

**PLANNING COMMITTEE
18 DECEMBER 2014
7.30 - 10.55 PM**



Present:

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

Apologies for absence were received from:

Councillors Mrs Barnard and Virgo

Also Present:

Councillors Mrs Hayes and Turrell.

71. Minutes

RESOLVED that the minutes of the Committee held on 13 November 2014 be agreed and signed by the Chairman.

72. Declarations of Interest

Councillor Thompson declared an interest in agenda item 7, 5 Cooke Rise, Warfield, Bracknell and stated that he would be withdrawing from the meeting for this item.

Councillors Birch, Blatchford, Brossard, Finnie and Thompson declared an interest in agenda item 9, 117 College Road, College Town, Sandhurst and declared that they would be withdrawing from the meeting for this item.

Councillor Ms Brown declared an interest in agenda item 12, Confirmation of Tree Preservation Order 1171 – Land at the Brackens, London Road, Ascot, SL5 8BE, as an employee at the Brackens.

73. Urgent Items of Business

There were no urgent items of business.

74. PS Application 13/01035/FUL Land Adjacent to Hayley Green Farm, Hayley Green, Warfield

A site visit was held on Saturday 13 December 2014 which was attended by Councillors Mrs Angell, Birch, Blatchford, Ms Brown, Brossard, Davison, Dudley, Gbadebo, Heydon, Mrs Phillips and Thompson.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Warfield Parish Council
- 21 letters of objection raising concerns around the proposed development:

- detracting from the character of the countryside and the green belt and having a dominating, commercial, urbanising impact
- the site being an unsuitable location
- the bulk and mass of the proposed development being too big, oversized and unattractive
- there would be a loss of light and privacy to neighbouring properties as well as noise and light pollution
- increased traffic having a detrimental impact on highway safety and car parking screening being inadequate.

In addition, 120 letters of support have been received; approximately 6.5% came from residents within the borough, 9% from abroad and the remainder from elsewhere in the UK. These letters relate to there not being enough opportunities within the UK for curling and support the promotion of the sport.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speakers Mr Kirby raising objections to the proposed development and Dr Hinds, the applicant.

Members expressed concern around the proposed development leading to increased activity in a location that was not sustainable. Members were also concerned that additional parking and increased levels of activity would have a detrimental impact on the open and rural character of the area. Noise and light pollution were also a concern to Members as well as the number of traffic movements generated by the Curling rink on a daily basis.

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. On being put to the vote the motion was **LOST**.

An alternative motion to **REFUSE** the application was moved and seconded. On being put to the vote the motion was **CARRIED**.

It was **RESOLVED** that the application be **REFUSED** for the following reasons:

- 01 The proposed extension, additional car parking and increased levels of activity associated with the proposed use would have a detrimental impact upon the open and rural character of the area. The development is therefore contrary to Policy CS9 of the Core Strategy Development Plan Document, 'Saved' Policies EN8 and EN9 of the Bracknell Forest Borough Local Plan and the NPPF.
- 02 The proposal is not sited in a sustainable location and as such would result in an increase in traffic movements which would be generated to and from the site. This would lead to an increase in vehicles on Bracknell Road to the detriment of highway safety. The proposed development would therefore be contrary to Policy CS23 of the Core Strategy Development Plan Document and 'Saved' Policy M4 of the Bracknell Forest Borough Local Plan.
- 03 The use of the proposed access point which is in close proximity to the access for Meadowbrook Montessori Primary School would adversely affect road safety and the flow of traffic. The proposal would therefore be contrary to Policy CS23 of the Core Strategy Development Plan Document.

- 04 The proposed curling rink use, plant equipment and car parking area by reason of its siting and proximity to the boundary with neighbouring properties would result in an unacceptable level of noise and disturbance to the detriment of the living conditions of neighbouring properties. The proposed development would therefore be contrary to Policy EN20 and EN25 of the Bracknell Forest Borough Local Plan.

75. **Application 14/00797/FUL Land at rear of 10 to 12 Branksome Hill Road, College Town**

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Sandhurst Town Council.
- Six letters of objection which raised concerns around the proposed development leading to a loss of privacy and light to neighbouring properties. Concerns around drainage and flooding, inadequate car parking and the proposed development being too large and out of keeping with neighbouring properties.

