



NOTICE OF MEETING

Planning Committee

Thursday 17 September 2015, 7.30 pm

Council Chamber, Fourth Floor, Easthampstead House, Bracknell

To: The Planning Committee

Councillor Dudley (Chairman), Councillor Brossard (Vice-Chairman), Councillors Angell, Mrs Angell, D Birch, Finnie, Mrs Hayes MBE, Heydon, Hill, Mrs Ingham, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Peacey, Phillips, Skinner, Thompson and Worrall

ALISON SANDERS
Director of Corporate Services

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Published: 7 September 2015



Planning Committee
Thursday 17 September 2015, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted. Those wishing to record proceedings at a meeting are however advised to contact the Democratic Services Officer named as the contact for further information on the front of this agenda as early as possible before the start of the meeting so that any special arrangements can be made.

AGENDA

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| 1. Apologies for Absence
To receive apologies for absence. | |
| 2. Minutes
To approve as a correct record the minutes of the meeting of the Committee held on 20 August 2015. | 1 - 26 |
| 3. Declarations of Interest
Any Member with a Disclosable Pecuniary Interest or an Affected Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days. | |
| 4. Urgent Items of Business
Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent. | |

PLANNING APPLICATIONS

(Head of Development Management)

The conditions for public speaking have been met in the applications marked 'PS'. For further information or to register for public speaking, please contact Customer Services 01344 352000.

- | | |
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| 5. Application No 14/00337/FUL - Land West Of Wokingham Road, Wokingham Road, Sandhurst
Formation of a vehicular access and hardstanding to an existing site off the Wokingham Road (A321). | 33 - 42 |
|---|---------|

6. **PS Application No 14/00863/FUL - Land At Rear Of 4 Hayley Green Cottages, Forest Road, Hayley Green, Warfield**
Erection of 3 no. dwellings including associated parking, access and amenity space. 43 - 66
7. **PS Application No 14/01201/FUL - Land West Of Old Wokingham Road, Old Wokingham Road, Wokingham**
Proposed erection of 116 dwellings with associated access, highways works, drainage works (SUDS), open space and landscaping, including provision of Suitable Alternative Natural Green Space (SANG). (Duplicate application submitted to neighbouring authority). 67 - 86
8. **Application 15/00366/FUL - Land At Bowman Court, Dukes Ride, Crowthorne**
Erection of 36 dwellings (9no open market houses and 27no dwellings to be retained by Wellington College to accommodate teachers) with associated vehicle access (including formation of a new access onto Dukes Ride), parking, landscaping and open space. 87 - 98
9. **Application No 15/00464/FUL - Parkham, St Marks Road, Binfield**
Retention and refurbishment of Parkham to provide 5 residential flats, demolition of remaining buildings and erection of 13 residential dwellings with associated car parking and landscape works. 99 - 122
10. **Application No 15/00507/FUL - 5 Hawthorn Close, Bracknell, RG42 1YB**
Erection of a part single storey and part two storey side extension following demolition of garage and utility room. 123 - 128
11. **Application 15/00530/FUL - 7 Flint Grove, Bracknell, RG12 2JN**
Erection of a part two storey part single storey front and side extensions following demolition of garage and conservatory. 129 - 136
12. **Application No 15/00547/FUL - Orchard Lea, Drift Road, Winkfield**
Part redevelopment of existing office buildings to provide 14 residential units (Class C3) together with garages, balconies, hard and soft landscaping, open space and reconfiguration of car park and closure of entrance off Winkfield Lane. 137 - 160
13. **Application 15/00554/FUL - The Hermitage, Herschel Grange, Warfield**
Section 73 Application for the variation of condition 02 of Planning Permission Ref: 620217 granted on the 29th November 1994 which allowed for the increase in the number of mobile homes from 10 to 11, to allow for an increase to 14 mobile homes. 161 - 172

14. **PS Application No 15/00623/FUL - Harts Leap Independent Hospital, 5 Windrush Heights, Sandhurst**

Erection of 3 no 3 bed detached and 6 no 4 bed dwellings with garages following demolition of all existing buildings. 173 - 192
15. **PS Application No 15/00624/FUL - Harts Leap Independent Hospital, 5 Windrush Heights, Sandhurst**

Erection of 5 no 4 bed and 3 no 3 bed detached dwellings with garages following demolition of all existing buildings. 193 - 212
16. **Application No 15/00679/FUL - 16 Ptarmigan Heights, Bracknell, RG12 8AB**

Change of use of amenity land to residential curtilage, including formation of 2m high brick boundary wall following demolition of existing. 213 - 218
17. **Application No 15/00684/FUL - 15 Heath Hill Road North, Crowthorne, RG45 7BU**

Erection of single storey front extension forming a conservatory following demolition of existing conservatory and installation of front dormer. 219 - 226
18. **Application No 15/00693/FUL - 17 Worcestershire Lea, Warfield, RG42 3TQ**

Erection of a first floor side extension and single storey rear extension following the demolition of the existing conservatory, and formation of hardstanding to front of property. 227 - 234
19. **Application No 15/00793/RTD - Telecommunications Mast Opposite Great Oaks Cottage, Crouch Lane, Winkfield**

Installation of 12 metre tall dual-operator monopole with 2 no. dishes, 2 no. equipment cabinets, 1 no. meter cabinet and associated ancillary works. 235 - 242

**PLANNING COMMITTEE
20 AUGUST 2015
7.30 - 10.15 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, D Birch, Finnie, Mrs Hayes MBE, Heydon, Hill, Mrs Mattick, Peacey, Phillips and Thompson

Also Present:

Councillors Harrison and Leake

Apologies for absence were received from:

Councillors Mrs Ingham, Mrs McKenzie, Mrs McKenzie-Boyle, Skinner and Worrall

37. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 16 July 2015 be approved as a correct record and signed by the Chairman.

38. Declarations of Interest

There were no declarations of interest.

39. Urgent Items of Business

There were no items of urgent business.

40. Application 14/01295/FUL - Wildwoods, 24 Prince Consort Drive, Ascot, SL5 8AW

Erection of a detached 2-storey dwelling with associated garages, following the demolition of the existing buildings.

A site visit had been held on Saturday 15 August 2015 which had been attended by Councillors Angell, Mrs Angell, Brossard, Dudley, Finnie, Mrs Hayes, Hill, Ms Peacey and Thompson.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting which included a summary of comments on the officer report from the residents of No. 25 Prince Consort Drive.
- Winkfield Parish Council had recommended refusal for the reasons that the development would be unacceptable in the Green Belt, it would not preserve the trees on the site and would result in a loss of amenity to the neighbouring properties (application subsequently amended).
- Letters of objection received from five neighbouring residential properties, in relation to both the original and amended plans, summarised as follows:

- The size of the proposed dwelling would be unacceptable and would dwarf the neighbouring properties.
- The development would result in an unacceptable loss of light to No.25 Prince Consort Drive.
- The development would result in an unduly overbearing effect on the private amenity area at the rear of No.25 Prince Consort Drive due to its set back within the plot.
- The development would result in an unacceptable loss of privacy to the rear of No.25 Prince Consort Drive, through a side facing en suite window and a balcony. Concerns have also been raised with regard to the impact of the balcony on No.26.
- The dwelling would be set well back into the site relative to the footprint of the existing house, and would be further from the road than any other house in the neighbourhood, and inappropriate staggering of alignment that would be particularly prominent from No.25.
- The width of the plot does not comfortably accommodate the development.
- The amendments would not make any tangible difference to the impact of the development on No.25 Prince Consort Drive.
- None of the concerns of the neighbours have been accommodated in the amended plans.
- More detailed concerns in response to the assessment of the application with regard to the size and bulk of the dwelling, the position of the building within the site and the effect on residential amenity through loss of light and overbearing.

RESOLVED that the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 16th July 2015:
 - P14/19/S/101 (Rev C)
 - P14/19/S/110 (Rev A)
03. No development shall take place 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 development shall be carried out in accordance with the approved details.
04. The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission.
05. The en suite windows in the north east and south west facing side elevations of the dwelling hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut up to a height of 1.7m from the floor level.

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the north east or south west facing side elevations of the dwelling hereby permitted except for any which may be shown on the approved drawing(s).
07. The development hereby permitted shall not be begun until details showing the finished floor levels of the building hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
08. 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.
09. No gates shall be provided at the vehicular access to the site.
10. The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following: -
 - a) Accurate trunk positions and canopy spreads of all existing trees
 - b) Minimum 'Root Protection Areas' of all existing trees
 - c) Plans of a minimum scale of 1:200 showing the proposed locations of protective barrier/s, constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
 - d) Proposed ground protection measures in accordance with Section 6 (Figure 3) of BS 5837:2012.
 - e) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
 - f) Illustration/s of the proposed fencing structure/s to be erected.The development shall be carried out in accordance with the approved scheme and programme.
11. The protective fencing and other protection measures specified by condition 10 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all

times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). No activity of any description must occur at any time within these protected areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

12. No development hereby permitted shall be begun until a site specific method statement for demolition of the existing structures, located within the minimum Root Protection Areas (RPA's) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) A site plan identifying all areas where such work is to be undertaken.

- b) Reinstatement to soft landscape area including proposed ground de-compaction works.

- c) Timing and phasing of works.

The approved Method Statement shall be observed, performed and complied with.

13. The development hereby permitted shall not be begun until:
- (i) a site layout plan showing the proposed layout of all underground services and external lighting and
 - (ii) a programme for the phasing and timing of works
- have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -
- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
 - b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
 - c) Soak-aways (where applicable)
 - d) Gas, electricity, telecom and cable television.
 - e) Lighting columns and all associated ducting for power supply.
 - f) Phasing and timing of works.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

14. 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 without the prior written permission of the Local Planning Authority.
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B or E of Part 1 of the Second Schedule of the 2015 Order shall be carried out.
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no hard surface as permitted by Class F of Part 1 of the Second schedule of the 2015 Order shall be provided for any purpose incidental to the enjoyment of the dwelling house
17. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
18. All ecological measures and/or works shall be carried out in full accordance with the details contained in AA Environmental Ltd.'s report dated December 2014.
19. The areas shown for bat roost purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.
20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.
21. If more than 2 years elapse between the previous bat survey and the due commencement date of works, an updated bat survey shall be carried out by a suitably qualified ecologist. A report confirming the results and

implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site. The development shall be carried out in accordance with the approved scheme.

22. The demolition of any buildings on site shall not commence unless the Local Planning Authority has been provided with either:
 - a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity will require a licence.

41. **Application 15/00209/FUL - Land To Rear Of Murrell Cottage, Murrell Hill Lane, Binfield**

Erection of 5no. 5 bedroom dwellings with new access off Murrell Hill Lane with associated parking and new garage to Murrell Cottage.

A site visit had been held on Saturday 15 August 2015 which had been attended by Councillors Angell, Mrs Angell, D Birch, Brossard, Dudley, Finnie, Mrs Hayes, Hill, Ms Peacey and Thompson.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Binfield Parish Council had recommended refusal since the site was outside the settlement boundary.
- A letter of objection from a local resident expressing the following concerns:
 - the land is outside the settlement boundary
 - the development, and in particular the extra vehicles from these houses which will have to use this part of Murrell Hill Lane, will disturb the use of the recognised and very well used rural route along Murrell Hill Lane from Pope's Meadow because the exit from Pope's Meadow is immediately next to the entrance to the land.
 - the extra traffic from the development will be a very significant danger to the many walkers who use this rural route
 - this development is out of character and will disturb the use of the land next to it, Pope's Meadow, an open green peaceful area used by many people.

As the Council was unable to demonstrate a 5 year supply of land for housing, the application had to be considered in relation to the presumption in favour of sustainable development. The Committee considered an assessment of the economic, social and environmental benefits of the proposal against any harm that might arise from it.

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

01. Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA).

That the Head of Planning be authorised to **APPROVE** the application subject to the following condition(s):-

01. The development hereby permitted shall be begun before the expiration

of three years from the date of this permission.

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and documents:-

2208/01A received 23.06.15.
2208/02 received 05.03.15.
2208/03 received 05.03.15.
2208/04 received 05.03.15.
2208/05 received 05.03.15.
2208/06 received 05.03.15.
2208/07 received 05.03.15.
2208/08 received 05.03.15.
2208/09 received 05.03.15.
2208/10 received 05.03.15.
2208/11 received 05.03.15.
2208/12 received 05.03.15.
2208/13 received 05.03.15.
2208/14 Location Plan received 05.03.15.
6111-SK-001-A Site Access received 05.03.15.
Energy Statement received 05.03.15
Amended Arboricultural Impact Assessment received 23.06.15.
Amended Tree Report received 23.06.15.
Amended Surface Water Drainage Strategy received 23.06.15.

03. No development shall take place 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 development shall be carried out in accordance with the approved details.

