

## Notice of Meeting

### Planning Committee

Councillor Dudley (Chairman),  
Councillor Brossard (Vice-Chairman),  
Councillors Angell, Dr Barnard, Bhandari, D Birch, Brown, Gbadebo,  
Green, Mrs Hayes MBE, Heydon, Mrs Mattick, Mrs McKenzie,  
Mrs McKenzie-Boyle, Mossom, Parker, Skinner and Virgo

**Thursday 15 October 2020, 6.30 - 9.30 pm**  
**Online Only**



### Agenda

Item	Description	Page
1.	<b>Apologies for Absence</b>	
	To receive apologies for absence.	
2.	<b>Minutes</b>	3 - 16
	To approve as a correct record the minutes of the meeting of the Committee held on 10 September 2020.	
3.	<b>Declarations of Interest</b>	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>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.</p> <p>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.</p>	
4.	<b>Urgent Items of Business</b>	
	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 Planning)

**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.**

### **EMERGENCY EVACUATION INSTRUCTIONS**

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5.	<b>20/00502/FUL 18 Moffats Close, Sandhurst, Berkshire GU47 9EN</b>	21 - 28
	Erection of single storey rear extension following demolition of existing conservatory, conversion of garage to habitable accommodation, erection of porch to front of property, installation of rooflight windows to first floor front bedroom.	
6.	<b>20/00677/PAC First Floor, 261 High Street, Crowthorne, Berkshire RG45 7AH</b>	29 - 34
	Application for Prior Approval for the change of use from Offices (Class B1(a)) to Dwellinghouses (Class C3) comprising 1 No. 2 bedroom dwelling.	

Sound recording, photographing, filming and use of social media is permitted. Please contact Hannah Stevenson, 01344 352308, hannah.stevenson@bracknell-forest.gov.uk, so that any special arrangements can be made.

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**PLANNING COMMITTEE  
10 SEPTEMBER 2020  
6.30 - 10.30 PM**

**Present:**

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Dr Barnard, Bhandari, D Birch, Brown, Gbadebo, Green, Mrs Hayes MBE, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Mossom, Parker, Skinner and Virgo

**Apologies for absence were received from:**

Councillors Heydon

**Also Present:**

Councillors Atkinson & Ms Gaw

**38. Minutes**

**RESOLVED** that the minutes of the meeting of the Committee held on 13 August 2020 be approved as a correct record and signed by the Chairman.

**39. Declarations of Interest**

There were no declarations of interest.

**40. Urgent Items of Business**

There were no urgent items of business.

**41. PS: Application No 19/00618/FUL - Bewes Stud, Prince Albert Drive, Ascot**

**Change of use of land for use as a residential caravan site for no.4 x 2 bed caravans (park homes) with maximum measurements of 40ft x 20ft (12.192m x 6.096m) with associated landscaping, parking and turning following the demolition of existing buildings and removal of the manege.**

The Committee noted:

- The supplementary papers tabled at the meeting
- Winkfield Parish Councils comments as detailed in the agenda papers
- A total of 45 objections as summarised in the agenda papers.
- The representations from 2 speakers who joined the meeting.
- 6 further objections as detailed in the supplementary report.

A motion to approve the recommendation in the officer report was proposed but not seconded.

Therefore an alternative motion to refuse the application was proposed and seconded, and on being put to the vote was **CARRIED**.

**RESOLVED** that application 19/00618/FUL be **REFUSED** for the following reasons:

01. The proposed change of use of the land for the siting of 4 mobile homes would result in a more intensive use of the site than the existing mixed use and as a consequence of this, would not preserve the openness of the Green Belt, and overall it is considered out of keeping with the surrounding pattern and form of development within Prince Albert Drive to the detriment to the rural character and visual amenities of the area defined as Green Belt. The proposal would therefore be contrary to Policies EN8 and GB2 of the Bracknell Forest Borough Local Plan and Policy CS9 of the Core Strategy Development Plan Document and NPPF paragraph 146.

02. 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 Supplementary Planning Document (2018).

42. **Application No 19/00862/FUL - Land Adjacent To Silver Trees, Birch Lane, Ascot**

**Erection of single two storey dwelling.**

The Committee noted:

- The supplementary papers tabled at the meeting.
- That the Parish Council raised no objection.
- 3 letters of representation were received, one in support of the application and two of objection.

As requested a recorded vote was taken on the motion and the voting was as follows:

FOR (14): Councillors Angell, Dr Barnard, D Birch, Brossard, Brown, Dudley, Gbadebo, Green, Mrs Hayes MBE, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Mossom and Parker

AGAINST (3): Bhandari, Skinner and Virgo

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

01 The proposed development will result in tree removal including a large expanse of woodland and will also adversely affect other trees which make an important contribution to the landscape character and appearance of the area and are protected by Tree Preservation Orders. As such it would be contrary to Policies CS1, CS2, CS7, CS9 of the Core Strategy Development Plan Document and Policies H5, EN1, EN8 and EN20 of the Bracknell Forest Borough Local Plan, the Character Area Assessments SPD and the National Planning Policy Framework.

