resiting of Welwyn/Malvern type - 10 pairs of semi-detached on plots 60/79. (Affects 41-111 odds Prince Andrew Way)
Approved 1964

5. THE PROPOSAL

- 5.1 The proposed development would include a single storey front extension. This would provide an enclosed porch area and the front section of the study which would also project to the side of the existing property. The proposed front extension would project 1.3 metres forward of the existing front elevation. It would have a total width of 4.5 metres, a maximum height of 3.4 metres with the eaves height at 2.6 metres.

- 5.2 The proposed development would also include a two storey side extension. This would provide a study and a shower room on the ground floor. There would be an additional bathroom and an enlarged bedroom on the first floor. The relocated staircase would also be positioned in this side extension. The first floor aspect of the side extension would have a depth of 7.1 metres. This would be set back by from the front elevation of the existing dwellinghouse by 0.55 metres. The ground floor of the side extension would be set 1.3 metres forward of the existing front elevation. The ground floor aspect of this development extension would have maximum depth of 8.85 metres. The proposed side extension would have a width of 2.16 metres, a maximum height of 7.85 metres with the eaves height at 5.2 metres.
- 5.3 The proposed development would also include an infill extension to the existing rear extension. This would have a depth of 2.84 metres and a width of 3 metres. This extension would result in the existing 'L' shaped rear extension forming a rectangular shape. Further alterations to the roof over the existing rear extension would result in a flat roof design with a roof lantern. The roof would have a maximum height of 3.05 metres, with the proposed roof lantern projecting 0.15 metres above this.
- 5.4 The proposed bin store would be sited 0.35 metres forward of the front elevation of the proposed side/front extension. The structure would have a maximum height of 1.3 metres, a width of 1.56 metres and a depth of 0.82 metres. It would have a timber frame with horizontal timber boarding.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council:

- 6.1 Winkfield Parish Council objected to this application as they feel that the development is out of character with the area. The Parish Council also objects to the infilling of spaces which result in semi-detached houses creating a terrace. The development is unneighbourly as it results in;
- a loss of privacy on the neighbouring property (no. 83),
 - encroaches on the shared access,
 - presents feasibility issues for construction and maintenance of the development,
 - the neighbouring property would lose their parking.
- The Parish Council also raises concerns that there would be insufficient usable off-road parking.
- 6.2 *[Officer Note: The character of the area, impact on residential amenities and highways implications are assessed in section 9 of this report. Access for the maintenance of part of a residential building is a civil matter and beyond the control of the planning department.]*

Other Representations:

- 6.3 An objection was received from 83 Prince Andrew Way, the unattached neighbouring property to the north east of the application site. The concerns raised have been summarised below:
- The applicant(s) would not have an external access to their rear garden,
 - The extension would not be possible to construct without entering the neighbouring property (no. 83),
 - With external access to the rear of the property removed, the bins would be stored at the front of the property, resulting in an untidy look to the streetscene and the risk of them being blown over and rubbish strewn over the neighbouring gardens,

- Maintenance of the property without access via the neighbouring property e.g. the guttering,
- The proposed window on the side elevation, serving the staircase, would overlook no. 83's front door,
- Parking, an additional space would be required for the additional bedroom,
- The proposed porch was not applied for. Also the erection of a front porch would be uncharacteristic to the neighbourhood. The porch would encroach onto the parking area.

6.4 [*Officer Note: access and overlooking impacts is assessed in section 9 of this report. Construction access is beyond the control of the planning department and would be considered a civil matter. There would be an informative added, should planning permission be granted, stating that the permission does not give the applicant any authorisation to enter onto land or to carry out works not within the applicant's ownership. The bins would be at the front of the property. It is proposed to store the bins in purpose made bin store. The applicant has confirmed that there would be no encroachment over the boundary line as a result of the development. The proposed front extension has been added to the description of proposed works and the neighbours have been notified.*]

7 SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

7.1 The Highway Authority (HA) was consulted and following their initial comments, a revised parking plan was submitted. The proposed development would comply the Parking Standards SPD. 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, and 'Saved' policy EN20 of the BFBLP	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 Streetscene Supplementary Planning Document 2011		
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. Community Infrastructure Levy

i. Principle of Development

9.2 85 Prince Andrew Way is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (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 85 Prince Andrew Way forms one half of a pair of semi-detached properties. The attached dwelling to the south west, 87 Prince Andrew Way forms the other half. It is noted that this attached neighbouring property has a similar, two storey side development and a rear development. In addition, a two storey side extension has been approved and built at no. 40 Prince Andrew Way, and a single storey side extension has been approved and built erected at no. 46 Prince Andrew Way. There are also several residential dwellings located close to the application site which have front extensions. As such the proposed extensions would not be considered as out of keeping with the character of the surrounding area.

9.4 It has been confirmed on the submitted drawing (reference number: PAW/85/01 A) that the materials to be used in the external construction of the proposed extension would match in appearance those materials used in the existing dwelling. As such the proposed development would be considered in keeping with host dwelling.

9.5 Whilst the rear aspect of this development would not be visible from the highway, the two storey side and single storey front extensions would be visible. The front extension is viewed to be modest in size when considered on its own and as such would not be considered to have a dominant impact on the streetscene. The first floor of the side extension would set back by 0.55 metres from the existing front elevation. The pitch of the roof slope would be maintained to match the existing roof slope, and the ridge line over the side extension would also be set back. This would result in the side extension appearing subservient to the original dwellinghouse. The proposed development would not be considered to have a negative impact in the streetscene.

9.6 The submitted parking plan includes soft landscaping. This would enhance the application property and the character of surrounding area.

9.7 The proposed bin store would also be visible from the highway. The materials used in the construction of the bin store would match the existing timber fence and gate to the side of no. 85 Prince Andrew Way. Due to its size, the proposed bin store would not be visually dominant in the streetscene and its design would screen the bins effectively. Therefore the proposed store would comply with the Streetscene SPD.

9.8 An objection raised by the occupier of a neighbouring property included the storage of bins to the front of the property and the potential increased risk for the bins to be blown over in high winds and scatter rubbish over several front gardens. The bin store would prevent this from happening; as such it would protect the appearance of the surrounding area.

9.9 The proposal would therefore be in line with CSDPD Policy CS7, 'Saved' BFBLP Policy EN20 and the NPPF.

iii. Impact on Residential Amenity

9.10 The proposed rear extension, together with an alteration to part of the existing rear projection, would include rear facing bi-fold doors. The proposed shower room would also have a rear facing window. As the application site is predominantly level, these ground floor windows would not create any significant overlooking impacts.

9.11 The additional first floor window on the rear elevation, serving a bathroom, would be on the same elevation as the existing rear windows. As such, the levels of overlooking would not differ substantially from the existing situation. In addition, the neighbouring property to the north east, 83 Prince Andrew Way has an outbuilding adjacent to the boundary with the application which provides screening. Therefore this window would be considered acceptable.

9.12 Due to the position of the application site opposite a 'T' junction, there is no direct neighbour opposite. Therefore the front facing windows, serving a study at ground floor level and a bedroom at first floor level would not result in significant levels of overlooking to the detriment of the occupiers of neighbouring properties.

9.13 The existing north east elevation of the dwellinghouse has a door and window at ground floor level. The proposed side elevation would remove both the ground floor door and window, and would install a first floor level window serving the staircase. The occupier of the neighbouring property, 83 Prince Andrew Way, has objected to this window on overlooking grounds and loss of privacy. The area of the neighbouring property which could be viewed from the proposed side facing window is not the private amenity space for no. 83. The area which can be seen from this window is the neighbour's concrete driveway and their front door, this can also be seen from the highway. There is a 1.8 metre high timber fence dividing the front drives. This window also breaks up the otherwise blank flank wall, and would therefore be considered to enhance the property.

9.14 Due to the proximity of the proposed extension to the boundary, it is recommended that the side facing window be restricted by condition to only open inwards, to avoid overhanging the boundary if opened outwards.

9.15 There are no existing windows on the south west elevation of no. 83. The proposed side extension would not project to the rear of the existing dwellinghouse. As such the proposed development would not result in any overshadowing impact on no. 83.

9.16 There are two sets of patio door to the rear elevation of the extension at no. 87. The proposed extension would not result in any significant overshadowing of the rooms to the rear of no. 87.

