

Unrestricted Report

ITEM NO: 11

Application No.
12/00163/FUL
Site Address:

Ward:
Ascot

Date Registered:
14 February 2012

Target Decision Date:
10 April 2012

26A New Road Ascot Berkshire SL5 8QQ

Proposal:

Erection of two storey office building (Class B1) following demolition of existing single storey building (Class A2).

Applicant:

Cover Homes

Agent:

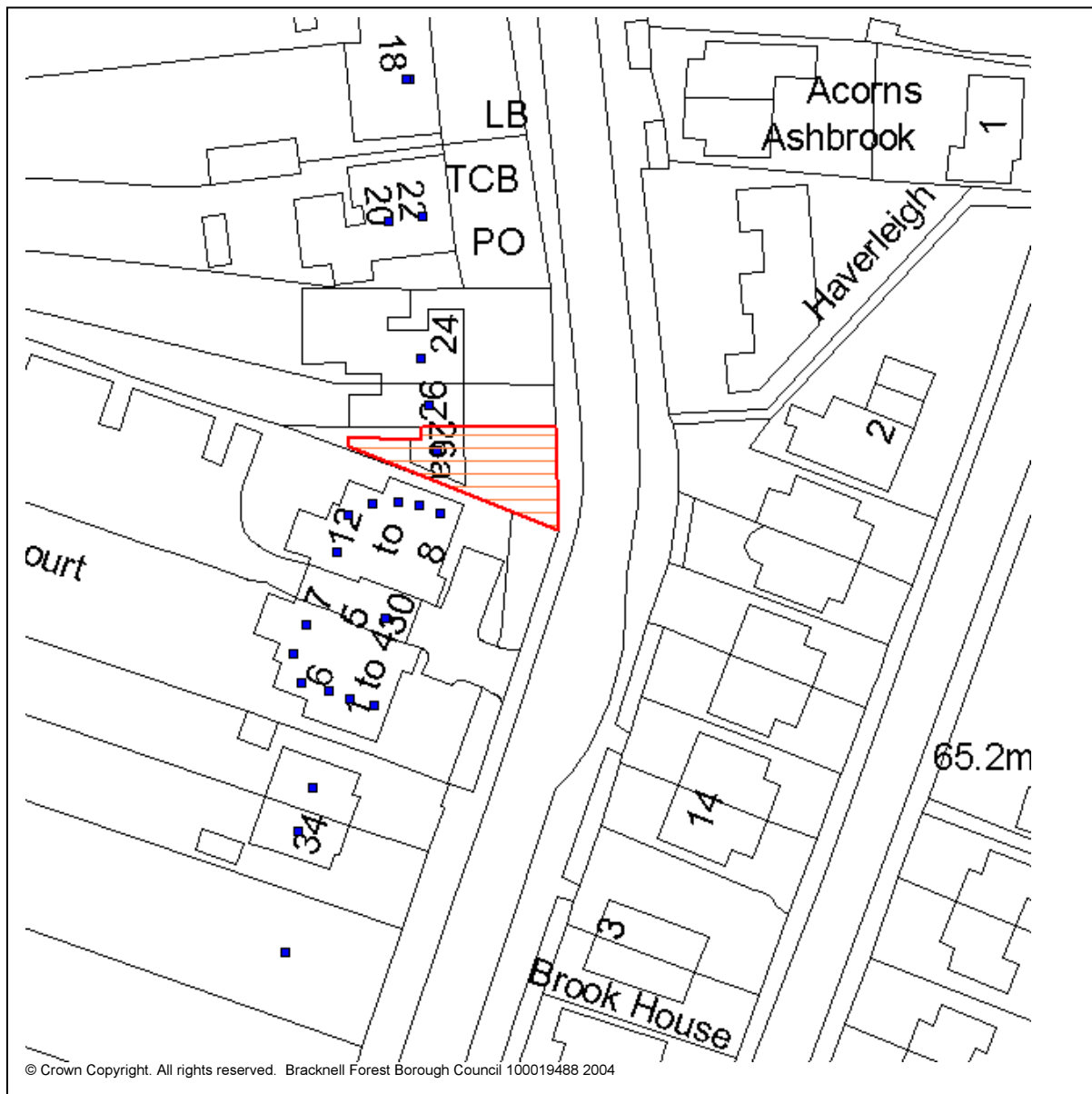
Mr Peter M Salmon

Case Officer:

Michael Ruddock, 01344 352000

environment@bracknell-forest.gov.uk

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



1 RELEVANT PLANNING HISTORY (If Any)

7913 Validation Date: 14.09.1962
Application for one shop and flat at first floor
Refused

8785 Validation Date: 03.09.1963
Application for erection of new shop and flat over.
Refused

11496 Validation Date: 21.07.1966
Application for rebuilding of shop
Approved

03/00710/FUL Validation Date: 15.07.2003
Erection of a three storey building to provide 20no. 2 bedroomed flats, 2no. 1 bedroomed flats and 5 no. retail units with associated car parking and access from New Road, following demolition of existing buildings.
Deemed Refused

04/00026/FUL Validation Date: 08.01.2004
Erection of 17 no. 2 bedroomed and 7 no. 1 bedroomed flats and 5 no shop units with associated parking, access and landscaping following demolition of existing properties.
Refused

11/00785/FUL Validation Date: 14.11.2011
Erection of two storey office building (Class B1) following demolition of existing single storey building (Class A2)
Refused

2 RELEVANT PLANNING POLICIES

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</i>
<i>SEP</i>	<i>South East Plan</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN20	Design Considerations In New Development
BFBLP	M9	Vehicle And Cycle Parking
BFBLP	E4L	Small Businesses
BFBLP	E11	Village Neighbourhood Centres Local Parades
BFBCS	CS7	Design
BFBCS	CS23	Transport

SEP	CC6	Sustainable Comms. & Character of Env.
SEP	T4	Parking
SEP	NRM4	Sustainable Flood Risk Management

3 CONSULTATIONS

(Comments may be abbreviated)

The Environment Agency

No objection.

Transportation Officer

Conditional Approval.

Winkfield Parish Council

Winkfield Parish Council are concerned about parking arrangements, highway access and that access must be maintained for the neighbouring property.

4 REPRESENTATIONS

None received.

5 OFFICER REPORT

This application is reported to the Planning Committee at the request of the Head of Development Management, as the proposal is contrary to Policy E11 of the Bracknell Forest Borough Local Plan.

i) PROPOSAL AND BACKGROUND

The proposed development is for the demolition of a vacant single storey building which was formerly used as a betting office (Class A2) and the erection of a two storey office building (Class B1).

The replacement building would be similar in terms of its position and footprint to the existing building; however it would be 0.4m wider with a width of 6.4m and 0.9m deeper with a depth of 6.8m. It would be situated against the boundary with No.30 and a gap of 1.0m would remain between No.26A and No.26. The replacement building would have a hipped roof, measuring 5.6m in height to the eaves and 8.0m in height to the ridge. It would also incorporate a two-storey gable to its front elevation.

Internally the building would comprise of an open plan office space with a cloakroom on the ground floor. Two off-street parking spaces would be provided to the site frontage, and cycle storage provided to the front and rear of the site. The cycle racks would have a height of 0.83m and a width of 0.8m. A side access would be provided between No.26A and No.26, and the applicant's agent has confirmed in an email dated 30th April 2012 that the applicant would have a right of access over land to the side within the ownership of the neighbouring property, following planning permission being granted.

Application 11/00785/FUL for the erection of a two storey office building (Class B1) following demolition of existing single storey building (Class A2) was refused in January 2012 for the following reasons:

1) *The proposed development would result in a cramped form of development with insufficient space between the proposed and no. 26 New Road. Furthermore its close proximity to no. 26, along with its height and design would be incompatible with the adjacent parade and would appear incongruous when viewed from within the street scene. The proposed development is therefore contrary to Policy CS7 of the Core Strategy DPD, Policy EN20 of the Bracknell Forest Borough Local Plan and Policy CC6 of the South East Plan.*

2) *The proposed development does not comply with the Council's adopted access, servicing and parking standards for commercial units. No bicycle parking and secure storage facilities have been shown as part of the scheme and the width of the proposed building and lack of side access means that it would not be possible to locate such facilities in a manner which would not have a negative impact upon the local highway network. The proposed development is therefore contrary to Policy CS7 of the Core Strategy DPD.*

3) *In the absence of an appropriate Flood Risk Assessment, it has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would not be at risk from flooding or increase the flood risk to people and properties in the site and the surrounding area. As such, the development would be contrary to Planning Policy Statement 25 'Development and Flood Risk'.*

ii) SITE

The property as existing is a single storey flat roofed vacant commercial building located on the western side of New Road. Its previous use was as a betting office (Class A2). The existing building is attached to the end of a two storey 1930's style pair of semi-detached buildings, each with a cat-slide roof. All three properties (No.24, No.26 and No.26A) form a small parade comprising of three ground floor commercial units.

