

**PLANNING COMMITTEE
29 SEPTEMBER 2022
6.30 - 8.20 PM**



Present:

Councillors Dudley (Chair), Brossard (Vice-Chair), D Birch, Brown, Gbadebo, Green, Mrs Hayes MBE, Mrs Mattick, Mrs McKenzie-Boyle, Mossom and Virgo

Present Virtually:

Councillor Bidwell

Also Present:

Councillor Finch

Apologies for absence were received from:

Councillors Dr Barnard, Mrs McKenzie and Skinner

35. Minutes

The Committee noted a typing error in the title of meeting held on 18 August 2022 which should have read "PLANNING COMMITTEE".

RESOLVED that the minutes of the meeting held on 18 August 2022 were approved as a correct record.

36. Declarations of Interest

Councillor Brossard declared an affected interest in agenda item 7, 22/00003/FUL, 121 College Road, College Town, Sandhurst as Councillor Michael Sanderson, a Sandhurst Town Councillor and the Mayor of Sandhurst, lived next-door to the site.

Councillor Mossom also declared an affected interest in agenda item 7, 22/00003/FUL, 121 College Road, College Town, Sandhurst as Deputy Mayor of Sandhurst.

Councillor Birch also declared an affected interest in agenda item 7, 22/00003/FUL, 121 College Road, College Town, Sandhurst as a member of Sandhurst Town Council and would leave the meeting for the item.

37. Urgent Items of Business

There were no urgent items of business.

38. 19/01104/FUL Breamar, 1 Richmond Road College Town

Erection of 4no 3 bed dwellings and associated access following demolition of existing bungalow.

The Committee noted:

- The supplementary report tabled at the meeting.
- The comments of Sandhurst Town Council recommending refusal of the proposal as summarised in the agenda.
- The 9 letters of objection as summarised in the agenda

RESOLVED that following the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. Mitigation of impacts on the Thames Basin Heaths SPA;

02. Access road including carriageway, footway/margin and street lighting to be adopted under S38 of the Highways Act 1980 up to and including the extent of turning head need for refuse collection and fire tender and to the boundary with no. 2 Richmond Road to the east;

03. New access onto Richmond Road to be formed using an agreement under S278 of the Highways Act 1980, to include formation of the new access and stopping up of the existing access and raising the kerb to full-height,

the Assistant Director: Planning be authorised to **APPROVE** the application 19/01104/FUL subject to the following conditions amended, added to or deleted as the Assistant Director: Planning considers necessary and following the required consultation with the agent in relation to pre-commencement 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 31.08.2022:

1634-010 L - Site Location and Block Plan

1634-100 A - Plots 1 & 2 Proposed Plans

1634-101 D - Plots 1 & 2 Proposed Elevations

1634-102 - Plots 1 & 2 Proposed Roof Plans

1634-107 - Plots 3 & 4 Proposed Plans

1634-108 A - Plots 3 & 4 Proposed Plans

1634-109 B - Plots 3 & 4 Proposed Elevations

1634-110 - Proposed Cycle & Bin Store Elevations

Flood Risk Assessment Ref 75125R1 dated 19.08.2021

Soakage Test Results S052205 dated May 2022

Drainage schematic 75125.01R2 received 01.07.2022

Arbtech Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey April 2020

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

3. The residential accommodation hereby approved shall not comprise more than 4no.three bedroomed dwellings. REASON: To ensure the development does not impose undue pressure on the Thames Basin Heaths Special Protection Area over and above the financial mitigation secured by a legal agreement which was based upon the number of bedrooms approved under this planning permission.

[Relevant Policies: Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area SPD (April 2018), the Planning Obligations SPD and the NPPF].

4. No part of the development hereby permitted shall be begun until details showing the finished floor levels of the building/s in relation to a fixed datum point in the surrounding area 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 and other heritage assets on the site.

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

5. No structure hereby permitted shall be built above ground level until samples 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 submitted samples shall include details of bricks, roof tiles, windows, doors, boundary enclosures and other hard surfaces. 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]

6. The proposed first floor rear facing windows of plots 3 & 4 serving bathrooms hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass or equivalent. They shall always be fixed with the exception of a top hung openable fanlight. All rooflights shall be installed with a minimum 1.7m above the internal floor area.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

7. The development hereby permitted shall not be begun until an Energy Demand Assessment demonstrating that:
 - (a) the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and
 - (b) a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20% unless otherwise agreed in writing by the Local Planning Authority) has been submitted to and approved in writing by the Local Planning Authority. The building(s) 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]

8. No part of the development hereby permitted shall be occupied until all ecological measures and/or works have been carried out in accordance with the details contained within the approved Arbtch Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey April 2020 and an ecological site inspection report has been submitted to and approved in writing by the Local Planning Authority confirming the implementation of the approved measures. All ecological measures and/or works shall thereafter be retained in accordance with the approved details.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

9. Prior to the completion of the development hereby approved, details of biodiversity enhancements (including a plan showing their location), which shall include bat roosting opportunities within the new building, to be installed on or around the site shall be submitted to and approved in writing by the Local Planning Authority. These approved measures shall be installed prior to the completion of the development hereby approved, and shall be retained in perpetuity.
Reason: In the interests of nature conservation.
[Relevant Plans and Policies: CSDPD CS1, CS7]
10. No development shall take place until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include: -
- a) All retained and proposed new soft landscape areas.
 - b) Comprehensive planting plans of an appropriate scale and level of detail that provides adequate clarity including details of ground preparation, and all other operations associated with plant and grass establishment, full schedules of plants, noting species, and detailed plant sizes/root stock specifications, planting layout, proposed numbers/densities locations, tree staking and tying, mulching etc.
 - c) Comprehensive 5 year post planting maintenance schedule.
 - d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
 - e) Paving including pedestrian open spaces, paths proposed materials See separate requirements regarding construction in Root Protection Areas of existing trees.

