



NOTICE OF MEETING

Planning Committee

Thursday 13 September 2018, 7.30 pm

Council Chamber - Time Square, Market Street, Bracknell, RG12 1JD

To: The Planning Committee

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

Gill Vickers
Executive Director: Delivery

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If you require further information, please contact: Hannah Stevenson
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Published: 4 September 2018



Planning Committee
Thursday 13 September 2018, 7.30 pm
Council Chamber - Time Square, Market Street, Bracknell, RG12
1JD

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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 16 August 2018.

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3. **Declarations of Interest**

Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.

Any Member with a Disclosable Pecuniary 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 Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

Any Member with an Affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.

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 17/00805/FUL - Lavenir, Opladen Way, Bracknell**

Construction of a new third floor together with a fourth floor mansard roof extension over the existing building to create new residential accommodation comprising 45no. One and two bedroom flats. (In addition to the flats granted under prior approval 17/00457/PAC).

19 - 32

6. **18/00477/FUL - 19 Goaters Road, Ascot**

Erection of a single storey self-contained outbuilding to be used as an annexe, ancillary to the main building.

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**PLANNING COMMITTEE
16 AUGUST 2018
7.30 - 10.30 PM**

Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, D Birch, Mrs Hayes MBE, Dr Hill, Leake, Mrs Mattick, Thompson and Worrall

Also Present:

Councillors Mrs Birch, Ms Gaw and Peacey

Apologies for absence were received from:

Councillors Finnie, Heydon, Mrs Ingham, Mrs McKenzie, Mrs McKenzie-Boyle, Phillips and Skinner

20. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 19 July 2018 be approved as a correct record and signed by the Chairman.

The start time of the meeting would be amended from 5:30pm to 7:30pm.

21. Declarations of Interest

Councillor Ms Gaw stated that she had an interest in item 5 (agenda item 23) which could be perceived as biased, she stated that she would take no part in the questioning but would make a short statement at the start of debate then leave the Council Chamber and play no further part in proceedings.

22. Urgent Items of Business

There were no urgent items of business.

23. PS 18/00263/FUL 7 Dianthus Place, Winkfield Row, Bracknell, Berkshire RG42 7PQ

Erection of two storey front, first floor side and single storey side extensions.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Mark Lam objecting to the application.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Winkfield Parish Council recommending refusal of the application.

- The 12 letters of representation received from neighbouring properties in response to the planning application as detailed in the agenda and supplementary papers.

Having read the officer report and heard the debate, the Committee were not persuaded by the issues and arguments raised and, therefore an alternative motion was proposed and seconded and being put to the vote was **CARRIED**

RESOLVED that planning application 18/00263/FUL be **REFUSED** for the following reason:

01. By reason of its design and massing, and the loss of amenity land that makes a positive contribution to the area, the proposed development would result in an unduly prominent feature that would appear out of keeping both with the host dwelling and in the street scene, to the detriment of the character and visual amenities of the area. The proposed development would therefore be contrary to 'Saved' Policies EN1, EN20 and H12 of Bracknell Forest Borough Local Plan, Policy CS7 of the Core Strategy Development Plan Document, and the National Planning Policy Framework.

24. **PS 18/00621/FUL 26 Blackmoor Wood, Ascot, Berkshire SL5 8EN**

Erection of single storey rear extension and single storey front porch, alterations to the roof to including a rear facing dormer to create first floor accommodation and erection of single storey detached garage following demolition of existing garage.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Elizabeth Comish objecting to the application.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Winkfield Parish Council recommending refusal to the application as detailed in the agenda papers.
- The 14 letters of representation received in response to the planning application objecting to the application as detailed in the agenda papers.

Having read the officer report and heard the debate, the Committee were not persuaded by the issues and arguments raised and, therefore an alternative motion was proposed and seconded and being put to the vote was **CARRIED**

RESOLVED that planning application 18/00621/FUL be **REFUSED** for the following reason:

01. By reason of its siting, design and increased bulk, the proposed development would result in an unsympathetic and disproportionate addition which would be incongruous and prominent within the street scene, to the detriment of the character and visual amenities of the surrounding area. The proposed development would therefore be contrary to 'Saved' Policy EN20 of the Bracknell Forest Borough Local Plan, Policy CS7 of the Core Strategy Development Plan Document, the Design SPD and the NPPF.

25. **16/00187/FUL Land Between 95 and 101 Prince Andrew Way, Ascot, Berkshire SL5 8NH**

Erection of 2 no. 3 bedroomed semi-detached dwellings with associated parking and gardens.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Winkfield Parish Council as summarised in the agenda papers.
- The seven objections received as summarised in the agenda papers.
- The petition in objection to the application which had been signed by twenty seven people and summarised in the agenda papers.

RESOLVED that, following the completion of the relevant S106 agreement regarding SPA mitigation and the retention of the footpath, the Head of Planning be authorised to APPROVE the application subject to the following conditions:

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents received by the Local Planning Authority on 3 March 2016:

C12037.16.001 Location Plan

And the following plans received on 3 August 2018:

Site Plan

Proposed ground floor plan

Proposed first floor plan

Side NE and SW elevations

Street and back elevations

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

03. No construction works shall take place until 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 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 dwellings 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]

05. No dwelling shall be occupied until a means of vehicular access 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 highway safety.

[Relevant Policies: Core Strategy DPD CS23]

06. No dwelling shall be occupied until the associated vehicle parking has been provided 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]

07. The dwellings shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent 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]

08. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings. The cycle parking shall be retained as such thereafter.

REASON: In order to ensure bicycle facilities are provided.

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

09. During the construction phases, 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]

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
- (f) specifications of control of noise arrangements for construction and demolition
- (g) methodology of controlling dust, smell and other effluvia
- (h) site security arrangements including hoardings
- (i) proposed method of piling for foundations
- (j) construction and demolition methodology
- (k) construction and demolition working and delivery hours
- (l) Alternative methods of disposing of green waste other than burning; as there are to be no bonfires on site.

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

REASON: In the interests of the amenities of the area and highway safety.

11. The development permitted by this planning permission shall be carried out in accordance with: Flood Risk Assessment Version 2 by Hydroland Consulting Engineers Ltd dated October 2017 Flood Risk Assessment Addendum by Hydroland Consulting Engineers Ltd dated 19/4/2018 and the following mitigation measure detailed within the FRA and addendum:

30 m³ of compensatory flood plain storage is provided as described in the FRA Version 2. The details of the flood plain storage are to be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

REASON: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to reduce the risk of flooding to the proposed development and future occupants.

[Relevant Policy: Core Strategy DPD CS1]

12. The finished floor levels are to be set no lower than 74.768 metres above Ordnance Datum.

REASON: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to reduce the risk of flooding to the proposed development and future occupants.