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

01. SPA.
Dedication of a 2m wide continuous footway between 12 and 14 Davis Gardens.

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 02A received by LPA 01.10.2014
Drg no 03A received by LPA 01.10.2014
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 Plans and Policies: BFBLP EN20, CSDPD CS7]
04. The development shall not be begun until a Sustainability Statement demonstrating how the development meets current best practice standards in the sustainable use of natural resources has been submitted to and approved in writing by the Local Planning Authority. The Statement

shall include either a Design Stage Report and BRE Interim Certificate or a pre-assessment estimator carried out by an independent assessor licensed by the Building Research Establishment demonstrating that the development meets a minimum standard of Level 3 of the Code for Sustainable Homes. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith.

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS10]

05. Within one month of the first occupation of the development hereby permitted (or, where the development is phased, within one month of the first occupation of the final phase of that development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of level 3 of the Code for Sustainable Homes.

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS10]

06. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

REASON: In the interests of the sustainability and the efficient use of resources.

[Relevant Plans and Policies: CSDPD Policy CS12]

07. The slab level of the dwelling shall be constructed in accordance with the approved drawing no 03A received by LPA 01.10.2014.

REASON: In the interests of the character of the area.

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

08. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1)

'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed in the north elevation of the dwelling hereby permitted except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

10. The first floor window in the north elevation the en-suite of the dwelling shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) to a height of 1.7m from floor level. The windows shall at all times be fixed to a height of 1.7m from floor level.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

11. The boundary treatment shall be erected in the locations shown on approved drawing 03 received by LPA 09.07.2014. The approved scheme shall be implemented in full before the occupation of the dwelling approved in this permission and retained thereafter.

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]

12. 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 M9]

13. The dwelling shall not be occupied until visibility splays of 2.0 metres by 2.0 metres to the north have been provided at the junction of the driveway and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

14. The dwelling hereby approved shall not be occupied until the associated vehicle parking or vehicle parking and turning space [delete as appropriate] has been surfaced and marked 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: BFBLP M9, Core Strategy DPD CS23]

15. The development hereby permitted shall not be begun until a drainage design in accordance with the Flood Risk assessment dated September 2014 has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: The site is within the identified Area Liable to Flood where strict control over development is required by the policies of the Development Plan.

In the event of the S106 planning obligation(s) not being completed by 30th January 2015

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).

76. **Application 14/00969/FUL 5 Cooke Rise, Warfield, Bracknell**

Councillor Thompson declared an interest and stated that he would be withdrawing from the meeting for this item.

A site visit was held on Saturday 13 December 2014 which was attended by Councillors Blatchford, Ms Brown, Brossard, Davison, Dudley, Gbadebo, Mrs Phillips and Thompson.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Warfield Parish Council
- Two letters of support from neighbouring properties.

Upon being put to the vote it was **RESOLVED** that the application be **APPROVED** subject to the following conditions:-

01. The development is permitted in accordance with the following plans: WIL_002, received on 01 September 2014

REASON: To ensure that the development is in accordance with the approved plans received by the Local Planning Authority.

02. Within 2 months of this permission a scheme depicting soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive). As a minimum, the quality of all 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.

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

[Relevant Policies: BSP DP5, BFBLP EN2 and EN20, CSDPD CS7]

03. The area for soft landscaping approved under condition 2 shall thereafter be retained as such and shall not be used for any other purpose.

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

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

77. **Application 14/00994/FUL 6 Higher Alham, Bracknell**

A site visit was held on Saturday 13 December 2014 which was attended by Councillors Blatchford, Ms Brown, Brossard, Davison, Dudley, Gbadebo, Heydon, Mrs Phillips and Thompson.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Bracknell Town Council
- Four letters of objection and one letter of representation which raised concerns around the proposed development resulting in a loss of amenity and privacy to neighbouring properties. Exacerbation of existing parking problems and that the proposed development would be an overdevelopment.

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 6th November 2014:

Proposed Layout with Parking (Rev 2)
Proposed Elevations (Rev 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 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 facing side elevation 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. The areas for parking shown on the approved layout, including that within the garage, 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, and to ensure that the extension could not be converted to a separate dwelling.

