

PLANNING COMMITTEE
23 JUNE 2011
7.30 - 9.40 PM



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Mrs Angell, Mrs Barnard, Birch, Blatchford, Ms Brown, Davison, Finch, Finnie, Heydon, Leake, Mrs Pile, Sargeant, Thompson, Virgo and Worrall

Also Present:

Councillors Mrs Ballin and McLean

Apologies for absence were received from:

Councillor Kendall

1. **Minutes**

RESOLVED that the minutes of the meeting of the Committee held on 26 May 2011 be approved as a correct record and signed by the Chairman.

2. **Declarations of Interest**

There were no declarations of interest.

3. **Urgent Items of Business**

There were no urgent items of business.

4. **11/00137/3 - Kennel Lane School Kennel Lane Warfield**

Erection of single-storey extension to form early years department, siting of modular building providing classrooms for secondary age children, re-siting of existing modular building (the Garnet Building) and erection of single storey shed (Regulation 3 application).

A site visit had been held on Saturday 18 June 2011 which had been attended by Councillors Mrs Angell, Mrs Barnard, Birch, Blatchford, Brossard, Ms Brown, Davison, Dudley, Finnie, Gbadebo, Sargeant, Thompson, and Mrs Birch.

The Committee noted:

- The additional information contained within the supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Warfield Parish Council.
- Nine representations (including one signed by 8 people) expressing concerns about traffic and parking and thirty one representations, in support of the application including letters from the Head Teacher and the Chair of Governors.

Members expressed concerns in relation to a potential increase in traffic and parking problems, and the impact on residents living near to the development where there were existing traffic and parking problems. A further concern was whether there would be scope for additional off street parking. Concern was raised in relation to condition 11 in that if the number of part time pupils increased, as long as the number of full time equivalent pupils at any one time remained the same, there could be an increase in the overall number of pupils attending the school.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 1 March 2011.
PD1005, 1008, 1010, 1012, 1020, 1200, 1201, 1300, 1310, 8520,
10-0215 INF 11 P1, 10 P3, 10 P4
W10562L02, W105642L04, W105642R05
2821 007 002
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
03. The development (including site clearance and demolition) shall not be begun until:-
 - (i) the riverbank has been surveyed for the potential to support protected species and its value to biodiversity
 - (ii) the survey has been submitted to and approved by the Local Planning Authority, and
 - (iii) a scheme to minimise the impact on biodiversity during the construction of the development, to mitigate the impact of the development, and to improve habitat (to include timetables) has been submitted to and approved by the Local Planning Authority.The scheme shall thereafter be implemented in full accordance with the approved details.
04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 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 that have first been submitted to and approved in writing by the Local Planning Authority.
05. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.
All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by

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

06. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as indicated on the approved drawings or otherwise as agreed in writing by the Local Planning Authority.
07. The development shall not be begun until a Sustainability Statement demonstrating how the development meets current best practice standards in the sustainable use of natural resources has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include either a Design Stage Report and BRE Interim Certificate or a pre-assessment estimator carried out by an independent assessor licensed by the Building Research Establishment demonstrating that the development meets a minimum standard of a "Very Good" or "Excellent" BREEAM rating. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith unless the Local Planning Authority gives prior written consent to any variation.
08. Within one month of the first occupation of the development hereby permitted (or, where the development is phased, within one month of the first occupation of the final phase of that development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of a "Very Good" or "Excellent" BREEAM rating.
09. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. The buildings shall thereafter be constructed in accordance with the approved assessment and retained in accordance therewith, unless the Local Planning Authority gives prior written consent to any variation.
10. The development hereby permitted shall not commence until a phasing scheme has been submitted to and approved in writing by the Local Planning Authority. For each phase details of site organisation during construction shall be submitted and approved in writing by the Local Planning Authority. These details shall include, for that phase:
 - (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 operativesand 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 without the prior written permission of the Local Planning Authority.

11. The number of children on the school roll of Kennel Lane School shall not exceed 188 Full Time Equivalent pupils at any one time.
12. The development hereby permitted (including initial site clearance) shall not be begun until:
 - 1) an updated tree survey has been submitted to the Local Planning Authority that includes those trees and other vegetation that will be affected by the new playing field hereby permitted. The tree survey shall be in accordance with Section 4 of British Standard 5837:2005 'Trees In Relation to Construction Recommendations' (or any subsequent revision),
 - 2) a detailed scheme, and programme for its implementation for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837:2005 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following:
 - a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development.
 - b) Positions and spreads of existing hedgerows and groups of mature shrubs.
 - c) All proposed tree, hedge, shrub removal and retention.
 - d) Minimum 'Root Protection Areas' of all existing retained trees within the site and on neighbouring land adjacent to the approved development, calculated in accordance with BS 5837 recommendations.
 - e) Plans of a minimum scale of 1:200 (unless agreed otherwise by the Local Authority) showing the proposed locations of 2.3m high protective barrier/s, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of BS 5837:2005, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
 - f) Proposed ground protection measures in accordance with Section 9 (Figure 3) of BS 5837:2005.
 - g) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
 - h) Illustration/s of the proposed fencing structure/s to be erected.The development shall be carried out in accordance with the approved scheme and programme.
13. Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the development hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.
14. The new playing field shall be constructed in accordance with standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, May 2011), and laid out in accordance Drawing No. PD1005 and made available for use prior to the occupation of the modular building.
15. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.
16. No development on any phase of the development hereby permitted shall take place until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work for that phase

