

NOTICE OF MEETING

Planning Committee

Thursday 13 October 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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If you require further information, please contact: Hannah Stevenson
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Email: hannah.stevenson@bracknell-forest.gov.uk
Published: 4 October 2016



Planning Committee
Thursday 13 October 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 15 September 2016.

5 - 14

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 16/00321/FUL 9 Albert Road, Bracknell, Berkshire RG42 2AG

Erection of 6no. flats with associated parking and bin and cycle store, following demolition of existing dwelling.

21 - 34

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|-----|--|-----------|
| 6. | PS 16/00331/FUL 69 - 77 Church Street, Crowthorne, Berkshire RG45 7AW | |
| | Erection of 2 no 4 bed, 5 no 3 bed and 2 no 2 bed dwellings with associated access and parking. | 35 - 54 |
| 7. | PS 16/00737/3 Heathlands Home For The Aged, Crossfell, Bracknell, Berkshire RG12 7RX | |
| | Change of use from care home (C2) to a house in multiple occupation (Sui Generis) up to 22 bedrooms for a temporary period of 3 years. | 55 - 62 |
| 8. | 16/00374/FUL Binfield House Nursery, Terrace Road, North Binfield, Bracknell, Berkshire | |
| | Section 73 application for the variation of condition 02 (approved plans) of planning permission 13/00966/FUL for the erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings, and alterations to wall within the curtilage of a listed building. [Note for clarification: this application seeks a minor material amendment to the approved scheme including changes to fenestration, the introduction of chimneys, amendments to garage roof structures and brick detailing, adjustments to the siting of a number of plots to provide more space for parking and removal of the link element between plots 19/21 and 22/24]. | 63 - 80 |
| 9. | 16/00395/FUL Palm Hills, Guest House, Palm Hills Estate, London Road, Bracknell, Berkshire RG12 9FR | |
| | Change of use of part of building from C1 (Guesthouse) and C3 (Residential dwelling) to C3 (Residential) to create a six bedroom dwelling. | 81 - 90 |
| 10. | 16/00396/FUL Palm Hills Guest House, Palm Hills Estate, London Road, Bracknell, Berkshire RG12 9FR | |
| | Temporary change of use of 2no. existing outbuildings to B1(a) office space and change of use of 1no. outbuilding to D2 childrens indoor recreational use (personal permission). | 91 - 100 |
| 11. | 16/00518/FUL The Gold Cup, 102 Fernbank Road, Ascot, Berkshire SL5 8JN | |
| | Section 73 application to vary condition 2 for the replacement of the approved drawing numbers with revisions which incorporate conservatories to plots 3 & 5 and room-in-roof accommodation to plot 4 of Planning Permission 15/01041/FUL. | 101 - 116 |
| 12. | 16/00656/FUL Woodcote, Chavey Down Road, Winkfield Row, Bracknell, Berkshire RG42 7NY | |
| | Erection of part ground floor part first floor extension to the front and rear forming a one and half storey extension with alterations to existing | 117 - 126 |

dwelling.

13. **16/00722/FUL Firdis, Jigs Lane, South Warfield, Bracknell, Berkshire RG42 3DP**

Erection of first floor side extension, loft conversion including the installation of three rooflights to the front roof slope and two rooflights to the rear roof slope and erection of single storey outbuilding to rear garden.

127 - 136
14. **16/00874/PAC Richmond House, 281 High Street, Crowthorne, Berkshire RG45 7AH**

Prior Approval for the change of use from office building (B1(a)) to 2no. dwellinghouses (C3).

137 - 142

**PLANNING COMMITTEE
15 SEPTEMBER 2016
7.30 - 8.55 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Finnie, Ms Gaw, Mrs Hayes MBE, Heydon, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Thompson and Worrall

Also Present:

Councillors Turrell

Apologies for absence were received from:

Councillors Angell, Mrs Angell, D Birch and Hill

46. Minutes

RESOLVED that the minutes from the meeting held on 18 August 2016 be approved as a correct record and signed by the Chairman.

47. Declarations of Interest

There were no declarations of interest.

48. Urgent Items of Business

There were no urgent items of business.

49. Application 15/01035/FUL Amber House, Market Street, Bracknell, Berkshire

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- 1 letter of objection as summarised in the agenda paper.

That following the completion of planning obligations under S106 of the Town and Country Planning Act 1990 relating to:-

01. provision of affordable housing
02. mitigation of impacts on the Thames Basin Heaths SPA;
03. provision of a Travel Plan;
04. the adoption of controlled parking spaces to serve the commercial units and the lay-by on Market Street are adopted to enable parking restrictions to be enforced; and
05. provision of a waste management plan

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:-

In the event of the S.106 agreement not being completed by 31 October 2016, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of;

01. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policy CS16 of the Core Strategy Development Plan Document and to the Planning Obligations SPD (2015).
02. The development hereby permitted shall be carried out only in accordance with the following approved plans:-
 - 13.111.001
 - 13.111.100 Rev H
 - 13.111.101 Rev E
 - 13.111.102 Rev E
 - 13.111.103 Rev E
 - 13.111.104 Rev E
 - 13.111.105 Rev E
 - 13.111.106 Rev E
 - 13.111.107 Rev E
 - 13.111.108 Rev E
 - 13.111.109 Rev E
 - 13.111.110 Rev E
 - 13.111.120 Rev E
 - 13.111.121 Rev E
 - 13.111.122 Rev E
 - 13.111.123 Rev E
 - Flood Risk Assessment and Surface Water Drainage Strategy 132423-R2(1)-FRA (October 2015)
 - 13.111.123 Rev E
 - 1427/001 Rev FREASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure . In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority, and which secure a travel plan and ensure that the controlled parking spaces to serve the commercial units and the layby on Market Street are adopted to enable parking restrictions to be enforced., the proposal is contrary to Policy M4 of the Bracknell Forest Borough Local Plan CS24 of the Core Strategy Development Plan Document and to the Planning Obligations SPD, adopted February 2015.
04. The proposed development does not make adequate provision for the management of collection of on-site refuse to ensure that satisfactory waste collection can take place from the site in the interests of the amenities of future residents and the area and road safety.
05. No development above ground level shall take place until comprehensive details of both hard and soft landscaping works to include landscaping of the proposed bin collection area on the southern boundary of the site have been

submitted to and approved in writing by the Local Planning Authority. These details shall include: -

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

b) Details of semi mature tree planting.

c) Comprehensive 5 year post planting maintenance schedule.

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

e) Means of enclosure (walls and fences etc

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

g) Recycling/refuse or other storage units, play equipment

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

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

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

06. No residential or commercial unit shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

07. No residential or commercial unit shall be occupied until a means of access for pedestrians and cyclists 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 cyclists and/or pedestrians.

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

08. No residential or commercial unit shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the

Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.

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

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

09. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
10. 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.
11. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
(i) specifications of control of noise arrangements for construction and demolition
(ii) methodology of controlling dust, smell and other effluvia
(iii) site security arrangements including hoardings
(iv) proposed method of piling for foundations
(v) construction and demolition methodology
(vi) noise monitoring for the demolition and construction
(vii) construction and demolition working hours
(viii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site
The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of the amenities of the area.
[Relevant Policies: BFBLP EN25]
12. Deliveries to commercial units shall take place only between the hours of 07:00 and 18:00 Monday to Saturday and 09:00 and 17:00 on Sundays and Public Holidays.
REASON: In the interests of the occupiers of nearby residential premises.
[Relevant Policies: BFBLP EN25]

13. The development hereby permitted shall not be begun until details of any refrigeration plant systems to be installed have been submitted to and approved in writing by the Local Planning Authority. The noise level shall not cause the existing background level (as at the date of this permission) to increase whilst in operation. Any new refrigeration plant shall be installed and operated in accordance with the approved scheme.
REASON: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.
[Relevant Policies: BFBLP EN25]
14. The development hereby permitted shall not be begun until details of any air ventilation systems to be installed have been submitted to and approved in writing by the planning authority. The noise level shall not cause the existing background level (as at the date of this permission) to increase whilst in operation. Any new air ventilation system shall be installed and operated in accordance with the approved scheme.
REASON: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.
[Relevant Policies: BFBLP EN25]
15. 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 has been submitted to and approved by the Local Planning Authority. Any site clearance during this period shall be undertaken in compliance with the approved scheme.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3]
16. 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 mature conservation.
[Relevant Plans and Policies: CSDPD CS1, CS7]
17. The development hereby permitted shall be implemented in accordance with the submitted Sustainability and Energy Statement (SEES Planning Report) and shall be retained in accordance therewith.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10, CS12]
18. The development hereby permitted shall not be commenced until details for the design of the sustainable drainage scheme in accordance with the approved drainage strategy have been submitted to and approved in writing by the Local Planning Authority.
Those details shall include:
- a) how the design meets the Defra Non-Statutory Technical Standards and the Lead Local Flood Authority's Local Flood Risk Management Strategy
 - b) how the design meets National and Local planning policies and guidance.
 - c) any works required on-site to prevent flooding and pollution of the receiving groundwater and/or surface waters.
 - d) any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include

refurbishment of existing culverts and headwalls or removal of unused culverts and headwalls where relevant).

The approved scheme shall be implemented before the first occupation of any unit (residential or commercial) hereby approved.

REASON: To prevent the increased risk of flooding

[Relevant Policies: CSDPD CS1, BFBLP EN25]

19. The development hereby permitted shall not commence until a management plan containing details of the maintenance and operation of the sustainable drainage scheme for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include:-

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

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

REASON: To ensure the maintenance and operation of the sustainable drainage scheme for the lifetime of the development

[Relevant Policies: CSDPD CS1, BFBLP EN25]

20. The development hereby permitted shall not be begun until:-
- (a) details of the management of the car parking area to include details of allocated and unallocated parking spaces for the residential units and parking spaces for the commercial units;
 - (b) details of the signing for the car parking areas; and
 - (c) details of how 20% (1 in 5) of all spaces will be designed and constructed to be readily adaptable to provide charging points.

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

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]

21. The development hereby permitted shall not be begun until details of on-site refuse storage for waste material awaiting disposal including details of any screening and details of bin collection points have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: To ensure the provision of satisfactory waste collection facilities in the interests of amenity.

50. **Application 16/00395/FUL Palm Hills Guest House, Palm Hills Estate, London Road, Bracknell, Berkshire**

This item was withdrawn from the Agenda.

51. **Application 16/00396/FUL Palm Hills Guest House, Palm Hills Estate, London Road, Bracknell, Berkshire**

This item was withdrawn from the Agenda.

52. **Application 16/00451/FUL 28 Cressex Close, Binfield, Bracknell, Berkshire**

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.

RESOLVED that the application be **REFUSED** for the following reasons:-

01. By reason of its design, bulk and massing the proposed development would be unduly prominent and would appear out of keeping in the street scene, to the detriment of the character and visual amenities of the area. The proposed development would therefore be contrary to Policy CS7 of the Core Strategy Development Plan Document, 'Saved' Policy EN20 of Bracknell Forest Borough Local Plan, Policy BF1 of the Binfield Neighbourhood Plan, the Character Area Assessments SPD, and the National Planning Policy Framework.
02. The proposed development by reason of its siting and massing would result in an unacceptable loss of light, and be unduly overbearing to the detriment of the living conditions of the occupants of No.29 Cressex Close to the north. The proposed development would therefore be contrary to 'Saved' Policy EN20 of the Bracknell Forest Borough Local Plan, Policy BF1 of the Binfield Neighbourhood Plan, and the National Planning Policy Framework.

53. **Application 16/00572/FUL 27 Birkbeck Place, Owlsmoor, Sandhurst, Berkshire**

The Committee noted:

- The comments of Sandhurst Town Council objecting to the proposal.

Members debated the application and raised concerns about the projection, height and position of the proposed front extension close to the eastern boundary with 25 Birbeck Place where it would be clearly visible to the occupiers of that property, resulting in an unneighbourly form of development. In addition nos. 25 and 27 Birbeck Place are set further back than no. 23 Birbeck Place and the front extension would be prominent and incongruous in the streetscene and detrimental to both the visual amenity and character of the area.

RESOLVED that the application to be **REFUSED** for the following reasons:-

01. The proposed single storey front extension by reason of its design, massing and close proximity to the eastern boundary would result in an unneighbourly form of development to the detriment of the amenities of the occupiers of 25 Birbeck Place. The development is therefore contrary to 'saved' Policy EN20 of the Bracknell Forest Borough Local Plan, Policy CS7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.
02. The proposed single storey front extension by reason of its design, massing and siting would result in an incongruous feature in the streetscene, to the detriment of the visual amenities and character of the area. The development is therefore contrary to 'saved' Policy EN20 of the Bracknell Forest Borough

54. **Application 16/00647/FUL Hurst Lea, Tilehurst Lane, Binfield, Bracknell, Berkshire**

The Committee noted:

- The comments of Binfield Parish Council objecting to the proposal.
- The 3 letters of objections as summarised in the agenda papers.

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

01. The development hereby permitted shall be carried out only in accordance with the following approved plans/details received on 17 June 2016 by the Local Planning Authority:
drawing no. 1760/10 Rev C
drawing no. 1760/11 Rev E
drawing no. 1760/12 Rev B
drawing no. 1760/13 Rev D
Materials: Brick: Bromely Red multi, Code 13 and Tile: Natural slate tiles
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
02. 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 east and west elevations of the building hereby permitted except for any which may be shown on the approved drawings.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
03. Within one month of the date of this permission, the windows in the east and west elevations at first floor level and above of the building hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). The sash windows shall be fixed shut within one month of the date of this permission and thereafter shall remain fixed shut at all times.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no fences, gates, walls, hedges or other means of enclosure as permitted by Class A of Part 2 of the Second schedule of the 2015 Order, other than those indicated on the approved drawings, shall be erected or planted on the site. The boundary treatments as approved shall be retained as such thereafter without any alteration and any replacement boundary treatments shall match those which they replace.
REASON: To retain the open character of the development in the interests of visual amenity.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

05. Prior to the occupation of the dwelling, the associated vehicle parking and turning space shall be surfaced 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]
06. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
07. The covered and secure cycle parking facilities shall be provided in accordance with the details that were submitted and approved under discharge of condition application 15/00042/COND. The dwelling shall not be occupied until the approved scheme has been implemented. The facilities shall thereafter be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
08. The requirements of the Sustainability Statement shall be carried out in accordance with the details submitted and approved under discharge of condition application 15/00042/COND. The requirements shall be retained in accordance therewith.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]
09. The scheme for the provision of bird and bat boxes (and other biodiversity enhancements shall be implemented in accordance with the details that were submitted and approved under discharge of condition application 15/00042/COND. The approved scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

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
13th October 2016**

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

		Case Officer	Reporting Officer
5	16/00321/FUL 9 Albert Road Bracknell Berkshire (Priestwood And Garth Ward) Erection of 6no. flats with associated parking and bin and cycle store, following demolition of existing dwelling. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Paul Corbett	Basia Polnik
6	16/00331/FUL 69 - 77 Church Street Crowthorne Berkshire (Crowthorne Ward) Erection of 2 no 4 bed, 5 no 3 bed and 2 no 2 bed dwellings with associated access and parking. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Katie Walker	Basia Polnik
7	16/00737/3 Heathlands Home For The Aged Crossfell Bracknell (Wildridings And Central Ward) Change of use from care home (C2) to a house in multiple occupation (Sui Generis) for up to 22 bedrooms for a temporary period of 3 years. Recommendation: Approve.	Katie Walker	Basia Polnik
8	16/00374/FUL Binfield House Nursery Terrace Road North Binfield (Binfield With Warfield Ward) Section 73 application for the variation of condition 02 (approved plans) of planning permission 13/00966/FUL for the erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and	Sarah Fryer	Martin Bourne

vehicular access from Knox Green following demolition of existing buildings, and alterations to wall within the curtilage of a listed building. [Note for clarification: this application seeks a minor material amendment to the approved scheme including changes to fenestration, the introduction of chimneys, amendments to garage roof structures and brick detailing, adjustments to the siting of a number of plots to provide more space for parking and removal of the link element between plots 19/21 and 22/24]. Recommendation: Approve.

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| 9 | 16/00395/FUL
Palm Hills Guest House Palm Hills Estate
London Road
(Ascot Ward)
Change of use of part of building from C1 (Guesthouse) and C3 (Residential dwelling) to C3 (Residential) to create six bedroom dwelling.
Recommendation: Approve. | Sarah Horwood | Basia Polnik |
| 10 | 16/00396/FUL
Palm Hills Guest House Palm Hills Estate
London Road
(Ascot Ward)
Temporary change of use of 2no. existing outbuildings to B1(a) office space and change of use of 1no. outbuilding to D2 childrens indoor recreational use (personal permission).
Recommendation: Approve. | Sarah Horwood | Basia Polnik |
| 11 | 16/00518/FUL
The Gold Cup 102 Fernbank Road Ascot
(Ascot Ward)
Section 73 application to vary condition 2 for the replacement of the approved drawing numbers with revisions which incorporate conservatories to plots 3 & 5 and room-in-roof accommodation to plot 4 of Planning Permission 15/01041/FUL.
Recommendation: | Sarah Horwood | Basia Polnik |
| 12 | 16/00656/FUL
Woodcote Chavey Down Road Winkfield Row
(Winkfield And Cranbourne Ward)
Erection of part ground floor part first floor extension to the front and rear forming a one and half storey extension with alterations to existing dwelling.
Recommendation: Approve. | Shannon
Kimber | Basia Polnik |
| 13 | 16/00722/FUL
Firdis Jigs Lane South Warfield
(Warfield Harvest Ride Ward)
Erection of first floor side extension, loft | Shannon
Kimber | Basia Polnik |

conversion including the installation of three rooflights to the front roof slope and two rooflights to the rear roof slope and erection of single storey outbuilding to rear garden.

Recommendation: Approve.

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| 14 | 16/00874/PAC
Richmond House 281 High Street Crowthorne
(Crowthorne Ward)
Prior Approval for the change of use from office
building (B1(a)) to 2no. dwellinghouses (C3).
Recommendation: | Sarah
Horwood | Basia Polnik |
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Background Papers

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

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

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

SPG Supplementary Planning Guidance
SPD Supplementary Planning Document

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

NPPF National Planning Policy Framework (Published by DCLG)
NPPG National Planning Policy Guidance (Published by DCLG)
PPS (No.) Planning Policy Statement (Published by DCLG)
MPG Minerals Planning Guidance
DCLG Department for Communities and Local Government

SITE LOCATION PLAN

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

THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 (“the HRA”) makes it unlawful for a public authority to act in a way that is incompatible with the rights set out in the European Convention of Human Rights.

Those rights include:-

Article 8 – “Everyone has the right to respect for his private and family life, his home.....”

Article 1 - First Protocol “Every natural or legal person is entitled to the peaceful enjoyment of his possessions”.

In some circumstances a local authority may be under an obligation to take positive action to protect an individuals interests under Article 8.

The relevant Convention Rights are not absolute. A Council may take action even though it interferes with private and family life, home and enjoyment of possessions, if it is for a legitimate purpose, necessary and proportionate. In effect a balancing exercise has to be conducted between the interests of the individual and the wider public interest.

Such a test very largely replicates the balancing exercise which the Council conducts under domestic planning legislation.

The provisions of the Human Rights Act 1998 have been taken into account in the preparation of the reports contained in this agenda.

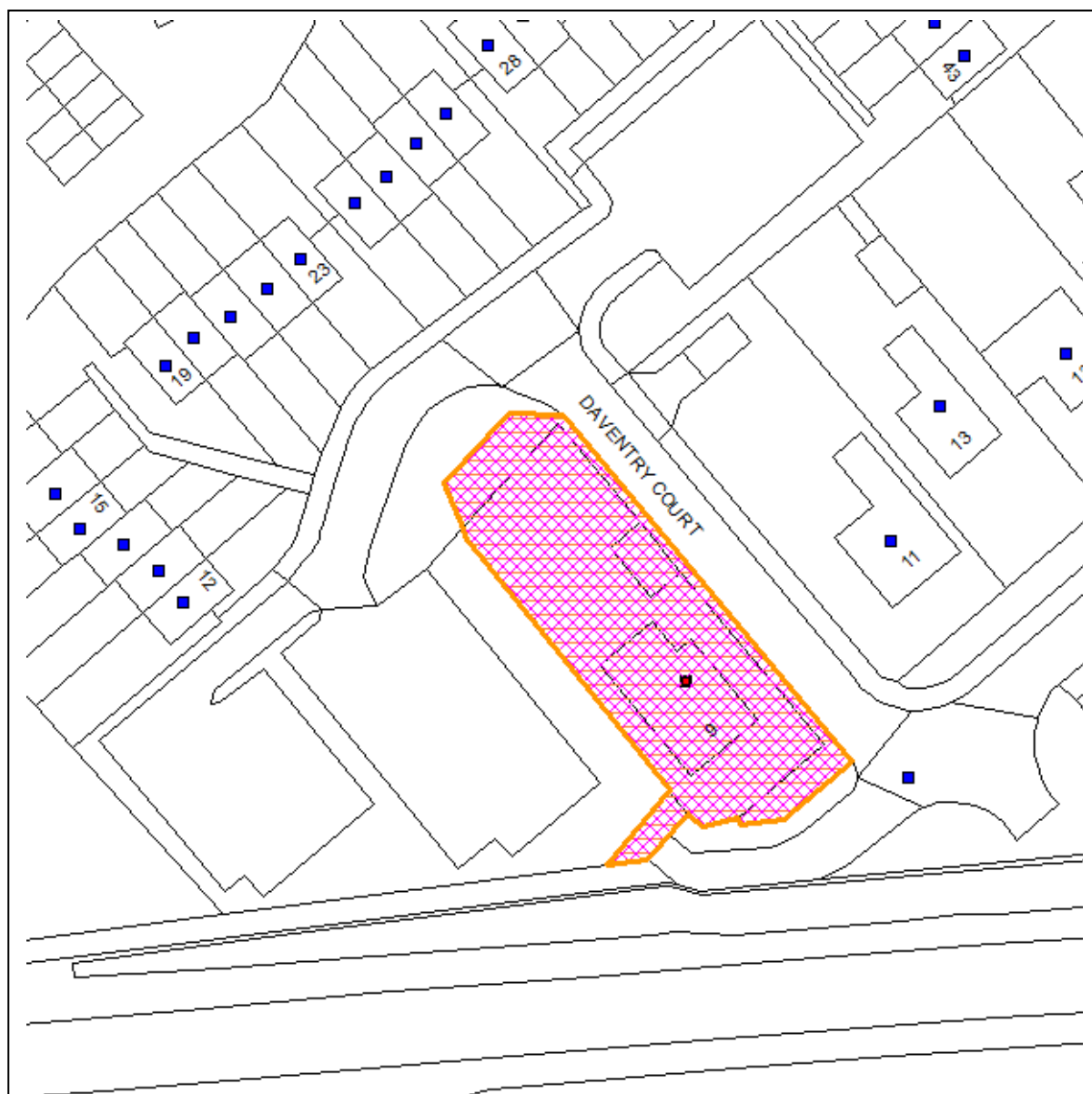
The Human Rights Act will not be specifically referred to elsewhere [in the Agenda] beyond this general statement, unless there are exceptional circumstances which require a more

detailed consideration of any Convention Rights affected.

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ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
16/00321/FUL	Priestwood And Garth	14 April 2016	9 June 2016
Site Address:	9 Albert Road Bracknell Berkshire RG42 2AG		
Proposal:	Erection of 6no. flats with associated parking and bin and cycle store, following demolition of existing dwelling.		
Applicant:	Bancroft Developments Ltd		
Agent:	Rob Huntley		
Case Officer:	Paul Corbett, 01344 352000		
	development.control@bracknell-forest.gov.uk		

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



1. SUMMARY

1.1 The proposed development is for the erection of 6no. flats (4x2 beds and 2x1beds) with associated parking and bin and cycle store, following demolition of existing dwelling.

1.2 The site is within the settlement boundary and adjacent to the town centre. It is not considered it would adversely affect the residential amenities of neighbouring properties or character and appearance of the surrounding area. No adverse highway safety implications would result. The development is not considered to increase flooding elsewhere and the future occupants of the development would be safe from flood risk. Relevant conditions will be imposed in relation to biodiversity and sustainability. The scheme is CIL liable.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Within 5km of the SPA

3.1 The site comprises a detached bungalow located on the corner of Albert Road and Daventry Court. There is a single detached garage to the rear of the dwelling abutting the boundary with Daventry Court. The site is enclosed by a 1.8m high close boarded timber fence and low level wrought iron gates at the vehicular access.

3.2 Albert Road is characterised by a mix of styles of dwellings primarily comprising large detached houses fronting Albert Road with the exception of two bungalows of which this site is one.

3.3 The block of flats will broadly follow the established building line fronting Albert Road.

4. RELEVANT PLANNING HISTORY

4.1 The site does not have any relevant planning history

5. THE PROPOSAL

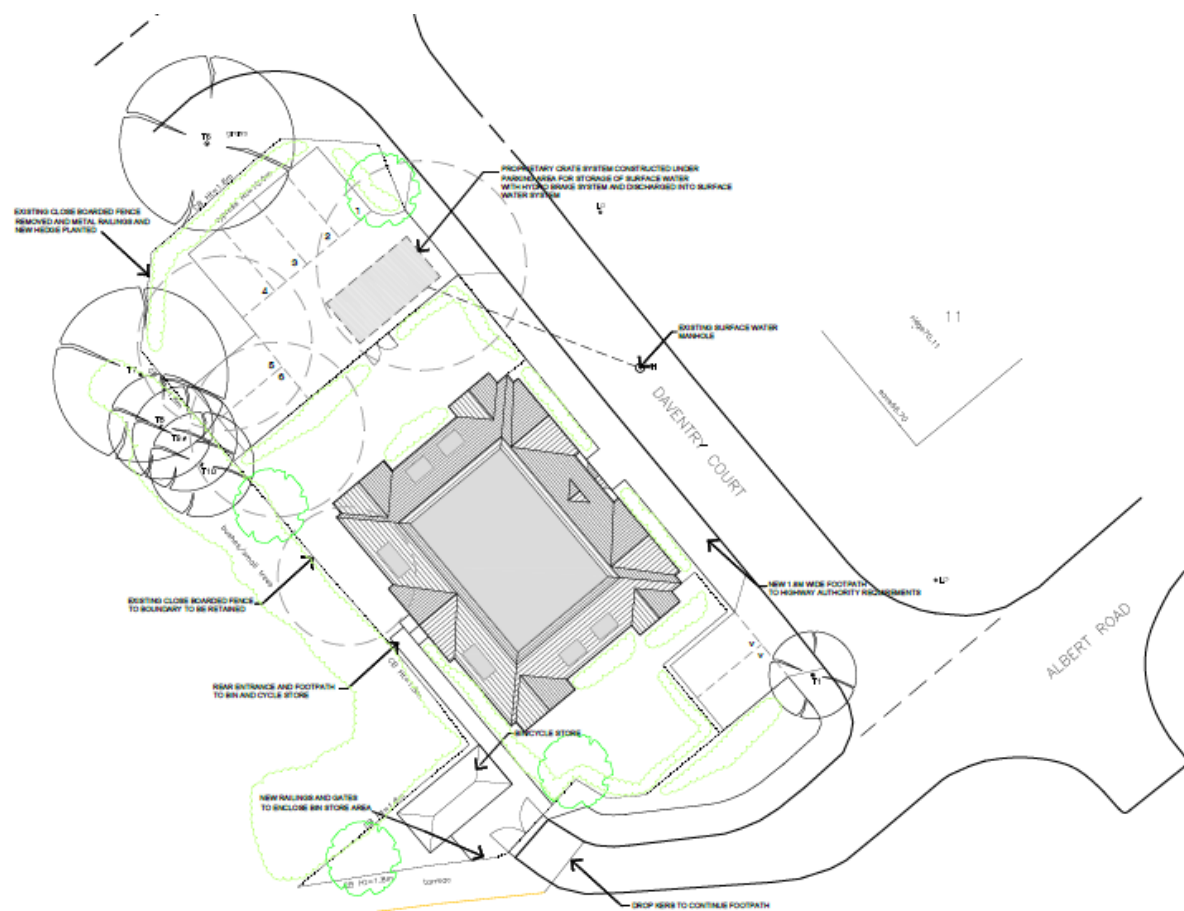
5.1 Full permission is sought for the demolition of the existing bungalow and single garage and the erection of 6no. flats (4x2 beds and 2x1beds) over 3 floors utilising the roofspace

5.2 The design of the proposed block of flats includes gable features, dormer windows, communal amenity space, bin and cycle storage and onsite parking enclosed in part by timber fencing and railings with a hedge behind.

