

ITEM NO: 9

Application No.
18/00772/FUL
Site Address:

Ward:
Great Hollands North

Date Registered:
26 July 2018

Target Decision Date:
20 September 2018

**Land Fronting 42, 43, 46 & 47 Ambassador Bracknell
Berkshire RG12 8XP**

Proposal: **Change of use and formation of access road for car parking.**

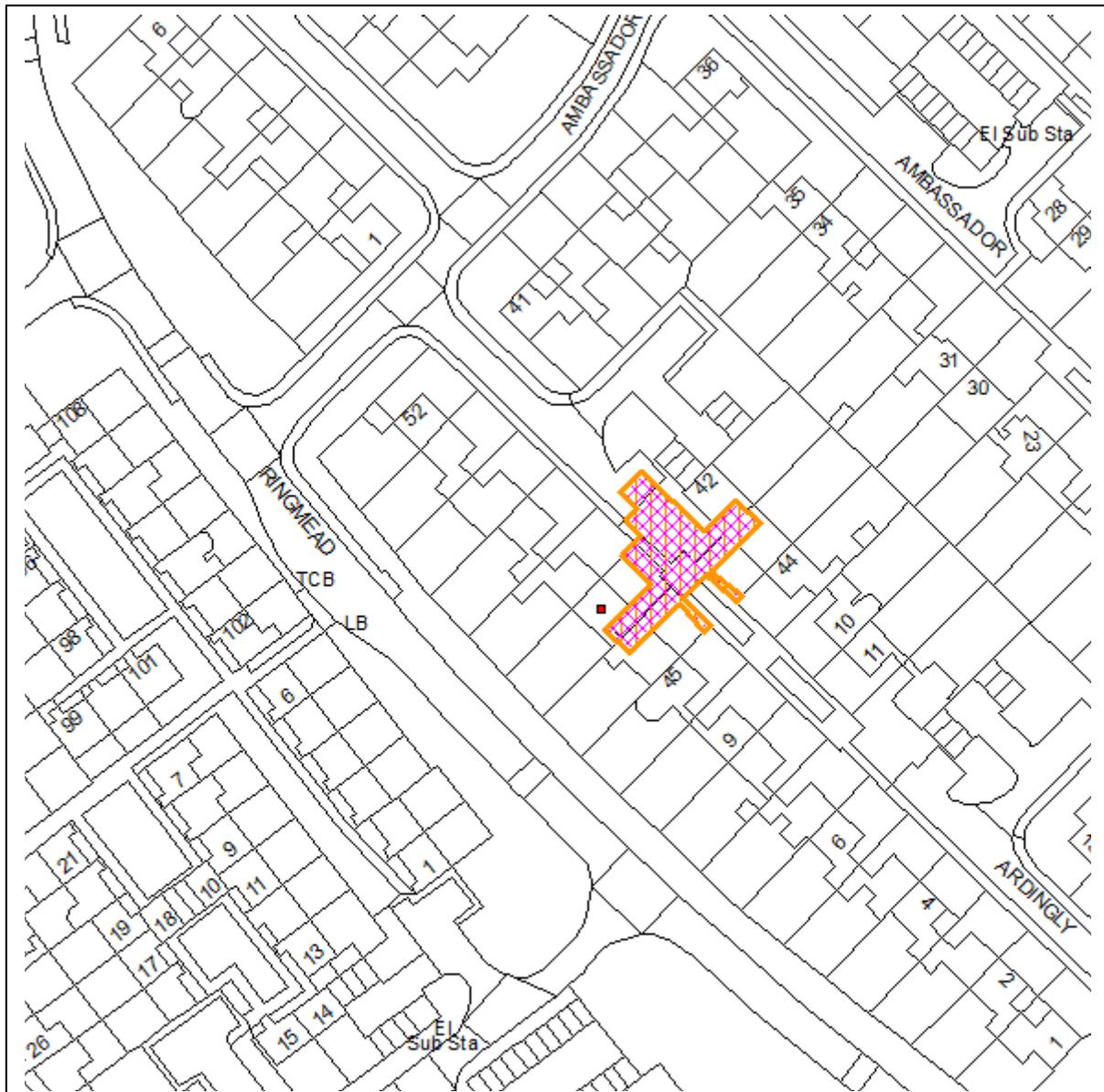
Applicant: Mr Mohammad Chaudhry

Agent: (There is no agent for this application)

Case Officer: Olivia Jones, 01344 352000

development.control@bracknell-forest.gov.uk

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



1. SUMMARY

- 1.1 The proposal is for the change of use of amenity land to construct a new shared access road off the end of the existing turning head to facilitate access to proposed driveways at 42, 43, 46 and 47 Ambassador.
- 1.2 It is noted that the proposed driveways would be considered permitted development.
- 1.3 The development would not result in an adverse impact on the character and appearance of the host dwellings or local area, the amenities of the residents of the neighbouring properties, on highway safety or drainage.

