

ITEM NO: 08

Application No.
19/00318/FUL
Site Address:

Ward:
Hanworth

Date Registered:
4 April 2019

Target Decision Date:
30 May 2019

ALDI 136 Liscombe Bracknell Berkshire RG12 7DE

Proposal:

Installation of new exit plus alterations to entrance of existing foodstore and replacement of existing external plant and associated plant enclosure.

Applicant:

ALDI Stores Ltd.

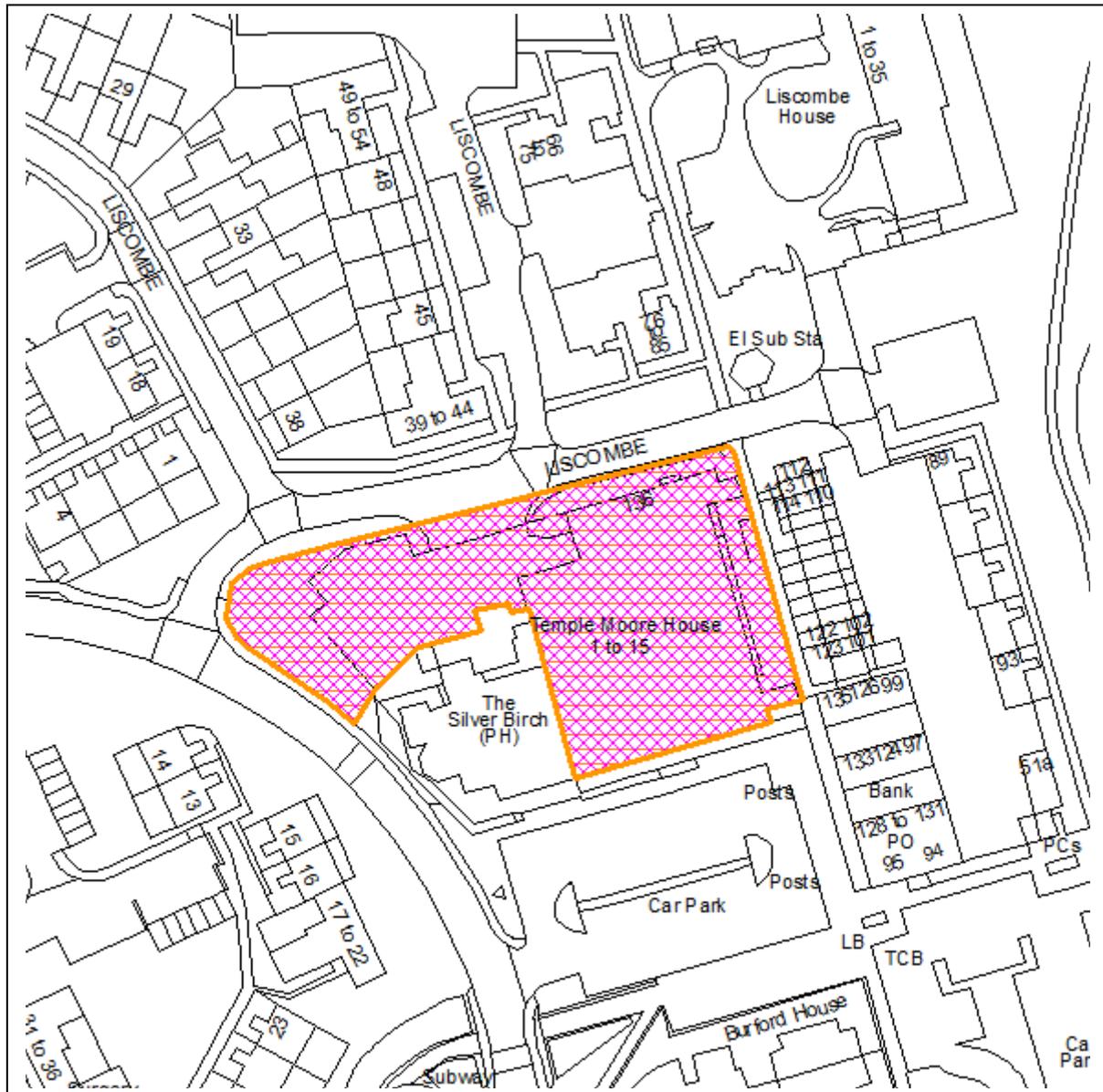
Agent:

Mr James Tavernor

Case Officer:

Alys Hughes, 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 relates to a site within the settlement boundary and is therefore acceptable in principle.

1.2 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 residential units. There would be no adverse highway safety implications.

1.3 Relevant conditions will be imposed. The scheme is not CIL liable.

RECOMMENDATION

Planning permission be granted subject to the 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 on the 18.07.19 and was deferred to enable members to visit the site to consider the noise impacts to residential amenities of the flats above the application site and to enable the attendance of an Environmental Health Officer at the Committee meeting.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within a defined settlement boundary

3.1 The site is situated on the corner with Liscombe and Birch Hill Road. The service access to the Aldi store is off Liscombe and the customer parking is accessed from Birch Hill Road. The Aldi store is part of the Birch Hill shopping centre and occupies the ground floor of a shared building. Residential units occupy the first floor.

3.2 The site is situated within the settlement boundary of Bracknell.

4. RELEVANT SITE HISTORY

4.1 The most recent applications relating to the site are:

07/00123/FUL – Installation of 1 no. condenser unit to flat roof. Approved 05.04.07

08/00439/FUL – External alterations including new shopfront and alterations to loading bay and extension to form plant room. Approved 16.07.08

08/01092/FUL - Minor external alterations including new shopfront and alterations to loading bay and minor extension to form plant room (proposed amendment to planning permission 08/00439/FUL to form larger plant room only). Approved 10.02.09

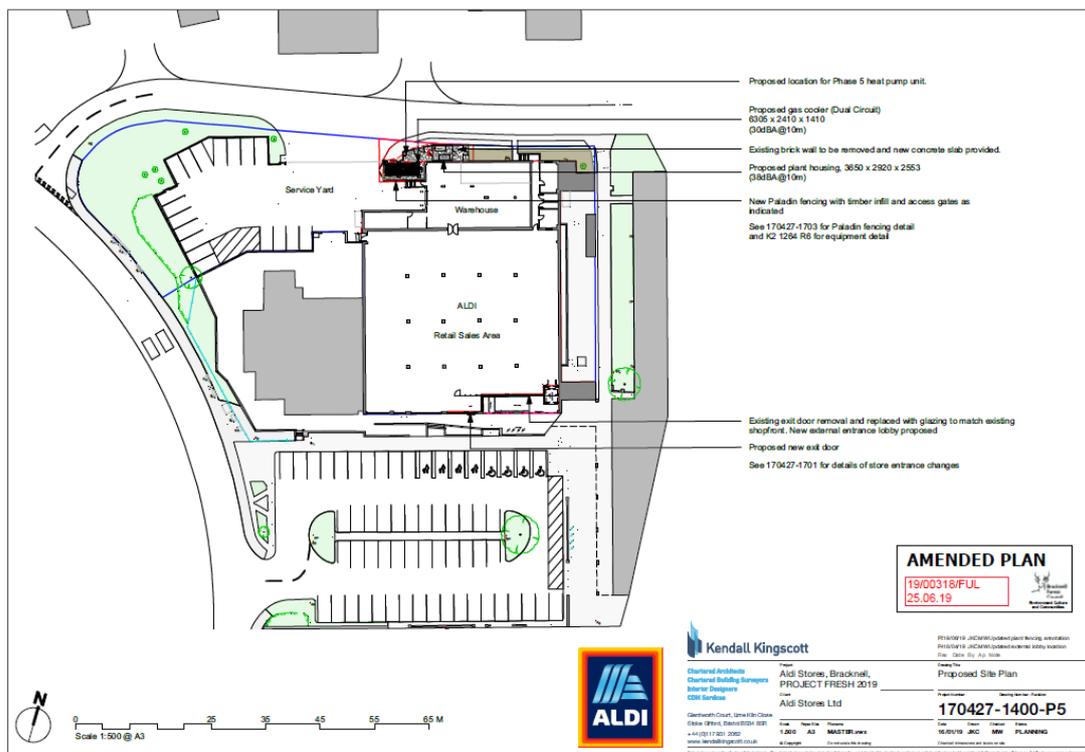
12/00010/FUL – Conversion of office floorspace above retail store to accommodate 9 no. one bedroom and 5 no. two bedroom flats with associated alterations comprising erection of two storey extension (for lift) and freestanding bin-store, insertion of new windows and roof lights and addition of cladding at first-floor level, and provision of car parking within service yard area with new footway to north of building. Approved 01.06.12

