

Notice of Meeting

Planning Committee

Councillor Dudley (Chairman),
Councillor Brossard (Vice-Chairman),
Councillors Angell, Dr Barnard, Bhandari, D Birch, Brown, Gbadebo,
Green, Mrs Hayes MBE, Heydon, Mrs Mattick, Mrs McKenzie,
Mrs McKenzie-Boyle, Mossom, Parker, Skinner and Virgo

Thursday 14 November 2019, 7.30 - 9.30 pm
Time Square, Market Street, Bracknell, RG12 1JD



Agenda

Item	Description	Page
1.	Apologies for Absence	
	To receive apologies for absence.	
2.	Minutes	5 - 8
	To approve as a correct record the minutes of the meeting of the Committee held on 12 September 2019.	
3.	Declarations of Interest	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.</p> <p>Any Member with an Affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.</p>	
4.	Urgent Items of Business	
	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.	

Planning Applications

(Head of Planning)

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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5.	PS 19/00178/FUL - Brian and Turner Haulage, Eastern Road, Bracknell, Berkshire RG12 2UP	13 - 26
	Change of use from B2 Class to Sui Generis (car wash and valeting unit).	
6.	PS 19/00023/FUL - Land To The Rear Of 29 Warfield Road & 7 Sherring Close, Bracknell, Berkshire RG42 2JY	27 - 48
	Erection of 3no. dwellings with associated landscaping, parking and access.	
7.	19/00359/OUT - Willow House, Ranelagh Drive, Bracknell, Berkshire RG12 9DA	49 - 64
	Outline application for the erection of two dwellings and garages following the demolition of existing dwelling and garage (with all matters reserved).	
8.	19/00594/FUL - Derryquin, 8A Priory Lane, Warfield, Bracknell, Berkshire RG42 2JU	65 - 80
	Erection of two dwellings following demolition of existing dwelling and garage	
9.	19/00715/FUL - 3 Great Hollands Square, Bracknell, Berkshire RG12 8UX	81 - 90
	Change of use from retail (A1) to hot food grill and pizza takeaway (A5) and installation of flue to rear.	
10.	18/01060/FUL - Winchester House, Market Place, Bracknell, Berkshire RG12 1JU	91 - 98
	Section 73 application for the variation of condition 01 (Approved Plans) of reserved matter approval 13/01068/REM for submission of details of design, access, appearance, landscaping, layout and scale for redevelopment of Winchester House identified as Blocks NW3.1, NW3.2, NW3.3. Demolition of Winchester House and redevelopment to provide retail A1-A3 Class, D2 gym and 311 residential units, car parking, new public realm, landscaping and highway works. This reserved matters application is submitted pursuant to outline planning permission 12/00476/OUT. (Note for Clarification: this application is for internal changes to increase the number of apartments from 311 to 338).	
11.	Exclusion of Public and Press	
	<p>To consider the following motion:</p> <p>That pursuant to Regulation 21 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000 and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of item 12 which involves the likely disclosure of exempt information under the following category of Schedule 12A of the Local Government Act 1972:</p> <p>(5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>	

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	Reporting:	
12.	Information Item - Use of Urgent Decisions Procedure	99 - 104

Sound recording, photographing, filming and use of social media is permitted. Please contact Hannah Stevenson, 01344 352308, hannah.stevenson@bracknell-forest.gov.uk, so that any special arrangements can be made.

Published: 4 November 2019

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**PLANNING COMMITTEE
12 SEPTEMBER 2019
7.30 - 8.57 PM**

Present:

Councillors Brossard (Vice-Chairman, in the Chair), Angell, Dr Barnard, Bhandari, D Birch, Brown, Gbadebo, Green, Mrs Mattick, Mrs McKenzie, Parker, Skinner, Virgo, Atkinson and Ms Gaw

Apologies for absence were received from:

Councillors Dudley, Mrs Hayes MBE, Heydon, Mrs McKenzie-Boyle and Mossom

Also Present:

Councillors Atkinson, Ms Gaw and Turrell

34. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 15 August 2019 be approved as a correct record and signed by the Chairman

35. Declarations of Interest

There were no declarations of interest.

36. Urgent Items of Business

There were no urgent items of business.

37. Application No 19/00299/FUL - Chanda, Newtown Road, Sandhurst

Sub-division of existing dwelling into 2no. dwellings and retrospective permission for other works including single storey side/rear extension and insertion of rooflights.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Sandhurst Town Council recommending refusal.
- That no letters of objection had been received.

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to the following measures:

- avoidance and mitigation of the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA)

RESOLVED that the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

01. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details received by the LPA:

- Site Location Plan, Received 18th June 2019
- Block Plan, Received 18th June 2019
- Parking Plan, Received 12th September 2019
- Front Elevation, Received 18th June 2019
- Rear Elevation, Received 18th June 2019
- North Elevation, Received 18th June 2019
- South Elevation, Received 18th June 2019
- Ground Floor Plan, Received 18th June 2019

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

02. The 3 vehicle parking spaces set out on the approved plan shall not be used for any purpose other than parking.

REASON: To ensure the dwellings are 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]

03. A scheme for covered and secure cycle parking facilities should be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this planning permission. The approved scheme shall be implemented within 1 month of the approval of details and the cycle parking shall thereafter be retained for the use of the parking of bicycles only.

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

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

38. Application No19/00708/PAC - 184 Dukes Ride, Crowthorne

This item was determined under delegated powers following the expiry of the consultation period and therefore was no longer on the agenda.

A site visit had been held on Saturday, 7 September 2019, which had been attended by Councillors Bhandari, Brossard, Brown, Green, Mrs McKenzie and Mossom.

39. Application No 19/00717/PAA - Windmill Farm, Malt Hill, Warfield

This item was determined under delegated powers following the expiry of the consultation period and therefore was no longer on the agenda.

A site visit had been held on Saturday, 7 September 2019, which had been attended by Councillors Barnard, Bhandari, Brossard, Brown, Green, Mrs McKenzie, Mossom, Virgo and Ms Gaw.

40. Application No 19/00718/PAA - Storage Barn, Windmill Farm, Malt Hill

This item was determined under delegated powers following the expiry of the consultation period and therefore was no longer on the agenda.

A site visit had been held on Saturday, 7 September 2019, which had been attended by Councillors Barnard, Bhandari, Brossard, Brown, Green, Mrs McKenzie, Mossom, Virgo and Ms Gaw.

41. Application No 19/00721/PAA - Nuptown Piggeries, Hawthorn Lane, Warfield

Application for prior approval for the change of use of 2no. agricultural buildings to 5no. dwellinghouses (C3) following the demolition of part of the buildings.

A site visit had been held on Saturday, 7 September 2019, which had been attended by Councillors Barnard, Bhandari, Brossard, Brown, Green, Mrs McKenzie, Mossom, Virgo and Ms Gaw.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- A total of 3 objections received, as summarised in the Agenda papers and the additional 16 letters of objection as summarised in the supplementary report.
- The comments of Winkfield Parish Council, given verbally at the meeting, objecting on the grounds of overdevelopment in the Green Belt, excessive traffic and the development not being in keeping with other homes in the lane

A motion to approve the recommendation in the officer report was proposed but not seconded.

Therefore an alternative motion to refuse the application was proposed and seconded, and on being put to the vote was **CARRIED**.

RESOLVED that planning application 19/00721/PAA be **REFUSED** for the following reasons:

Following the receipt of further information from third parties it is not considered that it has been demonstrated on the balance of probability that on the requisite date, 20 March 2013 or before, the use of the site was solely for agricultural use. As such the proposal does not comply with caveat (a) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the application for Prior Approval is therefore refused.

42. **Application No19/00741/PAC - Tamar, Clifton and Forth Houses, Brants Bridge, Bracknell**

This item was withdrawn from the agenda.

CHAIRMAN

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**PLEASE NOTE PLANS FOR ALL OF THE APPLICATIONS ON THIS
AGENDA CAN BE FOUND ON OUR WEBSITE
www.bracknell-forest.gov.uk**

**PLANNING COMMITTEE
14th November 2019**

**REPORTS ON PLANNING APPLICATIONS RECEIVED
(Head of Planning)**

		Case Officer	Reporting Officer
10	<p>18/01060/FUL Winchester House Market Place Bracknell (Wildridings And Central Ward) Section 73 application for the variation of condition 01 (Approved Plans) of reserved matter approval 13/01068/REM for submission of details of design, access, appearance, landscaping, layout and scale for redevelopment of Winchester House identified as Blocks NW3.1, NW3.2, NW3.3. Demolition of Winchester House and redevelopment to provide retail A1-A3 Class, D2 gym and 311 residential units, car parking, new public realm, landscaping and highway works. This reserved matters application is submitted pursuant to outline planning permission 12/00476/OUT. (Note for Clarification: this application is for internal changes to increase the number of apartments from 311 to 338). Recommendation: : Approve Subject To The Completion Of Planning Obligation(s).</p>	Margaret McEvit	Martin Bourne
6	<p>19/00023/FUL Land To The Rear Of 29 Warfield Road & 7 Sherring Close Bracknell Berkshire (Priestwood And Garth Ward) Erection of 3no. dwellings with associated landscaping, parking and access. Recommendation: Approve.</p>	Matthew Miller	Martin Bourne
5	<p>19/00178/FUL Brian and Turner Haulage Eastern Road Bracknell (Bullbrook Ward) Change of use from B2 Class to Sui Generis (car wash and valeting unit). Recommendation: Approve.</p>	Paul Corbett	Basia Polnik

7	19/00359/OUT Willow House Ranelagh Drive Bracknell (Harmans Water Ward) Outline application for the erection of two dwellings and garages following the demolition of existing dwelling and garage (with all matters reserved). Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Alys Tatum	Basia Polnik
8	19/00594/FUL Derryquin 8A Priory Lane Warfield (Warfield Harvest Ride Ward) Erection of two dwellings following demolition of existing dwelling and garage Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Alys Tatum	Basia Polnik
9	19/00715/FUL 3 Great Hollands Square Bracknell Berkshire (Great Hollands North Ward) Change of use from retail (A1) to hot food grill and pizza takeaway (A5) and installation of flue to rear. Recommendation: Approve.	Olivia Jones	Basia Polnik

ADDITIONAL INFORMATION ITEM - Use of Urgent Decision Procedure

Background Papers

Background papers comprise the relevant planning application file and any document therein with the exception of any document which would lead to disclosure of confidential or exempt information as defined in section 100A of the Local Government Act 1972 as amended.

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

BFBLP Bracknell Forest Borough Local Plan
CSDPD Core Strategy Development Plan Document
SALP Site Allocations Local Plan
RMLP Replacement Minerals Local Plan
WLP Waste Local Plan for Berkshire

SPG Supplementary Planning Guidance
SPD Supplementary Planning Document

RSS Regional Spatial Strategy (also known as the SEP South East Plan)

NPPF National Planning Policy Framework (Published by DCLG)
NPPG National Planning Policy Guidance (Published by DCLG)
PPS (No.) Planning Policy Statement (Published by DCLG)
MPG Minerals Planning Guidance
DCLG Department for Communities and Local Government

SITE LOCATION PLAN

For information the plans are orientated so that north is always at the top of the page.

THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 (“the HRA”) makes it unlawful for a public authority to act in a way that is incompatible with the rights set out in the European Convention of Human Rights.

Those rights include:-

Article 8 – “Everyone has the right to respect for his private and family life, his home.....”

Article 1 - First Protocol “Every natural or legal person is entitled to the peaceful enjoyment of his possessions”.

In some circumstances a local authority may be under an obligation to take positive action to protect an individuals interests under Article 8.

The relevant Convention Rights are not absolute. A Council may take action even though it interferes with private and family life, home and enjoyment of possessions, if it is for a legitimate purpose, necessary and proportionate. In effect a balancing exercise has to be conducted between the interests of the individual and the wider public interest.

Such a test very largely replicates the balancing exercise which the Council conducts under domestic planning legislation.

The provisions of the Human Rights Act 1998 have been taken into account in the preparation of the reports contained in this agenda.

The Human Rights Act will not be specifically referred to elsewhere [in the Agenda] beyond this general statement, unless there are exceptional circumstances which require a more

detailed consideration of any Convention Rights affected.

Unrestricted Report

ITEM NO: 05

Application No.
19/00178/FUL

Site Address:

Ward:
Bullbrook

Date Registered:
25 February 2019

Target Decision Date:
22 April 2019

**Brian and Turner Haulage Eastern Road Bracknell
Berkshire RG12 2UP**

Proposal: **Change of use from B2 Class to Sui Generis (car wash and valeting unit).**

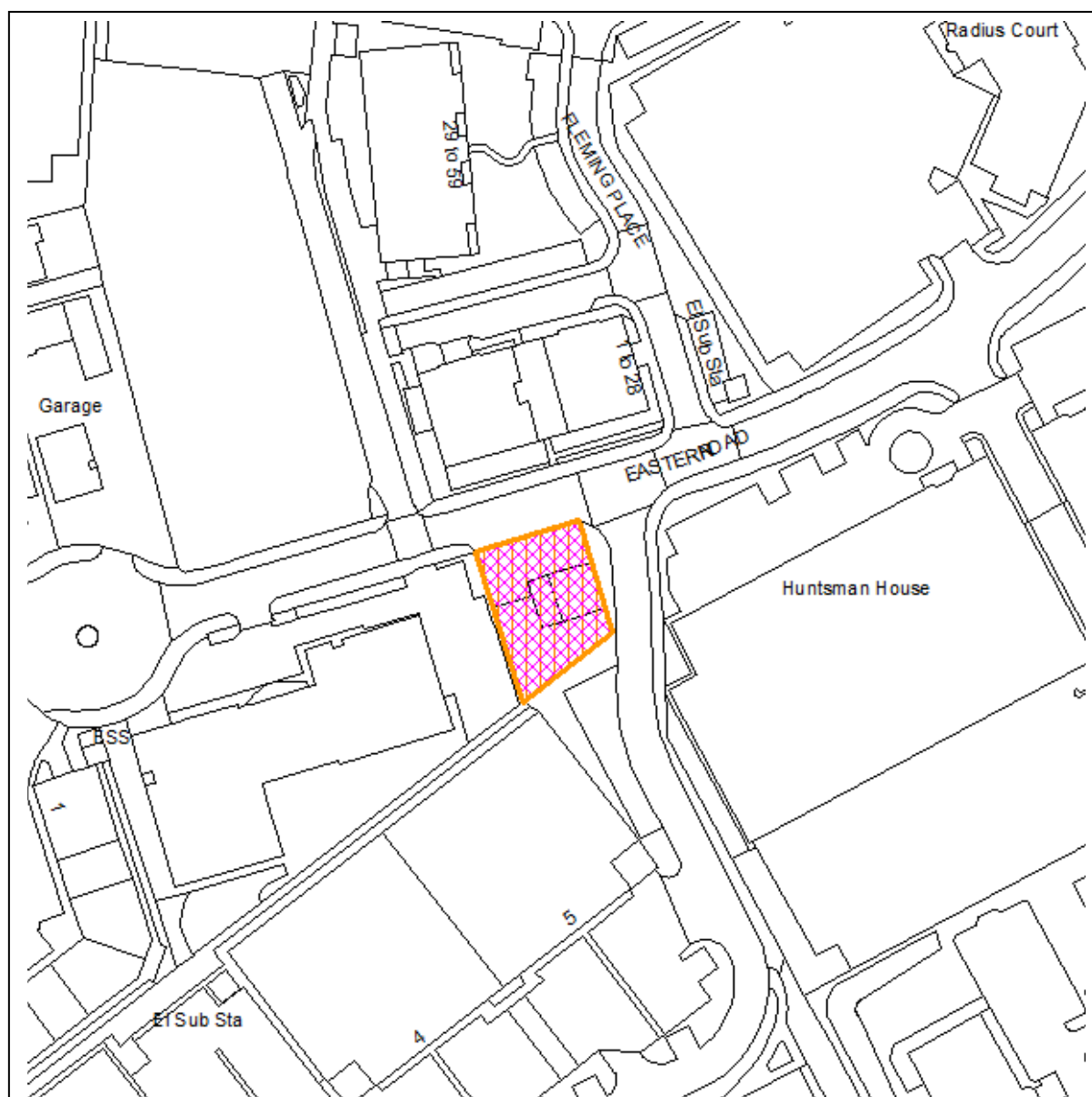
Applicant: Mr Pervana

Agent: Stephen Egerton

Case Officer: Paul Corbett, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

The proposal comprises a change from the site's former haulage vehicle repair and maintenance use to a car wash within the Eastern Industrial Area (Employment Area) and is considered to be acceptable in principle.

1.2 The site comprises an existing B2 Industrial Building measuring 12.5m x 9m on a site of 0.5ha and proposes a maximum throughput of 6-7 cars per hour with 2no. pressure washers and 2no. vacuums located within the existing building on the site.

1.3 The proposal will provide for 2no. onsite parking spaces for staff.

1.4 The site will operate 08.00-18.00 hours Monday to Saturday and 10.00-16.00 hours on Sundays.

1.5 It is not considered that the proposal would adversely affect the residential amenities of nearby occupiers or the character and appearance of the surrounding area. There are no over-riding highway safety implications. There are no objections to the operator discharging waste water to the existing foul drainage network connected to the site. Relevant conditions will be imposed in relation to noise, highway safety and operational times.

RECOMMENDATION
The application is recommended to be approved subject to conditions in Section 11 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee as more than 5 objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Within Employment Area

3.1 The site comprises an existing single storey B2 Industrial Building measuring 12.5m x 9m on a site of 0.5ha.

3.2 The front of the site is open to the street with Eastern Road.

3.3 The site has a number of trees bordering the rear boundary and brick boundary wall to west with the school.

4. RELEVANT SITE HISTORY

4.1 There is no relevant history other than the site was last operated as a Haulage Vehicle repair garage (Class B2).

5. THE PROPOSAL

5.1 The applicant seeks permission for the installation of a car wash and valet service (Sui Generis) which is a change from the former use of the site as a haulage vehicle repair garage (Class B2) on Eastern Road, Bracknell.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 No comments received.

Other representations:

6.2 155 no. individual objections have been received in the form of a petition. The concerns raised have been summarised below:-

- Adverse environmental impacts such as noise affecting residential amenity and school facilities *[Officer Comment: These concerns are addressed under section 9 – Noise and Residential Amenity. Any future issues can also be dealt with under separate health and safety legislation]*
- Lack of parking, traffic and highway safety implications. *[Officer Comment: These concerns are addressed in section 9 - Transport Implications]*
- Adverse impact upon drainage. *[Officer Comment: These concerns are addressed under section 9 - Drainage]*

7. SUMMARY OF CONSULTATION RESPONSES

Transportation Officer

Recommends conditional approval.

Environment Health Officer

Recommends conditional approval.

Thames Water

Confirmed no objection to new foul drainage and connection subject to no foundation construction.

Environment Agency

Confirms no objection.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary planning policies and associated guidance applying to this site are:-

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Not entirely Consistent
Employment	CS19 of CSDPD, Saved policy E5 of BFBLP	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Noise	Saved policy EN25 of BFBLP	Consistent

Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LAs setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD	Consistent
Trees, Landscape and Biodiversity	Saved policies EN1, EN2 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Design SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Bracknell Forest Community Infrastructure Levy Charging Schedule (2015)		
The House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:-

- i. Principle of development
- ii. Impact on character and appearance of the area
- iii. Impact on residential amenity
- iv. Tree, Landscaping and Biodiversity Implications
- v. Transport implications
- vi. Drainage

i. PRINCIPLE OF DEVELOPMENT

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in Policy CP1 of the Borough's Site Allocations Local Plan (SALP), which sets out that a positive approach to considering development proposals which reflects the presumption in favour of sustainable development as set out in the NPPF should be taken, and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise. This is in conformity with the NPPF.

