

Date Published: 16 December 2021



PLANNING COMMITTEE

16 DECEMBER 2021

SUPPLEMENTARY PAPERS

TO: ALL MEMBERS OF THE PLANNING COMMITTEE

The following papers have been added to the agenda for the above meeting.

These were not available for publication with the rest of the agenda.

Kevin Gibbs
Executive Director: Delivery

Page No

Planning Applications

(Head of Development Management)

**The conditions for public speaking have been met in the applications marked 'PS'.
For further information or to register for public speaking, please contact Customer
Services 01344 352000.**

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Agenda Annex

BRACKNELL FOREST BOROUGH COUNCIL
ADVISORY PLANNING COMMITTEE
16th December 2021
SUPPLEMENTARY REPORT

Correspondence received and matters arising following preparation of the agenda.

Item No: 05

21/00746/FUL

Tesco Stores Ltd 17 County Lane Warfield Bracknell Berkshire RG42 3JP

Additional representations

Paragraph 6.2:

An additional letter of objection has been received raising the following concerns:

- (i) Impact of additional CO2
- (ii) Impact of additional noise in conjunction with deliveries (e.g. running trucks, banter, closing opening doors and brake noise)
- (iii) Concerns regarding Tesco Stores management of the wider site

Amendment to report

To be inserted after paragraph 9.6:

The original planning permission was for an extension to the store. Within this application Tesco Store had advised that no deliveries were currently occurring before 5am, and it was recommended that this time be restricted by condition to ensure suitable planning control should Tesco Store desire to extend these hours.

To the north of the application site is land allocated for mixed use development within the Draft Bracknell Forest Local Plan. There is no indicative layout for future development on this site, however the conditions recommended to limit noise apply to any closest residential properties and it is therefore considered that future residents would be safeguarded.

Amendment to recommendation

Paragraph 11 amended to read:

That the Assistant Director: Planning be recommended to APPROVE the application subject to the following conditions:

Condition 2 is amended to read:

02. The opening hours of the petrol filling station shall be limited to the following hours:

07.30 - 21.00 Monday to Thursday,

07.30 - 22.00 Friday,

07.30 - 21.00 Saturday, and

08.00 - 21.00 Sunday

and at no other times.

REASON: In the interests of the amenity of residents.

[Relevant plans and policies: BFBLP EN20, CSDPD CS7]

Condition 4 is amended to read:

04. Noise from any source on site measured on a Leq(1-hour) basis shall not exceed by more than 5 dB(A) the background L90(1-hour) (excluding noise from the development) between 0630 and 2300 hours; and as measured on a Leq(5-minute) basis, shall not exceed by more than 5dB(A) the background L90(1-hour) between 2300 and 0300 hours, outside the nearest residential or noise sensitive property.

REASON: In the interests of residential amenity.

[Relevant plans and policies: BFBLP EN20, CSDPD CS7]

Condition 10 added:

10. All vehicle reversing alarms must be deactivated between the hours of 23:00 and 07:00.

REASON: In the interests of residential amenity.

[Relevant plans and policies: BFBLP EN20, CSDPD CS7]

Informative 2 amended to read:

02. Although they must be complied with, no details are required to be submitted in relation to the following conditions:

- (1) Store opening hours
- (2) Petrol station opening hours
- (3) Delivery hours
- (4) Noise from any source
- (5) Size of sales area
- (6) Use of sales area
- (7) No ancillary storage
- (8) Sound rating level
- (9) Engines and refrigeration units
- (10) Vehicle reversing alarms

Item No: 06

21/00460/FUL

Fines Bayliwick House Hotel London Road Binfield Bracknell Berkshire RG42 4AB

Officer response to submission of revised layout.

An amended site layout plan has been submitted (NAT.04).

The amended plan does not overcome concerns over the impact of the proposed car park and cycle and refuse store on protected trees on the site. The changes do provide space to replace the Beech tree, close to the position of the original tree. If the Beech were to be located centrally within the grassed area shown on the amended layout plan, in front of the building, this would be acceptable.

The amended plan moves car parking closer to protected trees along the boundary of the site with London Road and parking spaces would still be within the RPAs of these trees. The cycle and refuse store is also still close to trees T2 and T3. The Council Tree Officer has suggested that a RootBridge system is implemented in the area of car parking close to protected trees, namely spaces 13-24. This is a system that allows parking spaces to be raised above the soil to prevent soil compaction and root damage. This would not remove concerns over the proximity of the cycle and refuse stores to trees T2 and T3 and revisions would be required to relocate these facilities. Amendments to include a RootBridge system and amend the location of the cycle and bin stores have not been received.