[Relevant Policy: Core Strategy DPD CS1]

13. 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]

14. 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 Policy: CSDPD Policy CS12]

15. Prior to the dwellings being occupied, a scheme of lighting for the retained footpath should be implemented in accordance with a scheme to be submitted and approved in writing by Local Planning Authority. The scheme shall be retained as such.

REASON: In the interests of public safety.

16. 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]

17. 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 enlargement, addition,

improvement or other alteration permitted by Classes A, E and F of Part 1 of the Second Schedule of the 2015 Order shall be carried out.

REASON: In the interests of flood mitigation.

18. No demolition or construction work shall take place outside the hours of 08:00 and 18:00 Monday to Friday; 08:00 and 13:00 Saturday and not at all on Sundays and Public Holidays.

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

19. When carrying out the approved development if any contamination is found it must be reported immediately in writing to the Local Planning Authority and development work must cease. Site work can only commence once LPA authorisation is given. This will be subject to satisfying all requirements as stipulated by the LPA being completed and signed off in writing. These requirements will be specific to the nature of the contamination in question.

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

[Relevant Policies: BFBLP EN25]

26. **18/00568/FUL Royal County Of Berkshire Racquet and Health Club, Nine Mile Ride, Bracknell, Berkshire RG12 7PB**

Extension to the existing internal wet spa, and a new external pool and spa garden.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- That Bracknell Town Council raised no objection to the development.
- The Five objections from three addresses as summarised in the agenda papers.
- The letter from the agent as detailed in the supplementary report.

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

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received by the Local Planning Authority:

Design and Access Statement - Received 1 June 2018

Site Location Plan - Drawing Number: A-PL-001x - Received 1 June 2018

Proposed Site Plan (annotated) - Drawing Number: A-PL-005xA - Received 31st July 2018

Proposed Ground Floor GA Plan (annotated) - Drawing Number: A-PL-006xB - Received 31st July 2018

Proposed Elevations - Drawing Number: A-PL-007xC - Received 31st July 2018

Environmental Noise Assessment - Received 31st July 2018

Technical Note - Received 1st June 2018

Planning Statement - Received 1st June 2018

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

03. The development hereby approved shall not be operated until the acoustic fencing shown on the approved plan and recommended within the 'Sharps Gayler - Environmental noise assessment', received by the Local Planning Authority on 31st July 2018, has been erected on the south-west and north-west boundaries and shall be maintained and retained as such thereafter.

REASON: In the interests of the amenities of the occupants of neighbouring residential properties.

[Relevant Policy: BFBLP 'Saved' Policies EN20 and EN25].

04. The external areas of the development hereby approved shall not be used outside the following times:

07:00 hours to 22:00 hours Monday to Sunday.

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

[Relevant Policies: BFBLP EN25]

27. **18/00326/FUL Bus Depot and Offices Coldborough House, Market Street, Bracknell, Berkshire RG12 1JA**

Redevelopment of site to provide a building with a maximum height of 11 storeys accommodating 246no. residential units, up to 130 sq m of commercial space (use classes A1, A2, B1, D1 and D2) and ancillary works including car parking, cycle parking and associated landscaping

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Bracknell Town Council recommending approval of the application.
- That no letters of representation were received in response to the planning application.

Having read the officer report and heard the debate, the Committee were not persuaded by the issues and arguments raised and, therefore an alternative motion was proposed and seconded and being put to the vote was **CARRIED**

RESOLVED that planning application 18/00326/FUL be **REFUSED** for the following reasons:

01. A number of the proposed apartments would receive unacceptable levels of daylight to the detriment of the living conditions of future occupiers. The proposed development is therefore contrary to Policies CS1 and CS7 of the Core Strategy Development Plan Document and the NPPF.

02. The proposal would not comply with the Local Planning Authority's standards in respect of vehicle parking. This would be harmful to the amenity of future residents, and access and safety within the site, and could encourage on-street parking and therefore have a detrimental impact upon road safety and the flow of traffic. The proposed development would therefore be contrary to Policy M9 of the Bracknell Forest Borough Local Plan, Policy CS23 of the Core Strategy Development Plan Document and Bracknell Forest Borough Parking Standards Supplementary Planning Document.

03. 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).

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

05. In the absence of planning obligations to secure:-

- the provision and retention of on-site electric vehicle charging facilities
- long-term management of the access to the service area
- the establishment and long-term provision of a car-club to serve the development
- a financial contribution to improvements to foot/cycle ways along Market Street
- securing a travel plan(s) with associated fees and deposit payments
- a financial contribution towards improvements to Bracknell Rail Station
- long-term management of the site including site security

the proposal would not cater satisfactorily for the needs of pedestrians, cyclists and vehicle users and personal safety to the detriment of road safety and sustainable development and would therefore be contrary to Policy M4 of the Bracknell Forest Borough Local Plan and Policies CS1, CS23 and CS24 of the Core Strategy Development Plan Document.

06. The proposed development would unacceptably increase the pressure on open space of public value and community facilities. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secures the on-site provision of open space of public value, the proposal is contrary to Policies SC1 and R4 of the Bracknell Forest Borough Local Plan, Policy CS8 of the Core Strategy Development Plan Document and the Planning Obligations Supplementary Planning Document (adopted February 2015).

07. It has not been demonstrated that the proposed development would incorporate a sustainable drainage system (SuDS) for the management of surface water run-off which would be maintained for the lifetime of the development. This is contrary to the House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems 18/12/2014, the NPPF and the Flood Risk and Coastal Change PPG updated 15/04/2015.

28. 18/00728/3 Bond Square, Bracknell, Berkshire

Installation of tensile fabric canopy, with laminated beam arch and steel posts, on open space area.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- That Bracknell Town Council raised no objections to the proposal.

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

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

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 17.07.2018:

Bond Square Canopy Location Plan

Initial Design Proposal - Option 01b

6030-Bracknell Amphitheatre

72506-6030-0010

Design Brief Specification for Tensile Amphitheatre at Bond Square Bracknell

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]

29. **Confirmation of Tree Preservation Order (TPO) 1280**

The Committee considered a report requesting confirmation of this Tree Preservation Order, to which a representation had been received.

The Committee noted:

- A representation from Silva Homes as summarised in the Agenda papers.

RESOLVED that the Tree Preservation Order is confirmed.

