Correspondence received and matters arising following preparation of the agenda.

Item No: 5
09/00692/FUL
Buckhurst Moors Moor Lane Binfield Bracknell Berkshire

ISSUE DATE 16 FEBRUARY 2010

Additional Information

Relevant Planning History (Page 10)

Insert the following relevant planning application which relates to the appeal decision

07/00473/FUL  Validation Date: 15.05.2007
Retrospective application for Change of Use of Units 3, 4, 13 and 18 to B2 and B8 uses and associated vehicular parking and manoeuvring areas.
Deemed Refused

Proposal & Background (Page 12)

Paragraph 5 makes reference to the applicant's wishes to store two helicopters currently stored with the applicant's front garden - these currently benefit from a Lawful Development Certificate allowing external storage on the front garden of the applicant's house. (ref: 06/00516/LDC).

Given the areas designation as countryside in the local plan it was considered reasonable to restrict the activity so that it was more akin to a hobby as applied for and therefore reasonable to impose a condition restricting the use of the workshop for assembly and storage of no more than 1 helicopter (Condition 03). It was considered that to allow any greater activity could not be reasonably described as a hobby. In any case the condition imposed does provide some flexibility should the applicant wish to apply to vary it in the future.

Amendment to Recommendation

Condition 01 and 03 (page 18) – Amend the start of each condition to read …The use of Building 20…

ISSUE DATE 18 FEBRUARY 2010

Amendment to Recommendation

Due to an administrative error this application was not formally advertised in the local press as a departure from policy. The application will be advertised in next weeks local press however a period of 21 days needs to elapse before a decision can be issued. It is therefore recommended that the decision be delegated to the Head of Development Management to issue a Decision after 21 days has expired.
Item No: 6
09/00738/FUL
Buckhurst Moors Moor Lane Binfield Bracknell Berkshire

ISSUE DATE 16 FEBRUARY 2010

Additional Information

Relevant Planning History (Page 22)

Insert the following relevant planning application which relates to the appeal decision

07/00473/FUL Validation Date: 15.05.2007
Retrospective application for Change of Use of Units 3, 4, 13 and 18 to B2 and B8 uses and associated vehicular parking and manoeuvring areas.
Deemed Refused

Amendment to Conclusion paragraph 3 (page 28)

Insert ‘4’ to read …(i) cessation of Unit 4….

Amend (ii) to read ….ii) not to use the 4 car parking spaces for parking ancillary to the use of Unit 4 (shown cross-hatched on the s106 Plan) and part of Unit 3 for B2 and/or B8 uses (shown as green on the s106 Plan).

Amendment to Recommendation

Condition 01 - Insert the following drawing references. (page 28)

Scale 1:2500 Site Location Plan
Scale 1:500 Parking Layout Plan

Additional condition

05. No occupation of units 7, 8 and 9 shall take place until details of a scheme to provide a suitable private fire hydrant or other suitable emergency water supply has been submitted to and approved in writing by the Local Planning Authority. All works that form part of the approved scheme shall be carried out before any part thereof is occupied.
REASON: In order to meet the Royal Berkshire Fire and Rescue Service requirements and safeguard future occupants of the site.

Alternative recommendation:

The following alternative recommendation needs to be inserted at the end of page 30 in the event a S106 is not been completed by 02 March 2010.

In the event of the S106 planning obligation(s) not being completed by 02 March 2010 the Head of Development Management be authorised to REFUSE the application on the grounds of:-

The proposed change of use would be unacceptable in the absence of a legal obligation to secure the cessation of the use of unit 4 and part of unit 3 and its ancillary parking for B2/B8 use. It would unacceptably affect the character, appearance and function of the land and would result in more than 500sq m of B2/B8 floorspace and increase traffic generation for which financial contributions would be sought. The proposal would therefore be contrary to Policies EN8, EN9, EN25 and E4 of the Bracknell Forest Borough Local Plan and CS1, CS9 and CS19 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).

ISSUE DATE 18 February 2010
Amendment to Conclusion paragraph 4 (page 28) and Supplementary Report Issued
16.02.10
Amend the wording of (i) to read as follows: …(i) cessation of the use of Unit 4….

Item No: 7
09/00794/FUL
81 New Road Ascot Berkshire SL5 8PZ

ISSUE DATE 16 FEBRUARY 2010

Additional Information

The Highways Officer has made the following additional comments 04/02/10:

If the bushes to the frontage were removed, cars parked on the road would still reduce visibility and if the car were reversing out, which is likely as a lot of the time vehicles parking on road would make it difficult to reverse into the space then the rear of the car could be in the road when the drivers gets a view along the road.