5. THE PROPOSAL

5.1 Full planning permission is sought for the installation of a new exit plus alterations to the entrance of the existing food store and replacement of existing external plant and an associated plant enclosure.

5.2 The proposed new exit and the alterations to the entrance will incorporate glazing to match the existing shopfront. The existing plant equipment comprises several refrigeration units. The proposed consists of an updated plant housing alongside a dual circuit gas cooler.

5.3 The removal of an existing compound wall and the construction of a new plant slab to an area where some soft landscaping currently exists is required to accommodate the new plant. The plant is proposed to be enclosed by a paladin fence with timber infill and would be 2.5m high.



5.4 Amended plans were submitted during the course of the application to slightly amend the red line outline of the site, amend the entrance to the store and to amend the materials for the fence surrounding the plant unit.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Bracknell Town Council recommends refusal of the application due to the position of the external plant. It considers the removal of the existing wall and relocation of this equipment on the outside wall directly opposite living accommodation would have a negative effect on

surrounding tenants. This view takes into consideration that the external plant will be running constantly and so the Town Council is concerned it will have a negative impact on the ability of local tenants to open their windows without hearing constant plant noise. The Town Council would support the improvement of the plant equipment if a more appropriate position was found preferably within the service yard. The Town Council has no objection to the entrance/exit alterations for the front of the store.

Other Representations

6.2 Nine letters of objections have been received from neighbouring properties. The concerns raised in the objections received can be summarised as follows:

- Impact on the level of noise and pollution received by surrounding residential units
- Would result in the removal of young trees and vegetation
- Inaccuracies in the submitted Design and Access statement
- Delivery lorries also causing disturbance to residents

7. SUMMARY OF CONSULTATIONS RESPONSES

Highways Officer

7.1 No objection

Environmental Health

7.2 No objection

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)		
Design SPD		

Parking standards 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. Impact on highway safety
- vi. Community Infrastructure Levy (CIL)
- vii. 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 SALP Policy CP1 refers to the presumption in favour of sustainable development as outlined within the National Planning Policy Framework (NPPF). SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible, and to improve the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

9.4 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.

9.5 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.

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 alterations to the access to the store would not significantly alter the appearance of this building and the use of materials would allow it blend in well. The proposed alterations are considered to be in keeping with the commercial use of the site in terms of its appearance

9.8 The proposed plant unit would extend closer to the edge of Liscombe than the existing and would result in the removal of some soft landscaping. However, this landscaping strip, situated between Liscombe and the Aldi store, does not have any significant value in the context of the street scene and a good amount of soft landscaping would remain along Liscombe, particularly at the opposite side of Aldi and at the junction with Birch Hill Road. As such, the loss of this small area of soft landscaping is not considered to be detrimental to the character and appearance of the area to a degree that would warrant a refusal.

9.9 The proposed fencing would enclose the whole plant unit which is greater in scale than the existing. It would therefore appear more prominent than the current situation on site however as this is a commercial unit, it would not appear out of place and the proposed materials are considered acceptable in this location.