CHAIRMAN

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AGENDA CAN BE FOUND ON OUR WEBSITE
www.bracknell-forest.gov.uk**

**PLANNING COMMITTEE
13th September 2018**

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

		Case Officer	Reporting Officer
5	17/00805/FUL Lavenir Opladen Way Bracknell (Harmans Water Ward) Construction of a new third floor together with a fourth floor mansard roof extension over the existing building to create new residential accommodation comprising 45no. One and two bedroom flats. (In addition to the flats granted under prior approval 17/00457/PAC). Recommendation:	Sarah Fryer	Martin Bourne
6	18/00477/FUL 19 Goaters Road Ascot Berkshire (Ascot Ward) Erection of a single storey outbuilding to be used as an annexe, ancillary to the main building. Recommendation: Approve.	Shannon Kimber	Basia Polnik

Background Papers

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

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

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

SPG Supplementary Planning Guidance
SPD Supplementary Planning Document

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

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

SITE LOCATION PLAN

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

THE HUMAN RIGHTS ACT 1998

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

Those rights include:-

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

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

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

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

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

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

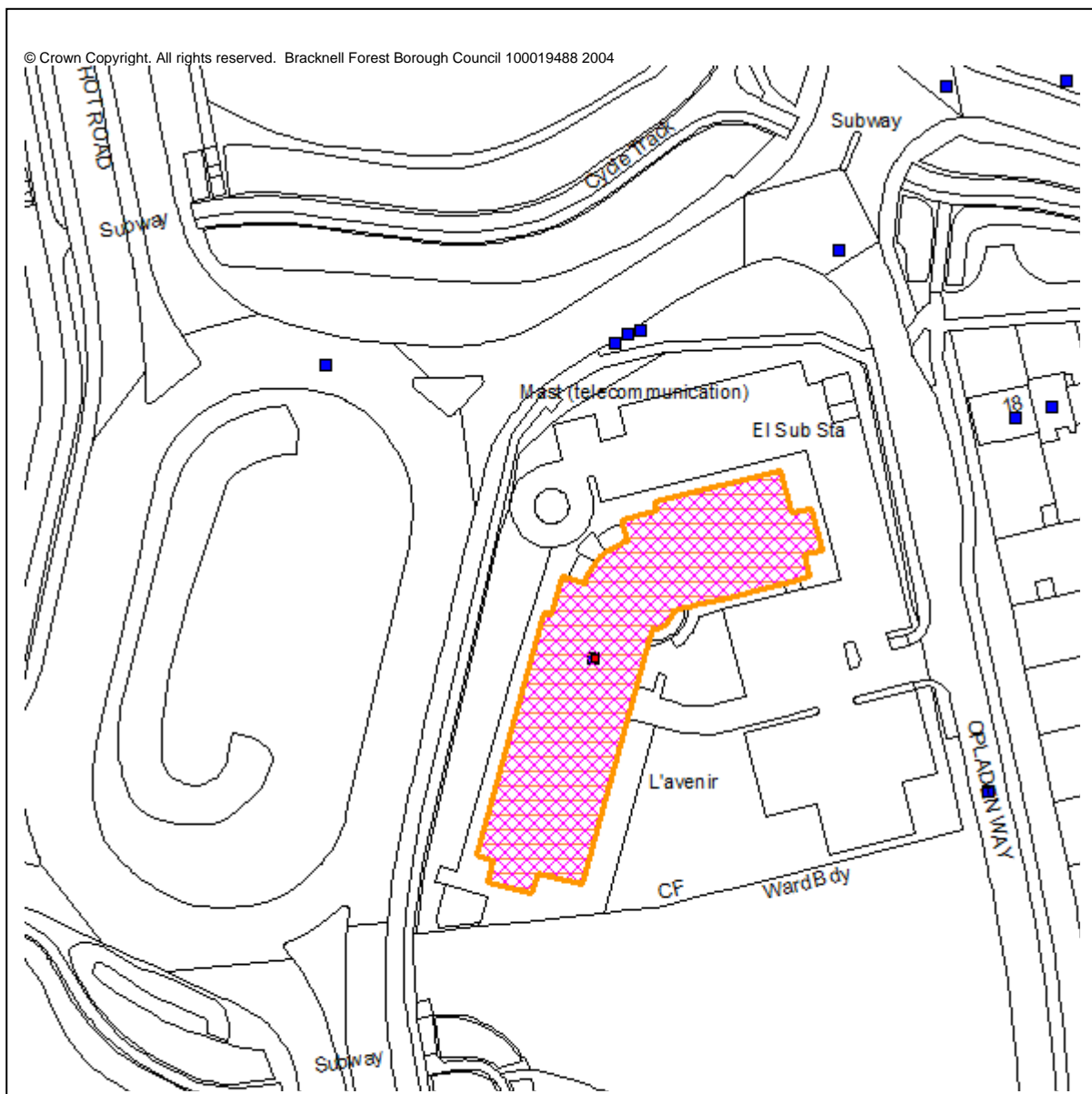
The Human Rights Act will not be specifically referred to elsewhere [in the Agenda] beyond this general statement, unless there are exceptional circumstances which require a more

detailed consideration of any Convention Rights affected.

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ITEM NO: 5	Ward:	Date Registered:	Target Decision Date:
Application No. 17/00805/FUL	Harmans Water	10 August 2017	9 November 2017
Site Address:	L'avenir Opladen Way Bracknell Berkshire RG12 0PH		
Proposal:	Construction of a new third floor together with a fourth floor mansard roof extension over the existing building to create new residential accommodation comprising 45no. one and two bedroom flats. (In addition to the flats granted under prior approval 17/00457/PAC).		
Applicant:	Mr H Schneck		
Agent:	Mr Tony Allen		
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 application is for an extension to provide additional floors to an existing building last used as offices but with prior approval consent (PAC) to convert the lower floors to residential. The proposal would provide an additional 45 no., one and two bed roomed flats, which would be accessed through the existing building. The application is considered to be acceptable in terms of impact upon amenities, parking, design and appearance.

RECOMMENDATION
Delegate to the Head of Planning to grant planning permission subject to a S106 and the conditions in Section 10 of this report

2. REASONS FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application is before committee due to the number of objections received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within Settlement Boundary
Within 5km of SPA

3.1 This application relates to a site with borders on the A322 Bagshot Road to the west, Nightingale Crescent to the north and Opladen Way to the east. To the south the site adjoins a wooded area and access to the site is from Opladen Way.

3.2 The site consists of a three storey former office building which was granted planning permission in 1988. In 2017 consent was granted for the conversion of the existing building from B1 offices to C3 residential use under Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (reference: 17/00457/PAC).

3.3 The existing building is constructed from red brick with buff stone horizontal cornice detailing and strong vertical columns breaking up the glazing elements. The building has a footprint similar to a boomerang in shape sitting within a lawned space with parking located to the north and east. Additional parking is contained within a basement.

3.4 To the west of the site, and across a large traffic intersection is the Bracknell Leisure Centre with two storey residential properties within Harmans Water located to the east.