has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

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

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

17. Prior to the first occupation of the development hereby permitted a travel plan shall be submitted to, and approved in writing by the Local Planning Authority. The travel plan shall include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by the private car, a scheme of monitoring and provide for periodic review. The travel plan shall be implemented as agreed, unless otherwise agreed in writing by the Local Planning Authority.
18. The development hereby permitted shall not be occupied until the traffic management measures and additional on-site parking spaces have been provided in full accordance with drawing 2821 007 002 unless otherwise agreed in writing by the Local Planning Authority. The parking spaces shall thereafter be kept available for parking at all times.

Summary Of Reason(s) For Decision:

The proposal accords with the following Policy of the Regional Spatial Strategy for the South East of England:

S3 which seeks to ensure that adequate provision is made for school learning facilities.

The proposal accords with the following Core Strategy Development Plan Document Policies:

CS1 – which seeks to ensure that development makes efficient use of land and buildings, reduces the need for travel, promotes a mix of uses, conserves water and energy use, supports the economic wellbeing of the population, protects and enhances safety, natural resources, character of local landscape and historic and cultural features.

CS2 – which seeks to ensure that land will be allocated for development in the following order: Bracknell Town Centre; previously developed land and buildings in defined settlement; other land within defined settlements where there is no conflict with other policies; extensions to defined settlements with good public transport links.

CS7 – which seeks to ensure that developments are of high quality design.

CS8 – which seeks to retain, improve and maintain existing recreational facilities and provide and maintain new recreational facilities.

CS9 – which seeks to protect land outside of settlement for its own sake, particularly from development that would adversely affect the character, appearance or function of the land.

CS10 – which requires development proposals to be accompanied by a Sustainability Statement.

CS12 – which requires development proposals to be accompanied by an Energy Demand Assessment

The proposal accords with the following saved policies of the Bracknell Forest Borough Local Plan:

EN1 – which seeks to protect tree and hedgerow cover.

EN8 – which only permits development on land outside settlements where it would not adversely affect the character, appearance or function of the land, and would not damage its landscape quality, or where conspicuous from the Green Belt, would not injure the visual amenities of the Green Belt.

EN20 – as it would be acceptable in terms of its impact upon the character of the area, and amenity of surrounding properties and adjoining area.

EN22 – which seeks to ensure there will be convenient access, parking space and facilities for people with disabilities.

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

The following material considerations have been taken into account:

The proposal is considered to comply with the above policies.

The proposed development is not intended to accommodate an increase in the number of pupils or staff at the school, but only to rectify existing deficiencies in the existing accommodation.

The proposed extension to the primary department does not have the character of open countryside and therefore the proposed extension would not adversely affect the character or appearance of the countryside.

The proposed modular building for the secondary department is large and would extend built development beyond the existing built envelope of the school into part of the site that has a predominantly open character which could be adversely affected by the proposed development. However extensive screening, the single storey height of the modular building and its siting close to the boundary will help to reduce this impact, and on balance it is considered that this building would result in a serious adverse affect upon its character and appearance.

This proposal would result in the loss of playing field land and open space of public value. However in view of the proposed retention of a playing field of a size that is acceptable to Sport England and the need for the additional modular accommodation it is considered that, on balance, these considerations outweigh any harm arising from the loss of some of the existing open space on the site.

Due to the siting and scale of the proposed development it is not considered that the proposed extensions would result in a detrimental impact on the amenities of any neighbouring properties.

This is a very constrained site which currently experiences problems when transport for pupils arrive and depart at the peak school times of the day. Any proposals which resulted in increasing capacity at this school would therefore be unlikely to be acceptable as such problems would be exacerbated unless alternative access or parking arrangements could be found. However no increase in capacity is proposed and this can be controlled by way of a condition.