5.3 The proposed footprint measures approximately 18m by 14m with a ridge height of 9.3m and an eaves height of 5.3m.

5.4 6 no. parking spaces are proposed to the north of the flats within a parking court accessed off Daventry Court with a further 2 no. car parking spaces for visitors located to the south of the site.

5.5 The scheme has been amended during the course of the application to address issues with regards to design and highways related matters.



6. REPRESENTATIONS RECEIVED

Parish Council

6.1 Winkfield Parish Council objected to the application on the following grounds:

The proposed development will increase traffic to an already congested area this in turn could cause safety issues especially with the access and egress into some of the parking spaces. This area has a heavy pedestrian use. The building is out of keeping with the character of the local area and will be overbearing to adjacent residents.

Other Letters of Representation

6.2 Nineteen objections have been received and their concerns are summarised as follows:

- Overdevelopment
- Insufficient parking provided
- Increase in vehicular traffic
- Overlooking to properties and loss of privacy.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 The following consultees have provided advice on the application, summarised below and within the report:

Biodiversity Officer:

7.2 Conditions recommended.

Transportation Officer:

7.3 See officer report.

SUDs:

7.4 Condition recommended.

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 and CS2 of CSDPD	Consistent
Housing	CS15 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
SPA	SEP Retained Policy NRM6, Saved Policy EN3 of CSDPD and Policy CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1 and EN2 of BFBLP, CS1 of CSDPD.	Consistent
Waste	CSDPD CS13	Consistent
Noise and pollution	Saved policy EN25 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Character Area Assessments (SPD)		
Parking standards (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 Transport implications
- v Waste
- vi SPA
- vii Sustainability
- viii Trees and biodiversity
- ix Community Infrastructure Levy

i. PRINCIPLE OF DEVELOPMENT

9.2 This proposal comprises the redevelopment of an existing residential plot located within a defined settlement as designated by the Bracknell Forest Borough Policies Map and is a previously developed site. The proposal would provide a net increase of five residential units, contributing to the supply of housing within the Borough. Therefore, the principle of development on this site is acceptable.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.3 It is considered that the revised site layout plan demonstrates that the proposed development can be accommodated on this site taking into account the balance between communal amenity space, the buildings scale and siting relative to the adjoining properties and other site constraints, parking and turning provision and soft landscaping.

9.4 The scale of development proposed is what would be expected in terms of any redevelopment of such a site on the edge of the town centre.

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

iii. IMPACT ON RESIDENTIAL AMENITY

9.6 The proposed block of flats would create a different form of accommodation in an area which primarily comprises houses however this particular site is effectively an island site surrounded by roads and a car park but is also immediately adjacent to the town centre where densities and heights are generally accepted to increase.

9.7 It is also acknowledged that this proposal will result in significant increase in height relative to the existing bungalow on the site by approximately 2.7m but given the sites more isolated geographical location within the street and a separation distance of 15m to the nearest existing dwelling namely 11 Albert Road the height difference is considered acceptable.

9.8 It is acknowledged that the dwelling most affected by this development proposal is a bungalow immediately adjacent on the opposite side of the road namely no. 11 Albert Road. This property has a Horse Chestnut tree on its boundary with Daventry Court which notably has a Tree Preservation Order on it (TPO 698) so is therefore likely to remain in situ for many years. The canopy of this tree is likely to provide a degree of screening between the development and

no.11's rear garden however this would not be the case in the winter. No.11's private amenity space would be overlooked in part by a number of proposed living room windows at first floor level on its eastern elevation. Whilst it is acknowledged that the separation distance does equate to an approximate maximum distance of 19m between the relevant building elevations the lesser distance 15m is more applicable and it is still considered this would result in a degree of direct overlooking that would be harmful and thus warrant a refusal. However it is considered given these first floor windows are secondary to the rooms they serve, that it would be reasonable to recommend these eastern elevation first floor windows are obscure glazed to overcome the harm arising. The applicant has been advised of this.

9.9 It is not considered that this proposal in terms of its scale, orientation or location would result in any adverse impacts upon any other existing properties amenities within the immediate vicinity that would warrant a refusal other than that already identified.

9.10 Outdoor communal amenity space would be provided for its future occupants primarily to the north and south of the proposed building with respective approximate depths of 8m and 6m which is considered sufficient for a development of this size.

9.11 The proposal also makes provision for 8 car parking spaces that are primarily located to the far northern part of the site and some to the south with sufficient separation distance so as not to adversely impact upon the future occupants amenities.

9.12 The bin and cycle stores are also suitably located close to the highway but also within close proximity of the accommodation to facilitate ease of use for future occupants.

9.13 It is also acknowledged that given the scale of the development there is the potential for noise and disturbance to neighbouring properties during the construction and demolition phase of the development. To mitigate these impacts, conditions are recommended to require a site organisation plan, and to restrict the hours of demolition and construction.

9.14 As such, the proposal is not considered to have an unacceptable impact on the residential amenities of neighbouring properties and the residential amenities of the future occupiers of the proposed flats would be acceptable subject to appropriate conditions. The proposal would therefore be in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

iv. TRANSPORT IMPLICATIONS

9.15 A total of 8 car parking spaces are proposed for 4 no. 2 bed apartments and 2 no. 1 bed apartments, a ratio of 1:5 spaces for each of the 2-bed apartments and provision of one space for each of the one-bed apartments.

9.16 The Council's parking standards outside of Bracknell Town Centre would require a total of 11 spaces, including one visitor space. However, the site is on edge of the Town Centre which applies different parking standards of 0.9 spaces per residential unit which would result in a requirement for 6 spaces (5.4 spaces). Thus the provision of 8 spaces for residents is considered acceptable in line with the parking standards and taking into consideration the site's accessibility to Bracknell Town Centre.

9.17 Parking restrictions (single yellow lines) are in operation, 8am to 6.30pm, Monday to Saturday to restrict commuter parking and school/college parking. Also, a residents parking scheme is currently in operation in the local area, between 8am and 8pm, Monday to Saturday and from 10am to 4pm on Sundays. Any driver wishing to park on the public highway within this resident parking zone will need to display a valid permit during these hours of operation.

9.18 The proposed car parking spaces are each 2.4m wide by 4.8m deep and therefore comply with the size requirements of the Parking Standards SPD. Sufficient access/manoeuvring space is provided to the front of the parking spaces to enable vehicles to turn on plot and exit onto Daventry Court in a forward gear.

9.19 Acceptable shared pedestrian access is proposed to access the front doors of the dwellings along with appropriate access to the rear of the dwellings for bin and cycle storage.

9.20 Subject to the imposition of conditions, the proposal is considered to be in accordance with Policy CS23 of the CSDPD and 'Saved' Policy M9 of the BFBLP and the NPPF and would not result in highway implications.

v. WASTE

9.21 This proposal will benefit from the existing waste collection arrangements in place for Albert Road and Daventry Court and the scheme has been revised such that the bin store is better located to the south to minimise obstructing vehicular access and ease collection as well as ensuring the bin store is also easily accessible by residents. This proposal is therefore considered to comply with Policy CS13 of CSDPD.

vi. SPA

9.22 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 0.7 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.23 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.

9.24 In this instance, the development would result in a net increase of 2 X one bedroom, 4 X two bedroom dwellings replacing a single 3 bedroom dwelling which results in a total SANG contribution of £6,675.

9.25 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £2,191.

9.26 The total SPA related financial contribution for this proposal is £8,866. The applicant must 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.

vii. SUSTAINABILITY

9.27 CS Policy CS10 seeks to ensure the best use is made of natural resources, and CS12 requires 20% of energy requirements for 6 or more dwellings to be generated from on-site renewables. This is in line with paragraph 97 of the NPPF, which seeks to promote energy from renewable and low carbon sources. A condition will secure the submission of a sustainability statement to demonstrate that the proposals can meet these requirements.

9.28 The proposal would be accessed from both Albert Road and Daventry Court. As the proposal does not involve the creation of new roads, and as the proposal would introduce gardens on to a current area of hardstanding, the Lead Local Flood Authority advises that it is not necessary for the proposal to be subject to a S106 obligation regarding SuDS. A condition will therefore be included to ensure that the development will be SuDS compliant, in line with the NPPF and CSDPD Policy CS1.

9.29 Subject to these conditions, the application is acceptable with regards to CSDPD Policies CS10, CS12 and the provisions of the NPPF.

viii. TREES AND BIODIVERSITY

9.30 There are no trees worthy of retention on the site.

9.31 With regards to biodiversity, the applicant's ecologist's letter dated 16 March by AAe concludes that there is no evidence of protected species on the site but does make recommendations for protection and enhancement of biodiversity. In particular, any site clearance could impact on nesting birds so a standard condition is therefore recommended. A further condition is also imposed to secure biodiversity enhancements.

9.32 Subject to the recommended conditions, the proposal is considered to comply with CSDPD Policies CS1 and CS7, BFBLP Policies EN2 and EN20, and the NPPF.

ix. COMMUNITY INFRASTRUCTURE LEVY (CIL)

9.33 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.

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

9.35 In this case, the proposal would be CIL liable as it comprises the creation of 6 new flats. The flats fall within the Outer Bracknell charging area. A CIL liability notice will be issued accordingly.

10. CONCLUSIONS

10.1 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 subject to appropriate conditions and would not adversely impact upon the character and appearance of the surrounding area. No adverse highway safety implications will arise subject to the imposition of conditions. Relevant conditions will be imposed in relation to detailed design, biodiversity, sustainability and landscaping. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable. The proposal is therefore considered to be in accordance with 'Saved' Policies EN20 and M9 of the BFBLP, CS1, CS2, CS7 and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

11. RECOMMENDATION

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

01. 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 condition(s) 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 received by the Local Planning Authority on 22.09.16:

02 Rev D - Proposed Floor Plans & Bin store

03 Rev C - Proposed Elevations

04 Rev C - Site Layout & Location Plan

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

03. No development shall take place until samples of the materials to include brick sample panel, roof tiles, windows, doors, boundary enclosures and other hard surfaces to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

[Relevant Policies: BFBLP Saved Policy EN20, CSDPD CS7]

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

REASON: In the interests of the neighbours amenity and the character of the area.

[Relevant Policies: BFBLP Saved Policy EN20, CSDPD CS7]

05. The development hereby permitted shall not be occupied until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in

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

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]

06. 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.

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

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

07. No demolition or construction work shall take place outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policies: BFBLP EN25]

08. During the construction phase, no deliveries shall be taken at or dispatched from the site outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

REASON: In the interests of the amenities of the occupiers of nearby residential premises.

[Relevant Policies: BFBLP EN25]

09. No accommodation shall be occupied until the existing access serving the bungalow off Albert Road has been closed and a footway is provided over the closed access in accordance with details to be submitted to and approved in writing by the Local Planning Authority; the footway shall be retained thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

10. No accommodation shall be occupied until means of vehicular access from Daventry Court has been constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

11. No accommodation shall be occupied until a means of access for pedestrians and cyclists has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
[Relevant Policies: BEBLP M6, Core Strategy DPD CS23]
12. No accommodation shall be occupied until the associated vehicle parking and turning spaces has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
13. No accommodation shall be occupied until the area shown for parking on the approved plan has been drained and surfaced in accordance with details to be submitted to and approved by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking of vehicles.
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]
14. The development hereby approved shall not be occupied until the approved secure cycle parking facilities has been implemented. The facilities shall thereafter be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
15. No gates shall be provided at the vehicular access to the site.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
16. 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.
17. 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]

18. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 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]
19. 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 for the lifetime of the development.
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]
20. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]
21. The development 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 first floor windows on the eastern elevation facing no. 11 Albert Road of the development hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). The openable part(s) shall at all times be no less than 1.7 metres above internal floor level of the room in which the window will be installed.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in the eastern side elevations of the flats at first floor level or above hereby permitted except for any which may be shown on the approved drawing(s).
REASON: To prevent the overlooking of neighbouring property.
[Relevant Policies: BFBLP EN20]

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. Time limit
 2. Approved plans
 7. Construction hours
 8. Delivery hours
 15. No gates at access
 19. Surface water drainage
 20. Site Clearance (birds)
 22. Obscure glazing
 23. No additional windows

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

 3. Materials
 4. Levels
 5. Means of enclosure
 6. Hard and soft landscaping
 9. Closure of existing access
 10. Vehicular access
 11. Pedestrian & cyclist access
 12. Vehicle parking and turning
 13. Drainage of parking area
 14. Cycle parking
 16. Site Organisation
 17. Sustainability statement
 18. Energy demand assessment
 21. Biodiversity enhancements

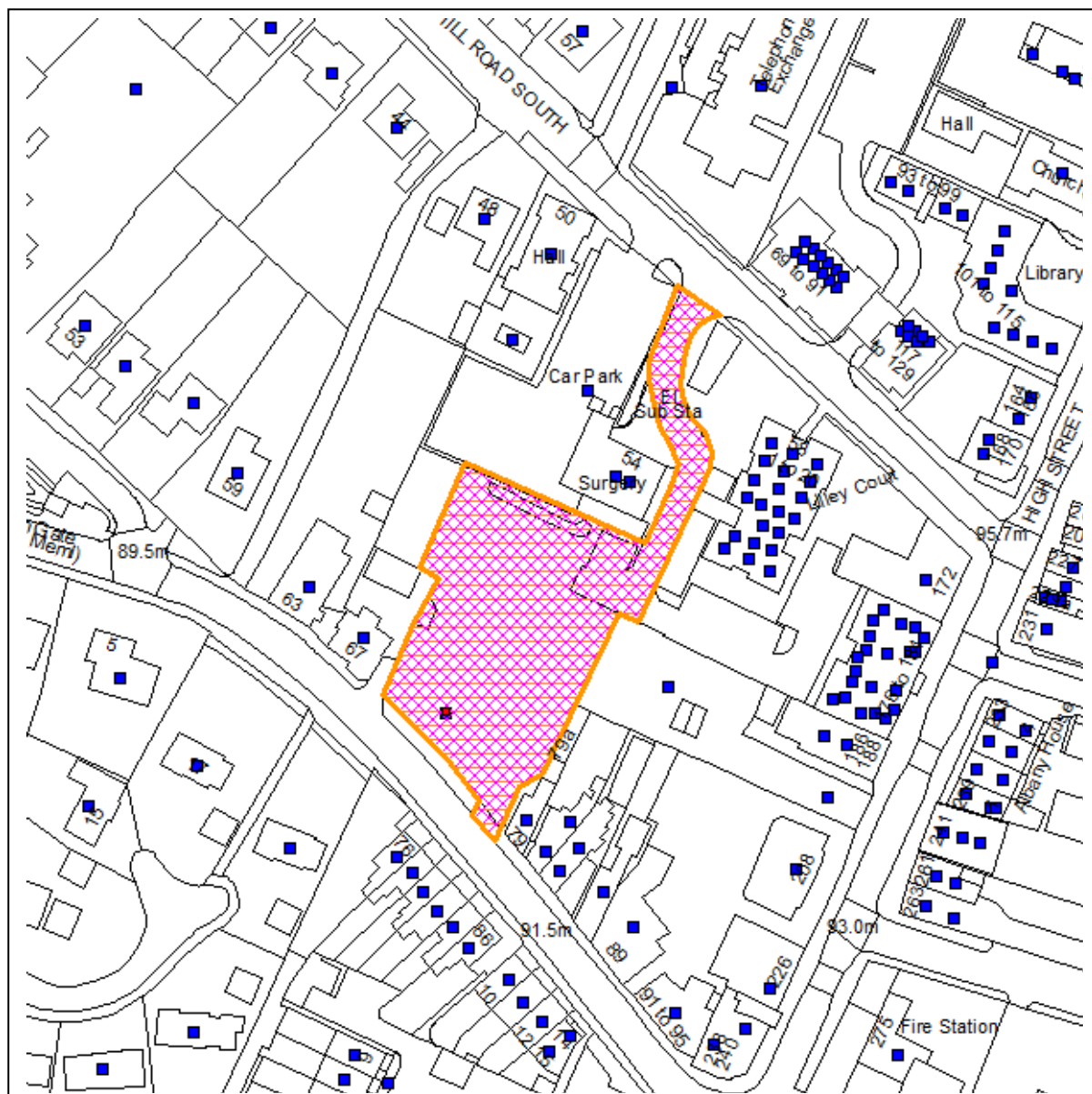
03. The Streetcare Team should be contacted at Department of Transport & Transportation, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should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

04. Future occupants should be aware that this development falls within a restricted residents parking scheme which is currently in operation in the local area, between 8am and 8pm, Monday to Saturday and from 10am to 4pm on Sundays. Vehicles associated with this development wishing to park on the public highway would be excluded from the residents parking permit (i.e. new residents would not be allowed to park on-street during hours of operation).

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ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
16/00331/FUL	Crowthorne	25 April 2016	20 June 2016
Site Address:	69 - 77 Church Street Crowthorne Berkshire RG45 7AW		
Proposal:	Erection of 2 no 4 bed, 5 no 3 bed and 2 no 2 bed dwellings with associated access and parking.		
Applicant:	Mr John Strange		
Agent:	Mr Christopher Pickering		
Case Officer:	Katie Walker, 01344 352000		
	development.control@bracknell-forest.gov.uk		

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



1. SUMMARY

1.1 The proposal is for erection of nine new dwellings with associated gardens and parking. The dwellings would take access from both Church Street and from Heath Hill Road South, via a private road.

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. The proposals would be acceptable in terms of highway safety and parking subject to the recommended conditions. Relevant conditions will be imposed in relation to detailed design, biodiversity and sustainability and a section 106 agreement will be entered into in relation to impacts on the SPA.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Church Street, Crowthorne Conservation Area
Crowthorne Study Area C, Character Area Assessments SPD
Within 5km of the SPA

3.2 The site fronts onto Church Street and is currently vacant, comprising mainly hardstanding, with some overgrown vegetation and an area of rubbish and rubble. The site has hoarding and metal gates around it. The site is bounded to the north by a doctors surgery and a car park; to the west by 67 Church Street, a commercial property, and the side access to it; to the south by Church Street itself and to the east by the private road leading from Heath Hill Road South to Lilley Court, and the rear of properties which front the high street. Guildgate House, which was granted prior approval for 16 apartments, is to north east of the site. The surrounding area is a mix of commercial and residential.

3.3 The site is located in an urban setting within a defined settlement as shown on the Bracknell Forest Policies Map.

4. RELEVANT PLANNING HISTORY

4.1 The relevant planning history for the site is set out below:

1633: Store/Workshop at The Mall, 73 Church Street – Approved 1966.

8503: Outline – addition of 2 first floor flats at The Mall, 73 Church Street – refused 1963.

9917: Outline – shop addition/flat/car park– approved 1964.

12096: Change of use from flat to office use at 69 Church Street – approved 1967.

12767: Erection of a café at 77 Church Street– refused 1967.

13263: Demolition of existing building and erection of single storey store to be used together with a display area in the front in conjunction with adjacent pet foods and garden centre – refused 1968.

16292: Habitable room in loft space at 77 Church Street – refused 1971.

600281: Renewal of temporary permission to use outbuildings as workshop and stores – approved 1974.

608723: Permanent use of 2 buildings, one for storage and one for workshop – approved 1977.

607351: Change of use from residential to printers/stationers – approved 1983.

623166: Change of use from retail and storage to dental laboratory (retrospective) at The Mall, 73 Church Street – approved 1997.

08/00616/PAD: Application under Part 31 of Schedule 2 of the General Permitted Development Order 1995 providing details of the demolition of 1no. dwelling at 69 Church Street – approved 2008.

5. THE PROPOSAL

5.1 The proposal is for the erection of nine new dwellings. Plots 1-4 would be a terrace fronting on to Church Street and comprise three storey town houses with 4 bedrooms. Plots 5-9 would be situated to the north of 1-4, and would face the private road. They would also form a terrace and would each be two storeys with three bedrooms. Each house would have a private rear garden. Parking for plots 1-4 would be to the west of the front terrace and parking for plots 5-9 would be on the eastern boundary and on the northern boundary.

5.2 During the course of the application the site plan was amended so that the access to the parking for the front four houses would be from the existing shared access on Church Street; and houses 5-9 would be accessed from Heath Hill Road South.



6. REPRESENTATIONS RECEIVED

Parish Council

6.1 Crowthorne Parish Council objected to the application on the following grounds:

- Insufficient parking; no disabled parking; no visitor parking (non adherence to 4.4 SPD March 2016). There will be loss of parking spaces on Church Street coupled with a shortfall in proposed car spaces for the new houses. Twenty four spaces are required, the garage shown is not big enough for two cars so the overall shortfall for parking spaces is nine [Officer note: the site layout has been revised so that the parking spaces on Crowthorne Road would not be lost. The garage has been removed from the proposal. Parking is discussed in detail in the report].
- Overdevelopment of site.
- Impact on conservation area [Officer note: the Council's Principal Heritage Officer is satisfied that there would not be a negative impact on the Conservation Area, and this is detailed in the report].
- Access/egress onto Church Street is challenging [Officer note: the scheme has been revised to move this vehicular access].
- Attention needs to be paid with regards to flood risk during periods of heavy rainfall [Officer note: The S106 will include clauses to require a drainage scheme].
- Legal position with regards to access from Heath Hill Road needs to be agreed; the access road by the doctors surgery (Health Hill Rd South) leading to the 5 houses is a

private road [*Officer note: The applicant has served the requisite notices. The legal position falls outside of planning considerations*].

- Impact on SPA [*Officer note: the applicant has agreed to enter into the necessary S106 agreement*].

Other Letters of Representation

6.2 Twenty-two objections were received from eighteen households. The issues raised can be summarised as follows:

- Private road has an historical low use for pedestrians. The service road has no footpath or speedbumps and is not capable of the increase in traffic. Extra vehicles would result in highways and pedestrian safety impacts.
Proposed access is narrow and not suitable for increase in traffic.
- Noise and disturbance from construction phase.
- Safety concerns for elderly residents of Lilley Court with mobility problems, especially as there is no footpath on the private road.
- New access from Heath Hill Road South to Church Street would become pedestrian and cycle rat run.
- Revised plans removing the Church Street access would exacerbate highway safety concerns.
- Revised plan was hidden within transport note [*Officer note: Neighbours have been reconsulted on the new site layout plan*].
- Insufficient parking.
- Ambiguity over whether the proposed dwellings are 3 or 4 bedroom houses [*Officer note: the applicant has shown some of the dwellings as comprising 3 bedrooms with a study, however Officers have treated these as 4 bedroom houses as the studies could be converted into 4 bed houses*].
- Elderly and infirm residents at Lilley Court would be placed at risk from further vehicles, especially in conjunction with Guildgate House.
- Access should be from Church Street only.
- Parking is already difficult for visitors to Lilley Court [*Officer Note: the proposed layout has been revised so that parking standards are met for the development and therefore the proposal would not impact on parking elsewhere*].
- Concerns over loss of trees.
- Residents of Guildgate House were not informed of the application [*Officer note: 2 site notices were placed in the vicinity of the application site.*]
- There is a dropped kerb directly in front of the proposed parking for this development [*Officer note: the site plan has been revised and the proposed parking has moved*].
- Safety concern because of proximity to Children's nursery.
- The site is within 5km of the SPA and Natural England should therefore be involved in decision making [*Officer note: the recommendation is for approval subject to a S106 agreement to mitigate the impacts on the SPA*].
- Proposal is very close to Heath Hill surgery meaning that the building will be overlooked [*Officer note: there is only one window proposed at first floor level in the elevation of the house closest to the doctor's surgery, which serves a bathroom*].

6.3 One letter was received, neither supporting or objecting to the application. The issues raised are summarised as follows:

- Adequate off street parking needs to be provided.
- The impact on trees should be assessed.
- This piece of land is an eyesore and is ideal for future building.

6.4 Two letters of support were received, raising the following points:

- Application would provide needed high quality housing on a piece of land that is currently an eyesore.

- Mixed road access from front and rear is an acceptable split.
- Developer built properties across the road.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 The following consultees have provided comments on the application, summarised below and within the report:

Biodiversity Officer: Conditions recommended.

Tree Officer: Agree that existing trees are Category C. Original plan did not allow space for landscaping.

Environmental Health: Conditions recommended.

Transportation Officer: No objections subject to conditions. See Officer report.

SUDs: Condition recommended.

Heritage Consultant: Proposal acceptable subject to conditions. See Officer report.

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 and CS2 of CSDPD	Consistent
Housing	CS15 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
SPA	SEP Retained Policy NRM6, Saved Policy EN3 of CSDPD and Policy CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1 and EN2 of BFBLP, CS1 of CSDPD.	Consistent
Waste	CSDPD CS13	Consistent
Noise and pollution	Saved policy EN25 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Character Areas Assessments (SPD)		
Parking standards (SPD)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
BRE Site Layout planning for Daylight and Sunlight: A Guide to Good Practice 2011.		

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 Transport implications
- v Waste
- vi SPA
- vii Sustainability
- viii Trees and biodiversity
- ix 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 and is a previously developed site. The proposal would provide a net increase of nine new dwellings, contributing to the supply of housing within the Borough. Therefore, the principle of development on this site is acceptable.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.3 The site falls within Area C of the Crowthorne Study Area Character Area Assessments SPD. This states that the building frontage appears continuous and urban in character, and overall this area is of higher density and larger building blocks. It also recognises that an area along Church Street is within a Conservation Area.

Relevant recommendations set out in the Character Area Assessments SPD include:

- Development should not be set back from the building line as this would adversely affect the linear, well framed character of the area;
- Public realm should be consistent, free of clutter and unnecessary level changes;
- External details of all development should be to a high standard of design to enhance the local character;
- New developments should contribute to active ground floor uses and upper floor uses to create an appropriate town centre scale of development;
- Car parking should be sensitively integrated into the town centre and where possible situated to the rear of and screened by the High Street;
- the Victorian Village character at the bottom of High Street should be kept; and
- Aim to create a continuous street frontage within the town centre.

9.4 The Crowthorne Conservation Area Appraisal states:

It is essential to ensure that in the future the special character of a conservation area is not eroded by unsympathetic developments in accordance with the Planning (Listed Buildings and Conservation Areas) Act (1990), PPG 15 and the Council's Core Strategy Development Plan Document (February 2008) and saved policy EN20 of the Bracknell Forest Borough Local Plan (adopted January 2002).

9.5 While PPG 15 has been superseded by the NPPF, the principle of retaining the special character of the Conservation Area is consistent with the NPPF.

9.6 The Conservation Area of Church Street can be characterised by two distinct zones. To the west of Church Street are large, detached and semi-detached Victorian and Edwardian residential dwellings, set back from the road within spacious gardens. Views of these properties are partially screened behind hedged boundaries and mature trees in front gardens. To the east, development is smaller in scale and commercial in character, comprising of rows of shop fronts facing directly on Church Street and residential terraces set behind shallow front gardens.

The scale and massing of the buildings to the western end of Church Street are comparatively large compared to the finer grain of the buildings at the eastern commercial end of the Conservation Area.

9.7 Pitched roofs, gable ends and dormer windows make up the roofscape of the properties along Church Street and are an important element in the character and appearance of the area. Chimneys are also a prominent feature along with architectural styles consisting of red brickwork, decorative tiles, sash windows and bay windows.