4. RELEVANT SITE HISTORY

17/00457/PAC Application for Prior Approval for the change of use of offices (Class B1a) to residential Class C3) to form 69 no. apartments Consent Granted 22.06.2017

14/00224/RDT Removal of existing 14.8m monopole Approved 02.04.2014

01/01044/FUL Retention of new external door and staircase to staff restaurant Approved 24.21.2001

01/01195/FUL Retention of a prefabricated smoking shelter Approved 24.01.2002

618245 External staircase and new windows. Approved 01.01.1992

615088 Roofing over to roof terrace area to form additional 308 sq.m. office (B1) floorspace Approved 18.01.1990

615086 Application for construction of a balcony at 2nd floor level. Approved 25.08.1989

614112 Erection of a three-storey building Approved 12.01.1989

612562 Outline application for Demolition of Westwick House and erection of a building for business use (Class B1) comprising up to 45,000 sq ft gross floor area. Approved 20.06.1998
[Various application for minor works, including adverts not considered relevant to this application]

5. THE PROPOSAL

5.1 Planning permission is sought for an additional two floors to be erected above the current building, the top floor consisting of a mansard. An additional 45 one and two bedroomed dwellings would be provided as a result.

5.2 The existing building is 14.2m in height and this would increase to 22m under this proposal.

5.3 The proposal would maintain a predominantly glazed façade with strong vertical columns replicating the original building below. The top floor would be a mansard with a slight pitch and smaller windows. The proposal would not result in any additional footprint or hardsurfacing to provide additional parking.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Considered no objection

Other representations:

6.2 61 objections have been received on the following grounds:

- a. Overbearing development which would dominate the skyline towering over low –lying dwellings
- b. Out of keeping with the mature residential area
- c. The original permission was granted on the basis that it would not exceed two storeys in height. [*Officer Note: The original application reference 614112 reads 'Erection of a three-storey building'*]
- d. Insufficient parking will lead to parking on the surrounding streets.
- e. Trees on the site should be retained and not harmed during construction.
- f. Two additional floors will encroach on privacy of surrounding residents.
- g. Additional units will cause traffic chaos due to the increase in traffic movements
- h. Unacceptable impact upon services like doctors/ dentists/ waste collection / schools
- i. Will block out late afternoon/ evening light
- j. Overlooking
- k. Noise levels during construction
- l. Reflection – the sunlight reflecting off the windows
- m. Decrease in property values

7. SUMMARY OF CONSULTATION RESPONSES

SPA: Seeks further contributions to mitigate the impact upon the SPA. This should be secured by S106.

Highways: No objection

Drainage: No objection

Natural England: No further comments to make as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

	Development Plan Policy	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Town Centre	CS3 of CSDPD, E1 of BFBLP	Consistent
Design	CS7 of CSDPD, EN1 and EN20 of BFBLP	Consistent
Parking	CS23 of CSDPD, M4 and M9 of BFBLP	Consistent
Highway Safety	CS23 and CS24 of CSDPD, M9 of BFBLP	Consistent
Cycling and pedestrians	CS23 and CS24 of CSDPD, M6 of the BFBLP, TC1 of the BNP	Consistent
Residential Amenity	EN20 and EN25 of BFBLP, ENV2 of BNP	Consistent
Housing	CS16, CS17 of CSDPD, H5 of BFBLP, SA6 of SALP.	Consistent
Accessibility	CS7 of CSDPD, EN22 of BFBLP	Consistent
Biodiversity	CS1(vii) and CS7 (iii) of CSDPD	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
Noise	EN25 of BFBLP	Consistent
SPA	SEP NRM6, CS14 of CSDPD and EN3 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Design SPD		
Streetscene SPD		
Parking Standards SPD		
Thames Basin Heaths Special Protection Area SPD		
Planning Obligations 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 Design and Character of the area
- iii Impact upon residential amenities
- iv Highway Implications
- v Trees
- vi Thames Basin Heaths Special Protection Areas
- vii Affordable Housing
- viii Drainage
- ix Securing necessary infrastructure

i Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration.

9.3 The site is located within the settlement boundary as defined by the Bracknell Forest Policies Map. The site is therefore considered to be in a sustainable location and where Policies CS1 and CS2 of the CSDPD support further development. The existing building benefits from a change of use through the prior approval procedure for residential use which in effect lost the employment use of the original office block. The principle of the development is therefore considered acceptable.

ii Design and character of area

9.4 Policies CS7 of the CSDPD and EN20 of the BFBLP require developments to respect the character of the surrounding area. This is supported by Chapter 12 of the NPPF which states that 'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve' (para. 124).

9.5 The site was an isolated office building located next to a major junction (sports centre junction) on a principal transport node into and out of Bracknell. The existing building is currently of a different scale, appearance and character to the surrounding residential properties which are set back from the Bagshot Road and therefore it is not considered appropriate to require this application to reflect the character of the nearby housing area.

9.6 The proposed design of the extensions replicates the design of the existing building; elements from the ground, first and second floors are replicated within the extension. The design is therefore considered acceptable.



Proposed part elevation



Existing part elevation

9.7 Objections have been received on the basis of the height and scale of the proposal. Comments from local residents have stated that the original consent restricted the building to two stories and this should now not be exceeded. However the description of the original consent for the office building was planning permission for 'Erection of a three-storey building' and that is what is there today. There is no condition restricting the proposal to this height and therefore the increase should be considered on its merits.

9.8 The application is located within a prominent location, on the corner at a junction. On such corners it is not uncommon for the scale of the built form to be increased to create a presence and landmark assisting people navigating an area. The Streetscene SPD supports this approach: 'Where the corner is a significant junction it may be appropriate to emphasis this location through scale and/or design...' (para. 4.8, pg 12).

9.9 Increasing the height of the proposal in this location is therefore not objectionable in principle. It is acknowledged that due to the nature and scale of the proposal the additional two

floors will increase the visibility of the building, however this does not mean it is unacceptable and an analysis follows.

