

ITEM NO:

Application No.
21/00077/FUL
Site Address:

Ward:
Wildridings And Central

Date Registered:
25 January 2021

Target Decision Date:
22 March 2021

1 To 8 Robins Gate Bracknell Berkshire

Proposal: **Erection of new floor of accommodation and conversion of former management area to form 4 flats (2 one bedroom and 2 two bedroom).**

Applicant: Gilbert Homes Ltd

Agent: Mr Neil Davis

Case Officer: Olivia Jones, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 Planning permission is sought for the erection of an additional floor and the creation of 4no. additional flats.
- 1.2 The development relates to a site within the settlement boundary. It is not considered that the development results in an adverse impact on the streetscene or the character and appearance of the area or highway safety. The relationship with adjoining properties is considered acceptable.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA

2. REASONS FOR REPORTING THE APPLICATION TO PLANNING COMMITTEE

- 2.1 The application has been reported to the Planning Committee following the receipt of over 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within Defined Settlement
Between 400m and 5km of the Thames Basin Heath SPA
Area A of the Bracknell Study Area identified in the Character Area Assessments SPD

- 3.1 The existing building consists of a detached block of flats containing 8no. flats and a management area accessed from Robins Gate.
- 3.2 The application site is located within a residential area which is a designated character area identified in the Character Area Assessments SPD (2010). The application site is located adjacent to a pair of Locally Listed Buildings (Chapel House and The Chapel).
- 3.3 The application site is located within the defined settlement boundary and is positioned between 400m and 5km of the Thames Basin Heath SPA.

4. RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history is summarised as follows:

16/00102/FUL

Change of use of land from D2 to C3 and erection of 6No. dwellinghouses and 8No. flats with parking and access.

Approved 2016

16/01282/FUL

Erection of 14 dwellings with parking and access.

Approved 2017

5. THE PROPOSAL

5.1 Planning permission is sought for the erection of an additional floor, providing 4no. additional flats.

5.2 The application site is on sloping ground, and therefore the building would have the appearance of four storeys when viewed from Larges Lane. The building would increase in height from 6.6 metres to 8.75 metres.

5.3 6no. additional parking spaces, and secure storage for 4no. additional bicycles are proposed.



6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 No objection raised

6.2 Other Representations

Letters of objection have been received from the owners/occupants of 8 properties, raising the following concerns:

- (i) Additional floor would be out of keeping with the existing character of the area
- (ii) Adverse impact on the quality of life of surrounding residents
- (iii) Adverse impact on the peace of the neighbouring graveyard

- (iv) Insufficient parking provision
- (v) Adverse impact on highway safety
- (vi) Impact on property values
- (vii) Impact on the amenity of occupiers during construction works, including scaffolding restricting use of the garden
- (viii) Loss of privacy, including to neighbouring residents and users of the graveyard
- (ix) Overbearing and dominant impact on neighbouring properties
- (x) Development would block sunlight into gardens
- (xi) Insufficient bin provision
- (xii) Lack of affordable housing provision

Officer Comment: The impact on property values is not a planning consideration and therefore cannot form a reason for refusal. Nuisance arising from construction is dealt with under separate Environmental Health legislation, and therefore cannot form a reason for refusal. The number of new dwellings proposed is insufficient to require affordable housing provision, and therefore cannot be a requirement of this planning application. All other concerns are addressed in the report.]

7. SUMMARY OF CONSULTATION RESPONSES

Highway Authority

7.1 No objection subject to suitable conditions

Heritage Officer

7.2 Advised less than substantial harm to the setting of the locally listed Chapel and Chapel Lodge. Therefore, a planning balance is required to weigh the public benefit against the impacts on heritage assets.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CS1 & CS2 of CSDPD	Consistent
Design and Character (including heritage)	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Residential Amenity	Saved policies EN1, EN2, EN20 and EN25 of BFBLP	Consistent
Highways	CS23 of CSDPD, Saved policy M9 of BFBLP	Consistent
Trees	'Saved' policy EN1 of the BFBLP	Consistent
SPA	NRM6 of the South East Plan, 'Saved' policy EN3 of the BFBLP	Consistent
Biodiversity	CS1 and CS7 of the CSDPD	Consistent
Sustainability	CS10, CS12 of the CSDPD	Consistent
Supplementary Planning Documents (SPDs)		
Design (2017) Parking Standards (2016) Streetscene (2010) Thames Basin Heath SPA (2018)		

Sustainable Resource Management (2008)
Other publications
National Planning Policy Framework (NPPF)
Building Research Establishment: Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice 2011 (BRE SLPDS)
CIL Charging Schedule (2015)

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- (i) Principle of the Development
- (ii) Impact on the character and appearance of the area
- (iii) Impact on heritage assets
- (iv) Impact on residential amenity
- (v) Highway safety consideration
- (vi) Sustainability
- (vii) Thames Basin Heath SPA
- (viii) Community Infrastructure Levy
- (ix) Planning Balance

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). Policy CS2 of the CSDPD states that development will be permitted within defined settlements. This is provided that the development is consistent with the character, accessibility and provision of infrastructure and services within that settlement. The above policy is considered to be consistent with the NPPF, and as a consequence is considered to carry significant weight.

9.3 The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013). As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the amenity of the neighbouring occupiers and upon the character and appearance of the area.

ii. Impact on Character and Appearance of Surrounding Area

9.4 '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.

9.5 The application site is located within Area A of the Bracknell Study Area identified in the Character Area Assessments SPD. This area is characterised as follows:

- Characterised by large buildings in space;
- Development heights range from 2 storey houses to 7 storey institutions;
- No coherent architectural approach;
- Due to proximity to the town centre could be suitable for greater densities;
- Development along Larges Lane should consist of houses and smaller blocks of flats to create a transition to the residential areas to the east.

9.6 The Design SPD recommends that the height of buildings should respond to the following factors:

- The existing heights and degree of variation in height in the local context;
- The scale and importance of the space that the building will define or enclose;
- Its position in the street hierarchy;
- The position of the building line in relation to the street;
- Whether it is a focal point or landmark location in the development;
- Its impact on the setting of any heritage assets or views; and
- The density of development.

9.7 It is proposed to erect an additional floor to the building, resulting in a four storey building when viewed from Larges Lane. The building would increase in height from 6.6 metres to 8.75 metres. The design of the extension has been revised during the course of the application and would be sympathetic to the existing building. The materials would be similar to those on the existing building. It is considered that the proposed development would not appear disproportionate to the existing building.

9.8 The proposed additional floor would be set back from the front elevation by 2 metres at the central point, with steps in on either side elevation. This would provide a visual break between the existing building and the proposed additional storey. Furthermore, the additional floor would be clad in dark grey cladding, to reduce the visual prominence of the development on the area.

9.9 It is acknowledged that the resulting building would be taller than the surrounding buildings and would appear prominent in the streetscene. However, the proposed building is located in a prominent location on the bend of Larges Lane as it transitions from widely spaced dwellings well screened by vegetation, to an area of more dense residential plots. The building is set back from the highway by approximately 5.5 metres at its closest point, with the nearest neighbouring building approximately 16 metres away.

9.10 The character area assessment identifies that buildings up to 7 storeys high would be suitable for the area, although development on Larges Lane should be shorter blocks of flats. It is considered that a 4 storey building would therefore comply with the recommendations of the Character Area Assessments SPD.

9.11 Given the separation distance from the building to the highway, and the separation distance to the surrounding properties, it is not considered that the increase in height would appear significantly incongruous within the streetscene to the detriment of the character of the area.

iii. Impact on Heritage Assets

9.12 Bullbrook Cemetery on Larges Lane contains a Chapel and Chapel Lodge which are locally listed buildings. The Chapel and Lodge buildings date from around 1880 and have architectural and townscape value as local landmarks.

9.13 PPG states that local planning authorities may identify non-designated heritage assets and in some areas, these heritage assets may be identified as 'locally listed' (DCLG et al, 2014, para. 39). These identified heritage assets may include buildings, monuments, sites, places, areas or landscapes which have a degree of value meriting consideration in planning decisions but which are not formally designated heritage assets (DCLG et al, 2014, para. 39). Under paragraph 197 states that:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

- 9.14 The Locally Listed chapel buildings, which are landmark buildings, are located directly opposite the proposed development which has inter-visibility with them being 16m away from Chapel House at its closest point. The proposed development would not have any material impact on the non-designated heritage assets themselves but would affect their settings. However, the existing townscape around the locally listed buildings is defined partly by the existing three storey development along Large Lane. The existing building has a curved front elevation onto Larges Lane and a flat roof and comprises 8 apartments with a further 6 townhouses along Larges Lane. The existing flats adjacent to the Chapel, between Larges Lane and Farnham Close, are also three storeys high.
- 9.15 Generally, the prevailing storey heights in the adjacent area is three storeys. Although there are buildings of four storey and higher, these are generally located towards Bracknell town centre around Bracknell and Wokingham College. Therefore, the proposed four storey building would be taller than the prevailing townscape. For this reason it is considered that it would result in less than substantial harm to the setting of the Locally Listed Buildings; any harm should be balanced against the public benefits of the scheme in the planning balance.

iv. Impact on Residential Amenity

- 9.16 '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.

Overlooking

- 9.17 Due to the separation distance between the building and the surrounding residential dwellings, it is not considered the proposal would result enable increased levels of overlooking to private residential properties and their gardens, over and above what can be achieved by the existing situation.

Overbearing

- 9.18 Due to the separation distance between the building and the surrounding residential dwellings (the closest building is approximately 16 metres away), it is not considered that the proposal would appear unduly overbearing to the occupants of the surrounding properties.

Overshadowing

- 9.19 The nearest residential property, 1 Robins Gate Cottages, has no side windows that are the primary sources of light to habitable rooms. As such, the increase in height of the building would not be considered to have a significant impact on the occupants of this dwelling in terms of loss of light. The residential property to the north-west, The Willows, is located approximately 36 metres from the proposed development. This separation distance is sufficient to avoid any overshadowing impacts to this property.

Existing and Future Occupants

- 9.20 All the rooms in the proposed flats would either have south facing windows, or two sources of light to the habitable rooms. It is considered that the proposed flats would receive sufficient daylight.
- 9.21 Balconies are proposed for two of the new flats, and outside amenity space to the south of the building could be used by existing and future residents. As this land is to the south of the building

in question an increase in height would not result in significant levels of overshadowing to this area.

v. Highway Safety Considerations

9.22 Policy CS23 of the CSDPD states that the council will use its planning and transport powers to reduce the need to travel, increase the safety of travel, promote alternative modes of travel and promote travel planning. 'Saved' policy M9 of the BFBLP states that development will not be permitted unless satisfactory parking provision is made for vehicles and cycles. The supporting test to this policy also states that the standards set out in the Bracknell Forest Borough Parking Standards, Supplementary Planning Document 2016 (SPD), can be applied flexibly in certain circumstances.

9.23 The proposal is for 2 x 2-bedroom and 2 x 1-bedroom dwellings; this requires 6 additional parking spaces to be provided to accord with Table 6 of the Parking Standards SPD.

9.24 A Block Plan has been submitted, demonstrating where 6 additional car parking spaces along with 6 residents' cycle spaces and 4 visitor cycle spaces would be located. The proposed car and cycle parking would meet the requirements of the Council's Parking Standards SPD (March 2016) for the proposed development.

9.25 Sufficient bin storage is proposed to meet the BFC requirements of 100 litres of waste per household per week. Access to the bin storage has been improved.

9.26 The 2x1-bedroom and 2x 2-bedroom flats in this location are likely to generate around 10 vehicular trips per day based on TRICS data used to inform the Council's Transport Model.

vi. Sustainability

9.27 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, cover water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. CSDPD 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.

9.28 It is recommended that these requirements are secured by condition.

vii. Thames Basin Heath SPA

9.29 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. An Appropriate Assessment has been carried out including mitigation requirements.

9.30 This site is located approximately 2.7 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.

9.31 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.

9.32 In this instance, the development would result in a net increase of two x 1-bedroom dwellings and two X 2-bedroom dwellings which results in a total SANG contribution of £19,192.

9.33 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 £1,850.

9.34 The total SPA related financial contribution for this proposal is £21,042. 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 Thames Basin Heaths Special Protection Area SPD and the NPPF.

viii. Community Infrastructure Levy (CIL)

9.35 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.

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

9.37 In this case, the proposal would be CIL liable as it comprises the creation of new dwellings.

ix. Planning Balance

9.38 The proposal would affect the setting of Locally Listed Chapel Buildings and it was concluded that this would result in 'less than substantial harm'. The harm would be of a low order. However, and in accordance with Paragraph 193 of the NPPF, any harm must be afforded 'great weight' to the heritage asset's conservation in the decision-making process. Paragraph 196 goes on to say that where a development proposed would lead to less than substantial harm, as in this case, the harm should be weighed against the public benefits.

9.39 The proposal would provide 4no. additional dwellings, adding to the provision of housing within the borough in a sustainable location close to Bracknell Town centre. This would be considered a public benefit. As set out in the previous section, the proposed development would not be considered to have a significant adverse impact on the character and appearance of the area. As such, it is considered that the public benefit overrides the less than substantial harm which is of a low order to the settings of the Locally Listed Buildings.

9.40 In light of this assessment, the application is considered to be acceptable in terms of highway safety, character and appearance of the area and amenities of neighbouring properties. The low order of harm identified to the setting of the listed building is considered to be outweighed by the contribution to the housing land supply and other associated public benefits. Subject to the completion of the S106 agreement to secure SPA mitigation, and relevant conditions the application is therefore recommended for approval.

10. RECOMMENDATION

10.1 **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);

That the Head of Planning be authorised to **APPROVE** application 21/00077/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 and other submitted details:

Location Plan (001/B) – Received 25.01.21
Proposed Block Plan (102/E) – Received 28.04.21
Proposed Lower Ground Floor (109/A) – Received 25.01.21
Proposed Ground Floor (110/C) – Received 28.04.21
Proposed First Floor (111/A) – Received 25.01.21
Proposed Second Floor (112/E) – Received 27.05.21
Proposed Roof (113/D) – Received 27.05.21
Proposed Section A-A (140/D) – Received 27.05.21
Proposed Section B-B (141/B) – Received 27.05.21
Proposed South-West Elevation (170/D) – Received 27.05.21
Proposed North-West Elevation (171/E) – Received 27.05.21
Proposed North-East Elevation (172/D) – Received 27.05.21
Proposed South-East Elevation (173/E) – Received 27.05.21

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

03. The development hereby permitted shall not commence until details of the all proposed external materials are submitted and approved in writing by the Local Planning Authority.

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

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

04. The development hereby approved shall not be occupied until the associated vehicle parking and turning space has been provided in accordance with the approved drawing. 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: BFBLP M9, Core Strategy DPD CS23]

05. The dwelling shall not be occupied until a plan showing the floor plan and elevation of the cycle store shown on the approved plans, showing 4 secure and covered cycle spaces, is submitted to an approved in writing by the Local Planning Authority. The cycle parking spaces and facilities shall thereafter be retained.

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

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

06. No part of the 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]

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. 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). It 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]

Informative(s):

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.

02. 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
- (4) Vehicle parking
- (8) SUDS

The applicant is advised that the following conditions are required to be discharged:

- (3) Materials
- (5) Cycle parking
- (6) Sustainability Statement
- (7) Energy Demand Assessment

03. 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.

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