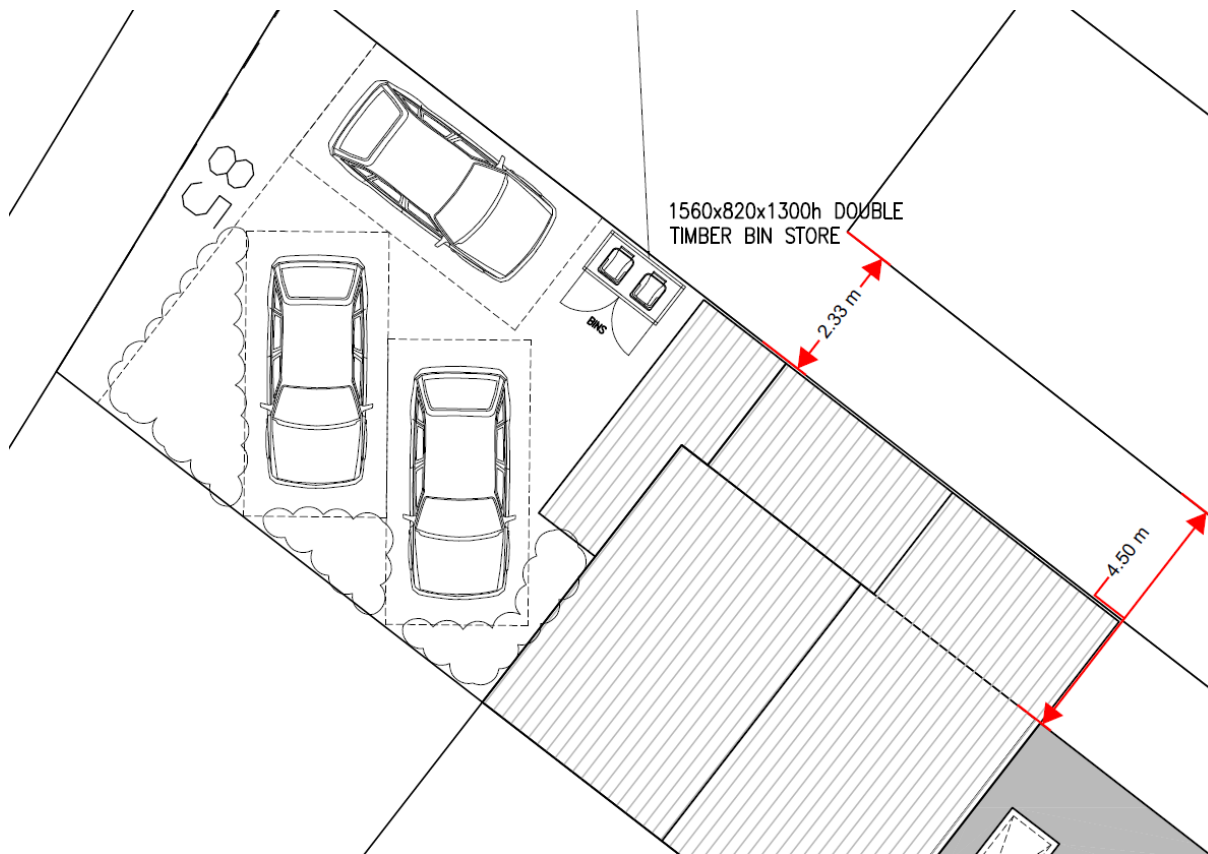
9.17 The proposed rear extension would be sited 4.6 metres from the boundary with 83 Prince Andrew Way. The alterations to the existing pitched roof to form a flat roof structure would reduce the bulk of the rear extension. This aspect of the development

would not result in any overshadowing or overbearing impacts on the amenities of the occupiers of no. 83.

- 9.18 There would be a separation distance of 2.3 metres between the proposed side extension and the flank wall of 83 Prince Andrew Way. Whilst the development would bring the built form closer to the neighbouring property, there are no windows, only a front door, on the flank elevation nor is there a private amenity space adjacent to the development. As such, this aspect of the proposal would not be considered unduly overbearing on the occupiers of no. 83.
- 9.19 The proposed rear extension would be considered an infill development. The neighbouring property, 87 Prince Andrew Way has an existing rear extension. This projects 3.8 metres from the original rear elevation. The proposed extension to the rear of no. 85, when coupled with the existing extension, would project a total of 5.2 metres from the original rear elevation. This additional 1.4 metre projection would not have a detrimental impact on the amenities of the occupiers of no. 87.
- 9.20 It is considered that the proposed rear extension and alterations to the roof would not have an overbearing effect on the amenities of the occupiers of the neighbouring dwellings.
- 9.21 Due to its size, position and purpose, the proposed bin store would not have a detrimental effect on the amenities of the occupiers of the surrounding properties.
- 9.22 The proposed development would be acceptable in line with 'Saved' BFBLP Policy EN20.

iv. Transport and Highways Considerations

- 9.23 The Highway Authority has reviewed the amended parking plan. Three spaces are proposed each measuring 2.4 metres by 4.8 metres to comply with the Council's parking standards and this is acceptable to the Highway Authority. While parking spaces would not be individually accessible, this is not a requirement for a property in single ownership and the parking arrangement would be workable. The existing dropped kerb should be extended by a couple of kerbstones to enhance access to on-plot parking and the applicant could do so via a separate application to the Highway Authority. Soft landscaping is also proposed and this would improve the visual appearance of the frontage of the application site.
- 9.24 The Parish Council (PC) has objected to this application on access grounds. There is a garage to the rear of no. 83 inline with existing driveway. The PC believes that the driveways to both properties are under shared ownership, and that this development would impede the access for no. 83. The Land Registry records show that there is no shared ownership over the drive ways to number 83 and 85. The development is therefore entirely within the applicant's ownership.
- 9.25 There is an existing fence denoting the boundary between the two properties. The distance between this fence and the side elevation of no. 83 is 2.33 metres, as demonstrated on the insert plan below. This distance does not meet with the requirements for a vehicle access. The proposed development would not alter the existing situation, and as such would not impact on the parking arrangements of no. 83.



9.26 External pedestrian access to the rear of no. 85 would be removed as a result of the proposed development. There is a bin store proposed to the front of the dwelling, this removes the need to drag the bins through the dwelling. The proposed bin store would not have a detrimental effect on highway safety.

9.27 There is secure cycle storage available in the rear garden of no. 85. Whilst any bicycles would need to be wheeled or carried through the house, the ground floor has an open plan design. This is considered acceptable.

9.28 The proposal would therefore be in line with CSDPD Policy CS23 and 'Saved' BFBLP Policy M9.

v. Community Infrastructure Levy (CIL)

9.29 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 or highway safety. It is therefore considered that the proposed development complies with 'Saved' policies M9 and EN20 of the BFBLP, Policies CS2 and CS7 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:
Site Location Plan, Block Plan, Existing and Proposed Floor Plans and Elevations,
Drawing number: PAW/85/01 A, Received 30.06.2016
Parking Plan and Bin Storage, Received 06.07.2016
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 window in the north east elevation of the development hereby permitted shall only open inwards.
REASON: To prevent the overhanging of the boundary of the application site.
[Relevant Policies: BFBLP EN20]

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. Side facing window to open inwards
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.
5. It is noted that included on the approved composite plan (reference number: PAW/85/01 A) there is a superseded parking plan. This plan is approved for the purposes of siting and design of the extensions only. The vehicle parking scheme should be laid out in accordance with the approved parking plan.
6. The applicant should note that the Bracknell Forest Council's Street Works Team

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

Doc. Ref:

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

ITEM NO: 8

Application No.
16/00450/FUL

Ward:
Little Sandhurst And
Wellington

Date Registered:
17 May 2016

Target Decision Date:
12 July 2016

Site Address:

**Land Adjacent To 7 Chaucer Road Crowthorne
Berkshire**

Proposal:

Erection of 4 no. bed detached dwelling.