02 The occupants of the additional dwelling 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 retained Policy NRM6 of the South East Plan, Policy CS14 of the Core Strategy Development Plan Document, the Thames Basin Heaths Special Protection Area Supplementary Planning Document (2018) and the National Planning Policy Framework.

43. **Application No 19/00327/FUL - Land At South West Of Abbey Place, Abbey Place, Warfield**

**Erection of 9 dwellings with associated access, parking and landscaping.**

The Committee noted:

- Warfield Parish Councils comments, objecting to the proposal as detailed in the agenda papers
- A total of 5 objections from neighbouring properties as summarised in the agenda papers.
- The supplementary papers tabled at the meeting
- The additional representations received from a neighbour who had already objected to the development as detailed in the supplementary papers.

Following the completion of planning obligations secured by an agreement, under Section 106 of the Town and Country Planning Act 1990, relating to:

- The construction of affordable housing and an off-site contribution towards affordable housing.
  - The construction of the pedestrian and cycle access within the site, and a financial contribution for the delivery of the section within the Redrow site to the west.
  - A permissive right through the development by foot or bicycle.
  - A contribution towards the ICT fit out of the Warfield West Primary School
  - A financial contribution towards the Warfield Community Hub and new Neighbourhood Centre.
  - A financial contribution for off-site open space provision to be used towards Priory Fields and/or the Warfield Memorial Ground Playing Field.
  - The provision and long-term maintenance of sustainable drainage (SuDs).
- Planning Committee 10th September 2020
- The Thames Basins Heaths SPA mitigation – Suitable Alternative Natural Greenspace (SANG) and contribution towards Strategic Access Management and Monitoring (SAMM).

**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 and following the required consultation with the applicant in relation to pre-commencement 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 (as amended).

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

Block Plan AP-BP- 01  
Site Layout AB-SL\_9U-01C - Rec. 26.5.2020  
Site Layout Coloured - AB-CSL\_9U- 01 - Rec. 12.6.2020  
Plot 1 - Plans and Elevations AB-PE\_9U - 01 - Rec. 7.8.2020  
Plot 2 - Plans and Elevations AB-PE\_9U - 02 - Rec. 7.8.2020  
Plot 3 - Plans and Elevations AB-PE\_9U - 03 - Rec. 7.8.2020  
Plots 4-9 - Plans and Elevations AB-PE\_9U - 04A - Rec 12.6.2020  
Streetscene - AB-SS - 01- 02 - Rec. 7.8.2020  
Drainage Strategy C200 Rev 5 - Rec. 3. 8. 2020  
Existing Ditch Engineering works BR- 533-0037 C203A - Rec. 29.1.2020  
Flood Risk Assessment Calibro Report Ref BR-537-0037 Rev 02 - Rec 3.2.2020  
Tree Protection Plan TMC - 13075 - L/C - Rec. 11.5.2020  
Tree Survey and Constraints Plan TMC - 13075 - S/C - Rec 11.5.2020  
Arboricultural Impact Statement 13075- AIA - C - Rec.11.5.2020  
Phase 1 Geo Environmental Risk Assessment - Rec 8.4.2019  
Sustainability Statement - Rec 30.4.2020  
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. No structure hereby permitted shall be built above existing ground level until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

04. No part of the development hereby permitted shall be begun until details showing the finished floor levels of the building/s in relation to a fixed datum point has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the character of the area and to protect the amenities of neighbouring properties.

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

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows shall be constructed at first floor level or above in the side elevations of the dwellings hereby permitted other than as shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

06. The following window(s) in the development hereby permitted or any replacement window 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 non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Plot 1 - ground floor (west elevation) lounge

Plot 2 – ground floor (east elevation) lounge

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no enlargement, addition,

improvement or other alteration permitted by Classes [A, B, C, and E] of Part 1 of the Second Schedule of the 2015 Order shall be carried out to the dwellings hereby permitted.

REASON: To safeguard the character of the area and the amenities of adjoining properties.

[Relevant Policies: BFBLP EN20]

08. 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 31<sup>st</sup> 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 out and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31<sup>st</sup> March inclusive) with others of the same size, species and quality as approved.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

09. No development shall commence until details of boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until its associated boundary treatments have been provided in accordance with the approved details.

REASON: In the interests of the appearance of the site

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

10. No retained tree, hedgerow or group of shrubs specified as to be retained on the approved drawings shall be cut down, uprooted or destroyed.

Any trees, hedgerows or groups of shrubs shown to be retained on the approved plans which die, are removed or irreparably damaged during the course of the development, or within a period of 5 years of the completion of the development, shall be replaced with another tree, hedgerow or group of shrubs of the same species and size as that originally planted.

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]

11. All existing trees, hedgerows and groups of trees shown to be retained on the approved drawings shall be protected during the course of building works by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012 or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

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]

12. No demolition shall 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 and retained as such thereafter.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

13. 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, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

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

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

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Under no circumstances should any other external lighting be installed.

REASON: In the interest of protecting bio-diversity.