RECOMMENDATION

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 Councillor Angell has requested that the application be considered by the Planning Committee on the grounds of the impact on the character of the area.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

- 3.1 The application site lies within Ambassador, and is currently pedestrianised. The application site comprises a planted area edged with an adopted footpath and the front gardens of properties 42, 43, 46 and 47 Ambassador.

4. RELEVANT SITE HISTORY

Section 6/1 New Towns Act 1965

15/00292/3

Convert grass amenity areas into 7 parking spaces (re-submission of planning application 14/01238/3).

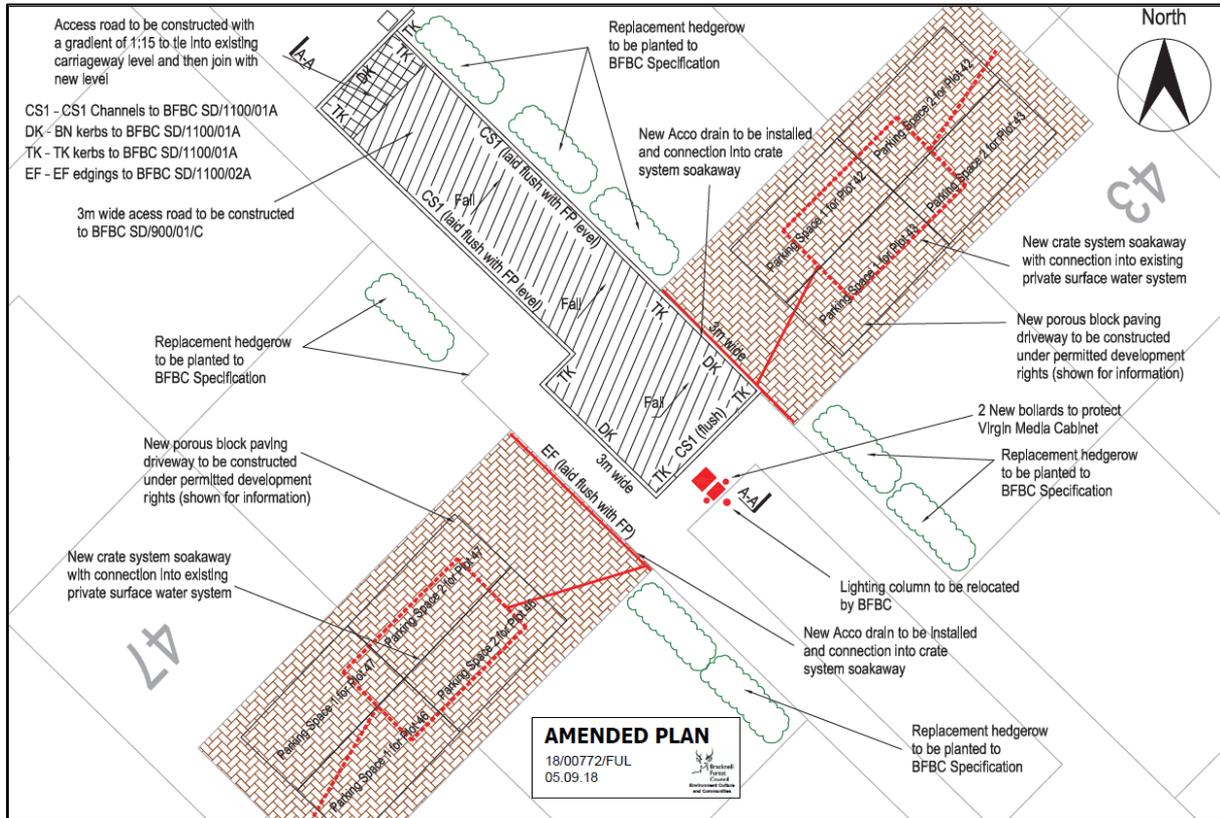
Approved 19.06.2015

5. THE PROPOSAL

- 5.1 It is proposed to create a shared vehicular access extending from the adopted highway by approximately 15.6 metres. This shared access would be partly constructed on an existing planted area covering approximately 36 square metres and partly on the existing footpath to the front of the properties. The access would have a width of 3 metres, and a footpath measuring approximately 1.7 metres wide would remain. It is proposed to convert part of the existing front garden of 47 Ambassador to footpath.
- 5.2 It is proposed to convert the currently grassed front gardens to driveways. These driveways would cover approximately 153 square metres. However, as these driveways would be constructed of porous materials they would be considered permitted development.
- 5.3 It is proposed to plant hedgerow to the front of the properties in order to mitigate the loss of the planted area. This planting would cover approximately 28.5 square metres,

approximately 79% of the existing planted area. Should planning permission be granted, this soft landscaping would be secured by planning condition.

5.4 It also proposed to re-locate the existing bollards and lighting column; however this would not require planning permission although separate consent would be required.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 Refusal recommended on highway and pedestrian safety grounds.

Other Representations:

6.2 Five objections have been received raising concerns on the grounds of:

- (i) highway safety
- (ii) flooding
- (iii) the adverse impact on the character of the area including loss of amenity land and soft landscaping
- (iv) alternative sites could be more suitable
- (v) loss of public land resulting in impacts on future maintenance, rights of way and responsibility over accidents
- (vi) precedent will be set

[Officer Note: Regarding concerns: (iv) alternative sites have not been proposed for this application, and therefore their suitability has not been assessed; (v) whilst the loss of amenity land is assessed, the change of ownership of land is not a material planning consideration. This planning application does not grant consent for the purchase of the land which would need to be acquired separately; (vi) all applications are assessed on their individual merits and would only be approved if found acceptable. The remaining concerns are addressed in the report below.]

6.3 17 letters and other representations have been received supporting the application due to the current perceived lack of parking spaces.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

