

ITEM NO: 5Application No.
10/00643/FULWard:
CrowthorneDate Registered:
30 September
2010Target Decision Date:
25 November 2010

Site Address:

**The Little Red House Nursery 59 - 61 Dukes Ride
Crowthorne Berkshire RG45 6NS**

Proposal:

Erection of part single storey, part two storey rear and side extension, loft conversion, dormers and porch, air conditioning units, external cladding of the building, provision of cycle and pram storage facilities, re-organisation and surfacing of car park.

Applicant:

Select Enterprises

Agent:

C Nebechi

Case Officer:

Alison Ind, 01344 352000

environment@bracknell-forest.gov.uk**Site Location Plan** (for identification purposes only, not to scale)

1 RELEVANT PLANNING HISTORY (If Any)

EUC/024/76 Validation Date: 01.01.1976
Use of ground floor and garden for nursery school
Approved

622705 Validation Date: 02.06.1997
Single storey side and rear extension to nursery school to provide nursery school and day care nursery on ground floor and change of use of first floor from residential use to nursery use.
Approved

623681 Validation Date: 24.04.1998
ADV - Display of 1 no. non-illuminated two panel sign (1.1m x 1.0m) on 1 metre high posts and 1 no. non-illuminated wall sign (1.1m x 1.0m).
Conditional Advertisement Consent

624255 Validation Date: 04.11.1998
Section 73 application to increase number of children attending nursery from 44 to 50 and to amend car parking layout without compliance with conditions 7 and 8 of planning permission 622705.
Approved

01/01227/FUL Validation Date: 17.12.2001
Change of use from residential to nursery use, to form an extension of the existing nursery at no.61 Dukes Ride.
Approved With A Legal Agreement

11/00598/FUL Validation Date: 30.08.2011
Change of use from garage to caretakers flatted accommodation
(No Decision – Application Currently Under Consideration)

2 RELEVANT PLANNING POLICIES

Key to abbreviations

BFBCS	Core Strategy Development Plan Document
BFBLP	Bracknell Forest Borough Local Plan
RMLP	Replacement Minerals Local Plan
WLP	Waste Local Plan for Berkshire
SPG	Supplementary Planning Guidance
SPD	Supplementary Planning Document
PPG (No.)	Planning Policy Guidance (Published by DCLG)
PPS (No.)	Planning Policy Statement (Published by DCLG)
MPG	Minerals Planning Guidance
DCLG	Department for Communities and Local Government
SEP	South East Plan

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN1	<u>Protection of trees and hedgerow cover</u>
BFBLP	EN20	Design Considerations In New Development
BFBLP	EN22	Designing For Accessibility
BFBLP	M9	Vehicle And Cycle Parking
BFBCS	CC7	Infrastructure and Implementation
BFBCS	CS23	Transport
SEP	T4	Parking
SEP	CC6	Sustainable Communities and Character of Environment

3 CONSULTATIONS

(Comments may be abbreviated)

Landscape Officer

Amended plans have been received but these details do not provide sufficient information. Therefore a condition requiring further details of hard and soft landscaping is recommended

Crowthorne Parish Council

Recommend approval

Transportation Officer

It appears that the alterations to the building are minor, as long as the number of children is maintained at the same level as the previous condition on the last permission. In respect of the main car park the plans indicate that the spaces will be set out in accordance with the last permission which is acceptable but advise that in any permission condition is attached to ensure that parking should be in accordance with the previous plan of the last permission which shows that parking layout. If any of the proposals on the current plans conflict with the previous parking layout then they should be altered now, this could include the gates access and the detached garden area at the rear of the site. Further amended details have been submitted and are under consideration.

Tree Officer

Trees at the site are protected by TPO 781A. During the course of the application, consent has been given to remove some of the trees. It is recommended that any planning permission be conditional to the submission of a landscaping scheme and its subsequent implementation.

4 REPRESENTATIONS

Representations have been received from 10 households. Eight of the 10 representations contain objections. Two support the application. In addition, 1 of the objectors submitted a petition containing 20 signatures.