[Relevant Policies: BFBLP EN2, Core Strategy DPD CS1]

14. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement 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]

15. No development shall commence until the details of the design, specification and location of the Solar PV as detailed in the Sustainability Statement have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the approved details and retained as such thereafter.

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

[Relevant Policy: CSDPD CS10]

16. No development shall commence until details of the specification for the construction of the pedestrian and cycle link connecting the highway and the western boundary of the site as illustrated on drawing AB\_SL\_9U-01C shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling within the development hereby approved shall be occupied until the pedestrian and cycle link to the western boundary of the site has been constructed in accordance with the approved details.

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

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

17. No development shall take place until a plan showing visibility splays at the junction of the turning head and the car parking area to the rear of plots 4 – 9 has



been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]

18. No dwelling shall be occupied until that part of the access road which provides access to it, along with adjacent margins and street lighting placed within these margins, has been constructed to an adoptable standard in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details

REASON: In the interests of highway safety.  
[Relevant Policies: Core Strategy DPD CS23]

19. 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]

20. No development shall commence until:

(a) details of the location of 2 visitor car parking spaces, and  
(b) details of the signing for the visitor car parking spaces have been submitted to and approved in writing by the Local Planning Authority. The visitor car parking spaces shall be provided and signed in accordance with the approved details before the occupation of any of the dwellings hereby approved and the spaces and signage 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 garage accommodation for plot 3 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]

22. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. No dwelling shall be occupied until the approved scheme has been implemented and the facilities shall be retained as such thereafter.

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

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

23. 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]

24. No development (including demolition and site clearance) shall take place, until a

Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include as a minimum;

- (i) Routing of construction traffic (including directional signage and appropriate traffic management measures);
- (ii) Details of the parking of vehicles of site operatives and visitors;
- (iii) Areas for loading and unloading of plant and materials;
- (iv) Areas for the storage of plant and materials used in constructing the development;
- (v) Location of any temporary portacabins and welfare buildings for site operatives;
- (vi) Details of any security hoarding;
- (vii) Details of any external lighting of the site;
- (viii) Details of the method of piling for foundations;
- (ix) Measures to control the emission of dust, dirt, noise and odour during construction;
- (x) Measures to control surface water run-off during construction;
- (xi) construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (xii) Details of wheel-washing facilities; and
- (xiii) Areas for the turning of construction vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear.

The approved Construction Environmental Management Plan shall be adhered to throughout the demolition and construction period.

REASON: In the interests of highway safety and to mitigate and control environmental effects during the demolition and construction phases.

[Relevant Policies: BFBLP EN20, EN25, M9; Core Strategy DPD CS1, CS7, CS23]

25. Should any unforeseen contamination be encountered during the development, the local planning authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out to agreed timescales and approved by the local planning authority in writing. A Site Completion Report shall be submitted to, and approved in writing by, the local planning authority. The report must detail the conclusions, actions taken and verification methodology at each stage of the works and shall include a sampling and analysis programme to confirm the adequacy of decontamination. An appropriately qualified person shall oversee the implementation of all remediation. The construction of buildings shall not commence until the investigator has provided a report, which shall include confirmation that all remediation measures have been carried out fully in accordance with the remediation scheme. The report shall also include results of the verification programme of post-remediation sampling and monitoring in order to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

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]

26. No development shall commence until:

- i) the exploratory archaeological work as set out in the 'Project specification for an archaeological evaluation' (dated 5th June 2018, ref. 14e218ev) has been implemented;
- ii) a further programme of archaeological mitigation has been submitted to and agreed in

writing with the Local Planning Authority should the results of the exploratory investigation justify it. The further programme shall be implemented in accordance with the approved details.

REASON: The site lies in an area of archaeological potential, particularly for prehistoric and Roman remains. The potential impacts on the buried archaeological heritage can be mitigated by a programme of archaeological work so as to record and advance understanding of any heritage assets to be lost in accordance with national and local planning policy.

[Relevant Policies: BFBLP EN20, EN25, M9; Core Strategy DPD CS1, CS7, CS23]

27. No development shall commence until full details of the Drainage System(s) in accordance with the Calibro Report Ref BR-537-0037 Rev 02 with updated Drainage Strategy drawing (T4C drawing no. C200 Rev.5) provided by Josh Blackall's email dated 3rd August 2020 have been submitted to and approved in writing by the Local Planning Authority. Full details shall include all components of the proposed drainage system in accordance with the including dimensions, locations, gradients, invert and cover levels, headwall details, planting, fencing and drawings as appropriate together with confirmation of the gully spacing calculations to demonstrate they are capable of conveying the rainfall volumes as set out in the Approved Drainage strategy.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.

28. No development shall commence until details of how the surface water drainage shall be maintained and managed after completion have been submitted to and approved in writing by the Local Planning Authority. The details shall include confirmation of the required maintenance activities with expected frequency, with site specific assessments included to demonstrate that health and safety has been fully considered in the design and that access and egress for future residents will be maintained during any operations to repair or replace drainage features.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.

29. No dwelling hereby approved shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the Local Planning Authority.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.

30. No dwelling hereby approved shall be occupied until a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved (in writing) by the Council. This will include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, hydrobrakes, cover systems, etc.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.

