

**PLANNING COMMITTEE
29 MAY 2014
7.30 - 9.50 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, Blatchford, Ms Brown, Davison, Finch, Finnie, Gbadebo, Heydon, Kensall, Leake, Virgo and Worrall

Apologies for Absence were received from:

Councillors Mrs Barnard, Mrs Phillips and Thompson.

The Committee noted that Councillor Kendall appeared in the membership list on the front of the agenda however he was no longer a member of the Committee.

123. Minutes

RESOLVED that the minutes of the Committee held on 24 April and 14 May 2014 be agreed as a correct record and signed by the Chairman.

124. Declarations of Interest

There were no declarations of interest.

125. Urgent Items of Business

There were no items of urgent business.

126. Application 14/00111/FUL 7-11 Crown Row, Bracknell

Erection of a first floor rear extension, change of use from offices to 4no. self contained flats (3no 2-bed and 1no 3-bed) and erection of bin store and cycle store.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Bracknell Town Council.

Upon being put to the vote it was **RESOLVED** that **following the completion of planning obligations under Section 106** of the Town and Country Planning Act 1990 relating to:-

01. Open space and recreation.
02. Thames Basin Heath SPA.

That the Head of Development Management be authorised to **APPROVE** the application 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 plans:

- Drg No 12/311/02 Rev D received by LPA 27.03.2014

- Drg No 12/311/11 received by LPA 27.03.2014

- Drg No 12/311/11 received by LPA 27.03.2014

- Drg No 12/311/05 Rev A received by LPA 27.03.2014

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03.No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing and shall be retained as such thereafter.

REASON: In order to ensure bicycle facilities are provided.

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

04.No dwelling shall be occupied until the privacy screen on the balcony has been constructed in accordance with the approved plans Drg no 12/311/02 D and these screens shall be retained as such.

REASON: To prevent the loss of privacy to 'bedroom 3' of the 3 bedroomed unit.

[Relevant Policies: BFBLP EN20]

05.No dwelling shall be occupied until the privacy screen on the stairwell has been constructed in accordance with details to be submitted and approved in writing by the Local planning Authority. The approved screens shall be retained as such.

REASON: To prevent the loss of privacy to 'bedroom 3' of the 3 bedroomed unit.

[Relevant Policies: BFBLP EN20]

In the event of the S106 planning obligation(s) not being completed by 31st July 2014

the Head of Development Management be authorised to **REFUSE** the application on the grounds of:-

01.The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).

02.The proposed development would unacceptably increase the pressure on public open space. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards open space the proposal is contrary to Policies CC7 of the South East Plan, Policies R5 of the Bracknell Forest Borough Local Plan and CS6 and CS8 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).

127. **Application 14/00148/FUL 26 Lochinver, Bracknell**

Erection of a two storey rear extension.

The Committee noted:

- The comments of Bracknell Town Council.
- One letter of objection which raised concerns around the proposed development resulting in overlooking, being overbearing and out of character with the area.

Upon being put to the vote it was **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.

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 13 March 2014:

site plan

drawing FFP5

drawing GFP 4

drawing HSE 3

drawing RE 1

drawing RP 6

drawing SE 2

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be similar in appearance to those of the existing building.

REASON: In the interests of the visual amenities of the area.

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

04. 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 at first floor level or above in the side (west) elevations of the extension hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighboring properties.

[Relevant Policies: BFBLP EN20]

128. **Application 14/00159/FUL 42 Ardingly, Bracknell**

Erection of a single storey side extension and part single/part two storey rear extension and garage conversion to provide habitable accommodation.

The Committee noted:

- The comments of Bracknell Town Council.

Upon being put to the vote it was **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.

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 10th April 2014

FL1259-2.A

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03.The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.

REASON: In the interests of the visual amenities of the area.

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

04.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 at first floor level or above in the north east or south west facing side elevations of the extension hereby permitted except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

05.No development shall be occupied until the associated vehicle parking has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority which should include construction and drainage details. The spaces 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: BFBLP M9, Core Strategy DPD CS23]

129. **Application 14/00248/FUL The Lodge, Kings Ride, Ascot**

Erection of single storey garden room.

A site visit was held on Saturday 24 May 2014 which had been attended by Councillors Angell, Mrs Angell, Ms Brown, Brossard, Davison, Dudley, Gbadebo, Mrs Hayes, Heydon and Virgo.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Winkfield Parish Council

The Chairman reminded members that the site was in the Green Belt and an Inspector had dismissed a previous appeal for a conservatory on this property, if the

Committee were minded to grant planning permission then it would be necessary to show the very special circumstances of this application.