In a submitted "Addendum For the Planning Committee" received on 15.12.2021 the applicant refers to the RootBridge system as too costly and unnecessary on a development of this scale. It is also suggested by the applicants' arboriculturalist that a RootBridge system in itself is damaging to tree roots as it involves drilling piles, which itself causes root damage. Instead it is proposed that a condition be applied to any planning permission to require a CRB (California Bearing Ratio) test which measures the subgrade strength of roads and pavements. The purpose of such a test is to establish if the proposed cellular confinement system (CCS) is appropriate for use on this site. No such test has been carried out as part of the application submission, despite the concerns raised by the Tree Officer over the suitability of the proposed CCS for use over RPAs and comments from previous inspectors considering the suitability of a CCS for use on this site. If planning permission is granted subject to such a condition and the CBR test confirms that the proposed car park surface would impact on the RPAs then the planning permission would not be capable of being implemented as approved.

The Council's Tree Officer has confirmed that a RootBridge system is suitable for use on this site and that the benefits of the system outweigh any potential harm to trees from implementing such a scheme.

The Addendum also refers to the area where the cycle and bin stores are proposed being used for parking for many decades. While accepting that this is the case, the provision of the required structures in this area is not equivalent to the use for parking and it is considered that the structures in this location would result in greater potential harm to the protected trees. The refuse store in particular would require the provision of a surface capable of providing a level route for bins to be wheeled over for collection.

Additional representations

6.1. 6 letters of support have been received raising the following material considerations:

- Residential development of the site would benefit the area and would be in keeping with the area, particularly the flats on the adjacent site.
- The application allows for the retention of an attractive building which is an alternative to more modern apartment buildings provided in the area.
- The proposed change of use is appropriate in this residential area close to local amenities.

Amendment to report

Paragraph 9.13:

The site was the subject of dismissed planning appeals 08/00919/FUL & 10/00360/FUL that included extensive alterations to and loss of the green space in front of the property to accommodate additional parking. This area forms a substantial part of the minimum Root Protection Areas (RPAs) of the existing trees. Impact on these was part of the reason for their dismissal at appeal.

Amendment to recommendation

Additional informatives:

01 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

02 This refusal relates to the following drawings:

NATH/004D

NATH/005

NATH/006

03. Refusal reason 02 a could be addressed by the submission of a S106 legal agreement to secure appropriate mitigation.

Item No: 07

21/00594/FUL

Elim New Road Crowthorne Berkshire RG45 6NA

Additional representations

3no. further letters of objection have been received to the application (from postal addresses that have previously objected) which raise the following:

- Vehicle traffic in this road is already at saturation point during peak hours and causing various access and safety issues.
 - The road does not have the headroom to accommodate the additional vehicular traffic and parking that these homes will generate.
 - Devonshire Place was almost unused until around October but with new occupants it is now regularly full during office hours and overflows up the unadopted section of New Road.
 - New Road is a cut through for local school children and the elderly. The safe-guarding element of enabling children to walk safely to/from Crowthorne C of E Primary school via New Road should be a serious consideration.
 - Do not object to the site being developed and can see that the developers are trying hard to make it work but a development of this scale using a small unadopted road to access and exit the site is clear over-development and not appropriate.
 - Increased traffic following occupation of Devonshire Place has caused major inconvenience/concern to residents trying to access their homes. There is inconsiderate parking and cars even blocking driveways of existing houses.
 - Loss of light to the lounge window of Magus House facing south has not been thoroughly investigated or if it has, the results have been 'brushed under the carpet'.
- Para 9.5 of the Committee report states...would therefore not appear overbearing or result in any loss of daylight". This statement that it would not result in "any loss of daylight" is factually incorrect. The roofline of Plots 1 and 2 is higher than Devonshire Place and therefore reducing the daylight into the lounge window of Magus House.