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 '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.

11. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose. If within a 5 year period of the completion of the development any soft landscaped area which is removed, uprooted, or is destroyed or dies shall be replaced by plants of the same species and size as that originally planted at the same place.

REASON: - In the interests of good landscape design and the visual amenity of the area.

12. No dwelling shall be occupied until the existing access to the site from Richmond Road is closed and the footway is reinstated in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; the reinstatement of the footway shall be retained thereafter.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
13. No dwelling shall be occupied until the new means of vehicular access onto Richmond Road has been constructed in accordance with the approved plans and in accordance with details which have been submitted to and approved by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
14. No dwelling shall be occupied until a means of access for pedestrians to it of at least 0.9m wide, separate from parking, has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. This shall be retained thereafter.
REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]
15. No dwelling shall be occupied until that part of the access road which provides access to it has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
16. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced with a bound or bonded material and marked out 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]
17. No dwelling shall be occupied until 3no. secure and covered cycle parking spaces for it have been provided in the location identified for cycle parking on the approved plans within the development. 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]
18. No gates shall be provided at the vehicular access to the site.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
19. No development (including demolition and site clearance) 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

(f) Swept path plans demonstrating that the largest anticipated construction vehicle can arrive in a forward gear, turn around on site and depart in a forward gear onto the adopted highway 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 (f) above.

In addition, development shall be limited to the hours of 8 a.m. to 6 p.m. Monday to Friday, 8 a.m. to 1 p.m. on Saturdays, and no development at all on Sundays and Bank Holidays.

REASON: In the interests of amenity and road safety.

[Relevant Policies: BFBLP EN20, Core Strategy DPD CS23]

20. No development shall take place until full details of the Drainage System(s) have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the approved Drainage Strategy references; Flood Risk Assessment Ref 75125R1, Drainage schematic 75125.01R2 and Soakage Test Results S052205. These shall include:

Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, planting (if necessary) and drawings as appropriate.

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

21. No development shall commence 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.

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

22. No dwelling hereby permitted shall be occupied until the sustainable urban drainage scheme for this site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Written confirmation of agreements for the management and maintenance of the drainage scheme shall be submitted and approved by the Local Planning Authority.

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

23. Prior to occupation of any dwelling a verification report, appended with substantiating evidence demonstrating the agreed/approved construction details and specifications have been implemented, will need to be submitted and approved (in writing) by the Council. This will include photographs of excavations and soil profiles/horizons, any placement of tanking, crating, connecting pipe work, aquaculdes or aquabrakes, cover systems.

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

In the event of the S106 planning obligations not being completed by 15th December 2022, the Assistant Director: Planning be authorised to extend this period or REFUSE the application on the grounds of:-

1. 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 Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), 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 (2018).

39. **21/00792/FUL 37 Stoney Road Bracknell Berkshire**

Erection of 1 no. 3-bed dwelling with associated parking and alterations to existing dwelling including porch to front, single storey rear extension and rear dormer.

The Committee noted:

- The supplementary report tabled at the meeting.
- The comments of Bracknell Town Council objecting to the proposal as summarised in the agenda.
- The 6 letters of objection from the occupiers of neighbouring dwellings as summarised in the agenda.
- The additional letter of objection submitted from the residents of 12 properties as detailed in the supplementary report.

A motion to APPROVE the recommendation in the officer report was proposed but fell at the vote.

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

RESOLVED that application 21/00792/FUL be REFUSED for the following reasons:-

1. By reason of its size, bulk and proximity to the neighbouring properties, the proposed dwelling would be considered an unneighbourly form of development resulting in adverse overbearing impacts to the detriment of the amenities of the occupants of the neighbouring properties, contrary to 'Saved' Policy EN20 of the BFBLP, Policy CS7 of the CSDPD, the Design SPD and the NPPF.
2. 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 Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017 (as amended), 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 (2018).

40. **22/00003/FUL 121 College Road College Town Sandhurst**

Revised scheme for erection of single storey rear extension following demolition of existing conservatory and installation of two air conditioning units.

The Committee noted:

- The supplementary report tabled at the meeting.
- That Sandhurst Town Council raised no objection to the proposal.
- The 2 letters of objection on behalf of the occupiers of 117-119 College Road as summarised in the agenda.
- The letter of support from the applicant as summarised in the agenda
- The additional representation from the applicant as detailed in the supplementary report.

A motion to APPROVE the recommendation in the officer report was proposed but fell at the vote.

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

RESOLVED that application 22/00003/FUL be **REFUSED** for the following reason:

By reason of its size, bulk and proximity to the neighbouring properties, the proposed development would be considered an unneighbourly form of development resulting in adverse impacts to the detriment of the amenities of the occupants of the neighbouring properties, contrary to 'Saved' Policy EN20 of the BFBLP, Policy CS7 of the CSDPD, the Design SPD and the NPPF.

CHAIRMAN