31. No part of the development shall be occupied until details of on-site refuse storage (including any open air storage facilities) for waste material awaiting disposal (including details of any screening) 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 storage facilities in the interests of amenity.

[Relevant Policy: Relevant Policy: Core Strategy DPD CS13]

32. The hours of site clearance and construction shall be limited to:

- between 8:00 am and 6:00 pm Monday to Friday

- between 8:00 am and 1:00 pm Saturday

There shall be no site clearance or construction undertaken on Sundays and Public Holidays.

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

[Relevant Policies: BFBLP EN25]

44. **Application No 20/00031/COND - 28 Meadow Way, Bracknell**

This item was withdrawn from the agenda.

45. **Application No 20/00290/FUL - Liberta House, 17 Scotland Hill, Sandhurst**

**Change of use of building and land from Use Class B1(c) (Light Industrial) to use Class C3 (Dwelling houses) creating 7no. one bedroom apartments and 2no. two bedroom apartments with associated works, parking and amenity areas, and partial demolition of existing south elevation.**

The Committee noted:

- That no comments had been received by Sandhurst Town Council.
- A total of 7 objections from neighbouring properties as summarised in the agenda papers.
- The supplementary papers tabled at the meeting.

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

01. mitigation of impacts on the Thames Basin Heaths SPA;

**RESOLVED** that the Head of Planning be authorised to APPROVE the application 20/00290/FUL subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary and following the required consultation with the agent in relation to pre-commencement 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 (as amended).

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

FLU.1143.01 Rev T - Proposed & Existing Site Layouts & Location Plan – received 24.08.20

FLU.1143.07 Rev F - Proposed Lower Ground Floor Plan – received 22.06.20

FLU.1143.08 Rev F - Proposed Ground Floor Plan – received 22.06.20

FLU.1143.09 Rev F - Proposed First Floor Plan – received 22.06.20

FLU.1143.10 Rev F - Proposed Front and Side Elevations – received 13.08.20

FLU.1143.11 Rev D - Proposed Rear and Side Elevations – received 13.08.20

FLU.1143.12 Rev B - Bin Store Plans & Elevations – received 05.08.20

FLU.1143.13 Rev A - Pathway Plan received 24.08.20

Contaminated Land Risk Assessment by Soil Environment Services Ltd (March 2020)

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

03. The residential accommodation hereby approved shall not comprise more than 7no. one-bedroom flats and 2no. two bedroom flats.

REASON: To ensure the development does not impose undue pressure on the Thames Basin Heaths Special Protection Area over and above the financial mitigation secured by a legal agreement which was based upon the number of bedrooms approved under this planning permission.

Relevant Policies: Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area SPD (April 2018), the Planning Obligations SPD and the NPPF.

04. No structure hereby permitted shall be built above existing ground level until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The submitted samples shall include details of bricks, roof tiles, windows and details of any hard surfaces. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the historic fabric of the building and the visual amenities of the area.

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

05. The rooflights hereby permitted, or any replacement thereof, as shown in the roof slope of the proposed development shall at all times be high level windows having a sill height of not less than 1.7 metres above the internal floor of the room that they serve.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

06. The first floor windows or any replacement serving the wc to flats 6 and 8 in the rear elevation 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. They shall at all times be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

07. None of the residential units hereby permitted shall be occupied until a means of access to it for pedestrians and cyclists has been constructed in accordance with the approved plans.

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

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

08. No residential accommodation hereby permitted shall be occupied until the following details relating to the car park for the development have been submitted to and approved in writing by the Local Planning Authority:

- (a) directional signs and their locations;
- (b) surface materials and markings;
- (c) location and design of any lighting;
- (d) pedestrian routes within the car parks;

- (e) location and design of cycle parking;
- (f) the location of 2 level car parking spaces for people with disabilities including details of marking out and signage;
- (g) gradients of the pedestrian and access routes;
- (h) details of the signing for the visitor spaces

No residential accommodation hereby permitted shall be occupied until the approved scheme in respect of that parking area has been implemented and complied with in full. Thereafter the parking area shall be maintained in accordance with the approved scheme.

REASON: In the interests of the accessibility and safety of the car park users.

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

09. No residential accommodation hereby permitted shall be occupied until the following off-site highway works have been submitted to and approved in writing by the Local Planning Authority and implemented as approved. The off-site highway works shall include:

- Alterations to the existing highway verge to provide a new section of footway and tactile crossing on the western side of Scotland Hill and alterations to the existing footway on the eastern side of Scotland Hill to provide a tactile crossing as illustrated by the crossed hatched areas shown on the Proposed & Existing Site Layouts & Location Plan listed in condition 02.

REASON: In the interests of highway safety.

[Relevant Policies: BFBLP M4, Core Strategy CS24]

10. The development shall not be occupied until 11 secure and covered cycle parking spaces have been provided in the location(s) identified for cycle parking on the approved plans within the development. The cycle parking facilities shall thereafter be retained.