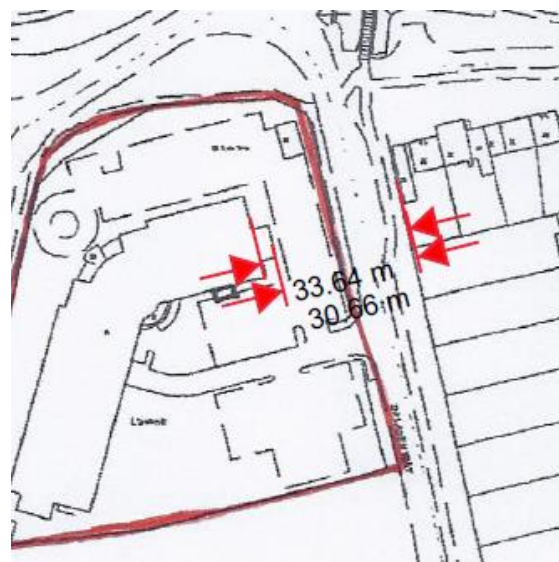
9.10 The Bagshot Road is heavily tree lined both to the south and north of the proposal. The traffic island off which the application site sits is also heavily vegetated. It is therefore only within its immediate vicinity that the proposal is currently visible. Its visibility may increase should the application be approved and constructed. Any increase in the building's prominence would only be visible above the existing trees and as such is considered minimal and would not significantly affect the vegetated character of the area. The current building is most visible from Opladen Way. The building is however set back from Opladen Way with space around it. The space in which the building sits, and its distance from Opladen Way, mean that the increase in height would not be overbearing upon this vantage point.

9.11 The proposal would result in a tall, prominent building upon this site, however its location and setting mean that the increase in height is not considered to be overbearing or result in an unacceptable form of development. The proposal is accordingly considered to comply with Policies CS7 of the CSDPD and EN20 of the BFBLP.

iii Impact on Residential Amenities

9.12 Policy EN20 criterion vii seeks to ensure that proposals do not detrimentally affect the amenity of surrounding properties. The NPPF, paragraph 127, criterion f seeks a 'high standard of amenity for existing and future users' which supports this policy.

9.13 The nearest residential properties to the proposal are located to the east of the site, and comprise of properties on Harmans Water Road. No. 18 of which is the nearest dwelling. This property's flank wall faces the application site and there is a separation distance of over 30m between the application dwelling and property boundary.



9.14 The Design SPD contains guidance on acceptable distances between facing windows to preserve the privacy of residents. This is considered to be 22m. Since the relationship in this instance is not direct and exceeds the guidance by between 9.5m and 13.5m, it cannot be demonstrated that the proposal would detrimentally affect the amenities of neighbouring residents. The proposal will face the rear gardens of properties on Harmans Water Road, however there is

mutual overlooking from neighbouring properties to the rear garden areas as existing, some of which is from the existing building's flank windows, which have consent to change to residential use. Accordingly, it is not considered that the proposal would detrimentally affect existing neighbours' privacy to sustain a reason for refusal.

9.15 Objections have been received based on the living conditions for future occupiers. At present there are no internal space standards for units. The building will sit within an open area providing some amenity space for residents to use. Accordingly it is considered that the amenities for future occupiers are acceptable.

9.16 Objections have also been received on the grounds of noise and disturbance during building operations. Most building works unfortunately negatively affect the nearest residents to the proposal, however there is legislation enforced by environmental health which can control unacceptable impacts.

Light

9.17 Nearby residents have objected to the proposal on the loss of light. Light is assessed using the BRE Site Layout Planning for Daylight and Sunlight. Applying the assessments within this guidance document, the proposal is located to the south west of the dwellings in Harmans Water Road and west of properties to Primrose Walk. A line drawn at 25 degrees on the horizontal plane from the nearest habitable room window, dissects the proposal at a distance in excess of 80m from that window. Despite the proposed increase in height, it is not considered that at this distance the proposal would have a detrimental impact upon the light received by residents into their residential amenity spaces. Properties in Primrose Walk are over 100m away from the proposal and as such it is not considered that the light to these properties would be affected.

9.18 Accordingly the proposal is considered not to detrimentally affect the amenities of surrounding residents sufficiently to warrant a refusal of planning permission and therefore the proposal is considered to comply with Policy EN20 criterion g.

iv Highway Implications

Access

9.19 L'avenir is located on the south-east corner of the Sports Centre Roundabout and the existing car park access is off Opladen Way, a residential distributor road. Two vehicles can pass, and sight-lines in the region of 2.4m by 70m can be achieved at this existing access, which is acceptable for the 30mph speed limit. Also, this access is the permitted access to existing offices, and is the approved access for 69 no. flats (prior approval 17/00457/PAC). No changes are proposed to this access, and continued use of this access would be acceptable.

9.20 There are footways around the car park access and lit footways, cycle-ways and nearby bus stops serving this residential development. There is adequate turning space for domestic delivery vehicles within the car park, and also refuse vehicles.

Parking

9.21 The Site Block Plan (Drawing jw879-200-A) shows 97 surface car parking spaces and the Proposed Basement Plan (Drawing jw879-150) shows 74 basement car parking spaces. The provision of 171 parking spaces is 14 parking spaces above the parking standards (which would require 157 parking spaces, including 22 visitor spaces) for 114 no. units (comprising 93 no. one-bed units and 21 no. two-bed units). Thus, acceptable car parking would be provided in line with the parking standards, and this should avoid potential over-spill parking along Opladen Way and surrounding roads.

9.22 10% of car parking should be for disabled users (or the capacity to be made into a disabled parking space for any future residents with a defined need), in line with the Council's parking

standards. It is considered that given the additional parking capacity (14 spaces) within the site, this can be achieved without additional hard surfacing and therefore these details can be secured by a condition.

9.23 The Proposed Basement Plan (Drawing jw879-150) shows 182 cycle parking spaces, which would exceed the Council's parking standards (which would require 157 cycle spaces).

Trips

9.24 45 no. flats could generate in the region of 180 trips per day, including 18 or 19 trips in both peak periods; based on trip rates from surveys of private residential flats across the UK. A scheme of 114 no. flats overall could generate 456 trips per day, compared with a potential 540 trips which could be generated by around 4,500m² of current permitted office use; based on trip rates from surveys of offices. Also, while 114 no. flats could generate 45 to 46 trips in both peak periods, an office could generate around 100 trips in both peak periods, thus the development would reduce traffic. Construction traffic, including site deliveries and contractor parking should be controlled via planning condition.

9.25 The proposal provides sufficient on-site parking spaces to comply with the Council's adopted parking standards and therefore cannot demonstrate that the proposal would result in an increase to on-street parking within the surrounding area. Sufficient access and cycle parking has also been demonstrated and as such it is considered that the proposal complies with Policies CS23 of the CSDPD and M9 of the BFBLP.

Waste storage and collection

9.26 The Highway Authority have confirmed that the access is suitable and able to accommodate the Council's Waste vehicles. Bin stores are shown within the basement, within the existing bin store, and there is sufficient space to accommodate the required capacity for the whole development (27,000 litres). Information has been sought of the applicant as to whether they intend to use Council services and an informative is included drawing the applicant's attention to the Council's Waste and Recycling Policy. In light of the above, waste collection is not considered to be a reason for refusal.

v Trees

9.27 Policy EN1 of the BFBLP seeks to prevent development which would result in the destruction of trees and hedgerows which are important to the retention of:

- The clear distinction between built up area and the Countryside
- The character and appearance of the landscape or townscape
- Green links between open spaces and wildlife heritage sites
- Internationally, nationally or locally rare or threatened species
- Habitats for local wildlife or
- Areas of historic significance.