7.1 Approval recommended.

Landscaping:

7.2 No objection.

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

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD CP1 of the SALP	Consistent
Design	CS7 of the CSDPD,	Consistent
Character	EN20 and H12 of the BFBLP	Consistent
Amenity	'Saved' policies EN20 and EN25 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)		
Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 Streetscene Supplementary Planning Document 2011		
Other publications		
National Planning Policy Framework (NPPF) 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 SALP Policy CP1, 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, highway safety, etc. These matters are assessed

below. As such the proposal is considered acceptable in terms of the NPPF and policy CS8 of CSDPD.

ii. Impact on Character and Appearance of Surrounding Area

- 9.3 The existing planted area consists of a large hedge. It is proposed to replace this hedgerow with an access road, with a hedgerow along the edge. It is proposed to continue the access road onto the existing hardstanding to the front of the properties, whilst maintaining the pedestrian footpath to the side.
- 9.4 Replacement planting has been proposed to the front of the properties in the form of hedgerow. Should planning permission be granted, a condition would be imposed requiring the specifications of the replacement planting in order to ensure the proposed plants are acceptable. In addition, the planting would be secured for 5 years by planning condition.
- 9.5 The proposed development would result in the conversion of approximately 189 square metres of soft landscaping to hardstanding. However, as the driveways would be permitted development, only the 36 square metres of land consisting of the existing planting area should be considered. The proposed replacement planting to the front gardens of the properties would result in approximately 21% decrease in soft landscaping compared to the existing planted area.
- 9.6 Ambassador benefits from a considerable amount of greenery. The amenity land between the properties is soft landscaped and numerous trees are present. In addition, the majority of the front gardens remain soft landscaped, although they could be converted to porous hardstanding without the requirement for planning permission. As such, it is considered that the proposed loss of soft landscaping is sufficiently modest not to result in an adverse impact to the character of the area.
- 9.7 The application would result in the loss of approximately 54.85 square metres of amenity land. It is not considered that this would have a significant impact on the character of the area, given the proposed replacement planting and that part of the existing amenity is currently hardstanding, reducing the visual impact of the change of use.
- 9.8 The proposed access road would be constructed with a camber to direct water to soft landscaping and drains, to reduce possible flooding. Given the modest amount of soft landscaping converted to road, it is considered that the drainage provision is considered acceptable.
- 9.9 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area, the host property or on drainage, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, the Design SPD, and the NPPF.