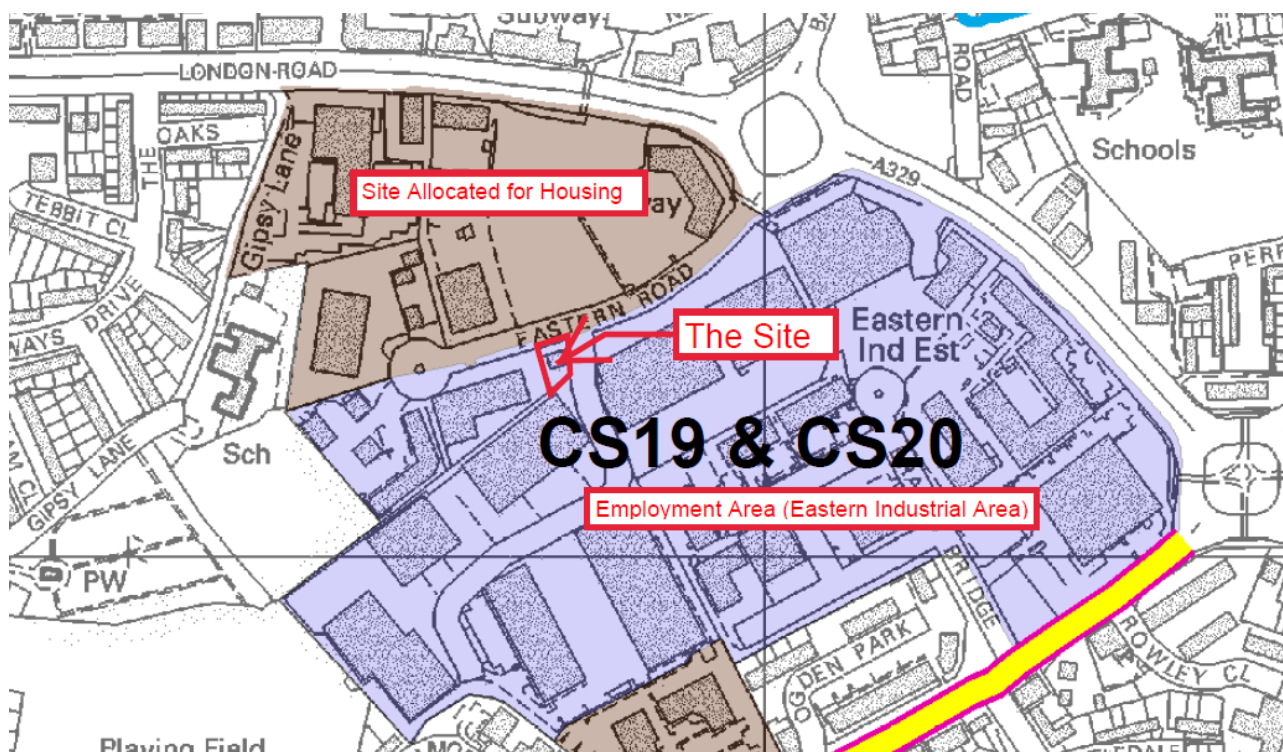
9.3 CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings and locating development in locations that reduce the need to travel.

9.4 CSDPD Policy CS19 and BFBLP saved Policy E5 supports the location of small business units such as this which seeks to reuse an existing but redundant building located within a defined employment area, namely the Eastern Industrial Area. Whilst it is acknowledged allocated housing sites are now located adjacent to this employment area it is generally accepted any new housing development should have taken account of the

existing and established adjacent land uses to address any concerns relating to the potential for noise generating nuisance.

9.5 The above policies are considered to be consistent with the NPPF which also states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Figure 1: Site Location relative to Employment Area



ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.6 The proposed car wash and valeting facilities would be sited to the south side of Eastern Road which is defined as an Employment Area on a former haulage company site where such activities would be expected to be sited.

9.7 As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policies E5 and EN20 of the BFBLP, Policies CS7 and CS19 of the CSDPD and the NPPF.

iii. NOISE & RESIDENTIAL AMENITY

9.8 Saved Policy EN25 of the Local Plan seeks to ensure that proposals do not generate unacceptable levels of noise or other pollutants that would adversely affect the amenities of occupiers of buildings within close proximity of the activity.

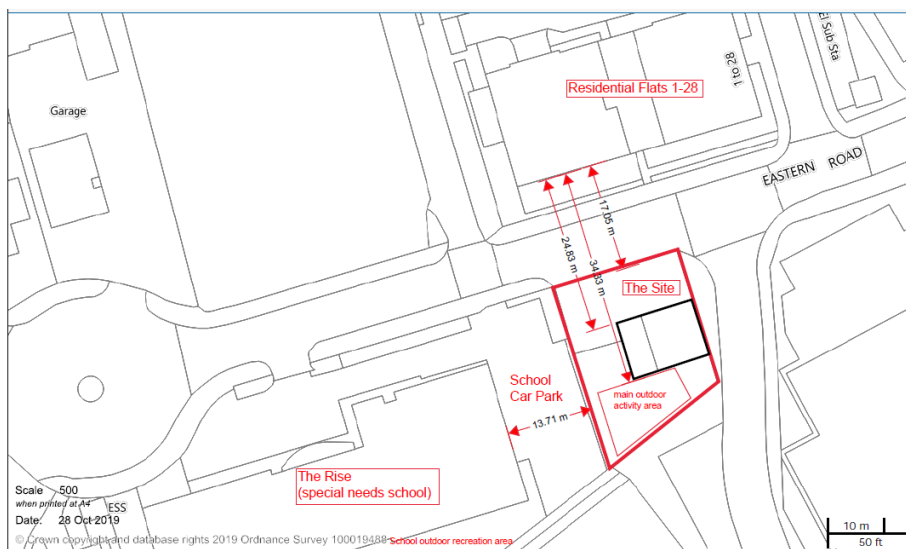
9.9 The applicant has submitted a noise impact assessment to support their proposal.

9.10 All the representations received express concerns with the potential for adverse noise nuisance likely to arise from the proposed car wash operation (activity associated with jet washers) upon a number of sensitive receptors within close proximity of the site namely the adjacent residential block of flats and its residents on the opposite side of the road which has balconies fronting the road and the site itself.

9.11 The intervening distance between the building on the site and the flats equates to approximately 25 metres at the nearest point and approximately 35 metres from the main area of activity identified as being to the rear of the building on the applicant's proposed site layout plan.

9.12 The other key sensitive receptor is a special needs school located immediately to the west of the site, namely the school known as The Rise. The school opened in September 2014 and the building itself is positioned approximately 14 metres off the western brick walled boundary of the site. The intervening space between the site and school building is used as a car park associated with the school. Given these intervening features (boundary wall and school car park) and the fact that the school's main outdoor area is located toward the rear of the school, some distance from the proposed car washing activity, and the evidence of the noise assessment it is not considered that this would give rise to unacceptable levels of noise.

Figure 5: The site's location relative to noise sensitive receptors (residential flats & school)



that the background level used should be representative and not automatically be either the minimum or modal value (Note 1, paragraph 8.1.4 of the standard).

9.19 The applicant's assessment is based upon the upper limit of 6-7 cars per hour which demonstrates a low impact. Local residents have expressed concerns that if the number of cars passing through were more than 7 cars in a particular hour then the impact during that hour would be much greater than that predicted. Similarly, if the equipment were to be operated at the higher available pressure, a greater impact would be experienced by the residents.

9.20 The applicant's confirmation that the maximum upper limit would be 6-7 cars per hour due to the size and location of the site is accepted and operating at 7 cars per hour should result in calculated rating levels equal to background level, which is below adverse impact. It is considered a higher sustained throughput per hour at this particular site represents a low risk not warranting a reason for refusal.

9.21 The applicant also confirms that the vacuum and pressure washer motors will be located within the existing building which are shown on Operational Layout & Circulation Plan drawings 340/19/05 a-e. It is therefore considered, in the interests of the residential amenities of neighbouring occupiers, that it would be reasonable to impose a condition to ensure the machinery remains within the building at all time to minimise noise levels.

9.22 The Council has independently verified with the applicant's pressure washer supplier (Frogchem Ltd) to check that it would be possible to calibrate the jet wash pressure to 70-80 bar as required by the Council's Environmental Health Officer to control the noise. However, this is disputed by the objectors who say it is not representative of the industry as a whole. Environmental Health is satisfied that the applicant also confirmed that their pressure washers can be set on the appropriate pressure level, and pressure valves will be locked. This will stop any operative decreasing or increasing pressure of the water.

9.23 The manufacturer/supplier has recently confirmed in writing that the jet washers will be 'pressure locked' before releasing them to the customer by removing the adjustable valve. A condition is recommended securing the approved settings remain in place before the operations begin and thereafter.

9.24 Environmental Health has reviewed all the information submitted from both the applicants and objectors and has concluded that, subject to the inclusion of conditions restricting the operating hours, and the pressure for jet washing to 70-80 bar, no objection would be raised in respect of this proposal for a car wash to operate from this site.

9.25 To conclude, it is considered that the proposed, would not result in any adverse impacts upon residential amenity or amenities of the occupants of the adjacent school. As such the proposal is considered to comply with Bracknell Forest Local Plan Policies EN25 and EN20, and the NPPF.

iv. TREE, LANDSCAPING AND BIODIVERSITY IMPLICATIONS

9.26 A number of trees are positioned just outside the rear boundary of the site which is not considered to be affected by this proposal as the area within the rear courtyard is already laid to concrete and no works are proposed that would be considered to adversely impact upon these trees.

9.27 The site does not offer any landscaping or biodiversity opportunities.

v. TRANSPORT IMPLICATIONS

Access

9.28 The proposal shows a northern access and egress to/from the site, with vehicles entering from Eastern Road in the north-west corner of the site frontage and egressing to Eastern Road circa 8m further east. This is approximately 8m from the start of the radius for the junction with the access road serving The Sterling Centre.

9.29 The Highway Authority requests that signage is provided within the site, near to the access and egress, to inform customers of the access arrangements and that this signage is secured through a planning condition. Traffic Signs Regulations and General Directions sign numbers 833, 834, 835 and 836 "signs regulating the movement of vehicular traffic into and out of premises with more than one access to a road" could be appropriate.

9.30 There is no footway across the site frontage, though there is a pedestrian route across the long dropped-kerb crossover serving the site, which has tactile paving to assist visually impaired pedestrians to cross the site access. This area is adopted highway and should be kept clear of stationary vehicles associated with the site at all times.

Parking

9.31 Two staff parking bays are proposed in the north-eastern corner of the site which are shown as vehicle outlines only. On site, these will need to be clearly marked-out to a minimum size of 2.4m wide by 4.8m long with signage clearly indicating that these spaces are for staff only.

9.32 There are parking restrictions on Eastern Road which would deter staff from parking other than in the spaces proposed on the site. The existing parking restrictions operate 8am to 6pm Monday to Saturday and the proposed opening hours for the site include 10am to 4pm Sunday, when parking restrictions are not currently in force on Eastern Road. Some amendments to the parking restrictions are under consideration by Bracknell Forest Council.

Trips

9.33 On the basis of information submitted the site is likely to result in an average of between 90 and 112 traffic movements per day. The latest site layouts show that the site could hold up to seven vehicles simultaneously, either waiting or being cleaned, and the operator has indicated that two lanes can be formed through the valet area if there is demand, via bi-fold doors to the front and rear of the valet building, to reduce the likelihood of vehicles queuing on Eastern Road.

Figure 2: Applicant's proposal showing the upper no. of 7 vehicles per hour circulating through the facility

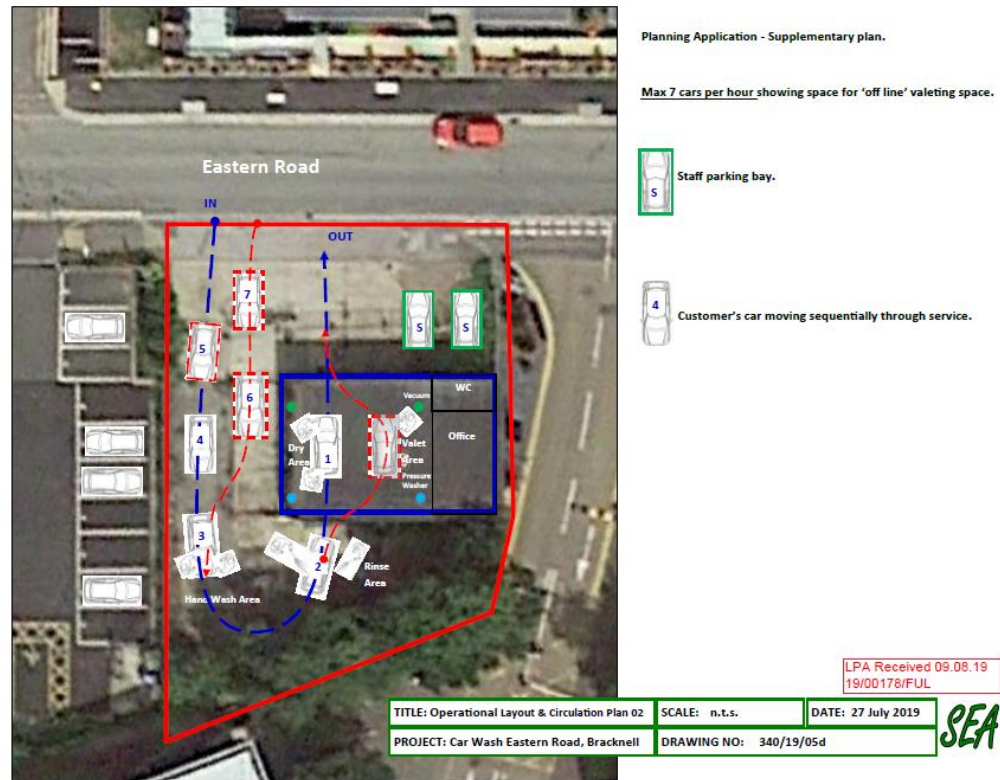
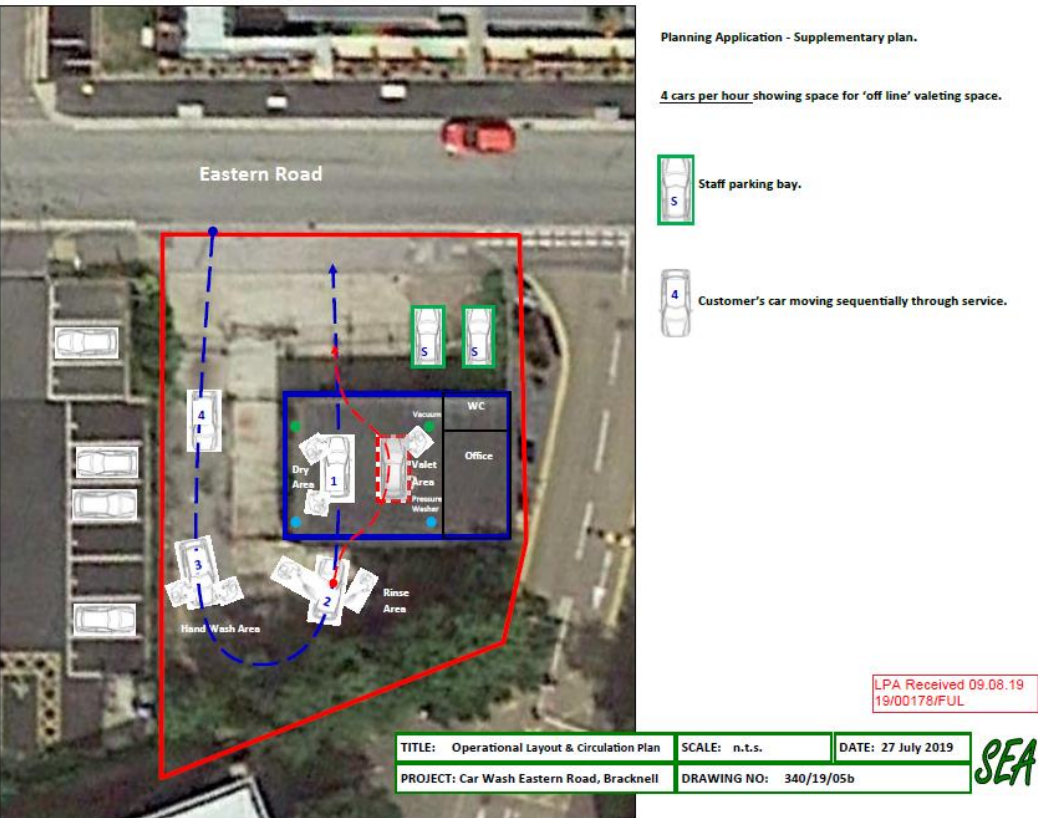


Figure 3: Applicants proposal showing the lower no. of 4 vehicles per hour circulating through the facility



9.33 Whilst it is acknowledged that local residents have raised highway safety concerns due to the potential for increased vehicle movements, and the risk of inappropriate parking along Eastern Road, the Highway Authority remains supportive of the proposal subject to the inclusion of suitably worded conditions, and as such the proposal would comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

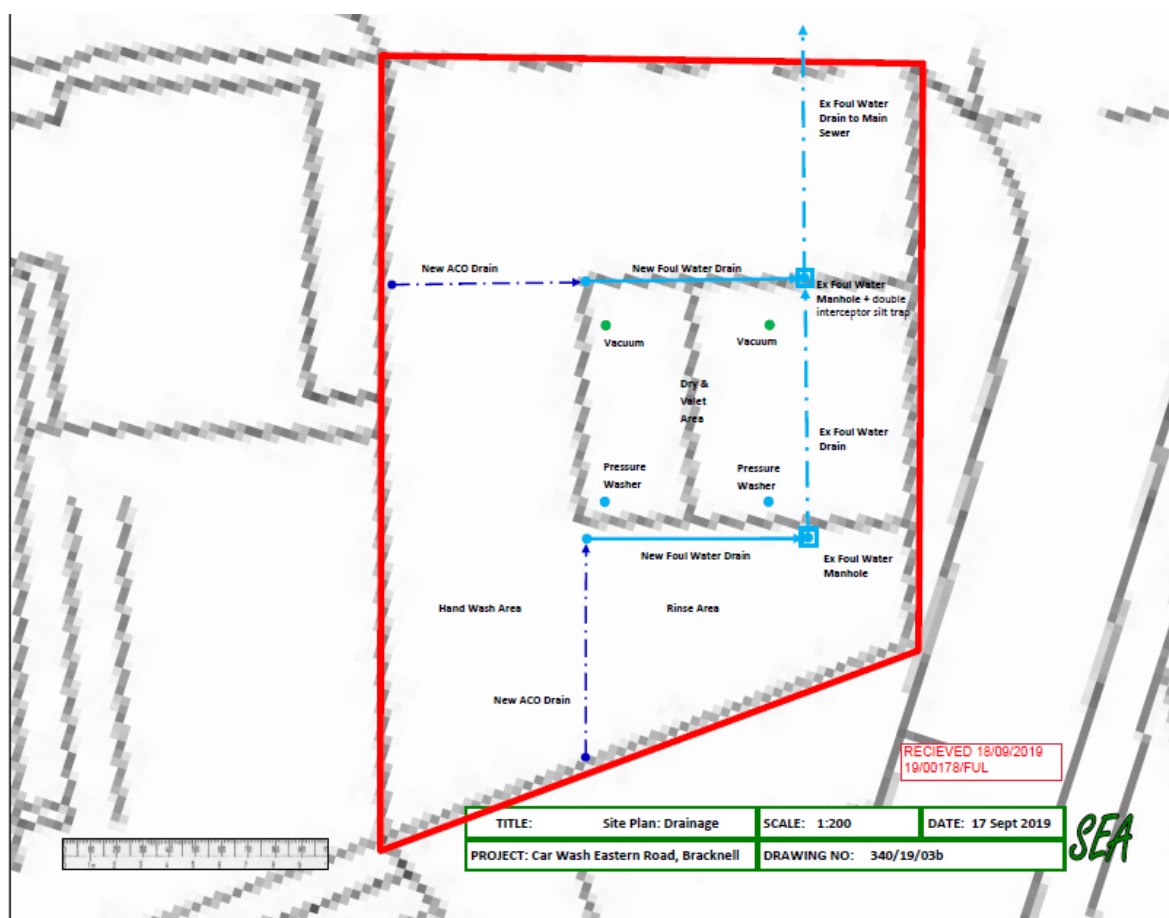
ix. DRAINAGE

9.34 The site has an existing Thames Water foul drain which the applicants propose to connect with to discharge all waste water used as part of the operation.

9.35 Dirty water or run-off from vehicle washing and cleaning carried out as a business or industrial activity is referred to as trade effluent. It is illegal to discharge trade effluent to the environment or into drains without permission. Both the Environment Agency and Thames Water were therefore consulted with regard to surface water runoff and contaminants from the proposed car wash. No objections were raised from either authority with regard to these matters. Thames Water has recently granted the applicant consent to discharge trade effluent from the proposed operation as a car wash into the public foul network.

9.36 The applicant has recently submitted a site drainage plan (340/19/03b dated 17 Sept 2019) showing a silt interceptor at a point before connecting to the foul sewer so that the wash water is treated rather than discharged directly into the environment. This will need to satisfy the regulatory authority, Thames Water.

Figure 5: Proposed site drainage plan



9.37 On the basis of the drainage plan submitted it shows that the site will be properly drained without increasing the risk of flooding to the area and the proposal is therefore compliant with CSDPD Policy CS1.

10. CONCLUSIONS

10.1 The proposal comprises a change from the site's former haulage vehicle repair and maintenance use to a carwash within the Eastern Industrial Area (Employment Area) and is considered to be acceptable in principle.

10.2 It is not considered that the proposal would adversely affect the residential amenities of nearby occupiers or the character and appearance of the surrounding area. There are no over-riding highway safety implications. The proposed use would not lead to any increase in flooding to the area and there are no objections to the operator discharging waste water to the existing foul drainage network connected to the site.