9.8 The proposed development site is currently undeveloped land surrounded by hoardings which detracts from the character and appearance of the Conservation Area and requires a suitable scheme to make use of this space and enhance the area.

9.9 The most sensitive part of the proposed development site is the frontage onto Church Street, i.e. plots 1-4. The elevational design for the frontage would consist of staggered terrace of four, two-and-a-half storey brick houses, with a relatively standard architectural design consisting of two casement windows with gauged brick headers at first floor level, one casement window with gauged brick headers at ground floor level with an offset timber doorway and a simple porch structure. The roofs would be made of slate and be lit by a single rooflight with gable end chimneys. The staggered plots allow for rear gardens and shallow front gardens. Examples of the proposed architectural details are visible in the street scene, such as on the opposite side of the road. The rear elevation of the terrace would consist of three storey rear projecting gables with ground floor double French windows, first floor casement windows and a single third floor casement window. The side elevation of the terrace consists of small ground and first floor windows with obscured glazing.

9.10 Plots 5-9 would be located on a slightly higher topography and the buildings consist of a staggered terrace of two storey buildings. The architectural detailing would be similar to those along Church Street.

9.11 The development would be bounded by low brick walls and hedging to provide a positive frontage onto Church Street. Landscaping consisting of new trees and vegetation within the site and along the Church Street boundary is proposed. Examples of similar boundary treatment can be seen on Church Street.

9.12 The proposed design follows the prevailing pattern of development along Church Street in the Conservation Area. The proposed development incorporates a design and materials which are considered to reflect earlier styles in the Conservation Area and respect the character and appearance of the area. The scale, height, form, massing of the proposed development is considered appropriate along the sensitive Church Street elevation following the course of the road and the natural topography of the site, as demonstrated in the street scene elevation below:



Proposed Street Scene CC

9.13 The proposed 2 and 2.5 storey buildings are not out of scale with the prevailing building heights in the Conservation Area. The proposed materials consisting of red brick, slate and timber doors are considered appropriate and a condition is recommended to require samples of materials, to ensure that the proposed dwellings would be built from high quality materials. The proposed materials for the windows are not indicated in the supporting application documentation. The most appropriate material within the Conservation Area would be timber and therefore a condition requiring further details of the windows is recommended.

9.14 The proposals are in keeping with the surrounding residential development in terms of plot pattern and design, in line with the Character Area Assessments SPD and they also respect the special character of the Conservation Area. It is therefore considered that, subject to the recommended conditions, the development would not result in an adverse impact on the character and appearance of the area. It would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

iii. IMPACT ON RESIDENTIAL AMENITY

9.15 The proposed development would be in keeping with the build line on Church Street, in effect filling in a gap in the street frontage. The property to the west, 67 Church Street, was previously commercial at ground floor with residential above and is now a residential dwelling. However, there are no windows in the eastern elevation of the building, facing the proposed development. The proposed development would have one ground floor window in the western elevation, acting as a secondary source of light to the kitchen/dining area, and a bathroom window at first floor, with no windows in the second floor western elevation. Due to the absence of any windows in the eastern elevation of 67 Church Street, and the distance of 15 metres between the existing and proposed properties, the proposed development would cause no overlooking impacts to that property. As the rear of the proposed dwellings on Church Street would be in line with the rear of 67 Church Street, no overshadowing impacts on this property would arise from the proposed development and the proposed dwellings, at 3 storeys, would not be overbearing on this property.

9.16 There would be approximately 2.5 metres between the proposed house on plot 1 and 79 Church Street. 79 Church Street is commercial on the ground floor with a flat above. However, there are no windows in the western elevation of 79 Church Street and, as such, there would be no loss of privacy to this property. There is a commercial building to the rear of 79 Church Street, however this is single storey and there would be no impacts on residential amenity between this building and the proposed development.

9.17 Plots 5-9 would face onto the internal hard surfacing of the development beyond which are eight of the parking spaces for the proposal on the eastern boundary. These houses would be accessed from the private road. Beyond that would be the rear of the commercial buildings on the high street. Plot 9 would be adjacent to the surgery to the north, and therefore plots 5-9 would have no impacts on residential amenities.

9.18 The rear boundary of the garden of plot 4 would be adjacent to the southern elevation of plot 5. No windows are proposed in the southern elevation of plot 5, ensuring that no overlooking concerns would arise between these two parts of the proposed development.

9.19 It is recognised that, given the scale of the development, there is the potential for noise and disturbance to neighbouring properties during the construction and demolition phase of the development. To mitigate these impacts, conditions are recommended to require a site organisation plan, and to restrict the hours of demolition and construction.

9.20 Due to the design and layout of the proposals it is not considered that the

development would result in a detrimental effect on the amenities of the residents of the neighbouring properties, and the houses would provide a good standard of residential amenity for future occupiers of the proposal. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

iv. TRANSPORT IMPLICATIONS

Access

9.21 The site would take access off both Church Street and Heath Hill Road South. Church Street is a local distributor road which is subject to a 30mph speed limit. The site has an existing dropped kerb vehicular access onto Church Street within the parking bays with an associated access protection marking. These time-limited parking bays are restricted to 30 minutes (no return within 30 minutes), 8am to 6pm, Monday to Saturday and are for the benefit of local businesses and their customers. The Highway Authority has visited the site on a number of occasions during the day and the parking bays were well used with limited capacity available. There is also an access to the site at its western end which is shared with the adjacent uses. This access is likely to have been the main access to the previous use and is not located within the controlled parking area and is protected by double yellow lines.

9.22 The revised site layout indicates that 4 new dwellings would take access off Church Street via the existing dropped kerb access at the western end of the site and whilst the previous use has been removed, it is reasonable to assume that the level of traffic from the proposed use would have been comparable to that of the retail operation.

9.23 The revised site layout indicates that a minimum 4.1 metre wide road is to be provided off Church Street and the layout provides an improved internal layout from the current access. Furthermore, the applicant has indicated that the road will be off set from the adjacent house, protecting it from passing vehicles. The access as laid out also maintains access to the adjacent buildings and provides turning on site for small deliveries that may take place.

9.24 The site currently benefits from access off Heath Hill Road South which is adopted highway via a shared private access road serving Lilley Court (sheltered accommodation for the elderly), the doctors surgery and Guildgate House which has permitted shops, office and residential uses.

9.25 The shared private road is around 5 metres wide and while there is a slight gradient and a bend it is currently used for vehicle access, including deliveries and servicing, and is to be used as the vehicle access to serve the 5 dwellings at the rear of this development.

9.26 The Council's Site Allocations Local Plan (July 2013) shows a protected area for highway works (PM5iii). This is the area within this site which is accessed off the private road and is proposed to be the access/turning area for the rear car parking (plots 5 to 9). It was intended for this to facilitate access and turning for future development of the area. The proposal utilises this land by providing an access 5m wide to provide access to 5 plots and therefore the turning facility in this location is secured. A condition requiring no gates is recommended.

9.27 The private road is surfaced and while it is unlit with no footways, it is currently used for pedestrian and mobility scooter access for Lilley Court and the Highway Authority has observed it being used as a cut-through between Church Street and Heath Hill Road South. Plots 1 and 4 would have pedestrian access off Church Street and access paths within the site have been designed to allow pedestrians of plots 5-9 to head south towards Church Street giving new residents the choice of routes. The route could also be used by plots 1-4 heading

northwards. An obligation is recommended for inclusion in the S106 to secure this access through the site for all occupiers and their visitors.

Parking

9.28 Parking on site has been provided to standards for residents and visitors. The parking spaces are shown on the Proposed Site Layout as 2.4 metres by 4.8 metres with 6 metres of access/manoeuvring space and this complies with current standards. Furthermore controlled on street parking, when available, can be used for short stay visitors/deliveries to the site. At least 10% of the parking spaces are located adjacent to pedestrian routes that are level and therefore are suitable to be used for the disabled, providing adequate parking for such users.

9.29 Cycle parking is expected to be within rear gardens and a condition is recommended to secure details of this.

Trips

9.30 9 new dwellings are likely to generate in the region of 54 two-way trips over the course of a typical day with 5 or 6 movements in both the morning and evening peak periods. The trips would be split, with 24 two way trips generated at the Church Street access and 30 two way trips using the private road via Heath Hill Road South. In the peak hours it is expected each access will generate in the region of 2-3 two way trips. The level of activity is likely to be broadly similar to the previous use at peak times.

9.31 Subject to the proposed conditions and planning obligation, the application is in line with CSDPD Policy CS23 and Saved Policy M9 of the BFBLP.

v. WASTE

9.32 The original plans proposed waste collection from both the private road and from Church Street. However, the plans have been revised so that all of the waste collection can be from Church Street. All plots have rear access to their properties so that bins could be stored in the back gardens. Plots 1-4 would bring their bins to the kerb for collection. Plots 5-9 have a bin collection point outside the garden of plot 5 and these plots would bring their bins here on bin day. This collection point is within 25 metres of Church Street. This would ensure that the proposal is in line with CSDPD Policy CS13.

vi. SPA

9.33 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 0.6 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.34 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.

9.35 In this instance, the development would result in a net increase of 2 X four three bedroom, 5 X three bedroom and 2 X two bedroom dwellings which results in a total SANG contribution of £18,995.

9.36 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £6,221.

9.37 The total SPA related financial contribution for this proposal is £25,216. The applicant must 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.

vii. SUSTAINABILITY

9.38 CS Policy CS10 seeks to ensure the best use of natural resources, and CS12 requires 20% of energy requirements for 6 or more dwellings to be generated from on-site renewables. This is in line with paragraph 97 of the NPPF, which seeks to promote energy from renewable and low carbon sources. A condition will secure the submission of a sustainability statement to demonstrate that the proposals can meet these requirements.

9.39 The proposal would be accessed from both Church Street and Heath Road South. As the proposal does not involve the creation of new roads, and as the proposal would introduce gardens on to a current area of hardstanding, the Lead Local Flood Authority has advised that it is not necessary for the proposal to be subject to a S106 obligation regarding SuDS. A condition will therefore be included to ensure that the development will be SuDS compliant, in line with the NPPF and CSDPD Policy CS1.

9.40 Subject to these conditions, the application is acceptable with regards to CSDPD Policies CS10, CS12 and the provisions of the NPPF.

viii. TREES AND BIODIVERSITY

9.41 The tree report accompanying the application classifies the few trees on site as class 'C', and the Council's Tree Officer does not dispute this classification. As such, their removal to facilitate the development of nine new dwellings is considered acceptable. The original site plan showed almost no opportunity for landscaping and the Tree Officer was concerned that this indicated overdevelopment of the site. The site, however, is in a village centre, and currently comprises a significant amount of hardstanding. As such, the absence of a significant amount of landscaping could be acceptable. Notwithstanding this, the applicant has revised the plan and this includes new trees and planting.

9.42 With regards to biodiversity, the application is accompanied by an ecological appraisal. There is relatively little potential for protected species on the site, however the report makes recommendations for mitigating the loss of vegetation and enhancing biodiversity. This

includes the provision of native and wildlife friendly tree and shrub planting, as well as bird and bat boxes. Conditions are recommended to secure these measures.

9.43 Subject to the recommended conditions, the proposal is considered to comply with CSDPD Policies CS1 and CS7, BFBLP Policies EN2 and EN20, and the NPPF.

ix. COMMUNITY INFRASTRUCTURE LEVY (CIL)

9.44 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.

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

9.46 In this case, the proposal would be CIL liable as it comprises the creation of 9 new dwellings. The dwelling falls within the Crowthorne/Sandhurst charging area. A CIL liability notice will be issued accordingly.

10. CONCLUSIONS

10.1 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. There would be no adverse impact on highway safety subject to the imposition of conditions. Relevant conditions will be imposed in relation to detailed design, biodiversity and sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable. The proposal is therefore considered to be in accordance with 'Saved' Policies EN20 and M9 of the BFBLP, CS1, CS2, CS7 and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

11. RECOMMENDATION

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 Basins Heath Special Protection Area (SPA); and to secure access through the site for all occupiers and their visitors;

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

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

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

02 The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 5 April 2016:

FD15-1349-110: Plots 5-9 Ground Floor Plan

FD15-1349-111: Plots 5-9 First Floor Plan

FD15-1349-112: Plots 5-9 Roof Plan

FD15-1349-115: Plots 5-9 Front and Left Flank Elevations

FD15-1349-116: Plots 5-9 Rear and Right Flank Elevations

And the following approved plans received by the Local Planning Authority on 15 September 2016:

FD15-1349-100 Rev A: Plots 1-4 Ground Floor Plans

FD15-1349-101 Rev A: plots 1-4 First Floor Plan

FD15-1349-102 Rev A: Plots 1-4 Second Floor Plan

FD15-1349-103 Rev A: Plots 1-4 Roof Plan

FD15-1349-105 Rev A: Plots 1-4 Front and Left Flank Elevations

FD15-1349-106 Rev A: Plots 1-4 Rear and Right Flank Elevation

And the following plan received by the Local Planning Authority on 19 September 2016:

FD15-1349-55 Rev G: Proposed Site Layout

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

- 03 The following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground construction works:
- a) Sample panel of all facing materials, including a sample panel of brickwork which demonstrates brick type, colour, texture, face bond, mortar mix and pointing, to be erected on site and maintained there during the course of construction;
 - b) Samples and/or manufacturer's details of the roof materials for the proposed works are to be provided on site and retained on site during the course of the works;
 - c) Plan, elevation and section drawings, with materials annotated, of new windows and window openings (including surrounds) at a minimum scale of 1:10; and
 - d) Plan, elevation and section drawings, with materials annotated, of all new doors at a minimum scale of 1:10.

The relevant part of the works shall be carried out only in accordance with the approved details.

Reason: In the interest of the visual amenities of the area and in order to safeguard the character and appearance of the Conservation Area in accordance with the requirements of policy.

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

- 04 The dwellings hereby permitted shall not be occupied until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission.

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]

- 05 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.

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

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

- 06 No demolition or construction work shall take place outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policies: BFBLP EN25]

- 07 During the construction phase, no deliveries shall be taken at or dispatched from the site outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

REASON: In the interests of the amenities of the occupiers of nearby residential premises.

[Relevant Policies: BFBLP EN25]

- 08 No dwelling shall be occupied until the existing access outside Plot 1 onto Church Street has been closed and a footway is provided over the closed access in accordance with details to be submitted to and approved in writing by the Local Planning Authority; the footway shall be retained thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

- 09 No dwelling shall be occupied until means of vehicular access from both Church Street and the private road have been constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

- 10 No dwelling shall be occupied until a means of access for pedestrians and cyclists has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

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

- 11 The gradient of private drives shall not exceed 1 in 12.

REASON: To ensure that adequate access to parking spaces and garages is provided.

[Relevant Policies: Core Strategy DPD CS23]

- 12 No dwelling shall 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 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 No dwelling shall be occupied until the area shown for parking on the approved plan has been drained and surfaced in accordance with details to be submitted to and approved by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking of vehicles.

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]

- 14 The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The dwellings 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]

- 15 No gates shall be provided at the vehicular access to the site from Church Street.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

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

- Widening of Church Road Access
- Closure of existing access outside plot 1 on to Church Street.

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

REASON: In the interests of highway safety.

[Relevant Policy: BFBLP M4]

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

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

- (e) Temporary portacabins and welfare for site operatives

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.

- 18 The loft space for plots 2 and 3 shall at no time be converted to habitable accommodation.

REASON: To ensure that adequate levels of parking are preserved.

[Relevant Policy: BFBLP M9]

- 19 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]
- 20 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]
- 21 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]
- 22 No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]
- 23 The development 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]

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. Time limit

- 2. Approved plans
- 6. Construction hours
- 7. Delivery hours
- 11. Gradient of driveways
- 15. No gates at access
- 18. No loft conversions
- 21. SuDS
- 22. Site clearance

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

- 3. Materials
- 4. Means of enclosure
- 5. Hard and soft landscaping
- 8. Closure of existing access
- 9. Vehicular access
- 10. Pedestrian access
- 12. Vehicle parking and turning
- 13. Drainage of parking area
- 14. Cycle parking
- 16. Off site highway works
- 17. Construction management plan
- 19. Sustainability statement
- 20. Energy demand assessment
- 23. Biodiversity enhancements

03 The Streetcare Team should be contacted at Department of Transport & Transportation, 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.

In the event of the S106 agreement not being completed by 13 January 2017, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

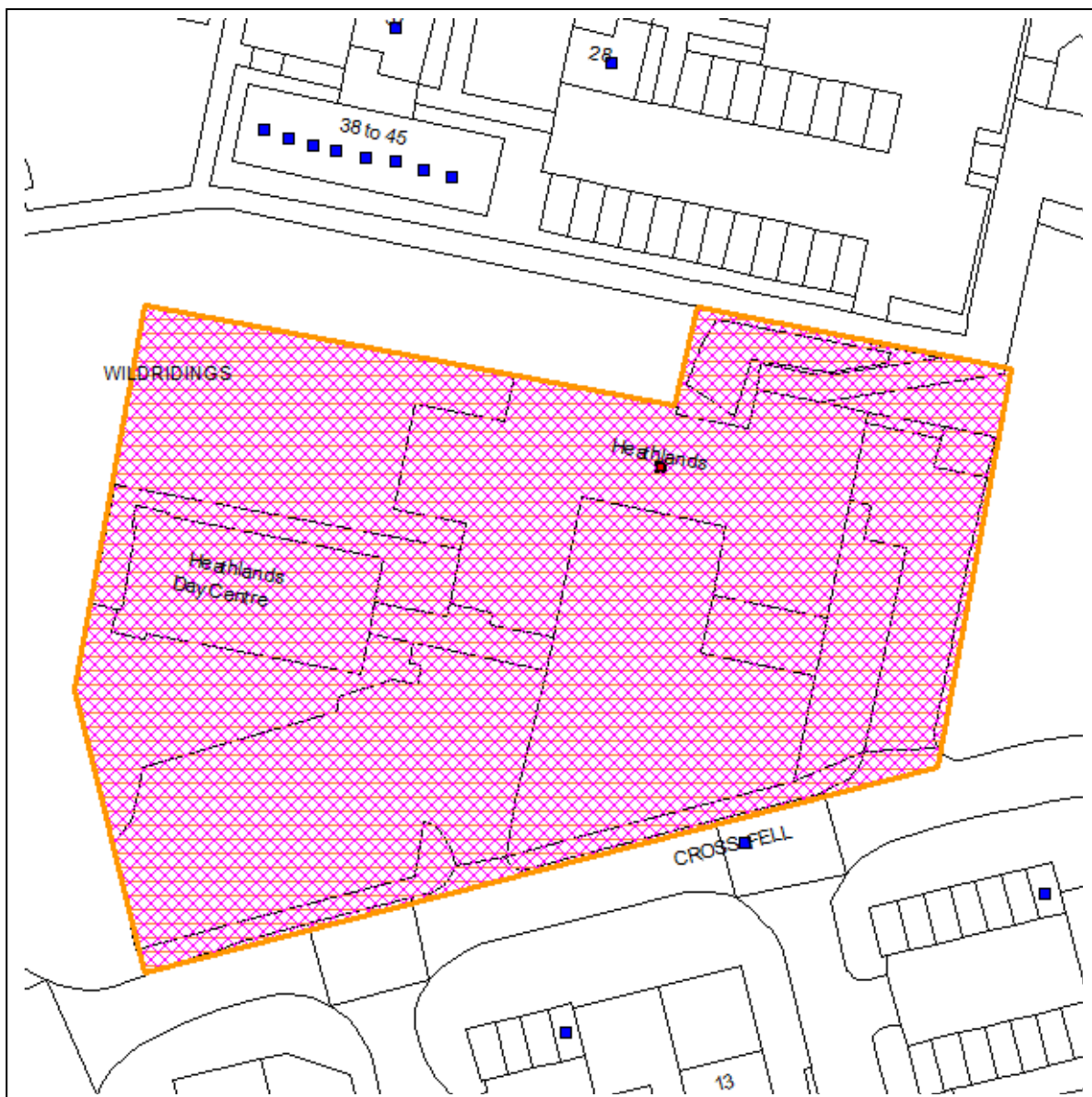
The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management 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).

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:			
Application No.	Ward:	Date Registered:	Target Decision Date:
16/00737/3	Wildridings And Central	4 August 2016	29 September 2016
Site Address:	Heathlands Home For The Aged Crossfell Bracknell Berkshire RG12 7RX		
Proposal:	Change of use from care home (C2) to a house in multiple occupation (Sui Generis) up to 22 bedrooms for a temporary period of 3 years.		
Applicant:	Bracknell Forest Council		
Agent:	(There is no agent for this application)		
Case Officer:	Katie Walker, 01344 352000 development.control@bracknell-forest.gov.uk		

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



1. SUMMARY

1.1 The proposal is for the change of use of Heathlands Home For the Aged to a House in Multiple Occupation (HMO). This would be leased by the Council to Ad Hoc Property, and it would be occupied by 22 “Property Guardians”, who are working people selected by a property guardian company to live in the HMO with the purpose of keeping the vacant building secure.

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. The proposals would be acceptable in terms of highway safety and parking subject to the recommended conditions. Relevant conditions will be imposed in relation to detailed design, biodiversity and sustainability and a section 106 agreement will be entered into in relation to impacts on the SPA.

RECOMMENDATION

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

2.1 The application has been reported to the Planning Committee following the receipt of more than 3 objections and was also called to Committee by Councillor Turrell.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

Within 5km of the SPA

3.2 The site is the now vacant Heathlands Home for the Aged, which was a care home. It is bounded to the south by the houses and garages of Cross Fell; to the east by Cross Fell and Wildridings Square; to the north by residential properties in Deepdale; and to the west by Wildridings Road, beyond which is open recreation land. The surrounding area is predominantly residential, with shops in Wildridings Square.

3.3 The Heathlands Care Home building is part two storey, part three storey building which housed up to 41 elderly residents with associated kitchens and facilities. There is an annex to the main building which formed a day centre for the home. There are 26 car parking spaces marked out on the hard standing associated with the building.

3.4 The site is located in an urban setting within a defined settlement as shown on the Bracknell Forest Policies Map.

4. RELEVANT PLANNING HISTORY

4.1 The relevant planning history for the site is as follows:

15035: Hostel for the elderly – approved 1969.

18837: Application for erection of sitting room extension – approved 1973.

616229: Erection of community care unit for care of the elderly – approved 1990.

08/00019/3: Erection of single storey extension forming conservatory – approved 2008.

5. THE PROPOSAL

5.1 The proposal is for the change of use of the building to an HMO. The property would be occupied by property guardians from a company called Ad Hoc. The proposal would provide accommodation at an affordable rate for working people, with the purpose of keeping the vacant building secure. All people living in the building would need to be approved by Ad Hoc.

5.2 There would be a maximum of 22 property guardians in the former care home: 19 in the main building and 3 in the annex. They would each have either one or two rooms. Where a guardian would be allocated two rooms, one would be a bedroom and the other would be for storage.

5.3 The proposed HMO would house property guardians to keep the building secure until its long term future has been determined, and as such the proposed change of use would be temporary, for three years.

6. REPRESENTATIONS RECEIVED

Town Council

6.1 Bracknell Town Council responded to the consultation with observations, stating that not enough information was given regarding refurbishments, parking information or target residents.

Other Letters of Representation

6.2 Sixteen letters of objection were received from thirteen households. The issues raised can be summarised as follows:

- An increase in 41 vehicles would be unacceptable in terms of traffic, parking and access in the surrounding area [*Officer note: the number of property guardians would be conditioned to be a maximum of 22 and parking impacts are considered in this report*].
- There is likely to be an increase in noise from the larger number of people and vehicles;
- Loss of the care home [*Officer note: this matter is discussed in this report*];
- Impact on the school [*Officer note: the proposal would not impact the school*].
- Reduced number of occupants will not resolve issues of parking as it is reasonable to assume that the households in the HMO would have two cars [*Officer note: parking is proposed at one space per occupant plus 4 visitor spaces. This is discussed in the officer report*].
- Reduced number of occupants will not resolve concerns over noise and disturbance and highway safety.
- Council has been misleading as to who the bedsits will be offered to. One has already been offered to a single Council tenant [*Officer note: The Council's housing department has confirmed that this is not the case*].
- Antisocial behaviour.
- The purpose of the building has changed three times [*Officer note: reconsulttions were sent out to clarify the use of the building; and secondly because the proposed number of tenants was reduced from 41 to 22. The use of the building as an HMO for property guardians has not changed*].
- Unemployed and antisocial people will be housed here [*Officer note: a condition is recommended to restrict the occupants to those selected by Ad Hoc Property Guardians*].

6.3 Two other representations were made, neither supporting or objecting to the application, both of which asked who the target residents would be. [*Officer note: Clarity has been sought on this point and residents were reconsulted*].

7. SUMMARY OF CONSULTATION RESPONSES

7.1 The following consultees have provided comments on the application, summarised below and within the report:

Environmental Health: No objection, informative recommended.

Transportation Officer: Bedrooms should be revised down from original proposal of 41 bedrooms. See officer report.

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 and CS2 of CSDPD	Consistent
Housing	CS15 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
SPA	SEP Retained Policy NRM6, Saved Policy EN3 of CSDPD and Policy CS14 of CSDPD	Consistent
Waste	Policy CS13 of CSDPD.	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Parking standards (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 Transport implications
- v Waste
- vi SPA
- vii 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 and relates to an existing building.

9.3 The proposal would result in the loss of 41 care home bedspaces, on a temporary basis of three years. The Berkshire (including South Bucks) Strategic Housing Market Assessment assesses the need for Residential Care Homes between 2013 and 2036 and the net need for Bracknell Forest is 319 net bedspaces which is equivalent to 14 net bedspaces per year. Therefore, between 1st April 2013 and 31st March 2016, 42 net bedspaces should have been delivered. There has been a net loss of 24 bedspaces during the specified period, resulting in an outstanding need for 66 bedspaces. However, there are outstanding commitments (with planning permission) for 184 bedspaces and 124 of those are under construction.

9.4 BFBLP Policy H11 seeks to retain housing stock and resist development which would result in the loss of housing, including residential institutions. However, the applicant has explained that Heathlands, as it stands, does not meet the relevant standards for care homes in terms of space of rooms and facilities. A feasibility study is currently being undertaken to establish if there is scope to redevelop the site to provide accommodation for elderly and mentally infirm at more modern standards, which is why a temporary permission is proposed.

9.5 Paragraph 50 of the NPPF states that local authorities should plan for a mix of housing, and paragraph 51 states that local authorities should bring back into residential use empty housing and buildings.

9.6 The proposal would provide accommodation for 22 people in a building which is currently vacant, contributing to the supply of housing within the Borough, albeit on a temporary basis. The proposed change of use would be on a temporary basis so that the long term future of the site can be considered. Therefore, the principle of development on this site is acceptable.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.7 The proposal does not include any external changes to the building, and as such the character and appearance of the area would not be impacted through the change of use. The proposed building would be in residential use, appropriate to the residential character of the area.

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

iii. IMPACT ON RESIDENTIAL AMENITY

9.9 As set out above, the proposed change of use does not include any external changes to the buildings, so would not have any impacts in terms of overlooking, overshadowing or overbearing impacts over and above the existing building.

9.10 While not usually a planning matter, inspectors from the property guardian company inspect the property, and if there are any issues in terms of untidiness or noise, the tenants would be issued with a warning and would be asked to leave after three warnings. This would ensure that there would be no undue noise and disturbance to the occupiers of neighbouring residential properties as a result of the proposal.

9.11 The proposed use, as an HMO for working people, would be compatible with the surrounding residential use and would not cause undue noise and disturbance to the occupiers of surrounding residential properties. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

iv. TRANSPORT IMPLICATIONS

9.12 Following the original objection from the Highways Authority on the grounds of insufficient parking for a 41 bedroom HMO, the scheme has been revised so that there would be a maximum of 22 residents.