Applicant:

Mrs Alison Thompson

Agent:

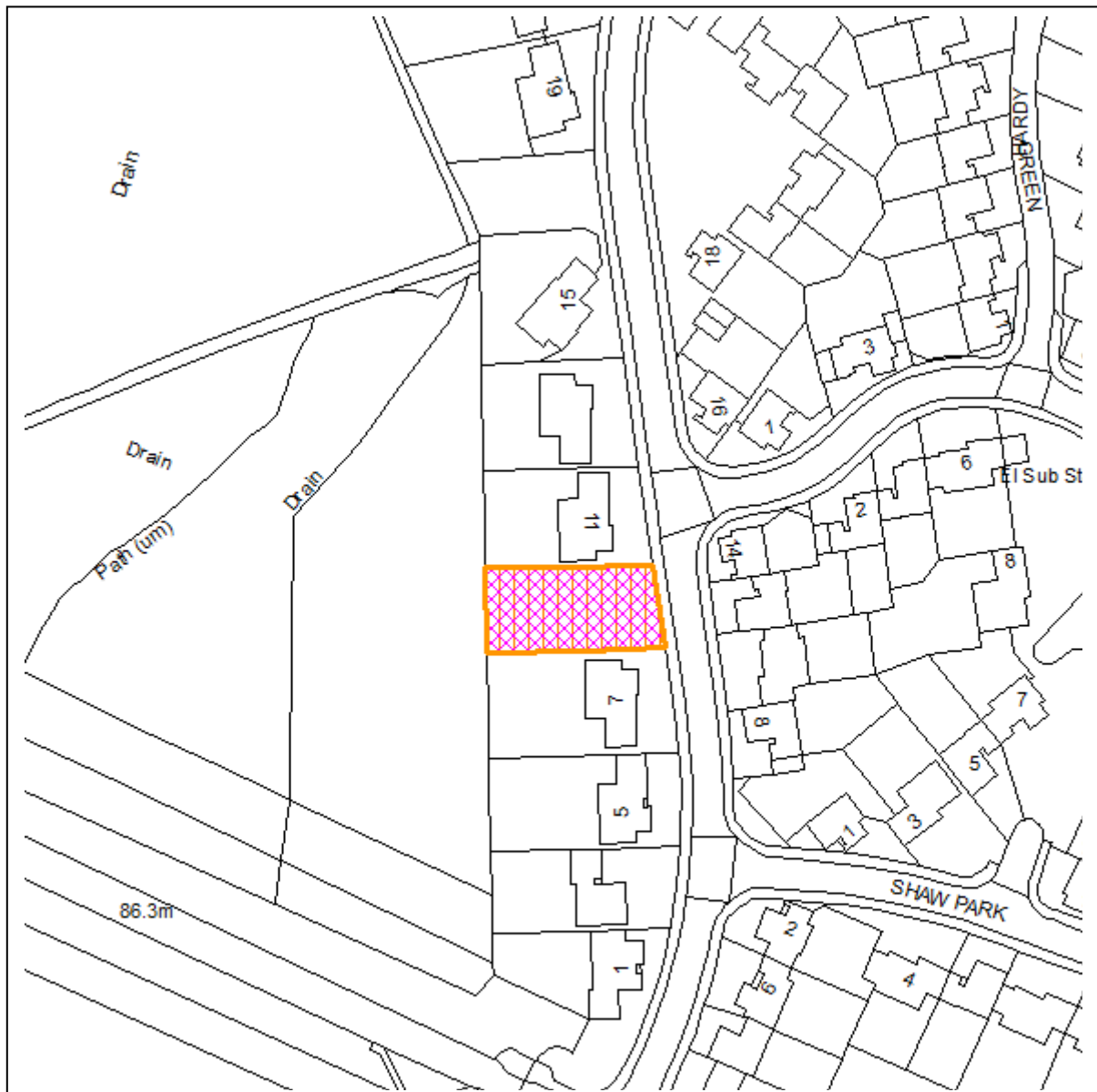
(There is no agent for this application)

Case Officer:

Michael Ruddock, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The proposed development is for the erection of a detached dwelling on land adjacent to No.7 Chaucer Road. The development would consist of a four bedroom dwelling with parking located to the front and side of the building and a private garden to the rear.

1.2 The proposed development relates to a site within the settlement boundary. It is not considered that the development would result in an adverse impact on the streetscene or the character and appearance of the area. The relationship with adjoining properties is acceptable and it is not considered that the development would result in an unacceptable impact on highway safety. Relevant conditions will be imposed in relation to sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable.

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Defined Settlement

Within 5km of the SPA

3.1 The application site relates to land between No.7 and No.11 Chaucer Road. The land as existing is grassed open space but it is under the ownership of the applicant, Wellington College. The site has a width of approximately 15m and a depth of approximately 30m.

3.2 The surrounding established residential area is all on land that was formerly owned by Wellington College and the site itself was left vacant for a future access into the College grounds. It is bordered to the sides by No.7 Chaucer Road to the south and No.11 Chaucer Road to the north. A wooded area that is also under the ownership of Wellington College borders the site at the rear, to the west.

4. RELEVANT SITE HISTORY

4.1 No relevant planning history.

5. THE PROPOSAL

5.1 The proposed development is for the erection of a detached dwelling on the land between No.7 Chaucer Road and No.11 Chaucer Road. The dwelling would have a maximum width of 13m and a maximum depth of 15.3m with a height of 8.4m. It would have gable elements to the front and rear with a pitched roof element to the southern side. To the northern side it would have a single storey element with a width of 3.2m. The two storey element would have a width of 9.8m.

5.2 At ground floor level the following would be provided:

- Living room
- Breakfast/kitchen/dining area
- Family room
- Study
- Utility room
- Garage

5.3 At first floor level the following would be provided:

- Four bedrooms, two with en suite and one with two dressing areas.
- Bathroom

5.4 It is noted that an attic room is provided, however due to the floor to ceiling height proposed this is not considered a habitable room. A section has been submitted which demonstrates that it would only be possible to stand up immediately below the ridge of the roof, and as such there is insufficient headroom for this room to be habitable.

5.5 The site plan shows three parking spaces to be provided at the front of the site. Two would be located in front of the garage, with a third space adjacent to these, perpendicular to the highway. A separate pedestrian access to the highway is shown to the south of the parking, Side access to the rear garden is shown to the side of the garage, with a rear door in the garage also available for this purpose.

5.6 It is noted that a chimney is proposed to the northern side of the dwelling, and as this would not project beyond the roof overhang it is not shown beyond the north elevation on the roof plan or the site plan. However as the chimney is not marked on either of these plans an informative will be included to this effect.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council:

6.1 Considered no objection.

Other representations:

6.2 Five neighbour objections were received to the proposed development. The reasons for objection can be summarised as follows:

- The development would result in an unacceptable loss of light to the side facing bay window at No.11 Chaucer Road. Although this room is also served by front and rear facing windows, the front window is only a small single pane window and the close proximity of trees to the rear significantly diminishes the quality of light that would otherwise enter the lounge by the rear window. The side facing window is therefore the primary source of light to the room.
- Loss of privacy to No.11 Chaucer Road as a result of overlooking from side facing windows, and a rear facing velux roof light.
- Dwelling would appear unduly overbearing when viewed from the neighbouring properties as a result of its size.
- Adverse impact on the character of the area as there is insufficient space between the proposed dwelling and its immediate neighbours. Proposal does not maintain the existing open character of the area and would be an overdevelopment of the plot.
- Loss of local amenity as the site is an open space used by children for play, people exercising, dog walkers etc.
- Highway safety impact of the development due to an increase in traffic.
- Parking concern at the chimney stack to the side reduces the available width.
- Concerns that the attic room would necessitate a greater height than shown, due to a lack of space available for such a room.

[OFFICER COMMENT: The height of the building has to remain as shown on the submitted plans, otherwise there would be a breach of planning control. The attic room has been stated not to be a habitable room due to its lack of height.]

- The land is categorised for use as an access or a highway. Should there be a formal process to change this categorisation?

[OFFICER COMMENT: The current application can be taken as a formal process for using this land for a residential dwelling.]

- No site notice has been displayed to inform the general public of the planning proposal.

[OFFICER COMMENT: It is the Local Planning Authority's procedure to either display a site notice or notify neighbouring properties of an application by letter. In this instance, given the scale of development, neighbour notification was considered the most appropriate form of advertising the application. The sites to either side and opposite the site were notified of the application by letter.]

- Concerns with regard to the submitted Energy Assessment.

One letter of support was also received in respect of the proposed development, which states that the development has been designed to minimise the impact on the neighbouring property of No.7 Chaucer Road and that the design is sympathetic to the overall character and appearance of the area. Sufficient parking would be provided.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 Recommend conditional approval.

Biodiversity Officer

7.2 The site does not include any trees or natural vegetation, and the new building will not be impinging on the adjacent woodland. No objection.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The key policies and associated guidance applying to the 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
Residential Amenity	Saved policy EN20 of BFBLP	consistent
Highway Safety	CS23 of CSDPD, Saved policy M9 of BFBLP	consistent
Sustainability	CS10, CS12 of CSDPD	consistent
SPA	NRM6 of SEP, CS14 of CSDPD, EN3 of BFBLP	consistent
Other publications	National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Character Area Assessment SPD, Parking Standards SPD, Thames Basin Heaths SPA Avoidance and Mitigation SPD, Planning Obligations SPD.	