Amendment to report

Paragraph 9.5 should read:

Plots 1 and 2 would be set 6.5m from the side boundary with Magus House, with a 7m separation distance between the buildings at the closest point. The front and rear elevations of the proposed building would not project beyond that of Magus House and would therefore not appear unduly overbearing to the occupiers. There is a high level window on the southern elevation of Magus House at ground floor level which serves a lounge. In view of the separation distances between the side facing window at Magus House and the flank wall of Plots 1 and 2, the height and design of the roof of the proposed building which would pitch away from the boundary and the slightly elevated position of Magus House where levels increase from south to north along New Road, there would not be an unacceptable loss of daylight/sunlight to the high level window of Magus House, in accordance with the Building Research Establishment's (BRE) standards set out in the document - Site Layout Planning for Daylight and Sunlight - a Guide to Good Practice.

Amendment to recommendation

Condition 2 should read:

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:

- Drawing no. P20/06/S/301 Rev D received 30 November 2021
- Drawing no. P20/06/S/302 Rev A received 10 December 2021
- Drawing no. P20/06/S/310 Rev A received 10 December 2021
- Drawing no. P20/06/S/320 Rev A received 10 December 2021
- Drawing no. P20/06/S/330 Rev C received 22 November 2021

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

Additional conditions:

Condition 22 - The development hereby permitted (including demolition) shall not be begun until a road condition survey on the unadopted section of New Road is undertaken. Any damage that occurs to the unadopted section of New Road as a result of construction of the approved development shall be repaired and restored to its former condition in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall be undertaken in accordance with the approved details prior to occupation of any part of the development hereby approved.

REASON: In the interests of amenity and road safety.

[Relevant Policies CSDPD CS23, BFBLP EN20]

Condition 23 - The flats hereby permitted shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting, including details of lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved details. The scheme shall be undertaken in accordance with the approved details prior to occupation of any part of the development hereby approved.

REASON: In the interests of amenity and safety of future occupiers.

[Relevant Policies: BFBLP EN20 and EN25, CSDPD CS1 and CS7]

Update to Informatives:

2. The applicant is advised that the following conditions require discharging prior to commencement of development:

- 03. Materials
- 04. Slab level
- 09. Sustainability Statement
- 10. Energy Demand Assessment
- 12. Biodiversity enhancements
- 20. Construction Environmental Management Plan
- 22. Road condition survey

3. The applicant is advised that the following conditions require discharging prior to occupation:

- 07. Landscaping
- 08. Boundary treatments
- 22. Road condition survey
- 23. Site lighting

4. Although they must be complied with, no details are required to be submitted in relation to the following conditions:

- 01. Time limit
- 02. Approved plans
- 05. Rooflights
- 06. Restrictions on windows
- 11. No site clearance during bird nesting season (details required if during the season)
- 13, 14, 15. Tree protection
- 16. Access and visibility
- 17. Parking
- 18. Cycle parking
- 19. No gates at vehicular access
- 21. SuDS

Additional informatives:

5. Details in relation to condition 7 (landscaping) should include the surface of the internal access road. This should be either block paving or a bonded surface for example, that is also SUDs compliant, in the interests of the occupiers of adjoining buildings and future occupiers of the units.

6. Details in relation to condition 23 could include low level bollard lighting along the access road and parking bays.

Item No: 08
21/00780/FUL
Winkfield Manor Forest Road Ascot Berkshire

Additional Information

The applicant has submitted additional highways information as a rebuttal to the issues of highway concern raised in the letters of objection as referred to within the Committee Report which included comments made by Highways Planning Ltd. on behalf of a local resident.

The additional information has been reviewed by the Highways Officer who has provided a TRICS trip analysis and comparison comparing the trip generation associated with the lawful use of the site to provide 33no. units of sheltered housing with the proposed use of 18no. dwellings. The table compares the figures derived from TRICS data by the Council (upper level of table) with those provided by the applicant (lower level of table). There is a slight discrepancy between the figures provided by the applicant and those derived by the Council (resulting from the choice of sites from which TRICS data was chosen) however on both measures, there would be a net decrease in vehicle movements to the site per day.