To the north of the site (no. 26) is a semi-detached property which has a commercial unit on the ground floor and residential accommodation above. To the south, the neighbouring property is a two to three storey block comprising of several flats. The site lies within an area defined as a 'Local Parade' by the Bracknell Forest Borough Proposals Map, and is located within Flood Zones 2 and 3. A Flood Risk Assessment has been submitted in support of the application.

iii) PLANNING CONSIDERATIONS

1) Principle of the Development

The site is located within a settlement boundary as defined by the Council's adopted Local Development Plan Proposals Map and also forms part of a designated Local Parade. The development would involve a change of use, as well as an increase in employment floorspace.

BFBLP Policy E11 resists the loss of existing shops including uses which falls under Class A2 (Financial and Professional Services). It states that the change of use of existing shops or the occupation of new premises for non retail use will only be permitted where the proposal:

(i) Would result in a change to uses within use classes A2 (financial and professional services) or A3 (food and drink); and

(ii) Would not adversely affect the standard of local retail provision; and

(iii) Would not adversely affect the amenities of neighbouring residents.

In the construction of the policy, each criterion is followed by the word 'and' which means that all the criteria must be met before an exception could be made to the policy.

The policy goes on to state, in Paragraph 3.102, that 'The change of shops to non-retail uses...will be resisted, in the centres defined in this policy, where this would adversely affect the level and standard of shopping provision. The Borough Council will be particularly concerned about the loss of important local shops, such as the only newsagent, small supermarket, grocers shop or post office available locally.'

The retail survey that is conducted annually shows that the unit at No.26A has been vacant for some time. Prior to becoming vacant the unit was a betting office. It is argued that such a use does not constitute "an important local shop" and would not be essential to the vitality and viability of the Local Parade.

Moreover New Road in general is not showing signs of vitality and viability, which many of the local policies seek to protect. The Local Plan expects that other parades and individual shops will continue to provide for the day to day needs of the locality, for example a grocers or a post office. This is unlikely to be the case at New Road and to perpetuate a use (retail) which market (recession) and other forces (change in shopping habits) do not support may be illogical. There are two other local centres as defined in the Local Plan in this area at Fernbank Road and Warren Row. As New Road is not currently performing as a local centre it is likely that Fernbank Road and Warren Row are performing this role for the neighbourhood.

The proposed development would result in the loss of an A2 unit to B1. However as the unit has been vacant for some time it is not considered that the development would adversely affect the standard of local retail provision. As it is considered that New Road is not performing as a local centre with no signs of vitality and viability, and that local centre functions in this area are being performed by Fernbank Road and Warren Row, it is not considered that the loss of this A2 unit would be unacceptable.

In regard to the creation of additional employment floorspace BFBLP Policy E3 states that within settlement boundaries, but outside defined employment areas and Bracknell Town Centre, development for business, industrial, distribution and storage uses will be permitted except where it would result in inconvenience or danger to the public highway or visual, other environmental or other problems or involve a net increase of floorspace exceeding 500 sq.m or have an adverse effect on the character of the area. Likewise CSDPD Policy CS19 also states that within settlements new employment generating development will only be permitted if there is a net increase of 500sq.m or less and would not give rise to unacceptable impacts.

At present the existing gross internal floorspace of the building is 23 sqm. The proposed development would have an internal floorspace of 73 sq.m, which represents a net increase of only 50 sqm which is significantly below the threshold stipulated in the above policies.

The small scale of the development is also consistent with BFBLP Policy E4 which encourages the provision small scale businesses, particularly within settlement boundaries. It is also noted that the development would involve the redevelopment of a site which has been vacant for some time.

Furthermore although the development would result in a net increase of office (Class B1) floor space, as the net increase is under 100 sqm a Section 106 agreement to secure contributions mitigating against the impact of the development is not required.

The National Planning Policy Framework states that 'When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m).' As the proposed development would have an internal floorspace of 73 sq.m it is not considered that such an assessment is required, and the proposal is not contrary to the National Planning Policy Framework.

It is therefore considered that the proposed change of use of the site is acceptable in principle, subject to no adverse impact on the street scene, amenity of neighbouring occupiers, highway safety, trees etc.