[Relevant Policy: Core Strategy DPD CS23, BFBLP M9, Parking Standards SPD]

78. Application 14/01043/FUL 117 College Road, College Town, Sandhurst

Councillors Birch, Blatchford, Brossard, Finnie and Thompson declared an interest and declared that they would be withdrawing from the meeting for this item.

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Sandhurst Town Council
- Three letters of objection raising concerns around the proposed development leading to the exacerbation of existing parking problems and other access problems as well as increased noise. A letter of support was also noted.

Members expressed concern around the increase in vehicular traffic that would arise as a result of the proposed development and the detrimental impact that this would have on other users of the highway and the bus route.

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. On being put to the vote the motion was **LOST**.

An alternative motion to **REFUSE** the application was moved and seconded. On being put to the vote the motion was **CARRIED**.

It was **RESOLVED** that the application be **REFUSED** for the following reasons:

01. Increasing the number of children from 39 to 45 between the hours of 09.15 and 16.00 will result in an increase in vehicular traffic caused by the coming and going of parents dropping off and collecting children. As a result of the increase in activity and the limited on-site parking available the proposal will result in additional roadside parking which is not compatible with the amenities of the occupiers of adjoining residential properties and will have a detrimental impact on other users of the highway on this bus route. Increasing the number of children extends the problems associated with the use and therefore does not comply with the aims and objective of Bracknell Forest Borough Local Plan 'Saved' Policies E4 and M9.

02. The increase in number of children on site would create additional noise, nuisance and disturbance to the detriment of the living conditions of the occupants of the neighbouring dwellings. The proposals would therefore be contrary to 'Saved' Policies EN20 and EN25 of the Bracknell Forest Borough Local Plan.

79. **Application 14/01126/FUL Land at Peacock Farm Neighbourhood Centre, Peacock Lane, Bracknell**

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 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_001 Rev C Context & Site Location Plan
 - 31668_P_002 Rev C Site Plan
 - 31668_P_003 Rev B Retail Apartments Floor Plans
 - 31668_P_004 Rev C Retail Apartments Elevations
 - 31668_P_006 Rev B House Type A
 - 31668_P_007 House Type B
 - 31668_P_008 Rev B House Type C1
 - 31668_P_009 Rev B House Type D
 - 31668_P_015 Rev B Roof Plan
 - 31668_P_016 Rev B House Type C2
 - 31668_LP(90)001 Rev B Landscape General Arrangement
 - 31668_LP(90)002 Rev B Planting Plan
 - 31668_LP(90)003 Rev B Site Fencing Styles
- REASON: 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: 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.
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 dwelling shall be occupied until the approved scheme has been implemented. The facilities shall be retained.
REASON: In the interests of accessibility of the development to cyclists.

[Relevant Policies: 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: 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: 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: BFBLP EN25]

10. No deliveries shall be taken at or dispatched from the site outside the hours of 7.00 am - 6.00 pm Mondays to Saturdays and 08.00 am - 6.00 pm on Sundays or at any time on public holidays.

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

[Relevant Policies: BFBLP EN25]

11. The development hereby approved shall not be begun until all outstanding details of external materials 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 Plans and Policies: BFBLP EN20, CSDPD CS7]

80. Application 14/01168/PAC Guildgate House, High Street, Crowthorne

The Committee noted:

- The supplementary report of the Head of Development Management tabled at the meeting.
- The comments of Crowthorne Parish Council
- One letter of objection received raising concerns around the proposed development leading to increased traffic, difficulties and issues with parking and access to bin stores.

Upon being put to the vote it was RESOLVED that Prior Approval was required and Prior Approval be granted. The proposal therefore complied with Class J of the Town and Country Planning (General Permitted Development) Order (as amended).

81. Confirmation of Tree Preservation Order (TPO) 1171 - Land at the Brackens, London Road, Ascot, SL5 8BE - 2014

Councillor Ms Brown declared an interest as an employee at the Brackens.

The Committee considered a report that asked them to approve the confirmation of this tree preservation order.

Upon being put to the vote it was **RESOLVED** that Tree Preservation Order 1171 – Land at the Brackens, London Road, Ascot, SL5 8BE – 2014, as amended, be approved.

CHAIRMAN