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

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

11. 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]

12. No development (including demolition and site clearance) 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.

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

13. 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. If within a 5 year period of the completion of the development any soft landscaped area which is removed, uprooted, or is destroyed or dies shall be replaced by plants of the same species and size as that originally planted at the same place.

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

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

14. All ecological measures and/or works shall be carried out in accordance with the precautionary measures and recommendations contained in the Hone Ecology Report dated 13 April 2020 and maintained as such thereafter.

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

15. No part of the development hereby permitted shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting, including details of lighting units, and levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved details. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of the nature conservation.  
[Relevant Policies: BFBLP EN20 and EN25, Core Strategy DPD CS1 and CS7]

16. No residential accommodation hereby approved shall be occupied until a scheme for the provision of biodiversity enhancements, including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.

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

46. **Application No 20/00410/FUL - 4 Forbes Chase, College Town, Sandhurst**

The application was determined under delegated powers and therefore removed from the agenda.

47. **Application No 20/00595/PAC - 98 High Street (First and Second Floors), Crowthorne**

The application was determined under delegated powers and therefore removed from the agenda.

**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](http://www.bracknell-forest.gov.uk)**

**PLANNING COMMITTEE  
15th October 2020**

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

		<b>Case Officer</b>	<b>Reporting Officer</b>
5	20/00502/FUL 18 Moffats Close Sandhurst Berkshire (Little Sandhurst And Wellington Ward) Erection of single storey rear extension following demolition of existing conservatory, conversion of garage to habitable accommodation, erection of canopy and bay window to front of property, installation of rooflight windows to first floor front elevation. Recommendation:	Olivia Jones	Basia Polnik
6	20/00677/PAC First Floor 261 High Street Crowthorne Berkshire (Crowthorne Ward) Application for Prior Approval for the change of use from Offices (Class B1(a)) to Dwellinghouses (Class C3) comprising 1 No. 2 bedroom dwelling. Recommendation:	Olivia Jones	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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**Unrestricted Report**

**ITEM NO: 05**

Application No. <b>20/00502/FUL</b>	Ward: Little Sandhurst And Wellington	Date Registered: 16 July 2020	Target Decision Date: 10 September 2020
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Site Address: **18 Moffats Close Sandhurst Berkshire GU47 9EN**

Proposal: **Erection of single storey rear extension following demolition of existing conservatory, conversion of garage to habitable accommodation, erection of porch to front of property, installation of rooflight windows to first floor front bedroom.**

Applicant: Mr Leigh McBade  
 Agent: Mr Douglas Sprot  
 Case Officer: Olivia Jones, 01344 352000  
[Development.control@bracknell-forest.gov.uk](mailto:Development.control@bracknell-forest.gov.uk)

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



## 1. SUMMARY

- 1.1 Planning permission is sought for the erection of a single storey rear extension following demolition of existing conservatory, conversion of garage to habitable accommodation, erection of canopy and bay window to front of property, installation of rooflight windows to first floor front elevation.
- 1.2 The development relates to a site within the settlement boundary. It is not considered that the development results in an adverse impact on the streetscene or the character and appearance of the area. The relationship with adjoining properties is considered acceptable.

<b>RECOMMENDATION</b>
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Planning permission be granted subject to conditions in Section 11 of this report
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## 2. REASON FOR REPORTING THE APPLICATION TO PLANNING COMMITTEE

- 2.1 The application has been reported to the planning committee following the receipt of more than 5 letters of objection.

## 3. PLANNING STATUS AND SITE DESCRIPTION

<b>PLANNING STATUS</b>
------------------------

Within Defined Settlement
---------------------------

- 3.1 18 Moffats Close is a two storey semi-detached residential property. The surrounding area is residential in character.

## 4. RELEVANT PLANNING HISTORY

- 4.1 The planning history relevant to this site is as follows:

3929

Proposed new cul-de-sac road, 12 detached and 11 pairs of houses.  
Approved 11.02.1957

19809

Two storey extension to rear of property to form kitchen, dining room, bathroom and bedroom.  
Approved 1973

00/00526/FUL

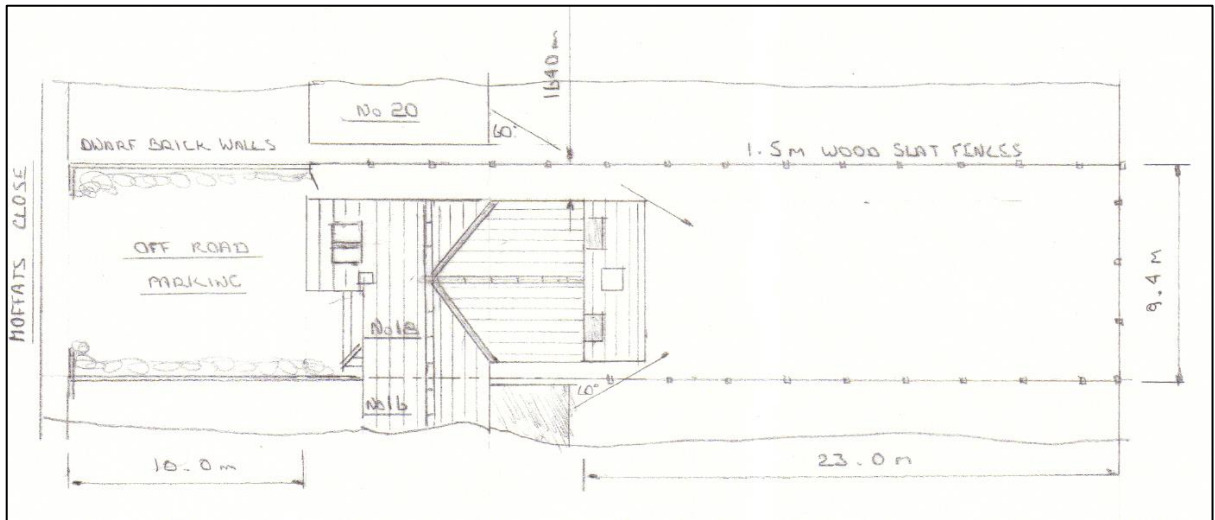
Erection of single storey rear extension forming a conservatory.  
Approved 2000