9.10 Based on the above, the proposal would not 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) Impact on Residential Amenity

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 Policy EN25 of the BFBLP states that development will not be permitted if it would generate unacceptable levels of noise, smoke, gases, fumes, effluent, vibration, dust or other environmental pollution which would adversely affect the amenities of the occupiers of building, or persons using outdoor space.

9.13 The nearest residential units are situated above the Aldi store at second floor level. Some of the windows serving these residential units are situated on the western elevation of the building, above the plant unit. A Noise Impact Assessment has been submitted to support the application and Environmental Health has advised that the details contained within this report are acceptable and it is not considered that the proposal would cause an unacceptable level of noise. The report indicates that the noise from the plant unit would be 10dB less than that of the existing plant during the day and would be 1dB more than that of the existing plant during the night when measured from the nearest residential unit. There would therefore be a reduction in the level of noise on site during the day and whilst there would be an increase in the night, the level of increase is minimal and a refusal on this could not be sustained.

9.14 The Environmental Health Officer initially requested that a condition is included on any permission to restrict delivery hours. The noise as a result of delivery lorries was also a concern raised by neighbours. However, this is not considered to be relevant to the current proposal and so it would not be reasonable to include such a condition on this permission. Any excessive noise could be dealt with under Environmental Health legislation.

9.15 The fencing around the plant enclosure would be situated a sufficient distance away from any neighbouring property so as to not have any impact on their outlook.

9.16 As such, the proposal would not be considered to affect the residential amenities of neighbouring properties and would 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 It is proposed to remove one young tree to accommodate the proposed plant units. Although visible from the street scene, it is not considered that this tree is sufficiently important to the visual amenity of the area to object to its removal or to condition its replacement.

v) Impact on Highways Safety

9.19 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.

9.20 The proposed alterations to the store entrance/exit would not interfere with the pedestrian walkway fronting the store. This walkway is not adopted highway, but is a public route serving the Birch Hill Shopping Centre, which is owned/controlled by the Council. The proposed plant and enclosures to the rear of the store would not interfere with the visibility splays at the service yard access onto Liscombe, an adopted residential road, or impact on the footway which runs adjacent to the rear of the store (and is adopted highway). Based on the above, the Highway Authority has no objection and the proposal is considered to comply with the above-mentioned policies.

vi) Community Infrastructure Levy (CIL)

9.21 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.

9.22 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.

10. CONCLUSIONS

10.1 It is considered that the development would be acceptable in principle. It would not result in an adverse impact on the character and appearance of the street scene or wider surrounding area, highway safety, nor would the development result in an adverse impact on the residential amenity of the occupiers of the neighbouring properties. It is therefore

considered that the proposed development complies with 'Saved' policies EN1, EN8, and 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 That the application be APPROVED subject to the following conditions:-

1. 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.
2. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 25.06.19, 24.04.19 and 27.06.19:

Paladin Fence Detail no. 1703-P1 (Amended 25.06.19)
Existing and Proposed Elevation no. 1500-P3 (Amended 25.06.19)
Proposed site plan no. 1400-P5 (Amended 25.06.19)
Location Plan no, 1100-P4 (Amended 24.04.19)
Store Entrance Changes no. 1701-P4 (Amended 27.06.19)

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall consists of those outlined on the approved plans. The materials shall thereafter be retained as such.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
4. The development hereby permitted shall be carried out in accordance with the details contained within the 'Assessment of noise from replacement fixed plant equipment' report produced by Sharps Redmore Acoustic Consultants and dated 15th of August 2018 and shall be maintained as such thereafter.
Reason: To protect the occupants of nearby residential properties from noise.
[Relevant Policies: BFBLP EN25]

Informatives

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:
3. 01. Time limit
4. 02. Approved plans
5. 03. Materials
6. 04. In accordance with noise assessment