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of the Development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport implications
- v Sustainability
- vi SPA
- vii Community Infrastructure Levy

i. Principle of the development

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

ii. Impact on the character and appearance of the area

9.3 In respect of its design, the dwelling would incorporate the pitched roof and gable features that are prevalent on the neighbouring properties and as such it would be in keeping with the design of the neighbouring properties. Although it would occupy a more linear shape when compared to the neighbouring dwellings that extend the widths of their larger plots, the dwelling would be comparable to other properties in this part of Chaucer Road and as such would not appear excessively large. As such it is considered that its design would be in keeping with the streetscene.

9.4 With regard to its height, the proposed dwelling would have a similar height to the neighbouring dwelling at No.7 Chaucer Road. The ridge height of the dwelling would be slightly higher than the neighbouring property at No.11 Chaucer Road, however it is considered that the height would assimilate well into the streetscene. Furthermore the height of the garage would be no higher than the garages on neighbouring plots. The finished floor level of the dwelling has not been stated, and a condition will be included to ensure that this is the case.



9.5 The vacant site comprises of a deep rectangular sized plot, that has a similar depth compared with Nos. 7 and 11 Chaucer Road but would have a smaller width in comparison to these sites. The proposal would concentrate development in the eastern section of the plot, similar to Nos. 7 and 11. The dwelling would be set approximately 7m from the front boundary at its closest point, slightly further forward than No.11 but further back than No.7. It is considered that this would be in keeping

with the existing building line on Chaucer Road, and the dwelling would not appear overly prominent in the streetscene in comparison to neighbouring properties.

9.6 The dwelling would be set approximately 1m off the boundary on either side, which would ensure that it would sit comfortably within the plot. In respect of gaps to the neighbouring dwellings, a gap of over 2.5m would remain between the new dwelling and No.7 Chaucer Road to the south. The single storey garage would be set approximately 2m from No.11 Chaucer Road to the north, set back over 8m from the front elevation of the dwelling, with the two storey element being set over 4m from the neighbouring property. Such a relationship is considered sufficient to maintain views to the rear of the site and also to provide visual and physical gaps between the proposed two storey dwelling and these adjoining properties. As such it is not considered that the development would constitute an overdevelopment of the site.

9.7 The proposed materials would comprise of brown interlocking tiles to the roof, brickwork to the walls and tile hanging to the front gable. This appears to be in keeping with the materials used on the neighbouring properties, however a condition requiring samples to be submitted will be imposed to ensure that this is the case. The fences to the side and rear of the plot would remain as existing, as would the shrub planting to the sides at the front.

9.8 The drawings and plans that have been submitted show an open frontage for the proposed dwelling that would be in-keeping with the character of the area. A residential garden would be provided to the rear with a depth of between 8.5m-12m. It is considered the amenity space provided would be acceptable, in the interests of the amenities of future occupiers.

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

iii. Impact on residential amenity

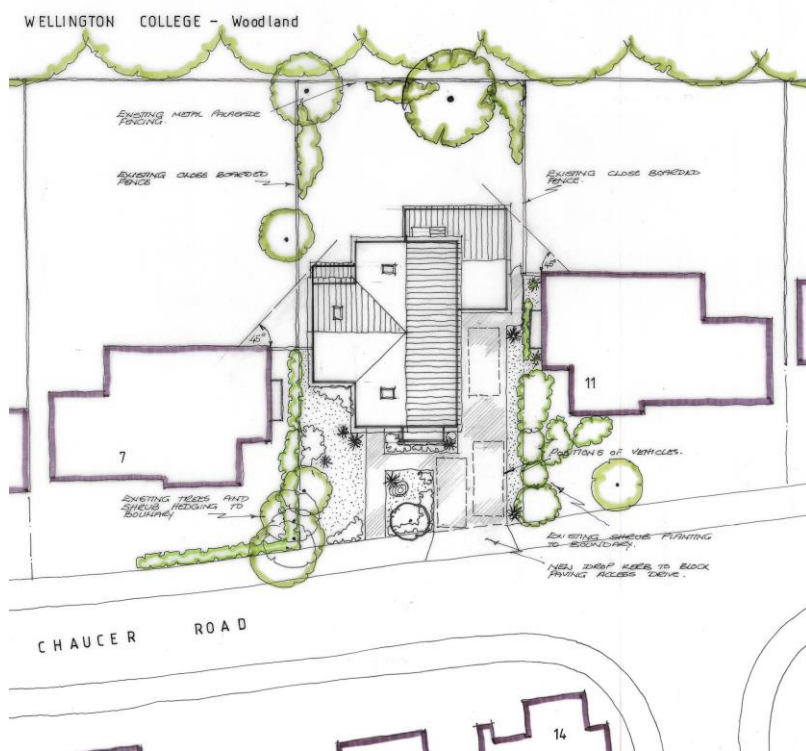
9.10 The new dwelling would be sited on land in between No.7 and No.11 Chaucer Road and as such has the potential for an impact on these properties. In respect of No.11 Chaucer Road, the dwelling would be visible from front, side and rear facing windows. The development will be assessed in accordance with the guidance contained in the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice.'

9.11 It is noted that a side facing bay window faces onto the area of open space where the dwelling would be located. This would be located approximately 4.3m from the main two storey side elevation of the new dwelling and a 25 degree line drawn from the midpoint of the window would intersect the dwelling. As such it is clear that there would be a loss of light to the side facing bay window.

9.12 A loss of light to this window would be unacceptable if it was the only source of light to a habitable room. The room the window serves is a living room, and it is also served by front and rear facing windows. The front facing window is a small window that couldn't be considered the primary source of light to the room. However the rear facing window is a larger patio door window. Whilst it is noted that a number of trees are located to the rear of the site, which reduce the amount of daylight and sunlight received by the room, these are located on the rear boundary of the property approximately 12m from the rear facing windows of the property. It is not considered that these result in an unacceptable loss of light to the room at present.

9.13 With regard to this rear facing window, a 45 degree line drawn on the horizontal plane from the midpoint would not intersect the two storey element of the new dwelling, however the roof overhang of the single storey garage element would slightly encroach over such a line. In accordance with BRE guidance, a 45 degree line drawn on the vertical plane from the point of intersection towards the window, and such a line would not overshadow more than 50% of the window. As such it is not considered that there would be an unacceptable loss of light to the rear facing patio windows as a result of the development,

9.14 It is also noted that the bay window is south facing, and the rear facing windows are west facing. As such they only receive sunlight later in the day, however as they receive an acceptable amount of daylight at all times of the day this is not considered unacceptable. As a result it is considered that the rear facing patio windows can be considered the primary source of light to the living room, and a loss of light to the side facing bay window cannot be considered a sufficient reason to warrant refusal of the application.



9.15 There are no side facing first floor windows that would be affected. Although the development would be visible from front and rear facing first floor windows, a 45 degree line drawn from any of these windows would not intersect the first two storey elements of the new dwelling. As such there would not be an unacceptable loss of light to any of these windows.

9.16 The two storey element would project approximately 2.1m beyond the rear elevation of No.11, and would be set approximately 4m off the boundary of that property. It is not considered that such a relationship would result in an unduly overbearing effect on the rear of the neighbouring property. The single storey element would be closer to the boundary and would project approximately 4.5m beyond the rear elevation of No.11, however this element would have less bulk with a pitched roof

design. It is not considered that it would appear unduly overbearing when viewed from the rear of the neighbouring property.

9.17 Two side facing first floor windows would face towards No.11, and it would be possible to overlook the private amenity area to the rear of the neighbouring property from these windows. As such a condition will be imposed requiring these to be obscure glazed and fixed shut with the exception of a fanlight. It is noted that rear facing velux windows at second floor windows are also proposed, however these would face to the rear and would not directly overlook the neighbouring property.

9.18 Side facing windows would also face towards No.11 at ground floor level, in the form of a small kitchen window and a utility room door. These would be close to the bay window, and as such there is a concern that these could result in a loss of privacy to the neighbouring property. As such, the condition referenced to in para 9.17 will also refer to these windows. Although the driveway would be close to the bay window, it is not considered that the use associated with this would be so intense that it would result in such a loss of privacy to the neighbouring property that refusal of the application would be warranted.

