

Unrestricted Report

ITEM NO: 5

Application No.
11/00878/REM
Site Address:

Ward:
Great Hollands North

Date Registered:
3 January 2012

Target Decision Date:
3 April 2012

Land At Peacock Farm Neighbourhood Centre Peacock Lane Bracknell Berkshire

Proposal:

Submission of details of siting, design, external appearance, access and landscaping for the erection of retail accommodation (506 sq m) with 12no. 2 bedroom and 4no. one bedroom flats above, one flat over garage (FOG) unit and 11 houses with associated parking and servicing space pursuant to outline permission 98/00288/OUT (623523).

Applicant:

Persimmon Homes Ltd., Redrow Homes Ltd.

Agent:

Stride Treglown Limited

Case Officer:

Martin Bourne, 01344 352000

environment@bracknell-forest.gov.uk

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



1 RELEVANT PLANNING HISTORY (If Any)

623523

Validation Date: 09.03.1998

Outline application for new residential neighbourhood (approximately 64 ha) and country park (approximately 37 ha) incorporating dwellings, a primary school, neighbourhood centre, recreation facilities, retained woodland, nature conservation areas, wildlife corridors and play areas. Development of an area of mixed use on land north of Peacock Lane (approximately 5.1 ha) incorporating a public house (including conversion of Peacock Farm buildings) a park and ride site and employment area. Provision of all necessary ancillary services and facilities including structural landscaping, incidental open space, balancing ponds and road, public transport, cycle and pedestrian works including a new junction on Berkshire Way and works to Peacock Lane.

Approved With A Legal Agreement

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	EN2L	Supplementing Tree And Hedgerow Cover
BFBLP	EN3L	Nature Conservation
BFBLP	EN20	Design Considerations In New Development
BFBLP	EN22	Designing For Accessibility
BFBLP	EN25	Noise And Other Pollution
BFBLP	M9	Vehicle And Cycle Parking
BFBLP	PH12	New Housing Development
BFBLP	E5	Hierarchy Of Shopping Centres
BFBCS	CS1	Sustainable Development Principles
BFBCS	CS7	Design
BFBCS	CS14	ThamesBasinHeaths SpecialProtectionArea
BFBCS	CS22	Out of Town Centre Retail Development
BFBCS	CS23	Transport
SEP	CC6	Sustainable Comms. & Character of Env.
SEP	H5	Housing Design and Density

SEP T4 Parking

SEP NRM6 Thames Basins Heaths SPA

3 CONSULTATIONS

(Comments may be abbreviated)

Crime Prevention Design Advisor

The Police are content with the proposed development. Details comments were provided which have been addressed in amended plans or, if too detailed for the planning application stage, relayed to the applicant for incorporating in more detailed design work.

Transportation Officer

Comments incorporated in main report.

Environmental Health and Safety

No objection subject to conditions relating to noise and delivery hours.

Bracknell Town Council

No objection.

Waste & Recycling Manager

The bin storage for the flats and retail are both adequate. Locks will be required on both storage areas so that commercial and residential waste is kept separate.

The houses will all need to have their own bins ideally to be put out the front of the houses at the kerbside. The distance residents must wheel their bins to their collection point/front of property must not exceed 30m and the distance the waste collectors must walk from where the truck stops on the adopted highway to collect the bins must not exceed 25m.

4 REPRESENTATIONS

Twenty-four representations have been received.

Thirteen of these support the application. Additional comments refer to:-

- desirability of shops being provided at earliest opportunity
- it was known that shops would be built from published plans
- need for adequate parking, safe crossing point, controls on delivery hours and size of delivery vehicles
- retail units in keeping with overall character and contribute to feeling that there is a village square at the heart of the community.

Seven objections have been received – 3 of these relate solely to the public house which does not form part of this application. The four objections to the application raise the following concerns:-

- will cause anti-social behaviour
- will lead to additional traffic including delivery lorries and at anti-social hours

- concern over design of flats in relation to nearby housing
- flats will overlook nearby dwellings

The Head Teacher of Jennett's Park Primary School has no objection to the shops but strongly recommends proper consideration of road calming/safety measures.

5 OFFICER REPORT

This application is reported to committee as more than three objections have been received.