iii. Impact on Residential Amenity

- 9.10 Due to the position and nature of the proposed development, it would not be considered to adversely impact the residential amenity of the neighbouring properties. It is not considered that there would be a sufficient increase in vehicular use to cause a noise disturbance or environmental pollution.
- 9.11 As such, the proposal is not considered to adversely affect the residential amenities of neighbouring properties and would be in accordance with 'Saved' policies EN20 and EN25 of the BFBLP and the NPPF.

iv. Transport and Highways Considerations

- 9.12 Ambassador is subject to a 30mph speed limit, and is comprised of adopted residential cul-de-sacs. This proposal seeks to construct a new shared access road/drive off the end of the existing turning head (within the first cul-de-sac on the right), to facilitate access to on-plot parking for nos. 42, 43, 46 and 47 Ambassador.
- 9.13 It is noted that the Council introduced 7 new parking bays within this part of Ambassador (adjacent to the garage blocks), at the end of 2015. The Highway Authority has visited Ambassador at around 7.45am on Tuesday 5th December 2017, and 4 of those 7 bays were occupied; and the 3 bays at the end of the turning head (past the garage blocks) were all occupied. Also, 2 vehicles were parked on-street in front of no. 49 Ambassador. There are no parking restrictions.
- 9.14 This shared access road/drive would require alterations to existing amenity land and landscaped areas, which are Council freehold land; and an adopted footpath (highway), which runs between Ambassador and Ardingly.
- 9.15 The Engineering Plan indicates that a 3m wide access is proposed off the end of the existing turning head. A car could use a 3m wide access, this width is likely to keep speeds down; and whilst two cars would be unable to pass, the potential for two cars to meet on this driveway serving 4 no. properties is low. The existing adopted footpath is to be maintained, which is important for pedestrian safety. As such, the Highway Authority does not foresee any highway safety issues. The Engineering Plan indicates that 6m of access/manoeuvring distance can be achieved between the proposed on-plot driveway parking for the properties, in line with the Council's requirements.
- 9.16 The Highway Authority would not seek to adopt this access road/drive; rather it would be a shared private access/drive which would be privately-owned and privately-maintained. The existing adopted footpath (highway) between Ambassador and Ardingly, is to remain publicly accessible.
- 9.17 The road construction details could be dealt with via a pre-commencement planning condition (for details of access to be submitted). Also, any works to the highway, and affecting the highway will require a highway agreement. It is therefore advised that the off-site highway works condition is imposed, and the applicant is advised (by way of informative) that they will require the consent of the Highway Authority for access/highway works.
- 9.18 As such the proposal would be in accordance with 'Saved' policy M9 of the BFBLP, Policy CS23 of the CSDPD and Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 (SPD).

v. Community Infrastructure Levy (CIL)

- 9.19 Following the introduction on the 6th April 2015 of the Community Infrastructure Levy (CIL), all applications for planning permission will be assessed as to whether they are liable. As this development does not result in an increase in residential units or retail floor space, it will not be liable for a charge.

10. CONCLUSIONS

- 10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the character and appearance of the surrounding area. The

development would not result in an adverse impact on the residential amenity of the neighbouring properties or highway safety. It is therefore considered that the proposed development complies with 'Saved' policies M9, EN15, EN20, EN25 and H12 of the BFBLP, Policies CS1, CS2, CS7 and CS23 of the CSDPD and the NPPF.

11. RECOMMENDATION

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details, received by the Local Planning Authority:
Location and Block Plan – Received 27th July 2018
Engineering Plan – Received 5th September 2018
Section A-A.N.T.S – Received 27th July 2018
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. The development shall not be begun until a scheme depicting soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed maximum heights of the planting and include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. As a minimum, the quality of all soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well-formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Core Strategy DPD CS7, BFBLP 'Saved' Policies EN2 and EN20]
4. No development (other than the construction of the access) shall take place until the access has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
5. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for off-site highway works

REASON: In the interests of highway safety.
[Relevant Policy: BFBLP M4]

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

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

3. Soft landscaping
 5. Access construction
 6. Off-site highway works
3. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.
4. This is a planning permission. Before beginning any development you may also need separate permission(s) under Building Regulations or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.
5. The applicant should note that the Bracknell Forest Council's Street Works Team should be contacted at the Place, Planning and Regeneration Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and re-locate the lighting column and bollards before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.