9.19 In respect of No.7 Chaucer Road, the neighbouring dwelling is set further forward therefore the new dwelling would be set further to the rear of the neighbouring property. Similarly to No.7, No.11 also has a side facing living room bay window that would face onto the dwelling, and there would also be a loss of light to this window. The room is also served by a rear facing window, and a 45 degree line drawn on the horizontal plane from the midpoint of this window would intersect the roof overhang of the dwelling. However a 45 degree line drawn on the vertical plane from the point of intersection would not overshadow more than 50% of the window. As such it is not considered that there would be an unacceptable loss of light to this window, and as at No.11 it is not considered that there would be an unacceptable loss of light to the living room.

9.20 There are no first floor windows in the side elevation of No.7 that would be affected, and similarly to the ground floor windows, there would not be an unacceptable loss of light to the rear facing first floor windows of that property. Although the new dwelling would project further to the rear of No.7 than at No.11, the closest element to No.7 would be the pitched roof element to the side. This would project approximately 4m beyond the rear elevation of No.7 at two storey level, and 5.5m when a single storey element to the rear is included.

9.21 This element however has a steep pitch which projects away from the rear of No.7 which reduces its bulk, and as a result it is not considered that this would appear unduly overbearing when viewed from the rear of the neighbouring property. The higher and bulkier rear gable element would be set approximately 4m off the boundary with the neighbouring property and as such would have less of an impact.

9.22 Side facing windows at ground, first and second floor level would face towards No.7, and all would have the potential to result in a loss of privacy to the neighbouring property through overlooking. As such the condition requiring the windows facing No.11 to be glazed with obscure glass and fixed shut will also extend to these windows. A further condition will restrict any additional windows in the side elevations, and this would include ground floor windows due to the side facing bay windows at both properties.

9.23 As such it is not considered that the development would result in an unacceptable impact on residential amenity. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

iv. Transport implications

9.24 The new dwelling would take access of an adopted residential road which is subject to a 30mph speed limit and unrestricted on-street parking. A new dropped kerb will be required to provide access and it is noted that this would be within 10m of the nearby junction with Goldsmith Way. However this is a residential area and access would be similar to at the adjacent properties of No.11 and No.14 Chaucer Road. The means of access should be provided prior to occupation of the dwelling and will be secured by condition. Adequate pedestrian visibility splays can be achieved for vehicles exiting the driveway and a condition protecting sight lines will also be imposed.

9.25 A pedestrian path is to be provided to the front door of the property from the back of the footway and access through to the rear would be provided for bin storage. New residents would be able to bring their wheelie bins to the roadside for collection by the Council.

9.26 Three driveway parking spaces are proposed, and there is sufficient space for three 4.8m x 2.4m parking spaces which complies with the Councils Parking Standards (2016) for a new four bedroom dwelling. The chimney to the side of the dwelling would not unacceptably reduce the width of the driveway, as a width of 2.9m would remain. The parking will be secured by condition prior to the occupation of the dwelling. The parking would be on a block paved driveway, which would need to be permeable to comply with current drainage requirements. A condition will be imposed to ensure that this is the case.

9.27 A garage is proposed and whilst this does not comply with the 2016 standards for vehicle parking it could be used for cycle parking given that three acceptable parking spaces are proposed. As cycle parking is a requirement for new development in respect of the Parking Standards, and no further cycle parking is shown, a condition will be imposed requiring this element to be kept available for cycle parking. This would mean it could also be utilised for refuse storage, in addition to the rear.

9.28 As such it is not considered that the development would result in an adverse impact on highway safety. The proposed development would therefore not be contrary to CSDPD Policy CS23, BFBLP 'Saved' Policy M9 or the NPPF.

v. Sustainability

9.29 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards for water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. The submitted Sustainability Statement (dated 11th May 2016) confirms that this would be the case, and the document will be conditioned to be complied with.

9.30 SDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. As highlighted in the Council's Sustainable Resource Management Supplementary Planning Document (<http://www.bracknell->

forest.gov.uk/srm), an energy demand assessment should be submitted and include the following:

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

9.31 The submitted Energy Assessment (dated 11th May 2016) confirms that this would be the case, and the document will be conditioned to be complied with.

vi. SPA

9.23 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 0.5km 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.

9.24 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures which Natural England will spend upon the SPA land. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.25 In this instance, the development would result in a net increase of one four bedroom dwelling which results in a total SANG contribution of £2,469. The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £807.

9.26 The total SPA related financial contribution for this proposal is therefore £3,276. A draft Section 106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed has been submitted. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP 'Saved' Policy NRM6, 'Saved' Policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special

Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

vii. Community Infrastructure Levy (CIL)

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

9.28 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings. The proposed development involves the creation of an additional dwelling, and the development is therefore CIL liable.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the local area or the amenities of the residents of the neighbouring properties. The proposed parking arrangements are considered acceptable, and the development would not result in an adverse impact on highway safety.

10.2 It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, CS14 and CS23, BFBLP 'Saved' Policies EN3, EN20 and M9, SEP Policy NRM6 and the NPPF.

11. RECOMMENDATION

11.1 **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.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990
02. The development hereby submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 17.05.16:

2276-04
2276-05

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

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.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. No construction works shall take place until details showing the finished floor levels of the dwelling hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
05. The ground floor, first floor and second floor windows in the north and south facing side elevations of the dwellinghouse hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). It shall at all times be fixed shut with the exception of a top hung openable fanlight.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (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 in the north or south facing side elevations of the dwellinghouse hereby permitted except for any which may be shown on the approved drawings.
REASON: To prevent the overlooking of neighbouring property.
[Relevant Policies: BFBLP EN20]
07. The dwelling shall not be occupied until a means of vehicular access has been constructed in accordance with the approved site plan.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
08. The dwelling 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.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
09. 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.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

10. The garage accommodation shall be retained for the use of the parking of cycles at all times.
REASON: To ensure that the Local Planning Authority's cycle parking standards are met.
[Relevant Policy: BFBLP M9]
11. 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.
REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme.
[Relevant Policies: CSDPD CS1, BFBLP EN25]
12. The development shall be carried out in accordance with the submitted Sustainability Statement, dated 11th May 2016 and shall be retained as such thereafter.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]
13. The development shall be carried out in accordance with the submitted Energy Statement, dated 11th May 2016.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS12]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission subject to conditions, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Commencement
 2. Approved Plan
 5. Obscure glazing
 6. Restrictions on side facing windows
 7. Access
 8. Visibility
 9. Vehicle parking
 10. Cycle parking
 11. SuDS
 12. Sustainability Statement
 13. Energy Statement

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

3. Materials
4. Finished Floor Level

03. The Streetcare 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 license 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.
04. The applicant is advised that the chimney is not marked on either the roof plan or the site plan.

In the event of the S106 agreement not being completed by 30 November 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).

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

Unrestricted Report

ITEM NO: 9

Application No.
16/00505/FUL
Site Address:

Ward:
Wildridings And Central

Date Registered:
24 May 2016

Target Decision Date:
19 July 2016

Street Record Arncliffe Bracknell Berkshire

Proposal: **Formation of 10no. parking spaces in 7 locations, with associated alterations to kerb lines.**

Applicant: Bracknell Forest Homes

Agent: (There is no agent for this application)

Case Officer: Matthew Miller, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the formation of 10no. parking spaces in 7 locations, with associated alterations to kerb lines.

1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area, subject to the recommended condition. The proposal would be acceptable in terms of highway safety.

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 at the request of Councillor Skinner for further consideration of the proposal's impacts on the character of the surrounding area and on highway safety, following the receipt of 1no. objection.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

3.1 Arncliffe is a predominately residential area consisting of two storey terraced and semi-detached dwellings, with supporting hardsurfaced parking courts and communal garage blocks. Access to many residential properties is through public footpaths linking to the parking area, with supporting areas of amenity land. The application sites consist primarily of grassed amenity areas.

4. RELEVANT SITE HISTORY

4.1 None relevant.

5. THE PROPOSAL

5.1 The proposed development consists of the following:

- (i) the formation of three parking bays within an existing parking immediately west of 56 Arncliffe. One space would be sited adjoining the garage court, due south of 57 Arncliffe, and one due west of 56 Arncliffe, and one would be sited south of 57 Arncliffe following the removal of an existing raised planter;
- (ii) the formation of two parking spaces on a section of amenity land adjoining a garage block, due east of 1 Arncliffe;
- (iii) the formation of three parking bays on either side of the entrance to the garage court due east of 53 Arncliffe (west of 35 Arncliffe); and
- (iv) the formation of two parking spaces on the northern side of an existing parking court, due west of 21 Arncliffe.