10.3 It is concluded that on balance this proposal accords with 'Saved' Policies EN25, EN20 and M9 of the BFBLP, CS1, CS2, CS7, CS19 and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

10.4 The proposal is therefore recommended for approval.

11. RECOMMENDATION

11.1 The application is recommended to be APPROVED subject to the following conditions:

01. The change of use of the premises 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 change of use hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details.

340/19/05a-d - Operational Layout & Circulation Plans -LPA Received 09.08.19

340/19/05e - Noise and Privacy Plan - LPA Received 09.08.19

340/19/03b - Drainage Site Plan - LPA received 18.09.19

Noise Impact Assessment (WBM Acoustic Consultants) dated 10 May 2019

Email from supplier (Frogchem) dated 30.10.19 - Jetwash pressure lock details

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

03. The use hereby permitted shall only operate in accordance with the approved details that ensures the jet washing equipment shall be calibrated to not exceed 70-80 bar at all times at this site.

REASON: In the interests of amenity of the nearby sensitive receptors namely the adjacent school and the residential flats on the opposite side of the road.

[Relevant Policies: BFBLP EN20, EN25]

04. The pressure washer machinery shall only be operated within the building as shown on the approved plan.

REASON: In the interests of amenity of the nearby sensitive receptors namely the adjacent school and the residential flats on the opposite side of the road.

[Relevant Policies: BFBLP EN20, EN25]

05. No machinery shall be operated, or process carried out at the site outside the following times 08:00-18:00 hours Monday to Saturday and 10:00-16:00 hours on Sunday.
REASON: In the interests of the amenities of the occupiers of nearby residential premises.
[Relevant Policies: BFBLP EN25]

06. The means of vehicular access and egress to the permitted use of the site shall be from Eastern Road only.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

07. The car parking for the use hereby permitted shall not be brought into use until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (a) directional signs and their locations;
- (b) surface materials and markings;
- (c) location and design of any lighting;
- (d) location and design of cycle parking.

No parking space shall be brought into use until the approved scheme in respect of that parking area has been complied with in full. Thereafter the parking area shall be maintained in accordance with the approved scheme.

REASON: In the interests of the accessibility and safety of the car park users.

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

08. The use hereby permitted shall not be brought into operation until details of signage for the access and egress onto Eastern Road have been submitted to and approved in writing by the Local Planning Authority. The signage shall thereafter remain in situ as approved.

REASON: In the interests of highway safety and to ensure that safe and suitable access to the site can be achieved for all users.

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

09. Along the length of frontage of the site onto Eastern Road, an area with a minimum width of 2m from the carriageway of Eastern Road shall be kept clear of stationary vehicles at all times.

REASON: In the interests of highway and pedestrian safety and to ensure that safe and suitable access can be achieved for all users.

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

Informatives:

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed on-line at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Unrestricted Report

ITEM NO: 06

Application No.
19/00023/FUL

Site Address:

Ward:
Priestwood And Garth

Date Registered:
14 January 2019

Target Decision Date:
11 March 2019

Land To The Rear Of 29 Warfield Road & 7 Sherring Close Bracknell Berkshire RG42 2JY

Proposal: **Erection of 3no. dwellings with associated landscaping, parking and access.**

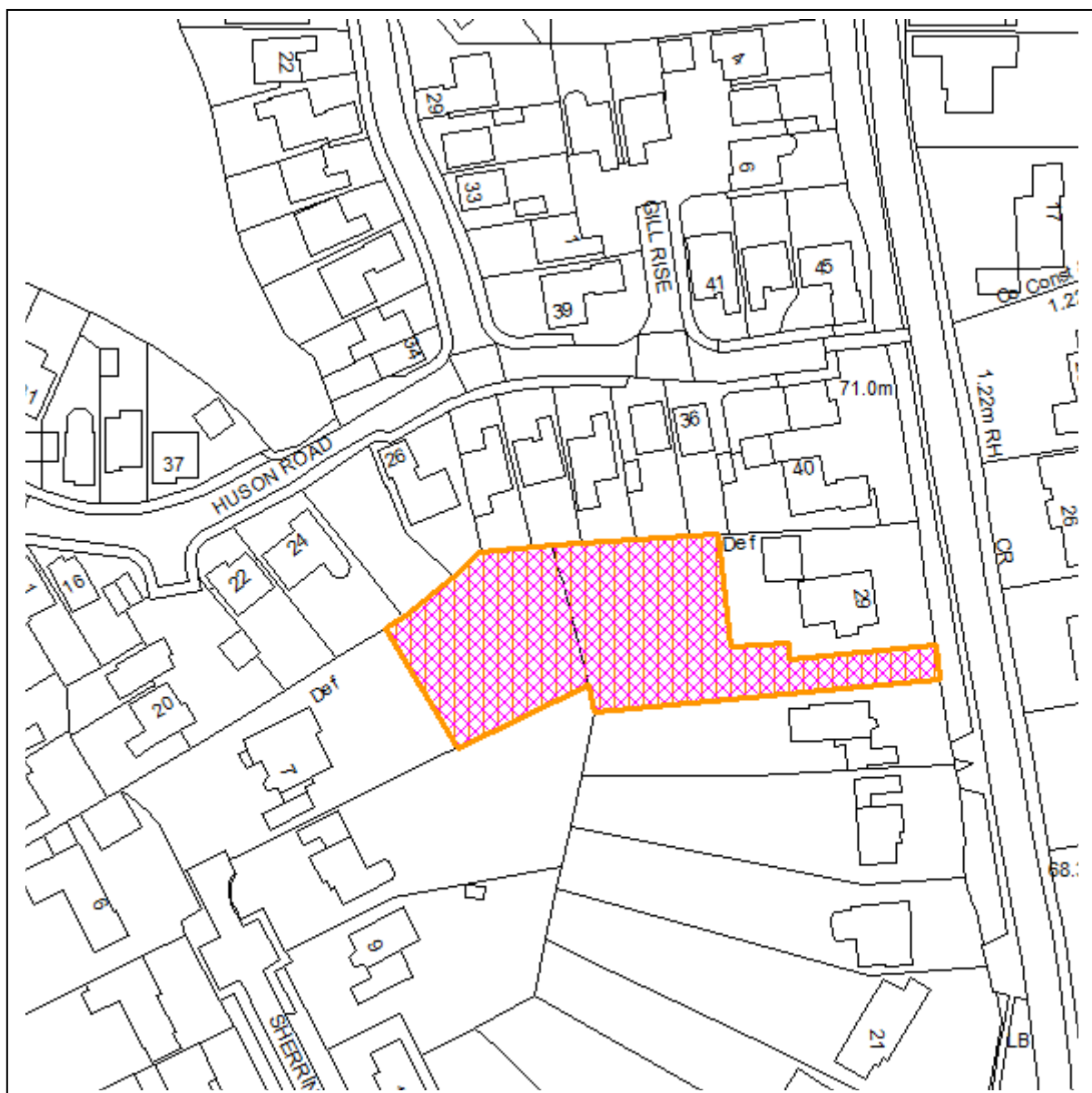
Applicant: Mr S Khan

Agent: Mr Matt Taylor

Case Officer: Matthew Miller, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 The proposed development comprises the erection of three additional dwellings within existing residential garden land, within the defined settlement of Bracknell. The proposal is therefore acceptable in principle.
- 1.2 The proposal would not adversely impact upon the character and appearance of the surrounding area, nor would it adversely affect the residential amenities of the occupants of neighbouring residential dwellings. The proposal would also be acceptable in terms of highway safety and parking, subject to proposed conditions.
- 1.3 Relevant conditions will be imposed in relation to multiple matters, including surface water drainage and biodiversity. A legal agreement is required to secure contributions for SPA mitigation, and the scheme is CIL liable.

RECOMMENDATION
Delegate to the Head of Planning to grant planning permission following the completion of a Section 106 Agreement and subject to the conditions in Section 11 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is being considered by the Planning Committee following the receipt of 16no. objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Land within a defined settlement
Sited within 5km of the Thames Basin Heath SPA
Badger activity (protected species) located in vicinity of development
Culverted watercourse located beneath site

- 3.1 Acacia House, 29 Warfield Road and Grayswood House, 7 Sherring Close are both two storey detached dwellinghouses, each containing generous landscaped rear gardens which form a shared boundary. The dwellings are located in a built up, predominately residential area. The site level slopes notably downwards from east to west.
- 3.2 Warfield Road (the A3095) beyond the eastern boundary of the site is a significant distributor road, connecting Bracknell town centre from the south to Warfield and other settlements beyond to the north. Sherring Close to the west, by contrast, is a residential cul-de-sac. However, both street scenes are characterised by significant levels of planting fronting residential dwellings.
- 3.3 The site is immediately adjoined by residential properties on all sides (Warfield Road, Sherring Close, and Huson Road to the north). The surrounding dwellings are two storeys and detached, with those to the south, east and west containing large rear gardens.
- 3.4 A strip of enclosed undeveloped land is sited to the north of the rear garden of 7 Sherring Close, forming a biodiversity and drainage corridor to the main section of Piggy Wood on the opposite side of Huson Road (through tunnels running under the highway).

4. RELEVANT SITE HISTORY

- 4.1 The planning history of 29 Warfield Road is as follows:

620464

Erection of single storey double garage.

Approved (1995)

- 4.2 The planning history of 7 Sherring Close is as follows:

11417

Extension to existing bedroom with porch under.

Approved (1966)

602452

Single storey extension forming porch and study.

Approved (1977)

14/00759/FUL

Single storey side extension with front entrance porch and pitched roof following demolition of existing porch to side.

Approved (2014)

16/01177/FUL

Erection of two storey side extension, front porch and detached double garage with accommodation above.

Approved (2016)

- 4.3 There is no previous planning history relating to the erection of dwellings in the rear gardens of these properties.

5. THE PROPOSAL

- 5.1 The proposed development is the erection of 3no. four bedroom, two storey detached dwellings within the rear gardens of 23 Warfield Road and 7 Sherring Close. Two types of dwelling design are proposed, with Plots 1 and 2 of the same design, but handed to each other.
- 5.2 The dwellings proposed for plots 1 and 2 would each measure 10.2 metres in width, 12.7 metres in depth, and 8.8 metres in height. The dwelling proposed for plot 3 would measure 12.4 metres in width, 10.4 metres in depth, and 8.8 metres in height.
- 5.3 In addition, three detached car ports and garden sheds are proposed, as well as parking, landscaping and access.
- 5.4 Access to the proposal would be via Warfield Road, by making use of the existing access to 29 Warfield Road. A section of the southern residential curtilage of this property would be removed to create the internal access route to the proposed dwellings. No changes are proposed to the existing dwellings at 29 Warfield Road and 7 Sherring Close.
- 5.5 During the course of the application amended plans and additional information have been received in respect of widening the proposed access, changes to parking provision, bin store arrangements, and biodiversity and surface water drainage considerations.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

- 6.1 Bracknell Town Council raise no objection.

Representations from Members of the Public

- 6.2 15no. objections have been received from members of the public, from addresses within Warfield Road, Sherring Close and Huson Road They are summarised as follows:

- the proposal would have a limited impact on meeting the Borough's Housing Supply needs;
- the Borough does not require additional housing developments to be provided;
- the proposal constituting backland development, would be out of character with the surrounding area;
- the type of housing proposed would be out of character with the surrounding area
- the proposal would result in adverse overlooking, loss of privacy and loss of light to occupants of neighbouring properties;
- the proposal would result in an increase in noise pollution;
- the proposal would result in the loss of trees;
- an increase in vehicular movements, including utilising the proposed access point on Warfield Road, would result in an adverse impact on highway safety, including to pedestrians. Harm would also be caused by the required construction traffic;
- the site is at significant risk of surface water flooding, and the proposal would exacerbate this;
- the site has significant biodiversity value through acting as a wildlife corridor, which the proposal would block;
- the proposal would adversely affect communications ('satellite television, mobile phone, broadband') [Officer comment: it is unclear how this would be the case, especially to any degree of material harm to residential amenity].

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

No objection on amended plans subject to conditions.

Biodiversity Officer

No objection based on additional information received, subject to conditions.

Lead Local Flood Authority (LLFA)

No objection based on additional information received, subject to conditions.

Thames Water

Refer to Informative 05.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

- 8.1 The key policies and guidance applying to the site and the associated policies are:

	Development Plan	NPPF
Principle of Development	CSDPD Policy CS1	(Paras. 7, 11, 12, & 117 - 119)
	CSDPD Policy CS2	Consistent (Para. 17 & 117 - 119).

Design & Character	CSDPD Policy CS7 BFBLP 'Saved' Policy EN20	Consistent (Chapter 12)
Trees & Landscape	CSDPD Policies CS1 & CS7 BFBLP 'Saved' Policies EN1, EN2 & EN20	Consistent (paras. 127 & 170)
Residential Amenity & Pollution	'Saved' Policies EN20 & EN25 of BFBLP	Consistent (paras. 127, 170 & 180)
Transport	CSDPD Policy CS23 BFBLP 'Saved' Policy M9	Consistent (Chapter 9)
Drainage	CS1 of CSDPD	Consistent (paras. 163 & 165)
Biodiversity	CSDPD Policies CS1 & CS7	Consistent (paras. 170 & 175)
Sustainability (Renewable Energy and Water Use)	CSDPD Policies CS10 & 12	Consistent (para. 149)
SPA	CS14 of CSDPD BFBLP 'Saved' Policy EN3 SEP 'Retained' Policy NRM6	Consistent
Supplementary Planning Documents (SPD)		
Design SPD (2017) Parking Standards SPD (2016) Sustainable Resource Management SPD (2008) Thames Basin Heaths SPA SPD (2018)		
Other publications		
National Planning Policy Framework (NPPF) (2019) National Planning Policy Guidance (NPPG) (2019) BFC CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Impact on Residential Amenity

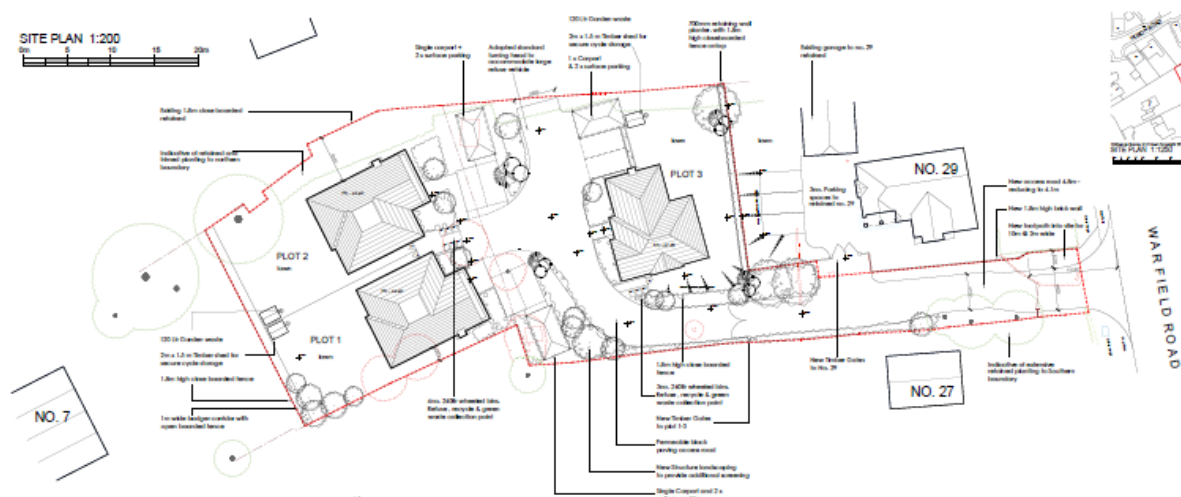
- ### i. Principle of development

9.3 Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements.

9.5 Therefore, due to its location and nature, the proposal is considered to be in accordance with SALP Policy CP1, CSDPD Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF. However, impacts on the residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications etc. remain, and are assessed below.

ii. Impact on character and appearance of surrounding area

Layout & Surrounding Area



9.6 The proposal would form backland development which is not typical of the pattern of development in this area. However, this does not automatically mean that the proposal gives rise to harm. The proposed dwellings would be set back from Warfield Road by over 45 metres, from Sherring Close by approximately 58 metres, and from Huson Road by over 30 metres. This combined with screening from the existing dwellings and the significant levels of tall planting would mean that the development would have limited visibility in any of these street scenes, and therefore limited impact. As an existing built up urban area the addition of built form, set back significantly from public vantage points, would not result in an

incongruous visual impact. Furthermore, the existing access point from Warfield Road would be utilised.

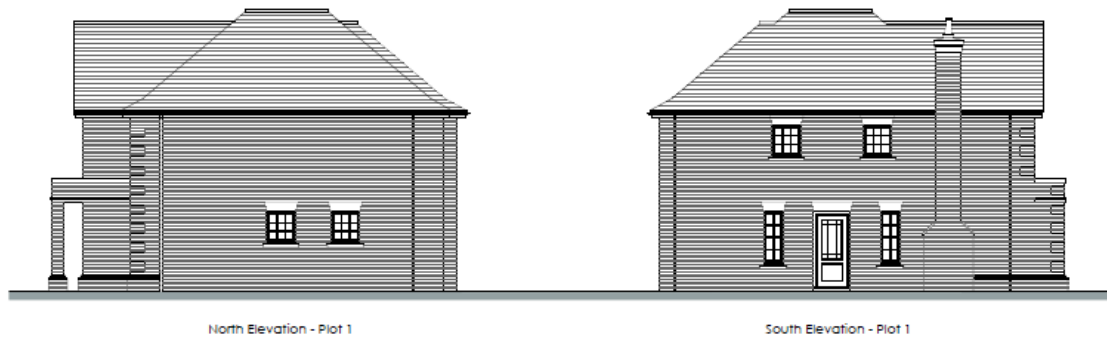
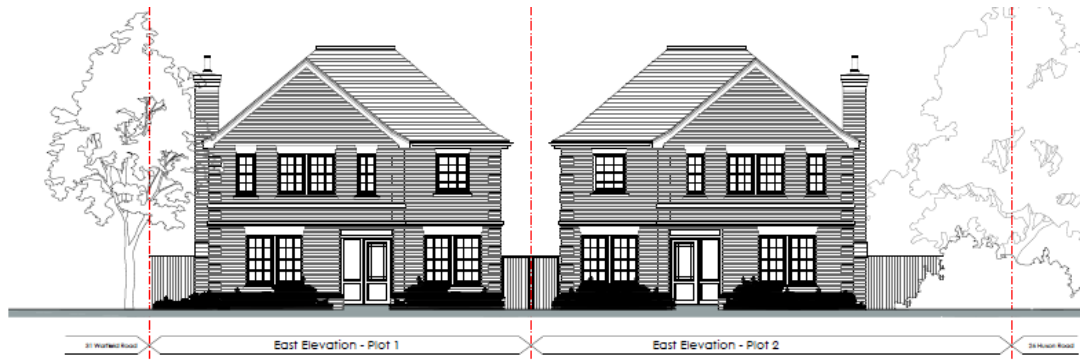
- 9.7 While the site level slopes downwards from east to west, the section below demonstrates that, even with the level changes, the proposal would still be significantly screened from public vantage points:



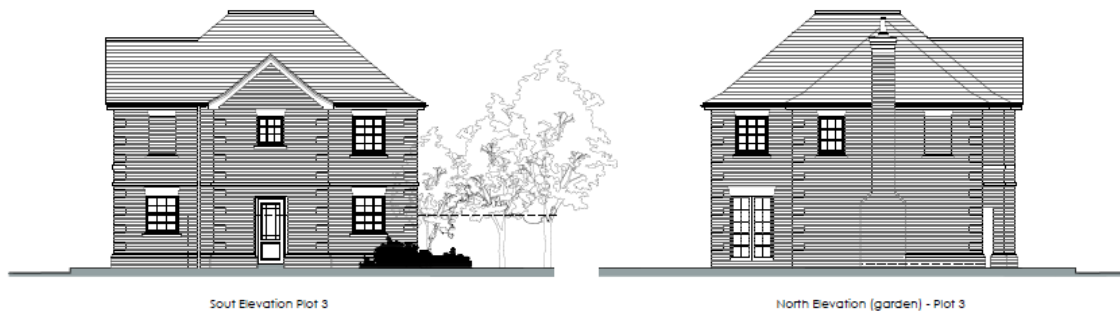
- 9.8 The proposal for two storey detached dwellings would be in keeping with the established dwelling type in the area. While the sizes of the existing gardens to 23 Warfield Road and 7 Sherring Close would be significantly reduced, the resulting garden sizes both to the existing and proposed dwellings would not be considered to detract from the character of the area, especially when comparing the plot sizes to those present in Huson Road to the immediate north.
- 9.9 It is acknowledged that a number of trees and other planting have been removed on site, with the proposal likely to require further removal. None of the affected trees are subject to a Tree Preservation Order, and due to their location in respect of public vantage points, make a limited contribution to the character of the area. It is however recommended, in the interest of good landscape design, that a condition be imposed to require details of a proposed soft landscaping scheme, as well as details of the proposed and retained boundary treatments.
- 9.10 The proposed car ports are not considered to detract from the character of the area by merit of their single storey height and limited overall bulk and massing, as well as their siting. There is a detached garage at 29 Warfield Road.

