

BRACKNELL FOREST BOROUGH COUNCIL
PLANNING AND HIGHWAYS COMMITTEE
23rd July 2009
SUPPLEMENTARY REPORT

Correspondence received and matters arising following preparation of the agenda.

Item No: 5
09/00258/FUL
23 Wasdale Close Owlsmoor Sandhurst GU47 0YQ

AMENDMENT TO DESCRIPTION

The description of the proposal should read: "Formation of balcony above front porch".

ADDITIONAL INFORMATION

It is noted that an email addressed to the Councillors (dated 21 July 2009) from Mr Grimes of 21 Wasdale Close was circulated for attention, attaching a link and letter of objection. Please note that this letter, along with attached photographs was received by the Local Planning Authority on 9 June 2009 and the issues raised were taken into account during the writing of the report. No new issues have been raised in this letter.

Item No: 6
09/00281/FUL
Danleebbar Farm Crouch Lane Winkfield Windsor Berkshire SL4 4RZ

Additional representation from applicant in support of the application

Re: Application reference 09/00281. Danleebbar Farm

I have been asked by my client, Mr. P. Bovingdon, to emphasize a few points that we do not feel have been made clear in your report. We wish this letter to be read out at the meeting prior to Members considering the application.

1. We made the point in our Design and Access Statement that many of these non-agricultural uses have been on site for several years. Those that have been operating for in excess of 10 years have been granted a Lawful Development Certificate. The occupiers of units 1, 2, 3, 7 and 8 have been on site for over 9 years. The tenant of unit 4 has been there for 5 years and the tenant of unit 11 for 3 years. Throughout this period there has been no cause for complaint and the uses have not led to any environmental or traffic problems. In fact the uses are so low key that they have not come to anyone's attention.
2. The fact that this is a retrospective application means that the type of uses and the working practices of the tenants can be considered and appraised on site. The impact does not have to be predicted. The fact that these are low key unobtrusive uses is tried and tested. This is a well established and well run operation. All the tenants are hand picked so as to be very low key and generate very low traffic movements. They do not attract customers or visiting members of the public as they do not engage in general retail sales. All the tenants are covered by strict lease arrangements.
3. We wish to clarify the nature of the car restoration and storage as we know that this type of use, if not properly controlled, can lead to problems. This may have happened on other sites, but we can reassure the Council that it does not lead to any noise or disturbance

here. There are only 2 small units occupied in this way, and the tenants are Mr. White and Mr. Pitney. They occupy units of only 60 and 50 square metres respectively. They are not general car repairers. Mr. White restores his own motor bikes and Mr. Pitney restores classic vintage cars on a very low key level (only 2 cars at a time). We are happy that car/motor bike repairs be restricted to these 2 units, numbers 7 and 8 only and that there be a further restriction that at no time shall vehicles be worked on outside of the units.

4. The buildings have become genuinely redundant from agriculture over time. Only a very specialised form of farming now takes place with the rearing of a small number of pedigree Hereford cattle. This is in contrast to the very intensive pig farming/ breeding and meat cutting that formerly took place on site. We have documented the reduction in the farming activity brought about in part by the closure of markets and foreign competition in our detailed submissions to you. If the Councillors require further information on the nature of the farming activities on this site, this is well documented in our submitted Statement.

5. We did offer and put forward a 106 Legal Undertaking to ensure the uses as described in the application remain low key on this site. Mr. Bovingdon incurred legal expenses for this. However, your Officers advised us that this was unnecessary as they were happy to control the activities by conditions attached to the planning permission.

6. We have been happy to discuss the traffic movements associated with this site with your Highway Officers. A Transport Technical Note has been produced which shows that the trips generated by the tenants on this site are at a very low level and are far fewer than other employment uses. We are willing to have restrictions on the level of traffic activity as shown in the Technical Note.

We ask that this information be taken into account.

Yours sincerely

Cheryl Booton BSc Hons Dip GD MRTPI

Amendment to Recommendation

Amendment to conditions 4 and 5 these should read:

4. No machinery, equipment or materials including products or parts, crates and packing materials shall be stacked or stored outside of any buildings situated on the land as outlined in red on the site location plan submitted 28th April 2009.

REASON: The site is located within the Green Belt where it is the policy of the Local Planning Authority to preserve the openness of the Green Belt.

[Relevant Policies: SEP SP5, BFBLP GB1, Core Strategy DPD CS9]

5. The number of persons employed in the units the subject of this permission shall not exceed twenty in number at any one time (including both full time and part time workers).

REASON: The site is located within the Green Belt where it is the policy of the Local Planning Authority to preserve the openness of the Green Belt.