5.2 During the course of the proposal amended plans have been received to alter the proposed parking of Proposal (iii), moving the originally proposed space adjacent to 35 Arncliffe to the south of the other two proposed spaces.

5.3 The proposal is not CIL liable as it would not involve an increase in internal floor space.

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council:

6.1 Bracknell Town Council raise no objection

Other representations:

6.2 An objection has been received from the occupant of 35 Arncliffe, to which part of Proposal (iii) was originally proposed be sited next to. The occupant objected on the grounds that the proposed parking space next to 35 Arncliffe would not result in a benefit to highway safety, and could result in damage to the property through vehicles not utilising the space properly.

[Officer Comment: The proposed parking space next to 35 Arncliffe is to be relocated to the southwest. While it is not agreed that the highway safety issues raised by the objector have significant planning merit, the alternative location would be more suitable in view of the character of the area as existing vegetation would be preserved].

6.3 Following the receipt of 1 no. objection, the Local Authority's 1-3 Objection Procedure has been undertaken, and has been reported to Planning Committee at the request of Councillor Skinner.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highway Officer:

The Highway Officer raises no objection to the amended parking plan.

7.2 Landscape Officer:

The Landscape Officer raises no objection, subject to the imposition of a landscaping condition.

7.3 No further 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 the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Character of area	CS7 of CSDPD, Saved policies H12, EN1, EN2 and EN20 of BFBLP	Consistent
Residential amenity	Saved policies EN20 and EN25 of BFBLP	Consistent
Highway Safety & 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.
Supplementary Planning Documents (SPD)		

Parking standards SPD Streetscene SPD
Other publications
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) CIL Charging Schedule

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 Impact on residential amenity
- iv Impact on highway safety
- v Community Infrastructure Levy

i. Principle of Development

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

ii. Impact on Character and Appearance of Area

9.3 The Local Authority's Landscape Officer has been consulted on the proposal.

9.4 In respect of Proposal (i), the two southern-most of the proposed spaces would both be sited on areas of amenity land that have been heavily eroded by indiscriminate vehicular parking, and this has reduced their contribution to the character of the area. The western-most of these spaces would be sited in close vicinity to an existing tree, and this may force the removal of the tree. Therefore at minimum a replacement tree of similar size could be planted either further southwards, or to the west, to ameliorate the proposal.

9.5 Proposal (i) would also involve the removal of a raised planter area, however this planter has not been effectively maintained and it is considered that replacement soft landscaping could be provided in alternative locations. Full details of the provision and management of additional/replacement landscaping can be provided by condition.

9.6 It is considered that Proposals (ii) and (iv) would not result in an adverse impact on the character of the surrounding area, subject to replacement planting. This is because both areas would form visual enlargements of existing areas of hardstanding, from the existing parking and garage courts. While both proposal would be highly visible in the main street scene, appropriate planting would aid in providing mitigation against the impact of additional hardsurfacing.

9.7 Proposal (iii) has been amended from the initially submitted plans to move the parking space next to 35 Arncliffe further southwards, as the land next to 35 Arncliffe contains a high level of well maintained planting, which provides a positive contribution to the character of the area. The land where the spaces are now proposed consist of grassed amenity areas which have again been eroded by indiscriminate vehicular parking, reducing their visual value. The proposal would therefore serve to formalise

the parking already taking place, and appropriate supplementing planting can also be provided.

9.8 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area or the host property, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN1, EN2 and EN20, the Streetscene SPD, and the NPPF, subject to a condition requiring the imposition of a condition requiring the submission of full details of the proposed landscaping scheme.

iii. Impact on Residential Amenity

9.9 Due to the nature of the proposed development, it would not involve any impacts on the amenity of neighbouring residential properties with respect to overbearing and loss of light. Furthermore considering the existing parking court in this location and the nature of the area as a built-up residential zone, it is not considered that the proposal would result in an adverse level of noise and disturbance to the local residents. Although there would be limited screening provided between some of the proposed spaces and the surrounding residential properties, this is not considered unacceptable in a built-up residential area.

9.10 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.

iv Impact on Highway Safety

9.11 Arncliffe is an adopted residential highway that experiences severe levels of on-street parking, to the significant detriment of highway safety. The provision of additional parking bays in this location would therefore serve to improve the current parking and access situation, to the benefit of highway safety.

9.12 The Highway Officer has been consulted on the proposal and advises that the proposed parking spaces would have minimum dimensions of 2.4 metres by 4.8 metres to comply with the current standards for practical and useable parking spaces, with adequate associated access and manoeuvring space. Various kerb-lines and adopted footpaths would need to be altered to achieve adequate access and manoeuvring. The proposed porous paving replacement surface would comply with the latest drainage requirements. A street lighting column may also be required to be re-located as part of the proposal.

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

v Community Infrastructure Levy (CIL)

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

9.15 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including new build that involves the creation of additional dwellings. The proposal is not CIL liable as it would not involve an increase in internal floor space.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties, or on highway safety, subject to the recommended conditions. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies EN1, EN2, EN20, EN25 and M9, the Streetscene SPD, the Parking Standards SPD, and the NPPF.

11. RECOMMENDATION

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 7 July 2016:

4817 252 'Arncliffe Residential Off Street Parking Improvements' [Amended]

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

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

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

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

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has

been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

1. Commencement
2. Approved Plans

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

3. Landscaping

03. Although notice has been served on Bracknell Forest Council, the applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.

Doc. Ref: Uniform 7/DC/Agenda

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

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ITEM NO: 10

Application No.

16/00516/3

Site Address:

Ward:

Great Hollands South

Date Registered:

10 June 2016

Target Decision Date:

5 August 2016

**Easthampstead Park Community School Ringmead
Great Hollands Bracknell Berkshire RG12 8FS**

Proposal:

Erection of cycle shelter and retention of hardstanding.

Applicant:

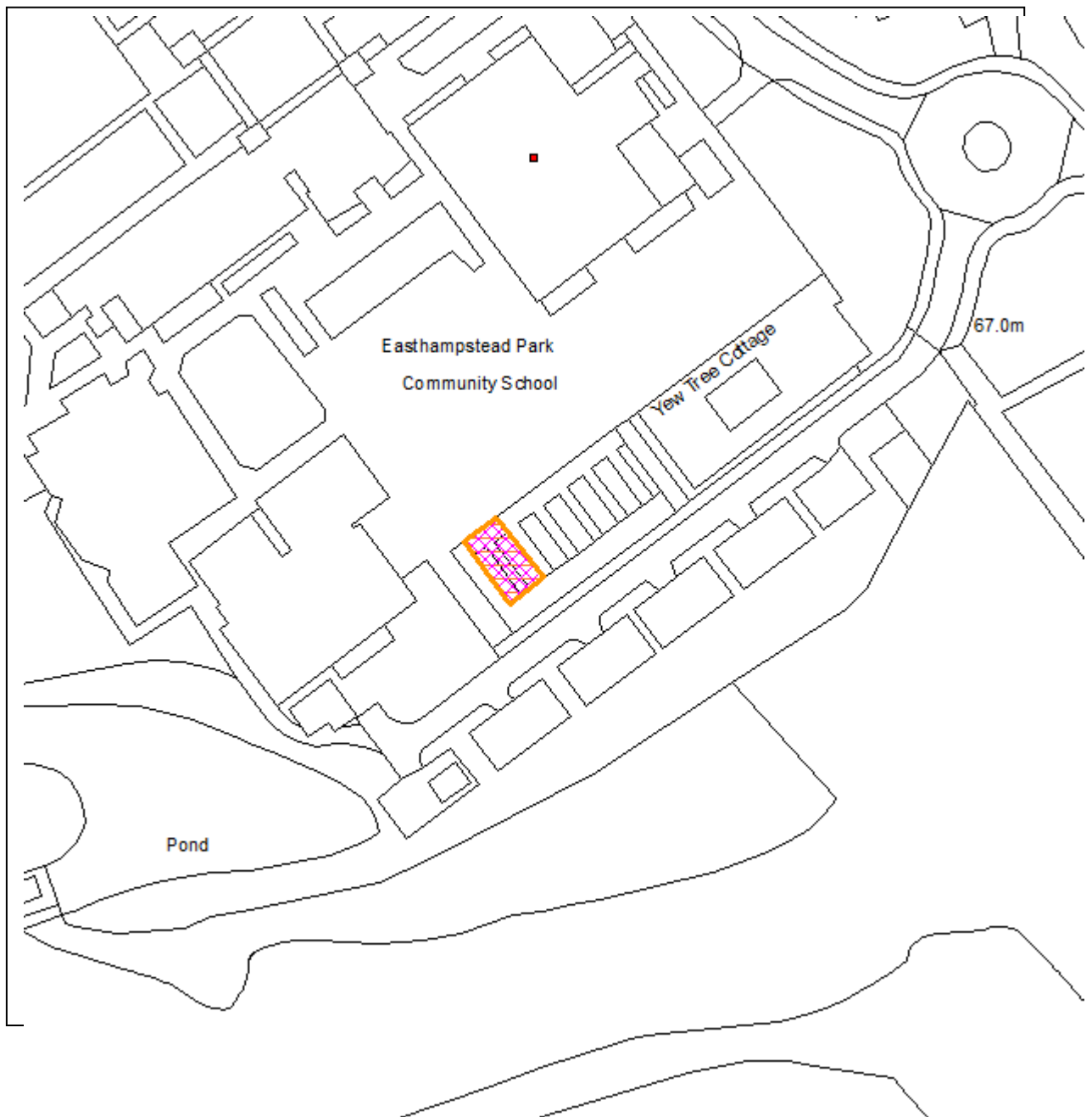
Bracknell Forest Council

Agent:

(There is no agent for this application)

Case Officer:

Katie Andrews, 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 cycle shelter and retention of hardstanding.

1.2 The development relates to a site at Easthampstead Park Community School which is within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the setting of a boundary wall at the school which forms part of the curtilage of the Grade II Listed Easthampstead Park. It would not adversely impact upon the character and appearance of the surrounding area or residential amenities of neighbouring properties. The proposal would be acceptable in terms of highway safety.

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 because it has been submitted by the Planning and Transport Division.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Adjacent to a curtilage Listed Wall associated with Grade II Listed Easthampstead Park

3.1 The application site relates to an area of land at Easthampstead Park Community School which is situated off Ringmead within Great Hollands.

3.2 The application site is located to the south of the school close to an existing car park. The site is located in front of a wall which forms part of the curtilage of the Grade II Listed Easthampstead Park which is located to the north east of the application site. The school site has been separated from Easthampstead Park historically and the wall has now been converted into a boundary wall for the playground at Easthampstead Park School. The area has recently been re tarmacked which forms part of this application.

3.3 Previously the site was marked by concrete and numerous cycle stands.

4. RELEVANT SITE HISTORY

4.1 No relevant planning history.

5. THE PROPOSAL

5.1 The proposed development is for the erection of a cycle shelter and the retention of hardstanding in front of a curtilage Listed Wall. The proposals also include the provision of a footway to the side of the proposed cycle shelter. The proposed shelter will have a length of 10.6 metres, a width of 4.1 metres with an overall height of 2.8 metres.

5.2 The proposal is not CIL liable as it consists of external hard standing and a cycle shelter of 43 sq.m.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 Considered no objection.

Other representations:

6.2 None received

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection

Conservation Consultant

7.2 No objection subject to a condition

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The key policies and associated guidance applying to the site are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design and Historic Environment	CS7 of CSDPD, Saved policy EN2 and EN20 of BFBLP	consistent
Transportation	CS23 of CSDPD, Saved policy M9 of BFBLP	consistent
Residential Amenity	Saved policies EN20 and EN25 of BFBLP	consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Parking Standards SPD.		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of the Development
- ii Impact on the setting of the Grade II Listed Wall.
- iii Impact on Character and Appearance of the Area
- iv Impact on residential amenity
- v Transport implications

i. Principle of Development

9.2 The site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered

to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to the consideration of the proposal on the setting of the adjacent curtilage Grade II Listed wall, no adverse impacts upon character and appearance of the surrounding area, residential amenities of neighbouring properties and highway safety. These matters are assessed below.

ii. Impact on the setting of the Grade II Listed Wall.

9.3 The boundary wall at Easthampstead Park School forms part of the curtilage of the grade II Listed Easthampstead Park. The wall originally formed the kitchen garden for Easthampstead Park, the main house, but has now been converted into a boundary wall for the playground at Easthampstead Park School.

9.4 The proposed development consists of the installation of a cycle shelter and retention of tarmac hardstanding abutting the curtilage Listed wall.

9.5 The proposed cycle shelter affecting the setting of the Listed structure would not have a harmful impact and is entirely reversible. The existing tarmac is considered acceptable as there was a previous area of hard-standing in this location adjacent to the listed wall.

9.6 However, following advice from the Conservation Consultant, it is generally advised that non-porous materials such as tarmacadam are kept separated from historic structures in order to allow for the breathability of structure as well as allowing for drainage. In order to retrospectively separate the wall from the tarmac, it should be possible to grind/score a line in the tarmac approximately 0.3 metres away from the wall and then carefully break-out the area between. The area between the 'tarmac' and wall can then be infilled with a pea-gravel, or similar, which will allow the foundations of the wall to breath and allow drainage. Condition 3 is proposed to require the details of these works.

9.7 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects the setting of a listed building, the LPA has to have special regard to the desirability of preserving its setting. For the reasons set out above it is considered that the proposed development would not harm the setting of the curtilage Listed wall. It is therefore considered to accord with Policies CS1 and CS7 of the CSDPD, or the NPPF and NPPG.

iii. Impact on Character and Appearance of the Area

9.8. The site was previously used for the parking of bicycles in numerous cycle stands on an area of hardstanding. Therefore visually the retention of the tarmac and footway is considered to be acceptable subject to the above consideration of moving the tarmac away from the curtilage Listed wall.

9.9 In relation to the proposed cycle shelter, this would be located on the site of the existing shelters, although the proposed shelter covers less footprint than the previous shelters. The building is 10.6 metres in length and 4.1 metres in width with an overall height of 2.8 metres. No information has been submitted regarding the materials of the shelter although the drawings submitted show the building to be constructed with a dark frame and a transparent material between the frame. Condition 4 is recommended to require details of the colour of the frame. It has been set 3.4 metres from the Listed wall and in view that its replaces previous cycle shelters its impact on the amenities of the surrounding area is acceptable.

9.10 It is therefore considered to accord with Policies CS1 and CS7 of the CSDPD, the NPPF and NPPG.

iv. Impact on Residential Amenity

9.11 The site was previously used for cycle parking and the proposed cycle shelter is located over 40 metres from Yew Tree Cottage the closest residential property, which is a residence associated with Easthampstead Park School.

9.12 As such it is not considered the development would result in adverse impact on the amenity of residents of neighbouring properties. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 and the NPPF.

v. Transport Implications

9.13 The proposed cycle stand will provide additional cycle parking facilities for the school. The proposals include a new footway on an existing area of the tarmac and the Local Highway Authority has advised that the construction details shown on the application drawings comply with Highway design standards.

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

10. CONCLUSIONS

10.1 It is not considered the proposed cycle stand and the retention of the tarmac would harm the setting of the curtilage Listed wall or result in an adverse impact on the character and appearance of the area, the amenities of neighbouring properties or highway safety.

10.2 It is therefore considered that the development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS7 and CS23, BFBLP 'Saved' Policies EN20, EN25 and M9 and the NPPF.

11. RECOMMENDATION

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 21 June 2016:-
-Proposed cycle shelter 328
-Elevations x 2
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. No development shall commence prior to the submission to and approval in writing by the Local Planning Authority of a detailed method statement for the removal of the section of hard-standing abutting the listed wall. This shall include

all work required to meet Building Regulations where applicable. All work shall be carried out in strict accordance with the approved details.

REASON: To ensure that the hardstanding does not harm the Listed wall and to ensure that the work is appropriate to the special architectural or historic interest of the Listed wall.

[CSDPD Policy CS1, CS7, BFBLP Policy EN20]

04. No development shall take place until details of the materials/colours to be used in the construction of the external surfaces of the cycle shelter 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 and the setting of the adjacent Listed wall.