In debate it was contested that notwithstanding the earlier appeal decision in relation to a conservatory the proposed garden room was more in keeping with the existing building and it would result in a small addition to the existing building that would improve living standards for the occupants. Whilst it was acknowledged the original building had been extended substantially, given the small size of this garden room and its location out of any public view it was argued that it would not harm or impact the openness of the Green Belt. It was noted that a number of extensions had previously been added to the building. It was also proposed that the property should not be subject to any further permitted development rights in respect of extensions or outbuildings. This reasoning amounts to the very special circumstances upon which the Committee reached its decision.

A minority of Members felt that the application should be considered on the basis of the cumulative extensions to this property. These members argued that the Committee should consider the cumulative extensions rather than this extension on its own and as such it would be detrimental to the openness of the Green Belt, creating a disproportionate bulk to the building and leading to an undesirable urbanising effect.

A motion to approve the recommendations of the Head of Development Management as set out in the report and on the supplementary report was moved and seconded and a recorded vote was requested. On being put to the meeting the voting on the motion was as follows:

For (5) Councillor Brossard, Davison, Dudley, Finch and Worrall

Against (10) Councillors Angell, Mrs Angell, Blatchford, Ms Brown, Finnie, Gbadebo, Heydon, Kensall, Leake and Virgo.

The motion was therefore lost.

An alternative motion was moved and seconded, with the matters raised in support during the debate being put forward as the 'very special circumstances' for departing from Green Belt policy, on being put to the vote it was **RESOLVED** that the application be **APPROVED** subject to the following conditions (and any other conditions deemed appropriate):

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 17th March 2014:

2269 TP/1

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. 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.

REASON: The site is located within the designated Green Belt where strict controls over the form, scale and nature of development apply.
[Relevant Policies: BFBLP GB1]

130. **Application 14/00298/FUL 4 Bedfordshire Down, Warfield, Bracknell**

Erection of part, two storey side and part, first floor side extension and single storey side extension and single storey rear extension forming conservatory.

A site visit was held on Saturday 24 May 2014 which had been attended by Councillors Angell, Mrs Angell, Ms Brown, Brossard, Davison, Dudley, Gbadebo, Heydon and Virgo.

This application was withdrawn by the applicant.

131. **Application 14/0031/FUL 5 Ramsbury Close, Bracknell**

Change of use from residential house to children's home.

A site visit was held on Saturday 24 May 2014 which had been attended by Councillors Angell, Mrs Angell, Ms Brown, Brossard, Davison, Dudley, Gbadebo, Heydon and Virgo.

The Committee noted:

- The comments of Bracknell Town Council.
- Six letters of objection raising concerns that the proposed development would substantially change the character of the road. There were also concerns around additional traffic, parking, noise and disturbance.

Members sympathised with residents and understood their concerns however felt that the change of use would regulate the use of the building and introduce conditions of use.

Upon being put to the vote it was **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.

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 10th April 2014:

Site Location Plan received 31.03.14

Ground Floor Plan received 31.03.14

First Floor Plan received 31.03.14

Planning Statement received 08.04.14

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. The premises shall be used for purposes as a children's residential care home only and for no other purpose (including any other purpose in the same Use Class of the Schedule to the Town & Country Planning (Use Classes Order

1987) (as amended), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

REASON: In order to enable the local planning authority to control non-residential uses in this predominantly residential area.

[Relevant Policies: BFBLP Saved Policy EN20; Core Strategy DPD CS7]

04. The use of the premises as a children's residential care home shall be limited to a maximum of four children (ages 10-18) in residence at the premises at any one time.

REASON: in the interests of neighbour amenity and the amenity of the area.

[Relevant Policies: BFBLP H3, EN20; Core Strategy DPD CS7]

05. The premises shall be not be occupied as a children's residential care home until a car parking and turning plan has been submitted to and approved in writing by the Local Planning Authority. The spaces 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: BFBLP Saved Policy M9, Core Strategy DPD Policy CS23 and Parking Standards SPD]

06. The garage accommodation shall be retained for the use of the parking of vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met

[Relevant Policy: BFBLP Saved Policy M9 and Parking Standards SPD]

132. **Date of Next Meeting**

19 June 2014.

CHAIRMAN