(i) PROPOSAL

The application seeks reserved matters approval, pursuant to outline planning permission 98/00288/OUT, covering the details of scale, layout, landscaping, access and appearance for erection of shops and residential accommodation at the Jennett's Park neighbourhood centre.

The proposed development comprises:-

- a three storey building accommodating three shop units facing the neighbourhood square (Tawny Owl Square) with 12no. two bedroom and 4no. one bedroom flats on two floors above with a parking/servicing area (35 parking spaces) behind also accommodating one flat over garage (FOG) unit, accessed from Falcon Way, and
- 11 houses (9no. two storey, three bedroom and 2no. two and a half storey, four bedroom) with associated parking to the east with a separate access from Falcon Way.

The residential density is about 70 dwellings/hectare.

The shops/flats building has a pitched roof with front and rear facing gables and balconies serving the flats. The entrances to the flats are on the side and rear of the building. The shops have full-height windows facing the square.

Bin-storage for the shops and flats, and cycle storage, is provided at ground floor level on the rear of the building facing the parking/servicing area. The FOG unit has a two bedroom flat at first-floor level over 3no. car parts.

Immediately to the east of the FOG is a terrace of 3no. houses separated from 8 further houses by the access into a parking court to the rear accommodating 22 spaces. These houses are two and two and a half storeys in height and are of designs used elsewhere at Jennett's Park. Six of the houses front on to Falcon Way, the remaining five front onto open space at Jennett's Hill.

The application has been amended in the course of its consideration to increase the parking to the rear of the shops/flats.

The application drawings show an indicative layout for the public house site which adjoins the application to the south but the public house is not part of this application.

(ii) SITE

The site is bounded by Sparrowhawk Way to the west which in turn forms the eastern boundary of the neighbourhood square – Tawny Owl Square. The southern half of the proposed shops/flats building will face towards the new community building and the northern half will overlook the square. The site's northern boundary is bounded by

Falcon Way which runs from Tawny Owl Square to the south-eastern corner of the Jennett's Park development where a bus-gate link is to be provided to Ringmead on the north-eastern edge of Great Hollands.

The side of the proposed shops/flats building will face three-storey flats on the junction of Sparrowhawk Way with Falcon Way whilst the FOG and proposed houses fronting Falcon Way will face two-storey terraced and detached houses on the other side of the road.

The site's south-eastern boundary is formed by a footpath/cycleway running along the edge of the Jennett's Hill open space. Land immediately to the south of the application site is reserved for a public house and associated car park.

The site is generally flat and does not contain any trees.

(iii) PLANNING CONSIDERATIONS

(1) Principle of the Development

The principle of development has been established by the grant of outline planning permission 98/00288/OUT (623523). The detailed reserved matters submissions, of which the current submission forms a part, fall to be assessed against national planning guidance, the development plan policies set out above and the Masterplan Design Statement approved in June 2005.

A legal agreement attached to the outline planning permission for the Jennett's Park development requires the construction of the retail accommodation within the neighbourhood centre prior to the construction of 750 dwellings at Jennett's Park. A minimum of 500 square metres of retail are to be provided. The retail floorspace proposed is in accordance with this and is considered to be acceptable in relation to relevant development plan policies.

The Masterplan Design Statement as originally approved showed the application site divided between a site for retail and a site for housing (land parcel H12). An amendment to the Jennett's Park Masterplan subsequently introduced more flexibility providing for the flatted development over the retail as now proposed.

The application is considered to be acceptable in principle with the Masterplan Design Statement as amended.

(2) Transportation Considerations

Access:

The parcel will be accessed via a new road network accessed from the spine road built under phase 2 and 3. The location of the access points to the rear parking courts is acceptable in terms of its position in relation to the junction and provides adequate visibility in both directions.

Looking at the proposed accesses to the site it appears to use the consented access points that were shown as part of the infrastructure road proposals. It should be noted that the current access arrangements need to be altered so that the road level is lower than currently proposed and shown on site.

The width of the accesses to the parking courts is acceptable and will be adequate for the number of parking spaces it serves. Furthermore the service yard behind the shops also serves as a turning area for retail deliveries. The applicant has adequately demonstrated that turning for the likely vehicles to the shops can be accommodated. However the area for turning will need to be surfaced in a contrasting material to the parking areas to help ensure that it remains available at all times for turning, this can be covered by conditions.