04. The development hereby permitted shall not be begun until details showing the finished floor levels of the dwellings, garages, bin stores and the levels of the roads hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

05. The development hereby permitted shall not be begun 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) 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.
 - b) Details of semi mature tree planting.
 - 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) Means of enclosure (walls and fences etc) including fencing that is permeable to badgers at the end of both the existing and proposed badger corridors.

f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.

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, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried out 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 (Part 1) '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, unless the Local Planning Authority gives written consent to any variation.

06. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:-

(a) that before taking account of any on-site renewable energy production 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) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%).

The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

07. No dwellings shall be occupied until a means of vehicular access has been constructed in accordance with details shown on drawing no. 2208-01-A: Site Plan. The means of access as shown on drawing 2208-01-A shall remain thereafter.

08. The development hereby permitted shall not be begun until all the visibility splays shown on the approved drawing 6111-SK-001-A: Site Access have been provided. Those areas shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

09. The dwellings shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveways and the

adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

10. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing 2208-01-A: Site Plan. The spaces shall thereafter be kept available for parking at all times.
11. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
12. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall thereafter be kept available for cycles at all times.
13. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for off-site highway works comprising the following:
 - widening Murrell Hill Lane at the new site access
 - provision of a passing place on Murrell Hill Lane.The dwellings provided by the carrying out of the development shall not be occupied until the off-site highway works have been completed in accordance with the approved scheme.
14. The development hereby permitted shall not be begun 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 operativesand 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 (d) above without the prior written permission of the Local Planning Authority.
15. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
- b) Positions and spreads of existing hedgerows and groups of mature shrubs.
- c) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
- d) Proposed location/s of 2.4m high protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- e) Illustration/s of the proposed protective barriers to be erected.
- f) Proposed location/s and illustration/s of ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
- g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.
- j) Proposed protection method to prevent run off of toxic substances, liquids cement washings etc of any description from the construction area, into the construction exclusion zones approved around retained trees.

The development shall be carried out in full accordance with the approved scheme.

- 16. The protective fencing and other protection measures specified by condition 15 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -
 - a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.

- f) Parking/use of tracked or wheeled machinery or vehicles of any description.
In addition to the protection measures specified above,
- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
 - b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.
17. No development shall commence until a site specific design for the construction of the access road has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) 1:200 scale construction profiles at regular intervals along its length showing existing /proposed finished levels in relation to existing retained tree trunk locations, together with any grading of levels proposed to the south side of its footprint.
- The Construction Method Statement shall be implemented in full accordance with the approved scheme, prior to the occupation of any dwelling.
18. No development shall commence until a site specific method statement for the removal of all existing hard surfaced areas and/or structures of any other description, located within the minimum Root Protection Areas (RPA's) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) A site plan at a minimum scale of 1:200, identifying all areas where such work is to be undertaken.
 - b) Reinstatement to soft landscape area including proposed ground de-compaction works.
 - c) Timing and phasing of works.
- The Construction Method Statement shall be observed, performed and complied with in full accordance with the approved details.
19. No development shall commence until:
- (i) a site layout plan at a minimum scale of 1:200 showing the proposed layout of all underground services and external lighting and
 - (ii) a programme for the phasing and timing of works
- have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -
- a) Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.
 - b) Surface water/ foul drainage and associated inspection chambers (existing reused and new)
 - c) Soak-aways (where applicable)
 - d) Gas, electricity, telecom and cable television.
 - e) Lighting columns and all associated ducting for power supply.
 - f) Phasing and timing of works.
- The development shall be carried out in full accordance with the approved site layout and the approved programme.
20. No development shall take place until:
- (i) details of all proposed alterations to the ground levels within the site within 5 metres of the minimum 'Root Protection Areas' calculated in accordance with BS 5837 (2012) recommendations (or any subsequent revision), for all existing retained trees within the site and on neighbouring land adjacent to the approved development. The details to include:
 - a) Existing and proposed finished levels.

- b) Any proposed soil level re-grading in relation to existing retained trees, hedges and other vegetation.
- c) Proposed retaining structures required to address level differences adjacent to retained trees and hedges and other vegetation, and
(ii) a programme and method of implementation have been submitted to and approved in writing by the Local Planning Authority.
The development shall be carried out in accordance with the approved site layout plan and the approved programme.
21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out.
22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any order revoking and re-enacting that Order with or without modification), no hard surface as permitted by Class F of Part 1 of the Second schedule of the 1995 Order shall be provided for any purpose incidental to the enjoyment of a dwelling house
23. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved in writing by the Local Planning Authority. Any such study will have to be complied with during construction.
24. All ecological measures and/or works shall be carried out in accordance with the details contained in PJC Ecology's report dated September 2014 and shall be retained thereafter.
25. The demolition shall not be begun until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented, observed and complied with.
26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior written consent from the local planning authority

27. On the development hereby permitted no property shall be occupied until details of the maintenance and management of a sustainable drainage scheme designed in accordance with the approved Surface Water Drainage Strategy June 2015 have been submitted to and approved in writing by the local planning authority. Those details shall include:

A management and maintenance plan which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme for the lifetime of the development.

Once approved, the scheme shall be managed and maintained thereafter in accordance with the approved management and maintenance plan for the lifetime of the development.

28. On the development hereby permitted no property shall be occupied until a sustainable drainage scheme which serves the property has been constructed in accordance with the approved Surface Water Drainage Strategy June 2015 and will be retained thereafter.

29. The development hereby permitted shall not be begun until details of the design of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:

- a) Details for the permeable paving design
- b) Details for the function and design of the storage system pipework
- c) Details for the connection of the properties to the sustainable drainage system
- d) Details for the connection of the sustainable drainage system to the final outfall

The sustainable drainage scheme shall be implemented as approved prior to the occupation of the dwellings and shall be retained thereafter.

30. The development hereby permitted shall not be begun until a programme of archaeological work (which may comprise more than one phase of work) has been implemented in accordance with a written scheme of investigation which has been submitted to, and approved in writing, by the Local Planning Authority.

31. No development shall commence until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission and approved means of enclosure shall be retained thereafter.

32. No gates shall be provided at the vehicular access to the site.

33. The refuse collection point shown on the approved site plan shall be provided before the first occupation of the houses on plots 4 and 5 and shall thereafter be retained.
34. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
 - (i) control of noise
 - (ii) control of dust, smell and other effluvia
 - (iii) control of surface water run off
 - (iv) site security arrangements including hoardings
 - (v) proposed method of piling for foundations
 - (vi) construction and demolition working hours
 - (vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site
 The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

In the event of the S106 planning obligation(s) not being completed by 20th October 2015, the Head of Planning be authorised to **REFUSE** the application on the grounds of:-

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. 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 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 Avoidance and Mitigation Supplementary Planning Document (2012).

42. **Application 15/00426/FUL - Land Rear Of Royal Hunt House, Fernbank Road, Ascot**

Erection of 2no 3 bed semi-detached dwellings with car parking.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Winkfield Parish Council objected to the proposal for the following reasons:
 - Over development on an unsuitable site for housing
 - The proposed 'tarmac' parking area would be impermeable and would affect trees behind the site and drainage
 - Deliveries to the shops would be adversely affect the access and egress to the houses
 - The development would cause damage to the badger and newt population.
- 7 representations from different addresses have been received objecting to the proposal on the following grounds:

- There has been too much development in recent times without increasing local amenities. The local infants and junior schools and GP surgery are all at capacity.
- Proposal would result in conflicts between cars and service vehicles throughout the day.
- The land is used as a soakaway for the 6 flats and shops - has this been checked
- Parking in the area is already a problem
- The access road is not within the ownership of the applicant who only has a right of access on the service road and therefore the plans are misleading
- Disruption and noise from the building work
- Could the new houses overlook our garden?
- Access is too narrow and often blocked by lorries and cannot support further traffic.
- Proposal could result in traffic waiting within the highway to enter the site.
- Development could negatively impact on the local businesses and is considered to be unneighbourly
- Development would have a negative impact upon protected wildlife and ecology in the area.
- Restaurants within close proximity to the flats expel odours resulting in an unpleasant living environment.
- Waste bins used by the businesses are left on the access road as there is no where else to put them. The position of these has not been taken into account by the applicant.

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

01. Measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA).

That the Head of Planning be authorised to **APPROVE** the application subject to the following condition(s):-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:
Site location plan (received 09.07.2015)
1B (Plans and elevations) received 12.08.2015
2A (Block Plan) received 09.07.2015
03. No development shall take place 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 development shall be carried out in accordance with the approved details.
04. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing 2A received 09.07.2015. The spaces shall thereafter be kept available for parking at all times.

05. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities shall be retained as approved.
06. No development 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 operativesand 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 (e) above.
07. The development shall not be begun 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.
08. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be at least 10%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.
09. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority. The proposed development shall be implemented in accordance with the approved details.
10. The development (including site clearance and demolition) shall not be begun until:-
 - (i) the site has been surveyed for the presence of badgers
 - (ii) the survey has been submitted to and approved by the Local Planning Authority, and
 - (iii) a scheme to minimise disturbance to badgers during the construction of the development, to mitigate the impact of the development upon them, and to improve their habitat has been submitted to and approved by the Local Planning Authority .The scheme shall be performed, observed and complied with.
11. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on reptiles has

been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

- o measures to avoid harm to biodiversity
- o features provided to mitigate the loss of habitat (e.g. ponds, hibernacula)
- o habitat enhancements (not mitigation)
- o on-going management of new features/habitat

The mitigation scheme shall be implemented in accordance with the approved details. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.

12. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:
 - o measures to avoid harm to biodiversity
 - o features provided to mitigate the loss of habitat (e.g. ponds, hibernacula)
 - o habitat enhancements (not mitigation)
 - o on-going management of new features/habitatThe mitigation scheme shall be implemented in accordance with the approved details. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.
13. The development, including site clearance, shall not in any circumstances commence unless the local planning authority has been provided with either:
 - a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity will require a licence.
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 or any Order revoking and re-enacting that order, no external lighting shall be installed within the parking area or affixed to the northwestern, or south western elevation of the dwellings hereby permitted except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

15. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

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 (Part 1) '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.

16. The development shall not be occupied until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be performed, observed and complied with prior to the occupation of the dwellings.
17. Demolition and construction work shall take place at the site only between 08:00hrs and 18:00hrs Monday - Friday, between 08:00hrs and 13:00hrs on Saturdays, and not at all on Sundays or Bank Holidays."
18. Should evidence of any land contamination be discovered at any point during the construction, then work will cease until a scheme to deal with the contamination has been submitted to and approved in writing by the Local Planning Authority. The development shall continue in accordance with the approved mitigation scheme.

In the event of the S106 planning obligation(s) not being completed by 25 September 2015, the Head of Planning be authorised to **REFUSE** the application on the grounds of:-

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. 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 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

43. **Application 15/00474/A - Greenoaks, Mercedes-Benz of Ascot, London Road, Bracknell**

Display of 3no. illuminated fascia signs, 1no. illuminated wall-mounted sign, 2no. illuminated free-standing signs, 3no. non-illuminated free-standing signs, and 3no. flag pole signs.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Winkfield Parish Council objected to the initially submitted proposal on the grounds that the proposed siting of the signage close to the highway of London Road would result in an adverse impact on highway safety, and the illuminated signage would be out of character with the surrounding area. (The application was amended so that no signs were sited on the highway verge).
- An objection received from the occupant of 7 Prince Consort Drive to the initially submitted proposal on the grounds that it would result in an adverse impact on highway safety and the proposed flag signage would be out of character in the street scene.
- An objection from the occupant of 11 Wareham Road, Bracknell, on the grounds that the proposal would result in an intensification of the number of advertisements present on site, to the detriment of the character and visual amenity of the surrounding area.

RESOLVED that **ADVERTISEMENT CONSENT be granted** subject to the following condition(s):-

01. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
02. No advertisement shall be sited or displayed so as to:
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
03. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
04. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
05. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

06. The advertisement hereby granted consent shall be displayed in accordance with the following approved plans received by the Local Planning Authority:

Block Plan [Amended] scale 1:500 received on 22 July 2015
'22265v01 Issue 3 Page 2 of 6' received on 25 May 2015

07. The illumination level of the illuminated advertisements hereby granted consent shall not exceed 400 cd/sqm.

44. **Application 15/00484/FUL - 23 Brookers Corner, Crowthorne, RG45 7DU**
Erection of a single storey side extension, two storey rear extension and a rear dormer following demolition of existing two storey rear extension

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Crowthorne Parish Council recommend approval of the application.
- Four letters of objection received from neighbouring residential properties, summarised as follows:
 - The development would result in an unacceptable loss of privacy to the side and rear of No.25 Brookers Corner, and would overshadow the rear of that property.
 - Limited on street parking is available, and the property has no off street parking.
 - The development would be out of keeping with the streetscene and too close to No.25.
 - The proposed wood cladding on the extension would not be in keeping with the streetscene.
 - The plans are incorrect as they show a walkway between the side element and the boundary. In reality no such gap exists.
 - Concerns about damage to No.21 Brookers Corner, and noise and disturbance to that property.