Access

9.13 Heathlands Home for the Aged takes access off Cross Fell, an adopted residential cul-de-sac which is subject to a 30mph speed limit. There are currently two accesses, the westernmost access to a main car park and the easternmost access appears to be a delivery and servicing access. No changes are proposed to existing access arrangements and vehicles can pass at the car park with adequate sight-lines available. There is likely to be much less delivery and servicing traffic as a result of this proposed change of use.

9.14 There is an adopted lit footpath (accessed via a ramped access) behind Heathlands leading through to Deepdale and the bus turnaround and local shops. Also, there is a footpath/cycle route to the east providing access further afield.

Parking

9.15 The Council does not have a parking standard for a HMO. However, in this case it would be reasonable to require the Council's residential parking standards. These standards require 1 parking space per 1 bedroom flat and 2 spaces per 2 bedroom flat, as well as 1 visitor space per 5 flats. The proposal would provide 20 bedrooms each for 1 person, and one 2-bedroom unit, generating a parking requirement of 22 parking spaces plus visitor spaces. The proposals include the provision of 26 parking spaces. This would equate to 22 spaces for the residents, in line with standards, plus 4 visitor spaces. Visitor spaces should be provided as 1 per 5 flats, and for 21 flats, 4 spaces is considered acceptable.

9.16 Cycle parking is required in line with the parking standards. The applicant has indicated that 30 cycle spaces, which is in excess of standards, would be provided within the building, in the disused rooms of the care home. These would be accessed using a key pad. In addition, some of the guardians would be allocated additional storage rooms and may choose to store their bikes in these rooms.

Trips

9.17 A 22-bed HMO is likely to generate in the region of 54 two-way movements per day and this is likely to be lower than the traffic generated by the existing care home by staff, visitors, including medical visits and deliveries and servicing.

9.18 Subject to the proposed condition, the application is in line with CSDPD Policy CS23 and Saved Policy M9 of the BFBLP.

v. WASTE

9.19 The proposal does not seek changes from the waste arrangements that were in place for the care home. There are two existing bin stores enclosures; one to the south of the main building, and one to the east of the site and guardians would take their rubbish to large communal bins within the store for collection. Both bin stores have facilities for general waste as well as recycling. Given that this is an existing arrangement, this is considered to be acceptable. In addition, the property guardian company inspects the properties and any tenants creating mess, including leaving rubbish out not in the communal bin store, would be given a

warning. This would ensure that the proposal is in line with CSDPD Policy CS13 in terms of waste management as well as BFBLP Policy EN20.

vi. 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.

9.21 There are 41 lockable rooms in the existing building and 22 HMO units proposed. This amounts to a net decrease in the number of units so there is no impact upon the Thames Basin Heaths Special Protection Area and therefore no mitigation measures are required. The proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Retained Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD.

vii. COMMUNITY INFRASTRUCTURE LEVY (CIL)

9.22 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.

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

9.24 In this case, the proposal would not be CIL liable as it relates to a change of use with no change to existing floor area.

10. CONCLUSIONS

10.1 The proposed development relates to a site within the settlement boundary. While it would result in a loss of care home bedspaces, the home is currently vacant and the proposal would re use this vacant building on a temporary basis to provide additional residential accommodation within the Borough. It is therefore acceptable in principle. No external changes are proposed to the building as such 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. No highway safety implications will arise subject to the imposition of conditions, and no SPA contribution is required. The proposal is therefore considered to be in accordance with 'Saved' Policies EN20 and M9 of the BFBLP, CS1, CS2, CS7 and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

11. RECOMMENDATION

That the application be approved subject to the following condition(s):-

01. The use hereby permitted shall be discontinued on or before three years from the date of this permission.

REASON: To allow the Local Planning Authority to retain the original use of the building once the HMO use ceases.

02. The development shall be carried out in accordance with the following plans and details received by the Local Planning Authority:

Location plan, received 04/08/2016

Block Plan, received 03/07/2016

Ground and First Floor Buildings A&B, received 22/07/2016

Rooms in use plan, received 20/09/2016
Floorplan with rooms for cycle storage, received 22/09/2016

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

03. The HMO hereby permitted shall be occupied only by occupants as selected by Ad Hoc Property Guardians.

REASON: To allow the Local Planning Authority to retain control over the use of the premises.

04. The number of people living in the HMO hereby approved shall not exceed 22 at any one time.

REASON: In order to ensure that there is sufficient on-site parking in the interests of road safety.

[Relevant Plans and Policies: BFBLP M9]

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. The following conditions do not require any details to be submitted, but must be complied with:

1. Time limit.
2. Approved plans.
3. Occupation by Ad Hoc property guardians only.
4. Occupation restriction to 22 people.

03. This application is for a large House in Multiple Occupation (HMO). There is not enough information to ascertain ratios of sharing and facilities. This property falls under Mandatory HMO Licensing and will require an HMO Licence if controlled/managed by anyone (individual or corporate body) other than the Council. Further advice about relevant requirements, including the HMO Licence application process, should be obtained from Environmental Health.

ITEM NO:

Application No.
16/00374/FUL

Site Address:

Ward:

Binfield With Warfield

Date Registered:

27 April 2016

Target Decision Date:

27 July 2016

**Binfield House Nursery Terrace Road North Binfield
Bracknell Berkshire**

Proposal:

Section 73 application for the variation of condition 02 (approved plans) of planning permission 13/00966/FUL for the erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings, and alterations to wall within the curtilage of a listed building. [Note for clarification: this application seeks a minor material amendment to the approved scheme including changes to fenestration, the introduction of chimneys, amendments to garage roof structures and brick detailing, adjustments to the siting of a number of plots to provide more space for parking and removal of the link element between plots 19/21 and 22/24].

Applicant:

Mr Craig Killoran

Agent:

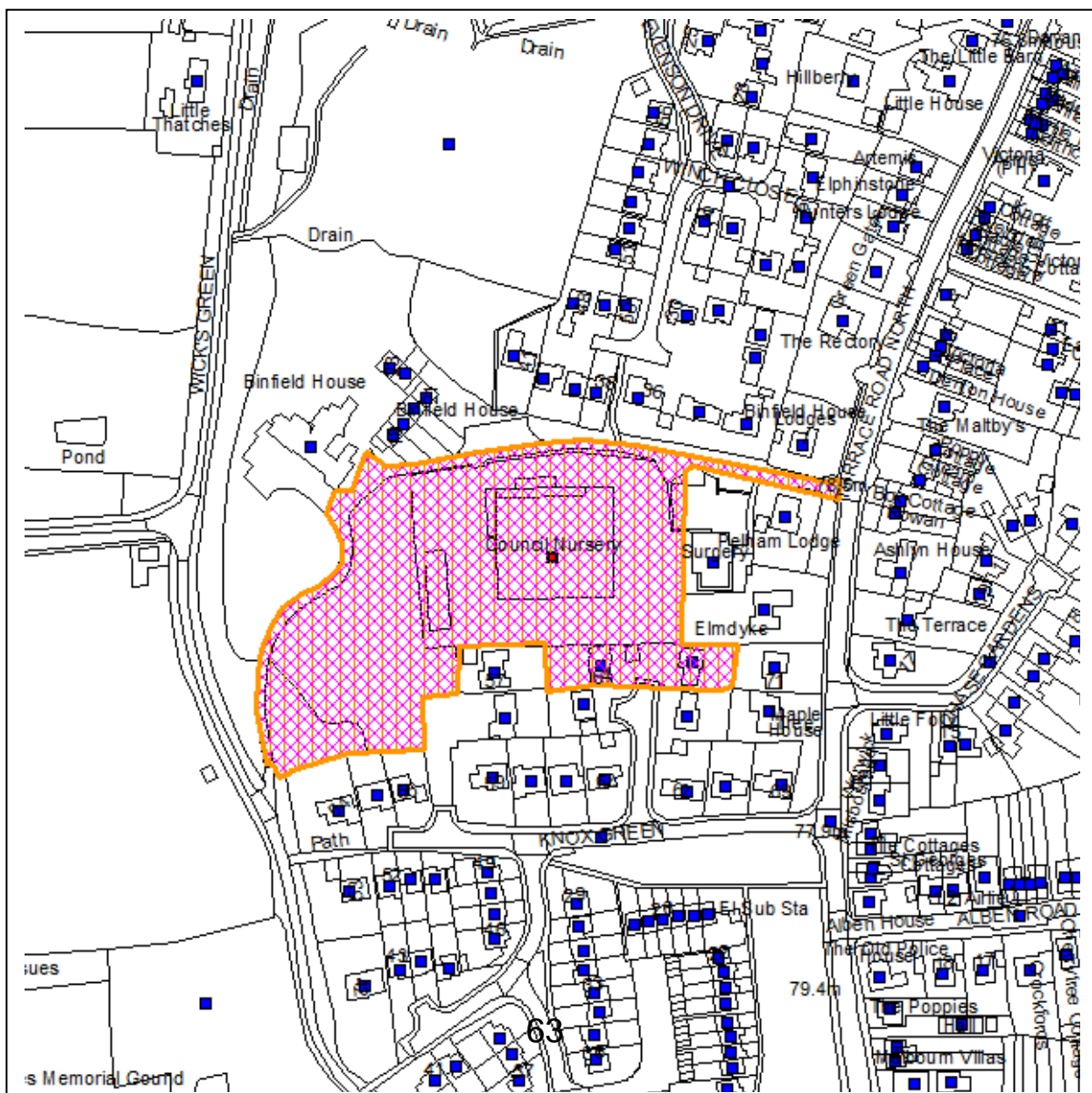
Mr Matthew Jouanides

Case Officer:

Sarah Fryer, 01344 352000

development.control@bracknell-forest.gov.uk

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



1. SUMMARY

1.1 This is a planning application submitted under Section 73 of the Town and Country Planning Act 1990. This Section enables the variation or removal of conditions attached to an extant planning permission. This includes amending the plans listed as part of a condition to enable minor material amendments to be considered by the Local Planning Authority, as is the case in this instance.

1.2 Accordingly consent is sought to amend condition 02 (approved plans condition) imposed on planning permission 13/00966/FUL, which gave consent for the 'Erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings and alterations to wall within the curtilage of a listed building.

1.3 The proposed changes consist of minor alterations which are listed in section 5 below.

1.4 There are no additional bedrooms proposed which would affect parking requirements or SPA contributions.

RECOMMENDATION
Approve

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Within grounds of Binfield House - Grade II Listed property.

3.1 The site consists of the former Council Nursery and adjoining land, which forms part of the grounds of the Grade II Listed Binfield House. The site consists of the curtilage listed walled garden walls, whilst to the west of this is open land consisting of tall grass. To the south the site adjoins residential properties on Knox Green, through which access to the site will be obtained. To the east and north the site abuts residential properties, including the elderly persons bungalows to the east of Binfield House, whilst to the west are the amenity grounds sited to the front of Binfield House and associated elderly persons bungalows. The site is generally flat with slight undulations.

4. RELEVANT SITE HISTORY

4.1 13/00966/FUL Erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings, and alterations to wall within the curtilage of a listed building. Approved 01.04.2015

13/00967/LB Application for listed building consent for alterations to walled garden within the curtilage of a listed building, comprising:-

- the removal of two lean-to buildings,
- the widening of an existing opening on the west side of the walled garden, and

- the infilling of an existing archway on the south side of the walled garden.
Approved 17.10.2014

15/00095/COND Details pursuant to conditions 37 (contaminated land Phase I report) and 38 (contamination remediation scheme) of planning permission 13/00966/FUL.
Approved 17.06.2015

15/00097/COND Details pursuant to condition 21 (Management and Maintenance Plan for the area of trees lying to the west of plots 7-9) of planning permission 13/00966/FUL.
Approved 17.07.2015

15/00098/COND Details pursuant to conditions 03 (detailed drawings of works to wall), 04 (scheme of works to secure safety and stability of wall), 05 (removal and storage of materials for re-use) and 06 (sample panel of brickwork) of listed building consent 13/00967/LB.
Approved 03.08.2015

15/00099/COND Details pursuant to conditions 05 (access from Knox Green), 32 (scheme to minimise impact on nesting birds) and 34 (bat mitigation scheme) of planning permission 13/00966/FUL. Approved 17.12.2015

15/00105/COND Details pursuant to conditions 03 (external materials), 04 (finished floor levels), 13 (off-site highway works), 14 (external lighting), 17 (hard and soft landscaping), 22 (works to wall), 23 (protection of wall during construction), 24 (SuDs), 25 (sustainability statement), 26 (post construction review), 27 (Energy Demand Assessment), 28 (Working Method Statement), 29 (site organisation) and 30 (Construction Traffic Management Plan) of planning permission 13/00966/FUL. Approved 17.12.2015

15/00172/COND Details pursuant to condition 16 (Fencing) of planning permission 13/00966/FUL. Approved 22.10.2015

15/00177/COND Details pursuant to condition 33 (Ecological Report) of planning permission 13/00966/FUL. Approved 14.10.2015

15/00989/NMA Non material amendment to planning permission 13/00966/FUL for the removal of requirement under conditions 25 and 26 of planning permission 13/00966/FUL.
Agreed 26.10.2015

16/00734/NMA Non material amendment to planning permission 13/00966/FUL for the following:-

1. Amendments to window size and locations.
2. Amendments to door sizes, types and locations
3. Addition of chimneys
4. Amendments and additional brick detailing elevations
5. Alteration to cill and header detailing to window and doors
6. Alteration to garage roofs.

Agreed 26.08.2016

5. THE PROPOSAL

5.1 This application seeks consent for a variety of minor material amendments to plans approved under planning reference 13/00966/FUL. The proposed changes are listed below plot by plot:

- Plot 1, insertion of bi-folding doors to rear elevation; external chimney; rear window enlarged; porch details changed and brick detail added.

- Plot 2, new external chimney, changes to window header details, changes to fenestration details, larger window to kitchen, additional window either side of external chimney breast.
- Plot 3, roof light to front elevation, first floor window moved, first floor balcony added above single storey element.
- Plot 4, first floor windows increased in size, external chimney added, fenestration patterns changed, window removed from side elevation, rear windows moved.
- Plot 5, windows added to front elevation, a chimney removed, width of first floor windows increased, brick detailing added, additional rear window, patio doors added to ground floor.
- Plot 6, windows added to front elevation, chimney removed, other changed to external chimney stack, new window to rear elevation, new doors to rear elevation, door and window removed. Plot to be moved 1m west to increase driveway width.
- Plot 7, bay window at ground floor to front, bay window removed from side, chimney removed, other changed to an external chimney stack, fenestration changed, window widths increased, additional roof lights to rear roof plane, pitched roof removed from over garage, lantern roof light installed.
- Plot 8, Small single storey extension linking dwelling with garage. Chimney removed, pitched roof removed from garage, rear windows enlarged. Dwelling moved 1m south to increase driveway width.
- Plot 9, Bay added new external chimney stack, pitched roof over garage changed to flat, side window removed, side window added, front first floor windows increased in size. Dwelling moved 1m south to increase driveway width.
- Plot 10, Front first floor windows increased in size, position of chimney moved and external chimney breast added, side ground floor window enlarged, study added at ground floor.
- Plot 11, First floor windows enlarged, chimney removed and retained chimney moved and made external, ground floor side window added,
- Plot 12, Rooflights added to single storey element, ground floor window on front elevation made into a 'dummy' window, cill details to rear window openings changed, rear door moved and patio doors replaced by bi-fold doors.
- Plots 13 & 18, dormer windows enlarged, segments between garages in same ownership removed.
- Plots 14 to 17(inc), Ground floor door style changed, external chimney stack added, lantern roof lights to rear extension, bay windows added to front elevation, increase in size of windows on rear elevation, appearance of window changed.
- Plots 19, 20, 21, roof lights added to front roof slope, one rear dormer increased in height, study shown on first floor (no door and open stairwell)
- Plots 22, 23 and 24, These dwellings have moved to the south by 3m and the covered way linking the two blocks has been removed, roof lights added to front roof slope, one rear dormer increased in height, study shown on first floor (no door and open stairwell)

5.2 There are no additional bedrooms planned which would affect parking or SPA contributions.

Legislative Background.

5.3 Section 73 of the Town and Country Planning Act 1990 enables conditions to be amended or removed. One use of this is to enable plans to be substituted where details within a scheme have changed. The S73 application creates a new planning permission that sits alongside the original which remains unaltered. S73 applications do not have the power to increase the time limit requiring a development to be begun. In respect of conditions, Planning Practice Guidance clarifies that 'notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged'.

6. REPRESENTATIONS RECEIVED

6.1 A total of 4 objections have been received from residents of surrounding properties. The objections can be summarised as follows:-

- The Council adopted new parking standards earlier this year. These are a material consideration in the determination of the application and many of the plots now do not comply resulting in a under provision of parking across the site.
- Under provision of parking will result in on-street parking either within the site or within Knox Green, resulting in dangers to users of the highway.
- The Binfield Neighbourhood Plan requires a satisfactory level of parking to be provided and a safe access. If the parking is sub-standard the development is contrary to these policies.
- The density of the proposed housing is in excess of previous permitted development and will detract from the rural nature of this part of the village. *(Officer note: no additional dwellings are proposed and therefore the density of the proposal has not changed from that approved)*
- Proposed access from Knox Green is poorly considered and will create congestion both in Knox Green and on the intersection with Terrace Road North. *(Officer note: the access arrangement was approved under the original application and is not proposed to be changed)*
- Plots 3 and 4 will reduce parking for the Doctors surgery which is already heavily congested.
- There appears to be no restrictions on traffic entering/ exiting onto Wicks Green.
- The proposals move plots 22, 23 and 24 nearer to the properties on 54, 55 and 56 Knox Green and the protected trees along the boundary. This is unacceptable and in addition no consideration of the shadow these trees will cast has been had.
- Boundary treatment plan is referenced as Rev. C and not the approved Rev. E.

Binfield Parish Council

6.2 Binfield Parish Council has objected on the grounds of lack of parking due to the proposal no longer complying with the updated parking standards. In addition they require provision of broadband within the proposals. *[Officer comment: the applicant has confirmed that the dwellings will have the ability to have a broadband connection through the phone cable]*

7. SUMMARY OF CONSULTATION RESPONSES

Highways

7.1 The access to the site remains as approved under the last application and thus no further commentary is required in relation to this aspect of the proposal.

7.2 The recent change in parking standards is a material consideration and has an impact on many of the units as garage sizes are affected and thus the level of parking for certain units required amending to comply with the new standards.

7.3 The submitted amendments have gone some way to overcoming the concerns initially raised, however there still remains a shortfall in parking provision which could result in overspill parking on surrounding roads to the detriment of highway safety.

Conservation Consultant.

7.4 Binfield House which is a grade II listed building, is now used as a care home for the elderly. The house dates from the late 18th century and was altered and extended in the 19th century with the addition of Gothic features, and was further altered in the late 20th

century. It is two storeys in height with an attic level and has a rectangular plan with extensions at rear. The house is built of red brick in Flemish bond under hipped tiled roofs of different heights and several chimneys, some with clay pots.

The proposals centre on the kitchen garden walls of Binfield Nursery which form part of the curtilage of Binfield House and are also grade II Listed.

7.5 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision makers to have special regard to preserving the setting of Listed buildings in determining planning applications.

7.6 In view of the approved scheme for housing within the kitchen garden walls of Binfield Nursery, the proposed changes would not have an additional significant impact upon the setting of the Grade II listed building.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Highways	CS23 of CSDPD, Saved Policy M9 of BFBLP.	consistent
Supplementary Planning Documents (SPD)		
Parking Standards SPD 2016		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Binfield Parish Neighbourhood Plan		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

- i Highway safety
- ii Impact on character and appearance of the area and proposal
- iii Impact on residential amenity
- iv Impact on the setting of the Listed Building
- v Trees
- vi Conditions

i. HIGHWAY SAFETY

9.2 Since the previous scheme was granted, the Council has adopted a new parking standards SPD. This is therefore a material consideration. Whilst not changing the parking space requirement for dwellings it does increase the dimensions garages have to be, to be counted as a parking space. The previous scheme complied with the old standards.

9.3 Where possible garages have been amended to comply with the new standard of 3.5m in width by 7.5m in length incorporating a separately accessible storage area (plots 7 and 8).

Due to the constraints of the site it has not been possible to amend all the garages to comply across the site. Particular problems have arisen within the listed walled garden, where due to the impact upon the listed structure it would not be possible to increase the size of the garages here.

9.4 In terms of the 2016 parking standards, plots 9, 11, 1214-17 and 18 do not comply and between them this results in a shortfall of 8 spaces.

9.5 The 'fall back' position is the extant 2015 permission on the site which the applicant can continue to implement if they wish to that does not comply with the 2016 parking standards. In two recent appeals (Wildwoods, 24 Prince Consort Drive and 6 Longdown Road) the Inspector gave considerable weight to the respective 'fall back' positions.

9.6 The application involves the slight relocation of plots to widen driveways. This affects the driveways between plots 5/6 and 7/8, making them more useable. Where possible garages have been increased in size to meet the new requirements (plots 7 and 8). Both measures are considered to be improvements over the extant scheme. Therefore, although the proposal would not comply with the 2016 parking standards having regard to the fall back position of the extant scheme, the proposal would result in improvements to the usability of the parking within the scheme. It is not possible, therefore, to demonstrate that the proposed changes would result in significant cumulative harm to highway safety. The proposal is therefore considered to comply with Policy 23 of the CSDPD, Policy M9 of the BFBLP and paragraph 32 of the NPPF

9.7 Objections have been received relating to the access being from Knox Green and the resulting increase in traffic using the junction between Knox Green and Terrace Road North. Both these were approved under the original application and there are no proposed changes to the proposed access of the development.

II. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.8 'Saved' Policy EN20 of the BFBLP states that in determining applications the Borough Council will seek development that is in sympathy with the appearance and character of the local environment. Policy CS7 of the CSDPD states that proposals should build on the urban, suburban and rural local character.



PLOT 5 - FRONT ELEVATION 1:100
Binfield Nursery, Knox Green, Binfield

Plot 5 as approved by the
13/00966/FUL application



PLOT 5 - FRONT ELEVATION 1:100
Binfield Nursery, Knox Green, Binfield

Plot 5 as now proposed

9.9 The proposals seek minor changes to the elevation and fenestration detail. An example is shown above. It is considered that the proposed external changes are minor and do not

have any detrimental affect upon the character or appearance of the development and therefore are considered to comply with Policies EN20 of the BFBLP and CS7 CSDPD.

9.10 It is proposed to extend the ground floor of plot 8 with a 4m by 3m flat roof extension effectively linking the dwelling with the garage. This replicates the approved layouts of plot 7 and 9 either side of plot 8. This addition would not be visible from the street and is not considered to affect the character or appearance of the dwelling or the development.

9.11 A first-floor balcony is proposed over the existing flat roofed ground floor element of plot 3. Whilst visible from the highway the lightweight structure would not appear dominant within the streetscene and would not detract from the character of the development.

9.12 An objection has been received to the density of the development. The number of units has not changed since the 2013 application, and therefore there is no increase in density to this proposal.

iii. IMPACT ON RESIDENTIAL AMENITY

9.13 Many of the changes do not result in an effect upon the residential amenities of surrounding properties (i.e. changes to chimneys, alterations to window design and appearance). The proposed changes that may have an effect on the amenities of neighbouring properties are considered in turn.

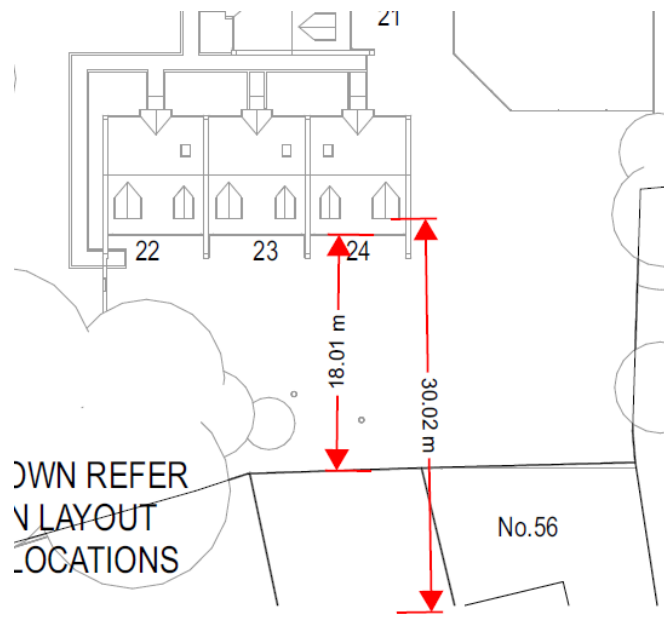
Plot 3: Proposed roof terrace

9.14 The first floor structure would be located above the single storey side extension located to the south side of the proposed dwelling. The terrace would be visible from the road, and would directly face the side elevation of plot 2. On the northern side of plot 2 there is a double garage and windows serving a dining room at ground floor level and en-suite at first floor. The ground floor dining room window is a secondary narrow window which is visible from the public highway. It is not considered that the proposal would detrimentally affect the amenities of future residents of plot 2.

9.15 The proposed terrace would also afford views over the doctors surgery located to the east. The doctors surgery is separated from the site by a 2m concrete sectional wall. There are three roof lights within the mansard roof of the surgery building facing the site. Due to the height and angle of the rooflights it is not considered that views into the consulting rooms will be visible from the proposed terrace.

Plots 22, 23 and 24.

9.16 It is proposed to move these dwellings 3m to the south and therefore closer to 54, 55 and 56 Knox Green. Whilst moving closer there is still a distance of 18m between the proposed dwellings and the garden boundaries of the properties on Knox Green. Between the first floor windows there is a distance of 30m (see below). These distances are well in excess of the Council's indicative standards of 10m and 22m respectively, and accordingly the repositioning of plots 22, 23 and 24 is not considered to result in any unacceptable additional overlooking or loss of amenity to existing residents.



9.17 Accordingly it is considered that the proposal complies with 'saved' Policy EN20, specifically criterion vii.

iv. IMPACT ON SETTING OF LISTED BUILDING

9.18 Binfield House is a grade II listed building, now used as a care home for the elderly.

9.19 The proposals centre on the kitchen garden walls of Binfield Nursery form part of the curtilage of Binfield House and are also grade II Listed. In light of the Conservation Consultant's advice set out in paragraph 7.4- 7.6 above the proposal is not considered to detrimentally affect the setting of the Listed Building complying with Policy CS7 criterion i of the CSDPD, supported by Section 12 of the NPPF.

v. TREES

9.22 Objections have been made on the grounds that the proposal would encroach into the required protective area around trees located south of plots 22, 23 and 24. The proposed plots are still outside the previously approved tree protection areas and the proposed changes would not result in harm to any of the trees within the site.

vi. CONDITIONS

9.23 Whilst all pre-commencement conditions have been discharged the current proposal included changes to the layout. If acceptable, the plans approved under discharge of conditions application, need to be consistent with the current layout. As the layout has not been updated, any details which include a layout cannot be approved and therefore conditions 03, 04, 05, 13, 14, 16, 17, 20, 22, 23, 24, 27, 28 and 29 will be reinstated as originally imposed.

9.24 Conditions 21, 32, 33 and 34 were discharged with relevant reports or details that were not shown on a site layout. These conditions have therefore been amended to ensure that this application complies with the previously approved details. Application 15/00989/NMA removed condition 26 following the revocation of the Code For Sustainable Homes and therefore this condition will not be re-instated to this application. This and the approved

sustainability statement will also be reflected within the conditions attached to this application.

10. CONCLUSIONS

10.1 The application seeks consent for alterations to an approved scheme. These changes are considered material to the development, however minor in nature and do not affect the character or appearance of the area. The proposed changes are not considered to affect the amenities of existing or future occupiers significantly more than the extant scheme. The proposals therefore comply with Policies CS7 of the CSDPD and EN20 of the BFBLP.