| TRICS trip analysis and comparison (trip numbers rounded) | | | | | | | | | | | |
|---|---------|-----------|-----------------|-------------------------------------|---------|-----------|-----------------|--|---------|-----------|-----------------|
| 33 Sheltered Accommodation Dwellings BFC | | | | 18 Houses privately owned BFC | | | | Trip difference between Private Houses and Sheltered Housing BFC | | | |
| | Arrival | Departure | Total (two way) | | Arrival | Departure | Total (two way) | | Arrival | Departure | Total (two way) |
| 07:00-08:00 | 2 | 2 | 3 | 07:00-08:00 | 2 | 5 | 6 | 07:00-08:00 | 0 | 3 | 3 |
| 08:00-09:00 | 2 | 3 | 5 | 08:00-09:00 | 3 | 7 | 10 | 08:00-09:00 | 1 | 4 | 5 |
| 09:00-10:00 | 5 | 5 | 10 | 09:00-10:00 | 3 | 4 | 6 | 09:00-10:00 | -2 | -2 | -4 |
| 10:00-11:00 | 5 | 5 | 10 | 10:00-11:00 | 3 | 4 | 6 | 10:00-11:00 | -2 | -2 | -4 |
| 11:00-12:00 | 6 | 6 | 12 | 11:00-12:00 | 3 | 4 | 7 | 11:00-12:00 | -3 | -2 | -5 |
| 12:00-13:00 | 4 | 4 | 8 | 12:00-13:00 | 4 | 4 | 8 | 12:00-13:00 | 0 | 0 | 0 |
| 13:00-14:00 | 4 | 6 | 10 | 13:00-14:00 | 3 | 3 | 7 | 13:00-14:00 | -1 | -3 | -3 |
| 14:00-15:00 | 5 | 3 | 8 | 14:00-15:00 | 4 | 4 | 8 | 14:00-15:00 | -1 | 1 | 0 |
| 15:00-16:00 | 5 | 4 | 8 | 15:00-16:00 | 6 | 5 | 11 | 15:00-16:00 | 1 | 1 | 3 |
| 16:00-17:00 | 6 | 6 | 11 | 16:00-17:00 | 6 | 3 | 9 | 16:00-17:00 | 0 | -2 | -3 |
| 17:00-18:00 | 4 | 4 | 8 | 17:00-18:00 | 5 | 3 | 8 | 17:00-18:00 | 1 | -2 | 0 |
| 18:00-19:00 | 3 | 3 | 6 | 18:00-19:00 | 4 | 3 | 7 | 18:00-19:00 | 1 | 0 | 1 |
| Daily Trips: | 50 | 50 | 101 | Daily Trips: | 46 | 47 | 93 | Daily Trips: | -4 | -3 | -7 |
| 33 Sheltered Accommodation Dwellings Applicant | | | | 18 Houses privately owned Applicant | | | | Trip difference between Private Houses and Sheltered Housing Applicant | | | |
| | Arrival | Departure | Total (two way) | | Arrival | Departure | Total (two way) | | Arrival | Departure | Total (two way) |
| 07:00-08:00 | 4 | 4 | 7 | 07:00-08:00 | 1 | 5 | 6 | 07:00-08:00 | -2 | 1 | -1 |
| 08:00-09:00 | 3 | 3 | 7 | 08:00-09:00 | 3 | 7 | 10 | 08:00-09:00 | 0 | 4 | 4 |
| 09:00-10:00 | 6 | 6 | 12 | 09:00-10:00 | 2 | 4 | 6 | 09:00-10:00 | -4 | -2 | -6 |
| 10:00-11:00 | 9 | 6 | 15 | 10:00-11:00 | 3 | 3 | 6 | 10:00-11:00 | -6 | -3 | -9 |
| 11:00-12:00 | 9 | 11 | 20 | 11:00-12:00 | 3 | 4 | 7 | 11:00-12:00 | -6 | -8 | -13 |
| 12:00-13:00 | 7 | 6 | 13 | 12:00-13:00 | 4 | 4 | 8 | 12:00-13:00 | -3 | -2 | -5 |
| 13:00-14:00 | 7 | 10 | 17 | 13:00-14:00 | 4 | 3 | 7 | 13:00-14:00 | -3 | -7 | -10 |
| 14:00-15:00 | 7 | 5 | 12 | 14:00-15:00 | 3 | 4 | 8 | 14:00-15:00 | -3 | -1 | -4 |
| 15:00-16:00 | 4 | 4 | 8 | 15:00-16:00 | 5 | 5 | 10 | 15:00-16:00 | 1 | 1 | 2 |
| 16:00-17:00 | 8 | 6 | 14 | 16:00-17:00 | 6 | 4 | 10 | 16:00-17:00 | -2 | -2 | -4 |
| 17:00-18:00 | 5 | 5 | 9 | 17:00-18:00 | 6 | 3 | 9 | 17:00-18:00 | 2 | -2 | 0 |
| 18:00-19:00 | 5 | 4 | 9 | 18:00-19:00 | 5 | 3 | 7 | 18:00-19:00 | 0 | -1 | -1 |
| Daily Trips: | 73 | 71 | 143 | Daily Trips: | 46 | 48 | 94 | Daily Trips: | -26 | -23 | -49 |

Amendment to recommendation

Condition 10 be amended to read:

No development (including demolition and site clearance) shall take place, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority.