RESOLVED that the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 4th June 2015 and 22nd July 2015:
- 1506/101
1506/120 (A)
1506/121 (A)
03. The materials to be used in the construction of the external surfaces of the rendered elements of the development hereby permitted shall be of similar appearance to those of the existing dwelling.
04. The first floor en suite and bathroom windows in the east facing side elevation of the extension hereby permitted and the first floor study window in the east facing side elevation of the existing dwelling shall not be glazed at any time other than with a minimum of Pilkington Level 3

obscure glass (or equivalent). They shall at all times be fixed shut up to a height of 1.7m from the floor level.

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level or above in the east facing side elevation of the extension hereby permitted except for any which may be shown on the approved drawing(s).

45. **PS Application 15/00518/FUL - Fishing Lakes, Yateley Road, Sandhurst**

Erection of 8 no. fishing yurts and timber platforms with ancillary facilities blocks, reception block and improvements to existing access road and car park.

A site visit had been held on Saturday 15 August 2015 which had been attended by Councillors D Birch, Brossard, Dudley, Finnie, Mrs Hayes, Hill, Ms Peacey and Thompson.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Sandhurst Town Council's objections to the proposals on the following grounds:
 - The mass and scale of the proposed yurts creates a visual impact
 - The siting of the reception block and extended carpark in close proximity to the boundary is detrimental to the resident's privacy and amenity.
 - Should the application be granted then a condition is requested ensuring that a public right of way is installed along the River Blackwater.
- 12 objections received objecting to the proposal on the following grounds:
 - The planning proposal would be a complete change of use to an unregulated campsite
 - Proposal would be contrary to Policy EN10 as the proposal would harm the open, rural or undeveloped character of this site.
 - The proposal would be detrimental to the amenities of the residents of Belfry Mews.
 - Additional traffic and people visiting the site will generate additional noise and nuisance
 - The proposed reception block will become a gathering point and as a result will become a centre of noise and nuisance. The reception block should be moved away from the boundary with the properties on Belfry Mews. (Officer Comment: revised plans have been received amending the siting of this block)
 - This proposal if approved may contravene legislation to protect noise and nuisance.
 - The existing car park is already oversubscribed with 25-30 vehicles parked there at the weekends.
 - Fishermen urinate around the car park in view of the properties.
 - Currently there is no height/weight restriction in place allowing for large commercial vehicles to enter the site.
 - No mention has been made of waste or recycling facilities
 - Blackwater Valley is a protected conservation area for wildlife and this application will have detrimental effect on the protection and enhancements of wildlife.

- Proposal is located within Flood Zones 2 and 3 which could adversely affect adjacent areas.
- The yurts will reduce the swims available for existing users of the club.
- Opening up the footpath will reduce the security of the site.
- No restrictions on the fishing lakes are being proposed.
- The current site is not adequately managed at the moment so why should this application change things?
- The amended reception block position does not overcome initial concerns raised.

RESOLVED that the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details received by the Local Planning Authority:
 - PL-104 Received 01.07.2015
 - PL-101-B Received 01.07.2015
 - Barrell Plan Ref: 13109-BT2 received 12.06.2015
 - Flood Risk Assessment - 27237/001/001 received 12.06.2015
 - PL- 100 (Site location plan) received 12.06.2015
 - PL-202 (Ancillary Fishing Accommodation Proposed Floor Plans and Elevations (Facilities Block)) Received 12.06.2015
 - PL-102 (Yurt F Block 1,2) Received 12.06.2015
 - PL-200 (Fishing Yurt and Platform) Received 12.06.2015
 - PL-103 (Yurt 2, 3) Received 12.06.2015
 - PL-105 (Yurt 8 and F. Block 2) Received 12.06.2015
 - PL-201 (Reception Block) Received 12.06.2015
 - PL-401 (Reception block - Elevations) 12.06.2015
 - PL-101-C (Proposed Site Plan) received 29.07.2015
03. Prior to the commencement of development, the external materials to be used on the yurts, admin block and facilities block shall be submitted to and approved in writing by the Local Planning Authority. The proposal shall be implemented in accordance with the approved materials.
04. The yurts hereby approved shall be occupied only by members of the fishing club in possession of a current yearly membership, and shall not be occupied by any individual person for any period exceeding 4 consecutive nights. Starting from the date of first use, a record of all occupiers shall be kept within a log book(s). The Log book(s) will be kept within the reception block, shown on plan PL-101-C received 29.07.2015 and log books for the preceding 5 years shall be made available for inspection at the request of officers of the Local Planning Authority during office hours.
05. The yurts hereby approved shall not be occupied by a person or persons as a residence.
06. No yurts shall be occupied until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

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 (Part 1) '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.

07. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the Local Planning Authority, detailing the containment, control and removal of Japanese Knotweed (*Fallopia japonica*) and Indian Balsam (*Impatiens glandulifera*) on site. The measures shall be carried out strictly in accordance with the approved scheme.
08. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging development activities
 - b) identification of "biodiversity protection zones"
 - c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during development (may be provided as a set of method statements)
 - d) the location and timing of sensitive works to avoid harm to biodiversity features
 - e) the times during development when specialist ecologists need to be present on site to oversee works
 - f) responsible persons and lines of communication
 - g) the role and responsibilities on site of an ecological clerk of works or similarly competent person
 - h) the use of protective fences, exclusion barriers and warning signsThe approved CEMP (Biodiversity) shall be adhered to and implemented throughout the development period strictly in accordance with the approved details.
09. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority. The proposed development shall be implemented in accordance with the approved scheme.

10. No yurt shall be occupied until details of the vehicle parking and turning space have been submitted to and approved in writing by the Local Planning Authority. The approved parking areas shall be surfaced and marked out in accordance with the approved drawing prior to the occupation of the first yurt. The spaces shall thereafter be kept available for parking at all times.
11. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) reference 27237/001 Revision A, dated March 2015 and prepared by Peter Brett Associates, drawing number PL-101-B dated September 2012 and the following mitigation measures detailed within the FRA:
 - o 8 Yurts to be located within flood zone 1 as shown in drawing number PL-101-B dated September 2012.
 - o Identification and provision of safe route(s) into and out of the site to an appropriate safe haven by locating the yurts in Flood Zone 1 as shown in drawing no. 27237/001/001 - Rev B dated 10 May 2013.The mitigation measures shall be fully implemented prior to occupation and maintained as such for the life time of the development.
12. No construction or ground clearance shall take place until a survey for otters has been conducted. If otter holts or other otter refuge sites are found to be present, a plan detailing the protection and/or mitigation of damage to them, and/or prevention of disturbance of otters occupying them, should be submitted to and agreed in writing with the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
13. The development shall not be occupied until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be complied with.
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
 - a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

46. **Application 15/00608/3 - Hoffman Close Warfield**

Conversion of existing grass verge into a lay-by providing 3no. parking spaces.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Warfield Parish Council raised no objection to the proposal, subject to the provision of adequate root protection.

RESOLVED that the application be **APPROVED** subject to the following conditions:-

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority:

4817 327 'Hoffman Close' received on 20 July 2015

4817 327L 'Hoffman Close - Tree protection details' received on 29 July 2015

03. The development shall not be begun until a scheme depicting hard and soft landscaping, including the provision of knee-rail fencing and the proposed maximum heights of planting, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

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 (Part 1) '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.

04. The tree protection measures shall be carried out in accordance with approved plan 4817 327L 'Hoffman Close - Tree protection details' , received by the Local Planning Authority on 29 July 2015 . The protection measures shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). No activity of any description must occur at any

time within these protected areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

47. Application 15/00663/PAS - Garth Hill College, Bull Lane, Bracknell, RG42 2AD

Application for prior approval for the installation of 2 no. photovoltaics (PV) solar arrays on sports block roofs, one consisting of 136 no. frame mounted panes and other consisting of 56 no. frame mounted panels.

The Committee noted there was no objection from Bracknell Town Council and no neighbour representations received.

RESOLVED that Prior approval for the Solar Panels is not required.

CHAIRMAN

**PLEASE NOTE PLANS FOR ALL OF THE APPLICATIONS ON THIS
AGENDA CAN BE FOUND ON OUR WEBSITE
www.bracknell-forest.gov.uk**

**PLANNING COMMITTEE
17th September 2015**

**REPORTS ON PLANNING APPLICATIONS RECEIVED
(Head of Planning)**

		Case Officer	Reporting Officer
5	14/00337/FUL Land West Of Wokingham Road Wokingham Road Sandhurst (Little Sandhurst And Wellington Ward) Formation of a vehicular access and hardstanding to an existing site off the Wokingham Road (A321). Recommendation: Approve.	Paul Corbett	Basia Polnik
6	14/00863/FUL Land At Rear Of 4 Hayley Green Cottages Forest Road Hayley Green Warfield (Winkfield And Cranbourne Ward) Erection of 3 no. dwellings including associated parking, access and amenity space. Recommendation: Approve.	Sarah Horwood	Basia Polnik
7	14/01201/FUL Land West Of Old Wokingham Road Old Wokingham Road Wokingham (Crowthorne Ward) Proposed erection of 116 dwellings with associated access, highways works, drainage works (SUDS), open space and landscaping, including provision of Suitable Alternative Natural Green Space (SANG). (Duplicate application submitted to neighbouring authority). Recommendation: Approve Subject To The Completion Of Planning Obligation(s).	Trevor Yerworth	Martin Bourne
8	15/00366/FUL Land At Bowman Court Dukes Ride Crowthorne (Little Sandhurst And Wellington Ward) Erection of 36 dwellings (9no open market houses and 27no dwellings to be retained by Wellington College to accommodate teachers) with associated vehicle access (including formation of a new access onto Dukes Ride),	Margaret McEvit	Basia Polnik

parking, landscaping and open space.
 Recommendation: Approve Subject To The
 Completion Of Planning Obligation(s).

- | | | | |
|----|---|-----------------|--------------|
| 9 | 15/00464/FUL
Parkham St Marks Road Binfield
(Binfield With Warfield Ward)
Retention and refurbishment of Parkham to
provide 5 residential flats, demolition of
remaining buildings and erection of 13
residential dwellings with associated car parking
and landscape works.
Recommendation: Approve. | Katie Andrews | Basia Polnik |
| 10 | 15/00507/FUL
5 Hawthorn Close Bracknell Berkshire
(Priestwood And Garth Ward)
Erection of a part single storey and part two
storey side extension following demolition of
garage and utility room.
Recommendation: Approve. | Charlotte Pinch | Basia Polnik |
| 11 | 15/00530/FUL
7 Flint Grove Bracknell Berkshire
(Bullbrook Ward)
Erection of part two storey part single storey
front and side extensions following demolition of
garage and conservatory.
Recommendation: Approve. | Matthew Miller | Basia Polnik |
| 12 | 15/00547/FUL
Orchard Lea Drift Road Winkfield
(Winkfield And Cranbourne Ward)
Part redevelopment of existing office buildings to
provide 14 residential units (Class C3) together
with garages, balconies, hard and soft
landscaping, open space and reconfiguration of
car park and closure of entrance off Winkfield
Lane.
Recommendation: Approve. | Trevor Yerworth | Basia Polnik |
| 13 | 15/00554/FUL
The Hermitage Herschel Grange Warfield
(Binfield With Warfield Ward)
Section 73 Application for the variation of
condition 02 of Planning Permission Ref:
620217 granted on the 29th November 1994
which allowed for the increase in the number of
mobile homes from 10 to 11, to allow for an
increase to 14 mobile homes.
Recommendation: Approve Subject To The
Completion Of Planning Obligation(s). | Paul Corbett | Basia Polnik |
| 14 | 15/00623/FUL
Harts Leap Independent Hospital 5 Windrush | Katie Walker | Basia Polnik |

- Heights Sandhurst
(Little Sandhurst And Wellington Ward)
Erection of 3 no 3 bed detached and 6 no 4 bed dwellings with garages following demolition of all existing buildings.
Recommendation: Approve.
- | | | | |
|----|--|----------------|--------------|
| 15 | 15/00624/FUL
Harts Leap Independent Hospital 5 Windrush Heights Sandhurst
(Little Sandhurst And Wellington Ward)
Erection of 5 no 4 bed and 3 no 3 bed detached dwellings with garages following demolition of all existing buildings.
Recommendation: Approve. | Katie Walker | Basia Polnik |
| 16 | 15/00679/FUL
16 Ptarmigan Heights Bracknell Berkshire (Great Hollands North Ward)
Change of use of amenity land to residential curtilage, including formation of 2m high brick boundary wall following demolition of existing.
Recommendation: Approve. | Matthew Miller | Basia Polnik |
| 17 | 15/00684/FUL
15 Heath Hill Road North Crowthorne Berkshire (Crowthorne Ward)
Erection of single storey front extension forming a conservatory and demolition of existing conservatory and installation of front dormer
Recommendation: Approve. | Gerald Hegarty | Basia Polnik |
| 18 | 15/00693/FUL
17 Worcestershire Lea Warfield Bracknell (Warfield Harvest Ride Ward)
Erection of a first floor side extension and single storey rear extension following the demolition of the existing conservatory, and formation of hardstanding to front of property.
Recommendation: Approve. | Matthew Miller | Basia Polnik |
| 19 | 15/00793/RTD
Telecommunications Mast Opposite Great Oaks Cottage Crouch Lane Winkfield (Winkfield And Cranbourne Ward)
Installation of 12 metre tall dual-operator monopole with 2 no. dishes, 2 no. equipment cabinets, 1 no. meter cabinet and associated ancillary works.
Recommendation: Approve. | Matthew Miller | Basia Polnik |

Background Papers

Background papers comprise the relevant planning application file and any document therein with the exception of any document which would lead to disclosure of confidential or exempt information as defined in section 100A of the Local Government Act 1972 as amended.