9.28 There are no protected trees on the site, however there are a number of semi-mature trees planted at the time the offices were constructed. It is considered that these are of sufficient amenity to warrant protection during the course of construction to maintain the amenity for neighbouring residents and provide amenity for future residents. Appropriate protection should be secured by planning condition.

vi Thames Basin Heath Special Protection Area

9.29 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. An Appropriate Assessment has been carried out including mitigation requirements.

Appropriate Assessment

9.30 In accordance with The Conservation of Habitats and Species Regulations (2017) Regulation 63 a competent authority (in this case Bracknell Forest Council (BFC)), before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

- a. is likely to have a significant effect on a European site...(either alone or in combination with other plans or projects), and
- b. is not directly connected with or necessary to the management of that site.

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

9.31 A person applying for any such consent, permission or other authorisation must provide such information as BFC may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.

9.32 BFC must for the purposes of the assessment consult Natural England (NE) and have regard to any representations made by that body. It must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate. In the light of the conclusions of the assessment, and subject to Regulation 64 (Considerations of overriding public interest), BFC may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.

9.33 In considering whether a plan or project will adversely affect the integrity of the site, BFC must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which it proposes that the consent, permission or other authorisation should be given.

9.34 This assessment has been undertaken and Natural England has confirmed that it has no further comments to make as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured.

SPA mitigation

9.35 This site is located approximately 1.39 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.

9.36 It therefore requires a bespoke Suitable Alternative Natural Greenspace (SANG) solution which is likely to be provided as an off-site SANG at Frost Folly in Warfield from which the applicant is in dialogue to purchase SANG capacity. Frost Folly SANG was granted planning permission under reference 15/01161/FUL and secured through a s106 Agreement dated 11th November 2016.

9.37 The development is also required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is calculated on a per bedroom basis based on the Council's formula in Table 1 of the Thames Basin Heaths Special Protection Area SPD.

9.38 To mitigate the impacts of the proposal upon the SPA, the applicant must agree to enter into a S106 agreement to secure the SAMM contribution and a restriction on the occupation of each dwelling until the Council has confirmed that the SANG above has been laid out and made publically accessible. 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, policies CS5 and CS14 of CSDPD, policy SA9 of the SALP, the Thames Basin Heaths Special Protection Area SPD, the Warfield SPD, the Thames Basin Heaths SPA Delivery Framework and the NPPF.

vi Affordable Housing

9.39 Policy CS17 of the CSDPD seeks a proportion of new developments over a certain size to provide affordable housing. This is supported by the Planning Obligations SPD which requires that that on developments comprising 15 or more dwellings, 25% of the new properties will be affordable.

9.40 The policy compliant position is therefore that 25% of the proposed 45 dwellings (equating to 11) should be made available as affordable dwellings. However the applicant has submitted a viability appraisal which states that the proposal is unable to provide that number of affordable units.

9.41 Viability is a material consideration and is addressed within the Council's SPD on Planning Obligations this states that:

'Any claims that a site cannot be developed viably with an affordable housing contribution must be justified with clear and robust evidence which stands up to scrutiny and independent expert review. Any relaxation in the provision of affordable housing should be the minimum needed to make the scheme viable'.

9.42 In accordance with the above statement the applicant submitted a viability assessment which was independently scrutinised. It was noted that the applicant had incorrectly applied the affordable housing criteria and this was corrected and taken into account by the consultants. The reports are available on the Council's Web site.

9.43 It was determined that the scheme would be made unviable if any affordable housing contribution were to be made, and therefore in accordance with the Council Policy the scheme will not provide any contribution towards affordable housing provision.

viii Drainage

9.44 The submitted drainage documentation produced by UK Flood Risk Ltd, September 2017, has been assessed against the requirements of the NPPF, the PPG Flood Risk and Coastal Change, Bracknell Forest Local Flood Risk Strategy and DEFRA Non Statutory SuDs Guidance and the SuDs Manual.

9.45 The application is to add another 2 floors to the existing office building already has prior approval for its conversion to residential. The footprint of the building will not increase, and neither will the parking area. As the site is within Flood Zone 1 according to the EA flood maps and less than 1 hectare a full flood risk assessment is not required.

Drainage Proposals

9.46 The proposals are to convert the existing parking areas to permeable paving thereby reducing the existing surface runoff from the site and creating a betterment situation.

9.47 However, given the detailed design of the car park will be undertaken following the granting of permission and a betterment situation will arise, the detailed calculations and design can be covered by a pre commencement condition.

ix Securing necessary infrastructure/ CIL

9.48 The additional floor area is subject to CIL and this will be charged in accordance with the CIL regulations. Contributions collected will be allocated in accordance with the CIL regulations to mitigate the impact of the development on local infrastructure.

10. CONCLUSION

10.1 This application seeks to extend an existing building by providing two additional floors. The building was originally used as offices but benefits from consent under PAC to convert the existing three floors into 69 apartments. The principle of residential on this site is therefore established and the principle of development acceptable.

10.2 This scheme seeks consent for a further 45 units taking the total number to 114 apartments. The transport implications of the proposal have been considered. A total of 171 parking spaces would be provided within the site providing sufficient off street parking to comply with the Parking SPD. The existing access is also considered suitable to accommodate the number of trips from the proposal. These are comparable to the trips generated by the previous office use.

10.3 The design of the extension replicates the design and appearance of the original office building. This is considered acceptable. The proposal would increase the height from 14.2m to 22m, an increase of 7.8m. However, the existing building does not reflect the character of the surrounding residential area and its corner location adjacent to a major road junction means this increase in height is considered acceptable. The proposal is located too far from existing properties to detrimentally affect privacy or light of their occupants and there is sufficient distance between the proposal and neighbouring properties to protect privacy.

10.4 Accordingly, subject to the applicant entering into an agreement to secure SPA mitigation, the proposal is considered to comply with policies contained within the Bracknell Forest Local Plan and supporting documents.