OBJECTIONS:

The main concerns can be summarised as follows:

- the impact on the surface and drainage of the private road
(Officer comment: *this section of Heath Hill Road has now been repaired and relaid with tarmac by the current management company*)
- the loss of established landscaping which created a natural screening and softening of the appearance of the nursery building and of the illumination of the car park.
(Officer comment: *the Landscaping Officer has advised that a landscaping scheme should be submitted for approval via planning condition*).
- concern that on-street parking and congestion will occur due to poor vehicular access and inadequate space for vehicle parking as was the case with the previous management company)
- the new appearance of the building since it has been rendered to a mock tudor style
- the applicant's have flouted planning rules by going ahead with inaccurate drawings and without planning permission

Petition: A petition (bearing 20 signatures) has been received with one of the objections regarding the state of the Heath Hill Road which was allegedly damaged by the use of the nursery when it was under its former management.

(Officer comment: *This matter is not a planning issue as Heath Hill Road is a private road and as the proposal does not include works to the private road. NB The damage has now been repaired*).

SUPPORT:

The reasons for supporting the application are:

- the building had become neglected and was in need of renovation/rejuvenation
- the new appearance works well with the appearance of Kipling Hall, 54 Dukes Ride
- the children's nursery is a needed service to the local community

5 OFFICER REPORT

SUMMARY OF KEY ASPECTS OF PROPOSAL

Proposed floor area (non-residential): 90sq.m
Proposed number of parking spaces: 25 spaces
Proposed number of residential units: 0

This application is reported to the Planning Committee as more than 3 objections, including a petition bearing 20 signatures, have been received.

i) PROPOSAL

The proposal is to raise the ridge height of the roof of part of the existing building by 2.2m and to create various small extensions to the premises, totalling approximately 90sq.m. (and including new floor area to the day nursery, including at ground floor level, a new wc room, a small front extension/porch, and at first floor level a roof garden, a small extension to provide a milk kitchen and a dormer extension to provide a multi-activity room). In addition, the proposal includes air conditioning units, external cladding of the building, provision of cycle and pram storage facilities, re-organisation

and surfacing of car park. A first floor balcony is proposed which faces into the site. No additional children are proposed as a result of the extensions.

The application is now retrospective.

ii) SITE AND RELEVANT PLANNING HISTORY

The site is on the south side of Dukes Ride at the junction with Heath Hill Road North. The plot is angular in shape and has two road frontages. Heath Hill Road is a private road with mainly residential properties. The location is generally characterised by trees and hedges which create a suburban environment. The landscaping at the site has been cleared in many places to make way for a compound and for construction vehicles to enter and leave the site. Some of the trees on the site are covered by Tree Preservation Order 781A (dated 8 October 2010). The application site falls within the Bracknell Forest Character Area Assessment SPD (Area B West Crowthorne). A children's day nursery at number 59 Dukes Ride was extended into number 61 Dukes Ride under approval 01/01227/FUL in 2001. The number of children allowed and the car parking layout were the subject of planning conditions.

Since submitting the planning application in 2010 the extensions and alterations and associated works to the children's nursery have been undertaken. In addition, the original proposal has been added to, to include external cladding of the building, the erection of a pram store and cycle store, the laying of play area surfacing and of car park gravel surfacing. Various amendments and revised plans have been submitted and superseded, the most recent of which are listed within the recommendation of this report.

The garage is the subject of separate application referenced 11/00598/FUL for the "Change of use from garage to caretaker's flatted accommodation". This is yet to be determined.

iii) PLANNING CONSIDERATIONS

(1) Principle of the development

The site has an existing planning permission for use as a children's nursery. The proposal is merely to extend the nursery building. The principle of extending the existing building is acceptable subject to normal development management criteria, including, highway, residential amenity and environmental issues, and subject to there being no other, over-riding material planning issues.