Pedestrian access from the parking courts to the buildings have been provided in the appropriate locations. Rear access has also been provided.

Bin collection from properties cannot be made within 25m of the highway to be adopted, but the turning head within the parking court can cater for a refuse vehicle and thus subject to rights of access adequate collection can be made.

Comments have been received from the school about safe crossing of the main road. There are several crossing points from the square and the paths that serve the school align with the crossing points. The area in front of the square has different materials and this highlights the presence of the area and will highlight to drivers they are entering a different section of the road. Furthermore the visibility in both directions along this route is very good and the footways are wide and can cater for larger numbers of pedestrians. I am satisfied that adequate pedestrian facilities are provided in this area.

In terms of pedestrian facilities around the application site there are footways surrounding the site and access to the flats can be gained directly from the highway to be adopted. The properties fronting the local area of play can have direct access from the path to the front as well. There is an access door to the flats which opens over the highway to be adopted, this should either open inwards or be recessed so that it can open outwards. This issue needs to be addressed by an amended submission.

Parking Requirements:

The applicant has provided parking in courts behind. The level of parking falls in line with the master plan for the site and current borough standards. Visitor parking has been indicated in the layout for the properties furthest away from the neighbourhood square. Visitors to the flats are expected to use the square; the demand from the scale of development would be 4 spaces. At the times at when there is peak demand for visitors (evenings and weekends) there is capacity in this area to cater for such demand.

Parking for the retail use has also been provided to cater for expected demand from staff. Parking for users to the facility can be accommodated in the neighbourhood square opposite.

The applicant is required, by condition, to provide exact details of the allocation of the parking to the various uses.

Access paths to the front of properties have been provided from the parking courts and these will help residents gain access to their properties, the parking courts and access paths should be lit for safety. Details of the lighting of these areas should be covered by condition.

Cycle parking can take place in sheds within gardens for the houses and this has been shown on the plans. Plot 6 does not require a shed as it has a store as part of the

design of the building. Plot 12 has a secure store within the car port and this provides adequate storage for cycles and bins. The flats have an internal store; details of this will be required by condition. However it appears that the store does not provide sufficient provision compared to standards. It is advised that alterations to the external bin store may allow a secondary external secure store to be provided to increase provision to a sufficient level. Visitors to the flats and the retail use can use the parking in the square opposite. The retail uses have rear service quarters and this could be used for storing cycles as necessary.

The car ports provided under plot 12 need to be retained appropriately so that they cannot be altered without permission. This may require an additional condition.

Disabled parking has been indicated and there are several spaces adjacent to the turning area that could be used by disabled persons to gain easier access to a vehicle.

All parking courts and access paths need to be adequately lit for safety and this should be covered by condition.

Vehicle Movements / per day:

The site is likely to generate around 160 trips per day without about 10% of this figure occurring in the morning and evening peak hours. Trips associated with the retail use, with the exception of staff, are expected to occur as part of the residential trip as the facility is meant to serve the residents of the development. Furthermore, many trips could be made on foot or by cycle. The applicant has provided an improvement to Peacock Lane as well as proposals for a new junction onto the A329. Contributions towards improving other junctions in the area have also been set out in the original S106 agreement. The proposed road network has previously been tested to establish the capacity requirements of the entire development and it has been demonstrated that the road network can accommodate the increased level of traffic in the area.

(3) Siting and design

The application site lies within Character Area 7 in the Masterplan Design Statement. The identified constraints and opportunities for Character Area 7 are:-

- key frontages onto the 'market square' and onto Jennett's Hill offer natural surveillance to the mixed use area and play facilities;
- 3 and 4 storey buildings are appropriate;
- majority of apartment types are appropriate;
- higher quality buildings picking up the design characteristics of the 'market square';
- densities of between 40-55 dwellings per hectare.

Further advice for the neighbourhood centre states that buildings around the square shall be no less than 5m high to create a sense of enclosure and civic importance (para 6.7). It continues that the shops are in a prominent location and close the view along the village street from the north. The building should be of a high architectural quality to reflect its civic importance at the heart of the neighbourhood. Figure 14 of the Masterplan Design Statement shows the retail unit presenting a gabled frontage to the square with a secure service yard to the rear.