PLANNING COMMITTEE - POLICY REFERENCES

Key to abbreviations used in the following planning reports.

BSP	Berkshire Structure Plan 2001 – 2016
BFBLP	Bracknell Forest Borough Local Plan
BFBCS	Core Strategy Development Plan Document (Submission)
RMLP	Replacement Minerals Local Plan
WLP	Waste Local Plan for Berkshire
SPG	Supplementary Planning Guidance
SPD	Supplementary Planning Document
RPG	Regional Planning Guidance
RSS	Regional Spatial Strategy (also known as the South East Plan)
PPG (No.)	Planning Policy Guidance (Published by DCLG)
PPS (No.)	Planning Policy Statement (Published by DCLG)
MPG	Minerals Planning Guidance
DCLG	Department for Communities and Local Government

THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 (“the HRA”) makes it unlawful for a public authority to act in a way that is incompatible with the rights set out in the European Convention of Human Rights.

Those rights include:-

Article 8 – “Everyone has the right to respect for his private and family life, his home.....”

Article 1 - First Protocol “Every natural or legal person is entitled to the peaceful enjoyment of his possessions”.

In some circumstances a local authority may be under an obligation to take positive action to protect an individuals interests under Article 8.

The relevant Convention Rights are not absolute. A Council may take action even though it interferes with private and family life, home and enjoyment of possessions, if it is for a legitimate purpose, necessary and proportionate. In effect a balancing exercise has to be conducted between the interests of the individual and the wider public interest.

Such a test very largely replicates the balancing exercise which the Council conducts under domestic planning legislation.

The provisions of the Human Rights Act 1998 have been taken into account in the preparation of the reports contained in this agenda.

The Human Rights Act will not be specifically referred to elsewhere [in the Agenda] beyond this general statement, unless there are exceptional circumstances which require a more detailed consideration of any Convention Rights affected.

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Unrestricted Report

ITEM NO: 5

Application No. **14/00337/FUL** Ward: Little Sandhurst And Wellington Date Registered: 1 September 2014 Target Decision Date: 27 October 2014

Site Address: **Land West Of Wokingham Road Wokingham Road Sandhurst Berkshire**

Proposal: **Formation of a vehicular access and hardstanding to an existing site off the Wokingham Road (A321).**

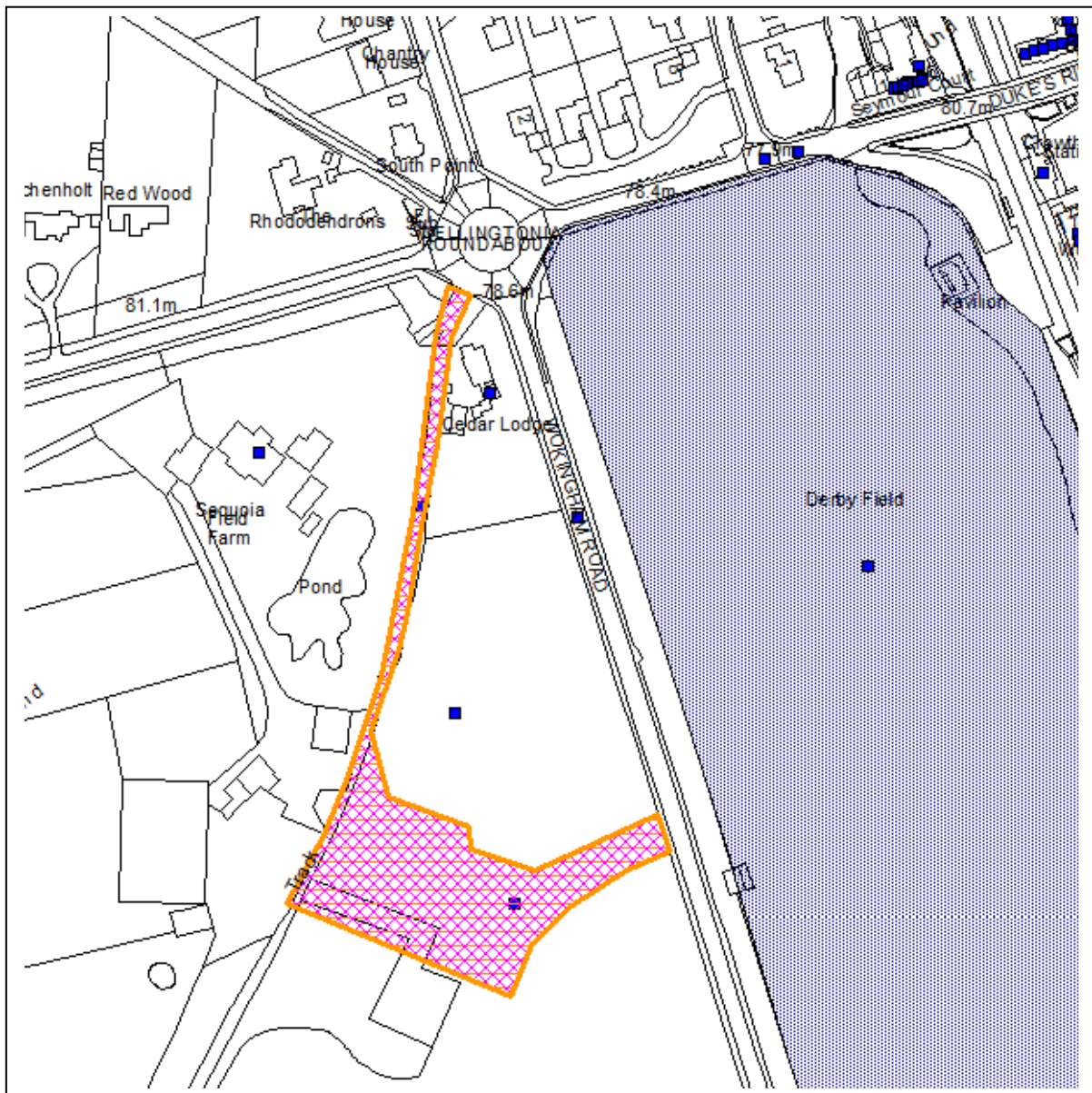
Applicant: Mr J Frankham

Agent: Mr David Hall

Case Officer: Paul Corbett, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 This proposal is for the formation of a vehicular access and hardstanding to an existing site

1.2 The site is a counted travellers site and it is considered that the proposal would have no adverse effect on the character of the area, adjoining properties, biodiversity, trees and there are no highway safety issues.

RECOMMENDATION

The Head of Planning be authorised to grant planning permission subject to conditions set out in Section 11 of this report
--

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Land outside of defined settlement - Countryside
--

3.1 The site already benefits from change of use of the land west of Wokingham Road to use as a residential gypsy site for 3 caravans (2 of which are to be static and 1 touring) including hard standings and erection of brick built amenity block to serve the caravans. This was approved at the Planning & Transportation Committee of 20 May 2010 (09/00664/FUL).

3.2 The applicant has stationed one large static caravan and one small static caravan on the site which accords with the above mentioned planning permission.

3.3 The site is set within an area of woodland (approximately 7ha) to the west of Wokingham Road (A321). The site itself amounts to approximately 1.2 ha (outlined red) and is served by a private access road that joins the highway network just off the roundabout between Wellingtonia Avenue (B3348) and Wokingham Road (A321).

3.4 The private drive off the roundabout also provides vehicular access to the residents of Sequoia Field Farm and Cedar Lodge. The private drive is finished with tarmac up to the end of the garage associated with Cedar Lodge whereas the remainder of the access into the site has been improved and widened in accordance with the planning permission.

3.5 The residential properties of Sequoia Field Farm and Cedar Lodge lie approximately 200m to the north, with The Barn to the north east being the nearest neighbour to the actual caravan site (approx 60m). The residential properties of Sandhurst Lodge and Coach House lie approximately 330m to the south and it is understood these properties retain access rights to the unmade road leading past the site to where the access meets the highway at the roundabout between Wellingtonia Avenue and Wokingham Road.

3.6 The proposed access and area of hardstanding already exist, except for a 12 metre section linking it to Wokingham Road. It is understood the applicant had no alternative

but to create such a route to enable him to have the current static caravans delivered to the site as it was not possible to have such large units delivered via the original narrow access off the Wellingtonia Roundabout.

4. RELEVANT SITE HISTORY

4.1 09/00664/FUL APPROVED (with Legal Agreement) 30.07.2010

Change of use of land to use as a residential site for 3 caravans (2 of which could be static) including hard standings and erection of an amenity block.

[Officer comment: The applicant has one large static caravan and one small static caravan on the site which accords with the above Planning Permission]

4.2 11/00370/FUL APPROVED 18.08.2011

Erection of stable building and formation of hardstanding as vehicle turning area/menege (Retrospective).

5. THE PROPOSAL

5.1 This proposal comprises the formation of a vehicular access and hardstanding to an existing caravan site off the Wokingham Road (A321).

5.2 The proposed access road already exists within the site itself, however it stops short of forming an access onto the Wokingham Road.

5.3 The existing part of the access road currently comprises crushed and compacted hardcore with timber sleeper edgings.

5.4 The applicant confirms that the purpose of the new access is to serve the residential accommodation on the site only with no through route to the retained access onto Wellingtonia Roundabout

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council:

6.1 Sandhurst Town Council raises an objection to the proposal on the following grounds..

i) this is a busy road with a 40 mph limit, the proposed entrance is in a potential overtaking zone which combined with the potential for slow moving vehicles would create a hazard;

ii) a suitable safe access already exists from the Wokingham Road/Dukes Ride roundabout to the north.

Other representations:

6.2 Seven letters of representation have been received raising the following material considerations:

6.3 Development will significantly increase the risk of accidents on Wokingham Road. Access to the site should be from the existing approved route off Wellingtonia Roundabout.

6.4 The proposed route will adversely impact upon the existing woodland

7. SUMMARY OF CONSULTATION RESPONSES

7.1 No statutory or non-statutory consultations have been required.

Tree Officer:

7.2 No objection subject to conditions.

Biodiversity Officer:

7.3 No objection subject to conditions

Highways Officer:

7.4 No objection subject to conditions

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	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	CS24 of CSDPD, Saved policy M4 of BFBLP	Consistent
Countryside	CS9 of CSDPD, Saved Policy EN8	CS9 is consistent (NPPF para 17.5. EN8 is more restrictive than the NPPF, so not fully consistent)
Trees	CS1 and CS7 of CSDPD, Saved Policy EN1 of BFBLP	Consistent
Biodiversity	CS1 and CS7 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Impact on highway safety
- v Impact on biodiversity
- vi Impact on trees
- vii Community Infrastructure Levy

i. Principle of Development

- 9.1 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). This is also reflected in SALP Policy CP1, which sets out that planning applications which accord with the Development Plan should be approved without delay, unless material considerations indicate otherwise. Policy CP1 also sets out a positive approach to considering development proposals that reflects the presumption in favour of sustainable development contained in the NPPF.
- 9.2 The site is located outside of a defined settlement, where ordinarily new residential development is not acceptable in principle however a lawful gypsy site already exists on the land and this proposal relates to an improved vehicular access to the site which is therefore considered acceptable in principle.

ii. Impact on Character and Appearance of Area

9.3 CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area enhances the landscape and aids movement through accessibility, connectivity, permeability and legibility. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area and appropriate in scale, mass, design, materials, layout and siting. New development should avoid the loss of important open areas, gaps in frontages and natural or built features such as trees, hedges, walls, fences and banks which it is desirable to retain.

9.4 It is considered the proposed vehicular access has been aligned such that there are no direct line of sight into the site itself and minimal trees have been removed to enable the access to be provided.

9.5 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area and therefore accords with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF.

iii. Impact on Residential Amenity

9.6 BFBLP Policy EN20 (vii) seeks to protect the amenity of surrounding properties. The Policy requires the Council to have regard to ensuring new development does not adversely affect the amenity of surrounding properties and adjoining area.