The majority of the site falls within Flood Zones 3 and 2 (high and medium risk of flooding). However the Environment Agency has confirmed that it has no objections to the proposed development on flood risk grounds because the applicant has demonstrated with supporting hydraulic modelling, that the proposed development

will be located outside of the 1 in 100 year plus climate change flood extent and it is therefore compliant with PPS25.

It is likely that The Cut river provides valuable habitat but no ecological surveys have been submitted for this area. In view of this a condition is suggested requiring further ecological surveys and a drainage impact assessment to ensure the protection and enhancement of biodiversity.

The objections received do not object to the proposed development as such, but raise concerns that existing problems relating to traffic and parking would be exacerbated if pupil numbers increase. The applicant has stated that it is not the intention to increase pupil numbers at this school, and a condition is suggested limiting numbers to the existing level. In addition conditions are suggested controlling details of site management during construction and the concerns raised by the Parish Council with respect to the reduction of carbon dioxide emissions.

Although there are many constraints on this site, the applicant has attempted to address these as far as possible in the design and siting of the proposed development. There is an urgent need for the proposed additional accommodation to meet existing deficiencies and the applicant has agreed to a condition limiting pupil numbers to the current levels. On balance it is concluded that these factors outweigh any harm that the development may cause.

The planning application is therefore approved.

5. **11/00187/FUL - 96 Bucklebury Bracknell Berkshire**

Erection of single storey front extension and single storey rear extension.

This planning application was deferred to a future meeting of the Committee in order to resolve a discrepancy in the plans.

6. **11/00194/FUL - Montagu Farm North Street Winkfield**

Erection of 2 no. blocks comprising 8no. two bedroom flats with associated parking and access arrangements (revision to development approved under planning permission 07/00190/FUL with creation of lightwells and insertion of windows, together with associated internal alterations to ground floor flats, to utilise existing basement for accommodation).

The Committee noted:

- The additional information contained within the supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Winkfield Parish Council.
- Five letters of objection.

Members expressed concerns regarding compliance with the existing planning permission, the extra rooms being converted to self contained accommodation, building regulations, the impact on the Green Belt, and a possible increase in traffic problems.

RESOLVED that, subject to the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to:-

- a) off site highway works
- b) highways and transport infrastructure

the Head of Development Management be **authorised to approve** the application subject to the following condition(s):-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following plans and other submitted details:
TP-619-P100 Rev G, 103 Rev L, 105 Rev L, P03 Rev I, P04, E02 Rev H, E03 Rev A, E03 Rev A,
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
03. No development shall take place until details of a scheme of screen walls and fences has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission.
04. No development shall take place 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.
05. All existing trees, hedgerows and groups of mature shrubs shown to be retained on the approved drawings shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2005, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.
06. The protective fencing and other protection measures specified by condition 05 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -
 - a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
 - f) Parking/use of tracked or wheeled machinery or vehicles of any description.
07. If within a period of 5 years from the completion of the development: -
 - a) No retained tree, hedgerow or groups of shrubs (as specified as being retained on the approved details as part of this permission) shall be cut down,

uprooted or destroyed without the prior written consent of the Local Planning Authority.

b) Any trees, hedgerows or groups of shrubs shown to be retained on the approved plans submitted in accordance with other conditions of this consent, which die are removed or irreparably damaged during the course of the development within a period of 5 years of the completion of the development, another tree, hedgerow or group of shrubs of the same species and size as that originally planted shall be planted at the same time, unless the Local Planning Authority gives it written consent for any variation.

08. No development shall take place until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-
- a) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations.
 - b) Details of semi mature tree planting.
 - c) Comprehensive 5 year post planting maintenance schedule.
 - d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
 - e) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
- 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, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved, unless the Local Planning Authority gives written consent to any variation.
09. No development shall commence until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2005 'Trees In Relation To Construction Recommendations', or any subsequent revision, has been submitted to and approved in writing by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -
- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
 - b) Materials including porous surface finish.

c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.

d) Programme and method of implementation.

The Construction Method Statement shall be observed, performed and complied with.

10. No development shall commence until a site specific method statement for the removal of all existing hard surfaced areas and structures of any other description, located within the minimum Root Protection Areas (RPAs) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include:-

a) A site plan identifying all areas where such work is to be undertaken.

b) Reinstatement to soft landscape area including proposed ground de-compaction works.

c) Timing and phasing of works.

The Construction Method Statement shall be observed, performed and complied with.

11. The gradient of private drives shall not exceed 1 in 8.

12. No dwelling unit shall be occupied until vehicle parking spaces have been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

13. The open space indicated on plan TP-619-P100 Revision G is to be retained and managed as such for future use by residents.

14. No dwelling shall be occupied until a 2m high brick wall has been erected between the site and Hernes Keep where Block A is to be erected, a 2.5m high brick wall has been erected along the shared boundary with Hernes Keep where parking is proposed, and a further 2m high close boarded fence erected beyond, in accordance with details submitted to and approved in writing by the Local Planning Authority.