As the scheme involves flats the density of the resulting development (of about 70 dph) is higher than that set out above. It is considered that the flatted element of the proposal is appropriate and in keeping with the three-storey flats built on the other side of Falcon way and on the north side of Tawny Owl Square. If the application site is

considered along with the remainder of Character Area 7 (which includes the 'market square' and the flats to the north) the overall density figure referred to above is not exceeded.

In terms of siting it is considered that the proposed development accords with the above. The shops/flats building is taller than 5m (maximum height 13m) and faces the square helping to provide a degree of enclosure and providing natural surveillance to it and the community building, with its service yard to the rear.

In terms of design it follows the cues contained in the Masterplan Design Statement with a gabled design making it a distinctive building which will help those who do not know the area find their way to the neighbourhood square. It is considered to be a well-designed building which will provide a suitable closure to the view south along Sparrowhawk Way at this point.

The FOG and houses to the east fronting onto Falcon Way are considered to be appropriate in terms of their siting and design given the context provided by houses on the other side of Falcon Way. The houses proposed on the south-eastern edge of the application site will offer natural surveillance to the play facilities at Jennett's Hill as required by the Masterplan Design Statement.

The parking and servicing areas serving the proposal will not be prominent in the streetscene and the associated hard and soft landscaping will break up the parking in visual terms.

Whilst windows in some of the proposed flats and houses will look towards houses on the other side of Falcon Way none of the relationships are considered to be unacceptably unneighbourly.

The location of the access serving the service yard is in accordance with the Masterplan Design Statement. Concerns over disturbance from delivery vehicles are noted. Whilst it is not possible to control the size of such vehicles it is recommended that a condition is imposed to control delivery hours in view of the proximity of residential development to the service yard.

It is not considered that the proposed development is likely to lead to unacceptable levels of anti-social behaviour. As described above the development will provide natural surveillance over adjoining areas and the parking and servicing areas will be lit and are overlooked from adjoining dwellings to reduce the likelihood of crime.

(4) External Appearance

The shops/flat building will have a tiled roof with brick walls with feature aluminium panelling and timber balustrades for the balconies.

The houses would have tiled roofs and brick walls with some render features.

The proposed materials are considered to be acceptable and in keeping with the character of adjoining areas.

(5) Hard and Soft Landscaping

Shrub planting is proposed in front gardens together with tree planting in the parking areas to break up the hard-surfacing in visual terms. The details proposed are considered to be acceptable.

In terms of boundary treatments, tall railings are proposed to separate the parking areas with screen walls and fences bounding back garden areas. These details are considered to be acceptable.

(6) Impact on Thames Basin Heaths Special Protection Area (SPA)

Reserved matters approvals are required to be assessed under Article 6(3) of the Habitats Directive and Regulation 48 of the Habitats Regulations.

Taking into account the avoidance measures provided within the Section 106 Agreement dated 17 May 2004 and the Supplementary Unilateral Undertaking dated 5 June 2007, the Council is able to form the view that there is no risk that this project for which authorisation is sought through the reserved matters application is "likely to have a significant effect" on the SPA on its own. In addition as there is not likely to be any negative impact there is no risk the application will have a significant impact in-combination with other plans or projects.

(v) CONCLUSION

The details contained in this reserved matters application are considered to be acceptable and in line with the approved amended Masterplan Design Statement for the site as it applies to this part of the development. The shops should provide a timely addition to the facilities available at Jennett's Park.

The application is therefore recommended for approval.

6 RECOMMENDATION

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

01. The development hereby approved shall be carried out only in accordance with the following plans:
 - 31668-P-001C: context plan
 - 31668-P-002B: site plan
 - 31668-P-003A: shops/flats – plans
 - 31668-P-004A: shops/flats – elevations
 - 31668-P-006A: house type A
 - 31668-P-007: house type B
 - 31668-P-008B: house type C1
 - 31668-P-009D: house type D
 - 31668-P-016B: house type C2REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
02. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for visitors to the buildings hereby permitted.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street parking which would be a danger to other road users.
[Relevant Plans and Policies: BFBLP M9]
03. The development hereby approved shall not be begun until a scheme for the allocation of spaces to individual dwellings/shops (including appropriate signage/markings) has been submitted to and approved in writing by the Local

Planning Authority. No dwelling/shop unit shall be occupied until the space(s) serving it have been provided in accordance with the approved scheme. The parking shall thereafter be retained.