9.7 The proposed access onto Wokingham Road would not impact upon the residential amenity of any properties and in fact this new access would alleviate the number of vehicle movements having to pass close to the residential properties of Cedar Lodge and Sequoia Farm off the original site access off the Wellingtonia Roundabout.

9.8 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF, subject to the recommended condition.

iv. Impact on Highway Safety

9.9 Bracknell Forest Borough Local Plan Policy M9 and Core Strategy Policies CS23 and CS24 seek to promote or retain safe highway access and suitable off road parking provisions, thus avoiding highway safety implications.

Access:

9.10 The new access will have visibility splays of 2.4m x 70m which is adequate for a 40mph speed limit. The drawing is based on a topographic survey that includes a full tree survey. No trees are required to be removed to provide the visibility splays.

9.11 A 4.5m kerb radius is shown which is suitable for a domestic access, together with a 5m wide carriageway. This is what has already been constructed within the site.

9.11 The access road currently comprises crushed and compacted hardcore with timber sleeper edgings. A condition will require that the first 10m of access road from the Wokingham Road kerblines be constructed with a bound surface such as tarmacadam.

Parking

9.13 The site has sufficient onsite parking and turning.

Vehicle Movements

9.14 The applicant proposes the installation of a gate that would be kept closed except for emergency access to prevent a route through the site via the existing Wellingtonia access. As such, the vehicles that will use the new access will be domestic only and not associated with the existing stabling that also exists on the site. The applicant confirms the Wellingtonia access will continue to be used for traffic associated with the stables.

9.15 The site will not generate any additional traffic greater than that associated with the existing 2010 planning permission (09/00664/FUL) which involved the change of use of land to use as a residential site for 3 caravans (2 of which could be static) including hard standings and erection of an amenity block for travellers.

v. Impact on biodiversity

9.16 CSDPD Policy CS1 seeks to protect and enhance biodiversity and CS7 seeks to enhance and promote biodiversity.

9.17 The applicant's ecological report confirms that the site has limited ecological value and therefore this development proposal would have very little or no impact upon wildlife or habitats.

9.18 The Biodiversity officer is satisfied with the applicant's ecological findings.

9.19 Therefore, subject to conditions, the proposal would comply with the relevant policies quoted and the NPPF.

vi. Impact on trees

9.20 BFBLP Saved Policies EN1 state that the LPA will seek to protect tree and hedgerow cover. CSDPD Policy CS1 also seeks to protect the character of the local landscape.

9.21 The site comprises a small woodland which fronts Wokingham Road and the trees within the site are not subject to any tree preservation orders.

9.22 The access already exists in part.

9.23 The applicant's arboriculturalist confirms that to the south side of the proposed access, tree numbers 33 to 35 are to be removed in any event because of their condition and/or as a consequence of the removal of a dangerous tree. The proposed 5m wide road and 7.5m radius bell mouth will be entirely outside the root protection area of all retained trees on the south side so there is no impact to any tree planned for retention.

9.24 The applicant's arboriculturalist also confirms that on the northern side there is a very small incursion in to the symmetrical circle of root protection shown on the tree constraints plan for tree number 54. That incursion is 6 square metres in to a total root protection area of 261 square metres or just less than 2.5% of the total area that needs protection. However, there is to be no disturbance in any other location around tree 54 and hence there will be more than the minimum recommended land around this tree remaining undisturbed. Consequently there is no significant impact on tree 54 and it will continue to flourish after the works are completed.

9.25 It is also confirmed that there may be a need to trim back shrubs and low level vegetation each side of the access to secure the correct sight lines however such trimming will have little impact on the local landscape given the woodland nature of the frontage. It is considered that the impact of the proposed access works is negligible on the local tree and landscape features.

9.26 The tree officer is satisfied with the applicant's tree report but requests that only the first 10 metres of road be covered with a bounded surface (as per the request of Highways) and the remainder of the route should remain as a porous surface to safeguard the trees along its route and the timber sleepers edging the route should also be retained

9.27 Therefore, subject to conditions, the proposal would comply with the relevant policies quoted and the NPPF.

viii. Community Infrastructure Levy (CIL)

9.28 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.

9.29 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. In this case this proposal for an access road is not CIL liable.

10. CONCLUSIONS

10.1 It is not considered that the development to create a vehicular access off Wokingham Road to serve an existing caravan site would result in an adverse impact on the character and appearance of the local area, the amenities of the residents of the

neighbouring properties, existing woodland and its trees or biodiversity or impact upon highway safety subject to the recommended conditions. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, CS9, CS24, BFBLP 'Saved' Policy EN20 and M9, and the NPPF.

11. RECOMMENDATION

That the application be **APPROVED** 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 received by the Local Planning Authority:

001-1 Rev D - Site Location Plan received 20.10.14
GEN-01 - Proposed New Access to Wokingham Road received 20.01.15
Ecological Appraisal received 16.03.15
Aboriculturalist Report dated 2 June 2015

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works including the following:
junctions/highway works with Wokingham Road
The buildings provided by the carrying out of the development shall not be occupied/open for trade until the off site highway works have been completed in accordance with the scheme.
REASON: In the interests of highway safety.
[Relevant Policy: BFBLP M4]
04. The first 10 meters of the access road shall be finished with a bonded surface.
REASON: In the interests of highway safety.
[Relevant Policies: CSDPD Policy CS24]
05. The access hereby approved shall not be brought into use until visibility splays of 2.4 metres x 70 metres have been provided at the junction with Wokingham Road. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: CSDPD Policy CS24]
06. The gate identified on the approved layout drawing 'GEN-01' as an emergency gate shall remain locked and shall be used for emergency vehicular access only. This gate shall be retained thereafter.
REASON: To prevent a vehicle route linking both vehicle access points in the interests of highway safety.

[Relevant Policies: BFBLP Saved Policy EN20, CSDPD Policies CS7, CS24]

07. Any gates provided shall open away from the highway and be set back a distance of at least 12 metres from the edge of the carriageway of the adjoining highway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS24]
08. The trees adjacent to the first 10 metres of the access road from Wokingham Road, shall be protected by erecting barriers at a distance specified in BS 5837:2012 (or any subsequent revision) Annex D to the standard illustrated in BS 5837:2012 (or any subsequent revision) Section 6 (Figures 2 or 3) prior to the commencement of development (construction of the junction with Wokingham Road) and be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site.
REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]
09. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP Saved Policy EN3, CSDPD Policies CS1, CS7]
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any structures aligning the proposed vehicular access except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
Reason: In the interests of nature conservation.
[Relevant Policies: CSDPD Policies CS1 and CS7]

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 subject to conditions, 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:
1, 2, 4, 5, 6, 7, 8, 9, 10
03. The applicant is advised that the following conditions require discharging prior to commencement of construction works:
3

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Agenda Item 6

ITEM NO: 6

Application No.
14/00863/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
1 August 2014

Target Decision Date:
26 September 2014

Site Address:

**Land At Rear Of 4 Hayley Green Cottages Forest
Road Hayley Green Warfield Bracknell Berkshire**

Proposal:

**Erection of 3 no. dwellings including associated parking, access
and amenity space.**

Applicant:

Stoneham Property Development

Agent:

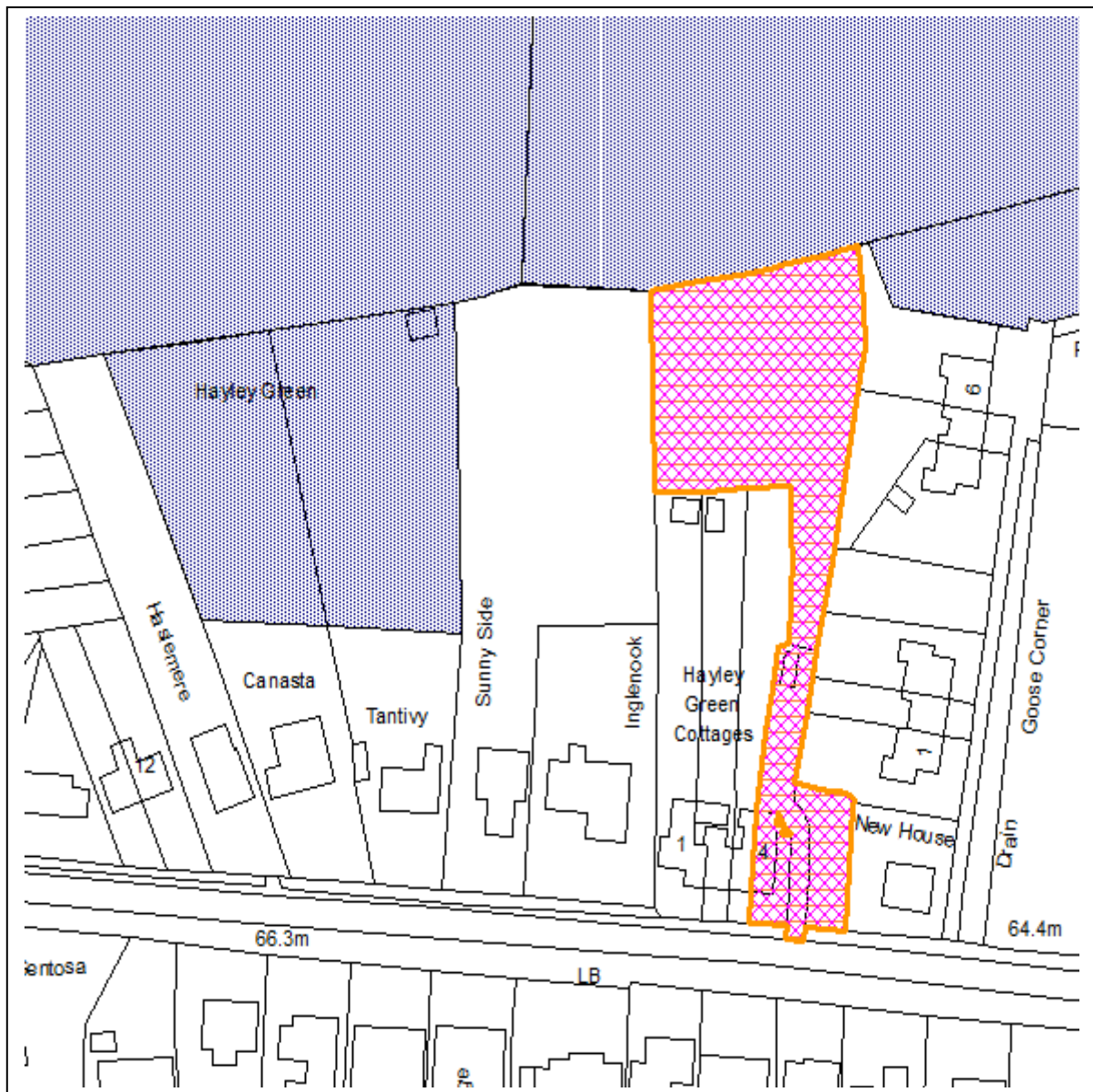
Mr S Brown

Case Officer:

Sarah Horwood, 01344 352000

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



OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the erection of 3 detached dwellings, 1 no. four bed (plot 3) and 2 no. three bed units (plots 1 and 2).

1.2 The proposal will contribute to the supply of housing within the Borough in light of the Council being unable to demonstrate a 5 year housing land supply. The proposal would not adversely impact upon the residential amenities of neighbouring properties or the living conditions of future occupiers. The proposal would not represent a cramped form of development, would not appear visually intrusive in the street scene and would not adversely impact upon the character and appearance of the area.

1.3 No highway implications would result from the proposal and conditions are recommended in relation to trees, biodiversity and sustainability. SPA mitigation has been secured.

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 following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Land outside of defined settlement – Countryside
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3.1 The application site is located in Hayley Green, a semi-rural area with low-density housing and a significant number of trees and vegetation visible within the street scene.

3.2 The site lies behind the gardens of 1-4 Hayley Green Cottages and is accessed via a gated, unmade track to the side of No.4. The last lawful use of the site was as an open storage facility for touring caravans (secured by a Lawful Development Certificate in 2003).

3.3 To the north, behind the site, is open countryside. To the east, sitting perpendicular to the site, are the gardens of dwellings on Goose Corner (two terraces of three dwellings each) as well as New House, which fronts Forest Road. To the west is the rear garden of Sunnyside Cottage, which fronts Forest Road (the adjacent property is actually Inglenook but the garden of Sunnyside extends across the back of Inglenook's garden to meet the application site).

4. RELEVANT SITE HISTORY

4.1 03/00271/LDC - Land at Rear of 4 Hayley Green Cottages - Application for a certificate of lawfulness for the open storage of 19no. touring caravans accessed from Forest Road - granted July 2003.