15. No development shall take place until details in respect of measures to:

a) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition;

b) Minimise the pollution potential of unavoidable waste;

c) Dispose of unavoidable waste in an environmentally acceptable manner;

d) There should be no site bonfires.

e) Have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of building operations and the subsequent use of the buildings

16. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

17. No development 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.

18. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of covered and secure cycle parking spaces. The cycle parking shall be provided prior to the first occupation of the flats hereby approved in accordance with the approved details and shall thereafter be retained.

19. No development shall take place until a scheme has been submitted 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
and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written permission of the Local Planning Authority.

Summary Of Reason(s) For Decision:

The proposal accords with the following saved policies of the Bracknell Forest Borough Local Plan:

- * EN1 – which seeks to protect tree and hedgerow cover.
- * EN2 – which seeks to supplement tree and hedgerow cover.
- * EN20 – as it would be acceptable in terms of its impact upon the character of the area, and amenity of surrounding properties and adjoining area.
- * GB3 – which permits residential development within Green Belt Villages where it relates to infilling, subdivision of an existing dwellings, accommodation for domestic staff or aged relative in a subordinate unit, replacement, alteration or limited extension to an existing dwelling, where it would not adversely affect the character of the area or road safety.
- * M6 – which seeks to ensure that development will provide for safe, direct and well signed cycle and pedestrian routes.
- * M7 – which seeks to ensure that new development will access for all, and the use of highway and footpath networks, parking and public transport.
- * M8 – which seeks to ensure new development facilitates and promotes the use of public transport.
- * M9 – which seeks satisfactory parking provision for vehicles and cycles.

The proposal accords with the following Core Strategy Development Plan Document Policies:

- * CS1 – which seeks to ensure that development makes efficient use of land and buildings, reduces the need for travel, promotes a mix of uses, conserves water and energy use, supports the economic wellbeing of the population, protects and enhances safety, natural resources, character of local landscape and historic and cultural features.
- * CS6 – which seeks to ensure that development will mitigate adverse impacts upon communities, transport and the environment.
- * CS7 – which seeks to ensure that developments are of high quality design.
- * * CS24 – which seeks to ensure that development will mitigate any transport impacts which may arise from the development H5 – which seeks positive measures to raise the quality of new housing, reduce its environmental impact, and make good use of land.

or cumulatively with other proposals.

The South East Plan, Regional Spatial Strategy for the South East of England (May 2009)

- * CC6 – which seeks development that will respect and enhance the character and distinctiveness of settlements and landscapes, and use innovative design to create a high quality built environment which promotes a sense of place.
- * CC7 – which requires sufficient capacity to be available in existing infrastructure to meet the needs of new development, and where this cannot be demonstrated, that additional capacity be released through demand management measures, better

management of existing or provision of new infrastructure.

* H5 – which seeks positive measures to raise the quality of new housing, reduce its environmental impact, and make good use of land.

Planning Policy Statements

* PPS3: 'Housing', which seeks to achieve high quality and well-designed housing; a mix of housing, both market and affordable; housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure; a flexible, responsive supply of land; and effective use of land, including re-use of previously-developed land, where appropriate.

Supplementary Planning Documents

* Limiting the Impact of Development Supplementary Planning Document (July 2007), which provides guidance on planning obligations which may be required to satisfy planning policies, and aimed at making development more sustainable.

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

The following material considerations have been taken into account:

Third party representations were received on grounds that the proposal would exacerbate highway safety issues, result in increased noise and disturbance and provide inadequate living conditions for future residents. These comments have been taken into consideration, however it is considered that the proposal would not result in increased loss of amenity to nearby residents, adversely affect highway safety or result in inadequate living conditions for future residents. The proposal is considered to be acceptable in relation to impact upon the character of the area, neighbouring properties and highway safety. As.106 will be required to mitigate the impact of the development upon local infrastructure and to secure off site highway works. The application is therefore approved.

In the event of the S106 planning obligation(s) not being completed by 31 August 2011 the Head of Development Management be **authorised to refuse** the application on the grounds of:-

01. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure . In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures the proposal is contrary to Policy CC7 of the South East Plan, Policy M4 of the Bracknell Forest Borough Local Plan and CS24 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).
02. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority to secure off site highway works the proposal is contrary to Policy M4 of the Bracknell Forest Borough Local Plan and Policy CS24 of the Core Strategy Development Plan Document.

7. **11/00223/OUT - 18 New Road Ascot Berkshire**

Outline application with all matters reserved for the erection of two no. three bedroom dwellings following demolition of existing building containing retail unit with two residential flats above.