Dwelling Design

Plots 1 & 2



Plot 3



- 9.11 The surrounding dwellings have varied architectural styles and external materials. There is a marked contrast between the older development within Warfield Road and Sherring Close and the more modern development in Huson Road.
- 9.12 The proposed elevational designs of the dwellings are considered to be of good quality, making use of both gable and hipped features which are apparent in the surrounding development. Plot 3 would have active frontages on both its front (west-facing) and south-facing side elevations, to reflect its prominence within the internal layout of the site. Furthermore, while the dwellings are significant in bulk and massing, they are not considered excessive for either the overall size of the plot, or to the general surrounding development (e.g. 29 Warfield Road).
- 9.13 For the external materials it is proposed to use locally sourced red brick. However, details of other proposed materials, such as roof tiles, are limited. It is therefore considered appropriate to impose a condition requiring full details of the external materials to be used, in the interests of the character of the area.

iii. Impact on Residential Amenity

Impact on occupants of neighbouring properties

- 9.14 In relation to Grayswood House, 7 Sherring Close to the immediate west, there would be a back-to-back rear elevation distance of 33.3 metres between Plots 1 & 2 and no.7, exceeding the Design SPD's guidance of 22 metres for back-to-back distances.
- 9.15 In relation to the rear garden of 8 Sherring Close to the south of Plot 1, there would be a limited separation distance of 1.7 metres. However, in terms of loss of privacy, there would be no first floor windows installed to Plot 2 on its southern elevation. Plot 1 would be sited to the north of the garden, and taking into consideration the overall size of the garden of no.8 and the fact the existing situation would remain to the east and south, there is not considered to be any unacceptable loss of light to this property.
- 9.16 In relation to Acacia House, 29 Warfield Road to the immediate east, there would be a separation distance of 18.3 metres between the rear elevation of Plot 3 and the side elevation of no.29. Furthermore, most of the curtilage of no.29 in this location consists of parking and hardsurfaced access and turning provision.
- 9.17 In relation to 27 Warfield Road to the south-east, the south-facing side elevation of Plot 3 would have a separation distance of 9.0 metres to the side boundary of the rear garden of no.27. Furthermore, the proposed first floor windows would directly face only a limited section of the garden.
- 9.18 In relation to the various neighbouring dwellings in Huson Road to the north, Plot 2 would have a separation distance to their rear boundaries of 5.5 metres, with the distance from the side elevation of Plot 2 to the nearest rear elevation of 26 Huson Road being 16.7 metres. No first floor windows are proposed to the north-facing elevation of Plot 2. In terms of loss of light impacts the separation distances are considered acceptable and not to result in an adverse impact. While Plot 3 would have first floor windows on its north-facing side elevation, the separation distance to the boundary would be 9.5 metres, with a wall-to-wall distance to 34 Huson Road of approximately 35 metres.
- 9.19 It is therefore considered, in view of the above, that the proposal would not result in any unacceptably adverse loss of light, loss of privacy or overlooking impacts to the occupants of neighbouring properties. It is however recommended, in the interests of residential amenity,

that a condition be imposed to restrict the formation of any future side-facing first floor windows to Plots 1 and 2, for the reasons identified above.

- 9.20 While there would be a loss of rear garden space to both 29 Warfield Road and 7 Sherring Close, the retained garden space to these properties is not considered to be excessively small, particularly taking into account the sizes of the rear gardens to the dwellings in Huson Road.
- 9.21 In terms of additional noise generation and general disturbance, the addition of three residential units within a defined settlement and a built up residential area is not considered to give rise to an unreasonable level of harm.

Impacts on prospective residents

- 9.22 There would be a separation distance of 16.4 metres between the front elevations of Plots 1 and 3. This exceeds the Design SPD'S guidance of 12 metres, and also accommodates the lowering site level.
- 9.23 There would be a separation distance of 1.95 metres between the sides of the dwellings of Plots 1 and 2. However, there are no first floor windows proposed on these flank elevations.
- 9.24 The gardens to the three proposed dwellings are considered to be of reasonable size, both in the context of the sizes of the rear gardens to the properties of Huson Road, and to what is typical of a modern housing development.
- 9.25 It is therefore not considered that the proposal would result in an adverse impact to prospective occupants of the development. It is however recommended that a condition be imposed to restrict the formation of any future side-facing first floor windows to Plots 1 and 2 which face each other, for the reasons identified above.

iv. Transport and Highways considerations

Access & Layout

- 9.26 It is proposed to utilise the existing access point on to Warfield Road which serves the dwelling of no.29. As a result there would be no additional access points created on to this classified 'A' highway.
- 9.27 Following the receipt of amendments and additional information, the applicant has demonstrated that visibility splays of 2.4 metre by 120 metres (to the position of approaching traffic) can be achieved in either direction, which are acceptable for a 40 mph speed limit road, which also experiences significant ground level changes in this location. These visibility splays also cater for pedestrian movement.
- 9.28 The existing access would be widened to enable two-way car movement within the site, and also include a footpath. The applicant has provided vehicle tracking which shows that larger vehicles, including refuse vehicles, could access and egress the site acceptably.
- 9.29 In the interests of highway safety, it is recommended that conditions be imposed to secure the proposed access arrangements and visibility splays. It is also recommended that a condition be imposed to secure a construction management plan, due to the development taking access from a classified A highway, in the interests of highway safety.
- 9.30 The applicant is to be advised by way of informative that works within the public highway (to widen the access point) will require a Highway Licence, as a separate matter to the planning

process. Furthermore, the applicant is likely to need to enter into a Section 278 Agreement with the Highway Authority for the proposed bell-mouth access, including the footway.

Parking

- 9.31 In accordance with the guidance provided by the Parking Standards SPD, four bedroom dwellings should make provision for three acceptable off-street parking spaces. This increases in importance in this location due to the development taking access from a classified 'A' highway.
- 9.32 Following the receipt of amendments, each dwelling would benefit from two exterior parking spaces, and a car port of acceptable internal dimensions to provide a third allocated space. While two of the proposed parking spaces for Plots 1 and 2 would be a tandem arrangement, this is not considered unacceptable particularly in an enclosed cul-de-sac with adequate turning provision, as proposed.
- 9.33 Secure cycle parking would be provided via external access to the rear gardens of the properties.
- 9.34 In the interests of highway safety, it is recommended that conditions be imposed to secure the proposed parking (including the car ports and cycle store) for parking.

Traffic & Sustainability of Location

- 9.35 The addition of 3no. four bedroom dwellings would represent a modest increase in traffic along the A3095 Warfield Road, and not all trips undertaken would be by car. In view of this it is not considered that the proposal would give rise to a materially harmful increase in traffic.
- 9.36 The site is located in a sustainable location, being sited within the defined settlement of Bracknell and approximately 1.0 kilometre from the town centre, with the route containing uninterrupted footpaths. There is also a bus stop located within Folders Lane 150 metres to the south.

Conclusion on Highway Safety

- 9.37 It is considered that the development would not result in an adverse impact on highway safety, in accordance with Policy CS23 of the CSDPD, 'Saved' Policy M9 of the BFBLP, the Parking Standards SPD (2016), and the NPPF, subject to the recommended conditions.

v. Waste and Recycling

- 9.38 Off-street secure bin storage would be provided via the external access to the rear gardens of each property. It is recommended that this bin storage arrangement be secured by condition.
- 9.39 A bin collection point is proposed within the site, with a waste vehicle able to access and egress the site in forward gear (see para. 9.28).

vi. Drainage Implications

- 9.40 While the site is not located in Flood Zones 2 or 3, it is within an area at risk of surface water flooding, based on Environment Agency data. This is especially because a culverted watercourse runs beneath the site, connecting to Piggy Wood to the north. This in

combination with the development proposed on predominately undeveloped garden land means that the site has significant surface water drainage constraints.

- 9.40 Following the submission of detailed additional information at the request of the LLFA, detailed drainage calculations have been set out limiting the runoff from the site. The LLFA do not agree with the consultants' flow rate of 5l/s, as this does not mitigate the impact of the increase in rate or volume and much lower discharge rates are achievable when using permeable paving. However, the proposed connection is to a Thames Water sewer, who have raised no objection to the proposal or to this discharge rate, and there is also space within the driveway area to increase the size of the tanks to achieve a lower discharge rate. Consequently, the LLFA raise no objection in this instance.
- 9.xx As per the recommendation of the LLFA, several conditions are recommended to be imposed, relating to compliance with the submitted proposed drainage systems, details of construction mitigation measures, and subsequent post-construction management and maintenance, in the interests of limiting the risk of flooding.
- 9.41 It is therefore not considered that the proposed development would result in an adverse impact on surface water drainage, in accordance with CSDPD Policy CS1 and the NPPF, subject to the recommended conditions.

vii. Biodiversity Implications

- 9.41 Badger activity is present within the vicinity of the site, with evidence of badger foraging identified within the garden land subject to the application site (but no badger setts). Badgers are a protected species.
- 9.42 Following the submission of detailed additional information, including specialist reports, and discussions with the Biodiversity Officer, it is considered that unacceptable harm to badgers can be avoided with the imposition of appropriate planning conditions. This conclusion reflects the current site situation in that existing boundary fencing etc. to various properties beyond the application site is disrupting badger access.
- 9.43 The proposed conditions would therefore require the provision of a badger run that would connect the application site to the nature corridor to the north, a construction management plan which makes appropriate mitigation for wildlife, and details of boundary treatments which accommodate badger access. Furthermore, there would be restrictions on the installation of external lighting
- 9.44 In accordance with the CSDPD Policies CS1 and CS7, and para. 175 of the NPPF, it is also recommended that a condition be imposed to require the provision of biodiversity enhancements, primarily comprising bird and bat boxes.
- 9.45 It is therefore not considered that the proposed development would result in an adverse impact on biodiversity, in accordance with CSDPD Policies CS1 and CS7, and the NPPF, subject to the recommended conditions.

viii. Sustainability Implications

- 9.46 In respect of the proposed additional dwellings, Policy CS10 requires the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation.

- 9.47 No details of the above have been submitted for consideration, and therefore it is recommended that these be secured by way of planning condition.

ix. Other Considerations

- 9.48 The site is not known to be subject to any archaeological or contaminated land implications.
- 9.49 In terms of permitted development rights to enlarge the dwellings in the future, it is noted that any side extensions would be restricted by the requirement to retain access to bin and cycle storage. It is not however considered reasonable to impose a condition to explicitly restrict permitted development rights for their own sake, in line with government guidance on the matter.

x. Thames Basin Heaths Special Protection Area (SPA)

- 9.50 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heaths Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. An Appropriate Assessment has been carried out including mitigation requirements.
- 9.51 This site is located approximately 4.15 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.
- 9.52 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.
- 9.53 In this instance, the development would result in a net increase of 3 x four bedroom dwellings which results in a total SANG contribution of £20,514.
- 9.54 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £2,421.
- 9.55 The total SPA related financial contribution for this proposal is £22,935. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF. The Applicant has agreed to enter into a S106 agreement to secure these contributions.

xi. Community Infrastructure Levy

- 9.56 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL applies to new builds including those that involve the creation of additional dwellings.
- 9.57 CIL applies to any new build that involves the creation of additional dwellings. In this case, the proposal would be CIL liable as the proposal comprises the creation of three new dwellings. The site falls within the 'Outer Bracknell' charging area, for which the charge is currently £91.73 per square metre for 1-14 dwellings.

10. CONCLUSION

- 10.1 The proposal is considered acceptable in principle. Furthermore, it is not considered that the development would result in an adverse impact on the character and appearance of the area, the amenities of the residents of the neighbouring properties, on highway safety, biodiversity or drainage, subject to the recommended conditions. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable.
- 10.2 It is therefore considered that the proposed development complies with the following Development Plan Policies; SALP Policies CP1, CSDPD Policies CS1, CS2, CS7, CS14 and CS23, BFBLP 'Saved' Policies EN1, EN20, EN25 and M9, SEP 'Saved' Policy NRM6, the Design SPD, the Parking Standards SPD and the Thames Basin SPA SPD, and the NPPF.
- 10.3 The application is therefore recommended for conditional approval, subject to the completion of a Section 106 Agreement and the issue of a CIL liability notice.

11. RECOMMENDATION

- 11.1 **Following the completion of planning obligation(s) under Section 106** of the Town and Country Planning Act 1990 relating to the following measures:

- avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA);

that the Head of Planning be authorised to **APPROVE** the application subject to the following conditions, amended, added to or deleted as the Head of Planning considers necessary: -

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 22 February 2019:

2541-PL-01 Rev.B 'Site Plan'

2541-PL-02 Rev.B 'Floor Plans Plots 1,2'

2541-PL-03 Rev.A 'Floor Plans Plots 3'

2541-PL-06 Rev.B 'Carport and Garage Plans'

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

03. No above-ground construction works shall take place until details 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 Policies: BFBLP 'Saved' Policy EN20; Core Strategy DPD CS7]

04. The development hereby permitted shall not be begun until details showing the finished floor levels of the dwelling hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

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

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

05. 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 EN2 and EN20, CSDPD CS1 and CS7]

06. No development shall commence until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. The approved details shall thereafter be implemented and retained as such. All boundary treatments shall provide for the free movement of wildlife to and from the site.

REASON: In the interests of the visual amenity of the area, and biodiversity

[Relevant Plans and Policies: CSDPD CS1, CS7]

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed on any of the north- or south-facing elevations of the dwellings of Plot 1 and Plot 2 hereby approved.

REASON: In the interests of the residential amenity of the neighbouring residential properties

[Relevant Policy: BFBLP 'Saved' Policy EN20].

08. The additional dwellings hereby permitted shall not be occupied until the means of vehicular access, including details of construction and materials, has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented and retained as such.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

09. The dwellings hereby permitted shall not be occupied until visibility splays have been provided at the junction of the site access with Warfield Road in accordance with drawing 2541-PL-07 'Block Plan Showing Vision Splays Site Access Swept Paths', received by the Local Planning Authority on 22 February 2019. 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]

10. The dwellings hereby permitted shall not be occupied until the associated vehicle parking spaces have been surfaced and marked out in accordance with approved drawing 2541-PL-01 Rev.B 'Site Plan', received by the Local Planning Authority on 22 February 2019. 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: BFBP M9, Core Strategy DPD CS23].

11. The dwellings hereby permitted shall not be occupied until the associated car ports have been provided in accordance with approved drawings 2541-PL-01 Rev.B 'Site Plan', and 2541-PL-06 Rev.B 'Carport and Garage Plans', received by the Local Planning Authority on 22 February 2019. The car ports shall thereafter be kept available for parking at all times, and, notwithstanding the provisions of Part 1 Classes A and E of Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or alterations shall be made to the car ports, and no gate or door shall be erected to the front of the car ports.

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: BFBP M9, Core Strategy DPD CS23].

12. The dwellings hereby permitted shall not be occupied until the associated external rear garden access for cycle and bin storage has been provided in accordance with approved drawing 2541-PL-01 Rev.B 'Site Plan', received by the Local Planning Authority on 22 February 2019. The store and access shall thereafter be kept available for cycle and bin storage at all times.

REASON: In order to ensure adequate cycle and bin storage are provided, in the interests of highway safety and the character of the area.

[Relevant Policies: BFBP 'Saved'; Policies EN20 and M9, Core Strategy DPD CS7 and CS23]

13. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

- (a) Parking of vehicles of site personnel, operatives, and visitors;
- (b) Loading and unloading of plant and vehicles;
- (c) Storage of plant and materials used in constructing the development;
- (d) Wheel cleaning facilities, and
- (e) Temporary portacabins and welfare for site operatives.

Each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of visual amenity and road safety.

[Relevant Policies: CSDPD Policy CS7 & CS23, BFBP 'Saved' Policy EN20]

14. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging development activities
- b) identification of "biodiversity protection zones"
- c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during development (may be provided as a set of method statements)
- d) the location and timing of sensitive works to avoid harm to biodiversity features
- e) the times during development when specialist ecologists need to be present on site to oversee works
- f) responsible persons and lines of communication
- g) the role and responsibilities on site of an ecological clerk of works or similarly competent person
- h) the use of protective fences, exclusion barriers and warning signs

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the development period strictly in accordance with the approved details.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

15. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority setting out details of a badger run including details of boundary treatments. The badger run shall thereafter be provided in accordance with the agreed scheme, and be retained thereafter.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those area/features on site that are particularly sensitive for badgers and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent badgers using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

17. No development shall take place until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed, complied with and thereafter retained.

REASON: In the interests of nature conservation

[Relevant Policies: CSDPD Policies CS1, CS7]

18. An ecological site inspection report shall be submitted to the Local Planning Authority within three months of the first occupation of any dwelling hereby approved. Any

recommendations contained within this report and agreed in writing by the Local Planning Authority shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

19. No development shall take place until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

20. No development shall take place 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 dwellings 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]

21. No development shall take place until full details of the Drainage Systems, in accordance with the principles set out in the PBA Technical Note dated September 2019, have been submitted to and approved in writing by the Local Planning Authority. These shall include calculations demonstrating that the scheme meets greenfield runoff rates and volumes for the 1 in 1, 1 in 2, 1 in 30, 1 in 100 year and 1 in 100 +40% increase in climate change. The scheme shall be designed using FEH Rainfall and include a 10% increase for urban creep. Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, permeable paving construction, headwall details, planting (if necessary) and drawings as appropriate taking into account the groundwater table.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

[Relevant Policy: Core Strategy DPD CS1]

22. No development shall take place until details of proposed boundary treatments which shall not impact on existing flood flow routes (as set out in the PBA Technical Note dated 9 April 2019) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented and retained as such.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding.

[Relevant Policy: Core Strategy DPD CS1]

23. No development shall take place until details of how the surface water drainage shall be maintained and managed after completion have been submitted to and approved in writing by the Local Planning Authority. The details shall include confirmation of the required maintenance activities with expected frequency, with site specific assessments included to demonstrate that health and safety has been fully considered in the design and that access and egress for future residents will be maintained during any operations to repair or replace drainage features. The approved details shall thereafter be implemented and retained as such.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding

[Relevant Policy: Core Strategy DPD CS1]

24. The dwellings hereby permitted shall not be occupied until a verification report has been submitted to and approved in writing by the Local Planning Authority, including evidence demonstrating the agreed construction details and specifications have been implemented. This shall include photos of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquacludes or aquabrakes, cover systems, etc.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding

[Relevant Policy: Core Strategy DPD CS1]

25. The dwellings hereby permitted shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority regarding information to be provided to prospective residents concerning aspects of any drainage systems that serve multiple properties and the need for residents to maintain the fencing details subject to condition 22.

REASON: To ensure that the site is properly drained and does not increase the risk of flooding

[Relevant Policy: Core Strategy DPD CS1]

Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with: -

1. Commencement
2. Approved Plans
7. Side Windows (Plots 1 & 2)
9. Visibility Splays
10. Parking
11. Car Ports
12. Bin & Cycle Storage
16. External Lighting
17. Biodiversity Enhancements
19. Water Use
20. Energy Demand

Details will be required in respect of the following conditions before the commencement of above-ground works: -

3. Materials

Details will be required in respect of the following conditions before the commencement of development: -

4. Finished Floor Levels
5. Hard & Soft Landscaping
6. Boundary Treatments – Design & Wildlife
13. Construction Management
14. CEMP

- 15. Badger Run
- 15. Biodiversity Enhancements
- 16. Water Use
- 17. Energy Demand
- 21. Drainage System Details
- 22. Boundary Treatments – Drainage
- 23. Drainage Maintenance & Management

Details will be required in respect of the following conditions before the occupation of the dwellings: -

- 8. Access
- 24. Drainage Verification Report
- 25. Drainage – Prospective Residents

Details will be required in respect of the following condition within three months of the first occupation of any dwelling: -

- 18. Ecological Site Inspection

03. The applicant should note that while Certificate B of the submitted Application Form has been signed, this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.

04. The applicant should note that the Bracknell Forest Council's Street Works Team should be contacted at the Environment, Culture and Communities Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks' notice to obtain details of underground services on the applicant's behalf.

05. Thames Water has provided the following comments:

WASTE COMMENT

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

Should the applicant fail to complete the required S106 agreement by 14 February 2019 the Head of Planning be authorised to **REFUSE** the application for the following reason: -

- 1. 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), and the NPPF.

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Unrestricted Report

ITEM NO: 07

Application No.
19/00359/OUT

Site Address:

Ward:
Harmans Water

Date Registered:
16 April 2019

Target Decision Date:
11 June 2019

**Willow House Ranelagh Drive Bracknell Berkshire
RG12 9DA**

Proposal:

Outline application for the erection of two dwellings and garages following the demolition of existing dwelling and garage (with all matters reserved).