4.2 11/00382/FUL - Erection of 4 no. new dwellings comprising 2 no. 3 bed and 2 no. 4 bed semi-detached dwellings including associated parking and garages. Refused on the following grounds:

01. The proposed change of use and associated buildings together with ancillary development is not acceptable as it would have an urbanising impact and would result in an inappropriate form of development that would adversely affect the rural character and visual amenities of the local area. The proposal would therefore be contrary to South East Plan Policy CC6, Bracknell Forest Borough Core Strategy DPD Policies CS2 and CS9 and Bracknell Forest Borough Local Plan Policies EN8 and H5.

02. By virtue of its density, scale, bulk, massing, design, poor separation distance, close proximity to site boundaries, large amount of hard surfacing and small garden size, the proposal would result in a cramped form of development, out of keeping with the surrounding pattern and form of development, to the detriment of the character and visual amenities of the local area. The proposed development would therefore be contrary to PPS1, South East Plan Policy CC6, Bracknell Forest Borough Core Strategy DPD Policies CS2, CS7 and CS9, Bracknell Forest Borough Local Plan Policies EN8, EN20 and H5 and the Character Area Assessments SPD.

03. The proposal fails to provide adequate amenity space for the existing dwelling at 4 Hayley Green Cottages, to the detriment of the living conditions of existing and future occupiers. The proposed development is therefore contrary to Bracknell Forest Borough Core Strategy DPD Policy CS7 and Bracknell Forest Borough Local Plan Policies EN20 and H5.

04. By reason of the close proximity of the access road and car parking to the boundaries of adjacent dwellings, the proposal would be detrimental to the living conditions of occupiers of the neighbouring properties through noise and disturbance caused by increased traffic and the multiple manoeuvres required to access car parking spaces. The proposed development is therefore contrary to Bracknell Forest Borough Local Plan Policies EN20 and H5.

05. The proposal would not comply with the Local Planning Authority's standards in respect of access width, vehicle parking and turning and refuse collection. As such, the proposal is likely to encourage on-street parking and lead to vehicles waiting in the highway to enter the site, which is likely to have a detrimental impact upon highway safety and the flow of traffic. This would also discourage pedestrian and cyclist access to the site. Furthermore, in the absence of a speed survey, the applicant has failed to demonstrate that adequate visibility splays could be provided to ensure the development would not be detrimental to highway safety. The proposed development would therefore be contrary to South East Plan Policy T4, Bracknell Forest Borough Core Strategy DPD Policies CS1, CS23 and CS24, Bracknell Forest Borough Local Plan Policy M9 and the Parking Standards SPD.

06. In the absence of a survey and appropriate mitigation, the applicant has not demonstrated that the proposed development would not have an adverse impact on biodiversity and protected species, specifically bats and great crested newts. The applicant has also failed to demonstrate how local biodiversity would be protected and enhanced by the proposals. As such the proposed development would be contrary to PPS9, South East Plan Policy NRM5, Bracknell Forest Borough Core Strategy DPD Policies CS1 and CS7 and Bracknell Forest Borough Local Plan Policies EN3, EN20 and H5.

07. In the absence of a full and accurate survey of existing trees and vegetation on the site and full details of proposed retention/removal/replacement of trees and vegetation, the applicant has not demonstrated that the proposed development would not have an adverse impact on trees and vegetation, which contribute to the character, visual amenity and

countryside setting of the local area. The applicant has further failed to demonstrate that adequate landscaping could be accommodated within the site to soften the appearance of the development. As such the proposed development would be contrary to South East Plan Policy CC6, Bracknell Forest Borough Core Strategy DPD Policies CS1 and CS7 and Bracknell Forest Borough Local Plan Policies EN1, EN8, EN20 and H5.

08. In the absence of a planning obligation, in terms agreeable to the Local Planning Authority, to secure contributions towards highways and transportation infrastructure, public open space, community and education facilities the proposal fails to deal with its direct impacts and is therefore contrary to South East Plan Policy CC7, Bracknell Forest Borough Core Strategy DPD Policies CS6, CS8 and CS24 and the 'Limiting the Impact of Development' SPD.

09. The occupants of the proposed development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicant has not satisfactorily mitigated against this impact. In the absence of a planning obligation, in terms agreeable to the Local Planning Authority, to secure suitable mitigation measures, the proposal is contrary to South East Plan Policy NRM6, Bracknell Forest Borough Core Strategy DPD Policy CS14, Bracknell Forest Borough Local Plan Policy EN3 and 'Limiting the Impact of Development' SPD.

The informatives for this refusal advised that:

-Reasons for refusal 6 and 7 in relation to biodiversity, trees and landscaping could potentially be overcome by submission of the appropriate surveys and plans.

- Reasons for refusal 8 and 9 in relation to failing to provide adequate service, amenity and infrastructure contributions and failing to mitigate against the impact upon the Thames Basin Heaths Special Protection Area, could be addressed by planning obligations, formulated in terms which are acceptable to the Local Planning Authority and entered into as provided for by Section 106 of the Town and Country Planning Act 1990 (as amended).

5. THE PROPOSAL

5.1 The proposal is for the erection of 3 detached dwellings, 1no. four bed (plot 3) and 2 no. three bed units (plots 1 and 2).

5.2 At ground floor each 3 bedroomed dwelling would have:

- A single garage with one parking space to the front.
- An open plan living and dining room.
- A kitchen/breakfast room.
- A WC
- A hall.

5.3 At first floor each 3 bedroomed dwelling would have:

- Three bedrooms.
- An en-suite.
- A bathroom.

5.4 The dwellings on plots 1 and 2 differ only in the positioning of the proposed garage (the garage on Plot 1 is set further back than on Plot 2.)

5.5 At ground floor the 4 bedroomed dwelling would have:

- A single garage with two parking spaces to the front.

- A living room.
- A dining room.
- A kitchen/breakfast room.
- A WC
- A hall.

5.6 At first floor the 4 bedroomed dwelling would have:

- Four bedrooms.
- An en-suite.
- A bathroom.

5.7 The dwellings would be of a uniform design with the dwellings on plots 1 and 2 being 8.9m wide and 10.7m deep and the dwelling on plot 3 being 9.7m by 11.3m. The roof is pitched on all sides and the maximum ridge height would be 7.9m for the dwellings.

6. REPRESENTATIONS RECEIVED

Warfield Parish Council

6.1 Warfield Parish Council recommend refusal for the following reasons:

1. The site of the proposed development is not identified as a site for future housing development in Bracknell Forest Council's Site Allocation Local Plan (July 2013) and is not within the settlement boundary identified therein.
2. The proposed access road and car parking is close to the boundaries of adjacent dwellings and so the proposal would be detrimental to the living conditions of occupiers of the neighbouring properties because of noise and disturbance caused by increased traffic and the multiple manoeuvres required to access car parking spaces.
3. The proposal will generate additional traffic movements into and out of Forest Road where vehicle speeds are known to be high and this would adversely affect road safety and impede the free flow of traffic.

Other representations:

6.2 A total of 11 objections from 10 households have been received. The objections can be summarised as follows:

- The land is outside the settlement boundary and therefore inappropriate development.
- The development would have a detrimental impact upon the rural character of the area.
- The land has never been built on.
- The design of the dwellings is not in keeping with the character of the area.
- The density is out of keeping with the character of the area.
- By removing part of the dwelling at no. 4 this would result in noise, hygiene concerns from bins and overlooking to neighbouring properties.
- The proposed dwelling would result in a reduction in natural light to neighbouring properties.
- There is a high level of housing planned in north of the borough so this site is not necessary.
- The backland development is out of keeping and would threaten the peaceful rear gardens of neighbouring properties.
- The amenity land left for 4 Hayley Green Cottages is not acceptable.
- Concern over noise and disturbance of construction vehicles.
- There will be a significant increase in noise and light pollution created by the additional dwellings.
- Approving this would set a precedent for back land development.
- The storage of caravans generates very little traffic.

- The access to the site is inappropriate and impractical and has poor visibility.
- There have been a number of crashes along Forest Road; cars regularly exceed the 30mph speed limit.
- There is not enough parking proposed.
- There is no space for visitors to park.
- There is no street lighting on Forest Road.
- Residents of Hayley Green Cottages park their cars on the land that will be used for access.
- Construction vehicles and emergency services would not be able to access the site.
- The proposal for internal circulation and vehicular movements would therefore create a safety hazard.
- The additional vehicles entering onto Forest Road would increase the risk of accidents on the highway.
- There would be a significant increase in traffic.
- The introduction of double white lines in the middle of the road would be unsightly.
- Neighbouring property has a Right of Easement across the land.
- The proposal would reduce the security to the rear of the neighbouring properties.
- Refuse bins would clog up the frontage and create a visibility issue.
- Concerns over impact upon trees.
- Concerns over the impact upon footings of 1-4 Hayley Green Cottages which were built 1830 - 1850.
- Concerns over the capacity of the drainage system.
- Concerns over the impact upon biodiversity and that Ecology Report is out of date
- Goose Corner floods as there is a stream at the front. This development would make it worse.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highway Authority

The Highway Authority has no objection to this planning application following receipt of amended plans and subject to conditions.

7.2 Biodiversity Officer

No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Housing	CS15 and CS15 of CSDPD	CS15 is not consistent as NPPF refers to refers to objective assessed needs for housing CS16 is consistent with para. 50 of the NPPF
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Parking	CS23 of CSDPD, Saved policy M9	Consistent

	of BFBLP	NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Countryside	CS9 of CSDPD, Saved Policy EN8, H5 of the BFBLP	CS9 is consistent BFBLP EN8 and H5 not consistent as more restrictive
Sustainability	CS10 and CS12 of CSDPD	Consistent
SPA	CS14 of CSDPD, NRM6 of SEP	Consistent
Trees/Landscaping	CS1 and CS7 of CSDPD, Saved Policies EN1 and EN2 of BFBLP	Consistent
Biodiversity	CS1 and CS7 of CSDPD	Consistent
Noise/other pollution	Saved Policy EN25 of the BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD, Character Area Assessment SPD, Thames Basin Heath SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Community Infrastructure Levy (CIL) DCLG 2012 based household projections published February 2015 (table 406)		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

- i. 5 year supply of housing
- ii. Impact on character and appearance of the area
- iii. Impact on residential amenity
- iv. Impact on highway safety
- v. Sustainability
- vi. SPA
- vii. Community Infrastructure Levy
- viii. Trees
- ix. Biodiversity

i. 5 year supply of housing

9.2 The proposal involves a net gain of 3 units. In terms of the Council's housing provision the proposal constitutes a 'small' site and (if approved) would form part of the 'small' sites allowance.

Position on 5 year supply

9.3 The application site is located outside of the defined settlement boundary, and proposes new residential development. This is not consistent with the provisions in saved BFBLP policies EN8 and H5 which relate to development on land outside of settlements and new

dwelling outside settlements. It is also contrary to CSDPD Policies CS2 and CS9 (relating to locational principles and development on land outside of settlements).

9.4 In relation to the five year housing land supply the Inspectors in two recent appeals (land north of Tilehurst Lane, Binfield - dismissed 2 February 2015 - and land to the south of The Limes, Warfield - allowed 17 June 2015) concluded that the Council could not demonstrate a five year supply of land for housing. These appeal decisions are a material consideration in the decision-taking process.

9.5 The implications of these appeal decisions is that, as the Council cannot demonstrate a five year land supply, in accordance with para. 49 of the NPPF relevant policies for the supply of housing should not be considered up to date and the weight to be attached to them reduces. Of particular relevance is the presumption against development in the countryside (outside of the Green Belt) which can no longer be applied to housing development. This would apply to the following Development Plan policies:

- CSDPD Policies CS2 and CS9
- 'Saved' BFBLP Policies EN8 and H5.

9.6 This was confirmed by the Inspectors in the two appeals referred to above who stated that relevant policies for the supply of housing should not be considered up to date - that would include any policies which seek to place a 'blanket ban' on development outside settlement boundaries, such as CSDPD Policy CS9 and BFBLP Policy H5 - but would not include more general policies which seek to protect the character and appearance of an area.

9.7 It therefore falls for this application to be considered in relation to the presumption in favour of sustainable development as set out in SALP Policy CP1 (and para. 14 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

9.8 The remainder of the report outlines relevant considerations and the 'balancing' exercise.

ECONOMIC ROLE

9.9 Facilitate growth, provide jobs during construction, future occupiers would spend a proportion of their income in the local economy

SOCIAL ROLE

9.10 One of the main benefits of a housing scheme to be weighed in the balance is the provision of housing. The NPPF is a material consideration, and this seeks (para. 47) to 'boost significantly the supply of housing'. In considering this aspect, a proposal for housing needs to be deliverable.

9.11 The NPPF (footnote 11) is clear that for a site to be deliverable, it should:

- be available now;
- offer a suitable location for development now; and,
- be achievable, with a reasonable prospect that housing will be delivered on the site within five years, and in particular that development of the site is viable.

9.12 The site is available now and does not need any demolition or remedial works. The development of three dwellings could be achieved within the next 5 years.