(2) Transport issues

Amended plan LDP/253/C/08/B shows that vehicle parking spaces will be provided in accordance with the layout approved under 01/01227/FUL. Whilst this is generally acceptable in respect of the number of spaces required, the precise location of the proposed access and gates has now varied. (Revised plans have been sought throughout the course of the planning application, hence the delay in dealing with the application.) Drawings LDP/253/C/08/C & 09/C showing the Proposed Layout and Cycle and Pram Storage have been submitted in respect of car parking and access and the Transport Officer's consultation response will be reported to Committee. The access gates should be kept open during the daytime for, in particular, parents to drop off and pick up children at various times of the day (the applicant may need to devise a scheme which allows for this whilst maintaining security at the site). Details of surfacing of the car park (which is existing but should be surfaced with tarmac) and

also of the access are currently being considered and any new issues will be reported to committee. If appropriate, a condition may be applied to require details of surface water drainage to be submitted to ensure that there is no water displacement to off-site. No changes in levels are proposed. The number of children attending the nursery will remain as previously approved (restricted to 82 children in total).

(3) Impact on character and appearance of the area

The property is set in a location which is characterised by trees and hedges and established landscaping. At the time of the most recent site visit, some of the landscaping had been lost through works associated with the development which is now partly retrospective. The Landscaping Officer had requested landscaping details. Adequate details still have not been received. It is therefore recommended that a landscaping scheme should be submitted for approval to include details of planting and of boundary enclosures/fencing to ensure that appropriate landscaping is provided.

One of the more notice able and controversial amendments to the original planning application was the mock tudor rendering which has been applied to the whole building. This has been a cause for concern by some residents who feel that the mock tudor is out of keeping. Other residents have commented that the original building had been neglected and its appearance in the street scene is now been improved. The opinion of the Council's Urban Design Officer has been sought. Any comments will be reported to the Committee.

Another amendment showed the gravelling of the car park. The car park has been surfaced in gravel which in turn is deep in areas. The gravel is out of character with the area and is not suitable for marking out of the car park. It is suggested that the gravel should be replaced with tarmac.

(4) Impact on trees

There are a number of trees within site, some of which are protected by a Tree Preservation Order. Since the planning application was submitted two applications under Tree Preservation Order legislation have been submitted. Permission has been granted for the removal of several trees subject to conditions requiring replacement planting of 10 trees in total. It is therefore recommended that any approval of the extension includes conditions in respect of the existing trees, proposed additional landscaping for the site and further details of hard landscaping.

Part of the car park has been constructed within the Root Protection Area of protected trees. This work has not been approved. Full arboricultural details of this work should be provided (and have been sought by officers).

(5) Effect on the amenity of neighbouring residential property

There is a gap in excess of 8m distance between the nursery building and the nearest residential dwelling (which shares a common boundary to the east of the site). There is an outbuilding in this gap. It is not considered that the extension will impact upon the residential amenities of the neighbouring dwelling at 55 Dukes Ride. A garden is annotated on the submitted layout drawing. It is recommended that, consistent with the previous approval 01/01227/FUL, a condition controlling the hours of use of the garden is applied to any approval.

The illuminated signage is controlled under the Advertisement Regulations. An application has been sought by officers.

(6) Access implications

The scheme will need to comply with Part “M” of the Building Regulations. An Approved Inspector served Initial Notice for the proposal thereby indicating that consent under the Building Regulations has been sought, albeit not through BFBC.

CONCLUSIONS

The principle of the extension and associated works is acceptable under the policies of the development plan. Many amendments to the details have been sought and agreed. Others are outstanding but can be secured by planning condition. Further applications have been sought or submitted regarding signage, lighting and the change of use of the detached garage. There are no over-riding material planning issues to warrant refusal of this application. The application is therefore recommended for approval.

6 RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans:
LDP/253/C/05/D PROPOSED FLOOR PLANS received by the Local Planning Authority on 23.09.11
LDP/253/C/06/D PROPOSED FLOOR PLANS (with extension outlined) received by the Local Planning Authority on 23.09.11
LDP/253/C/07/D PROPOSED ELEVATIONS received by the Local Planning Authority on 06.9.11
LDP/253/C/08/C PROPOSED SITE PLAN received by the Local Planning Authority on 05.9.11
LDP/253/C/09/C PROPOSED CYCLE AND PRAM STORE received by the Local Planning Authority on 06.9.11
(or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The number of children at the nursery 59-61 Dukes Ride shall not exceed 82 pupils at any one time.
REASON: To enable the Local Planning Authority to maintain control over the use of the site in the interests of the amenities of the adjoining residents.
Policies: BFBLP EN20, M9, CSDPD CS7,CS23.
04. The hours of operation shall be restricted to 08.00 - 18.00 hours Monday to Friday and at no other times.
REASON: In the interests of the residential amenities of neighbouring properties.
05. Within two months from the date of this planning permission, the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the