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

Informative(s):

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

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

The applicant is advised that the following condition requires discharging prior to commencement of any works:

3. Method Statement for removal of hardstanding
4. Materials

Doc. Ref: Uniform 7/DC/Agenda

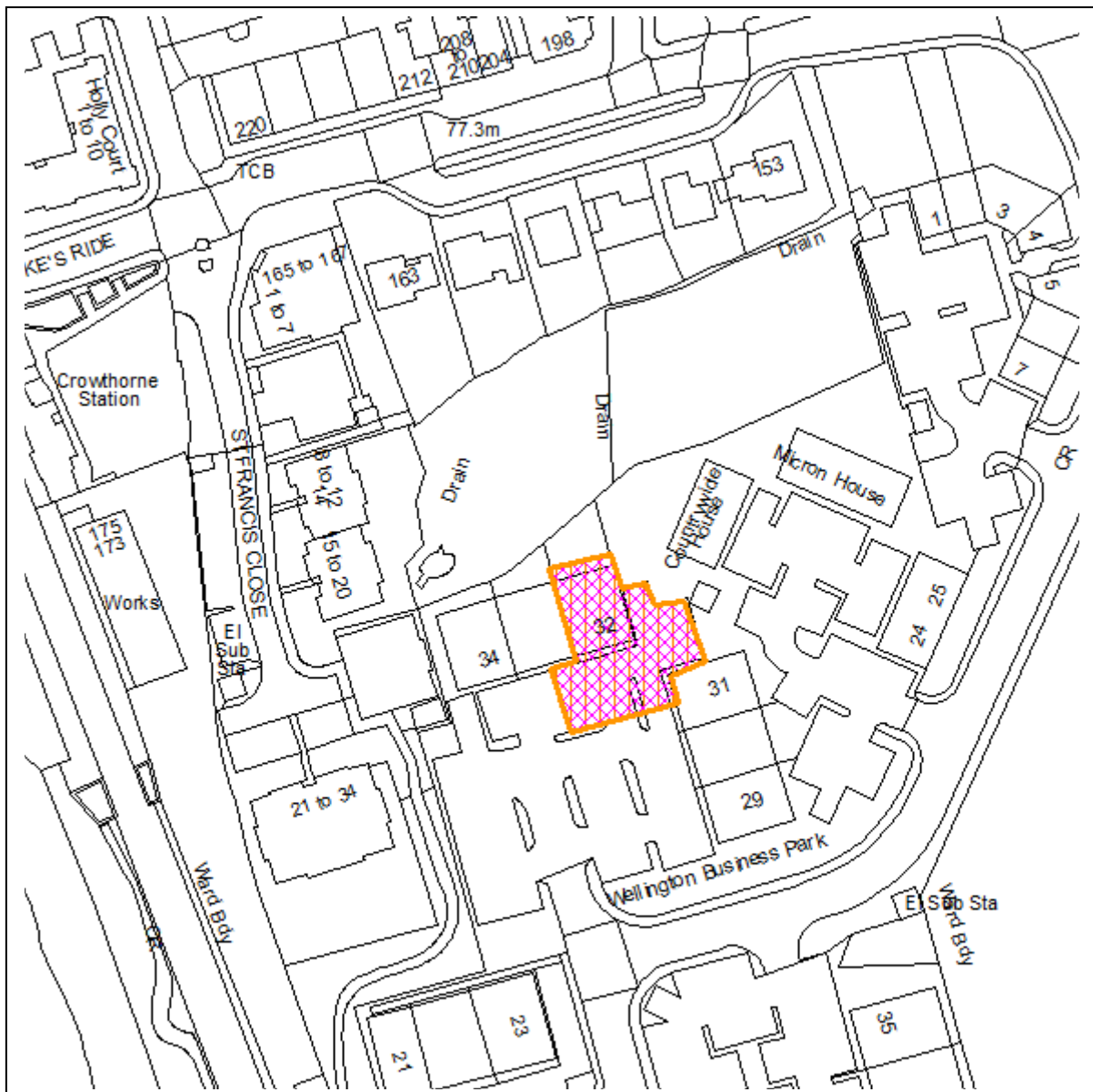
The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Unrestricted Report

ITEM NO: 11

Application No. 16/00735/PAC	Ward: Crowthorne	Date Registered: 21 July 2016	Target Decision Date: 15 September 2016
Site Address: 32 Wellington Business Park Dukes Ride Crowthorne Berkshire RG45 6LS			
Proposal: Prior approval change of use application from B1(a) offices to 8no. C3 dwellinghouses.			
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 8 no. 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 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

4.1 10/00622/FUL approved for change of use from office (Class B1) to chiropractic clinic (Class D1) in November 2010.

4.2 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 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.

4.3 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.

4.4 16/00509/PAC refused for prior approval change of use from offices (B1(a) to 6no. studio apartments and 6no. 1 bed apartments (C3) in June 2016 for the following reason:

1. The proposed development provides insufficient parking and would have an adverse effect on highways safety.

REASON: The proposed development would therefore be contrary to 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 March 2016).

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 8no. 1 bedroom flats; 4 at ground floor level and 4 at first floor level. Each flat would contain an open plan kitchen/lounge, bedroom and shower room.

5.3 This application is for 8no. 1 bedroom flats – this is a reduction of 8 units from that proposed and refused under application 16/00110/PAC (for 16no. units) and a reduction of 4 units from that proposed and refused under application 16/00509/PAC (for 12no. units).

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council:

6.1 Recommend refusal for the following reasons:

- Material harm to adjoining businesses;
- Highways report does not address disabled parking, visitor car parking, motor cycle storage, enclosed cycle storage as per SPD guidelines 2016;
- Impact on SPA due to change of use.

Other representations:

6.2 None received at time of printing report. Any representations will be reported in the supplementary report.

Officer note: The 21 days for the site notice expires on 17 August 2016. Any further comments received past the deadline of the Committee Report will be included on the Supplementary Report.

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

The site takes access 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.

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. This matter can be addressed via the addition of an informative given bin provision and collection are not considerations as part of the prior approval process.

Parking

The office is currently served by 9 parking spaces and these would remain to serve 8 no. one bed flats. The provision of 9 parking spaces complies with the Council's parking standards (2016) of 8 resident spaces plus one visitor space.

There is a public car park nearby providing free parking for up-to 2 hours and resident's visitors could use this, if required. Time-limited parking restrictions (8am and 6pm, Monday to Friday) are in operation along part of the road serving the Wellington Business Park to restrict over-spill parking from offices and the railway station.

The applicant's Transport Statement notes, *'in the immediate vicinity of the site, on Duke's Ride 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/cafés.*

These local facilities provide an opportunity for new residents to walk rather than use their car (all the time) and the railway station is well served.

14 cycle spaces are to be provided and this exceeds the Council's parking standards (2016). Cycle parking is shown on the Block Plan to the rear of the building and access to the cycle store appears to be tight. Parking is shown within the red line area.

Trips

The applicant's Transport Statement indicates that 8 flats could generate 17 two-way trips per day based on 2.12 trips per flat taken from surveys of privately-owned flats on the edge of town locations. Also, two movements are likely to occur in both morning and evening peak periods. While it may be argued that 8 flats could generate more like 32 trips per day, it must

be recognised that the current permitted office use could generate in the region of 44 trips per day and therefore this residential development will generate fewer movements.

It is therefore not considered that any adverse transport and highways impacts would result due to the development.

(b) Contamination risks on the site

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

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.

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.

The Council's Licensing Section 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.

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

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.

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.

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 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).

1. This decision is based on the following:-

- location plan received 21 July 2016 by the Local Planning Authority
- drawing no. ASB400-02A received 21 July 2016 by the Local Planning Authority
- drawing no. ASB400-03A received 21 July 2016 2016 by the Local Planning Authority
- Transport Statement by rgp received 21 July 2016 by the Local Planning Authority
- Stage 1 Desktop Study and Walkover Survey Report by Your Environment received 21 July 2016 by the Local Planning Authority
- Acoustic Report by ACA Acoustics Ltd received 21 July 2016 by the Local Planning Authority

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.

Informatives

1. It is a condition of the consent given by the General Permitted 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 (the Council) has given written approval under the Habitats Regulations 2010. This Prior Approval Notice does NOT constitute approval under the Habitats Regulations. The Council and Natural England are of the view that any residential development between 400 metres and 5 kilometres of the boundary of the Thames Basin Heaths Special Protection Area or residential development of 50 or more dwellings between 5 kilometres and 7 kilometres of such boundary cannot be approved under the Habitats Regulations unless a planning obligation is entered into under Section 106 of the Town & Country Planning Act 1990 to ensure that the development has no adverse impact upon the Special Protection Area. Your development falls within one of the two types of development referred to in the heading above.

2. Any external alterations proposed would require the submission of a full planning application.

3. The applicant will need to investigate bin collection arrangements for the proposed residential use.

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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