9.13 The proposal would provide 3 family dwellings in a reasonably sustainable location, contributing to the supply of housing in the Borough. The applicant has provided details which show that the nearest school, supermarket, GP surgery and recreation ground are all within 1km. There are 3 bus routes with regular services (every two hours) to Bracknell and one hourly to Ascot. The bus stop is located 50m to the west of the access point.

9.14 As such it is considered that the location of the dwellings would not be isolated and would have sustainable transport links and access to services. Therefore it is considered that the proposal would boost the supply of housing and would therefore have a social benefit in line with the NPPF.

ii. Impact on character and appearance of the area (environmental factor)

9.15 CSDPD Policy CS9 seeks to protect land from development that would adversely affect the character, appearance or function of the land. BFBLP 'saved' Policy EN8 seeks to permit development only where it would not adversely affect the character, appearance or function of the land. BFBLP 'saved' Policy H5 seeks to restrict the development of new dwellings unless it can be demonstrated that it would cause no harm to the character of the area.

9.16 These measures of harm are reflected in the NPPF. Para. 17 of the NPPF sets out core planning principles that should underpin plan making and decision making. These include core planning principle 5 which states: Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

9.17 In addition the NPPF states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances.

9.18 Development that would harm rather than enhance the natural environment should not be considered sustainable. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. This can be achieved by protecting and enhancing valued landscapes.

9.19 CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area.

9.20 Hayley Green is covered by the Character Areas SPD under the Northern Villages Character Area B. Hayley Green consists primarily of ribbon development along Forest Road and is in a semi-rural location. This states that development form varies with predominantly detached dwellings with no consistent architectural approach.

9.21 The recommendations of this report state: "Infill development on back land sites in the form of cul de sacs must be designed so that any impact on the street scene is minimised"

9.22 The proposed development is considered to be acceptable in its impact on the rural character and visual amenities of the area as the site is well screened by vegetation, which could be supplemented by condition and is not considered to be open rolling countryside which is present to the north of the site. In addition the rear boundary of the site adjoins the rear boundary of the gardens of dwellings along Forest Road. The site would therefore have previously been garden area, prior to the change of use to caravan storage. It is not therefore considered that the proposal would have a significantly urbanising impact upon the

rural area given the garden areas, with associated paraphernalia directly to the east and west. The land would not have contained permanent structures (was previously used for the storage of caravans) and as such, could be considered a greenfield site in the Countryside. As such, whilst the proposed development of the land for 3no. dwellings would have some impact upon the environment with the loss of a greenfield site, given the site is so well enclosed by existing screening and taking into account the built form of dwellings at Goose Corner, the development would not have such an adverse impact upon the Countryside setting of the site and on balance, the proposal would contribute to the supply of 3no. additional dwellings in the Borough which would outweigh any identified harm.

9.23 The dwellings would be of a uniform design with the dwellings on plots 1 and 2 being 8.9m wide and 10.7m deep and the dwelling on plot 3 being 9.7m by 11.3m. The roofs are pitched on all sides and the maximum ridge height would be 7.9m..

9.24 The separation distance between the buildings would be approximately 2m, with the dwelling on plot 1 being set in 3m from the boundary shared with Sunnyside. The gap to the Goose Corner boundary would be between 5m and 6.5m. Each dwelling would be separated by single storey garages and therefore Plots 1 and 2 would be separated at first floor by 5m and Plots 2 and 3 at first floor by 7.5m. Given these distances it is not considered that the proposal would appear cramped on site.

9.25 The dwellings would be set back from the highway by 85m and therefore they would not appear visually prominent within the street scene.

9.26 The proposed gardens would not be dissimilar in depth to those within Goose Corner. Whilst there are no other examples of backland development of this nature the dwellings would not extend further north than no.6 Goose Corner and as such the dwellings would not be isolated as they would be in close proximity to neighbouring properties in Goose Corner.

9.27 The design of the dwellings is not in keeping with the 1830s Hayley Green Cottages. However given that the dwellings would be over 60m from the rear of the row of cottages it is not considered that they would be 'read' together. In addition the Character Area SPD notes that there is a varied street scene with little architectural consistency. Therefore the differing design is considered to be acceptable.

9.28 In terms of character and appearance, the proposal would not give rise to material harm as it is not contrary to CSDPD Policies CS2, CS7 and CS9, BFBLP 'saved' Policies EN8, EN20 and H5 and the Character Area Assessments SPD.

iii. Residential Amenity (environmental & social factors)

9.29 BFBLP 'Saved' Policy EN20 refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFBLP 'Saved' Policy EN20 is for the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. This is considered to be consistent with the core principle relating to design in paragraph 17 of the NPPF, which states that LPAs should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and consistent with the general design principles laid out in paras. 56 to 66 of the NPPF.

9.30 No windows are proposed in the side elevation of Plot 1 facing Sunnyside or in the side elevation of Plot 3 facing 5 and 6 Goose Corner. As such there would be no loss of privacy to these dwellings.

9.31 There are open fields to the rear and as such there would be no loss of privacy created by the rear facing windows.

9.32 The front facing windows would be 9m from the rear boundary with no 1 Hayley Green Cottage. However there would be a distance of over 50m between the dwellings themselves due to the length of the rear gardens of 1-3 Hayley Green Cottages.

9.33 The side facing windows in the east of plots 1 and 2 and the west of plot 3 would serve en-suites and as such there would be no mutual overlooking.

9.34 In terms of any overbearing impact the proposed dwelling would be set in from the boundary with Sunnyside by 3m and with 5 and 6 Goose Corner by 5 - 6.5m. Given these distances it is not considered that the proposal would result in an unduly overbearing impact upon the neighbouring properties. There would be no overbearing impact upon the future occupiers of the proposed dwellings.

9.35 Due to the positioning of the proposed dwellings in respect of the neighbouring properties, there would be no loss of light created. In addition there would be no unacceptable loss of light created by any of the proposed dwellings on the other proposed dwellings.

9.36 Further, as part of the proposal, an area of amenity space would be provided for the existing dwelling at 4 Hayley Green Cottages. This private amenity space would be provided directly to the side/rear of the existing dwelling and a further area of amenity space would be provided to the side of plot 3. Whilst the area of amenity space directly to the side/rear of the existing dwelling at no. 4 would be small in size and close to the proposed access road serving the 3 dwellings to the rear of the site, an area of private useable space is to be provided for the owner/occupier of 4 Hayley Green Cottages to their benefit. The existing dwelling has an area of amenity space of circa 35sqm. The area of amenity space proposed to the side/rear of the existing dwelling would be some 15sqm in size with a further 60sqm of amenity space adjacent to plot 3. Given the LPA does not have specific policies/guidance relating specifically to garden sizes; refusal of the application solely on the size of the garden proposed for the existing dwelling at 4 Hayley Green Cottages is unlikely to be sustained at appeal. On balance, the proposal would provide a net gain of 3no. dwellings within the Borough to contribute to the housing supply and this would outweigh any potential harm to the owner/occupier of the existing dwelling at 4 Hayley Green Cottages due to the limited size of the amenity space proposed. No demonstrable harm would be caused to the existing dwelling as an area of amenity space would still be provided for the dwelling but on balance, the requirement for new housing would outweigh this consideration.

9.37 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties or the living conditions of the future occupiers, and is therefore in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

iv. Transport Implications (environmental and social factors)

9.38 CSDPD Policy CS23 states that the LPA will seek to increase the safety of travel. BFBLP 'Saved' Policy M9 seeks to ensure that new development has sufficient car parking. To supplement this policy the adopted Parking Standards SPD (2007) sets out the advised levels and size of parking spaces for residential dwellings. For a dwelling that has 3 bedrooms a minimum of 2 car parking spaces are required, and for a dwelling which has or exceeds 4 bedrooms a minimum of 3 allocated parking spaces should be provided in accordance with the minimum measurements stated within the document. The NPPF allows

for LPAs to set their own parking standards for residential development and therefore the above policies are considered to be consistent with the NPPF.

9.39 The application site is located to the rear of 4 Hayley Green Cottages with proposed vehicular and pedestrian access to the 3 new dwellings to be via an existing private driveway. This is to be widened and improved to serve the 3 new dwellings.

9.40 The private driveway currently provides access to the rear of no. 4 Hayley Green Cottages to an existing garage and to an area to the rear of the site which is used for the storage of caravans. The proposal for 3 new dwellings will therefore increase vehicular movements from the application site and intensify the use of an existing access.

9.41 The existing access onto the B3034 Forest Road is within a 30mph speed limit, though vehicles were observed to exceed the posted speed limit. This assertion is supported by speed survey data which has led to visibility splays of 2.4 metres by 60 metres in either direction as is being proposed.

9.42 Revised plans have been sought during the course of the application to address highway matters including visibility and parking. The highway comments are based on amended drawing; 13/SP-HGC-10-B: Existing and Proposed Site Plan (received 6 July 2015).

9.43 A 4.8 metre wide access road is to be provided for the first 10 metres and this would enable two vehicles to pass each other at the access off Forest Road and be clear of the main road.

9.44 This private access road would narrow to a minimum width of 3.1 metres over a distance of around 20 metres to the rear of no. 4 Hayley Green Cottages. This narrowing is due to the provision of amenity land to the rear of the existing cottage and the boundaries of the adjacent properties on Goose Corner. Whilst two vehicles would be unable to pass each other through the narrowing, forward visibility can be achieved between the two points where the road widens to 4.8 metres and 4.1 metres and two vehicles can pass each other.

9.45 An existing hedge on the eastern boundary would restrict forward visibility through the narrowing. This hedge is in the red line and could therefore be cut-back to provide the required visibility for vehicles and pedestrians who will be in the roadway through the narrowing. It may be possible for this be dealt with by planning condition, though this should be clarified now (officer comment: it has been confirmed that the hedge will be cut back to provide visibility and this matter will be dealt with by condition).

9.46 A narrowing of no less than 3.1 metres would provide adequate access for domestic delivery vehicles and a small turning area is being provided adjacent to plot 3 to enable such vehicles to turn and exit the site in a forward gear. The actual width through the narrowing is shown on drawing 13/SP-HGC-10-B as being 3.7 metres (including verges to either side of the road) and a fire tender should be able to access the site, though this is a matter for the applicant to resolve

9.47 The access road is shown on drawing 13/SP-HGC-10-B as being tarmac for the first 20 metres and gravel thereafter. It is advised that the means of access be provided prior to commencement of development and that this be secured by planning condition. Consideration should be given to lighting the access road to provide a welcoming environment for pedestrians, though it is noted that Forest Road is unlit. The rumble strip may create a noise disturbance and may not be necessary. The applicant will require the consent of the Highway Authority for works on the highway to form the new access and the applicant should be advised of this by way of informative.

9.48 Pedestrian visibility splays need to be provided between private driveways and the shared surface road and at the junction of the private road with the footway adjacent to Forest Road. This should be secured by planning condition.

9.49 A communal bin store is to be provided within 25 metres of Forest Road and this would enable collection by the Council; however, the carry distances from the new dwellings to this communal bin store exceed the recommended 30 metre haul distance and it is not easy to haul a wheelie bin across a gravel surface. A refuse vehicle would not enter the site.

9.50 2 parking spaces are to be provided for the 3-bed dwellings and 3 parking spaces are to be provided for the 4-bed dwelling to comply with the parking standards. On-plot parking is both driveway and garage parking and drawing; 13/SP-HGC-10-B indicates that the driveway parking spaces are practical and useable and that adequate space is provided for access to these spaces.

9.51 2 parking spaces are to be provided for no. 4 Hayley Green Cottages to the side of the existing cottage. The area to the front of the existing cottage is currently gravel and the new parking spaces to the side would be hard-standing. The LHA would seek that parking in the area to the front of the cottage be restricted by the provision of landscaping and/or enclosures. Access gates would affect access to these 2 proposed parking spaces and for this reason a planning condition for no gates is considered appropriate (officer note: it has been confirmed that the area to the front of the existing cottage would be returned to soft landscaping and not be used for parking of vehicles and this will be secured by planning condition).

9.52 The garages are measured off the proposed floor plans as having internal dimensions of 2.8 metres by 5.8 metres and garage door widths of 2.2 metres. This does not comply with the latest standards for practical vehicle parking and internal dimension of 3 metres by 6 metres are required, as are garage door widths of 2.4 metres.

9.53 Revised plans should be provided to include garages which comply with the latest standards, as inadequate parking will result in parking on the access road and this will affect access and turning for vehicles. Roller shutter garage doors are required to ensure the driveway spaces are practical and accessible (officer note: it has been confirmed that the internal dimensions of the garages are 3m wide by 6m deep internally with the garage door opening being 2.4m wide as required by the Council's Parking Standards SPD. Further, there is some 6m from the front of the garages to the edge of the driveways on plots 1 and 2 and some 12m from the front of the garage to the edge of the driveway on plot 3 so that a roller shutter door would not be required as there is sufficient depth as required by the Council's Parking Standards SPD).