10.2 Since the original application was approved, the Council has adopted revised parking standards which are now a material consideration to this section 73 application. The layout does not fully meet these requirements and would lead to a notional shortfall of 10 spaces in relation to them. The extant 2013 permission is, however, a material consideration and it will be noted that in recent appeal decisions Inspectors have given significant weight to 'fall back' positions. The revised layout also provides improvements over the consented extant scheme. It is therefore concluded that the proposal would not result in severe cumulative impacts upon highway safety. The application is therefore considered to comply with Policy CS23 of the Core Strategy DPD and Policy M9 of the Bracknell Forest Borough Local Plan.

RECOMMENDATION :

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 01.04.2018.
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:-
 - PL-1000 Location Plan
 - 8278-PL-1002AP Proposed Block Plan
 - 8278-PL-1003AP Proposed Information Layout
 - PL-1009A Proposed Listed wall elevations
 - PL-101 Rev B Plot 1 - Floor Plan
 - PL-102 Rev B Plot 1- Elevations
 - PL-103 Rev. C Plot 2 - Ground and first floor plan
 - PL-104 Rev. A Plot 2 - Second floor and roof plan
 - PL-105 Rev. C Plot 2 - Elevations
 - PL-106 Rev. B Plot 3 - Ground and first floor plan
 - PL-107 Rev. A Plot 3 - Second floor plan and roof plan
 - PL-108 Rev. A Plot 3 - Elevations
 - PL-109 Rev. B Plot 4 - Floor Plan
 - PL-110 Rev. B Plot 4 - Elevations
 - PL-111 Rev. B Plot 5 - Floor plans and elevations
 - PL-112 Rev. B Plot 6 - Floor plans and elevations
 - PL-113 Rev. D Plot 7 - Floor Plan
 - PL-114 Rev. D Plot 7 - Elevations
 - PL-115 Rev. B Plot 8 - Floor Plan
 - PL-116 Rev. D Plot 8 - Elevations
 - PL-117 Rev. E Plot 9 - Ground and first floor plan
 - PL-118 Rev. C Plot 9 - Second floor plan and roof plan

PL-119 Rev. CPlot 9 - Elevations
 PL-120 Rev. C Plot 10 - Floor Plan
 PL-121 Rev. B Plot 10 - Elevations
 PL-122 Rev. C Plot 11 - Floor Plan
 PL-123 Rev. B Plot 11 - Elevations
 PL-124 Rev. C Plot 12 - Floor Plans
 PL-125 Rev. A Plot 12 - Elevations and roof plan
 PL-126 Rev C Plots 13 & 18 Elevations
 PL-127 Rev D Plot 13 & 18 Floor Plans
 PL-128 Rev B Plot 14-17 Floor Plans
 PL-129 Rev. A Plot 14-17 Elevations
 PL-130 Rev. A Plot 14-17 Roof Plan and Elevations
 PL-131 Rev D Plots 19,20,21 Floor Plans
 PL-132 Rev C Plots 19,20,21 Floor Plans
 PL-133 Rev. C Plots 22,23,24 Floor Plans
 PL-134 Rev. B Plots 22,23,24 Elevations
 PL-135 Bin Store plans and elevations
 PL-21A Double garage for No. 64 Knox Green

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

03. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
 REASON: In the interests of the visual amenities of the area.
 [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
04. The development hereby permitted shall not be begun until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
 REASON: In the interests of the character of the area.
 [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
05. No development (other than the construction of the access and the provision of replacement parking for Nos 64 and 65 Knox Green) shall take place until the access from Knox Green including a turning head within the site has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.
 REASON: In the interests of highway safety.
 [Relevant Policies: Core Strategy DPD CS23]
06. No dwelling shall be occupied until a means of vehicular access to it has been constructed in accordance with the approved plans.
 REASON: In the interests of highway safety.
 [Relevant Policies: Core Strategy DPD CS23]
07. No dwelling shall be occupied until a means of access to it for pedestrians and/or cyclists has been constructed in accordance with the approved plans.
 REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
 [Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

08. No dwelling shall be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent 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 and turning space serving it has been surfaced in accordance with the approved drawings. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
10. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
11. There shall be at least 6.0 metres between the garage door (when shut) and the highway boundary.
REASON: In order to ensure that adequate off street vehicle parking is provided in accordance with the
Borough Councils vehicle parking standards.
[Relevant Policy: BFBLP M9]
12. There shall be no restrictions on the use of the visitor parking spaces shown on the approved plan for visitors to the buildings hereby permitted.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street parking which would be a danger to other road users.
[Relevant Policy: BFBLP M9]
13. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works including the following:-
- alterations to Knox Green to form the vehicular access
- works on the section of the existing drive to Binfield House between Terrace Road North and the footpath link to Stevenson Drive to provide safe pedestrian and cyclist access.
None of the buildings provided by the carrying out of the development shall be occupied until the off-site highway works have been completed in accordance with the scheme.
REASON: In the interests of highway safety.
[Relevant Policy: BFBLP M4]
14. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting for the parking courts serving plots 13-18 and 19-24, including lighting units and levels of illumination. The approved scheme shall be implemented before the first use of each parking court and the lighting retained in accordance therewith.
REASON: In the interests of the amenity of the neighbouring property and the character of the area.
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no freestanding external lighting shall be installed on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of nature conservation
[Relevant Policies: BFBLP EN15, EN20 and EN25]

16. The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure, including a new boundary to the side of plot 22, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme associated with each building shall be implemented in full insofar as it relates to that building before its occupation and the means of enclosure shall thereafter be retained.
REASON: In the interests of the visual amenities of the area the amenities of properties adjoining the site.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]

17. The development hereby permitted shall not be begun until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: -
 - a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.
 - b) Details of semi-mature tree planting to mitigate for the loss of Tree T5
 - c) Comprehensive 5 year post planting maintenance schedule.
 - d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
 - e) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
 - f) 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 plot to which it relates or the completion of the development as a whole, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st

October to 31st March inclusive) with others of the same size, species and quality as approved, unless

the Local Planning Authority gives written consent to any variation.

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

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

18. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, Core Strategy DPD CS7]
19. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2005, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.
REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
20. The protective fencing and other protection measures specified by condition 19 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.
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]
21. The area of trees lying to the west of plots 7-9 shall be managed and maintained in accordance with the details within the Tree Management Report by Venners Arboriculture dated June 2015.
REASON: To ensure this area of retained trees is maintained in the interests of the visual amenities of the area.
[Relevant Plans and Policies: BFBLP EN1, EN20]
22. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for steps and works to secure the long-term safety and stability of the garden wall, including measures to strengthen it

as necessary. No dwelling shall be occupied until the approved scheme has been implemented.

REASON: To protect and preserve the garden wall in the interests of the visual amenities of the area.

[Relevant Policies: Core Strategy DPD CS1]

23. The development hereby permitted shall not be begun until a scheme for the protection, during demolition/construction works, of the C19th garden wall has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed and complied with.

REASON: To protect and preserve the garden wall in the interests of the visual amenities of the area.

[Relevant Policies: Core Strategy DPD CS1]

24. The development hereby permitted shall not be begun until details of the design, implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:-

a) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;

b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

c) Flood water exceedance routes, both on and off site;

d) A timetable for its implementation, and

e) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Once approved, the scheme shall be implemented, retained, managed and maintained in accordance with the approved details.

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

25. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement, water usage (dated 27th April 2017) and shall be retained in accordance therewith.

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

[Relevant Policy: Core Strategy DPD CS10]

26. The development hereby permitted shall be carried out in accordance with the Carbon Reduction and Local Energy Generation Options Report V.3 dated October 2015 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]

27. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise
- (ii) control of dust, smell and other effluvia
- (iii) site security arrangements including hoardings
- (iv) proposed method of piling for foundations
- (v) construction and demolition working hours
- (vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.

The development shall be carried out in accordance with the approved scheme.
 REASON: In the interests of the amenities of the area.

28. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives
- and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written permission of the Local Planning Authority.
 REASON: In the interests of amenity and road safety.
29. The development hereby permitted, including works to deal with on-site contamination, shall not be begun until a Construction Traffic Management Plan has been submitted to and approved by the Local Planning Authority. The approved Management Plan shall be performed, observed and complied with for the duration of site preparation and the construction of the development hereby approved.
 REASON: In the interests of road safety and the amenity of nearby residents.
 [Relevant Policies: BFBLP EN25, CSDPD CS23]
30. Notwithstanding the provisions of Class G of Part 17 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development by statutory undertakers for the generation, transmission or supply of electricity shall be installed or constructed.
 REASON: In the interests of the visual amenities of the area
 [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
31. Any site clearance shall be carried out in accordance with the 'Ecological Monitoring Report: Matters relating to breeding birds' dated June 2015.
 REASON: In the interests of nature conservation
 [Relevant Plans and Policies: BFBLP EN3, CSDPD CS1 and CS7]
32. The development (including site clearance and demolition) shall be carried out in accordance with the Ecological Monitoring Report: Matters related to Great Crested Newts (Planning condition 33) September 2015. The approved scheme shall be performed and complied with.
 REASON: In the interests of nature conservation
 [Relevant Plans and Policies: CSDPD CS1]
33. The development (including site clearance and demolition) shall be carried out in accordance with the Ethos Bat Survey and Report dated June 2015. The approved scheme shall be performed and complied with.
 REASON: In the interests of nature conservation
 [Relevant Plans and Policies: BFBLP EN2]

34. An ecological site inspection report shall be submitted 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]
35. The following windows shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent):-
- Plot 1: 1st floor north-facing en-suite
- Plot 2: 1st floor north and east-facing en-suites
- Plot 3: 1st floor north-facing landing
- Plot 5: 1st floor south-facing landing
- Plot 20: 1st floor east-facing bathroom
- Plot 21: 1st floor east-facing bathroom.
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]
36. The development shall be carried out in accordance with recommendations contained within the Ground Appraisal Report prepared by Geo-Environmental for the site at Former Binfield Nursery (Ref: GE10203 GARv1JO011214 Version: 2.0 dated December 2014) attached to application 15/00095/COND.
REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.
[Relevant Policies: BFBLP EN25]
37. The development hereby approved shall be carried out in accordance with the details contained within the 'Remedial Options and Implementation Strategy' prepared by G&J Geoenviromental Consultants Ltd Dated June 2015.
REASON: To enable to the Local Planning Authority to ensure that appropriate measures are taken to avoid any threat which the proposed development might pose to health and safety and/or the environment.
[Relevant Policies: BFBLP EN25]
38. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out to the dwellings on plots 1, 5, 6, 12, 13, 14 and 15.
REASON: To control development which might have an adverse impact on the C19th garden wall.
39. The dwellings on plots 19-24 (inclusive) shall only be occupied by persons:-
(a) who are aged 60 years or over requiring facilities which consist of the services of a non-resident warden, and
(b) provided that they are aged 55 years or more, the spouse or a partner of a person falling within (a) above who is in occupation of the accommodation.
REASON: To ensure that the special nature of the proposed development is properly controlled and to ensure adequate vehicle parking is provided.
[Relevant Plans and Policies: BFBLP M9, CSDPD CS16]

Informative(s):

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

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

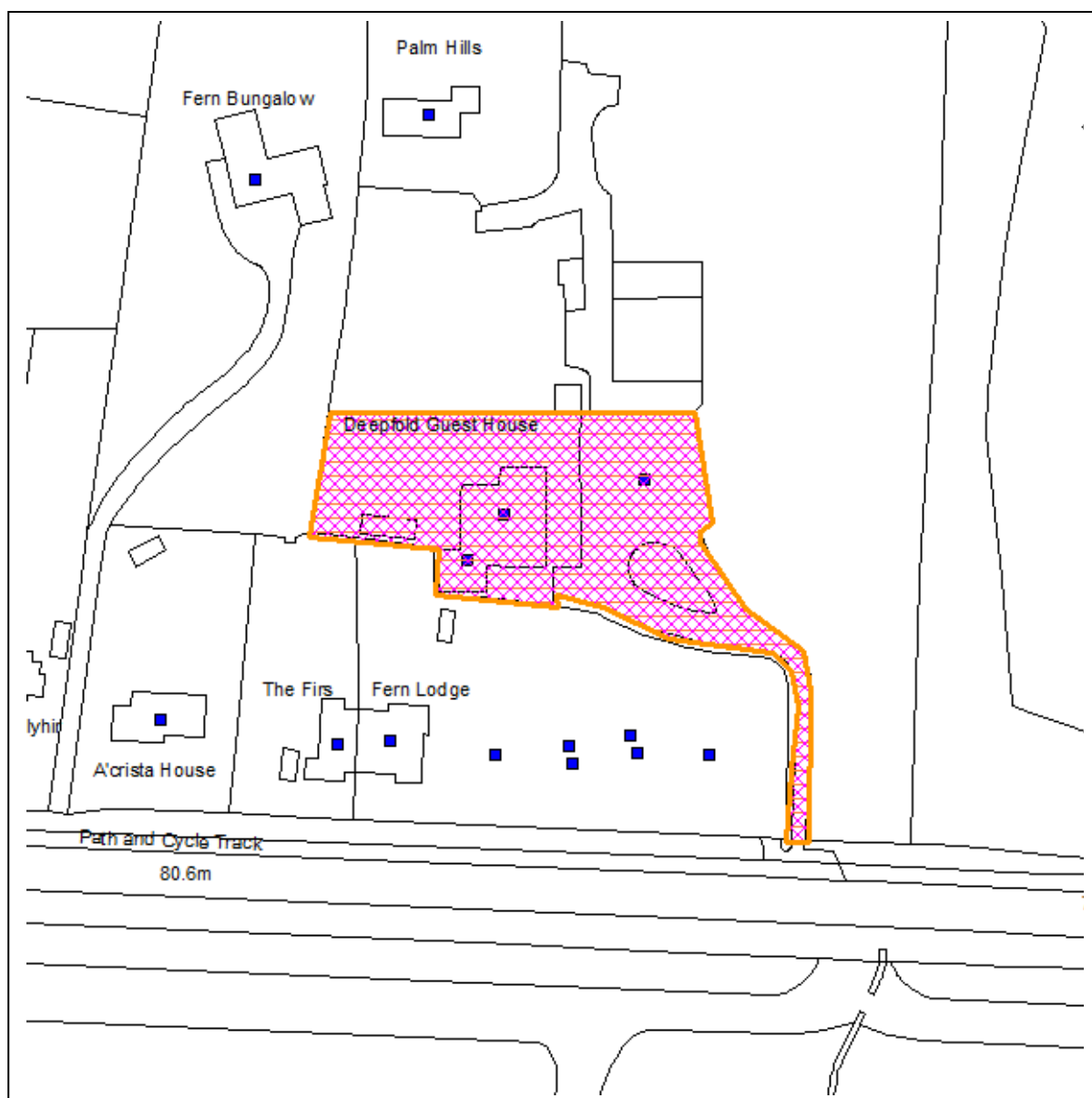
- 01. Time limit
- 02. Plans considered
- 06. Means of access (vehicles)
- 07. Means of access (pedestrians and cyclists)
- 08. Visibility splays
- 09. Parking and turning space
- 10. Garage parking
- 11. Distance between garage door and highway
- 12. Visitor space provision
- 15. Lighting
- 18. Soft landscape retention
- 19. Tree protection details
- 21. Tree management report
- 25. Water usage
- 26. Energy use report
- 30. Removal of PD rights
- 31. Site clearance
- 32. Ecological report (Newts)
- 33. Ecological report (Bats)
- 34. Post development ecological report
- 35. Obscure glazing
- 37. Land contamination remedial report
- 38. Removal of PD
- 39. Occupancy restriction.

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

- 03. Materials
- 04. Finished floor levels
- 05. Knox Green turning head
- 13. Off site highway works
- 14. External lighting
- 16. Boundary treatments
- 17. Hard and Soft landscaping
- 20. Tree protection location
- 22. Garden wall stability
- 23. Garden wall protection
- 24. Sustainable drainage
- 27. Working method statement
- 28. Site management
- 29. Construction traffic management plan.
- 36. Land contamination report

ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
16/00395/FUL	Ascot	4 May 2016	29 June 2016
Site Address:	Palm Hills Guest House Palm Hills Estate London Road Bracknell Berkshire RG12 9FR		
Proposal:	Change of use of part of building from C1 (Guesthouse) and C3 (Residential dwelling) to C3 (Residential) to create a six bedroom dwelling.		
Applicant:	Mr David Holmes		
Agent:	(There is no agent for this application)		
Case Officer:	Sarah Horwood, 01344 352000 development.control@bracknell-forest.gov.uk		

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



1. SUMMARY

1.1 It is not considered that the proposed change of use of part of the building from C1 and C3 to C3 use would have any adverse impact upon the character and appearance of the surrounding area or residential amenities of neighbouring properties. There would be no highway safety implications. A section 106 agreement is to be entered into to secure SPA mitigation. The proposal is not 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 has been reported to the Planning Committee at the request of Councillor Mrs Hayes over highway safety concerns relating to the use of the access for residential purposes along with the same access being used for B1 and D2 purposes as proposed by a separate application, ref: 16/00396/FUL and the number of vehicular movements on the access.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

250m buffer zone of landfill

Within 5km buffer of Thames Basin Heath Special Protection Area (SPA)

3.1 The guest house is located to the north of London Road and comprises a two storey building with two storey element linked to the main house by a single storey extension with a large area of hardstanding for parking to the east of the building. There is a collection of other buildings on site including a dwelling at Palm Hills. The two storey element has been boarded off internally from the main building (there is a door that links the two together) as it is not fit for habitation/use – it has no electricity, water or gas supply following a water leak and therefore is not in use. It was observed that the ceiling and walls of this element of the building are suffering extensive damp and therefore it is not in any use for this reason. This part of the building is identified on drawing no. PHA/COU/205 received 27 September 2016.

3.2 Land levels rise from south to north through the site. There are numerous trees on site, none of which are covered by Tree Preservation Orders (TPOs).

4. RELEVANT SITE HISTORY

4.1 618493 approved 1992 for change of use from residential to residential and guest house.

4.2 Permission 618493 was approved subject to conditions which restricted the number of guest bedrooms connected to the C1 use to 7 (condition 2) and that the premises should be retained for C1 and C3 use and shall not be used as a hotel (condition 3). The permission permitted the use of the building therefore as a 7 bedroom guest house with a separate residential unit of accommodation comprising 4 bedrooms. For clarification, the main two storey part of the building was approved for the C3 use with part for C1 use at ground floor level and the two storey element

of the building (which is now boarded off) was approved for the C1 use as part of permission 618493.

4.3 From the floor plans submitted with the application, the existing layout of the building shows 6 bedrooms, however there is no distinction made between what rooms were given over to C1 use and what rooms were given over to C3 use. It has been confirmed by the agent that the building was used as a guest house and also contained residential accommodation which was occupied by the owner/staff of the guest house, however it cannot be confirmed how the building was operated prior to the site being purchased. For information, the C1 and C3 use ceased in August 2015 and since that date, the building has not been in use.

4.4 It is uncertain whether the building whilst in operation was being lawfully used in accordance with permission 618493 or whether more rooms within the building were in C1 use in breach with the requirements of the aforementioned permission. The Council has no records to confirm or deny whether the premises were being lawfully operated in accordance with permission 618493, however the building ceased being used for C1 and C3 purposes in August 2015 and has been vacant since that date. Notwithstanding how the premises formerly operated connected to the C1 and C3 use, that use has since ceased and this application proposes to change the use of part of the building to a 6 bedroom residential dwellinghouse for sole C3 use (the two storey element is excluded as it is not fit for habitation/use).

5. THE PROPOSAL

5.1 Full permission is sought for a change of use of part of a building from C1 (Guesthouse) and C3 (Residential dwelling) to C3 (Residential dwelling) to create a six bedroom dwelling.

5.2 No external alterations are proposed to the building to facilitate the change of use from mixed C1 and C3 use to C3 use.

5.3 The use of the building as a mixed use guest house and residential dwelling (C1 and C3) use ceased in August 2015.

5.4 For clarification, the two storey element used as part of the C1 guest house (attached at ground floor level) is not subject to the proposed change of use as part of this application. The internal access at ground floor between the main building and the two storey element has been blocked off by virtue of wooden blockades –a door without a handle with wooden ply behind to prevent access to this part of the building. The reasons for this element of the building being excluded have been discussed previously in paragraph 3.1 above due to it not being fit for habitation.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 No objection to the application.

Other representations:

6.2 2no. objections have been lodged against the application from 1 postal address however, the objection does not relate to this proposal but the proposed redevelopment of the site for housing which raises matters of sewage, noise, dealing with multiple home owners, road access, drainage.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Parking	Saved policy M9 of BFBLP, CS23 of the CSDPD	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		
Thames Basin Heath SPA SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

- i. Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Impact on highway safety
- v. Thames Basin Heath Special Protection Area (SPA)
- vi Community Infrastructure Levy
- vii. Sustainability

i. PRINCIPLE OF DEVELOPMENT

9.2 The site is located within the defined settlement boundary as designated by the Bracknell Forest Borough Policies Map (2013).

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

9.4 CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings and locating development in locations that reduce the need to travel.

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

9.6 The premises used as a guesthouse and dwellinghouse is located on land that is part of a larger site allocated for housing development through the adopted Site Allocations Local Plan (SALP July 2013). The site has the potential to provide 49 dwellings as stated in the SALP.

9.7 The adopted SALP is an integral part of delivering the Council's housing requirement of 11,139 dwellings (as contained in Core Strategy Policy CS15) across the plan period until 2026. It amends the boundaries of settlements where this is required as a result of the allocation of edge of settlement sites such as the Palm Hills Estate and subsequently relevant changes are incorporated into the adopted Policies Map.

9.8 The SALP does not include an illustrative concept plan for the site.

9.9 An application for the redevelopment of the site for 62 dwellings was refused in December 2014, LPA ref: 14/00569/FUL. There have been no subsequent applications for the redevelopment of the site.

9.10 The proposed change of use of part of the building from mixed C1 and C3 use to C3 use for 1no. residential dwelling located within the settlement boundary is acceptable in principle.

9.11 The building has been vacant since August 2015. The guest house element of the use is located on the edge of settlement, not within a town centre location or a designated retail or employment area. Further, it is not considered that the C1 use is a community facility used by members of the public as it contained no restaurant, bar, tea room, etc. open to non staying guests. The guest house use would be lost in the event of the redevelopment of the site for housing as part of the SALP. It is not considered that the loss of the guest house due to its location and not being a community facility would be harmful to the surrounding area and therefore no objection is raised to its loss.

9.12 As such the proposal is acceptable subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.

ii. IMPACT ON CHARACTER AND APPEARANCE OF THE AREA

9.13 No external alterations are proposed to the building itself to facilitate the part change of use from mixed C1 and C3 use to sole C3 use. The site is bounded to the south and west by residential dwellings and therefore use of part of the building for residential purposes would be in keeping with the character and appearance of the surrounding area.

9.14 As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policy EN20 of the BFBLLP, Policy CS7 of CSDPD and the NPPF.

iii. IMPACT ON RESIDENTIAL AMENITY

9.15 The proposed change of use of part of the building from mixed C1 and C3 use to C3 use would be a less intensive use than the former mixed C1 and C3 use with a reduction in pedestrian and vehicular movements to and from the site, therefore resulting in a reduction in noise and disturbance to the benefit of adjoining residential properties.

9.16 No external changes are proposed to the building to facilitate the part change of use and therefore no additional impact would result to adjoining residential properties from overlooking, loss of privacy, etc. The proposed dwelling would have its own rear garden to provide adequate private amenity space for the future occupiers of the dwelling.

9.17 The site is located within a 250m buffer zone of the London Road Chavey Down landfill. However the proposal relates solely to the change of use of part of an existing building to residential use where part of that building was previously in use for residential purposes when the building was in operation as a guest house. No other external changes are proposed to facilitate the change of use and therefore it is not considered that any measures are required to mitigate this impact.

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

iv. IMPACT ON HIGHWAY SAFETY

9.19 The proposed part change of use of the building from mixed C1 and C3 use to C3 use would result in a reduction in vehicular movements at the site as the use would be less intensive.

9.20 No external alterations are proposed to the building to affect its existing vehicular access or parking layout. Further, no alterations are required to the access or parking to facilitate the proposed change of use. 3no. parking spaces are to be provided for the proposed 6no. bedroom dwelling in accordance with the Council's Parking Standards SPD 2016.

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

v. THAMES BASIN HEATH SPA

9.22 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 2.6km 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.

9.23 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.

9.24 In this instance, the development would result in a net increase of 1 X six bedroom dwelling which results in a total SANG contribution of £3,211 (the agent has agreed to pay the SPA contribution based on the creation of 1no. 6 bedroom dwelling as it cannot be determined what the original layout of the premises was when it was operating as a C1 and C3 use prior to that use ceasing in August 2015 and therefore they have suggested this application be assessed as if it were a new residential dwelling).

9.25 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £1,052.

9.26 The total SPA related financial contribution for this proposal is £4,263. The applicant must 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.

9.27 Given the site is allocated for housing development as part of the Site Allocations Local Plan, in the event of planning permission being granted for the redevelopment of the site for housing, the SPA contribution required as part of this application will be sought and this contribution will then be deducted from the SPA contribution for the overall redevelopment of the site.

9.28 legal agreement is to be submitted to the LPA to secure the above SPA contributions.

vi. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

9.30 CIL applies to any new build (except outline applications and some reserved matters applications) including the creation of additional dwellings. The proposed change of use of part of the building from mixed C1 and C3 use to C3 residential use would not involve the creation of additional floorspace and the building has been in continuous use for C1 and C3 use for at least six months in the last three years (with that mixed use ceasing in August 2015). Therefore, the proposed change of use is not CIL liable.

vii. SUSTAINABILITY

9.31 With regard to the requirements of Core Strategy Policies CS10 (sustainability) and CS12 (energy demand), the application is to convert an existing building to residential use. Paragraph 2.6 of the Sustainable Resource Management SPD states that proposals to convert or change the use of a building are excluded from Core Strategy Policies CS10 and CS12. Therefore no submission is required with regard to Policies CS10 and CS12 of the CSDPD.

10. CONCLUSIONS

10.1 It is not considered that the proposed change of use of part of the building from mixed use (C1 and C3) to C3 use would have any adverse impact upon the character and appearance of the surrounding area or residential amenities of neighbouring properties. There would be no adverse highway safety implications. A draft section 106 agreement to secure SPA mitigation is forthcoming. The proposal is not CIL liable.

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

11. RECOMMENDATION

That, following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA);

The Head of Planning be authorised to **APPROVE** the application subject to the following conditions:-

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 4 May 2016, 31 August 2016, 26 September 2016:

drawing no. PHA/COU/100

drawing no. PHA/COU/102

drawing no. PHA/COU/103

drawing no. PHA/COU/205

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

03. The dwelling 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 parking which would be a danger to other road users.

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

04. The part of the building shown hatched on the plan received 27 September 2016 by the Local Planning Authority and identified as "uninhabitable area" shall not be used for any purpose without first obtaining planning permission for such use.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority, including in the interests of vehicular traffic and the Thames Basin Heath Special Protection Area.

05. At no time shall the C3 residential accommodation hereby permitted comprise more than 6 bedrooms.

REASON: To ensure that no additional impact to the Thames Basin Health SPA occurs.

[Relevant Policies: BFBLP EN3, CSDPD CS14, SEP NRM6]

In the event of the S106 agreement not being completed by 13 January 2017, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

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 (February 2015).