Applicant:

Mrs D White

Agent:

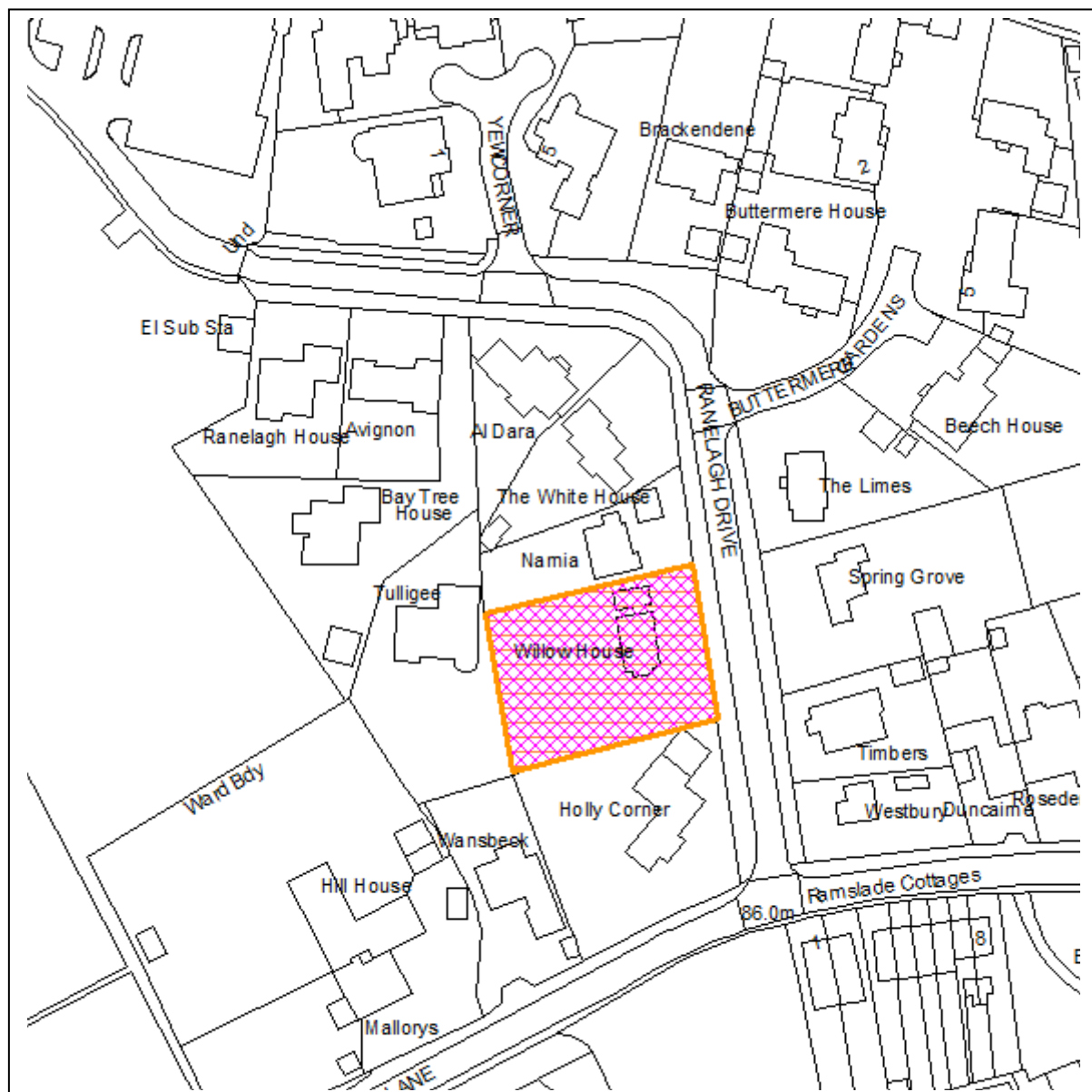
Rana Burgan

Case Officer:

Alys Tatum, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 Outline planning permission, with all matters reserved, is sought for the erection of two dwellings and garages following the demolition of existing dwelling and garage.

1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle.

1.2 It is not considered that the proposal would have a detrimental impact on the character of the area.

1.3 Relevant conditions will be imposed relating to submission of reserved matters, tree protection and bat survey.

1.4 The scheme is CIL liable and a S106 agreement is required to secure a contribution to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA.

RECOMMENDATION
That the Head of Planning be authorised to approve the application subject to the conditions in Section 11 of this report and the completion of a section 106 agreement relating to mitigation measures for the SPA.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee as it has received more than 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within a defined settlement boundary
Tree Preservation Order

3.1 The proposal site consists of a two-storey detached four bedroom dwelling with garage situated on the western side of Ranelagh Drive. Ranelagh Drive is a private road which is accessed to the north of Broad Lane.

3.2 The site is situated within the settlement boundary and there are two protected trees situated to the front of the site, on the verge with Ranelagh Drive.

3.3 Ranelagh Drive is part of Character Area B: Broad Lane of the Character Area Assessments Supplementary Planning Document. It is characterised by detached dwelling set on spacious plots along a tree lined road.

4. RELEVANT SITE HISTORY

4.1 There is no recent planning history for the site.

5. THE PROPOSAL

5.1 Outline planning permission is sought with all matters reserved for the erection of two dwellings and garages following the demolition of the existing dwelling and garage.

5.2 All matters are reserved however indicative plans have been submitted regarding the access, appearance, layout and design to demonstrate how the site could accommodate the proposed development.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Considered no objection

Other Representations

6.2 Objections from 6 properties have been received and the concerns raised can be summarised as follows:

- Would impact on the privacy and level of light received by immediate neighbouring dwellings Narnia and Holly Corner due to dwellings projecting further into rear garden than existing.
- Increase in traffic along Ranelagh Drive causing highway safety issues.
- Concern regarding construction vehicles as the road is a pedestrian access for the children and parents of Ranelagh School.
- Insufficient parking.
- Concern relating to the protection of the protected trees on site.
- Three storey dwellings would impact the street scene.

Representations from 2 properties have been received neither objecting or supporting but raising the following additional concerns:

- Concerns regarding additional drainage required.
- Set precedent for other similar developments.

7. SUMMARY OF CONSULTATIONS RESPONSES

Highways Officer

7.1 No objection.

Biodiversity Officer

7.2 No objection subject to condition.

Tree Officer

7.3 Recommend approval subject to conditions

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

8.1 The key policies and guidance applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent (except for CP1 of SALP which is not wholly consistent)
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Noise	EN25 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area SPD		
Design SPD		
Parking standards SPD		
Character Area Assessment SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for considerations are:

- i. Principle of development
- ii. Impact on the character and appearance of surrounding area
- iii. Impact on residential amenity
- iv. Impact on trees
- v. Biodiversity
- vi. Impact on highway safety
- vii. Thames Basin Heath Special Protection Area
- viii. Community Infrastructure Levy (CIL)
- ix. Other considerations

i) Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, which is supported by the NPPF (para. 2).

9.3 Policy CS1 of the CSDPD sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes. This is consistent with the NPPF and as such can be afforded full weight.

9.4 Policy CS2 of the CSDPD states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.

9.5 Therefore as the site is situated within the settlement boundary, the sub-division of a plot is not in itself objectionable in principle provided that the proposed development would be in keeping with the character of the area and would not be harmful to the amenities of neighbouring occupiers or any other interests of acknowledge importance.

ii) Impact on Character and Appearance of Surrounding Area

9.6 'Saved' Policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted which build on the urban local character, respecting local patterns of development. Paragraph 124 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.

9.7 The site is located within Area B of the Bracknell Character Assessments Area and the Supplementary Planning Document (SPD) outlines the main characteristics of this area to be mature tree lines roads with individual houses set in large plots that allow for space and tree planting in between houses. There is no consistent architectural approach within the main area and houses are predominately detached and laid out in an informal manner with gaps between them. The recommendations of the SPD outlines that development along Ranelagh Drive should be kept to a lower density with detached houses in generous plots and spaces in between them.

9.8 The subdivision of the plot into two would increase the density of the site however the resulting two plots would still be of a lower density in comparison to other plots in the surrounding vicinity. The plots would also be comparable in size with other plot width and depth along Ranelagh Drive. Therefore, whilst the density is increased, it is considered that the subdivision of the plots would still be consistent with the identified character of Ranelagh Drive.

9.9 Indicative drawings have been submitted to demonstrate how the site would be subdivided. It is considered that there would be adequate space on each plot to accommodate a dwelling, on site parking, residential garden and soft landscaping which would be sympathetic with existing developments along Ranelagh Drive.

9.10 Based on the above, the proposal would not adversely affect the character and appearance of the surrounding area and would accord with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

iii) Impact on Residential Amenities

9.11 'Saved' policy EN20 of the BFBLP states that development will not adversely affect the amenity of surrounding properties and adjoining area. Paragraph 127 of the NPPF states that the Local Planning Authority should ensure high quality amenity for all existing and future occupants of land and buildings.

9.12 The impact of the proposal on the amenities of neighbouring occupiers would be dealt with in details via a subsequent Reserved Matters application should the outline application be approved. However, it is reasonable to have some consideration towards the neighbour impact in the assessment of the acceptability of a proposal.

9.13 The indicative drawings demonstrate how the proposed dwellings could be accommodated on site and it is considered that an acceptable relationship could be achieved with the development and the neighbouring properties. The dwellings would face onto Ranelagh Drive which would create a side to side relationship with the neighbours on either side of the site and the depth of the site is sufficient to ensure an appropriate separation distance with the adjoining dwelling to the rear.

9.16 As such, it is considered that the site could accommodate two dwellings without significantly compromising on the amenity areas of neighbouring properties. The proposal would therefore be in accordance with 'Saved' policies EN20 and EN25 of the BFBLP and the NPPF.

iv) Impact on Trees

9.17 'Saved' policy EN1 of the BFBLP states that planning permission will not be granted for development which would result in the destruction of trees and hedgerows. Trees and hedgerows are important to the retention of the character and appearance of the landscape or townscape of the area.

9.18 There are two mature Lime Trees subject to Tree Preservation Order 753 located at the front boundary of the site, on the verge with Ranelagh Drive. Both trees are mature specimens in excess of 20 metres in height and are significant landscape and amenity features along Ranelagh Drive. With an estimated diameter at breast height (DBH) of 1 metre, the required Root Protection Area (RPA) is in the region of 12 metres. In this case, not only do the two RPA's overlap each other along the frontage of the site, but this nominal protective distance has already been significantly encroached by the use of the frontage of the property as a driveway and car-parking area.

9.19 As this is an outline application with all matters reserved, it is not possible to fully assess the potential impact on the trees at this stage. This can only be assessed once it is confirmed where the proposed access along with parking and turning areas are to be located, the positioning of the dwellings and also the location of services. This would be submitted at the reserved matters stage. However, the Tree Service consider that it would be possible to achieve an access to serve both dwellings along with associated parking areas on site whilst still retaining and applying appropriate protection to the TPO trees. Indicative drawings have been submitted to demonstrate where an access could be provided. The Tree Team however are concerned with the proposal to utilise the existing in/out driveway due to the significant extent of the RPA. It is therefore recommended that a single central access would have less impact on the TPO trees than retaining and utilising the existing access and recommend that this is taken into consideration at the reserved matters stage.

9.20 Therefore, due to the lack of detail at this outline stage, it is not possible to confirm whether or not the proposal would have an acceptable impact on the protected trees. However, as it is considered that an appropriate access can be achieved on site, the outline

application can be recommended for approval subject to conditions which require the submission of arboricultural information.

v) Biodiversity

9.21 Policies CS1 and CS7 of the CSDPD seek to protect and enhance the quality of natural resources including biodiversity. Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175 of the NPPF states that when determining planning applications, local planning authorities should apply the following principles:

- a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.
- c) Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

9.22 The Elite Ecology Bat Activity Survey August 2019 concludes that the existing building has moderate potential to support roosting bats and has conducted a single activity survey. Two surveys are required by current bat survey guidelines and therefore the second is still outstanding.

9.23 There are some differences between the description of the existing building in the bat survey report and supporting information the agent has sent in an email. Section 3.2.2 of the report described dislodged tiles but there is no evidence of this in the photos of the property and other descriptions indicate the ecologist believe there are several potential bat access points to the house but these are not in evidence. Given the high level of bat activity observed in the first survey, a second should be completed to have adequate evidence on which to decide there are no bat roosts present. The report recommends that 4 surveyors are required to include surveying of the trees however this is not considered necessary as they are shown to be retained in the proposal.

9.24 In conclusions, it is considered that the bat activity survey report follows good practice but does not include specific details of potential access points. This creates some doubt around the potential for bats to be present. Given the high levels of bat activity in the first survey, a second would be advisable to confirm bats are not roosting within the building and to comply with current survey guidelines. National policy would not normally allow protected species surveys to be subject of a condition however as there is some existing data for this site, it is considered reasonable to condition a further survey in this instance, particularly as the site appears to be of relatively low risk.

9.25 Based on the above, the Biodiversity Officer recommends approval subject to condition. These conditions cover the further bat survey, lighting and biodiversity enhancements which are all considered reasonable.

vi) Impact on Highways Safety

9.26 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy CS23 of the Core Strategy states that development will be permitted where mitigation against the

transport impacts which may arise from that development or cumulatively with other proposals is provided.

9. 27 These two proposed dwellings would take access off Ranelagh Drive, a residential cul-de-sac, which also provides access to Ranelagh School. Ranelagh Drive is a shared surface road for all users, including pedestrians and cyclists. There are no apparent parking restrictions, though Ranelagh Drive is a private road.

9.28 The existing property has two existing driveway accesses and the indicative block plan drawing shows that these are to be utilised for access to the two proposed dwellings. Visibility at these existing accesses is obscured by existing trees and whilst it may be difficult to resist a proposal to utilise these existing accesses, when taking into consideration that they are already being used, it is recommended that a single central access is provided central to the plot. This would ensure visibility splays of 2.4m by 30m can be achieved in either direction of these existing accesses, in line with likely vehicle speeds along Ranelagh Drive, and that sufficient vehicle visibility is provided towards pedestrians and cyclists using Ranelagh Drive. Details of means of access would be provided at reserved matters stage, though this outline application indicates that a suitable access could be achieved. The proposed plans indicate that acceptable pedestrian access to the front doors of the dwelling and to the side/rear for bin storage, and cycle parking could be provided.

9.29 The applicant has included Ranelagh Drive within the red line area and served notice on owners of this private road. Thus, they have demonstrated that the mean of access to two new dwellings and associated access to on-plot parking can be provided. The applicant would require the consent of the owner of Ranelagh Drive for any alterations which may be required to these existing accesses as it is a private road.

9.30 The proposed block plan shows the provision of an integral garage and two driveway parking spaces, which would provide 3 parking spaces for each of the dwellings to comply with the parking standards for the 4 bed dwellings (shown on the proposed floor plans). However, the proposed garages have internal dimensions of 3.5m by 6.5m which is slightly below the Council's required internal dimensions of 3.5m by 7.5m. As this is an outline application with all matters reserved, details of the parking provision, including garages would be dealt with at the Reserved Matters stage, and it is considered that slightly larger garages could be accommodated to ensure the provision of 3 parking spaces to comply with the parking standards for 4-bed dwellings. Larger garages could be used for cycle parking. The provision of parking to standard would avoid over-spill parking along Ranelagh Drive, and the indicative driveway layouts could accommodate some occasional visitor parking.

9.31 Two dwellings could generate in the region of 12 to 16 two-way movements per day, including two or three movements in each peak period. This represents a potential increase of 6 to 8 two-way movements per day compared with that which could be generated by the existing property and a modest traffic increase along Ranelagh Drive. Also, not all trips would be by car, bearing in mind the proximity to the Town Centre, and local facilities, and services.

9.32 Based on the above assessment, the Highways Authority has no objection to the proposed subdivision of the plot into two as it is not considered that it would have any detrimental impact on highway safety.

vii) Thames Basin Heath Special Protection Area

9.33 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on

the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 2.4km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.34 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPASPD) (2018). The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measured which Natural England will spend upon the SPA land. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.35 In this instance, the development would result in a net increase of 1 dwelling which will result in the need for a financial contribution towards SANG and SAM depending on the number of bedrooms. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the SPASPD and the NPPF.

9.36 As this application is an outline application with all matters reserved, the proposed number of bedrooms has not been confirmed. Although floorplans have been provided with the application, it is confirmed in the application form that these are for indicative purposes.

viii) Community Infrastructure Levy (CIL)

9.37 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the Borough and the type of development.

9.38 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings. The proposal is not therefore CIL liable at this stage as it is an outline application with all matters reserved.

10. CONCLUSIONS

10.1 It is considered that the proposed subdivision of the plot would be acceptable in principle and would not have an unacceptable impact on the character and appearance of the street scene. It would either have any detrimental impact on the highway safety or on the amenities of neighbouring occupiers. It is therefore considered that the proposed development complies with 'Saved' policy EN20 of the BFBLP, Policies CS1, CS2, CS7 and CS9 of the CSDPD and the NPPF.

10.2 Therefore the application is recommended for conditional approval.

11. RECOMMENDATION

11.1 Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to the following measures;

- avoidance and mitigation of the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA); and,

That the Head of Planning be authorised to APPROVE the application 18/00639/FUL subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary;

01. Application for approval of the details of the landscaping, layout, scale, access and appearance of the development (hereinafter called "the reserved matters") shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The plans and particulars in relation to the Reserved Matters shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990

02. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990.

03. The development hereby permitted shall be carried out only in accordance with the following approved plans received on 04.06.2019:

Location Plan, drawing no. Willow-PL-Existing-01RA

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

04. The development (including site clearance and demolition) shall not be begun until:-

- (i) all the buildings/structures on the site and any trees to be felled have been further surveyed for the presence of bats, (in accordance with Elite Ecology Bat Activity Survey Report August 2019) and
- (ii) the further survey has been submitted to and approved by the Local Planning Authority, and
- (iii) either the Local Planning Authority has agreed that no relocation of bats is necessary or a scheme for the relocation of an bats has been submitted and approved by the Local Planning Authority. The scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]

06. The demolition shall not be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the local Planning Authority.

The approved scheme shall be performed, observed, complied with and retained.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

07. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy will be provided from on-site renewable energy production, has been submitted to and approved in writing by the Local Planning Authority. The dwelling as constructed shall be carried out in accordance with the approved assessment and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS12]

08. No part of any dwelling shall be occupied until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]

09. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). The surface water drainage works shall be completed before occupation of the dwellings/buildings hereby permitted and shall be operated and maintained as such thereafter.

REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme. [Relevant Policies: CSDPD CS1, BFBLP EN25]

10. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of plant and vehicles
- (c) Storage of plant and materials used in constructing the development
- (d) Wheel cleaning facilities

(e) Temporary portacabins and welfare for site operatives and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and road safety.

11. No development shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained has been submitted to and approved in writing by the Local Planning Authority, in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction - Recommendations'. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works/building construction works/hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200 and show the following:

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) Positions and spreads of existing hedgerows and groups of mature shrubs.
- c) All proposed tree, hedge or shrub removal; shown clearly with a broken line.
- d) Proposed locations of protective barriers, that are a minimum height of 2.0 metres and supported by a metal scaffold framework, constructed in accordance with Section 6 (Figure 2) and which include appropriate weatherproof signage (such as "Keep Out - Construction Exclusion Zone") affixed at regular intervals to the outside of the protective fencing structure.
- e) Illustrations of the proposed protective barriers to be erected.
- f) Proposed location and illustration of ground protection measures within the root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent ground compaction and contamination.
- g) Annotations at regular intervals, of the minimum protective distances between barriers and trunks of retained trees.
- h) All fenced-off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

The development shall be carried out in full accordance with the approved scheme.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

12. The protective fencing and other protection measures specified by condition 11 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved

details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials;
- b) No storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description;
- c) No installation of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, portable-toilets, storage compounds or hard standing areas of any other description;
- d) No soil/turf-stripping; raising or lowering of existing levels; excavation or alterations to the existing surfaces/ground conditions of any other description;
- e) No installation of any underground services, temporary or otherwise, including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting;
- f) No parking or use of tracked or wheeled machinery or vehicles of any description;
- g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained;
- h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

13. No development shall commence until a detailed site-specific method-statement for the construction of all hard surfaced areas of any description within the root protection area (RPA) of retained trees has been submitted to and approved by the Local Planning Authority. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -

- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
- b) Materials including porous surface finish.
- c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
- d) Program and method of implementation and arboricultural supervision.

The Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to the occupation of the dwelling. The approved surfacing shall be retained thereafter.