2) Impact on the Character and Appearance of the Area

The application site is a small, flat roofed extension to a 1930's two storey pair of semi detached buildings and therefore has no architectural merit. As a result its demolition would be acceptable. It is proposed to replace the existing structure with a two-storey building with a hipped roof. The eaves height would be greater than No.26 but similar to the flats to the south which also has a front gable feature. Although it would have a more residential appearance than the existing building, as this appearance would be similar to the flats to the south it is not considered that such a building would appear out of keeping with the existing streetscene.

A gap of 1.0 would be provided between the new building and No.26 to the north, and a gap of 1.3m to the property to the south. It is considered that the gaps provided would be sufficient to ensure that the proposed building would read as a separate stand alone, detached building. It is therefore not considered that it would result in a cramped and incongruous form of development when viewed within the street scene, and therefore the first reason for refusal of application no. 11/00785/FUL has been overcome.

Furthermore it is not considered that cycle racks with a height of 0.83m would appear overly prominent in the streetscene.

3) Effect on the Amenities of the Residents of the Neighbouring Properties

The proposed development would not project forward or rear of either of the neighbouring properties, and it is therefore not considered that it would result in an unacceptable loss of light to or unduly overbearing effect on the front or rear of these properties. Furthermore there are no side facing windows in either property that would be affected.

Two windows are proposed in the south facing elevation of the site at first floor level which would face directly towards the neighbouring flats, but not into the rear garden. It

is therefore not considered that the development would result in any unacceptable loss of privacy.

4) Highways Considerations

The proposal would provide two off street parking spaces, which would comply with the parking requirement for the site as set out in the Bracknell Forest Borough Parking Standards. In terms of activity, the levels of the proposal are likely to be comparable or less than the A2 use and therefore it is not considered that any S106 contributions would be required towards improvements to the local highway network. Furthermore due to the size of the proposed building it is not considered necessary to restrict changes within the use class.

The applicant's agent has confirmed that the applicant would have a right of access over land to the side within the ownership of the neighbouring property, following planning permission being granted. A side access would therefore be provided between No.26A and No.26, the ability to access the rear of the site would not be removed and cycle and refuse storage can be provided to the rear. It is therefore considered that the second reason for refusal of application no. 11/00785/FUL has been overcome.

The Highways Officer has raised a concern that the access would be reduced in width, however the applicants agent has confirmed in an email dated 9th May 2012 that the access would not be altered.

Therefore subject to conditions regarding the front access and cycle storage, the Highways Officer is satisfied that the proposed development would not result in an adverse impact on highway safety.

5) Flood Risk

The site as lies within areas of medium and high flood risk (flood zones 2 and 3), and a Flood Risk Assessment should therefore be provided for such a development in this location. A Flood Risk Assessment has been submitted, and the Environment Agency have confirmed that they have no objection to the proposals, as the redevelopment of the site would not pose an unacceptable increase in flood risk than the existing building. Although the Environment Agency advise that the floor levels are lifted 300mm above ground floor level, as the floor levels would be the same as the existing building it is not considered that such a condition is necessary.

It is therefore considered that the third reason for refusal of application no. 11/00785/FUL has been overcome.

CONCLUSIONS

It is considered that the amendments that have been made to the proposal overcome the reasons for the refusal of the previous application. It is not considered that the proposed development would result in an adverse impact on the character and appearance of the area, a detrimental effect on the amenities of the residents of the neighbouring properties or any highway safety issues. 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 received by the Local Planning Authority on 1st May 2012:
784/1 AB
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
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.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: SEP CC6, BFBLP EN20, Core Strategy DPD CS7]
04. 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.
REASON: In the interests of the character of the area.
[Relevant Policies: SEP CC6, BFBLP EN20, Core Strategy DPD CS7]
05. No development shall be occupied until the associated vehicle parking has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: SEP T4, BFBLP M9, Core Strategy DPD CS23]
06. No development shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing.
REASON: In order to ensure bicycle facilities are provided.
[Relevant Policies: SEP T4, BFBLP M9, Core Strategy DPD CS23]

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 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 M9 which seeks satisfactory parking provision for vehicles and cycles.

Policy E4 which seeks to permit development involving a variety and size of buildings for new and small businesses.

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.

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

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.

Guidance contained in the National Planning Policy Framework has been taken into account.

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policies EN20, M9, E4 and E11, CSDPD Policies CS7 and CS23 and SEP Policies CC6, T4 and NRM4. 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 Applicant is advised that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the Applicant's ownership.

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