- 4.2 There are no conditions on the above planning permissions restricting garage conversions. Therefore, the garage conversion does not require planning permission.

## 5. THE PROPOSAL

- 5.1 Planning permission is sought for:
- (i) The erection of a single storey rear extension following the demolition of the existing conservatory;

- (ii) Conversion of garage to family room, with garage door replaced with bay window and canopy;
  - (iii) Installation of first floor front facing rooflights.
- 5.2 The proposed rear extension would have a depth of 2.75 metres, a width of 7.08 metres, a ridge height of approximately 3.35 metres and an eaves height of approximately 2.65 metres. The materials would be similar to those on the existing dwelling.
- 5.3 The converted garage would form a family room with a bay window replacing the garage door. A canopy is proposed above the bay window and front door which would have a depth of approximately 0.8 metres, a width of approximately 3.7 metres and a height of approximately 3.15 metres.
- 5.4 Two rooflights are proposed on the front elevation at first floor level serving a bedroom.



## 6. REPRESENTATIONS RECEIVED

### Sandhurst Town Council

- 6.1 Objection raised on the grounds that the proposed rear extension would appear unduly overbearing to the neighbouring properties to the detriment of residential amenity.

### Other Representations

- 6.2 Five letters of objection have been received raising the following concerns:
- (i) The rear extension would have an unduly overbearing impact on the neighbouring properties;
  - (ii) Loss of light to the neighbour dwellings due to the rear extension;
  - (iii) The increase in living space will increase parking demand for the property which cannot be accommodated;
  - (iv) Ground floor side facing window would enable adverse overlooking;
  - (v) Development would increase levels of damp in neighbouring properties [Officer Comment: Physical or structural impacts such as damp are not material planning considerations and therefore cannot be a reason for refusal.] and

- (vi) Impact on the house values of the neighbouring properties [*Officer Comment: The impact of a development on house prices is not a material planning consideration and therefore cannot be a reason for refusal.*]

6.3 Two letters of support have been received.

## 7. SUMMARY OF CONSULTATION RESPONSES

7.1 No statutory or non-statutory consultations were undertaken.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	consistent
Design and Character	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Residential Amenity	Saved policy EN20 of BFBLP	consistent
<b>Supplementary Planning Documents (SPDs)</b>		
Design (2016)		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) Building Research Establishment: Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (BRE SLPDS)		

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- (i) Principle of the Development
- (ii) Impact on the character and appearance of the area
- (iii) Impact on residential amenity
- (iv) Highway safety considerations

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 Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, etc. These matters are assessed below.

ii. Impact on the character and appearance of the area

9.3 The proposed rear extension would be screened from public views. As such, the extension is not considered to have an adverse impact on the character of the area. The extension would be single storey and would be constructed of materials similar



to those on the existing dwelling, as such it would be considered a proportionate and suitably designed extension.

- 9.4 The proposed bay window and canopy would be visible from public view. These elements would remain set behind the front lounge wall, and would be sited at ground floor level. The canopy roof would be constructed of materials similar to those on the existing dwelling. As such, the proposed bay window and canopy would not appear prominent in the streetscene nor would appear out of keeping with the surrounding residential area.
- 9.5 The proposed rooflights would be visible from public view. As these rooflights would not project significantly beyond the existing roof slope they would not be considered a prominent addition. The installation of rooflights would not be considered an incongruous addition to a dwelling in a residential area, and examples of front rooflights can be found on other properties in Moffats Close.

iii. Impact on Residential Amenity

Overlooking Impacts

- 9.6 The proposed rear extension would be located on the site of an existing conservatory and patio area. Given the rear extension would be single storey in nature, it is not considered that the extension would enable increased overlooking over and above the existing situation. A ground floor side window is proposed on the existing dwelling, the insertion of this window does not require planning permission and therefore should not form a reason for refusal.
- 9.7 The proposed bay window and first floor rooflights look onto the highway. There is a separation distance of approximately 27 metres between 18 Moffats Close and the properties to the front, which is considered sufficient to avoid adverse overlooking from these windows.