The Committee noted:

- The additional information contained within the supplementary report of the Head of Development Management tabled at the meeting.
- No objections from Winkfield Parish Council.
- No representations received.

Councillor Worrall expressed concern in relation to the advertising and marketing of the commercial property.

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

01. Approval of the details of the scale of the buildings, the access for and the layout, appearance and landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced. The plans and particulars in relation to the Reserved Matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
03. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
04. The development hereby permitted shall be carried out only in accordance with the following plans:
 - Drg No P10/17/101 Rev A received by Local Planning Authority 29.03.2011 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in the first floor level or above of the north and south facing side elevations of the dwellings hereby permitted except for any which may be shown on the approved drawing(s).
06. No development shall take place 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.
07. The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission or as may otherwise be agreed in writing by the Local planning Authority.
08. The development hereby permitted shall not be begun until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
09. The development shall not be begun until a Sustainability Statement demonstrating how the development meets current best practice standards in the sustainable use of natural resources has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include either a Design Stage Report and BRE Interim Certificate or a pre-assessment

estimator carried out by an independent assessor licensed by the Building Research Establishment demonstrating that the development meets a minimum standard of Level 3 of the Code for Sustainable Homes or a "Very Good" or "Excellent" BREEAM rating. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith unless the Local Planning Authority gives prior written consent to any variation.

10. The development shall not be occupied until a Post Construction Review Report carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate has been submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of Level 3 of the Code for Sustainable Homes or a "Very Good" or "Excellent" BREEAM rating.
11. The development hereby permitted shall not be begun until:
 - 1) a scheme depicting hard and soft landscaping and
 - 2) a three year post planting maintenance schemehave been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be performed and complied with.

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, or as may otherwise be agreed in writing by the Local Planning Authority. 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 31st March inclusive) with others of the same size, species and quality as approved, unless the Local Planning Authority gives written consent to any variation.
12. 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. The building shall not be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.
13. No development 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 operativesand 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 without the prior written permission of the Local Planning Authority.

14. No gates shall be provided at the vehicular access to the site.
15. No development shall take place until a plan showing visibility splays 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.
16. The dwelling(s) shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.
17. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
18. The scheme hereby permitted shall be carried out in accordance with the mitigation measures outlined in the letter received from AAe Environmental Consultants, dated 28 January 2011, unless otherwise agreed in writing by the Local Planning Authority.
19. The demolition should not be begun until a scheme for the installation of bird and bat boxes has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.
20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 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 that have first been submitted to and approved in writing by the Local Planning Authority.
21. The areas shown for soft landscaping purposes to the front of the proposed development on the approved Reserved Matters plans shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.

Summary Of Reason(s) For Decision:

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

Bracknell Forest Borough Local Plan: Policy EN15 which seeks to avoid lighting schemes outside of settlements which would have an adverse effect upon the character of the surrounding land, residential amenity or wildlife.

Policy EN20 as it would be acceptable in terms of its impact upon the character of the area, and amenity of surrounding properties and adjoining area.

Policy EN25 which seeks to avoid development which would generate unacceptable levels of noise, smoke, gases, fumes, effluent, vibration, dust or other environment effects which would adversely added the amenities of occupiers or buildings, or users of outdoor space.

Policy E5 which seeks development to be consistent with the hierarchy of shopping centres (major town centre, small town centres, village and neighbourhood centres, local parades).

Policy E11 which permits changes of use to A2 or A3 uses where it would not adversely affect local retail provision and amenities of neighbouring properties in

Village and neighbourhood centres and local parades.

Policy M9 which seeks satisfactory parking provision for vehicles and cycles.

Core Strategy Development Plan Document: Policy CS1 which seeks to ensure that development makes efficient use of land and buildings, reduces the need for travel, promotes a mix of uses, conserves water and energy use, supports the economic wellbeing of the population, protects and enhances safety, natural resources, character of local landscape and historic and cultural features.

Policy Policy CS7 which seeks to ensure that developments are of high quality design.

Policy CS10 which requires development proposals to be accompanied by a Sustainability Statement.

Policy CS23 which seeks to ensure the Council will use its powers to reduce the need to travel, and promote alternative modes, increase safety of travel and maintain and improve the local road network.

South East Plan: Policy CC6 which seeks development that will respect and enhance the character and distinctiveness of settlements and landscapes, and use innovative design to create a high quality built environment which promotes a sense of place.

Policy T4 which seeks an appropriate level of parking.

Policy NRM4 which seeks to avoid inappropriate development within flood zones 2 and 3, areas at risk of surface water flooding (critical drainage areas) or areas with a history of groundwater flooding, or where it would increase flood risk elsewhere, unless there is over-riding need and absence of suitable alternatives, and require incorporation and management of Sustainable Drainage Systems (SuDS), other water retention and flood storage measures to minimise direct surface run-off.