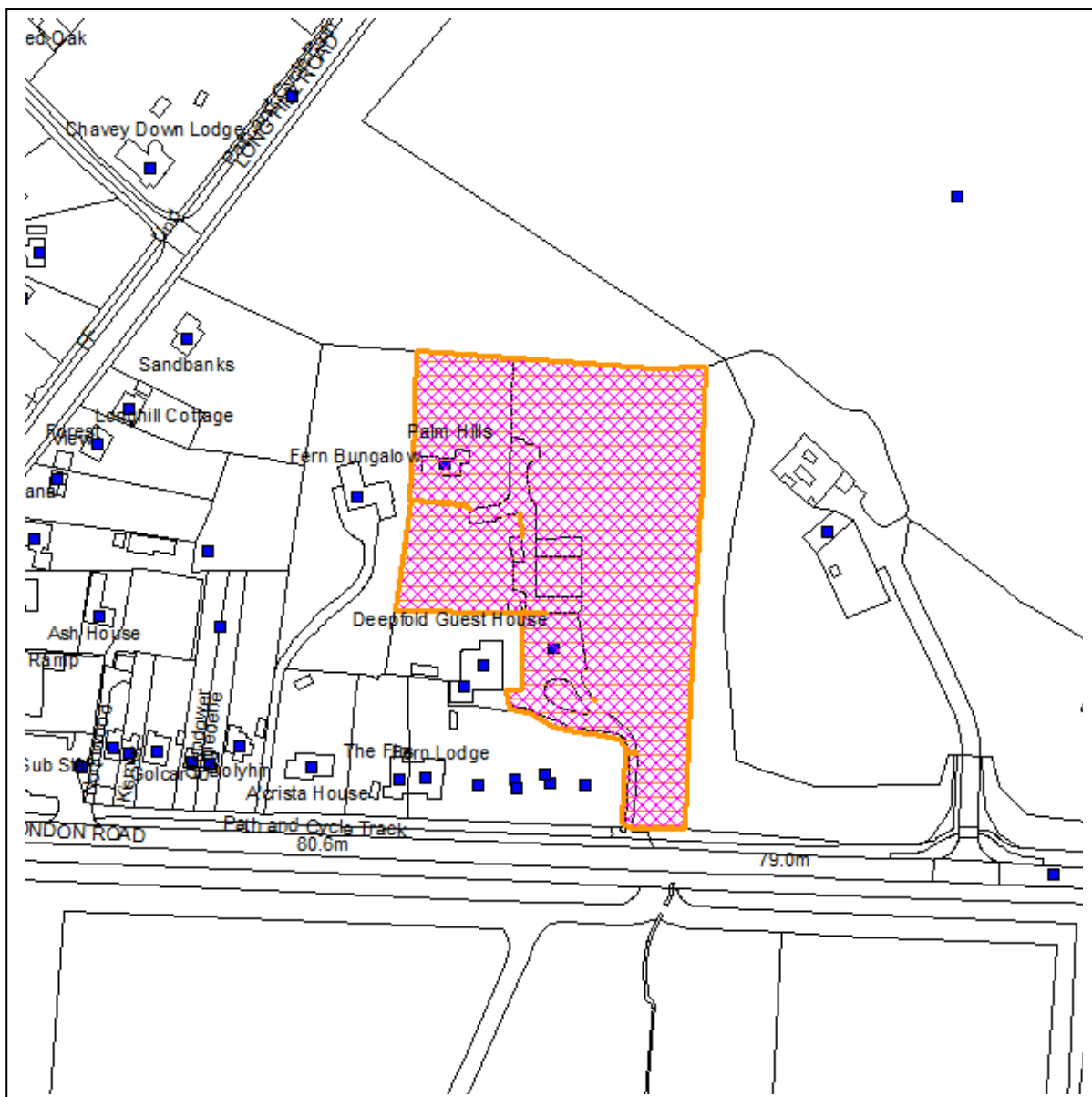
Informative(s):

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. Parking
 4. Use of part of building
 5. Restrictions on numbers of bedrooms

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ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
16/00396/FUL	Ascot	4 May 2016	29 June 2016
Site Address:	Palm Hills Guest House Palm Hills Estate London Road Bracknell Berkshire RG12 9FR		
Proposal:	Temporary change of use of 2no. existing outbuildings to B1(a) office space and change of use of 1no. outbuilding to D2 childrens indoor recreational use (personal permission).		
Applicant:	Sorbon Estates		
Agent:	(There is no agent for this application)		
Case Officer:	Sarah Horwood, 01344 352000 development.control@bracknell-forest.gov.uk		

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



1. SUMMARY

1.1 It is not considered that the proposed change of use of 2no. existing outbuildings to B1 use and 1no. existing outbuilding to D2 use would have any adverse impact upon the character and appearance of the surrounding area. A temporary permission will be issued for a period of 1 year to monitor visitor attendance and vehicular movements connected to the proposed uses in the interests of residential amenity and highway safety and further, to not prejudice the future redevelopment of the site. Notwithstanding this, it is not considered adverse impacts would result to the residential amenities of neighbouring properties in view of the location of the outbuildings and there is sufficient on site parking provision.

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
250m buffer zone of landfill
Within 5km buffer of Thames Basin Heath Special Protection Area (SPA)

3.1 The application site is located to the north of London Road and comprises a collection of buildings, including single storey buildings subject to this application, a residential dwelling to the rear or north of the site and a two storey building formerly used for C1 guest house and C3 residential purposes. There is a large area of hardstanding within the site for parking.

3.2 Land levels rise from south to north through the site. There are numerous trees on site, none of which are covered by Tree Preservation Orders (TPOs).

4. RELEVANT SITE HISTORY

4.1 There is no recent relevant planning history relating to the outbuildings.

4.2 There is an application pending consideration for the change of use of part of the building from C1 (Guesthouse) and C3 (Residential dwelling) to C3 (Residential) to create a six bedroom dwelling, LPA ref: 16/00395/FUL.

4.3 One of the buildings on site - building B has been used as a conference facility, with the building containing 5 meeting rooms with a capacity for some 100 people. At peak times, the building has been used 2-3 times a week connected to this use. It cannot be certain how long this use has been occurring for, however the agent understands this use may date back to 2008. Whilst it appears planning permission has not been granted for the use of building B for this purpose, the LPA has not received complaints about such a use and notwithstanding that such a

use appears to have been unlawful, this application proposes the change of use of existing buildings to other uses where the LPA can assess such proposals in accordance with relevant policies.

5. THE PROPOSAL

5.1 Temporary permission is sought for a period of 1 year for a change of use of 2no. existing outbuildings to B1(a) office space and change of use of 1no. outbuilding to D2 children's indoor recreational use.

5.2 Buildings A and C as identified on the location plan would be used for B1 office purposes. It is intended to be marketed and will form traditional, short term office lets. Limited internal alterations are proposed to facilitate the change of use. The proposed B1 offices would not be restricted to a personal permission as no tenants have come forward to date to occupy the proposed offices and there is no reason to have this restriction on an office use in terms of highway safety, etc.

5.3 Building B as identified on the location plan would be used for D2 purposes. It will form a role play centre for children up to the age of 6 years allowing children to use and develop their imaginations. The building will be sub-divided into different rooms creating different environments that children can interact in such as a supermarket and vets. There will be 4 sessions offered per day between the operational hours of 09:30 hours and 17:00 hours. There will be a 30 minute interval between each of the session, with each session being 90 minutes long. 2 full time members of staff are to be employed as part of the business and additional part time staff maybe required (dependent upon demand and success of the proposed use). A maximum of 40 children could attend any session.

5.4 The 4 sessions proposed are as follows:

Session 1: 09:30 to 11:00 hours

Session 2: 11:30 to 13:00 hours

Session 3: 13:30 to 15:00 hours

Session 4: 15:30 to 17:00 hours

5.5 The D2 use would be operated by a company called "Imagination Children's Role Play Limited". Given the D2 use has a committed tenant; this use will be made personal to this tenant based on the information provided above on how the D2 use will operate.

5.6 No external alterations are proposed to the 3no. buildings to facilitate the change of use to B1 and D2 uses.

5.7 For information, a further building – Building D was proposed to be used for B1 office use, however Building D is an existing residential dwelling known as Palm Hills. The conversion of this dwelling to B1 office would be unacceptable as it results in the loss of a dwelling. Where the Council cannot demonstrate a 5 year housing land supply, any loss of a dwelling would be unacceptable, supported by Saved Policy H11 of the BFBP which refers to the retention of housing stock. Subsequently, Building D was omitted from the application.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Object to the application on the following grounds: Access to and egress from this site will have a significant detrimental impact on the highways, including disruption to footpaths and cycle paths.

Other representations:

6.2 5no. letters of objection received (from 4 postal addresses as 2 objections received from same postal address) which raise the following issues:

- Landfill site nearby – impact to health of children.
- Converting buildings that are to be demolished as part of the overall redevelopment of the site for housing is not economically viable or necessary (whether it is viable or necessary are not planning considerations).
- Makes no sense to have a temporary use such as the D2 use where people would become reliant on and that use then ceases (Officer comment: *this is not a planning consideration*).
- What are the motives behind the scheme (Officer comment: *this is not a planning consideration and an assessment can be made only on the application as submitted as to whether the proposed change of use of existing outbuildings to other uses accords with relevant planning policies*).
- Is on a site which is allocated for housing development (a temporary planning permission for a period of 1 year is recommended to ensure there is no prejudice to the allocation of the site for housing).
- Increase in traffic due to proposed uses.
- Vehicles entering and exiting the site may have to queue, blocking the cycle path.

6.3 1no. letter of objection does not relate to this application but the proposed redevelopment of the site for housing which raises matters of sewage, noise, dealing with multiple home owners, road access, drainage.

6.4 17no. letters of support received in relation to the children's activity centre, stating that it is a welcome facility in the area, would be very popular, sensory play is an important part of children's learning and there is a lack of indoor play areas within Bracknell.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 No objection.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LPAs setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 of the CSDPD	Consistent
Employment	CS19 of the CSDPD	Consistent

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

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

i. PRINCIPLE OF DEVELOPMENT

9.2 The site is located within the defined settlement boundary as designated by the Bracknell Forest Borough Policies Map (2013).

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

9.4 CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings, locating development in locations that reduce the need to travel and enhancing the health and education of the local population.

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

9.6 CSDPD Policy CS19 refers to the location of employment development (those uses within use classes B1, B2 and B8 or sui generis uses sharing characteristics with the aforementioned uses) and states new employment generating uses will be acceptable if there is no more than a net increase of 500sqm of GEA or less and does not give rise to any unacceptable impacts.

9.7 Paragraph 17 of the NPPF refers to the conversion and reuse of existing buildings and land.

9.8 The proposed use of 3no. outbuildings for B1 and D2 purposes would constitute the reuse of existing buildings on site in accordance with the NPPF and would provide small scale B1 and D2 uses within the settlement boundary in accordance with Policies CS8 and CS19 of the CSDPD.

9.9 The buildings subject to the change of use are located on land that is part of a larger site allocated for housing development through the adopted Site Allocations Local Plan (SALP July 2013). The site has the potential to provide 49 dwellings as stated in the SALP.

9.10 The adopted SALP is an integral part of delivering the Council's housing requirement of 11,139 dwellings (as contained in Core Strategy Policy CS15) across the plan period until 2026. It amends the boundaries of settlements where this is required as a result of the allocation of edge of settlement sites such as the Palm Hills Estate and subsequently relevant changes are incorporated into the adopted Policies Map.

9.11 An application for the redevelopment of the site for 62 dwellings was refused in December 2014, LPA ref: 14/00569/FUL. There have been no subsequent applications for the redevelopment of the site since this date.

9.12 This application for the change of use of 3no. outbuildings to B1 and D2 uses would be for a temporary period of 1 year. Allowing a temporary permission on the site in relation to the 3no. outbuildings, this would not prejudice the redevelopment of the site for housing as part of the SALP within the plan period.

9.13 Given the location of the application site within the Defined Settlement boundary, the proposal is acceptable in principle subject to there being no adverse impacts upon the residential amenities of neighbouring properties, character and appearance of the surrounding area, highway safety implications, etc.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.14 No external alterations are proposed to Buildings A, B and C to facilitate the changes of use to B1 and D2 uses. As such, there would be no impact to the character and appearance of the surrounding area. Further, no additional on site parking provision would be required as there are 60 parking spaces existing on site and therefore no additional harm would result to the visual amenities of the surrounding area.

9.15 The area immediately to the south and west of the application site is characterised by residential dwellings. There are however business/commercial uses within close proximity to the site, including a car sales garage, MOT test centre, a school and offices along London Road. Further, Building B has been used as a conference facility in the past, along with one of the other buildings within the estate being used as a C1 guest house and therefore other buildings on the site have been utilised for business/leisure purposes. As such, the proposed B1 and D2 uses would not detract from the character of the area given it is not solely a residential area and there are existing business/commercial uses within the surrounding area (including previous business uses that occurred within the site itself).

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

iii. IMPACT ON RESIDENTIAL AMENITY

9.17 The proposed use of buildings A and C for B1 office use would result in a business use of the 2no. buildings. However, in view of the modest floor area of the 2no. buildings with a combined floor area of 70sqm, such office use would be low key in use, occurring within the buildings and would result in a potential for 10-12 vehicular movements per day which would not result in a level of noise and disturbance to surrounding residential dwellings that would be harmful to their residential amenities in view of the separation distances to surrounding residential dwellings.

9.18 The proposed use of building B for D2 children's recreational use in the form of a role play centre for children would occur within the building, the operating hours would be split into 4no.

separate 90 minute time slots with a maximum of 40 children attending a session with the use operating between the hours of 09:30 and 17:00 hours. Given the proposed D2 use would be contained within the building, this in itself would not be a noise-generating activity. Vehicular movements to and from the site connected to the proposed use could result in some noise and disturbance to adjoining dwellings, however any permission granted would be for a temporary period of 1 year which would allow the use to be monitored to assess matters including visitor attendance and vehicular movements to and from the site.

9.19 Building B has been used as a conference facility in the past. Given the building could be used for private functions, such uses could occur late into the evening whereas the proposed B1 and D2 uses would in general operate during the day. Whilst it is noted that the operational hours of the proposed D2 use have been given, it is not considered necessary to impose a condition restricting hours of operation to the proposed B1 and D2 uses given the following:

- this would be within the remit of Environmental Health to control if it became a nuisance; and
- the proposed uses would be contained within the buildings and not be noise generating activities.

9.20 The site is located within a 250m buffer zone of the London Road Chavey Down landfill. However the proposal relates solely to the change of use of existing buildings to B1 and D2 uses where no external changes are proposed to facilitate the change of use and the uses would be contained within the buildings themselves, therefore it is not considered that any measures are required to mitigate this impact.

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

iv. IMPACT ON HIGHWAY SAFETY

Access

9.22 Palm Hills takes access off the A329 London Road, a primary distributor road which is subject to a 40mph speed limit. There is a shared footway/cycleway across the London Road frontage and bus stops adjacent to the site served by regular bus services and not all visitors to site would use the private car.

9.23 The site has two existing accesses and it is noted that an adjoining access to Fern Lodge is currently being used by construction traffic for a small housing development (4 houses). It is acknowledged that London Road is a busy main road and an 'in' and 'out' access arrangement is proposed which would assist with safe access and exit from the site. This is shown indicatively on drawing PHA/COU_200_Rev D and further details, including signage, could be secured by planning condition.

9.24 Adequate sight-lines are available for vehicles entering and exiting the site and crossing the footpath/cycle-way and some signs at the site exit could be sought by planning condition to advise vehicles of the cycle-way.

Parking

9.25 The Council does not have a parking standard for D2 children's indoor recreational use, however, it is noted that there are currently 60 spaces on the site which would remain and as such this would be adequate provision when considering its potential use and capacity. A parking plan has been provided and it is advised that this be secured planning condition.

9.26 The use of 2 no. existing outbuildings as offices would create around 70m² of B1 (a) office space and this would require 3 parking spaces to comply with the Council's parking standards (2016).

Trips

9.27 With respect to the D2 children's recreational use, the applicant originally indicated that, *'the amount of children attending each session will vary considerably and the proposed centre is not comparable in size to any other known centres in the area'*.

9.28 The applicant has submitted further information indicating that this role play centre for children up to the age of 6 would offer 4no. 90 minute sessions, between the hours of 9.30am and 5pm with a 30 minute interval between sessions. A maximum of 40 children could attend a session and 2 full-time staff members are to be employed with the potential for some part-time staff depending on demand for the centre.

9.29 The Highway Authority considers that the role play centre could generate 60 – 80 two-way trips per session, though not all of these trips would be by car and some car sharing is likely. Also, these trips would generally be outside of peak times when traffic is slightly lower. The proposed access improvements and the provision of 60 parking spaces for staff and customer parking, including drop-off and pick-up would mitigate the highway impacts of this proposal along with planning conditions restricting the number of children attending a session to 40, a 30 minute interval between sessions and making the permission personal to the applicants for a temporary period of 1 year. The B1 (a) offices would generate around 10 to 12 movements over the course of a typical day.

9.30 Subject to the imposition of conditions, the proposal is considered to be in accordance with Saved Policy M9 of the BFBLP, CS23 of the CSDPD and the NPPF and would not result in significant adverse highway implications.

v. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

9.32 CIL applies to any new build (except outline applications and some reserved matters applications) including the creation of additional dwellings. The proposal is not CIL liable as no additional floor space is to be created. Further, the proposal is not considered development that is CIL chargeable as set out in the Council's CIL Charging Schedule as it does not relate to residential use, specialist residential accommodation or convenience based supermarkets/superstores/retailing warehousing.

vi. SUSTAINABILITY

9.33 With regard to the requirements of Core Strategy Policies CS10 and CS12, the application is to convert existing buildings to B1 and D2 uses for a temporary period. Paragraph 2.6 of the Sustainable Resource Management SPD states that proposals to convert or change the use of a building are excluded from Core Strategy Policies CS10 and CS12. Therefore no submission is required with regard to Policies CS10 and CS12 of the CSDPD.

10. CONCLUSIONS

10.1 It is not considered that the proposed change of use of 3no. outbuildings to B1 and D2 uses would have a significant adverse impact upon the character and appearance of the surrounding area or residential amenities of neighbouring properties. There would be no significant adverse highway safety implications. A temporary permission will be issued for a period of 1 year to monitor visitor attendance and vehicular movements connected to the proposed uses in the interests of residential amenity and highway safety and to not prejudice the redevelopment of the site for housing as part of the SALP within the plan period. The proposal is not CIL liable.

10.2 It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, CS10, CS12, CS19 and CS23, BFBLP 'Saved' Policy EN20 and M9, and the NPPF.

11. RECOMMENDATION

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

1. The uses of buildings A, B and C as shown on drawing no. PHA/COU/200 Rev D received 28 September 2016 by the Local Planning Authority for B1 and D2 purposes shall be for a limited period being the period of one year from the date of planning permission being granted. The uses hereby permitted shall cease thereafter.

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

[Relevant Plans and Policies: BFBLP EN20, EN25]

2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 4 May 2016, 27 June 2016, 28 July, 28 September 2016:

drawing no. PHA/COU/200 Rev D

drawing no. PHA/COU/201

drawing no. PHA/COU/202

drawing no. PHA/COU/203

drawing no. PHA/Parking/SK001

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

3. Buildings A and C as shown on drawing no. PHA/COU/200 Rev D received 28 September 2016 by the Local Planning Authority shall be used only for B1 office purposes and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

[Relevant Plans and Policies: BFBLP EN20, M9, CSDPD CS23]

4. Building B as shown on drawing no. PHA/COU/200 Rev D received 28 September 2016 by the Local Planning Authority shall be used only for D2 purposes as a children's role play centre by the business known as "Imagination Children's Role Play Limited" and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) or by any other business.

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

[Relevant Plans and Policies: BFBLP EN20, M9, CSDPD CS23]

5. The number of children that would attend each session connected to the D2 use hereby permitted shall not in total exceed 40 at any one time.

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

[Relevant Plans and Policies: BFBLP EN20]

6. There should be a minimum of a 30 minute interval between each session connected to the D2 use hereby permitted.

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

[Relevant Plans and Policies: BFBLP EN20, M9, CSDPD CS23]

7. The parking and turning spaces shown on drawing no. drawing no. PHA/Parking/SK001 received 26 June 2016 by the Local Planning Authority shall be kept available for the uses hereby permitted 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]

8. The uses hereby permitted shall not commence until a scheme for on-site directional signage has been submitted to and approved in writing by the Local Planning Authority. The agreed signage shall be maintained at all times and no other signs other than those approved under the scheme shall be erected on site.

REASON: In the interests of highway safety

[Relevant Plans and Policies: BFBLP M9, CSDPD CS23]

9. Vehicular access and egress and the internal vehicular access road serving the uses hereby permitted shall be operated in accordance with approved drawing no. PHA/COU/200 Rev D received 28 September 2016 by the Local Planning Authority and retained as such thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

Informative(s):

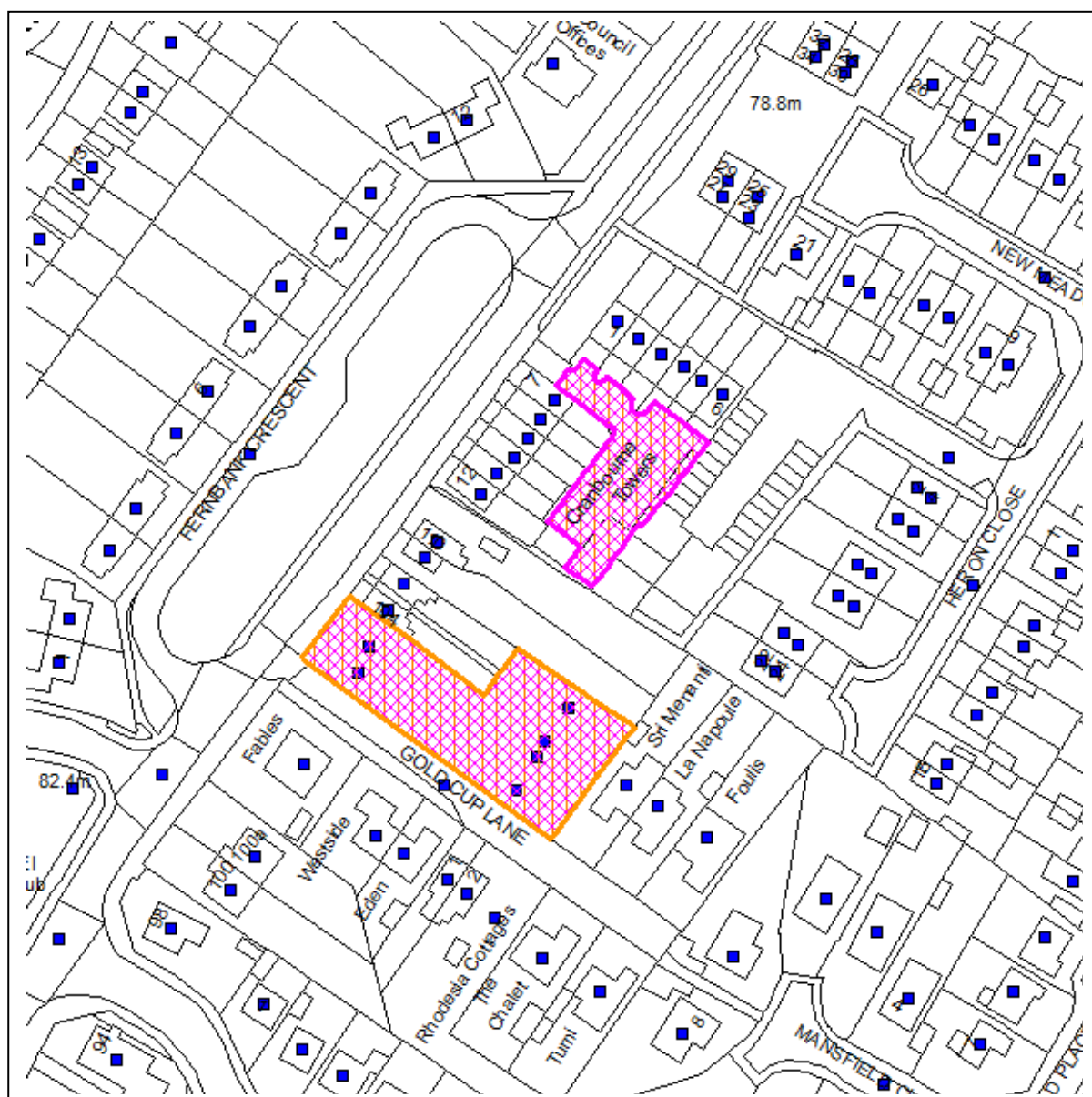
1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the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

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

1. Temporary use
2. Approved plans
3. Use of buildings A and C
4. Use of building B
5. Number of children per session connected to D2 use
6. 30 minute interval between sessions connected to D2 use
7. Parking and turning
8. Directional signage
9. Vehicular access and egress

ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
16/00518/FUL	Ascot	26 May 2016	21 July 2016
Site Address:	The Gold Cup 102 Fernbank Road Ascot Berkshire SL5 8JN		
Proposal:	Section 73 application to vary condition 2 for the replacement of the approved drawing numbers with revisions which incorporate conservatories to plots 3 & 5 and room-in-roof accommodation to plot 4 of Planning Permission 15/01041/FUL.		
Applicant:	Mr David Kirkby		
Agent:	Mr Jason O'Donnell		
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 This is a planning application submitted under Section 73 of the Town and Country Planning Act 1990. This Section enables the variation or removal of conditions attached to an extant planning permission. This includes amending the plans listed as part of a condition to enable minor material amendments to be considered by the Local Planning Authority, as is the case in this instance. The redevelopment of the site has been established by a previous planning permission granted in July 2014 and subsequent planning permission in April 2016.

1.2 This revised application seeks to amend condition 2 attached to permission 15/01041/FUL which granted permission for 5no. dwellings, car port and garage following demolition of former public house on site along with associated outbuildings.

1.3 The proposed amendments comprise the provision of a dormer window on the front facing roof slope of plot 4 which would be obscure glazed and fixed shut with the exception of top opening fanlight and addition of conservatories to the rear of plots 3 and 5. It is considered that these amendments would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. No additional parking implications would result over and above that previously considered 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 The application has been reported to the Planning Committee as more than 3 objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within Defined Settlement
Within 5km of the SPA

3.1 The site is located on the eastern side of Fernbank Road, immediately north of its junction with Gold Cup Lane, in a predominantly residential area.

3.2 The site covers approximately 0.11 hectares and contained a public house (Use Class A5) and associated outbuildings, which have been demolished. The site had previously been vacant since December 2011.

3.3 The former public house building was two storey (the first floor providing residential accommodation ancillary to the public house) with single storey rear extensions, with the site access running along its northern side and Gold Cup Lane running along its southern side. Gold Cup Lane is a private residential cul-de-sac.

3.4 Adjoining the site along its northern boundary are the residential plots of 104, 106 and 108 Fernbank Road, which all contain two storey dwellings. To the rear is Sri Menanti, a bungalow fronting Gold Cup Lane. On the opposite side of Gold Cup Lane facing the side of the site are residential plots of Fables, Westside, Eden and 1 and 2 Rhodesia Cottages. On the opposite side

of Fernbank Road, separated by a large highway verge as well as the carriageway, are further dwellings along Fernbank Crescent.

4. RELEVANT SITE HISTORY

4.1 Members considered a scheme (ref: 13/01037/FUL) for redevelopment of the site for 5 houses following demolition of the existing public house and associated outbuildings in April 2014 when it was resolved to grant planning permission subject to the completion of a Section 106 agreement to secure SPA mitigation. The agreement was completed and planning permission issued in July 2014.

4.2 A further scheme (ref: 15/01041/FUL) for 5 houses was granted with a legal agreement to secure SPA mitigation in April 2016. This scheme differed to previous permission 13/01037/FUL in that there were modest changes to the external appearance of the dwellings, erection of car port and relocation of plots 3-5 towards the northern boundary of the site.

5. THE PROPOSAL

5.1 This is a Section 73 application to vary condition 2 for the replacement of the approved drawing numbers with revisions which incorporate conservatories to plots 3 & 5 and room-in-roof accommodation to plot 4 of planning permission 15/01041/FUL for the development of the site for the erection of 5no. dwellings.

5.2 The current application differs to planning permission 15/01041/FUL as follows:

- addition of a room in the roofspace of plot 4 served by a dormer window sited on the front roof slope of the plot. The dormer would be obscure glazed and fixed shut with the exception of a top opening fanlight at a minimum height of 1.7m above floor level. Internal alterations are proposed at first floor level on plot 4 with a previously approved study/bedroom now amended to become a dressing room to serve the master bedroom.