REASON: In order to alleviate any adverse impact on the root systems and the long term health of retained trees, in the interests of the visual amenity of the area

14. No development shall commence until:

- (i) a site layout plan at a minimum scale of 1:200 showing the proposed layout of all underground services and external lighting and
 - (ii) a programme for the phasing and timing of works
- have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -

- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.

- b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
- c) Soakaways (where applicable)
- d) Gas, electricity, telecom and cable television.
- e) Lighting columns and all associated ducting for power supply.
- f) Phasing and timing of works.

The development shall be carried out in full accordance with the approved site layout and the approved programme.

REASON: - In order to safeguard tree roots and thereby safeguard existing trees and other vegetation considered worthy of retention and to ensure new soft landscape planting areas are not adversely affected and can be used for their approved purpose, in the interests of the visual amenity of the area.

15. No development shall take place until:

(i) details of all proposed alterations to the ground levels within the site within 5 metres of the minimum 'Root Protection Areas' calculated in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations' (or any subsequent revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development. The details to include:

- a) Existing and proposed finished levels.
- b) Any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.
- c) Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation, and

(ii) a programme and method of implementation have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

REASON: In the interests of safeguarding the long-term health and survival of retained trees, hedges and other vegetation considered worthy of retention.

Informatives

1. Should the applicant fail to complete the required S106 agreement within 3 months of the committee meeting, the Head of Planning be authorized to REFUSE the application for the following reasons; -
 1. 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 and the Thames Basin Heaths Special Protection Area Supplementary Planning Document, and the NPPF.

2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
3. The applicant is advised that the following conditions require discharging prior to commencement of development:
 01. Reserved matters
 04. Bat survey
 06. Biodiversity enhancements
 07. Energy demand assessment
 11. Tree protection
 12. Protective fencing
 13. Method Statement
 14. Services
 15. Level changes

The following conditions require discharge prior to the occupation of the dwellings hereby approved:

08. Sustainability statement

No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

02. Time limit
03. Approved plans
05. Lighting
09. Suds

4. The applicant is advised that both the Tree Team and the Highway Authority, as outlined in the report, recommend that a new central access serving both dwellings is proposed at the site under the reserved matters application as this is viewed more favourably from a highway safety and tree protection perspective.

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Unrestricted Report

ITEM NO: 08

Application No.
19/00594/FUL

Site Address:

Ward:

Warfield Harvest Ride

Date Registered:

26 June 2019

Target Decision Date:

21 August 2019

**Derryquin 8A Priory Lane Warfield Bracknell
Berkshire RG42 2JU**

Proposal:

Erection of two dwellings following demolition of existing dwelling and garage

Applicant:

Mr E Bance

Agent:

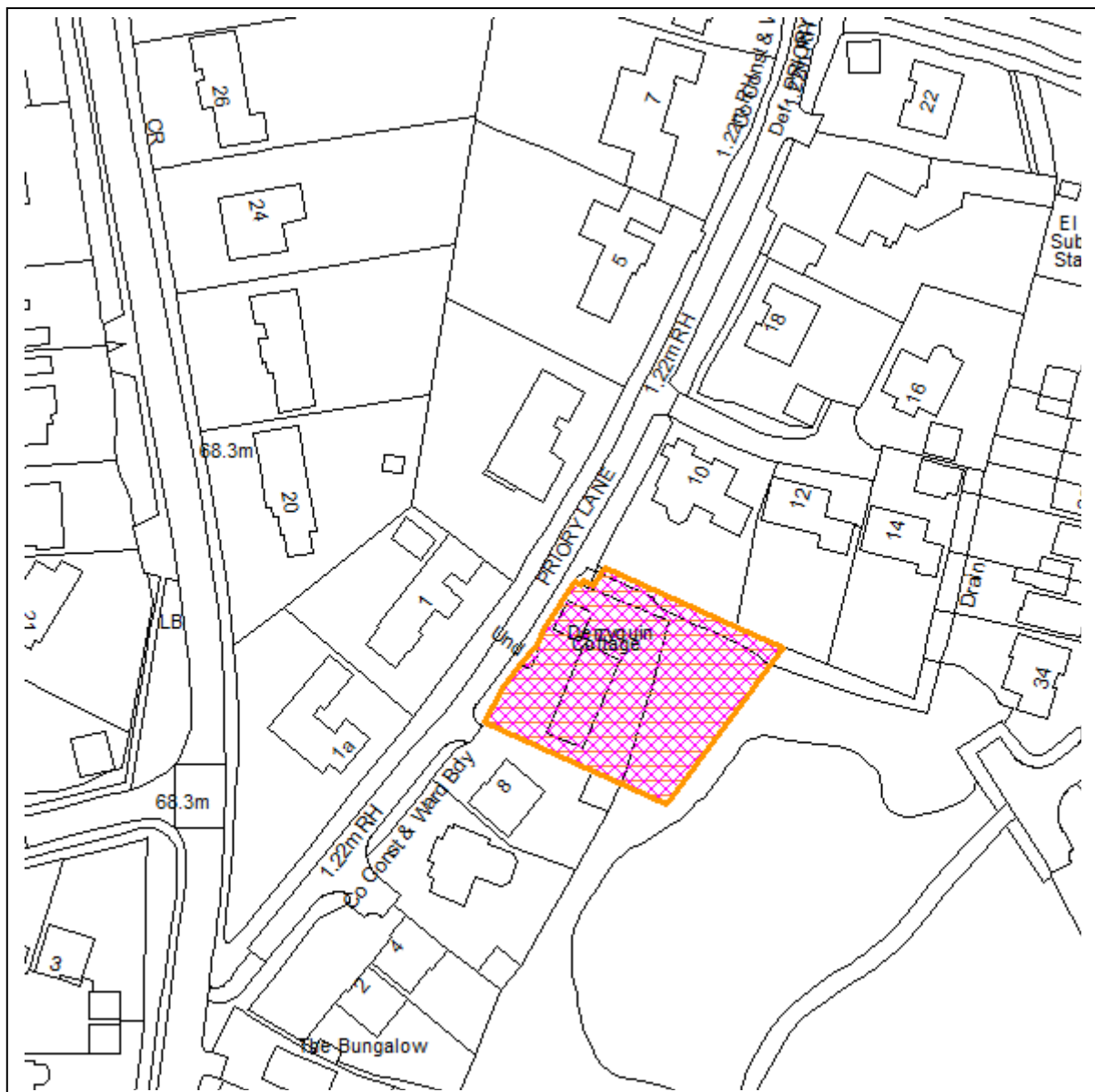
Mr Richard Murray

Case Officer:

Alys Tatum, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 The proposal is for the erection of two dwellings following demolition of existing dwelling and garage.
- 1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. The proposal would result in a net increase of 1 no. dwelling to contribute to the Council's housing supply.
- 1.3 The proposal would not adversely impact upon the character and appearance of the surrounding area. The proposal would not adversely affect the residential amenities of neighbouring occupiers and acceptable living conditions would be provided for future occupiers of the proposed dwellings. There would be no adverse highway safety implications.
- 1.3 Relevant conditions will be imposed. The scheme is CIL liable.
- 1.4 The site is located approximately 4km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures which can be secured through a S106 agreement.

RECOMMENDATION
That the Head of Planning be authorised to approve the application subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application is being reported to the Planning Committee as it has received more than 5 objections and is recommended for approval.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within a defined settlement boundary
Within 5km of the Thames Basin Heath SPA

- 3.1 The site currently consists of a detached dwelling with a width of approximately 18m and a detached garage at the front of the site. The dwelling has a ridge height of approximately 7.6m. A hard standing area for parking is located at the front of the property with a private garden to the rear. The total site area is 0.08 hectares. The site is bordered by No.10 Priory Lane to the north and No.8 to the south and an area of privately owned but publicly accessible open space to the east.

- 3.2 The site is situated within a defined settlement boundary and is located within Area J of the Bracknell Study Area within the Character Area Assessments SPD. This area is characterised by detached dwellings of varying designs, set along tree lined roads.

3.3 The site is not affected by any Tree Preservation Orders.

4. RELEVANT SITE HISTORY

4.1 The most recent applications relating to the site are:

615514 – Two storey extension forming garage and playroom with bedroom and en-suite bathroom over, construction of a dormer on front elevation. Approved 1989

05/00391/FUL – Erection of two storey side extension and installation of rear facing dormer. Approved 2005

05/00874/FUL – Erection of first floor rear dormer extension. Approved 2005

05/00877/FUL – Retention and completion, with alterations, of detached double garage. Refused 2005

[It is noted that an enforcement notice was served regarding the garage which was refused permission under the above application. An appeal, reference APP/E0335/C/06/2019407, was made against this notice which was allowed, subject to planting to screen the garage.]

16/00180/FUL - Erection of 2 new dwellings following demolition of existing dwelling and garage. Approved 01.07.2016 with legal agreement.

18/00139/FUL - Erection of 1no. dwelling following demolition of existing garage. Refused 21.06.2018 ad appeal dismissed.

5. THE PROPOSAL

5.1 The proposed development is for the erection of two detached dwellings following demolition of the existing dwelling and garage.

5.2 The proposed dwelling on plot 1 incorporates a hipped roof reaching a maximum height of 8.48m and eaves height of 4.95m. The single storey attached garage incorporates a pitched roof reaching a height of 5.4m. The dwelling measures 11.32m in depth and 10.9m in width and incorporates a two-storey front gable. A living room, kitchen, dining area, cloakroom and hall-way would be accommodated on the ground floor with three bedrooms and two bathrooms on the first floor.

5.3 The dwelling on plot 2 incorporates a hipped roof reaching a maximum height of 9.3m and eaves height of 4.95m. The dwelling measures 11.24m in depth and 11.91m in width. It would consist of a hall way, study, breakfast area, kitchen, living room and cloak room on the ground floor with 4 bedrooms and two bathrooms on the first floor. The dwelling would also benefit from an integrated single garage.

5.4 The existing vehicular access would be retained and would serve both dwellings. Plot 1 would benefit from one parking space to the front of the dwelling as well as a second space within the garage, whilst plot 2 would benefit from 2 parking spaces and a further space within the garage.

5.5 Private rear gardens of a minimum depth of 6.6m would be provided for each dwelling.

5.6 The following elevation drawings shows the difference between the previously approved scheme (top), reference 16/00180/FUL, and the currently proposed scheme (bottom). The

approved dwellings under this application had a ridge height of 8.4m and were approximately 10m deep and 10.5m wide.



5.7 Amended plans were received during the course of the application to remove a section of the site from the red line, making it smaller. The description was therefore altered to remove the change of use of open space. Some alterations were also made to the design and scale of the dwellings following this change in site outline which resulted in the reduction of one bedroom in plot 1. The red line of the site is now the same as that for the previously approved scheme, 16/00180/FUL. Neighbours were re-notified and given 14 days to respond

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Recommend refusal. BTC Members object to the loss of amenity land/open space to private garden. (Officer comment: this element has now been removed from the scheme). Concerns about additional traffic on a narrow lane and extra pressure on the Thames Basin Heaths SPA.

Other Representations

6.2 8 letters of objection have been received from neighbouring occupiers. The concerns raised can be summarised as follows:

- Insufficient access, parking and garage facilities for each house.
- Result in increase in traffic on narrow lane
- Insufficient space for soft landscaping
- Loss of open space to rear of properties
- Impact on habitats due to change of use
- Insufficient space for two dwellings - overdevelopment
- Breach of s.106 agreement
- Site consists of a watercourse between 8A and nos.10.12 and 14 Priory Lane
- Loss of privacy to nos.10, 12 and 14 Priory Lane

None of the objections were withdrawn following the re-notification of neighbours of amended plans.

7. SUMMARY OF CONSULTATIONS RESPONSES

Highways Officer

7.1 No objection and recommends approval subject to conditions.

Biodiversity Officer

7.2 No objection subject to including a condition for biodiversity enhancements

Renewable Energy Officer

7.3 Comments that no Energy Demand Assessment been submitted with the application.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

8.1 The key policies and guidance applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent (except for CP1 of SALP which is not wholly consistent)
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS15 of the CSDPD	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Transport	CS23 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and	Saved policies EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent

landscaping		
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Design SPD		
Parking standards SPD		
Character Area Assessments SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on character and appearance of surrounding area
- iii. Impact on residential amenity
- iv. Impact on highway safety
- v. Biodiversity
- vi. Trees
- vii. Sustainability
- viii. Thames Basin Heath SPA
- ix. Community Infrastructure Levy (CIL)
- x. Other considerations

i) Principle of Development

9.2 Priory Lane is located within the defined settlement boundary as designated by the Bracknell Forest Borough Policies Map where in the subdivision of a plot is not in itself objectionable. Development within a defined settlement is considered to be in accordance with Core Strategy Policies CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc. These matters are assessed below.

ii) Impact on Character and Appearance of Surrounding Area

9.3 'Saved' policy EN20 of the BFBLP states that development should be in sympathy with the appearance and character of the local environment and appropriate in scale, mass, design, materials etc. Policy CS7 of the CSDPD states that the council would require high quality design for all development in Bracknell Forest. Development proposals would be permitted which build on the urban local character, respecting local patterns of development. Paragraph 124 of the NPPF emphasises the importance of good design as key to making places better for people to live. Additionally, paragraph 130 of the NPPF states that the design of development should help improve the character and quality of an area and the way it functions.

9.4 The site is located within Area J: Warfield Road, Priory Lane and Gough's Lane character area. As outlined in the Character Area Assessments, this area is noted to have a rural character with verges instead of footpaths. Houses are detached with an inconsistent

architectural approach and period of development. Buildings are set back within the plot, mostly behind a small forecourt/front garden.

9.5 The proposed development would increase the density of the site introducing one additional dwelling which would result in two narrower plots than the existing one spacious plot. However, the width of the resulting plots would be comparable with other plot sizes in the vicinity and it is not therefore considered that the subdivision of the plot into two alone would be harmful to the character of the street scene. The dwellings would sit further forward than the existing dwelling by only approximately 0.3m, however the degree of set back from Priory Lane would be in keeping with other existing development along this lane at around 7-9 metres.

9.6 Neighbours have raised concern with regards to the proposal resulting in an overdevelopment of the site. It is acknowledged that the proposed development, due to the increased density, would appear more prominent from the street scene. However, the existing dwellings that adjoin the site are all two storey in form. Whilst the height of the proposed dwellings would exceed that of the existing, as they would both incorporate hipped roofs, it is not considered that the degree of prominence would detract from the character and appearance of the street scene. The dwellings would be set back from the flank boundaries of the site allowing for opportunities for soft landscaping.

9.7 The design of dwellings along Priory Lane varies with a mixture of hipped and gabled roofs. The proposed dwellings would be greater in height than the existing dwelling, by approximately 0.8m (plot 1) and 1.7m (plot 2), however due to the roof design, they would not be overbearing in terms of bulk and would rather blend in with other existing dwellings along Priory Lane. The proposed use of materials has been outlined in the application as consisting of a combination of brick and render, and roof tile. It is considered reasonable to include a condition on any permission to seek further details on the proposed use of materials to ensure that the development would blend in with existing developments.

9.8 The proposed parking layout to the front of the dwelling, due to the increased number of units, would require the majority of the front of the site to be hard surfaced. There are other examples of similar parking layouts along Priory Lane and sufficient space for incorporating some soft landscaping along the front boundary of the site would remain as this is a common feature along Priory Lane. Details regarding landscaping can be conditioned.

9.9 Based on the above assessment, it is not considered that the proposal would adversely affect the character and appearance of the surrounding area and would be in accordance with 'Saved' policy EN20 of the BFBLP, Policy CS7 of CSDPD, and the NPPF.

iii) Residential Amenity

9.10 'Saved' policy EN20 of the BFBLP states that development will not adversely affect the amenity of surrounding properties and adjoining area. Paragraph 127 of the NPPF states that the Local Planning Authority should ensure a high standard of amenity for all existing and future occupants of land and buildings.

9.11 The proposed dwelling on plot 2 would be closest to the neighbouring property to the south, No. 8 Priory Lane. The distance of the dwelling on plot 2 from the shared boundary with this neighbouring dwelling would be similar to the existing. The eaves height of the proposed dwelling on this plot would be similar to the existing at 5m, and as the dwelling incorporates a hipped roof, it is not considered that it would appear unduly prominent above the current situation when viewed from this neighbouring property. The proposed dwelling would not project significantly beyond the rear elevation of this neighbouring dwelling and as

such, it is not considered that there would be any significant loss of daylight or sunlight. The outlook of the dwelling would be unaffected.

9.12 To the north of the site, the nearest neighbouring dwelling is no.10 Priory Lane. Due to the addition of one dwelling on the application site, the development would be set closer to this neighbouring dwelling, with the dwelling on plot 1 sitting closer to the rear boundary of this dwelling than the current dwelling on site. However, it is considered that an adequate separation distance of approximately 19m would remain and the design of the dwelling, incorporating a hipped roof, would not result in it appearing unduly prominent. As such, it is not considered that there would be any detrimental impact with regards to loss of light or outlook.

9.13 The primary windows of the proposed dwellings would be situated on the front and rear elevations. Whilst there are some first floor windows in the flank elevations of the proposed dwellings, these are not serving habitable rooms and can therefore be conditioned to be obscurely glazed and non-opening below 1.7m above floor level in order to prevent any risk of overlooking. It would also be reasonable to include a condition restricting any further windows from being added on the flank elevation of the development at first floor level or above.

9.14 Due to an appropriate balance between the scale, proposed design, degree of projection and the set back from the shared boundaries, the proposed dwellings are not considered to have a significant impact on the amenities of neighbouring occupiers that would warrant a refusal on this basis. As such the proposal complies with 'Saved' policy EN20 of the BFBLP, and the NPPF.

9.15 Furthermore, it is considered that adequate amenity space would be provided for future occupiers of the proposed dwellings. All habitable rooms would be served by windows, there is on site parking provision and each dwelling would have private rear gardens.

iv) Highways

9.16 'Saved' policy M9 of the BFBLP ensures that development provides satisfactory parking provision. A further material consideration for parking provision is provided in the Council's adopted Parking Standards SPD. The NPPF advised under paragraph 109 that development should only be prevented or refused on highways ground if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.17 These two proposed dwellings would take access off Priory Lane, an adopted residential cul-de-sac, which is a shared surface for all users. Whilst it is a no-through traffic route, there is a pedestrian and cyclist link through to Warfield Road, and Priory Lane was observed to be well-used; during an afternoon school peak visit by the Highway Authority.

Access

9.18 It is not proposed to alter the existing access serving the existing property, and this access would serve these two proposed dwellings. Visibility splays of 2.4m by 43m can be achieved in either direction of this access, which is acceptable in line with the 30mph speed limit, and sufficient visibility is provided towards pedestrians and cyclists using the lane. There is a ditch across the frontage and this is the responsibility of the owner to maintain. Maintenance of the ditch, including clearance of overgrown vegetation will assist in maintaining visibility splays. The access is wide enough for a vehicle to pass a pedestrian and vehicles can turn on the driveways to exit in a forward gear. The access is not wide enough for two vehicles to pass, though the potential for two vehicles to meet and create conflict with other uses of the lane is low.

9.19 The existing access is in poor condition and the existing culvert which the access passes over is partially blocked, and this is likely to result in drainage issues within the ditch across the frontage. All other culverts along this Priory Lane are in better condition and of greater diameter. There is no edge restraint to prevent vehicles leaving the driveway into the ditch. The Highway Authority is concerned that large construction vehicles, such as those required for deliveries for the proposed development, may not be physically supported by the current driveway and culvert arrangements, which could result in a safety problem for construction vehicles. It is therefore recommended that the access is replaced and upgraded to include a new culvert and headwall, similar to the access to the neighbouring property, no.8 Priory Lane. As part of this replacement, railing should be provided for edge restraint to improve vehicular and pedestrian access safety. The access could also be widened to 4.1m as part of this replacement to improve the opportunity for vehicles to pass at the access. The submission and approval of these details can be covered by condition and should be submitted and implemented prior to commencement of development.

Parking

9.20 It is noted that planning permission was granted for the erection of two new dwellings, following demolition of the existing dwelling and garage (16/00180/FUL). The Highway Authority raised no objection to 16/00180/FUL subject to conditions. This current application is for one 4 bed dwelling and one 3 bed dwelling, rather than two 3 bed dwellings, and so 3 spaces for the 4 bed dwelling and 2 parking spaces for the 3 bed should be provided to comply with the parking standards. The proposed garages, in terms of their dimensions comply with those provided in the standards and the garages can therefore be counted as car parking spaces and could be used for cycle parking. The proposed site layout shows 2 driveway parking spaces for plot 2 and one for plot 1 with an additional space each in the garages. The provision of parking to standard would avoid over-spill parking on Priory Lane and occasional visitor parking could be accommodated on the proposed driveways.

Trips

9.21 Two dwellings could generate in the region of 12 to 16 two-way movements per day, including two or three movements in each peak period. This represents a potential increase of 6 to 8 two-way movements per day compared with that which could be generated by the existing property and a modest traffic increase along Priory Lane. Also, not all trips would be by car, bearing in mind the proximity to the Town Centre, and local facilities, and services.