Planning Policy Statement 25 'Development and Flood Risk', which sets out the need to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk, and ensure that applications are supported by site specific Flood Risk Assessments where appropriate.

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policies EN15, EN20, EN25, E5, E11 and M9, CSDPD Policies CS1, CS7, CS10 and CS23, SEP Policies CC6, T4 and NRM4, and PPS25. The proposal will not adversely affect the character of the building, neighbouring property or area or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

Informative(s):

01. In dealing with the detailed design of the building the applicant is advised that the first floor window in the side elevation of No.16 New Road needs to be taken into account. This should include a hipped roof design as indicated in the Design and Access Statement.
02. The applicant is advised that the Reserved Matters submission should not show a parking area with a depth of more than 6m from the front boundary of the site, in order to prevent vehicles from parking in tandem. Areas of landscaping to the front of the dwellings which should be shown on the

Reserved Matters submission should be provided to the front of the parking spaces.

8. **PS 11/00248/FUL - Tesco Stores Ltd 17 County Lane Warfield**

Section 73 application to vary condition 13 (This condition restricts opening hours to 08.30 -20.00 Monday - Thursday, 08.30 - 21.00 Friday, 08.30 - 20.00 Saturday and 10.00 - 16.00 Sunday) of Planning Permission 00/01055/FUL to extend the opening hours to 07.00 to 22.00 Monday to Saturday and 10.00 to 16.00 Sundays.

The Committee noted:

- The additional information contained within the supplementary report of the Head of Development Management tabled at the meeting.
- No objections from Warfield Parish Council.
- Twenty one letters of objection.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker, Mr Silavant and Mr Chris Green, the agent for the applicant.

Members expressed concerns in relation to the travel plan for people travelling to the store, an increase in noise particularly at the start and end of the day, possible changes to delivery hours or an increase in the number of deliveries, an increase in the number of people visiting the store, and litter.

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

01. The opening hours of the large store shall be limited to 07.00 - 22.00 Monday to Saturday and 10.00 - 16.00 Sunday and at no other times unless expressly authorised by another planning permission(s).
02. The opening hours of the petrol filling station shall be limited to 07.30 to 21.00 Monday to Thursday, 07.30 -22.00 Friday, 07.30 - 21.00 Saturday and 08.00 - 21.00 Sunday and at no other times unless expressly authorised by another planning permission(s).
03. No deliveries shall be made to the store between 24.00 hours and 05.00 hours on any day.
04. Noise from any source on site measured on a Leq(1-hour) basis shall not exceed by more than 5 dB(A) the background L90(1-hour) (excluding noise from the development) between 0630 and 2300 hours; and as measured on a Leq(5-minute) basis, shall not exceed by more than 5dB(A) the background L90(1-hour) between 2300 and 0630 hours, outside any dwelling.
05. Noise from the fixed plant associated with the development on the site shall not exceed a rating noise level, as defined in BS 4142:1990 of 35 dB(A) on a 5 minute Leq basis, outside any existing or future dwelling between 2300 and 0630 hours.
06. The net sales area of the store (as defined in DPP's letter dated 29 May 2001 as the retail sales area, checkouts and customer services) shall not exceed 3850 sq m.
07. No more than 18% of the retail sales area of the store as extended (as defined in DPP's letter dated 29 May 2001) shall be used for the sale or display of comparison goods. For the purposes of this condition, comparison goods are as defined in the URPI Information Brief 98/1 but shall exclude health and beauty and pharmaceutical goods.

08. The unit shops approved under planning application 00/01055/FUL shall not be used for ancillary storage in association with the large store or amalgamated into larger units.

Summary Of Reason(s) For Decision:

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

PPG24: 'Planning and Noise', which sets out considerations to be taken into account for noise-sensitive developments and for those activities which generate noise.

Bracknell Forest Borough Local Plan: Policy EN20 as it would be acceptable in terms of its impact upon the character of the area, and amenity of surrounding properties and adjoining area.

Policy E7 which seeks to avoid B1 business use at ground floor levels within Crowthorne retail area, Sandhurst Centre, Village and Neighbourhood Centres and Local Parades, and at ground and first floor within Bracknell Town Centre retail area.

Core Strategy Development Plan Document: Policy CS7 which seeks to ensure that developments are of high quality design.

Policy CS21 which seeks to ensure that new retail development is directed to identified town centres, and the scale and nature of the retail uses is consistent with the role and function of the centre.

Policy CS23 which seeks to ensure the Council will use its powers to reduce the need to travel, and promote alternative modes, increase safety of travel and maintain and improve the local road network.