In respect of the size of the dropped crossing, I would suggest that no more than 4 dropped kerbs are likely to be provided and it may be that 3 (2.7m) are provided as this correlates more to the width of the concrete slab, there would of course be the taper kerbs on either side of this provision. At present the applicant shows 5 dropped kerbs and if the application were to be approved at committee then I would suggest a condition requiring details of the access to be submitted needs to be included, this condition would include the dropped kerbs and the cross section of construction.

ISSUE DATE 18 FEBRUARY 2010

Correspondence received

Councillor Berry of Winkfield Parish Council made the following comments on 17/02/10:

'As a Winkfield Parish Councillor I supported a resolution on 26th January 2010 which was supportive of this application subject to satisfactory construction, based on the information available to me at the time, assuming there was no possibility of alternative vehicle access to the site.

I have been informed in the last 24 hours, that there is already established vehicle access to the rear of the site from Kennel Ride in the Royal Borough of Windsor and Maidenhead. I would like to make it clear that my personal opinion is that, had I been aware of this fact at the time, I would not have supported the proposal. In the light of the new information I consider a refusal of planning consent would be more appropriate.

The main factor in supporting the resolution in January was the assumption that enabling access from New Road would diminish the congestion in the area of 81 New Road and the nearby shopping facility. However if access is currently available from Kennel Ride, to grant additional access from New Road would merely favour the diversion of traffic from Kennel Ride to New Road leading to increased congestion in New Road.

I see no problem with the existing pedestrian access from New Road'.

Graham Brewster, Highway's Development Control Team Leader, Royal Borough of Windsor and Maidenhead, provided the following comments on 18/02/10:

I write in support of the recommendation from your Highway Officer that the application be refused. Firstly there is a general presumption against the formation of new access points onto the classified highway network. Where necessary to enable development, they should
be designed to the highest standard, and your highway officer has presented you with his technical appraisal of the new access which he considers as follows:

“The proposal will create a dangerous and unnecessary vehicular access onto New Road which could lead to conflict to the detriment of road safety.”

In this instance the property already benefits from vehicular access from Kennel Ride, an adopted public highway within the control of The Royal Borough of Windsor and Maidenhead. This access serves a large garage and a forecourt that provide ample parking to serve a property of this nature. This application, which I note is retrospective, seeks to provide what is considered to be an unsafe access to the front of the dwelling, when adequate provision already exists. In addition to the comments put forward by your highway officer I would also ask that you consider whether the application results in an over-provision of parking for the site.

With regard to the hard standing formed to the New Road frontage, if this exceeds 5sqm then unless the applicant can demonstrate that it is impermeable in its construction, that it would require a planning consent in its own right.

[OFFICER COMMENT - It is noted that the last point made by Graham Brewster is not entirely accurate. The comments on the need for planning permission for the hardstanding laid made in the main body of the committee report still stand.]

---

Item No: 8
10/00010/FUL
Wyevale Garden Centre Forest Road Binfield Bracknell Berkshire RG42 4HA

ISSUE DATE 16 FEBRUARY 2010

Additional Information

The Transportation Officer recommends that this application is refused.

The proposed development is a separate use within the garden centre car park and it will result in the loss of parking spaces serving the garden centre. The Transportation Officer says around 15 parking spaces will be removed and he considers this could cause operational difficulties during peak times.

The Transportation Officer says no information has been provided about daily activity but the facility could easily operate as a valet facility and lead to a considerable amount of independent traffic coming to the site. This could result in more parking being removed from the garden centre use and could also lead to congestion in the car park near to the access.

Amendment to Recommendation

Additional reasons for refusal:

02. The proposal reduces the available parking on site dedicated to the existing use of the site and it has not been sufficiently demonstrated that adequate parking will be maintained. The lack of adequate parking would be likely to encourage on-street parking and therefore have a detrimental impact upon road safety and the flow of traffic. The proposed development would therefore be contrary to Policy T4 of the South East Plan, Policy M9 of the Bracknell Forest Borough Local Plan, Policy CS23 of the Core Strategy Development Plan Document and Bracknell Forest Borough Parking Standards (Supplementary Planning Document approved July 2007).

03. The applicant has not sufficiently demonstrated the level of traffic generated by such a facility would not be detrimental to the safe operation of the site. The proposed development
would therefore be contrary to M4 of the Bracknell Forest Borough Local Plan and Policy CS23 of the Core Strategy Development Plan Document.

04. It has not been demonstrated that the proposed development would not unacceptably increase the pressure on highways and transportation infrastructure. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures the proposal is contrary to Policy CC7 of the South East Plan, Policy M4 of the Bracknell Forest Borough Local Plan and CS24 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).