9.22 Subject to conditions, which relate to the laying out of parking spaces prior to occupation, retention of garages as parking spaces, and the submission of a construction management plan, the Highway Authority raises no objection to the proposal.

v) Biodiversity

9.23 Policies CS1 and CS7 of the CSDPD seek to protect and enhance the quality of natural resources including biodiversity. This is consistent with the objectives of the NPPF.

9.24 The bat survey submitted to support the application reconfirms previous findings that the existing building is not being used as a bat roost. The Habitat Survey also reconfirms previous findings and makes recommendations to minimise the impact of the development on biodiversity. These include the following:

- Site clearance to be undertaken outside the bird nesting season (March to the end of August) or immediately after an ecologist has confirmed the absence of active nests;
- Reasonable avoidance measures to be undertaken on site with initial site works supervised by the ecologist;

- No piles of rubble or building materials are to be stored on site unless piled on top of pallets and away from site boundaries;
- All trees on site boundaries that are scheduled for retention under the development proposals should be protected during construction following BS5387:12 (Trees in relation to design, demolition and construction – Recommendations).

9.25 The following enhancements are recommended in line with core policies and the NPPF;

- House sparrow nest box under the eaves/soffits of one building on site;
- Fencing to be raised to allow for future movements of species across the site;
- Bat enhancements with crevice spaces incorporated into the design of the new building(s);
- Wildlife friendly Planting Scheme

9.26 Conditions are recommended to deliver these recommendations which should protect and enhance biodiversity in line with core policies CS1 and CS7. These include conditioning the mitigation measures, details of landscaping, biodiversity enhancements, boundary treatments, and tree protection. These conditions are considerable reasonable.

vi) Trees

9.27 There are no trees within the application site that would be affected by the proposed development.

vii) Sustainability

9.28 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards for water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. No such statement has been submitted in support of the application, therefore a condition is recommended requiring the submission of a Sustainability Statement prior to the occupation of the development in accordance with CSDPD Policy CS10 and the NPPF.

9.29 The Renewable Energy Officer has made reference to CSDPD Policy CS12, which requires, at paragraph 147, development proposals for less than five net additional dwellings to provide at least 10% of their energy requirements from on-site renewable energy generation. As highlighted in the Council's Sustainable Resource Management Supplementary Planning Document (<http://www.bracknell-forest.gov.uk/srm>), an energy demand assessment should be submitted and include the following:

- An assessment of the predicted energy demand of the proposed development including all on-site energy requirements, such as street lights, car park lighting, heating and lighting of communal areas and lifts;
- An assessment of the predicted CO2 emissions generated by the proposal;
- Key energy efficient design measures, including consideration of heating and cooling system;
- Choice of renewable energy technology;
- A summary of the above information.

9.30 No such assessment has been submitted in support of the application, therefore a condition is recommended requiring the submission of an Energy Demand Assessment prior to the commencement of development in accordance with CSDPD Policy CS12 and the NPPF.

viii) Thames Basin Heaths SPA

9.31 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5k straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with their plans or projects. An Appropriate Assessment has been carried out including mitigation requirements.

9.32 The site is located approximately 4km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.33 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Supplementary Planning Document (SPD). The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.34 In this instance, the development would result in a net increase of 1 x four bedroom and 1 x three bedroom dwellings replacing the existing 4 bedroom dwelling which results in a total SANG contribution of £6,112.

9.35 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £711.

9.36 The total SPA related financial contribution for this proposal is £6,823. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the TBHSPA SPD and the NPPF. The Applicant has agreed to enter into a S106 agreement to secure these contributions.

ix) Community Infrastructure Levy (CIL)

9.37 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the Borough and the type of development.

9.38 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings.

9.39 The development is CIL liable in accordance with the Council's CIL charging schedule as the proposal results in a net increase of one dwelling.

x) Other Considerations

9.40 Details of location and size of bin stores and cycle stores have NOT been provided for each dwelling. However, it is considered that sufficient space exists on site for these to be provided and details of these can therefore be covered by a suitably worded condition.

9.41 Many of the neighbours have raised the issue over the red line of the site not being accurate as it does not match what the current situation is on site. However, as was the case with the initial plans, if it is intended to use the areas not outlined in the red outline of the site as residential amenity land, this would require an application for a change of use.

10. CONCLUSIONS

10.1 It is considered that the development which would result in a subdivision of a plot would be acceptable in principle due to being located within the settlement boundary. It would not result in an adverse impact on the character and appearance of the surrounding area or, highway safety, nor would the development result in a detrimental impact on the residential amenity or the neighbouring properties. It is therefore considered that the proposed development complies with 'Saved' policies and EN20 of the BFBLP, and Policies CS1, CS2, CS7 and CS9 of the CSDPD.

10.2 Relevant conditions will be imposed in relation to landscaping, biodiversity, highway safety and sustainability.

10.3 A legal agreement is required to secure contributions for SPA mitigation and the scheme is CIL liable.

11. RECOMMENDATION

11.1 Following completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to the following measures:

- Avoidance and mitigation of the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA); and,

That the Head of Planning be authorised to APPROVE the application 19/00594/FUL subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:

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 23.08.19:

PL/629/SP01 Rev B
PL/629/03
PL/629/02 Rev B

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

03. No construction works shall take place until brick and tile samples 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 Policies: BFBLP EN20, Core Strategy DPD CS7]

04. No construction works shall take place until details showing the finished floor levels of the dwellings hereby approved in relation to a fixed datum point 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 character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

05. No dwelling hereby permitted shall be occupied until hard and soft landscaping, including boundary treatments and other means of enclosure, has been provided for that dwelling in accordance with a scheme 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 in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision and completed in full accordance with the approved scheme.

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 next 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 EN2 and EN20, CSDPD CS7]

06. The first floor windows situated on north eastern flank elevation of plot 1 and the south western flank elevation at plot 2 of the dwellings permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be non-opening unless the parts of the windows that can be opened are more than 1.7m above the floor of the room they serve.

REASON: To prevent the overlooking of neighbouring properties
[Relevant policies: BFBLP EN20]

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 and above in the east or west facing side elevations of the dwellings hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

08. The development shall not commence until the means of vehicular access, including details of construction and the culvert/headwall, has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety and drainage.

[Relevant Policies: Core Strategy DPD CS23]

09. No development shall be occupied until the associated vehicle parking and turning space has been set out in accordance with the approved drawing. The spaces shall thereafter be retained for parking and turning 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]

10. The garages shall be retained for the use of the parking of vehicles and cycle parking at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met. [Relevant Policy: BFBLP M9]

11. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of plant and vehicles
- (c) Storage of plant and materials used in constructing the development
- (d) Wheel cleaning facilities
- (e) Temporary portacabins and welfare for site operatives

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and road safety.

12. No development shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for waste and recycling storage facilities. The storage shall then be implemented prior to occupation and thereafter be retained as approved.

REASON: To ensure that adequate waste and recycling facilities are available in the interests of the amenities of future occupiers.

[Relevant Policy: BFBLP EN20]

13. No dwellings shall be occupied until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning

Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]

14. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy will be provided from on-site renewable energy production, has been submitted to and approved in writing by the Local Planning Authority. The dwelling as constructed shall be carried out in accordance with the approved assessment and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS12]

15. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). The surface water drainage works shall be completed before occupation of the dwellings hereby permitted and shall be operated and maintained as such thereafter.

REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme. [Relevant Policies: CSDPD CS1, BFBLP EN25]

16. The development hereby permitted shall be carried out in accordance with the mitigation measures specified in Sedgehill Extended Phase 1 Habitat Survey – Re Inspection June 2019 which shall thereafter be retained in accordance with the approved details.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: Core Strategy DPD CS1, CS7]

17. The works shall not be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority.
The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

Informatives

1. Should the applicant fail to complete the required S106 agreement within three months of the Committee meeting, the Head of Planning be authorised to REFUSE the application for the following reasons; -
 1. 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 Supplementary Planning Document, and the NPPF.

2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
3. The applicant is advised that the following conditions require discharging prior to commencement of development:

- 03. Materials
- 04. Finished floor levels
- 05. Hard and soft landscaping
- 08. Access
- 11. Site organisation
- 14. Energy Demand Assessment
- 17. Biodiversity enhancements

The following conditions require discharge prior to the occupation of the dwellings hereby approved:

- 09. Parking layout
- 10. Cycle store
- 12. Waste store
- 13. Sustainability Statement

No details are required to be submitted in relation to the following conditions; however, they are required to be complied with:

- 01. Time limit
- 02. Approved plans
- 06. Obscure glazing
- 07. Restriction on windows
- 10. Garage retained
- 15. Drainage system(s)
- 16. Mitigation measures

Unrestricted Report

ITEM NO: 09

Application No.
19/00715/FUL

Site Address:

Ward:
Great Hollands North

Date Registered:
6 August 2019

Target Decision Date:
1 October 2019

3 Great Hollands Square Bracknell Berkshire RG12 8UX

Proposal: **Change of use from retail (A1) to hot food grill and pizza takeaway (A5) and installation of flue to rear.**

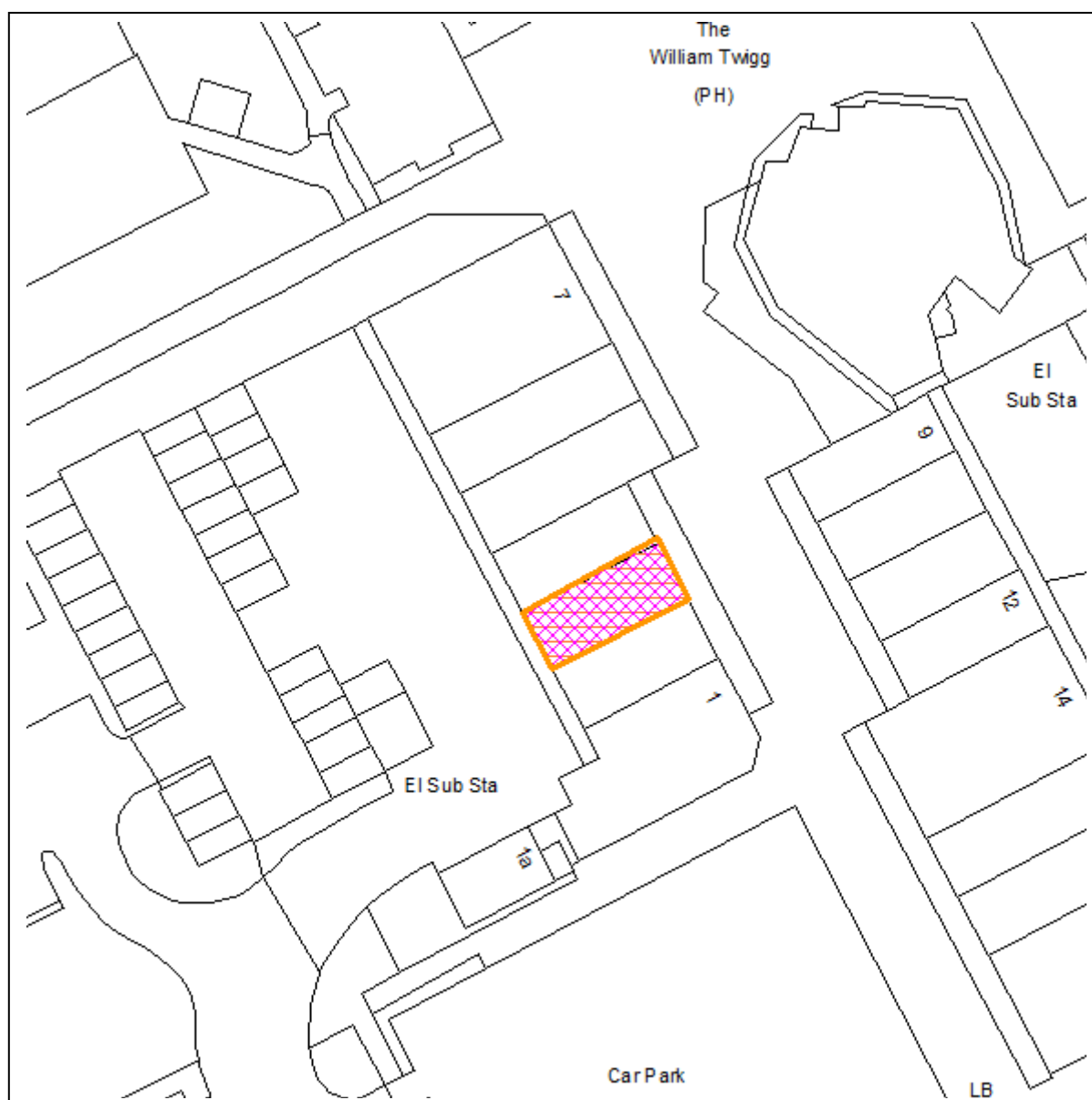
Applicant: Mr Akan Boztepe

Agent: Mr Hakan Er

Case Officer: Olivia Jones, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

- 1.1 The proposal is for the change of use of the existing unit from a butcher's shop (A1) to a hot food grill and pizza takeaway (A5).
- 1.2 The external changes consist of the installation of a flue on the rear roof slope. Alterations are proposed to the internal layout.
- 1.3 The development would not result in an adverse impact on the vitality or character of the area, the appearance of the host building, the amenities of the neighbouring occupants or highway safety.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 This application has been reported to the Planning Committee following the receipt of 9 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

Within Great Hollands Square Neighbourhood Centre

- 3.1 3 Great Hollands Square is a commercial unit located within the Great Hollands Square designated neighbourhood centre, currently used as a butcher's shop (A1 use). There is a Chinese Takeaway ('Amoy') and a Café ('The Look In Cafe') flanking the unit and a garage block to the rear.

4. RELEVANT SITE HISTORY

- 4.1 The relevant site history can be summarised as follows:

02/00806/FUL

Change of use from shop (Class A1) to food and drink use (Class A3) and installation of new shop front.

Refused 09.10.2002 – Appeal Dismissed

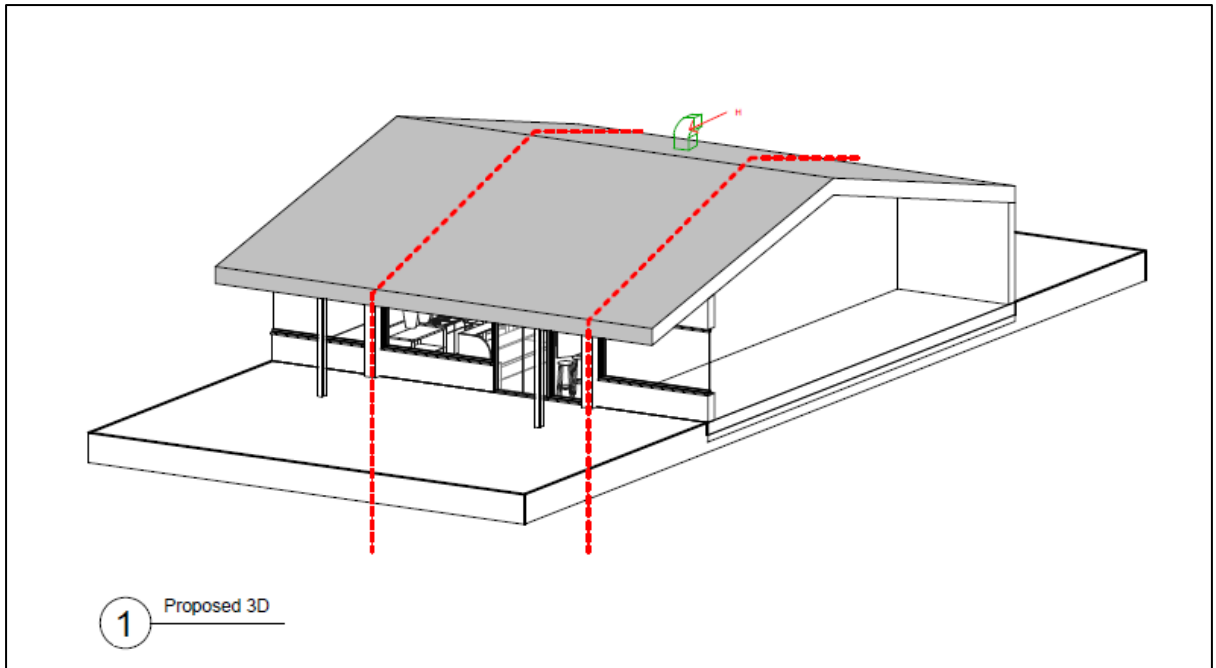
06/00310/FUL

Change of use from butcher's shop (Class A1) to hot food takeaway (Class A5) and installation of 2.5m high extraction flue.

Refused 16.08.2006

5. THE PROPOSAL

- 5.1 It is proposed to change the use of the existing unit from a butcher's shop to a hot food takeaway. The only external alterations consist of the installation of a flue on the rear roof slope. This flue would project above the ridge height by approximately 1 metre.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 No objection

Other Representations

6.2 9 letters of objection have been received. These objections have raised the following concerns:

- (i) The impact on the existing units;
- (ii) An imbalance in the different uses within the shopping parade;
- (iii) A takeaway could result in more rubbish on the streets and unhealthy eating;
- (iv) Insufficient parking for delivery vans and employees;
- (v) Similar proposals have been refused in the past at this site;
- (vi) Late opening hours could result in anti-social behaviour; and
- (vii) The flue could result in smells, noise and smoke.

A petition objecting to the proposed change of use with 65 signatures was also received.

6.3 102 letters of support have been received. A petition supporting the proposed change of use with 79 signatures was also received.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 No objection.

Environmental Health

7.2 No objection subject to suitable conditions.

Planning Policy Officer

7.3 No objection

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

- 8.1 The primary strategic planning considerations applying to the site and associated policies are:

	Development Plan	NPPF
General policies	CS1 and CS2 of the CSDPD	Consistent
Use	'Saved' policies E5 and E11 of the BFBLP, CS21 of the CSDPD	Consistent
Design	CS7 of the CSDPD	Consistent
Amenity	'Saved' policy EN20 of the BFBLP	Consistent
Highways	'Saved' policy M9 of the BFBLP CS23 of the CSDPD	Consistent - Para. 105 refers to LPAs setting their own parking standards for residential development
Supplementary Planning Documents (SPD)		
Bracknell Forest Borough Parking Standards Supplementary Planning Document 2016		
Other publications		
National Planning Policy Framework (NPPF)		
Housing, Communities and Local Government Committee report on 'High streets and town centres in 2030' (21 February 2019).		
'Government response to the Eleventh Report of Session 2017 – 19 of the Housing, Communities and Local Government Select Committee inquiry into high streets and town centres in 2030'		

9. PLANNING CONSIDERATIONS

- 9.1 The key issues for consideration are:

- i. Principle of Development
- ii. Impact on Character and Appearance of Surrounding Area
- iii. Impact on Amenity
- iv. Transport and Highways Considerations

i. Principle of Development

- 9.2 In the Great Hollands neighbourhood centre there are currently 14 units in Use Class A1-A5 and Sui Generis use, comprising:

Use Class	Currently		Proposed	
	Units	%	Units	%
A1 (shops)	7	50	6	43
A2 (professional and financial services)	0	0	0	0
A3 (restaurants and cafes)	2	14	2	14
A4 (drinking establishments)	1	7	1	7
A5 (hot food takeaway)	2	14	3	21
Sui Generis	2	14	2	14
Total	14	100	14	100

- 9.3 The latest retail survey (2018), states that of the 14 units in the retail area 7 units are operating as A1, equating to 50%. This is around average for local and neighbourhood centres across the borough. Similar to other neighbourhood centres, vacancy levels have historically been low at this particular centre.
- 9.4 The proposal would result in the loss of one A1 unit (shops) to a A5 unit (hot food takeaways). This would result in there being three units of 14 in A5 use, and the percentage in A1 use reducing from 50% of all units to 43%.
- 9.5 To support the application, applicant has submitted evidence that the unit had been marketed for retention as an A1 unit since business ceased trading in October 2018. The advert submitted appears to advertise the butcher business specifically, as opposed to explicitly offering to rent or sell the unit for general A1 use or other uses not requiring planning permission under permitted development rights.
- 9.6 Notwithstanding this, the proposal needs to be considered in the context of i) the current mix of uses in the centre, ii) whether this proposal would undermine the vitality and viability of the centre protected by local planning policy, iii) the NPPF's drive to support the economy and iv) material considerations that advise on a flexible approach to help centres adapt to a changing retail environment.
- 9.7 This proposal would add to the variety of food on offer in the centre without leading to an over-proliferation of A5 uses – this would be the third in the centre. Whilst the proposed use could mean the premises being closed for periods during the day, the proposal would not result in a dead frontage and would generate a footfall that could benefit other retailers. The proposal would not lead to an unacceptably adverse impact on the standard of local retail provision on offer and would not undermine the viability and vitality of the centre.
- 9.8 It is acknowledged that similar proposals have been refused at the application site in 2002 and 2006. However, since these decisions the NPPF has been adopted, as have recent reports from the Housing, Communities and Local Government Committee and the Government. The NPPF states that planning decisions should be supportive of economic activity, subject to the proposal not having sufficiently adverse impacts that would outweigh the benefits. Further to this, the Housing, Communities and Local Government Committee report recognised that centres fulfil many functions and increasingly encompass more than just the retail sector.
- 9.9 The NPPF's overarching economic objective (Para 8(a)) is for the planning system to help build a strong, responsive and competitive economy. It goes further to state that planning policies and decisions should:
- i. "help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development" Para 80;
 - ii. "support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation" Para 85;
 - iii. "define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries" Para 85(a);
 - iv. "promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other" Para 91(a);

- v. “guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs” Para 92(c); and
- vi. “ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community” Para 92(d).