South East Plan: Policy CC6 which seeks development that will respect and enhance the character and distinctiveness of settlements and landscapes, and use innovative design to create a high quality built environment which promotes a sense of place.

Policy NRM10 which seeks development to include measures to address and reduce noise pollution.

The following material considerations have been taken into account:

The proposal is considered to comply with PPG24, BFBLP Policies EN20 and E7, CSDPD Policies CS7, CS21 and CS23, and SEP Policies CC6 and NRM10. The proposal will not adversely affect the character of the building, neighbouring property or area or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

Informative(s):

01. The car park barrier should be lowered following the ceasing of trading each evening to avoid antisocial behaviour as Environmental Health have received complaints relating to cars causing a disturbance.
02. The management of waste and litter in the area should be commensurate with the increase in opening hours.
03. Within three months of this permission or prior to the change of operating

hours (whichever is the sooner) the existing Travel Plan should be updated with details of the action the applicants will be taking to ensure its staff can still travel sustainably to the store at these revised opening times.

9. **11/00275/FUL - Perchance Ryehurst Lane Binfield**

Erection of detached dwelling following partial demolition of existing dwelling.

The Committee noted:

- The additional information contained within the supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Binfield Parish Council.
- One letter of objection.

Members expressed concerns regarding the distance of the dwelling from Millstream Cottage and the increase in the size of the building.

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 15 April 2011 and 10 May 2011:
drawing no. 1034/1A
drawing no. 1034/2B
drawing no. 1034/3B
drawing no. 1034/4B
drawing no. 1034/5B
drawing no. 1034/6B
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
03. No development shall take place 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.
04. The garage accommodation shall be retained for the use of the parking of vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.
05. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837:2005 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during all construction works. Details shall include the following: -
 - a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development.
 - b) Positions and spreads of existing hedgerows and groups of mature shrubs.
 - c) All proposed tree, hedge, shrub removal and retention.
 - d) Minimum 'Root Protection Areas' of all existing retained trees within the site and on neighbouring land adjacent to the approved development, calculated in accordance with BS 5837 recommendations.

- e) Plans of a minimum scale of 1:200 (unless agreed otherwise by the Local Authority) showing the proposed locations of 2.3m high protective barrier/s, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
 - f) Proposed ground protection measures in accordance with Section 9 (Figure 3)
 - g) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
 - h) Illustration/s of the proposed fencing structure/s to be erected.
- The development shall be carried out in accordance with the approved scheme.
06. The protective fencing and other protection measures specified by condition 5 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -
- a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
 - f) Parking/use of tracked or wheeled machinery or vehicles of any description.
- In addition to the protection measures specified above,
- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
 - b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.
07. No development shall commence until:
- (i) a site layout plan of showing the proposed layout of all underground services and external lighting and
 - (ii) a programme for the phasing and timing of works have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -
- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
 - b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
 - c) Soak-aways (where applicable)
 - d) Gas, electricity, telecom and cable television.
 - e) Lighting columns and all associated ducting for power supply.
 - f) Phasing and timing of works.

- The development shall be carried out in accordance with the approved site layout plan and the approved programme.
08. No development shall take place until:
 - (i) details of all proposed alterations to the ground levels within the site within 5 metres of the minimum 'Root Protection Areas' calculated in accordance with BS 5837 (2005) recommendations (or any subsequent revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development. The details to include:
 - a) Existing and proposed finished levels.
 - b) Any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.
 - c) Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation, and
 - (ii) a programme and method of implementation have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.
 09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out.
 10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no hard surface as permitted by Class F of Part 1 of the Second schedule of the 1995 Order shall be provided for any purpose incidental to the enjoyment of a dwelling house
 11. The demolition phase of the existing dwelling shall not be begun until a scheme for the installation bat boxes has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.
 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 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 that have first been submitted to and approved in writing by the Local Planning Authority.
 13. The scheme hereby permitted shall be carried out in accordance with the mitigation measures outlined in the Bat Survey dated May 2011 unless otherwise agreed in writing by the Local Planning Authority.

Summary Of Reason(s) For Decision:

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

Bracknell Forest Borough Local Plan: Policies

EN1 which seeks to protect tree and hedgerow cover.

EN2 which seeks to supplement tree and hedgerow cover.

EN8 which only permits development on land outside settlements where it would not adversely affect the character, appearance or function of the land, and would not damage its landscape quality, or where conspicuous from the Green Belt, would not injure the visual amenities of the Green Belt.

EN20 as it would be acceptable in terms of its impact upon the character of the area, and amenity of surrounding properties and adjoining area.