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]

04. The car ports hereby approved shall be retained for the use of the parking of vehicles at all times and, notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car port, and no gate or door shall be erected to the front of the car port, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is provided with adequate parking to prevent the likelihood of on-street parking which could be a danger to other road users.

[Relevant Policy: BFBLP M9]

05. Notwithstanding the submitted details the development hereby approved shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. No flat shall 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.

REASON: In the interests of accessibility of the development to cyclists.

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

06. 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 serving the parking courts/service yard, including lighting units and levels of illumination. The approved scheme shall be implemented before the first use of these areas and the lighting retained in accordance therewith.

REASON: In the interests of the amenity of the neighbouring property and the character of the area.

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

07. The level of noise emitted from any air ventilation and/or refrigeration plant systems on the premises shall not exceed 41 dB(A) Laeq,t (as measured inside numbers 1-7 (odds) Falcon Way with the windows shut) between the hours of 09:00 am and 7:00 pm on Monday to Fridays and 09:00 am and 2:00 pm on Saturdays and shall not exceed 41 dB(A) Laeq,t at any other time including Sundays and public holidays.

REASON: In the interests of the amenities of the occupiers of the building.

[Relevant Policies: SEP NRM10, BFBLP EN25]

08. The development hereby approved shall not be begun until details of air ventilation systems have been submitted to and approved in writing by the planning authority. The noise level shall not cause the existing background level (as at the date of this permission) to increase whilst in operation. The new air ventilation system shall be installed and operated in accordance with the approved scheme.

REASON: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

[Relevant Policies: SEP NRM10, BFBLP EN25]

09. The development hereby approved shall not be begun until a scheme for limiting the transmission of noise between each residential unit of accommodation and/or any other part of the building, which is not exclusively used as a unit of accommodation, has been submitted to and approved in writing by the Local Planning Authority. No residential unit hereby permitted shall be occupied until all works that form part of the approved scheme have been completed.

REASON: In the interests of the amenities of future occupiers of the premises.

[Relevant Policies: SEP NRM10, BFBLP EN25]

10. No deliveries shall be taken at or dispatched from the site outside the hours of 08:00 am-6:00 pm Mondays-Saturdays nor at any time on Sundays or public holidays.

REASON: In the interests of the amenities of the occupiers of nearby residential premises.

[Relevant Policies: SEP NRM5, BFBLP EN25]

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:

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.

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

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.

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

Bracknell Forest Core Strategy

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.

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

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

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.

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

T4 – which seeks an appropriate level of parking.

NRM6 – which requires new residential development which is likely to have a significant effect on the ecological integrity of Thames Basin Heaths Special Protection Area (SPA) to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.

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

NPPF.

The following material considerations have been taken into account.

Third party representations were received on grounds that the proposed development will cause anti-social behaviour, will lead to additional traffic including delivery lorries and at anti-social hours, will be out of keeping and will lead to overlooking of nearby dwellings. The view was also expressed that there needed to be a safe crossing point.

These comments have been taken into consideration, however it is not considered that the proposal would lead to anti-social behaviour (in this context it is noted that the scheme has been amended in the light of comments from the Police Crime Prevention Design Officer), lead to unacceptable disturbance from delivery vehicles (a condition is imposed to control times of deliveries) or lead to unacceptable overlooking. The design of the buildings is considered to be appropriate and in accordance with the Masterplan Design Statement. With regard to a safe crossing the Highways Officer has confirmed that adequate pedestrian facilities are provided in this area.

The proposal is considered to comply with the policies listed above. The proposal will not unacceptably affect the character of the area or the living conditions of nearby residents. The impact of the development upon local infrastructure and the Thames Basin Heaths SPA has been satisfactorily mitigated by s106 agreements linked to the wider Jennett's Park development. The details are considered to comply with the approved Peacock Farm Masterplan Design Statement. The application is therefore approved.

Informative(s):

01. For the purposes of condition 07 all measurements and units of measurement should be in accordance with the relevant British Standard.
02. With regard to condition 09 the sound insulation should have regard to advice and standards contained in the Building Regulations.

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