Overbearing impacts

- 9.8 The proposed extension would be separated from 20 Moffats Close by approximately 2.45 metres and would project past the rear elevation by approximately 6.7 metres. Due to the single storey nature of the extension, it would project above a standard boundary fence panel by approximately 1.55 metres at the top of the ridge, and approximately 0.85 metres at eaves height. This height is considered sufficiently modest that the extension would not appear unduly overbearing to the occupants of 20 Moffats Close to warrant a refusal.
- 9.9 The proposed extension would be separated from 16 Moffats Close by approximately 1 metre and would project past the rear elevation by approximately 3.3 metres. Given the single storey nature of the rear extension, it is not considered that this relationship would result in an unduly overbearing development.
- 9.10 The proposed bay window, canopy and rooflights are not considered to appear unduly overbearing to the occupiers of the neighbouring properties.

Overshadowing impacts

- 9.11 The Building Research Establishment: Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (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 is drawn on the vertical plane from (in the case of a pitched roof) the midpoint of the roof towards the affected window. Then a 45 degree line is drawn on the horizontal plane from the end of the extension towards the window wall. If the centre of the window lies on the extension side of both of these 45 degree lines, it would be considered that the development would result in an adverse impact on the property with regards to loss of light.

9.12 This assessment was undertaken in respect of the properties on either side of the application site, and due to the height of the extension and the separation distance between the proposed extension and neighbouring properties it was determined that there would not be a significant overshadowing impact to these properties to warrant a refusal.

9.13 A loss of light assessment was undertaken in respect of the proposed porch and bay window and it was determined that due to the modest depth there would not be a significant overshadowing impact. The proposed windows would not be considered to result in any loss of light.

iv. Highway Safety Considerations

9.14 The proposed developments would not increase the number of bedrooms in the property and therefore it is not considered that the car or cycle parking demand for the property would be increased.

9.15 The depth of the canopy and bay window are such that the number of cars that could be accommodated on the driveway would not be reduced. The proposed garage conversion does not require the submission of a planning application and therefore the loss of this internal parking space should not be a reason for refusal.

## 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 surrounding area, highway safety or the residential amenities of the occupiers of the neighbouring properties. It is therefore considered that the proposed development complies with 'Saved' policies EN20 of the BFBLP, Policies CS1, CS2 and CS7 of the CSDPD, BFBC SPDs and the NPPF.

## 11. RECOMMENDATION

11.1 The application is recommended for APPROVAL 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, received 16.07.2020:

Location Plan  
Proposed Block Plan, Floor Plans and Section  
Existing and Proposed Elevations and Existing Floor Plans  
Proposed Section and Roof Plan

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 canopy hereby permitted shall be similar in appearance to those on the existing dwelling.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

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
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.

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**Unrestricted Report**

**ITEM NO: 06**

Application No.  
**20/00677/PAC**  
Site Address:

Ward:  
Crowthorne

Date Registered:  
3 September 2020

Target Decision Date:  
29 October 2020

**First Floor 261 High Street Crowthorne Berkshire  
RG45 7AH**

Proposal: **Application for Prior Approval for the change of use from Offices (Class B1(a)) to Dwellinghouses (Class C3) comprising 1 No. 2 bedroom dwelling.**

Applicant: Mr Nick Salter

Agent: (There is no agent for this application)

Case Officer: Olivia Jones, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto: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 the first floor of 261 High Street, Crowthorne, from an office (B1a) to 1no. 2 bedroom flat (C3).
- 1.2 The proposal complies with the criteria set out in Paragraph O.1 of Class O, Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal satisfies the conditions in Paragraph O.2 of the same legislation in terms of contaminated land, flooding, highway safety and impact of noise from commercial properties on future occupiers, therefore prior approval can be granted.

## 2. PLANNING STATUS AND SITE DESCRIPTION

2.1	<b>PLANNING STATUS</b>
	Within settlement boundary
	Within 5km of the SPA

application site comprises the first floor of a three storey building located within a row of buildings on High Street, Crowthorne. The ground floor unit is a shop and the second floor unit is an independent residential dwelling. There is access to the first floor from the front and the rear of the building.

## 3. REASON FOR DELEGATED AUTHORITY

- 3.1 The application has been submitted under the prior approval procedure and therefore requires determination within 56 days.

## 4. RELEVANT SITE HISTORY

- 4.1 The relevant site history can be summarised as follows:

11/00111/FUL

Use of part ground and part first floor of Thorne House as a taxi control office (up to 6 taxi vehicles), and use of part of car park rear of No.261 High Street for the parking of vehicles in connection with the taxi control office

Approved 2011

04/00398/FUL

Change of use from B1 (Office) to residential unit on first floor.

Approved 2004 (not implemented)

03/00250/FUL

Change of use of ground floor from class A1 (shops) to A2 (Financial & Professional Services).