11. RECOMMENDATION

That, following the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to:

01. SPA mitigation measures

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

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

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

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

JW 879-200 rev. A Site location and block plan

JW 879-210 rev. A Proposed plans

JW-879-150 Proposed basement plan

A01 Rev.B Existing elevations

A02 Rev. B Proposed elevations

A04 Rev. B Proposed layout third Floor

A05 Rev B Proposed layout fourth Floor

Surface Water Drainage (SuDs) Strategy

Acoustic Consultancy Report 4281-FAC-ATN1

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

03. No development shall take place on either the third or fourth floors 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. No apartment located on either the third or fourth floors shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing(s)/detail(s). The cycle parking shall thereafter be retained.
REASON: In order to ensure bicycle facilities are provided.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
05. Prior to the commencement of development on the third and fourth floors, a plan showing how 14 disabled spaces will be accommodated within the site shall be submitted to and approved in writing by the local authority. The parking layout shall be implemented in accordance with the approved details prior to the occupation of any of the units on the third or fourth floors.
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. No development on the third and fourth floor hereby approved shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operatives
- and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.
REASON: In the interests of amenity and road safety.
07. Development shall not commence until the drainage strategy, including full calculations showing a reduction in the run off rates compared to the existing situation, has been submitted to and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
REASON: To prevent surface water flooding
[Relevant policies: NPPF]
08. Prior to the commencement of development of the third and fourth floors, the existing trees, hedgerows and groups of shrubs along the Eastern Boundary of the site shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision, to be located along the edge of the existing car park. The protective fence shall be retained for the duration of the building operations.

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]

09. Development on the third and fourth floors shall not commence until the prior approval (ref: 17/00457/PAC) scheme relating to the lower floors has commenced.
REASON: This application was assessed on the basis that the whole building would be converted to residential. To ensure adequate parking and in the interest of amenities.
[Relevant Policies: CSDPD, CS7, BFBLP EN20, M9]

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ITEM NO: 6			
Application No. 18/00477/FUL	Ward: Ascot	Date Registered: 3 May 2018	Target Decision Date: 28 June 2018
Site Address: 19 Goaters Road Ascot Berkshire SL5 8HZ			
Proposal: Erection of a single storey outbuilding to be used as an annexe, ancillary to the main building.			
Applicant: Mr & Mrs Britten			
Agent: Mrs Jones			
Case Officer: Shannon Kimber, 01344 352000 development.control@bracknell-forest.gov.uk			

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



OFFICER REPORT

1. SUMMARY

- 1.1 The proposal is for the erection of a single storey outbuilding to be used as an annexe, ancillary to the main building. It would be erected to the rear of 19 Goaters Road.
- 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 character of the surrounding area and would not result in an over development of the site.

RECOMMENDATION

Delegate to the Head of Planning to approve the planning application subject to a S106 agreement.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is to be considered by the Planning Committee as more than 5 objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

- 3.1 19 Goaters Road is a two storey, semi-detached dwelling. It is attached to 17 Goaters Road to the east. The site is positioned south of the highway. The surrounding area is predominantly residential. The land to the south-west of the application site is outside of the defined settlement and is also within the Green Belt. The application site is 31 metres from this land at the closest point.

4. RELEVANT SITE HISTORY

- 4.1 There is no relevant planning history.

5. THE PROPOSAL

- 5.1 The proposal is for the erection of a single storey outbuilding. It would have a depth of 4.6 metres, a width of 5.5 metres and a height of 3 metres. The outbuilding would be a flat roofed structure and would be sited 50 metres from the rear elevation of 19 Goaters Road.
- 5.2 The proposed outbuilding would be used as an annexe, ancillary to the main building. It would consist of a bedroom with a kitchenette area and a separate bathroom. The kitchenette would contain a kettle and a microwave, all other kitchen facilities, such as a cooker, washing machine etc., would be available in the main house. The applicants and the Council would enter into a Section 106 legal agreement to ensure the non-alienation of the outbuilding in perpetuity.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council:

- 6.1 Winkfield Parish Council objected to the application on grounds that Goaters Road is unsuitable for backland development and this application (if approved) would set a precedent.

Concerns were also raised regarding existing parking pressures in Goaters Road, and that this application would exacerbate the problem.

Other Representations:

- 6.2 5 other objections have been received. The concerns raised have been summarised below:
- a) The proposal would create a dangerous precedent for backland development and Goaters Road is unsuitable,
 - b) The outbuilding is in effect a residential dwelling,
 - c) The parking solution offered is inadequate,
 - d) Proposal would exacerbate the already dangerous parking problem as it is already often impossible for people with pushchairs and those with impaired mobility to access the Ascot Jubilee Pavilion and park facilities; they are forced off the pavement into the road because of cars parked on the pavement,
 - e) The proposal does not improve the character or quality of the area and the outbuilding is not of a good design,
 - f) No sewage, drainage or service details have been provided,
 - g) No tree survey has been submitted even though there is a mature silver birch tree on-site and other mature trees in the neighbouring properties,
 - h) The proposal would be contrary to policy.

[Officer Note: With regard to point g) the trees to the rear of the application site and neighbouring properties are not protected by any Tree Preservation Orders. As such, those on the application site can be removed. The health of those on adjacent land is a civil matter. Issues raised in the point f), as the application is not for a new dwelling, these are not requirements.

All of the other above points are addressed and assessed in the following report.]

6.3 10 support comments have been received.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

7.1 The Highway Authority (HA) has been consulted. They have no objections.

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	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. 105 refers to LPAs setting their own parking standards for residential development
Supplementary Planning Documents (SPD)		
Design Supplementary Planning Document (2017)		
Other publications		
National Planning Policy Framework (2018)		

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 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (Location Principles) and the NPPF subject to no adverse impacts upon character and appearance of the host dwellinghouse and 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 Concerns have been raised by the occupiers of neighbouring properties regarding the design of the proposed outbuilding which is a subjective matter. The Design SPD includes guidelines for appropriate outbuildings. They should be set back behind the build line so as not to intrude in the streetscene, preserve a back garden of reasonable size and be subordinate in footprint and scale to the original house. The proposed outbuilding would comply with all of the above.

9.4 The proposed outbuilding would not be visible from the highway, as such it would not have a significant impact on the streetscene. In addition, there are several existing outbuildings in the surrounding area and the mono-pitched roof design is not unique for outbuildings.

9.5 The rear half of the back gardens of numbers 1 to 17 Goaters Road have been sold for redevelopment, as such there is an existing precedent for back-land development. There are also many examples of outbuildings in the vicinity, including at 21 Goaters Road and 5 Napper Close. The proposed outbuilding would be screened to the east and west by these existing outbuildings.

9.6 To ensure that the outbuilding would remain ancillary to the main dwelling, a legal agreement would be required to ensure non-alienation of the outbuilding from the main dwelling. The legal agreement would be completed before a decision is issued (should it be approved). The applicant has agreed to this.

9.7 Subject to the completion of a legal agreement, the proposal is considered to accord with the Design SPD, CSDPD Policy CS7, 'Saved' BFBLP Policy EN20, and the NPPF.