The CEMP shall include as a minimum:

- (i) Location of the access for demolition and construction vehicles;
- (ii) Routing of construction traffic, including directional signage and appropriate traffic management measures to include the use of banksmen along the access road;
- (iii) Details of the parking of vehicles of site operatives and visitors;
- (iv) Areas for loading and unloading of plant and materials;
- (v) Areas for the storage of plant and materials used in constructing the development;
- (vi) Location of any temporary portacabins and welfare buildings for site operatives;
- (vii) Details of any security hoarding;

- (viii) Details of any external lighting of the site;
- (ix) Details of the method of piling for foundations;
- (x) Measures to control the emission of dust, dirt, noise and odour during construction;
- (xi) Measures to control rats and other vermin;
- (xii) Measures to control surface water run-off during construction;
- (xiii) Measures to prevent ground and water pollution from contaminants on-site;
- (xiv) construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (xv) Details of wheel-washing facilities;
- (xvi) Measures to minimise, re-use and re-cycle materials and waste arising from demolition;
- (xvii) Measures to minimise the pollution potential of unavoidable waste;
- (xviii) Measures to dispose of unavoidable waste in an environmentally acceptable manner;
- (xix) details of measures to mitigate the impact of demolition and construction activities on ecology, in particular the protection of any badger sett in or adjacent to the site; and
- (x) Details of a monitoring regime to demonstrate compliance with the CEMP including timings for reports to be submitted to the Local Planning Authority.

The approved Construction Environmental Management Plan shall be adhered to throughout the demolition and construction period.

REASON: To mitigate and control environmental effects during the demolition and construction phases

Relevant Policies: BFBLP EN20, EN25; Core Strategy DPD CS1, CS7

Condition 23 be amended to read:

No dwelling hereby permitted shall be occupied until evidence that property owners have been made aware of any SuDS/drainage features within their ownership boundary and their obligations to maintain such features has been submitted to and approved in writing by the Local Planning Authority. Such evidence shall take the form of confirmation of legal covenants associated with the deeds of the properties or similar documentation.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with policy CS1 of the Core Strategy.

Item No: 10

21/00853/3

The Commercial Centre Old Bracknell Lane West Bracknell Berkshire

Amendment to report

7. SUMMARY OF CONSULTATION RESPONSES

The Renewable Energy Officer has confirmed that the installation of air source heat pumps and solar pv to the roof provides more than 20% on site renewable energy, in compliance with Policy CS12 of the CSDPD. A condition is recommended.

Amendment to recommendation:

Appropriate measures have been agreed between Council Departments to secure payment of the contribution for monitoring biodiversity net gain and accordingly it is recommended that the **Assistant Director: Planning be recommended to APPROVE the application subject to the conditions set out on the agenda, amended, added to or deleted as the Assistant Director: Planning considers necessary with the following amendments:**

Condition 18 be amended to read:

No development shall take place until full details of the Drainage System(s) have been submitted to and approved in writing by the Local Planning Authority. These shall include:

- Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table.
 - Confirmation of the gully spacing calculations to demonstrate that they are capable of conveying the rainfall volumes as set out in the approved Drainage Strategy.
- REASON: To ensure that the site is properly drained and does not increase the risk of flooding in accordance with Policy CS1 of the Core Strategy.

Addition of Condition 24:

The development hereby permitted shall be implemented in accordance with the submitted RIBA Stage 3 Energy Report Ref: BFCBCC-ATK-XX-ZZ-RP-BS-500003 and thereafter the buildings constructed by the carrying out of the development shall be operated in accordance with the submitted Energy Report. The renewable energy shall be installed and made operational prior to the occupation of Building 1.

REASON: In the interests of sustainability and the efficient use of resources in accordance with Policy CS12 of the Core Strategy.