- addition of single storey conservatories to the rear of plots 3 and 5. The conservatories are 3.3m wide x 3.3m deep and 3m in height at their ridges.

This report will focus solely on the changes proposed by this S73 application and will not re-assess the scheme as a whole which benefits from planning permission under 15/01041/FUL.

5.3 As part of permission 15/01041/FUL, the following matters were assessed and considered acceptable:

- Residential amenity: no undue overbearing, overshadowing, overlooking or privacy issues to surrounding dwellings on Fernbank Road, Gold Cup Lane, Fernbank Crescent and acceptable living standards for future occupiers of the new dwellings;
- Character of area: density of housing acceptable. Siting, design and height of dwellings acceptable, including landscape layout and boundary treatments;
- Highways: vehicular and pedestrian access acceptable along with cycle provision;
- Biodiversity: site of low ecological value. Measures proposed to enhance biodiversity;
- Thames Basin Heath SPA: a legal agreement was completed to secure SPA mitigation ;
- Sustainability: water usage and energy requirements addressed;
- Drainage and flooding: located in low risk flood zone 1. Adequate drainage provision including use of permeable paving

5.4 There are no additional bedrooms proposed which would impact upon parking or SPA contributions.

Legislative Background

5.5 Section 73 of the Town and Country Planning Act 1990 enables conditions to be amended or removed. One use of this is to enable plans to be substituted where details within a scheme have changed. The S73 application creates a new planning permission that sits alongside the original which remains unaltered. S73 applications do not have the power to increase the time limit requiring a development to be begun. In respect of conditions, Planning Practice Guidance clarifies that 'notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged'.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Objects to the application on the following grounds – the intensification of the habitable rooms represents overdevelopment of the site causing pressure and significant loss of privacy to neighbouring properties. If minded to approve, plans should be amended to provide a high-level velux window instead of the proposed dormer to mitigate loss of privacy.

Other representations

6.2 8 objections have been received to the proposal (from 3 postal addresses) which raise the following:

- works are retrospective
- dormer window should be removed
- impact to residential amenity: overlooking, loss of privacy
- devaluation of surrounding properties
- parking issues for residents by putting bollards on pavements outside neighbouring properties
- overdevelopment
- additional room in roofspace and window does not comply with window and glass restrictions previously specified for development (planning conditions)
- damaging impact the dwellings are having on existing dwellings.
- the developer installed a dormer window without planning permission and has sought retrospective permission to retain this. The window is to comprise frosted glass and the effect of this will be negated if the windows are openable or the frosted film removed.

6.3 Officer note: *Devaluation of properties is not a material planning consideration. It is noted that objections also refer to conditions previously imposed on permission 15/01041/FUL including the removal of permitted development rights for additional windows, openings, etc, at first floor level or above in the side elevations of plots 1 and 3. For information, the dormer window is on the front elevation of plot 4.*

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 The size of the garage serving plot 5 does not comply with the Council's Parking Standards SPD (2016) and this is a material consideration in assessing this S73 application.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The key policies and 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
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
BRE – site layout planning for daylight and sunlight		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on residential amenity
- iii. Impact on character and appearance of the area,
- iv. Impact on highway safety
- v. Thames Basin Heath SPA
- vi. Community Infrastructure Levy
- vii. Conditions

i. PRINCIPLE OF DEVELOPMENT

9.2 The site is located within the settlement boundary where the principle of development is acceptable subject to no adverse impact upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.

9.3 2 previous permissions have been granted on site for redevelopment for 5no. houses – refs: 13/01037/FUL and 15/01041/FUL and these are material considerations to the determination of this revised application which seeks to make amendments to extant permission 15/01041/FUL.

9.4 The proposal is therefore considered acceptable in principle subject to other material considerations including impact on residential amenity, character and appearance of surrounding area, highway safety implications, etc.

ii. IMPACT ON RESIDENTIAL AMENITY

104 Fernbank Road

9.5 The rear garden of no.104 is between 18m and 21m long and Plots 3-5 would be sited 24m from the rear elevation of no. 104 at the closest point. The dormer window sited on the front facing roof slope of plot 4 would be obscure glazed and fixed shut with the exception of top opening fanlight so that no overlooking and loss of privacy would result to the rear elevation and rear garden of no. 104 given the siting of plot 4 and the positioning of the dormer directly facing onto the rear elevation and garden of no. 104. Without the dormer window being obscure glazed and fixed shut with the exception of a top opening fanlight, there would be an unacceptable level of overlooking and loss of privacy to no. 104. Therefore a planning condition is recommended to ensure the dormer window on plot 4 is obscure glazed and fixed shut with the exception of a top opening fanlight in the interests of the residential amenities of neighbouring properties. Further, the dormer in view of its size and design does not appear unduly prominent to the detriment of no. 104.

9.6 The conservatories to the rear of plots 3 and 5 would not impact upon no. 104 given they would be sited to the rear of the dwellings.

106 Fernbank Road

9.7 This two-storey property adjoins the application site only along its rear boundary. The dwelling at no. 106 is sited some 17m from the application site boundary, with some 24m separation distance between the rear elevation of no. 106 and the front elevations of plots 3-5 at the closest point. The dormer window sited on the front facing roof slope of plot 4 would be obscure glazed and fixed shut with the exception of a top opening fanlight so that no overlooking and loss of privacy would result to the rear elevation and rear garden of no.106 and conditioned to be retained as such. Further, the dormer window does not face directly onto the rear garden of no. 106, it is at an oblique angle to this dwelling and therefore the dormer window does not appear visually prominent to no. 106.

9.8 The conservatories to the rear of plots 3 and 5 would not impact upon no. 106 given they would be sited to the rear of the dwellings.

108 Fernbank Road

9.9 This two-storey property adjoins the application site only along the rear part of its garden. There would be a 28m separation distance between the rear elevation of no. 28 and the front elevation of plots 3-5 at the closest point. The dormer window sited on the front facing roof slope of plot 4 would be obscure glazed and fixed shut with the exception of a top opening fanlight (and conditioned to be retained as such) so that no overlooking and loss of privacy would result to the rear elevation and rear garden of no. 108. Further, the dormer window does not face directly onto the rear garden of no. 108, it is at an oblique angle and therefore does not appear visually prominent to no. 108.

9.10 The conservatory to the rear of plot 3 would be set 4m from the boundary with no. 108. In view of this separation distance, along with its single storey height of 3m, the roof pitching away from the boundary with no. 108 and its glazed design, it would not appear overbearing to no. 108 or result in overlooking.

Sri Menanti, Gold Cup Lane

9.11 This bungalow runs perpendicular to the application site along its rear boundary, and fronts onto Gold Cup Lane. Plots 3-5 back on to Sri Menanti with rear gardens 10m long. The addition of conservatories to the rears of plots 3 and 5 would be set approximately 8m from the flank elevation

of Sri Menanti at the closest point. Given the maximum height of the conservatories of 3m to the ridge, their glazed design and separation distance between the rear of the conservatories and flank wall of Sri Menanti, they would not appear overbearing to Sri Menanti and would not result in undue overlooking and loss of privacy, with their visual prominence screened further by the proposed boundary treatment along this boundary which would be a total of 2.1m high (1.8m close boarded fence topped by 0.3m trellis) with new screen planting within the application site to provide further screening.

9.12 The dormer window on the front facing roof slope of plot 4 would not impact upon the residential amenities of Sri Menanti by virtue of overlooking and loss of privacy due to its siting on the front of plot 4.

Fables, Westside, Eden and 1 and 2 Rhodesia Cottages

9.13 These dwellings all front Gold Cup Lane. There would be between 12m and 19m separation distance between the front elevations of these existing dwellings and the flank walls of the proposed new dwellings. In view of these separation distances along with the side to front relationship between the proposed and existing dwellings, the dormer window does not appear prominent to these existing dwellings and due to its positioning on the roof slope of plot 4 facing into the application site, it does not result in overlooking to the front gardens and front elevations of Fables, Westside, Eden and 1 and 2 Rhodesia Cottages.

9.14 The conservatory at plot 5 which would be closest to the south-western boundary of the application site would be set approximately 20m from the front elevations of nos. 1 and 2 Rhodesia Cottages at the closest point. Given this separation distance, along with the single storey height of the conservatory and its roof pitching away from the boundary, it would not appear visually prominent to nos. 1 and 2 Rhodesia Cottages.

Fernbank Crescent properties

9.15 These dwellings are all at least 35m away from the application site at the closest point. The addition of the dormer on the front facing roof slope of plot 4 would be set over 75m from the front elevations of dwellings on Fernbank Crescent at the closest point. In view of these separation distances, the dormer window does not appear prominent or result in overlooking to existing dwellings on Fernbank Crescent.

9.16 Further, the conservatories to the rear of plots 3 and 5 would not impact upon the residential amenities of dwellings on Fernbank Crescent given their siting to the rear of these plots.

9.17 In relation to assessing the residential amenity of future occupiers of the proposed dwellings, bedroom 2 on plot 4 would be served by a dormer window which is obscure glazed and fixed shut with the exception of top opening fanlight. This has been done to address overlooking and privacy issues to adjoining dwellings on Fernbank Road. A source of light and ventilation would still be provided to the bedroom in the roofspace, despite the window being obscure glazed with top opening fanlight, and any potential purchasers would observe the window being obscure glazed and fixed shut so would be aware of this restriction. It is not considered that this would adversely affect future occupiers of plot 4 to their detriment.

9.18 The addition of conservatories to the rear of plots 3 and 5 would provide extended living space to these plots. Whilst they would marginally reduce the size of the rear gardens on these plots, there is still sufficient amenity space to serve plots 3 and 5.

9.19 As such, the proposal is not considered to adversely affect the residential amenities of neighbouring properties subject to the dormer window being conditioned to be obscure glazed and fixed shut with exception of top opening fanlight and acceptable living conditions would be

provided to the future occupiers of the proposed dwellings. The proposal would therefore be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

iii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.20 As part of this revised application, a dormer window has been added on the front roof slope of plot 4 to serve a room in the roof space, and conservatories added to the rear of plots 3 and 5.

9.21 The dormer window sited on the front roof slope of plot 4 is sited in a central position on the building when viewed as whole. The row of terraces at plots 3-5 comprise two symmetrical front facing gables on plots 3 and 5 and the dormer window is sited in a central position on the roof of the building between these 2 gables. It adds some design interest to the row of terraces and breaks up the expanse of roof between the 2 gables. Whilst it is noted that the dormer window does not in itself align with the windows sited directly below at ground and first floor level on plot 4, it is located centrally when viewed on the building forming the 3 terraced properties as a whole and is not considered to unduly detract from the building. The visual prominence of the dormer is further mitigated by the ridge line of the roof not projecting above the overall ridge height of the building.

9.22 The dormer due to its siting appears partly visible when viewed from Fernbank Road, however due to its size does not appear unduly prominent to the detriment of the street scene.

9.23 The conservatories to the rear of plots 3 and 5 given their siting, design and height do not appear obtrusive in the street scene and do not detract from the host dwellings, appearing sympathetic additions.

9.24 Gardens approximately 10m deep are provided for plots 3-5. Whilst the addition of conservatories to plots 3 and 5 marginally reduce the garden size of these plots, it is not considered that the scheme represents a cramped form of development.

9.25 As such, the addition of the dormer window and conservatories would not result in an adverse impact on the character and appearance of the area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

iv. TRANSPORT

9.26 Since the previous scheme was granted, the Council has adopted a new parking standards SPD. This is therefore a material consideration when assessing this revised application. Whilst not changing the parking space requirement for dwellings, the SPD increases the dimensions garages have to be to be counted as a useable parking space to be 3.5m wide x 7.5m deep. At the time of determination of permission 15/01041/FUL, the garage on plot 5 complied with the previous parking standards SPD of garages being 3m wide x 6m deep internally. For information, the garage on plot 5 has been constructed.

9.27 The proposal as originally considered by permission 15/01041/FUL approved 5no. 3 bedroom dwellings, requiring 2no. parking spaces for each dwelling. The number of bedrooms per plot has not increased as a result of the amendments proposed by this revised application. Further, the revisions subject to this application – the dormer window and conservatories do not affect the approved parking layout considered by previous permission 15/01041/FUL.

9.28 Whilst it is noted that the garage on plot 5 does not comply with the current parking standards SPD in relation to its size, the garage has been constructed on site as per previous permission 15/01041/FUL. This permission could be implemented as a fallback position. In two recent appeals

(Wildwoods, 24 Prince Consort Drive and 6 Longdown Road) the Inspector in both cases gave considerable weight to the fallback position of previous extant permissions. To summarise, whilst the garage on plot 5 as constructed does not comply with the current parking standards SPD, it has been constructed under the old standards and at that time of determination of permission 15/01041/FUL, counted as a useable parking space. The LPA could not resist the implementation of the fallback position of the previous permission and therefore it is not considered that this revised application based solely on the garage as built not being compliant with the new parking standards SPD that this would result in significant impact to highway safety.

9.29 As such, the proposal would not result in any significant detrimental traffic or highway implications, in accordance with Policy CS23 of the CSDPD, Saved Policy M9 of the BFBLP and the NPPF.

v. THAMES BASIN HEATH SPECIAL PROTECTION AREA (SPA)

9.30 The applicant entered into a legal agreement to secure contributions to mitigate the impact of development on the SPA as part of previous permission 15/01041/FUL. This revised application does not result in a net increase in dwellings or bedrooms over and above that previously considered and approved by the aforementioned permission and therefore no additional contributions would be required as part of this revised application by way of a new/varied legal agreement.

9.31 For clarification, the contributions required for SPA mitigation as part of permission 15/01041/FUL have been secured by the Council.

vi. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

9.33 CIL applies to any new build including that which involves the creation of additional dwellings.

9.34 CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development. The charging schedule states how much CIL will be charged (in pounds per square metre of net additional floorspace) based on the development type and location within the borough. The application site lies within the zone of Northern Parishes. In the event of planning permission being granted, a revised CIL Liability Notice (CLN) will be issued for the development given additional floor area has been created over and above that approved by previous permission 15/01041/FUL with the addition of 2 conservatories to plots 3 and 5 and room in the roofspace of plot 4.

vii. CONDITIONS

9.35 During the course of determination of permission 15/01041/FUL, it was brought to the attention of the Council that works had commenced on site. Because of this, any pre-commencement conditions i.e. where information is required to be approved before commencement of development, had to be submitted to and approved during the course of the previous application. This related to the following conditions:

Condition 3 - materials
Condition 7 - site layout

Condition 9 - hard and soft landscaping
Condition 11 - boundary treatment
Condition 12 - sustainability statement
Condition 13 - energy demand statement
Condition 20 - construction method statement
Condition 21 - ecological measures - bird and bat boxes
Condition 24 - foundation structure of garage on plot 5
Condition 25 - construction method statement for all hard surfaced areas

9.36 All of these conditions remain unaffected by the revisions proposed by this S73 application as the only changes are the addition of a dormer and 2 conservatories and therefore the details as submitted and approved by the previous permission 15/01041/FUL connected to these conditions should be complied with as part of this revised application.

10. CONCLUSIONS

10.1 The amendments proposed by this revised application with the provision of a dormer window on the front facing roof slope of plot 4 which would be obscure glazed and fixed shut with the exception of top opening fanlight and addition of conservatories to the rear of plots 3 and 5 would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area.

10.2 Whilst it is noted that the garage on plot 5 does not comply with the current parking standards SPD in relation to its size, the garage has been constructed on site as per previous permission 15/01041/FUL under the old parking standards dimensions and at that time counted as a useable parking space. This permission could be implemented as a fallback position.

10.3 There are no additional impacts to the SPA and the scheme is CIL liable given additional floor area is proposed. The proposal is therefore considered to be in accordance with Saved SEP Policy NRM6, 'Saved' Policies EN1, EN2, EN3, EN20 and M9 of the BFBLP, CS1, CS2, CS7, CS10, CS12, CS14, CS15, CS23, CS24 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

10.2 The application is therefore recommended for approval.

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 (26 April 2016) of the original planning permission 15/01041/FUL.

REASON: A section 73 application cannot be used to vary the time limit for implementation therefore this condition must remain unchanged from the original permission.

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 26 May 2016 and 23 August 2016:

Drawing no. P14/35/S/301 Rev B

Drawing no. P14/35/S/330 Rev B

and all relevant drawings from previous permission 15/01041/FUL received by the Local Planning Authority on 21 October 2015, 13 January 2016, 23 February 2016, 7 April 2016:

drawing no. P14/35/S/310

drawing no. P14/35/S/320 Rev A

drawing no. P14/35/S/340

drawing no. P14/35/S/350 Rev B

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be:

Bricks: Ibstock Ivanhoe Antique

Roof tiles: Redland Rosemary Craftsman

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. The first floor windows in the side elevations of plots 1 and 3 facing north and the dormer window on the front facing roof slope of plot 4 facing north west 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]

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or 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 northern side-facing elevation and roof slopes of Plot 1 and Plot 3 except for those shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

06. The rooflights in the roof slopes facing east on plots 1 and 2 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]

07. The development shall be undertaken in full accordance with the finished floor levels that were submitted and approved by planning permission 15/01041/FUL.

REASON: In order to ensure a satisfactory form of development relative to surrounding buildings and the local landscape.

[Relevant Policies: BFBLP EN20, CSDPD CS7]

08. No demolition or construction work shall take place outside the hours of 08:00 – 18:00 Mondays to Fridays and 08:00 – 13:00 on Saturdays, and not at all on Sundays and Bank Holidays.

REASON: In the interests of the amenity of the area and neighbouring residents.

[Relevant Policies: BFBLP EN20]

09. The development shall be undertaken in full accordance with the landscaping details that were submitted and approved by planning permission 15/01041/FUL. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the

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

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

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

10. The areas shown for soft landscaping purposes shall thereafter be retained as such and shall not be used for any other purpose.

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

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

11. The development shall be undertaken in full accordance with the details of walls, fences and any other means of enclosure that were submitted and approved by planning permission 15/01041/FUL. 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.

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

12. The development shall be implemented in full accordance with the details provided in the documents entitled "water efficiency as designed calculation reports" (for plots 1-5) undertaken by Beat Solutions Ltd that were submitted and approved by planning permission 15/01041/FUL and shall thereafter be retained as such.

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

[Relevant Policy: Core Strategy DPD CS10]

13. The development shall be implemented in full accordance with the details provided in the documents entitled "SAP2012 calculation report as designed" (for plots 1-5) undertaken by Beat Solutions Ltd and table completed by Beat Solutions Ltd showing energy demand offset that were submitted and approved by planning permission 15/01041/FUL and shall thereafter be retained as such.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

14. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

15. No dwelling shall be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent 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]

16. No dwelling shall be occupied until the vehicle parking and turning space has been surfaced and marked out in accordance with the details that were submitted and approved by planning permission 15/01041/FUL. 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]

17. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]

18. The car port hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port.
REASON: To ensure that the development is provided with adequate parking to prevent The likelihood of on-street parking which could be a danger to other road users.
[Relevant Policy: BFBLP M9]

19. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with details that were submitted and approved by planning permission 15/01041/FUL and shall be retained as such thereafter.
REASON: In order to ensure bicycle facilities are provided.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

20. The development shall be undertaken in full accordance with the site organisation details that were submitted and approved by planning permission 15/01041/FUL. 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 approved purposes.
REASON: In the interests of amenity and road safety.

21. The bird and bat boxes and other biodiversity enhancements shall be implemented in full accordance with the details and plan provided in the document by AAe Environmental Ltd that were submitted and approved by planning permission 15/01041/FUL before the occupation of the dwellings hereby permitted and shall thereafter be observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or 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.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

23. 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]

24. The foundation structure of the garage on plot 5 should be undertaken in full accordance with the details that were submitted and approved by planning permission 15/01041/FUL.
REASON: In order to safeguard tree roots and thereby safeguard trees considered worthy of retention in the interests of visual amenity of the area.

25. The parking space labelled P3.1 shall be constructed in full accordance with the no-dig details that were submitted and approved by planning permission 15/01041/FUL prior to the occupation of the dwellings. The No Dig structure shall be retained in perpetuity thereafter.

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

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

26. 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]

27. The internal floor layout of plot 4 shall be retained in accordance with the details shown on drawing P14/35/S/330 Rev B received 23 August 2016 by the Local Planning Authority. The dressing room serving the master bedroom shall be retained for this purpose and accessed via the master bedroom only. It shall not be used as a bedroom at any time.

REASON: To ensure adequate parking provision is provided and that no additional impact to the Thames Basin Health SPA occurs.

[Relevant Policies: BFBLP EN3, M9, CSDPD CS14, CS23, SEP NRM6]

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

- 26. No gates
- 27. Internal layout of plot 4

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

- 14. Vehicular access

03. The Street Care Team should be contacted at 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.

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ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
16/00656/FUL	Winkfield And Cranbourne	12 July 2016	6 September 2016
Site Address:	Woodcote Chavey Down Road Winkfield Row Bracknell Berkshire RG42 7NY		
Proposal:	Erection of part ground floor part first floor extension to the front and rear forming a one and half storey extension with alterations to existing dwelling.		
Applicant:	Mr Richard Bodley-Scott		
Agent:	M Mitchell		
Case Officer:	Shannon Kimber, 01344 352000 development.control@bracknell-forest.gov.uk		

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



OFFICER REPORT

1. SUMMARY

- 1.1 The proposal is for the erection of a part ground floor, part first floor extension to the front and rear forming a one and half storey extension with alterations to existing dwelling.
- 1.2 There would be no significant effect on the streetscene or on the occupiers of the neighbouring properties as a result of this development. The development would be in keeping with the host dwelling, with the character of the surrounding area and would not result in an over development of the site.

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 one objection, the Local Authority's 1-3 Objection Procedure was undertaken. Councillor Gaw has requested that the application be considered by the Planning Committee due to overdevelopment of the site.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

- 3.1 Woodcote is a two storey, detached dwelling located on the eastern side of Chavey Down Road. The land to the rear of Woodcote is outside of the defined settlement. The application site is located within Area D of the Northern Villages Study Area, Character Area Assessments SPD.

4. RELEVANT SITE HISTORY

- 4.1 605662
Single storey side extension forming kitchen/diner, bathroom and bedroom, erection of garage to side of property.
Approved 1980
- 4.2 615358
Conversion of existing roof space to first floor accommodation.
Approved 1989
- 4.3 617279
Erection of detached double garage to rear of existing property.
Approved 1991
- 4.4 619816
Erection of two storey rear extension.
Approved 1994 (not implemented)
- 4.5 622550
Erection of single storey rear extension.
Approved 1997

4.6 02/00146/FUL

Erection of a first floor rear extension, single storey rear extension forming conservatory and re-location of existing garage.
Refused 2002

4.7 15/00253/FUL

Formation of a dropped kerb for vehicular access.
Approved 2015

5. THE PROPOSAL

5.1 The proposed front and rear extension of this development would have a pitched, crown design roof with skylights in the flat roof section.

5.2 The rear extension aspect of this proposal would provide a kitchen/breakfast area on the ground floor and a master bedroom with a Juliet balcony to the rear at first floor level. There would be two side facing rooflights, both serving bathrooms, one in the northern roof slope and one in the southern roof slope. This structure would project 3.5 metres beyond the existing rear elevation of ground floor level, have a width of 6.7 metres and a maximum height of 6.4 metres with an eaves height of 3.8 metres.

5.3 The front extension element of this development would provide an extended porch and bedroom/study at ground floor with a bedroom and en-suite over. This structure would have a depth of 1.25 metres at ground floor level, a width of 6.7 metres and a maximum height of 6.6 metres with an eaves height of 4 metres. There would also be internal alterations.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council:

6.1 Winkfield Parish Council raised no objections to this application.

Other Representations:

6.2 An objection was received from Holmstead, Chavey Down Road, which is the neighbouring property to the north. The following points were raised:

- 1) The application site is the neighbouring property.
- 2) The garage to the rear of Woodcote has been shown in the block plan but not the proposed elevations or floor plans.
- 3) The proposed development would block the view to the south. It would be overbearing and result in an enclosed effect on the occupiers of the dwelling to the north.
- 4) The scale of the proposed development would be out of keeping with the adjacent dwellings.
- 5) The proposal would add a disproportionate bulk to the dwelling when compared to the surrounding properties.
- 6) The existing rear garage of Woodcote is outside of the build lines annotated on Drawing No. 1. The proposed extension to the rear would be closing the gap between the dwelling and the outbuilding.
- 7) On drawing No. 06, the photographs for 'The Laurels' and 'Holmstead' have been incorrectly annotated.
- 8) There are also a number of conditions applying to a previous Planning Permission regarding planning application No. 15/00253/FUL, that seem to be currently pending and which may affect this current planning application.

- 9) The occupier of the neighbouring property would like further notification if the application were to be approved.
- 10) Could the various telephone and other cables to Woodcote from a telegraph pole be better re-routed.
- 11) Could it be conditioned to regulate reasonable and acceptable times for building works.

6.3 *[Officer Note: Points 1) and 7) have been noted. Point 10) is not a planning consideration. Point 3) is addressed in section 9.iii. Points 5) and 6) have been addressed in section 9.ii.]*

6.4 *In response to the remaining points:*

- 2) *The garage is an existing structure on the application site. It forms no part of the proposed development, with no changes to it proposed, and as such the floor plans and elevations of the garage are not required. However, the case officer has noted its presence when assessing the impact of the proposed extension.*
- 4) *The neighbours view is noted. Under the Council's planning policies the impact of the proposed development on the character and appearance of the local area, and its appropriateness in terms of scale, mass, design, materials and siting will be carefully considered.*
- 8) *An amended plan has been submitted which includes a parking plan and demonstrates that the northern entrance will be closed. The highway implications are considered in full in section 9.iv of this report.*
- 9) *Neighbours are notified if an application is called to the Planning Committee. No further consultations would be considered necessary in line with Council procedures.*
- 11) *Given the scale of the proposed development it is unlikely that, in the event of planning permission being granted, that a condition restricting construction hours would be imposed. Notwithstanding this, the Council's Environmental Health section can be contacted in the event that there is undue noise and disturbance from building works.]*

Support comments

6.5 A comment has been received from The Brambles, a property on the opposite side of Chavey Down Road, which supports the proposed development at Woodcote. The proposal is considered by this neighbouring property to improve Woodcote, it easily complements and fits with the eclectic style of both vernacular and polite architecture in the area and suits the most immediate neighbouring developed houses. The frontage will be improved and the overall balance it will bring to the house is a significant improvement.

6.6 A comment of support was received from Larkfield, the property which shares a boundary with application site. The occupiers of this dwelling support the application as it would enhance the property and is in keeping with the neighbourhood. There are no additional overlooking windows so no problem for neighbours.

6.7 A comment was received from the occupiers of Venture, a property to the south of the application site. The comment supported the amelioration of the existing property, as the proposed development is considerate and well designed.

6.8 A comment of support of this application was received from the occupiers of Westwood, a dwelling to the north of the site. The occupiers of this property believe that the house would remain in keeping with other improvements being made in Chavey Down Road.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

7.1 The Highway Authority (HA) was consulted on this application. The HA has raised no objections to the amended plan and recommend that this planning application be approved.

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

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD	Consistent
Design	CS7 of the CSDPD,	Consistent
Amenity	'Saved' policy EN20 of the BFBLP	Consistent
Highways	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent - Para. 39 refers to LPAs setting their own parking standards for residential development
Supplementary Planning Documents (SPD)		
Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 Character Area Assessment, Supplementary Planning Document 2010		
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 Woodcote 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), SC2 (Location Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, highway safety, etc. These matters are assessed below.

ii. IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA

9.3 The rear extension element of this proposal would be screened from Chavey Down Road by the existing dwelling to the west. It would also be partially screened by the existing, single storey rear extension to the south, where it would be partly visible from the existing access track, but not dominant.