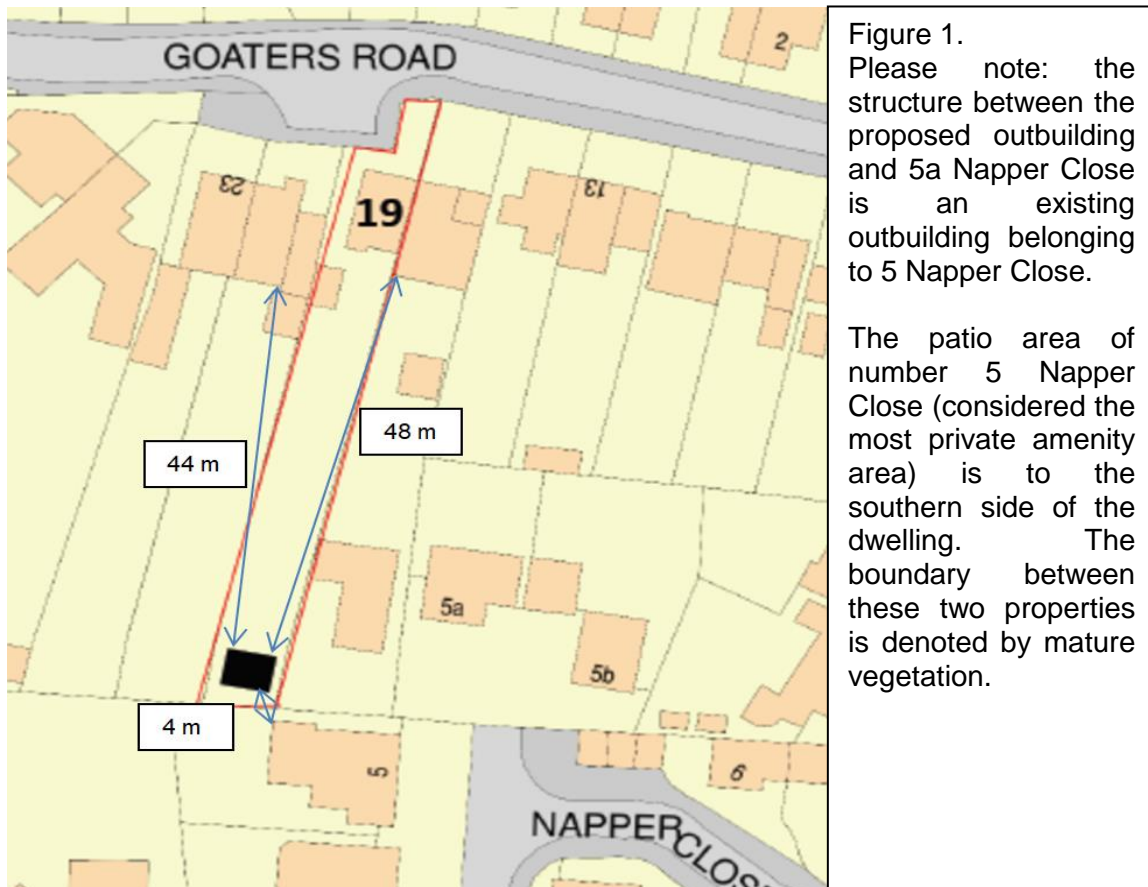
iii. Impact on Residential Amenity

9.8 The windows/doors to the front (northern elevation) of the outbuilding would have clear glazing. These would be sited at least 36 metres from the private amenity areas (patio) to the rear of the residential properties neighbouring the application site. This is a significant distance which mitigates potential overlooking concerns. In addition there are boundary fences screening the development.

9.9 It is proposed to insert an obscure glazed window to the western side elevation of the outbuilding. As this window would be obscure glazed, it would not result in a negative overlooking impact.

9.10 In any event, the proposed development would be a single storey structure and the surrounding land is predominantly level. As such the proposal would not significantly alter the existing level of overlooking.

9.11 Concerns have been raised by the occupiers of the dwellings to the rear of the application site due to the proximity of the outbuilding to their dwellings. There are no restrictions on where an outbuilding can be positioned in the rear garden of a dwellinghouse. If the height of the proposed outbuilding were 0.5 metres lower, or if it was sited an additional metre from the boundaries of the site, the structure would be permitted development under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).



9.12 The proposed outbuilding would not be located close to a habitable room or a patio area, as such, there would be no significant overshadowing impacts resulting from the proposed development.

9.13 Due to the modest size and scale of the proposed outbuilding, it would not be considered to be unduly overbearing or have an adverse impact on the amenities of the occupiers of the neighbouring dwelling.

9.14 Therefore the proposed development would be acceptable in line with 'Saved' BFBLP Policy EN20.

iv. Transport and Highways Considerations

- 9.15 Goaters Road is an adopted residential cul-de-sac, which is subject to a 20mph speed limit. There are no parking restrictions, and considerable parking occurs.
- 9.16 The proposed outbuilding, to the rear of number 19, is not being provided with any dedicated parking or separate access.
- 9.17 The application site is currently a four bedroomed property; therefore it requires three on-site parking spaces to comply with the Parking Standards. This can be achieved. A five bedroomed dwelling (whether the additional bedroom is within the main dwelling or in an outbuilding) does not increase the number of parking spaces required by the Parking Standards. As such, the proposal would comply with the Parking Standards.
- 9.18 Parking with consideration for others (people with pushchairs or wheelchairs) is not a material planning consideration. Whilst a planning application should not make an existing situation worse, this concern cannot be a reason for refusal as it would not be reasonable or defensible. Problems with inconsiderate parking within Goaters Road is an existing issue, as the application site meets the parking requirements it is not considered to exacerbate the existing situation.
- 9.19 The proposal would comply with CSDPD Policy CS23 and 'Saved' BFBLP Policy M9.

v. Community Infrastructure Levy (CIL)

- 9.20 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 not for the implementation of a net increase in dwellings, this application 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 of the surrounding area. The impact of the proposed development would not result in a detrimental impact to highway safety or on the residential amenities of the occupiers of neighbouring dwellings. 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.
- 10.2 The application is therefore recommended for conditional approval.

11. RECOMMENDATION

That, following the completion of a S106 agreement for non-alienation of the outbuilding from the main dwelling, the Head of Planning be authorised to APPROVE the application subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details:
Site Location Plan, Received 03.05.2018
Block Plan, Received 03.05.2018
Annotated Block Plan, Received 03.05.2018
Proposed Floor Plan, Received 03.05.2018

Proposed North Elevation, Received 03.05.2018

Proposed East Elevation, Received 03.05.2018

Proposed South Elevation, Received 03.05.2018

Proposed West Elevation, Received 03.05.2018

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

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

03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.

04. 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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