- 9.10 The Housing, Communities and Local Government Committee report on ‘High streets and town centres in 2030’ stated that “high streets and town centres will survive, and thrive, in 2030 if they adapt, becoming activity-based community gathering places where retail is a smaller part of a wider range of uses and activities. Green space, leisure, arts and culture and health and social care services must combine with housing to create a space that is the “intersection of human life and activity” based primarily on social interactions rather than financial transactions. Individual areas will need to identify the mix that best suits their specific characteristics, local strengths, culture and heritage. Fundamentally, community must be at the heart of all high streets and town centres in 2030.” (Paragraph 38)
- 9.11 The Government, in its response (‘Government response to the Eleventh Report of Session 2017 – 19 of the Housing, Communities and Local Government Select Committee inquiry into high streets and town centres in 2030’), stated that: “High streets and town centres fulfil many functions and increasingly encompass more than just the retail sector. As the way in which people shop changes in the future, the importance of retail on the high streets is likely to decrease further. While retail will continue to be a part of the high street, research has shown that the local services and experiences provided by high streets and town centres are also important. People are looking for a range of experiences on the high street, from shopping to leisure to health services.”
- 9.12 It is therefore considered that the proposed change of use from A1 to A5 would not have a significant detrimental impact on the vitality of the neighbourhood centre.

ii. Impact on the Character and Appearance of the Surrounding Area

- 9.13 The only external change proposed as part of this application is the installation of a flue to the rear of the building. This flue would extend above the ridge of the roof by approximately 1 metre. A similar flue can be found to the rear of 4 Great Hollands Square (Amoy). It is not considered that the proposed flue would unduly prominent or appear out of keeping with the existing character of the area.

iii. Impact on Amenity

- 9.14 The Environmental Health officer has raised no objection to the proposed scheme, and does not consider that the proposed opening times would result in adverse noise impacts. The proposed flue is considered sufficient to avoid adverse impacts on the occupiers of the neighbouring residential properties.
- 9.15 Should there be adverse noise, odour or pollution as a result of the development this could be dealt with through Environmental Health legislation.

iv. Transport and Highway Considerations

- 9.16 The proposed A5 takeaway use would generate similar parking requirements/ demands to the existing A1 use. This takes into account the Council’s parking standards for A1 use is one parking space per 19m², and one parking space per 10m² of A5 use; and the existing and proposed floor plans. The unit is located within

a local neighbourhood centre with two public car parks, and the applicant's Design and Access Statement notes there are 64 parking spaces; though there is also a similar amount of additional public car parking in the car park accessed off Wordsworth. These car parks are shared with other local facilities, though the parking demand for an A5 takeaway is unlikely to conflict with peak parking demand from other users; also customer parking demand for a takeaway is very short-stay. Thus, it is not considered that the proposal would give rise to capacity issues within these public car parks, or over-spill on-street parking issues.

- 9.17 Staff parking demand for the existing and proposed uses would be similar. There is a wide residential catchment; and the site is accessible by bus. Also, there is an existing parking area, and existing delivery/servicing access to the rear of the unit. An existing A1 use and proposed A5 use would give rise to similar levels of trips/traffic.
- 9.18 There are no proposed changes to the existing waste storage and disposal arrangements, where bins are stored and collected from the rear.

10. CONCLUSIONS

- 10.1 It is considered that the development is acceptable in principle and would not result in an adverse impact on the vitality, character and appearance of the surrounding area, the amenities of the occupiers of the neighbouring properties or highway safety. It is therefore considered that the proposed development complies with 'Saved' policies E5, E11, EN20 and M9 of the BFBLP, Policies CS1, CS2, CS7, CS21 and CS23 of the CSDPD and the NPPF.

11. RECOMMENDATION

- 11.1 The application is recommended to be **APPROVED** subject to the following conditions:
1. The change of use 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.
 2. The change of use hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details received by the Local Planning Authority:
 - Location Plan (Drawing Number: EA/101) – Received 17th October 2019
 - Site Plan (Drawing Number: EA/102) – Received 17th October 2019
 - Proposed Ground Floor Plan (Drawing Number: PA/101) – Received 17th October 2019
 - Proposed Roof Plan (Drawing Number: PA/103) – Received 17th October 2019
 - Proposed Front Elevation (Drawing Number: PA/201) – Received 17th October 2019
 - Proposed Rear Elevation (Drawing Number: PA/203) – Received 17th October 2019
 - Proposed Section A (Drawing Number: PA/301) – Received 17th October 2019
 - Proposed Section B (Drawing Number: PA/302) – Received 17th October 2019
 - Detail 1 (Drawing Number: PA/902) – Received 17th October 2019

- Design and Specifications of Extraction Ventilation System – Received 17th October 2019
- ESP Filter Unit Technical and Operations Manual – Received 6th August 2019
- UV-O Odour Control Units Technical and Operations Manual – Received 6th August 2019
- Grease Goblin Details – Received 6th August 2019
- Purified Air Commercial Kitchen Exhaust Filtration Details – Received 6th August 2019
- Multicarb Activated Carbon Discarb Units Details – Received 6th August 2019
- Activated Carbon Panels Details – Received 6th August 2019
- GigaBox Centrifugal Fans Details – Received 6th August 2019
- Attenuator Details – Received 6th August 2019
- Transformer Speed Controllers Details – Received 6th August 2019

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

3. The flue hereby permitted shall be constructed of materials similar in appearance to that outlined on the approved email received from the agent on 17.10.19.

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

4. The use hereby permitted shall not operate other than between the hours of 11:00 am to 11:00 pm Monday to Sunday. This includes deliveries to and from the premises.

REASON: To safeguard the amenity of the neighbouring properties.

5. Before the use hereby permitted commences, fume extraction, mechanical ventilation and filtration equipment shall have been installed at the premises in accordance with the details in the Design & Specification document submitted with the application. The equipment shall thereafter be retained, operated and maintained in its approved form and in accordance with the manufacturer's recommendations for so long as the use hereby permitted remains on site.

REASON: To ensure that no nuisance or disturbance is caused to the occupiers of neighbouring properties.

Informative(s):

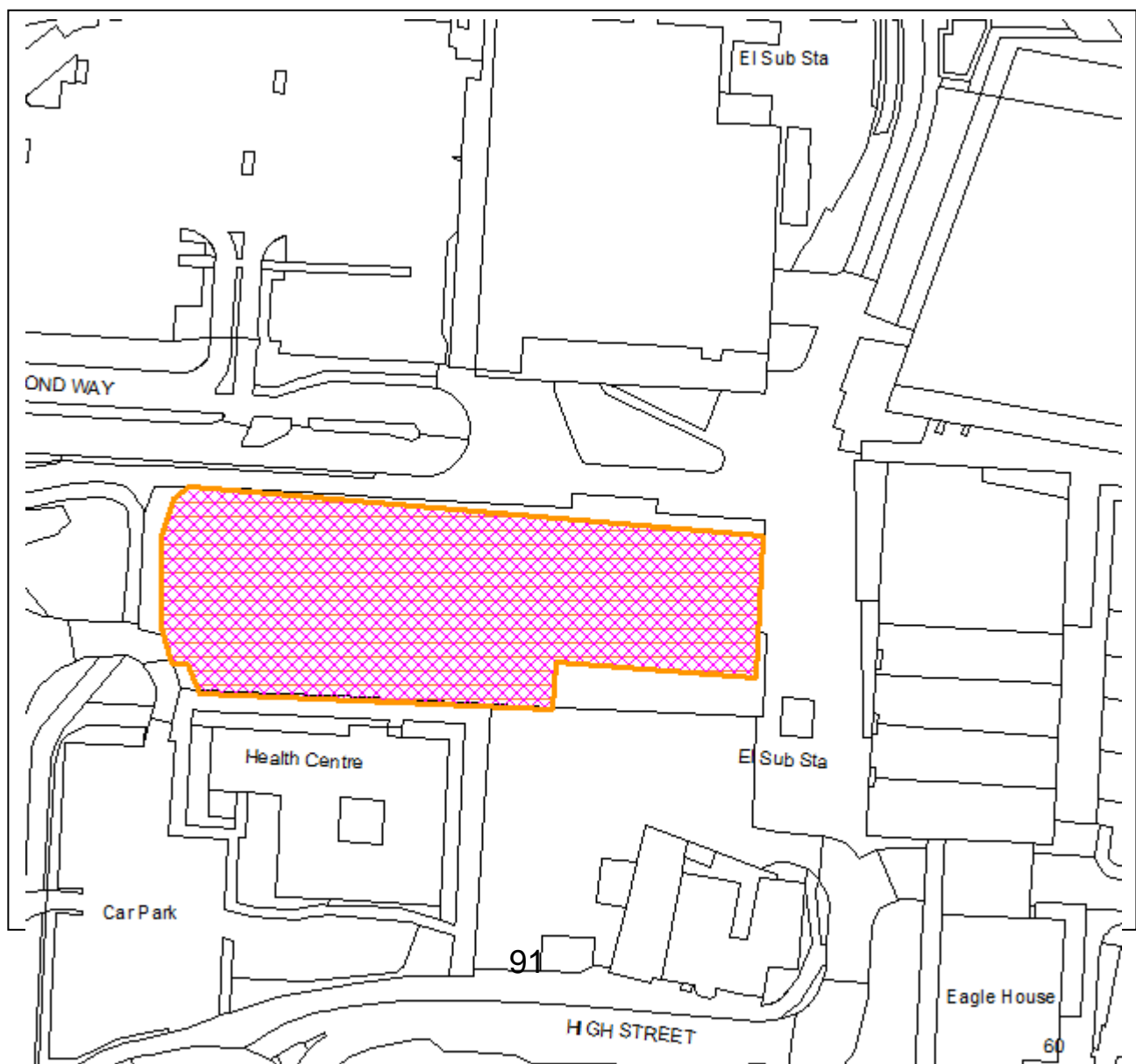
1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. No details are required to be submitted in relation to the following conditions; however, they are required to be complied with:
 1. Time limit
 2. Approved plans
 3. Materials
 4. Hours of operation
 5. Installation of equipment
3. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.

4. This is a planning permission. Before beginning any development, you may also need separate permission(s) under Building Regulations, the Party Wall Act or other legislation. It is your responsibility to check that there are no covenants or other restrictions that apply to your property.

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Unrestricted Report			
ITEM NO: 10			
Application No. 18/01060/FUL	Ward: Wildridings And Central	Date Registered: 31 October 2018	Target Decision Date: 30 January 2019
Site Address: Winchester House Market Place Bracknell Berkshire RG12 1JU			
Proposal:	Section 73 application for the variation of condition 01 (Approved Plans) of reserved matter approval 13/01068/REM for submission of details of design, access, appearance, landscaping, layout and scale for redevelopment of Winchester House identified as Blocks NW3.1, NW3.2, NW3.3. Demolition of Winchester House and redevelopment to provide retail A1-A3 Class, D2 gym and 311 residential units, car parking, new public realm, landscaping and highway works. This reserved matters application is submitted pursuant to outline planning permission 12/00476/OUT. (Note for Clarification: this application is for internal changes to increase the number of apartments from 311 to 338).		
Applicant:	Biltose Ltd		
Agent:	(There is no agent for this application)		
Case Officer:	Margaret McEvit, 01344 352000 Development.control@bracknell-forest.gov.uk		

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



Officer Report

1. SUMMARY

- 1.1 This S73 application proposes internal changes to increase the number of residential units within the building from 311 to 338. This will be achieved by reducing the number of three-bedroom units and increasing the number of one- and two-bedroom units.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report and a Deed of Variation to secure additional car parking and SPA mitigation contributions.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

- 2.1 The application has been called to the Planning Committee by Cllr. Parker who feels that the amendment should be determined by the Committee.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Bracknell town centre

Within settlement area.

- 3.1 Winchester House is located immediately south of the Waitrose food store and west of the H&M retail unit. The Skimped Hill medical centre is south west of the site with Market Place south of the site. Winchester House is accessed from Skimped Hill Lane with the multi storey car park on Skimped Hill Lane providing the parking for the residential units in Winchester House.

4. RELEVANT SITE HISTORY

- 4.1 The building on this site is currently under construction having been granted reserved matters permission under reference 13/01068/REM. The building will be 19 storeys in height at the highest point, reducing down to 16 storeys.
- 4.2 The site is within Bracknell town centre and formed part of the wider site where outline planning permission was granted for the regeneration of Bracknell town centre (12/00476/OUT) which has now been developed as the Lexicon.

5. THE PROPOSAL

- 5.1 This S73 application proposes internal changes to increase the number of residential units within the building from 311 to 338. This will be achieved by reducing the number of three-bedroom units and increasing the number of one- and two-bedroom units. The changes will require the provision of an additional 25 parking spaces within the Skimped Hill multi storey car park to be secured through a Deed of Variation to the S106 agreement completed as part of reserved matters permission 13/01068/REM.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Bracknell Town Council has observed that there are no objections to the application if the proposal provides affordable housing for local residents.

6.2 Two letters of representation have been received raising the following material considerations:-

- concerns over safety of tall buildings and access to roof
- concerns over height and design of building
- increasing the number of units will result in unacceptable small flats
- additional car parking required for the increase in number of units.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 The highways officer has commented that an additional 25 parking spaces will be required for the additional 27 residential units to meet the town centre parking standards.

7.2 If additional cycle parking is required then the applicant must demonstrate how it is to be accommodated.

7.3 It may be appropriate for pro-rata contributions to be secured under the S106 agreement to offset the impact of the additional units.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 and CS2, CS3, CS14 & CS17 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Town Centre	E1 of BFBLP, CS3 of CSDPD	Consistent
Affordable housing	H8 of BFBLP, CS17 of CSDPD	
Transport	CSDPD Policy CS23 BFBLP 'Saved' Policy M9	Consistent
SPA	CS14 of CSDPD BFBLP 'Saved' Policy EN3 SEP 'Retained' Policy NRM6	Consistent
Limiting the impact of development	CS6 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Parking Standards SPD Planning Obligations SPD		

Thames Basin Heaths SPA SPD		
	Development Plan	NPPF
General policies	CP1 of SALP, CS1, CS2, CS3, CS14 & CS17 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Town Centre	E1 of BFBLP	Consistent
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are set out below.

Impact on Character and Appearance of Area

9.2 The application proposes internal changes only to the building permitted under outline planning permission 12/00476/OUT and reserved matters application 13/01068/REM. The changes will remove 3 bedroom flats and provide 193 two bedroom and 145 one bedroom units, an increase in the number of units from 311 to 338. Although the proposals will result in the loss of 3 bedroom units, the applicant considers that this will result in a more viable scheme. In this town centre location smaller units are considered to be acceptable.

Transport Issues

- 9.3 Bracknell Forest Borough Local Plan Policy M9 and Core Strategy Policies CS23 and CS24 seek to promote or retain safe highway access and suitable off-road parking provisions, thus avoiding highway safety implications. This is consistent with the objectives of the NPPF.
- 9.4 This application does not propose any changes to the access arrangements to the building. Cycle parking and disabled parking will continue to be provided under the building with parking for the residential units within the Skimped Hill multi storey car park close to the site. A Deed of Variation will be required to ensure that a minimum of 305 car parking spaces to serve the building are made available, an increase of 25 spaces over the existing requirement.
- 9.5 Cycle parking is required to be provided at a rate of one space per bedroom. Cycle parking has been approved previously within the basement. This application reduces the number of bedrooms throughout the building as a result of removing three-bedroom units and providing only 1 and 2 bedroom units. There is not considered to be a requirement for changes to be made to the cycle parking provision.

Planning Obligations

- 9.6 A S106 was entered into as part of the outline planning permission 14/00476/OUT to secure contributions towards Thames Basin Heaths SPA mitigation measures, built sports facilities, education, library facilities, open space, youth facilities and public realm and to secure a

Travel Plan and monitoring payment, a waste management plan and to secure off site car parking. An increase in the contributions towards Thames Basin Heaths SPA mitigation measures will be sought to reflect increased contribution levels within the Thames basin Heaths SPA SPD.

- 9.7 Additional car parking is required to be secured to serve the additional units so a Deed of Variation will be required to increase the number of off-site car parking spaces provided.
- 9.8 The Deed of Variation will also secure 2no two bedroom and 2no. one bedroom units as affordable rented units. A Viability Assessment was submitted with the application which has been independently assessed. This indicates that 4 social rented units can be provided on site and viability would be maintained.

Thames Basin Heaths Special Protection Area (SPA)

- 9.8 An Appropriate Assessment has been carried out in accordance with the Habitats Regulations 2017. Without any avoidance and mitigations measures the Appropriate Assessment concludes that the development is likely to have a significant effect upon the integrity of the SPA. Provided that a financial contribution is secured towards the costs of SPA the application will be in accordance with the SPA mitigation requirements as set out in the Thames Basin Heaths SPA SPD (April 2018) policy NRM6 of the South East Plan (May 2009) and policy CS14 of the CSDPD.

10. CONCLUSIONS

- 10.1 The application proposes internal changes only to the building permitted under outline planning permission 12/00476/OUT and reserved matters application 13/01068/REM. The changes will remove 3 bedroom flats and provide 193 two bedroom and 145 one bedroom units, an increase in the number of units from 311 to 338. Parking to serve the development will be within the Skimped Hill multi storey car park which was secured through the s106 agreement attached to the reserved matters application 13/01068/REM. A Deed of Variation will be required to secure an additional 25 car parking spaces to meet car parking standards and to secure four affordable rented units. No additional cycle parking will be required as the cycle parking standards are based on bedroom numbers and the proposed changes represent a reduction in total bedrooms within the building.

11. RECOMMENDATION

- 11.1 Following the completion of a Deed of variation to the planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 attached to planning permission 12/00476/OUT relating to the following measures:
- secure affordable housing
 - avoidance and mitigation of the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA)
 - secure a minimum of 305 car parking spaces (an additional 25 car parking spaces) within the Skimped Hill multi storey car park.

That the Head of Planning be authorised to APPROVE the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

01. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 31.10.2018:-

- PLA-001/01
- S73 submittal pack for Royal Winchester House, Bracknell
- 0501 Rev A

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

02. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as approved under reference 15/00250/COND:

- Paving Stonemaster Medium Buff
- Stonemaster Natural Buff
- Stonemaster Medium Grey and

18/00057/COND :

Fairview RAL 9010 matt white finish
Fairview bespoke Timber finish

REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

03. External site lighting shall be provided at the site in accordance with the scheme approved under reference 16/00014/COND. The development shall be carried out in accordance with the approved scheme.

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

[Relevant Policies: BFBLP EN20 and EN25, Core Strategy DPD CS7]

04. Works in connection with the construction of an area of public realm or public space shall be carried out in accordance with the details approved under reference 16/00014/COND.

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

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

05. The car parking areas to serve the development both on and off site shall be operated only as approved under reference 15/00250/COND. The details approved under that reference shall be implemented.

REASON: In the interests of the accessibility and safety of the car park users.

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

06. Details of intended finished ground floor levels as approved under reference 16/00014/COND shall be fully implemented prior to the occupation of the building.

REASON: In order to ensure a satisfactory form of development relative to surrounding buildings and landscape.

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

07. No residential unit shall be occupied until a communal door access control system incorporating audible and visual verification has been provided in accordance with details to be submitted to and approved by the Local Planning Authority. The approved control system shall thereafter be retained.

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

[Relevant Policies: Core Strategy DPD CS7]

08. The building hereby permitted shall not be occupied until car parking to serve it has been provided at:-

(a) basement level), and

(b) the Skimped Hill Lane multi-storey car park (in accordance with details which have been submitted to and approved in writing by the Local Planning Authority).

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]

Informative(s)

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Should the applicant fail to complete the required Deed of Variation by 31st January 2010 the Head of Planning be authorised to REFUSE the application for the following reason: -

1. 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), and the NPPF.

2. In the absence of a planning obligation to secure affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD, the resolution on affordable housing made by BFC Executive on 29 March 2011, and the NPPF.

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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