9.4 The proposed front extension would be visible from Chavey Down Road. However, due to its modest projection of 1.25 metres from the front elevation, and the hipped roof design, this element of the development is not considered to have a negative, overbearing impact on the streetscene.

- 9.5 The proposed development would increase the volume of Woodcote. However, due to the siting of the proposed extensions in a central position on the existing dwelling, the proposal would have a limited impact on the amenities of the occupiers of the neighbouring properties. It would also limit the impact of the proposal within the streetscene.
- 9.6 The proposed extensions would be within the build lines of the neighbouring dwellings, as demonstrated on the submitted plans (drawing number: 01). The garage to the rear is an existing structure and is not affected by the extensions. In any event, the proposed extensions in conjunction with the existing layout are not considered to amount to an overdevelopment of the site and as such are considered to be acceptable.
- 9.7 It is noted that similar developments have been approved at near-by residential properties, including The Brambles, Larkfield and Venture. In addition, there have been replacement dwellings permitted where the resulting dwelling is larger than the original, these include Holmstead and The Laurels. As such it is considered that the proposed development would be in keeping with the character of the area.
- 9.8 The application site is located within Area D of the Northern Villages Study Area, Character Area Assessments SPD. This area consists predominately of a linear development either side of Chavey Down Road. There is variety in the architectural styles of the dwellings along this road. Carnation Hall, opposite the application site, provides a break in the linearity of the main road. The proposed development would not have a negative impact on the character of the area.
- 9.9 The materials to be used in the proposed extensions would match in appearance those used in the existing dwelling. Therefore the proposal would be considered in keeping with the host dwelling.
- 9.10 The proposal would therefore be in line with CSDPD Policy CS7, 'Saved' BFBLP Policy EN20 and the NPPF.

iii. IMPACT ON RESIDENTIAL AMENITY

- 9.11 The existing detached garage to the rear of Woodcote has been raised in a number of the points included in the objection comment received from the neighbouring dwelling to the north, Holmstead. This garage is located 7 metres from Holmstead, at the closest point. This structure does not form part of the proposed development, however the presence of the existing garage has been taken into account in making this assessment.
- 9.12 The inset map below demonstrates the existing relationship between the application site and Holmstead, with a separation distance of 4.93 metres. The proposed rear extension would be 8.44 metres from Holmstead, at the closest point and approximately 7 metres from the boundary. This is considered to be an acceptable separation distance given the nature of the extension. Holmstead and Woodcote are both located on generous plots and therefore, due to the siting of the proposal, it is not considered that the proposed development at Woodcote would have an overbearing effect on the neighbouring property to the detriment of the occupiers.



9.13 The proposed development would be sited 5.2 metres from the southern boundary of the application site. The neighbouring property to the south, Larkfield, is orientated further to the east than Woodcote. As such the proposed development would not result in an overbearing impact on the occupiers of this dwelling. Nor would the additional rear facing windows result in any significant overlooking impact on the private amenity land of Larkfield.

9.14 There is a potential for overlooking to occur from the side facing rooflight, on the northern roof slope, serving the en-suite bathroom to bedroom one. Whilst the existing dormer window would screen the most private amenity area of Holmstead, it is recommended that this rooflight be obscure glazed and non-opening below 1.7 metres above the internal floor level, to prevent overlooking in the event that the dormer window is removed.

9.15 The proposed development would be acceptable in line with 'Saved' BFBLP Policy EN20.

iv. TRANSPORT AND HIGHWAYS CONSIDERATIONS

- 9.16 The existing dwelling has 5 bedrooms. The dwelling would have 4/5 bedrooms following the development. As such the parking requirements would not change. In any event a plan has been submitted (drawing no. 07) which demonstrates that parking and turning for three vehicles can be accommodated on site.
- 9.17 The submitted parking plan also demonstrates that there would be only one entrance from Chavey Down Road, with the existing access retained. Therefore this drawing is in compliance with the previous application at Woodcote (reference: 15/00253/FUL).
- 9.18 The proposal would therefore be in line with CSDPD Policy CS23 and 'Saved' BFBLP Policy M9.

v. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 9.19 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 adversely affect the residential amenity of the neighbouring properties, or on highway safety. It is therefore considered that the proposed development complies with 'Saved' policies M9 and EN20 of the BFBLP, Policies CS2, CS7 and CS23 of the CSDPD and the NPPF.

11. RECOMMENDATION

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:
Proposed Floor Plan, Elevations and Block Plan, Drawing number: D1564-02, received 17.09.2015
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in appearance those of the existing dwelling.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, CSDPD CS7]
4. The rooflight to be inserted into the northern roof slope of the development hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). The openable part(s) shall at all times be no less than 1.7 metres above internal floor level of the room in which the window will be installed.
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 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in the side elevations of the dwelling at first floor level or above hereby permitted except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

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. Obscure glazed rooflight
3. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
4. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

Doc. Ref:

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

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ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
16/00722/FUL	Warfield Harvest Ride	9 August 2016	4 October 2016
Site Address:	Firdis Jigs Lane South Warfield Bracknell Berkshire RG42 3DP		
Proposal:	Erection of first floor side extension, loft conversion including the installation of three rooflights to the front roof slope and two rooflights to the rear roof slope and erection of single storey outbuilding to rear garden.		
Applicant:	Mrs Parveen		
Agent:	(There is no agent for this application)		
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 first floor side extension, loft conversion including the installation of three rooflights to the front roof slope and two rooflights to the rear roof slope and erection of single storey outbuilding to rear garden.
- 1.2 There would be no significant effect on the streetscene or on the occupiers of the neighbouring properties as a result of this development. The development would be in keeping with the host dwelling, with the character of the surrounding area and would not result in an over development of the site.

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 being considered by the Planning Committee as more than three objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

- 3.1 Firdis is currently a two storey, detached dwelling located on the east side of Jigs Lane South.

4. RELEVANT SITE HISTORY

4.1 12/00132/FUL

Erection of first floor side extension.

Approved 2012 (not implemented)

4.2 08/00747/FUL

Section 73 application to allow conversion of garage to habitable accommodation without compliance with condition 2 of reserved matters approval 618463 (this states, "The garage(s) hereby permitted shall only be used for the parking of vehicles and for domestic purposes incidental to the enjoyment of the dwelling, and shall not be converted to or used as living accommodation, without the prior written permission of the Local Planning Authority").

Approved 2008

4.3 625394

Erection of first floor side extension (Part PD Removed).

Approved 1999 (not implemented)

4.4 618463

Reserved matters for 13 detached dwellings and erection new garage for lawnswood.
(Affects Nos 021Z, 060Z to 064Z on Jigs Lane South)

Approved 1992

4.5 609694

Outline application for a residential Development, local centre and ancillary uses

Appeal allowed 1989.

5. THE PROPOSAL

- 5.1 The proposed first floor side extension element of this development would be constructed over the existing kitchen, utility room and family room on the northern side of the property. The pitched roof would have a gable end and would maintain the ridge line and pitch of the existing roof. There would be a gable to the front as there is a projection in the existing elevation which will be maintained. This extension would provide two additional bedrooms, one with an en-suite, at first floor level and a study/bedroom in the loft space. There would be one side facing window, at first floor level, serving an en-suite.
- 5.2 The proposed first floor extension would have a depth of 9 metres, a width of 2.7 metres and a maximum height of 8.3 metres with the eaves at a height of 4.8 metres.
- 5.3 The proposed loft conversion would not extend beyond the slope of the existing roof. The rooflights to be inserted would measure 0.7 metres by 0.6 metres. The lowest parts of these windows would be no lower than 1.7 metres above the internal floor level.
- 5.4 The proposed outbuilding would be erected in the south east corner of the application site, within the rear garden. It would have five sides and would follow the irregular line of the boundary on 3 sides. It would have a depth of 3.4 metres, a maximum width of 4.4 metres and a maximum height of 3.5 metres with the eaves at a maximum height of 2.5 metres.
- 5.5 The proposed loft conversion of the existing roof space to habitable accommodation would not constitute development in accordance with Section 55 (2) of the Town and Country Planning Act 1990, and therefore would not require planning permission.

6. REPRESENTATIONS RECEIVED

Warfield Parish Council:

- 6.1 Warfield Parish Council recommend refusal. The reasons given for this recommendation was that the size and mass of the development would be unsightly and not in keeping with the area. Concerns were also raised regarding the privacy of neighbouring properties by the proposed Juliet balcony on the second floor. The outbuilding height is considered obtrusive and overbearing and would be exacerbated by the land drop.

Other Representations:

- 6.2 A general comment was received from Lawnswood, the neighbouring property to the south of the application site. The following points were raised:
- There is no objection to the proposed first floor side extension.
 - The rear dormer and Juliet balcony would not be in keeping with the surrounding area. It would result in a loss of light and privacy through overlooking to the private rear garden.
 - It is not clear what the design and purpose of the proposed outbuilding would be.
- 6.3 Objection comments have been received from: 1 Patrick Gardens, a property to the south east of the application site; 2 Patrick Gardens, the property to the south east of the site and shares a boundary; 3 Patrick Gardens, the property which shares a rear to rear boundary to the east of the application site. A summary of the points raised follows:
- The rear dormer and Juliet balcony would result in an overlooking impact on the rear gardens, bedroom windows and conservatories. The application site is at a high level which would exacerbate the loss of privacy.

- The window to window distance of the proposed dormer windows would be less than the current guidelines allow.
- The appearance of the proposed development would not be in keeping with the character of the area.
- The dormer structure would be dominant and overbearing. The flat roof design is not sympathetic to the original design of the house and thus appears an obvious addition.
- The number of bedrooms resulting from the proposed development would be out-of-scale with surrounding neighbourhood.
- The proposal would result in the loss of light to the surrounding neighbouring dwellings.
- The increased occupancy would lead to increased levels of associated sewage.
- There is a covenant which restricts the dwellings to a single family. The size of the proposed development could allow for this covenant to be breached in the future.
- There are discrepancies between the shape of the proposed outbuilding on the submitted block plan and floor plans of the outbuilding.
- The foundations of the outbuilding may impact on the roots of several mature trees along the rear boundary of the application site.
- The size and scale of the proposed outbuilding would be out of keeping the surrounding area. It would be overbearing and an eyesore the residents to the rear of the application site.
- No allowance has been made in the design of the outbuilding for the maintenance of fences.

6.4 [Officer Note: following the comments made by the Parish Council and neighbouring properties, an amended scheme was received which removed the rear facing, flat roof dormer from the proposal.

6.5 It has been confirmed by the applicant that the proposed outbuilding would be used for storage incidental to the use of the main dwellinghouse. The materials used in the construction of the outbuilding would match those in the existing dwelling. Amended drawings have been received of the outbuilding, the floor plans and elevations show the same structure on the block plan

6.6 The impact of the proposal on the character of the area is addressed in part 9ii of the report below, the amenities of the occupiers of neighbouring properties is addressed in parts 9iii, and tree implications in part v.

6.7 The application site is in Flood Zone 2. This is a flood event risk of 1 in 1000 years, this is not considered to be a high risk floorarea. In addition the majority of the proposed works would be contained within the existing foot print; as such there would not be an increase in surface water runoff. Any issue with sewage falls under Building Regulations.

6.8 Covenants are not a planning consideration. Any future development which requires planning permission including the formation of a House of Multiple Occupancy would need to be applied for].

6.9 Following the submission of the amended scheme, the neighbours and contributors were re-notified. A further comment was received from numbers 2 and 3 Patrick Gardens. It was agreed that the amended scheme was an improvement on the original proposals, and no new objection points were raised. However, the previous points raised regarding the dimensions, height and scale and proximity to the boundary of the proposed outbuilding were reiterated. As were the implications of the increased occupancy on the character of the area, overlooking and increased sewage levels.

7. SUMMARY OF CONSULTATION RESPONSES

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

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD	Consistent
Design	CS7 of the CSDPD,	Consistent
Amenity	'Saved' policy EN20 of the BFBLP	Consistent
Highways	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent - Para. 39 refers to LPAs setting their own parking standards for residential development
Supplementary Planning Documents (SPD)		
Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 Character Area Assessments, Supplementary Planning Document 2010		
Other publications		
National Planning Policy Framework (NPPF) Bracknell Forest Borough Council 'Extending your home: A Householder's Guide' (2003) Building Research Establishment (BRE) Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (SLPDS)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

i. PRINCIPLE OF DEVELOPMENT

9.2 Firdis is located within a defined settlement as designated by the Bracknell Forest Borough Polices Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), SC2 (Location Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, highway safety, etc. These matters are assessed below.

ii. IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA

9.3 It is noted that there are examples of other of extensions at first floor level being approved in the surrounding area, including Lawnswood and Salvia in Jigs Lane South and numbers 1, 3 and 11 in Patrick Gardens. It is also noted that there are outbuildings to the rear of Salvia. It is therefore considered that the proposed development would be in keeping with the character of the area.

9.4 The materials to be used in both the first floor side extension and the outbuilding would match in appearance those materials used in the construction of the existing dwellinghouse. As such the proposed materials are considered to be in keeping with those of the host dwelling.





- 9.5 The existing roof has a gable at both the northern and southern ends. The proposed extension would include a gable to the new northern end. The existing window serving bedroom 2 has a gable feature above. The existing family room and downs stairs W.C. form a front projection. The proposed first floor extension over this would maintain the front projection and would include a gable feature to the front. This is a feature on the existing dwelling and other surrounding properties, as such the roof design is considered acceptable.
- 9.6 The proposed outbuilding would be screened by the existing dwelling from the front. The proposed first floor side extension would be visible from the highway. However, as the roof design is considered in keeping with the existing dwelling and the proposed works would be no closer than 9 metres from the near-side edge of the highway, the development would not have a dominant impact on the streetscene. It would be mostly screened from Patrick Gardens by the by the hedge of Lawnswood.
- 9.7 The external appearance of the proposed development is considered sympathetic to the host dwelling.
- 9.8 The proposal would therefore be in line with CSDPD Policy CS7, 'Saved' BFBLP Policy EN20 and the NPPF.

iii. IMPACT ON RESIDENTIAL AMENITY

- 9.9 The proposed first floor side extension would maintain the existing building lines. Due to the front projection, the additional first floor front facing window would be 1 metre closer to the highway. Due to the large separation distance between the front elevation of Firdis and the highway, and the fact that the dwelling opposite (The Hedgerow) has its side elevation facing on to Jigs Lane South, there would not be significant overlooking as a result of the proposed first floor front facing window. The proposed rooflights to be inserted into the front roof slope of the dwelling are considered acceptable.

- 9.10 It is recommended that the proposed first floor, side facing window, serving an en-suite is obscure glazed to minimise the potential for overlooking to the rear amenity area of the property to the north of the application site, The Bramleys.
- 9.11 The proposed first floor, rear facing window, serving bedroom 5 would not project any further to the rear than the existing windows in the rear elevation. There would be a distance of 10.5 metres from the proposed window to the rear boundary and 22 metres to the rear elevation (at first floor level) of the property directly to the rear, 3 Patrick Gardens. Therefore this window is considered acceptable.
- 9.12 The proposed rooflights to be inserted into the rear roof slope of the dwelling would be 24 metres from the rear elevation of 3 Patrick Gardens. Whilst this distance is closer than the 30 metres which is used as a guideline for a separation distance for second floor windows, the lowest part of these rooflights would be no lower than 1.7 metres above the internal floor level, as such they would be considered high level windows.
- 9.13 The proposed extension to the main dwellinghouse would be within the footprint of the existing dwelling. The materials, design and appearance of the scheme are considered acceptable. As such, this aspect of the development is not considered to have an overbearing impact on the occupiers of the neighbouring dwellings.
- 9.14 The proposed first floor side extension would not project to the front of the closest neighbouring property, The Bramleys. However, the proposal would project to the rear of The Bramleys. The BRE SLPDS is used as a guideline for assessing potential loss of light and the acceptable levels of loss to light. A 45 degree line was drawn on the horizontal plane from the midpoint of the closest window serving a habitable room at the affected residential property. This line did not intersect the development; as such it is considered that the development would not have an adverse impact on the neighbouring property with regards to loss of light.
- 9.15 The proposed outbuilding has one proposed window. This would be facing Firdis and would be at ground floor level, as such no significant overlooking would occur.
- 9.16 There is screening provided by the existing 1.8 metre high timber fence. The maintenance of the boundary treatment is a civil matter. Additional screening is provided by vegetation on the boundary. Whilst there is a change in site levels, with the application site situated on higher ground than the dwellings to the east, the proposed outbuilding would be a minimum of 7 metres from the surrounding dwellings. Due to this separation distance, the proposed outbuilding is not considered to result in any undue overbearing or overshadowing significantly harmful to the amenities of the occupiers of the neighbouring dwellings.
- 9.17 Due to the siting of Firdis within its plot, there is a greater amenity area to the front of the dwelling, than to the rear. Whilst this is unusual, the presence of both the existing conservatory and the proposed outbuilding would not result in an overdevelopment of the site. An outbuilding used for storage incidental to a dwellinghouse is a common place feature in this residential area. This aspect of the proposal is therefore considered acceptable.

9.18 The proposed development would be acceptable in line with 'Saved' BFBLP Policy EN20.

iv. TRANSPORT AND HIGHWAYS CONSIDERATIONS

- 9.19 The existing dwelling has 3 bedrooms. The dwelling, following the proposed development, would have 5/6 bedrooms. A plan has been submitted which demonstrates that parking for three vehicles can be accommodated on site which complies with the Council's parking standards.

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

v. TREE IMPLICATIONS

9.21 There is an Oak tree to the front of Lawnswood, the property to the south of the application site. This tree is protected by a Tree Preservation Order (TPO 1154, T1) and it is sited approximately 2 metres from the boundary of the site. As the proposed first floor extension would be to the northern side of the existing dwelling, and would not project beyond the existing footprint, this aspect of the proposal would not have a negative impact on the health of the near-by protected tree. The proposed outbuilding, to the rear of the existing dwelling would not have an effect on the protected tree.

9.22 The trees located on, or close to, the boundary between Firdis and the properties to the east are not visible from Jigs Lane South. As such, they do not significantly contribute to the character of the area. The health of these unprotected trees is a civil matter.

9.23 Subject to the recommended condition, the proposal would be in line with CSDPD Policy CS1 and 'Saved' BFBLP Policy EN1.

vi. COMMUNITY INFRASTRUCTURE LEVY (CIL)

9.24 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 have an unacceptable impact on the residential amenity of the neighbouring properties, or on highway safety or on the health of protected trees. It is therefore considered that the proposed development complies with 'Saved' policies EN1, M9 and EN20 of the BFBLP, Policies CS1, CS2, CS7 and CS23 of the CSDPD and the NPPF.

11. RECOMMENDATION

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:
Site Location, Block Plan and Parking Layout, Received 05.09.2016
Proposed Floor Plans, Received 05.09.2016
Proposed Elevations, Received 05.09.2016
Proposed Floor Plan and Elevations of Outbuilding, Received 08.08.2016
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 lowest part of the rooflights to be inserted into the eastern roof slope of the development hereby permitted shall be no less than 1.7 metres above internal floor level of the room in which the window will be installed.

REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]

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

REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]

Informative(s):

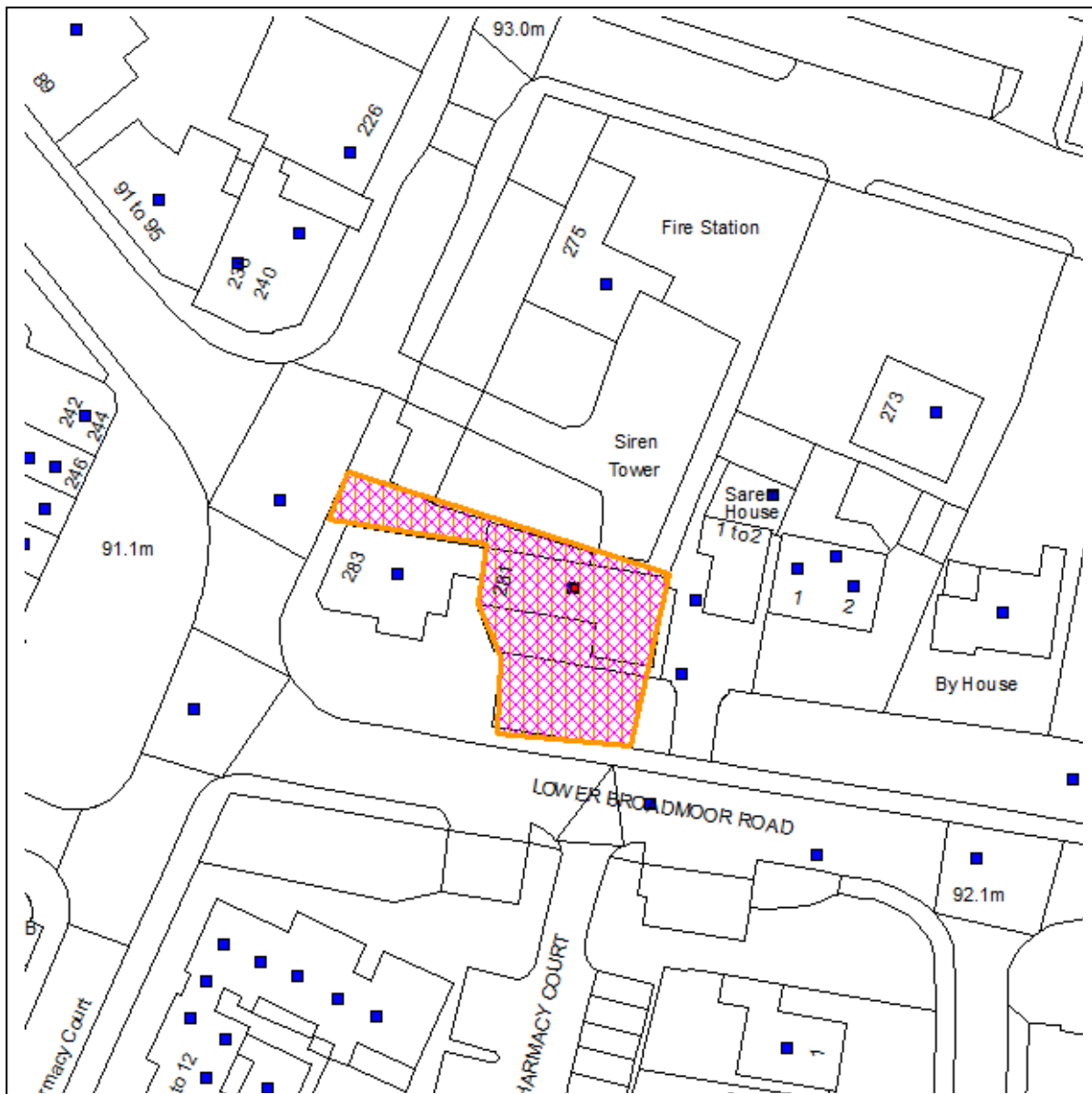
1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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. Rooflight 1.7m and over
 5. Obscure glazed side facing window
3. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
4. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

Doc. Ref:

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

ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
16/00874/PAC	Crowthorne	1 September 2016	27 October 2016
Site Address:	Richmond House 281 High Street Crowthorne Berkshire RG45 7AH		
Proposal:	Prior Approval for the change of use from office building (B1(a)) to 2no. dwellinghouses (C3).		
Applicant:	Mr Kenneth Dickens		
Agent:	Mr P Haran		
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 281 High Street from B1(a) offices to 2no. 1 bedroom flats.

1.2 The proposal would not result in contamination issues or flood issues. Further, there would be no adverse transport and highway implications. Subject to no noise impacts to the future occupiers of the 2no. 1 bedroom flats resulting from the fire station to the north of the site, 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 Richmond House, 281 High Street, is a single storey building currently used as a solicitor's office. The building fronts onto Lower Broadmoor Road.

3.2 The surrounding area is characterised by a mix of uses, including a fire station to the north, residential to the east and south and a mix of businesses to the west.

4. RELEVANT SITE HISTORY

14/00327/PAC – prior approval not required for change of use of office (B1a) to residential (C3). May 2014. This prior approval expired on 30 May 2016 as the change of use from office to residential had not been implemented by this date – a requirement of the now superseded Part 3, Class J of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 (as amended).

5. THE PROPOSAL

5.1 Prior approval is sought for the change of use of 281 High Street 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 2no. 1 bedroom flats. Each flat would comprise kitchen and living space, 1 bedroom and a bathroom.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council:

6.1 None received at time of printing report. Any comments will be reported in the supplementary report.

Other representations:

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

7. SUMMARY OF CONSULTATION RESPONSES

Transportation Officer:

7.1 No objection.

Environmental Health Officer:

7.2 Comments will be reported in the supplementary report.

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). For clarification, at the time of determination of the previous prior approval in 2014, ref: 14/00327/PAC, assessment of noise from commercial premises on the intended occupiers of the development was not a caveat which was assessed as part of the prior approval process in force at that date.

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:

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.

9.4 Paragraph O.2 compliance:

(a) Transport and highways impacts of the development

9.5 Prior approval was granted for 1no. 2 bedroom flat in 2014, ref: 14/00327/PAC and this current proposal for 2no. 1 bedroom flats would be no different in highway terms as 2no. parking spaces would be required in both cases to comply with the Council's Parking Standards SPD 2016. Whilst the site does not benefit from any off-street parking provision, there are uncontrolled off-street parking bays available in Lower Broadmoor Road in close proximity to the site. The traffic generation for the proposed residential use will be less than the existing permitted office use. The shortfall in parking provision between an office use versus residential use is reduced from 4 spaces to 2 spaces (1no parking space is required for each 1no. bedroom flat and there are 2 in total) although it needs to be noted that residential parking provision needs are applicable over a 24 hour day rather than just the working day.

9.6 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.

9.7 It is also noted that the site is in a sustainable location within a defined settlement and within close proximity of a retail centre of Crowthorne High Street.

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

(b) Contamination risks on the site

9.9 It is not considered that there are any contamination risks on the site.

(c) Flooding risks on the site

9.10 The site is within Flood Zone 1 and not considered to have any critical drainage issues. It is therefore not considered that there are any flooding risks on the site.

(d) Impacts of noise from commercial premises on the intended occupiers of the development.

9.11 Crowthorne Fire Station is located directly to the north of the application site. Subject to it being demonstrated to the satisfaction of the LPA that no adverse noise impacts would result to the future occupiers of the proposed 2no. 1 bedroom flats, the proposal would be acceptable. Further clarification is being sought on this matter and will be reported in the supplementary report.

9.12 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. Due to the separation distances to the nearest nearby licensed premises, it is not considered that there would be resulting impact from noise on the intended future occupiers of the development from these identified premises.

(e) Other matters

9.13 The site is located within 5km of the Thames Basin Heaths Special Protection Area. It is a condition of any planning permission granted by a general development order that any development which is likely to have a significant effect upon a Special Protection Area cannot proceed unless the Local Planning Authority has given written approval under the Habitats Regulations 2010. The prior approval process does not in itself constitute approval under these Regulations.

9.14 This proposal would create additional dwellings and is located within an area where additional dwellings would lead to a significant impact on the SPA, if not mitigated. The decision notice should therefore include an informative advising the applicant how to apply for approval under the Habitats Regulations 2010 and that a Section 106 Agreement must be entered into in the event of prior approval being granted.

9.15 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. No adverse transport and highway implications would result. Further, it is not considered that noise impact would result to future occupiers of the 2no. 1 bedroom flats from licensed premises in the surrounding area. Further clarification is being sought on whether any adverse noise impacts would result from the fire station directly to the north of the site. Subject to this being addressed to the satisfaction of the LPA, prior approval can be granted.

11. RECOMMENDATION

11.1 Prior Approval is required for the proposed development and subject to no noise impacts to the future occupiers of the 2no. 1 bedroom flats resulting from the fire station to the north of the site, Prior Approval can be granted subject to the following conditions and informatives:

Conditions:

1. This decision is based on the following:-
 - drawing no. 3406/100 – block and location plans
 - drawing no. 3406/101 – existing and proposed plans
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.

Informative(s):

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.