H6 which permits replacement of existing dwellings, subdivision, and extensions of an existing dwelling or ancillary outbuilding in the countryside, (outside the Green

Belt), where it would not adversely affect the character of the area, danger to the public highway.

M9 which seeks satisfactory parking provision for vehicles and cycles.

Core Strategy Development Plan Document:

CS7 which seeks to ensure that developments are of high quality design.

CS9 which seeks to protect land outside of settlement for its own sake, particularly from development that would adversely affect the character, appearance or function of the land.

South East Plan:

CC6 which seeks development that will respect and enhance the character and distinctiveness of settlements and landscapes, and use innovative design to create a high quality built environment which promotes a sense of place.

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policies EN1, EN2, EN8, EN20, H6, M9, CSDPD CS7, CS9, SEP CC6. The proposal will not adversely affect the character of the building, neighbouring property or area or significantly affect the amenities of neighbouring property. The proposed replacement dwelling would not have an adverse impact upon the residential amenities of neighbouring properties by virtue of overlooking or overbearing impact and the proposed dwelling would be acceptable in respect of its design and floor area increase. The proposal would not impact upon the protected oak tree on site. The planning application is therefore approved.

10. **11/00283/EXT - Land At 127A-131 Fernbank Road Ascot**

Erection of block comprising 9no. two bedroom and 8no. one bedroom flats with associated parking, access and landscaping following demolition of existing dwellings.

Note for clarification: This application is for an extension of the time limit to implement an existing planning permission (08/00263/FUL).

This planning application would be deferred to a future meeting of the Committee as ecology surveys, covering bats and great crested newts, needed to be undertaken before the application could be determined.

11. **11/00318/3 - 0 Oakengates Bracknell Berkshire**

Formation of 3 no. parking bays on existing grassed area in front of 1-3 Oakengates (Regulation 3 application).

The Committee noted:

- The additional information contained within the supplementary report of the Head of Development Management tabled at the meeting.
- No objections from Bracknell Town Council.
- No neighbour representations received.

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 07 June 2011:
Amended plan number 4817-019 Rev A 'Residential Street Parking Improvements'
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
03. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.
All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried and completed prior to first use of any part of the approved development.
As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of Practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision.
Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved, unless the Local Planning Authority gives written consent to any variation.

Summary Of Reason(s) For Decision:

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

Bracknell Forest Borough Local Plan (BFBLP):
EN20 - Design considerations in new development
M9 - Vehicle and cycle parking

Core Strategy Development Plan Document (CSDPD):
CS7 - Design

South East Plan (SEP):
CC6 - Sustainable Communities and Character of the Environment

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

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policies EN20 and M9; CSDPD Policy CS7; and SEP Policy CC6. The proposal would provide additional parking facilities in an area where there is currently a shortfall of parking. The proposal would not unduly detract from the character of the area or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

12. **MISCELLANEOUS REPORT ON APPEAL DECISION
REF: APP/R0335/A/10/2139947 FOR PLOTS 4, 17, 24, 54 AND 62 ON LAND
PARCEL H3, JENNETT'S PARK (FORMERLY KNOWN AS PEACOCK FARM),
PEACOCK LANE, BRACKNELL, BERKSHIRE. RG12 8AT**

A site visit had been held on Saturday 18 June 2011 which had been attended by Councillors Mrs Angell, Mrs Barnard, Blatchford, Brossard, Ms Brown, Davison, Dudley, Finnie, Gbadebo, Sargeant, and Thompson.

This appeal was made under Section 78 of the Town and Country Planning Act 1990 against the refusal to grant planning permission under Section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted (10/00273/FUL refers).

The appeal was made by Persimmon Homes Ltd against the refusal notice for 10/00273/FUL (dated 22 April 2010) which was refused by notice dated 18 June 2010.

The application sought planning permission for the erection of 68 dwellings without complying with condition 01 which states that : The development hereby permitted shall be carried out only in accordance with the approved plans.

The approved plans show the width of each of the garages to be 2.8m. However, the garages have been built with a width of only 2.5m. The Council's concern was that the narrow width of the garages makes them unusable for some makes of car and will discourage use of the garages. The Inspector agreed that from his site inspection and own experience that this was indeed the case.

The Town and Country Planning Act sets out a 4 year period in relation to residential properties after which enforcement action cannot be taken. Any building, engineering or other works which have taken place without the benefit of planning permission, and that have remained unchallenged by enforcement action for 4 years or more, become immune from enforcement action.

Appropriate enforcement action will be taken within the four year timescale which expires in October 2011 in order to protect the Council's position.

The Committee noted the report on the appeal decision and the follow up action being taken in respect of the breach of planning on Land Parcel H3 Jennett's Park (formerly known as Peacock Farm).

CHAIRMAN