Approved 2003

614763

Relaxation of conditions 2 and 3 of consent 607637 to allow 1st floor office to be occupied by any person or company and as a separate unit from ground floor retail unit

Approved 1989

607637

Change of use of first floor from residential to office

Approved 1983

606423

Application for change of use of first and second floor from maisonette to offices

Refused 1981

## **5. THE PROPOSAL**

- 5.1 Prior approval is sought for the change of use of the existing first floor unit from Class B1(a) (office) to Class C3 (dwellinghouse) in accordance with Class O of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Pursuant to paragraph W of the same legislation, the applicant is applying for prior approval for this change of use.
- 5.2 No external changes are proposed. It is proposed to provide a 2 bedroom dwelling and retain the access and parking area to the front and rear. 2 parking spaces are currently allocated to the office and will be retained for use of the flat.

## **6. REPRESENTATIONS RECEIVED**

### Crowthorne Parish Council

- 6.1 Comments to be provided in supplementary report

### Other representations

- 6.2 No representations received.

## **7. SUMMARY OF CONSULTATION RESPONSES**

### Highway Authority

- 7.1 No objection

### Environmental Health

- 7.2 No objection

## **8. PRINCIPLE OF DEVELOPMENT**

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

## **9. RELEVANT LEGISLATION**

- 9.1 Class O of Part 3 Schedule 2 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) to a use falling within Class C3 (dwellinghouses) of that schedule.
- 9.2 Paragraph O.1 states that development is not permitted by Class O if:

- (b) The building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Class 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;
- (d) The site is, or forms part of, a safety hazard area;
- (e) This site is, or forms part of, a military explosives storage area;
- (f) The building is a listed building or is within the curtilage of a listed building; or
- (g) The site is, or contains, a scheduled monument.

9.3 Paragraph O.2(1) states that 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.

9.4 Paragraph O.2(2) states that 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.

9.5 Paragraph 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, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This paragraph states that the Local Planning Authority may refuse an application where, in the opinion of the authority, the proposed development does not comply with, or the applicant has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in this Part as being applicable to the development in question.

## 10. ASSESSMENT

10.1 With regard to the criteria set out in paragraph O.1:

- (b) The building was last used as an office falling within Class B1(a).
- (c) The site does not form part of a safety hazard area.
- (d) The site does not form part of a military explosives storage area.
- (e) The building is not Listed or within the curtilage of a Listed Building.
- (f) The site is not, and does not contain, a scheduled monument.

10.2 With regard to the conditions listed in paragraph O.2:

- (a) Transport and Highways Impact of the Development

The submitted Parking Facilities plan and accompanying email commentary set out that the proposed first floor 2-bedroom dwelling would be allocated two



parking spaces (numbered 6 and 7 on the Parking Facilities plan), which would accord with the Parking Standards SPD, March 2016.

While it is noted that the aisle width and parking arrangements are very tight and would require vehicles to reverse and turn in the area between 261 and 267 High Street, which is not in the red line, this situation appears to be extant for the first floor office use at present.

As such, it is not considered that the change of use would result in a sufficient highway safety impact to warrant a refusal, subject to suitable parking conditions.

(b) Contamination Risks on the Site

The site is not on land that is known to be contaminated.

(c) Flooding Risks on the Site

The Application site is within Flood Zone 1 and is generally at low risk of flooding.

(d) Impacts of Noise from Commercial Premises on the Intended Occupiers of the Development

The proposed development is located within a commercial high street area and therefore there is the potential for noise impacts on occupants of the proposed development due to deliveries, plant, customers etc. It is therefore recommended that a noise assessment be submitted and any recommendations implemented prior to occupation.

## 11. CONCLUSION

11.1 An assessment has been made of the proposal and it is considered that prior approval is required for the change of use of the building from an office use (B1(a)) to a residential flat (C3).

11.2 The proposal complies with the criteria set out within Paragraph O.1 of Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal satisfies the conditions in Paragraph O.2 of the same legislation in terms of contaminated land, flooding, highway safety and impact of noise from commercial properties on future occupiers, therefore prior approval can be granted.

## 12. RECOMMENDATION

12.1 That Prior Approval be **GRANTED** subject to the following condition(s):

1. Development under Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), must be completed within a period of 3 years starting from the prior approval date.
2. This development must be carried out in accordance with the following plans received by the Local Planning Authority:
  - First Floor Plan (Received 03.09.20)
  - Parking Plan & Correspondence (Received 23.09.20)

3. The dwelling shall not be occupied until space has been laid out within the site in accordance with the approved Parking Plan for parking and for vehicles to turn, with spaces allocated in accordance with the Parking Provision set out in the approved correspondence dated 23 September 2020. The spaces shall not thereafter be used for any purpose other than parking.

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

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

4. The dwelling hereby approved shall not be occupied until noise mitigation measures for protecting the proposed dwelling from noise from neighbouring businesses have been implemented in full in accordance with a scheme that has submitted to and approved in writing by the Local Planning Authority. The noise mitigation measures shall be retained and maintained thereafter in accordance with the approved scheme  
REASON: To protect future residents from noise from external noise.

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.
4. The layout and size of the dwellings created must be sufficient for the safe use of the amenities and must not result in over occupation, otherwise a Hazard under part 1 of the Housing Act 2004 may be created and as such could be subject to formal action under that legislation.
5. 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.