

PLANNING CONTROL SUB COMMITTEE

14 JULY 1997

Present: Councillor Mrs Doyle (Chairman)
Councillors Mrs Ballin, Birch
Fawcett, Flood, Harrison, Mrs Hayes,
Mrs Hirst, Jones, Onions,
Mrs Pile, Ryan, Sargeant, Simonds,
Taylor, Thompson, Ward, Wheaton and Worrall

21. Minutes.

The minutes of the Planning Control Sub Committee held on 16 June 1997 were approved as a correct record subject to the following amendments:

Application No. 622432 - Add after the word "invited":- "Notwithstanding the Officers' recommendation for refusal, the Committee considered that the strongly commercial character of the immediate locality was a material consideration, sufficient to justify approval of the application".

Application No. 622536 - First line of the resolution delete "obligations" and insert "objections".

22. Appeal Decisions Received. (Item 1)

The Sub Committee received a report on appeal decisions in respect of appeals relating to planning applications and enforcement notices 621601, 622124, CON 14/96 and CON 86/96.

23. Breaches of Planning Control. (Item 2)

CON 45/97

Church Farm Cottage, Hatch Lane, Winkfield
Unauthorised change of use of stable building and ancillary residential accommodation to a separate unit of residential accommodation

The Sub Committee noted details of correspondence received as set out in the Supplementary Report of the Borough Planning Officer.

RESOLVED:

- (i) That the Borough Solicitor be authorised to serve an enforcement notice in respect of the unauthorised change of use of the ancillary residential accommodation, tack store, feed store, garden store and workshop and to a separate residential unit, requiring the removal of the kitchen and the cessation of use of tack store, feed store, garden store and workshop as a separate unit of accommodation, with a compliance period of six months.
- (ii) That, in the event of any failure to comply with any of the steps required to be taken by the enforcement notice, the matter be allowed to proceed to a Magistrates Court action without further report.

CON 48/97

**4 Gibletts Folly, High Street,
Little Sandhurst
Unauthorised change of use
from single dwelling house to
two self contained flats**

RESOLVED that no further action be taken in this matter.

24. **Breaches of Planning Control. (Item 2.3)**

The Borough Planning Officer submitted a report dealing with new contraventions, contraventions resolved since the last report and breaches of conditions since the last report.

RESOLVED that the report be noted.

25. **Report on Planning Applications Received. (Item 3)**

The supplementary report of the Borough Planning Officer was tabled and Members noted the additional information contained therein relating to planning applications 622461, 622630, 622362, 622665 and 622503.

RESOLVED that the planning applications below be determined as recorded.

Application No. 621482

**Land at Chavey Down Post
Office and Garage, Priory
Road, Winkfield
Proposed redevelopment of
existing petrol station/garage,
tyre and exhaust centre and
fashion distribution centre to
provide shop/post office, two
shops, tyre and exhaust centre,
A3 (food and drink) unit, two
class A2 offices and one
residential unit**

It was noted that a site visit had been held in respect of this application on 10 July 1997, to which all Members of the Council had been invited. It was further noted that letters of objection had been received.

REFUSED for the following reasons:-

- (1) The size and siting of the proposal represents an undesirable overdevelopment of the site out of character with the surrounding area and detrimental to the amenities of adjoining property by reason of overbearing effect, loss of daylight/sunlight, overlooking and loss of privacy. The proposal would therefore be contrary to policies LD3 and EN1 of the Berkshire Structure Plan 1991-2000, EN5 of the North Bracknell Local Plan, and EN21 of the Deposit Draft Bracknell Forest Borough Local Plan Incorporating Proposed Changes and to the objectives of the Priory Road Planning Brief approved by the Planning and Transportation Committee in June 1997 which makes a comprehensive assessment of the site and its environs.
- (2) The proposed tyre/exhaust centre and A3 use would generate levels of noise and disturbance which would adversely affect the amenity of the occupiers of adjoining properties contrary to policies LD3 of the Berkshire Structure Plan 1991-2000, E2 of

the North Bracknell Local Plan, and E3 and EN28 of the Deposit Draft Bracknell Forest Borough Local Plan Incorporating Proposed Changes.

- (3) The access on to Church Road is unsuitable due to its sub standard width. This would result in vehicles being reversed into the public highway to the detriment of road safety.
- (4) The layout does not comply with the Local Planning Authority's standards in respect of vehicle parking. This would result in vehicles being parked on or reversed into the public highway to the detriment of road safety.

Application No. 621949

**Land rear of 44 North Road, Chavey Down, Winkfield.
Relocation of existing commercial building, widening of access and alterations to existing parking and provision of additional spaces following demolition of outbuilding.**

In accordance with Standing Order 23 Councillor Onions declared an interest in this item and withdrew for its duration.

A site visit had been held in respect of this application on 10 July 1997, to which all Members of the Council had been invited. It was noted that letters of objection had been received.

REFUSED for the following reasons:-

- (1) The proposal would be prejudicial to the proper future development of a larger area of land contrary to Policy EN21 of the Deposit Draft Bracknell Forest Borough Local Plan Incorporating Proposed Changes and to the objectives of the Priory Road Planning and Design Brief approved by the Planning and Transportation Committee on 26 June 1997.

Application No. 622388/CON 135/96

**Royal Berkshire Polo Club, North Street, Winkfield.
Retention of 12 no. lights on 7.3m high columns to illuminate existing all-weather pitch.**

It was noted that letters of objection had been received

RESOLVED

- (1) That the application be **REFUSED** for the following reasons:
 - (i) The proposed illumination would markedly detract from the open, rural and undeveloped character of the Green Belt contrary to policy 15 of the Green Belt Local Plan for Berkshire, policies C4 and EN2 of the Berkshire Structure Plan, and policies GB1 and EN16 of the Deposit Draft Bracknell Forest Borough Local Plan (including Proposed Changes).

- (ii) The proposed level of illumination in proximity to surrounding dwellings would cause material harm to residential amenities contrary to policy 15 of the Green Belt Local Plan for Berkshire and policy EN16 of the Deposit Draft Bracknell Forest Borough Local Plan (including Proposed Changes).
- (2) That the Borough Solicitor be empowered to issue an enforcement notice requiring the removal of the 12 columns and lights, giving a compliance period of 2 months and that in the event of failure to comply with any of the steps required to be taken by the enforcement notice, that the matter be allowed to proceed to a prosecution without further report.

Application No. 622097

**Land South of Greenacres,
Warfield Road, Warfield.
Erection of 36 dwellings with
associated roads, car parking
and landscaping with accesses
to Atte Lane and Huson Road.**

It was noted that letters of objection had been received.

RESOLVED That subject to:-

- (a) the consideration of any further representations as a result of the notification of amended plans raising matters that are not covered by this report and
- (b) **THE PRIOR COMPLETION OF A LEGAL AGREEMENT** under Section 106 of the Town and Country Planning Act 1990 containing a planning obligation relating to:
 - contributions towards the provision of highways infrastructure in the North Bracknell Local Plan area including:-
 - (i) the dedication of land to facilitate road widening and footpath provision on Warfield Road in accordance with the Highway Authority's Warfield Road proposals;
 - (ii) the construction of a footpath/cycleway to Warfield Road;
 - (iii) contributions towards off-site road and footpath/cycleway infrastructure.
 - the protection of wildlife in Piggy Wood as set out in paragraph 7.6 of the report and the transfer to the Council of Piggy Wood as public open space following surveys and the preparation of a management plan, covering the measures referred to in paragraph 7.6 of the Officers' report to the Committee, the carrying out of works in accordance with it and the payment of a commuted maintenance sum. The management plan shall provide details of wildlife fencing;
 - the provision of affordable housing on site;
 - financial contributions towards off-site sporting, recreational, social, community and educational facilities,

the Borough Planning Officer be authorised to **APPROVE** the application subject to the following conditions:-

- (1) A2 Full permission - implementation
- (2) B1 Plans as amended:-

Planning layout - 2125/101 Rev L
Bourton house type - 598
Milton house type - F3HO73 Rev B
Wordworth house type - F3H105 Rev B
Shelley house type - F3H099 Rev A
Constable house type - F2H066 Rev B
Sheridan house type - F4H115 Rev C
Livingstone house type - F4H130 Rev B
Palmerston house type - F4H139 Rev B
Shakespeare house type - F4H131 Rev C

- (3) C1 Protection of trees etc
- (4) C4 Protective fencing
- (5) C6 Details of hard and soft landscaping
- (6) C7 Implementation of approved landscaping scheme
- (7) C9 Details of walls and fences - implementation to be in accordance with a phased scheme to be submitted to and approved in writing by the Local Planning Authority
- (8) C10 Retention of landscaped areas
- (9) C16 Removal of permitted development rights (fences etc)
- (10) D4 Obscured glazing [first floor side facing windows as follows: Plot 1 (north), Plot 24 (north), Plot 26 (south) and Plot 32 (east)].
- (11) D6 Restriction on house extensions - plots 3-5 (inclusive)
- (12) E4 Schedule of materials to be submitted
- (13) G1 Levels/finished floor level
- (14) J2 - Foul and surface water drainage
- (15) W1 Wheel washing (building operations)
- (16) W2 Site organisation (building operations)
- (17) No building, engineering or other operations involving mechanical plant or equipment shall take place on the site outside the hours of 07.30 to 18.00 hours Monday to Friday and 08.00 to 13.00 hours on Saturdays.
- (18) HA5 Access constructed before occupation (approved drawing)
- (19) HA16 Roads to be provided
- (20) HA20 Visibility splays before occupation
- (21) HA25 Vehicle parking and turning space (approved drawing)
- (22) HA30 Garages retained for vehicle parking
- (23) Notwithstanding the provisions of Article 3 and Schedule 2 Part 17 Class G of the Town and Country Planning (General Permitted Development) Order 1995 (or any orders amending or re-enacting that Order) no building, structure or other plant or

equipment required for the supply of electricity shall be erected at or above ground level without the prior written approval of the Local Planning Authority.

- (24) No dwelling on plots 27 to 30 (inclusive) shall be occupied until a 3m wide footpath/cycleway has been constructed linking from Road 3 to Warfield Road as shown on the approved drawing.
- (25) There shall be no direct vehicular access from the site to Warfield Road.
- (26) The development hereby permitted shall not be begun until a scheme for protecting wildlife in Piggy Wood from disturbance during constructions works has been submitted to and approved in writing by the Local Planning Authority. The requirements of the scheme shall thereafter be observed until the completion of all building operations on the site.
- (27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no floodlights shall be installed or operated in the rear gardens of houses on plots 1 and 2 and 6-16 (inclusive) without the prior permission in writing of the Local Planning Authority.
- (28) Details of the culvert incorporating a wildlife access under the road link into the site from the west shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved, and shall be provided as part of that road.

Application No. 622440/CON 35/94

**23 Albion Road, Sandhurst.
Retrospective application for
the retention of the driveway
and an area of hardstanding
and the parking of two
commercial vehicles.**

It was noted that letters of objection had been received.

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

- (i) The retention of the driveway and area of hard-standing and the parking of two commercial vehicles would have a detrimental impact upon the amenities of local residents by virtue of noise, disturbance and fumes associated with traffic movements to and from the site and the manoeuvring of the vehicles within the site.
- (ii) the retention of the driveway and area of hard-standing and the parking of commercial vehicles would be harmful to the residential character of the area by virtue of giving the site a commercial appearance out of keeping with this residential area.

Application No. 622574

**Land adjacent to 11 Crown
Row, Bracknell.
Outline application for the
erection of single storey retail
unit for any use falling within
classes A1 (shops), A2
(financial & professional
services) or A3 (food & drink).
(Application under General
Regulation 3).**

A site visit had been held in respect of this application on 10 July 1997, to which all Members of the Council had been invited. It was noted that letters of objection had been received.

REFUSED for the following reasons:-

- (1) The proposed development outside the boundaries of the neighbourhood centre would result in a loss of open space of public value and trees, which contribute to the character and appearance of the locality, and would therefore be contrary to Policies EN1 and R1 of the Bracknell Forest Borough Local Plan Deposit Draft Incorporating Proposed Changes.
- (2) The proposed A3 use does not comply with the Local Planning Authority's adopted parking standards contrary to Policy M11 of the Bracknell Forest Borough Local Plan Deposit Draft Incorporating Proposed Changes, and this could result in on-street parking and/or reversing movements on Opladen Way adversely affecting road safety and the free flow of traffic.

Application No. 622375/CON 87/96

**31 The Broadway, Sandhurst.
Retention of 1.8m high fence.**

RESOLVED that consideration be deferred, and a site visit be held in respect of this application, to which all Members of the Council will be invited.

Application No. 622009

**Waverley School, Ravenswood
Avenue, Crowthorne.
Erection of 4 no. five
bedroomed houses and 2 no.
four bedroomed houses and
garages after demolition of
existing school.**

It was noted that a site visit had been held in respect of this application on 10 July 1997 to which all Members of the Council had been invited. It was further noted that letters of objection had been received.

REFUSED for the following reasons:-

- (1) The proposal represents an undesirable overdevelopment of the site detrimental to the physical and visual character of the surrounding residential area and detrimental to the amenities of adjoining dwellings contrary to policies LD3 and EN1 of the Berkshire Structure Plan 1991-2006, H2, EN1 and EN8 of the Sandhurst Crowthorne Local Plan and H1, EN1 and EN21 of the Bracknell Forest Borough Local Plan Deposit Draft Incorporating Proposed Changes.
- (2) The proposed turning head does not comply with the local highway authority's standards in respect of road design.

Application No. 622461

**Jealotts Hill Research Station,
Maidenhead Road, Warfield.
Erection of two storey
laboratory building with
associated car parking.**

RESOLVED that subject to:-

- (b) the notification of the application to the Secretary of State as a departure from the development plan and

- (c) the consideration of any further representations as a result of the advertisement and notification raising matters that are not covered by this report.

The Borough Planning Officer be authorised to **APPROVE** the application subject to the following conditions:-

- (1) A2 Full permissions - implementation.
- (2) B3 Plans as received - Drawings 1701/2,3,4,5,6,7 and A12 Rev.C/
- (3) C6 Details of hard and soft landscaping.
- (4) C7 Implementation of approved landscaping scheme.
- (5) C3 Details of tree protection etc.
- (6) C4 Protective fencing.
- (7) C10 Retention of landscaped areas.
- (8) E3 Details of materials to be submitted.
- (9) HA24 Vehicle parking in accordance with approved plan.

Application No. 622630

**Land to the rear of 3a, 4 and 5 Woodend Close, Winkfield.
Outline application for the erection of detached bungalow involving re-alignment of fence to rear of No. 3a Woodend Close.**

It was noted that a site visit had been held on 10 July 1997 to which all Members of the Council had been invited. It was further noted that letters of objection and a petition with 108 signatures had been received.

Prior to the vote on this matter it was requested that a recorded vote be taken on a motion to refuse the application. On being put to the meeting voting was as follows:

For: Councillors Birch, Mrs Doyle, Flood, Harrison, Mrs Hayes, Mrs Pile, Sargeant, Simonds and Thompson (9)

Against: Councillors Fawcett, Jones and Onions (3)

Abstaining: Councillors Adams, Mrs Hirst, Ryan, Taylor, Ward and Worrall (6)

RESOLVED that the application be **REFUSED** for the following reasons:-

The proposed development would be detrimental to highway safety for the following reasons:

- (i) the proposed parking spaces are inconveniently separated from the proposed bungalow and would therefore give rise to on-street parking on a bend in King Edwards Road and at a road junction;
- (ii) vehicles emerging from the parking spaces would have to contend with conflicting traffic movements including the possibility of traffic coming from Jubilee Avenue;

- (iii) vehicles emerging from the parking spaces would find visibility impaired by the presence of trees the subject of a Tree Preservation Order, and also by the likely presence of vehicles parked on-street.

Application No. 622362

**Priory House, Priory Lane,
Warfield.**

Erection of two storey side extension forming residential annex above three garages and erection of single storey rear extension following demolition of existing sun room and garage.

It was noted that letters of objection had been received.

APPROVED subject to the following conditions:-

- (1) A2 Full permissions - implementation.
- (2) B3 Plans as amended.
Drawings 2536/1 Rev D and 4 Rec. C
- (3) C12 Details of surfacing of drive.
- (4) E2 Samples of materials to be submitted.
- (5) D3 House extensions - restrictions on additional window/door openings - in walls/roof above ground floor level facing north or south.
- (6) The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the use of Priory House as a single dwelling house.
- (7) HA30 Garages retained for vehicle parking.

Application No. 622542

**Garden cottage, Prince Albert
Drive, Winkfield.**

Section 73 application to allow erection of tennis court with 3.6m high fence without compliance with condition 10 of planning permission 621019.

Application No. 622642

**Garden cottage, Prince Albert
Drive, Winkfield.**

Section 73 application to allow construction of swimming pool without compliance with condition 10 of planning permission 621019.

It was noted that letters of objection had been received.

622542

APPROVED subject to the following conditions:-

- (1) A2 Full permissions - implementation
- (2) B1 Plans as amended
(insert "10 June 1997")
- (3) C1 Details of tree protection etc.
- (4) C4 Implementation of tree protection
- (5) C5 Replacement of damaged vegetation
- (6) D6 Removal of PD (extensions)
- (7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Orders amending or re-enacting that Order), no buildings, enclosures, swimming or other pools (other than that expressly authorised by this permission) shall be constructed within the curtilage of the dwellinghouse without the prior written permission of the Local Planning Authority.
- (8) D9 Removal of PD (roof extension)
- (9) The garage hereby permitted shall be used for the parking of vehicles only and for no other purpose.

622642

APPROVED subject to the following conditions:-

- (1) A2 Full permissions - implementation
- (2) B3 Plans as received
(insert "A/79616/160, A/79616/16110 received 9 May 1997")
- (3) C1 Details of tree protection etc.
- (4) C4 Implementation of tree protection
- (5) C5 Replacement of damaged vegetation
- (6) D6 Removal of PD (extensions)

Application No. 622655

**Greenacres Farm, 23 Scotland Hill, Sandhurst.
Retrospective listed building application for the retention of 4 no. casement windows. replacement of 2 no. casement windows with sash windows**

It was noted that letters of object had been received.

RESOLVED That Listed Building Consent be **GRANTED**, subject to the following conditions:-

- (1) The replacement of the two casement windows with sash windows as shown on the plan and photographs received 15 May 1997 shall be carried out within three months of the date of this consent.
- (2) B3 Photographs and plan received 15 May 1997

Application No. 622582

Land at junction of Owlsmoor Road and Rackstraw Road, Sandhurst.

Display of 2 no. internally illuminated advertising panels (1750 x 1150) forming part of bus shelter.

It was noted that letters of objection had been received. The Borough Planning Officer was instructed to investigate with the applicant the possible substitution of the rear glazed panels with the poly carbonate panels currently used in neighbouring bus shelters, in order to prevent vandalism.

RESOLVED that advertisement consent be **GRANTED** subject to the following conditions:-

- (1)-(5) Standard advertisement conditions.
- (6) HA33 Restriction on illumination.

Application No.622500

Ryehurst Farm, Ryehurst Lane, Binfield.

Erection of replacement garage and store.

APPROVED subject to the following conditions:-

- (1) A2 Full permissions - implementation
- (2) B3 Plans as received
(insert "received 26 March 1997")

Application No.622646

14 Northington Close, Winkfield.

Erection of two storey side extension.

It was noted that letters of objection had been received.

APPROVED, subject to conditions:-

- (1) A2 Full permissions-implementation
- (2) B3 Plans as received
(insert "site/location plans and Plans and Elevations received 12 May 1997")
- (3) E1 Materials to match existing building
- (4) Bedrooms 1 to 3 shall be provided in accordance with the approved plan prior to the first use of bedroom 4 hereby permitted and at no time thereafter shall any bedroom be subdivided so as to create a separate bedroom.
- (5) D4 Obscure Glazing
(insert "first floor" and "rear facing")

Application No. 622665

BP Garage, Bagshot Road, Bracknell.

Erection of single storey building to form new shop, erection of canopy to hgv

fuelling area, provision of replacement pump islands and floodlights following demolition of existing shop car wash and part of canopy.

It was noted that a letter of objection had been received.

APPROVED subject to the following conditions:-

- (1) A2 Full permissions-implementation
- (2) B3 Plans as received
(insert "13028 -21A and 20B received 30 June 1997
- (3) E3 Details of materials to be submitted

- (4) No means of external illumination shall be installed on the site unless and until details of the proposed means of illumination have been submitted to and approved by the local planning authority. The submitted details shall include details of all proposed luminaires and any external light shields, whether freestanding or mounted on buildings.
- (5) The replacement shop hereby permitted shall only be used for purposes ancillary to the use of the site as a petrol filling station and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision or equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modifications).
- (6) HA27 Provision of Parking Spaces
Substitute "No dwelling...be" with "The shop hereby permitted shall not be"
Delete "/provided".

Application No. 622672

**Land adjoining No 53 Manston Drive, Bracknell
Change of use of open area to private garden enclosed by 0.9m high conifer hedge to front and side**

RESOLVED That consideration be deferred and a site visit be held in respect of this application, to which all Members of the Council will be invited.

Application No. 622667

**33 Fawler Mead, The Warren, Winkfield
Erection of part two storey, part first floor side extension.**

It was noted that a letter of objection had been received.

APPROVED subject to the following conditions:-

- (1) A2 Full permissions-implementation
- (2) B3 Plans as received
(insert "675 1 received 20 May 1995)

- (3) E1 Materials to match existing building
- (4) D3 House extensions - restrictions on additional door/window openings
(insert "32 Fawler Mead")

Application No. 622503

**11 Prince Consort Drive,
Winkfield.**

**Erection of two storey side
extensions and single storey
front and rear extensions
following demolition of existing
garage and store.**

It was noted that a letter of objection had been received.

RESOLVED That subject to:

- (i) no new issues being raised by Winkfield Parish Council within the 14 day consultation period; and
- (ii) the advertisement of the proposals as a departure from the development, and the consideration of any objections arising therefrom, and the referral of the application to the Secretary of State as a departure;

Approval be delegated to the Borough Planning Officer, subject to the following conditions:-

- (1) A2 Full permissions-implementation
- (2) B3 Plans as received
(Insert 600/01B and 600/02A)
- (3) E1 Materials to match existing

(and any further conditions required as a result of the consultations).

26. Miscellaneous Item: Amendment to Approved Plans (Item 4)

Application No. 620899

**The Croft, Chavey Down Road,
Winkfield.**

**Erection of community hall
with vehicular access to Chavey
Down Road and pedestrian
access to Crawley Chase.
construction of 40 car parking
spaces.**

It was noted that letters of objection had been received.

RESOLVED that the amended plans be **APPROVED**.

27. Building Regulations. (Item 5)

The Sub Committee considered a report detailing building regulations applications/notices dealt with the Borough Planning Officer.

RESOLVED that the report be noted.

28. **Notification of Appeals Received. (Item 6)**

The Sub Committee considered a report detailing appeals received since the previous meeting.

RESOLVED that the report be noted.

29. **Applications Dealt With by Borough Planning Officer Under Delegated Powers. (Item 7)**

The Borough Planning Officer presented a report detailing applications dealt with under delegated powers.

RESOLVED that the report be noted.

30. **Exclusion of Public and Press.**

RESOLVED that pursuant to Section 100A of the Local Government Act 1972, members of the public and press be excluded from the meeting for the consideration of item 8 which involved the likely disclosure of exempt information under the following category of Schedule 12A of that Act:

(12) Advice in connection with legal proceedings (Item 8)

31. **Breaches of Planning Control: CON97/96. (Item 8)**

CON 97/97

**14 St Helens Crescent,
Sandhurst
Unauthorised change of use of
amenity land to private garden**

RESOLVED, in view of the Borough Solicitor's advice in the matter and the issues referred to above, that **the Borough Solicitor be empowered to issue an enforcement notice** requiring the removal of the 24 fir trees within a 28 day compliance period and that, in the event of any failure to comply with the steps required to be taken by the enforcement notice, the matter be allowed to proceed to a Magistrates Court action without further report.

The meeting commenced at 7.30pm
and concluded at 10.05pm

CHAIRMAN