[Relevant Policies: SEP SP5, BFBLP GB1, Core Strategy DPD CS9]

Amendment to the Summary of Reason(s) for Decision

The last paragraph has been amended and the Summary of Reason(s) for Decision should read as follows:

The following development plan policies have been taken into account in determining this planning application:

- Bracknell Forest Borough Local Plan:

Policy GB4, Re-use and change of use of buildings within the Green Belt states that "within the Green Belt, the change of use and adaption of existing buildings will only be acceptable where:

- (i) the impact of the proposal on the existing open, rural and undeveloped character of the Green Belt will not be materially greater than that of the present use; and
- (ii) strict control is exercised over the extension or re-used buildings, and the associated land around them, which might conflict with the existing open, rural and undeveloped character of the Green Belt; and
- (iii) the building is of permanent construction and its scale, design, bulk and form are in keeping with its surroundings; and
- (iv) the proposed change of use or adaption would not be detrimental to the character and appearance of the building, its surroundings and landscape setting; and
- (v) the proposed change of use, within any individual building or complex of buildings within a close proximity, would not result in a net increase of more than 500 square metres of business, industrial, distribution or storage (use class B1 to B8) floorspace; and
- (vi) the proposal would not cause significant environmental, road safety or traffic generation problems; and
- (vii) the proposed change of use of the building is small scale and appropriate to the area."

- Core Strategy Supplementary Planning Document:

Policy CS9, Development on Land Outside Settlements, states "The Council will protect land outside settlements for its own sake, particularly from development that would adversely affect the character, appearance or function of the land."

- South East Plan:

Policy SP5, Green Belts, states "The existing broad extent of Green Belts in the region is appropriate and will be retained and supported and the opportunity be taken to improve their land-use management and access as part of initiatives to improve the urban fringe."

(Please note that this is not intended to be an exhaustive list).

The following material considerations have been taken into account:

Whilst the proposal is considered not to comply with Policy GB4 of the Bracknell Forest Borough Local Plan in that the floorspace exceeds 500m², in this case it is considered that special circumstances apply and it is appropriate to approve the application in accordance with PPS7 and PPG2 para 3.8. The proposal would not adversely affect the land use management or the openness of this Green Belt location in terms of Core Strategy Policy CS9 and South East Plan Policy SP5 nor would the proposal adversely affect highway safety, the character of the plot, neighbouring property or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

Item No: 7

09/00378/REM

Land At The Brakenhale School Rectory Lane Bracknell Berkshire

Correspondence received

One letter of objection received raising the following issues:

Will exacerbate existing traffic problems at Horse and Groom roundabout; *[Officer comment: This issue was considered under the outline application]*

Siting of the access will compromise safety of pedestrians and cyclists in Rectory Lane; *[Officer comment: The access has already been approved and has recently been constructed under the permission for the open learning centre]*

Proximity and height of buildings will have a detrimental effect on neighbouring properties; Condition is required to ensure the retention of the existing conifer screen and that it be reduced in height – if these are removed an effective barrier will be needed to replace them; Crown lifting of trees could reduce their screening effect and endanger the trees themselves; *[Officer comment: The applicant has included a maintenance strategy for the retention of these trees which states that the trees will be topped and reduced to a minimum height of 8 metres. The Management Company will thereafter undertake an annual review and undertake works if necessary to ensure that the overall height of 8 m is not exceeded]*

Adverse effect on birds and wildlife; *[Officer comment: The Council's biodiversity officer has advised that this proposal would improve the biodiversity value of this site]*

Proposals for on-site storage and regulated release of surface water should be approved by Environment Agency; *[Officer comment: The EA has been consulted and does not object to the proposals]*

Raising of ground levels may result in waterlogging of neighbours rear gardens; *[Officer comment: The approved Flood Risk Assessment establishes that there is no general flooding problem on this site. Whilst the existing levels will need to be raised for the proposed houses adjoining this boundary, the proposed gardens will not be raised at the boundary and will not be higher than the adjoining existing garden levels. All the proposed roofs and hard surfacing will be positively drained to controlled public sewer outfalls in accordance with the sustainable drainage proposals agreed with the Environment Agency. Only the relatively small areas of the proposed gardens themselves will need to be drained and this will be more than adequately accommodated by natural filtration, again as supported by the conclusions of the FRA.]*

Concern about unauthorised access to rear gardens *[Officer comment: The removal of the rear access footpath link would result in an unacceptably long refuse carry distance. Security will be maintained in the proposed development by natural surveillance by the houses served by the private path to their private rear garden areas. This is not a through path and the cypress screen will now be protected within enclosed rear private garden areas. Access to the KFC and ESSO Shop will now be facilitated by the public right of way through the site via the public footpaths and cycleways without the need to negotiate private, fenced and gated rear gardens.]*