Local Planning Authority. The plan shall include existing car park to the front of the site (off Duker Ride) and the proposed car park to the rear of the site (off Heath Hill Road). The car park to the rear of the site (and shown on drawing LDP/253/C/08/B) shall include 25 vehicle parking spaces. The spaces in both car parks shall not thereafter be used for any purpose other than parking and turning. REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

[Relevant Policies: SEP T4, BFBLP M9, Core Strategy DPD CS23]

06. Within two months of the date of this planning permission, the car park shall be surfaced in accordance with a methodology and a scheme of materials to be submitted to and approved by the Local Planning Authority.

REASON:

A) To enable the car park to be marked out in accordance with the previous condition

B) In the interests of visual amenity

[Relevant Policies: BFBLP EN20, Core Strategy DPD CS23 and CS7]

07. The vehicle access gates shall be kept open at all times during the approved operational hours of the nursery, for vehicles to enter and exit the site, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To enable parents to drop off and collect children without creating traffic congestion on Heath Hill Road.

[Plans and policies: BFBLP EN20, CSDPD CS7]

08. Within 2 months of this permission:

1) a scheme depicting hard surfacing (including boundary fencing and all areas to be paved or hard surfaced, such as the vehicle parking and turning areas and the paved area around the building) and soft landscaping, and

2) a three year post planting maintenance scheme

shall be 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.

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

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

09. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority.
REASON: - In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
10. Within two months of this permission, the access shall be surfaced with a bonded material across the entire width of the access for a distance of 5m measured from the back edge of the carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
11. Within two months of this permission, details of a scheme of walls, fences and any other means of enclosure shall be submitted, for approval in writing by the Local Planning Authority. The approved scheme shall be implemented in full within two months of the date of this planning permission or as may otherwise be agreed in writing by the Local Planning Authority.
REASON: - In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]

Summary Of Reason(s) For Decision:

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

BFBLP Policies EN1, EN20, EN22, M9 The issues of highway safety, residential amenity, arboriculture, access for the disabled and impact on the environment have been considered.

CSDPD Policies CS7, CS23 The issues of highway safety, residential amenity, access for the disabled and impact on the environment have been considered.

SEP Policies CC6 Sustainable communities and character of the environment, T4 Parking.

The following material considerations have been taken into account:

Bracknell Forest Borough Local Plan: Policies EN20, EN22, M9 and Core Strategy Development Plan CS7, CS23 : It is considered that the proposed extensions will not cause material planning harm to the street scene or to the residential amenities of the neighbouring dwellings, it is considered that there is sufficient space within the scheme to accommodate access for disabled people, and it is considered that adequate space for vehicle parking can be achieved at the site. The South East Plan CC6 and T4: It is considered that the extension is well designed and is an appropriate form of development for this location and will provide adequate on site vehicle parking space.

The proposal is considered to comply with BFBLP Policies EN1, EN20, EN22 and M9, and Core Strategy Development Plan Policy CS7, CS23, South East Plan: T4, CC6.

The extensions will not adversely affect the character of the building. Whilst the cladding has changed the character of the building it has also resulted in the building being externally renovated improved. The extensions will not adversely affect

neighbouring property or area or significantly affect the amenities of neighbouring property. A landscaping scheme will be submitted to enhance the appearance and self-containment of the development where trees have needed to be removed. The car park and access have been addressed. The planning application is therefore approved.

Informative(s):

01. The proposal shows a proposed illuminated sign. No details of the sign have been submitted and it has therefore not been considered or included in this approval. Furthermore, any illuminated sign will require Advertisement Consent for which a separate application will be required. Any such application will be considered on its merits.
02. The replacement tree planting required as a result of the permission granted separately under TPO legislation, should be shown on the landscaping details required pursuant to condition 8.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk