BRACKNELL FOREST BOROUGH COUNCIL

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| **DELEGATED REPORT** | **APPLICATION NO: 07/01237/FUL**  **OFFICER: Paul Corbett** |

DESCRIPTION: Erection of 54no sheltered accommodation flats and manager's accommodation with associated parking, landscaping and communal facilities accessed from Yorktown Road following demolition of existing forge and garden centre

LOCATION: 90-94 Yorktown Road Sandhurst Berkshire

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| Week No | 1/2008 | Registered | 19.12.2007 | Expiry | 19.03.2008 |

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| SITE VISIT NOTES (separate sheet attached? Y / N) | | | DATE UNDERTAKEN |  |
| See case officer summary | | | | |
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| CONSULTATIONS & REPRESENTATIONS RECEIVED | | | | |
| Consultee(s) | Reply Date | Consultee Comments | | |

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| Landscape and Arboricultural Officer |  | Comments awaited. |

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| The Environment Agency |  | Comments awaited. |

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|  | 16.01.2008 | Recommends that the permission be refused for the following reasons:  The proposal has not provided adequate information to support the parking proposals and thus the application is deemed to provide insufficient parking for the proposed development which could lead to overspill parking in the local road network to the detriment of road safety. |

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| Implementation | 31.12.2007 | Contributions are to be secured by Planning Obligations (created by s106 Agreement).  To be determined in consultation with Highways Development Control:  - Any transportation contribution; and  - A Travel Plan.  To be determined in consultation with colleagues in Housing Strategy & Needs:  - If justified, (having regard to the economics of provision and site circumstances), an appropriate financial contribution in lieu of on site provision towards affordable housing.  - An agreed financial contribution towards open space.  - An agreed financial contribution towards Thames Basin Heaths SPA, together with no occupation until the Thames Basin Heaths SPA contribution has been applied by the Borough Council and dog keeping restrictions.  - Restriction of use and occupancy, if not dealt with by a planning condition |

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| Environmental Policy Officer (SPA) | 04.01.2008 | Objection raised subject to the applicant NOT agreeing to making a Section 106 contribution of £1,536 towards strategic avoidance and mitigation measures to accord with The Councils adopted Limiting the Impact of Development SPD, July 2007 [LID2] |

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| Biodiversity Officer |  | Comments awaited. |

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| Urban Design Officer |  | Comments awaited. |

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| Leisure Services |  | Comments awaited. |

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| Landscape and Arboricultural Officer |  | Comments awaited. |

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| Environmental Health and Safety | 23.01.2008 | The Environmental Health Section has raised the standard concerns relating to construction noise and waste, the potential to contaminated land and site lighting which can be genrally secured by condition. However some concerns arise over the accomodation layout. |

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| Waste and Recycling Officer |  | Comments awaited. |

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| Ellie Eghtedar - Head Of Housing | 27.12.2007 | Housing Officers letter dated 27.12.2007 sent to Applicant stated the commuted sum/off site provision of Affordable Housing was unaccecptable following the Councils initial discussions with Valuation Agency Office (VOA). |

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| Natural England | 07.01.2008 | Objection raised subject to the applicant NOT agreeing to the Councils mitigation package of making a Section 106 contribution of £1,536 towards strategic avoidance and mitigation measures to accord with The Councils adopted Limiting the Impact of Development SPD, July 2007 [LID2] |

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| Parish-Town Council | 17.01.2008 | Recommend refusal:  "We recommend refusal with the following observation;  Whilst we are not oppose to the principle of a sheltered housing development on this site we have serious concerns regarding what we consider is an inadequate level of parking provisions and lack of any flood prevention measures to avoid exacerbating the existing flood threats in this area. |

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| Royal Berkshire Fire and Rescue Service |  | Comments awaited. |

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| Planning Policy Section |  | The principle of residential use of this site is acceptable.  23% of the units should be secured as affordable rented housing and a further 15% as intermediate housing.  The loss of a small business unit (a forge) would conflict with the Borough Council's aim of facilitating the provision of small business units. However, with the removal of a B2 use from a predominantly residential area may be considered to outweigh this objection.  There is no conflict with retail policy. |

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| POLICIES: |

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| CASE OFFICER’S SUMMARY: |

Site Visit Notes:

The site currently contains two storey buildings fronting Yorktown Road which are used for a garden centre and a forge. There is a parking area to the rear, several outbuildings and some trees. The section of Yorktown Road where the application site is located contains a mixture of commercial and residential uses. Coachmans Close to the west and south of the application site is a residential cul-de-sac. 82 Yorktown Road to the west side of Coachmans Close is in residential use.

Constraints: TPO trees on site.

Policies: BSP DP4 DP5 EN1, T5 BFBLP EN1, EN20, H1, M4, M9, CSDPD CS6,CS7

Representations:

Letters and emails were received from 8 addresses expressing concerns about the following:

Additional traffic and congestion including the additional access onto Yorktown Road

Insufficient parking

Building too high

No need for additional flats

Flood risk – There are existing flooding problems in area

Loss of retail facility (Garden Centre)

Previous Relevant History:

620980 - Outline application for commercial (class B1 business) development and residential development comprising 69 dwellings with access onto Yorktown Road and involving the demolition of 5 dwellings. APPROVED subject to a legal agreement.

02/00795/OUT - Outline application (including siting and means of access) for the erection of 1no. building accommodating retail (Class A1) floor space and 8no. flats with associated parking and access onto Yorktown Road. APPROVED subject to S106 agreement.

03/01204/REM - Submission of details of design, external appearance and landscaping for the erection of 1no. building accommodating retail (class A1) floor space and 8no. flats with associated parking and access onto Yorktown Road pursuant to outline planning permission 02/00795/OUT. APPROVED

Principle of Development:

The site is within the defined settlement. The application site is about 50 metres from a local centre and public transport facilities. A residential development will accord with the Location Principles in CSDPD policy CS2. Although the proposal will result in the loss of a small business unit it is considered this is not unacceptable in this location. The loss of the garden centre is not contrary to retail policies.

The proposed development comprises a three storey building fronting Yorktown Road and Coachmans Close with an additional two storey section at the southern end, The building has a varied roof height and a staggered building line along Coachmans Close. A parking area will be provided on the eastern side of the site served by an access from Yorktown Road. There will be a grassed area with some planting between the building and the parking area and the area south of the parking area.

The proposed development is cramped and in particular there is a lack of private amenity space for the occupants of the proposed development. The amenity space that is available is located on the east side of the proposed building between the building and the parking area. Its width varies between about 5 and 12 metres. Due to its orientation and the shape of the building it will receive only limited sunlight. It is considered that the amenity space would be inadequate to serve the proposed development due to its limited size and width, its position sandwiched between the building and the car park and the limited sunlight it would receive.

Impact Upon Neighbours:

The proposed development comprises a continuous building, mostly three storeys high fronting the east side of Coachmans Close. The building is about 20 metres from the side boundary of 82 Yorktown Road and has a large number of windows directly facing and overlooking the side of that property and its rear garden. It is considered that the proposed development will detract from the amenities and living conditions of 82 Yorktown Road due to its overbearing impact of the tree storey building and the overlooking and loss of privacy that will result.

Highway Matters:

The proposed development has 27 car parking spaces and an area for buggys to serve the proposed 54 flats.

The Transportation Officer says that for a C3 use the Council’s adopted parking standards require 65 spaces which includes some parking for visitors. There are some local car parks that may cater for visitors. If visitor parking was excluded 54 parking spaces would be required for a C3 development.

The proposed development could be regarded as retirement parking provision potentially sheltered accommodation. A C2 sheltered accommodation use would require 50 spaces plus a dedicated space per warden. If it is accepted visitors could be accommodated off site this would reduce to 36 spaces.

The proposed parking is insufficient if the Council’s adopted standards for either a C3 or a C2 development are applied. The shortfall in parking could result in vehicles parking in adjoining roads causing congestion and a hazard to road safety.

Impact Upon Trees

Much of the site is covered by a Tree Preservation Area. There is a tree to the rear of the existing building at 90 Yorktown Road which will need to be removed to accommodate the proposed development. Other trees are located close to the boundary. The site plan submitted by the applicant indicates that trees along the boundary will be retained and additional planting provided within the site. The applicant’s own arboricultural consultant recommends the existing trees are removed and new planting carried out.

The parking area and turning head extends under the tree canopy and it appears likely that this will affect the health and long term survival of the trees. The existing TPO trees are likely to be lost. It is considered that there are insufficient locations and spaces within the site to enable replacement planting to be provided.

Flood Risk

There are a number of streams and culverts in the surrounding area and a history of flooding. The applicant has now provided any information to indicate whether surface water will be adequately controlled within the proposed development.

Sustainability

In accordance with the LID2 SPD that was approved in July 2007 contributions should be sought towards transportation, open space, affordable housing and the Thames Basin Heaths SPA.

In accordance with CSDPD policies CS10 and CS12 the development will need to incorporate natural resources and be energy efficient.

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| CASE OFFICER’S CONCLUSION: |

The proposed development is considered to be unacceptable in principle due to the scale of the development, the lack of adequate parking and amenity space and the impact on trees and nearby property.

An investigation and information about possible flood prevention, and the payment of contributions towards transportation, open space, affordable housing and the Thames Basin Heaths SPA, secured by an appropriate planning obligation, might enable those aspects of the Council’s concerns to be overcome.

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| RECOMMENDATION: |

Recommendation: **REFUSE for the following reason(s):** Date of Recommendation: 19.03.2008

**This report should be read in conjunction with the Draft Decision Notice**

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| Note:  Under the BFBC's scheme of delegation this application has been considered in accordance with the Human Rights Act 1998. | | | | | | | | | | | | | |
| Decision Notice to? | Parish Council |  | Compliance | |  | LAO |  | | Other | | | Specify | |
| Notes for WP Administrator:- | |  | | | | | | | | Date Legal Agreement Signed | | | |
| Pl App Monitoring Check List | | Yes / No | | Temporary Register | | | | Yes / No | | | Telecom Register | | Yes / No |
| CHECKED – Case Officer | | DATE  19/03/08 | | Team Leader/Section Head | | | | | | | DECISION DATE  19/03/08 | | |