9.54 This development could generate in the region of 18 two-way trips over the course of a typical day, with 2 trips in both the morning and evening peak periods. The development, if permitted may be liable for CIL charges and financial contributions could be used for local transport improvements to mitigate the highway impacts of the development.

9.55 A construction management plan should be secured by planning condition for highway safety and residential amenity.

9.56 For the reasons given above, and subject to the recommended conditions, the proposal is considered to be in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9 and the NPPF. Furthermore it would meet the requirements of the Parking Standards SPD (2007) subject to the recommended conditions being imposed.

v. Sustainability (environmental factor)

9.57 Policy CS10 of the CSDPD requires the submission of a Sustainability Statement. No Sustainability Statement has been submitted. A planning condition is recommended in relation to the submission of a Sustainability Statement to satisfy the requirements of Policy CS10 of the CSDPD.

9.58 Policy CS12 requires the submission of an Energy Demand Assessment. No Energy Demand Assessment has been submitted. A planning condition is recommended in relation to the submission of an Energy Demand Assessment to satisfy the requirements of Policy CS12 of the CSDPD.

vi. SPA (environmental factor)

9.59 South East Plan retained Policy NRM6 and Core Strategy DPD Policy CS14 are consistent with the NPPF and should therefore be given full weight as Development Plan polices.

9.60 The Council adopted the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) on 29 March 2012. The Council, in consultation with Natural England, has formed the view that that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath SPA is likely to have a significant effect on the SPA, either alone or in combination with other plans or projects. This site is located approximately 3.7 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. Therefore, an Appropriate Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the site.

9.61 In line with the Council's SPA SPD (March 2012), the project as proposed would not adversely impact on the integrity of the site provided: Prior to the permission being granted an applicant enters into an appropriately worded Section 106 Agreement.

9.62 The SPA SPD Table 1 requires a contribution which is calculated on a per bedroom basis to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. In this instance, this application is for three dwellings and therefore the SANG costs are as follows: 2 X 3 bedroom and 1 X 4 bedroom dwellings): £4,800 (2 x £2,400) + £2,730 = Total SANG Contribution £7,530

9.63 The open space works at Englemere Pond are the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The Template S106 also requires occupancy to be restricted until the works and measures are in place.

9.64 The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which is calculated on a per bedroom basis. This application is for three dwellings and therefore the SAMM costs are as follows: £1422 (2 x £711) + £807 = Total SAMM Contribution £2,229

9.65 In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £7,530 + £2,229 = £9,759.

9.66 Furthermore, there is a need to include an occupation restriction which is included in the Template s106 agreement. The occupation restriction is necessary to ensure that the SANGs works are in place before occupation thereby giving the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the SPA SPD paragraph 4.4.2.

9.67 Natural England has agreed that if the plans are implemented as stated in the SPA Avoidance and Mitigation Strategy and the Strategic Access Management and Monitoring Agreement, with certain monitoring requirements, Natural England "will stop objecting to consultations on housing applications in those areas of the Borough which have mitigation in line with the avoidance strategy."

9.68 Therefore, the Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) as amended permission may be granted.

9.69 The SPA contributions have been paid to the Council (including Council legal costs and monitoring costs).

vii. Community Infrastructure Levy (CIL) (economic and social factor)

9.70 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.

9.71 CIL applies to any new build for certain uses including residential (except outline applications and some reserved matters applications) including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

9.72 The proposal would be CIL liable as no exemption or relief has been applied for.

9.73 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. The charging schedule states how much CIL will be charged (in pounds per square metre of net additional floorspace) based on the development type and location within the borough. The five zones are based around Central Bracknell, Outer Bracknell, Sandhurst/Crowthorne, Northern Parishes, and Warfield Strategic Development.

9.74 The application site lies within the zone of the Northern Parishes. In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued for the development. Mitigation towards the Thames Basin Heath SPA has been secured through a Section 106 agreement as outlined above.

viii. Trees (environmental factor)

9.75 CSDPD Policy CS1 states that development will be permitted which inter alia protects and enhances the quality of natural resources and the character and quality of local landscapes. CSDPD Policy CS7 states that development will be permitted which enhances the landscape. BFBLP 'saved' Policy EN1 supports the retention of trees which are important to the character and appearance of the landscape and BFBLP 'saved' Policy EN20 requires development to retain beneficial landscape features. These policies are consistent

with the core principles of the NPPF to conserve and enhance the natural environment, and can be afforded significant weight.

9.76 None of the trees on site are covered by Tree Preservation Orders. The impact upon the trees would not merit a reason for refusal; however conditions should be applied to protect them.

9.77 Generally, the site encompasses mature and semi mature trees around the boundaries including Ash, Oak, Holly and Sycamore. They vary in quality and although views of these trees from outside the site are partially obscured by buildings and other trees in the rear garden of No. 3 and neighbouring land, viewed from within the site, they generally contribute to its predominantly rural character.

9.78 The mature Ash trees on the north boundary referenced T9 & T10 in the survey, together with trees referenced T24 (Birch) and G27 (mature grouped Holly) on the south boundary, are the most important trees on the site and worthy of retention. However with reference to the grading of the trees in the Tree Report, based on its form, general condition and taking into account current BS 5837 (2012) guidance T24 is considered an A1 category specimen.

9.79 To realistically retain the above specimens, avoid adverse impact on their health and ensure sustainable tree to building relationships, it is important that full account is taken of their accurate root protection areas and size, together with underground service requirements and practical working space for construction.

9.80 Therefore conditions are proposed to protect the trees on site.

ix. Biodiversity (environmental factor)

9.81 CSDPD Policy CS1 seeks to protect and enhance biodiversity and Policy CS7 seeks to enhance and promote biodiversity. This is considered to be consistent with the NPPF which states that planning should contribute to "minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."

9.82 The ecological report shows that the ecological value of the site is low and, the following conditions should be appended to any consent:

- No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive.
- No external lighting shall be installed on the site or affixed to any buildings.
- The demolition shall not be begun until a scheme for the provision of bird and bat boxes and other biodiversity enhancements has been approved.
- The development (including site clearance and demolition) shall not be begun until the trees to be felled have been surveyed for bats.

x. Other matters

9.83 An area of land to the east of the proposed access road is claimed to have been used for the parking of vehicles by 2 Hayley Green Cottages and a claim has been made for adverse possession of the land by the owner of 2 Hayley Green Cottages. This is a civil matter and not for the Council to adjudicate on the merits of this claim. The Council would

not withhold the granting of planning permission for the proposed development due to this civil matter.

9.84 A further matter which has been raised is in relation to access rights which exist for the owners of 1, 2 and 3 Hayley Green Cottages across land at 4 Hayley Green Cottages. This right of access allows for passing and repassing along the path to the rear of the existing dwelling at 4 Hayley Green Cottages, as pedestrian access rights only. There are no vehicular rights of access across the land. This right of pedestrian access would remain. This is however a civil matter.

10. CONCLUSIONS

10.1 The Council is unable to demonstrate a 5 year supply of land for housing, meaning policies relevant to the supply of land for housing are 'out of date'. Therefore, the proposal should be considered in light of economic, social and environmental factors set out in the NPPF, and have regard to the presumption in favour of sustainable development as set out in Policy CP1 (and para. 14 of the NPPF).

10.2 The impacts of the proposed development can be summarised as follows:

- The design although not in keeping with the frontage properties is considered acceptable in this backland location as there is no consistent architectural approach in the area as highlighted in the Character Area Assessments SPD.
- The relationship with adjoining properties is acceptable with no adverse impact on the living conditions of neighbours or future occupiers.
- Trees on the site vary in quality but as they contribute to the character of the area will be protected by condition during construction. Landscaping will also be supplemented.
- Visibility splays, parking and turning are acceptable to the Highway Authority following receipt of revised plans.
- SPA mitigation has been secured by s106 agreement.
- The ecological report shows the site has low ecological value and therefore conditions are recommended in relation to biodiversity.
- The site is not isolated being located behind ribbon development served by buses and having access to local facilities.
- Whilst the development will have an urbanising impact on this countryside location the site is surrounded by gardens on 3 sides and its last lawful use is as open storage for touring caravans, its impact needs to be weighed against the benefits of the scheme.

10.3 The benefits of the scheme include the provision of 3 family houses which can be achieved in the next 5 years. It will facilitate growth, providing jobs during construction and future occupiers will spend a proportion of their income in the local economy.

10.4 On balance it is considered that the harm that arises from the proposal, as amended, does not significantly and demonstrably outweigh the benefits and as such the recommendation is for approval, subject to conditions. Contributions have already been secured for SPA mitigation.

11. RECOMMENDATION

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
Drg No 13/SP-HGC-03 received by LPA 01.08.2014
Drg No 13/SP-HGC-04 received by LPA 01.08.2014
Drg No 13/SP-HGC-05 received by LPA 01.08.2014
Drg No 13/SP-HGC-06 received by LPA 01.08.2014
Drg No 13/SP-HGC-07 received by LPA 01.08.2014
Drg No 13/SP-HGC-08 received by LPA 01.08.2014
Drg No 13/SP-HGC-09 received by LPA 01.08.2014
Drg No 13/SP-HGC-10 Rev B received by LPA 06.07.2015
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
3. No development shall take place until details 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 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]
4. The development hereby permitted shall not be begun until:
 - 1) a scheme depicting hard and soft landscaping and
 - 2) a three year post planting maintenance schemehave been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be implemented and complied with.

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 out 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 (Part 1) '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.

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

5. 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.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
6. The development shall not be begun 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]
7. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be at least 10%). The buildings 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 development shall take place until the vehicular access has been constructed in accordance with the approved drawings.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
9. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawings. The spaces shall not thereafter be used for any purpose other than parking and turning.
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]
10. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
11. No development 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

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 (e) above.

REASON: In the interests of amenity and road safety.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no additional windows, similar openings or enlargement thereof shall be constructed in the east or west elevation of the dwellings hereby permitted except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

13. The first floor en-suite windows of the dwellings shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) to a height of 1.7m from floor level. The windows shall at all times be fixed to a height of 1.7m from floor level.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

14. No development shall take place until details showing the slab level of the buildings in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved drawing.

REASON: In the interests of the character of the area.

[Relevant Plans and Policies: BFBLP EN20 and CSDPD CS7]

15. No development shall commence until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of the dwellings approved in this permission.

REASON: In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.

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

16. No demolition or construction work shall take place outside the hours of 08:00 hours and 18:00 hours Monday to Friday; 08:00 hours and 13:00 hours Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policies: BFBLP EN25]

17. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows, groups of mature shrubs and structural planting areas to be retained, in accordance with British Standard 5837 (2012) 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:

a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.

b) Positions and spreads of existing hedgerows and groups of mature shrubs.

- c) All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
- d) Proposed location/s of 2m high (minimum) protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- e) Illustration/s of the proposed protective barriers to be erected.
- f) Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
- g) Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
- h) All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
- i) Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.

The development shall be carried out in full accordance with the approved scheme.
 REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

18. The protective fencing and other protection measures specified by condition 17 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -
- a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
 - f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no external lighting shall be installed on the site or affixed to any buildings on the site.
REASON: In the interests of visual amenity.
[Relevant Policies: EN20 and EN25]
20. Prior to the commencement of development a scheme for the provision of biodiversity enhancements including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
21. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3]
22. No development shall take place until any trees to be felled have been surveyed for the presence of bats, and
(ii) the survey has been submitted to and approved by the Local Planning Authority, and
(iii) either the Local Planning Authority have agreed that no relocation of bats is necessary or the relocation of bats has been achieved in accordance with proposals previously submitted in writing to and approved by the Local Planning Authority.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: Core Strategy CS1]
23. No development shall take place until the visibility splays shown on the approved drawings have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
24. The dwellings shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the access road and the adjacent carriageway with Forest Road; and at the junction of the driveways and the shared access surface to the front of the dwellings. The dimensions shall be measured along the edge of the access road and the edge of the carriageway from their point of intersection; and the edge of the drive and back of the shared access surface. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
25. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The dwellings shall not be occupied until the approved scheme has been implemented. The facilities shall thereafter be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
26. 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]

27. The existing hedge located along the eastern boundary of the site with 1 Goose Corner shall be cut back to the boundary and retained as such thereafter to ensure that it does not overhang the access road serving the development and provides the necessary visibility for pedestrians and vehicles.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

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Unrestricted Report

ITEM NO: 7

Application No.
14/01201/FUL
Site Address:

Ward:
Crowthorne

Date Registered:
17 November 2014

Target Decision Date:
16 February 2015

Land West Of Old Wokingham Road Old Wokingham Road Wokingham Berkshire

Proposal:

Proposed erection of 116 dwellings with associated access, highways works, drainage works (SUDS), open space and landscaping, including provision of Suitable Alternative Natural Green Space (SANG). (Duplicate application submitted to neighbouring authority).

Applicant:

Bewley Homes PLC _ Wokingham United Charities

Agent:

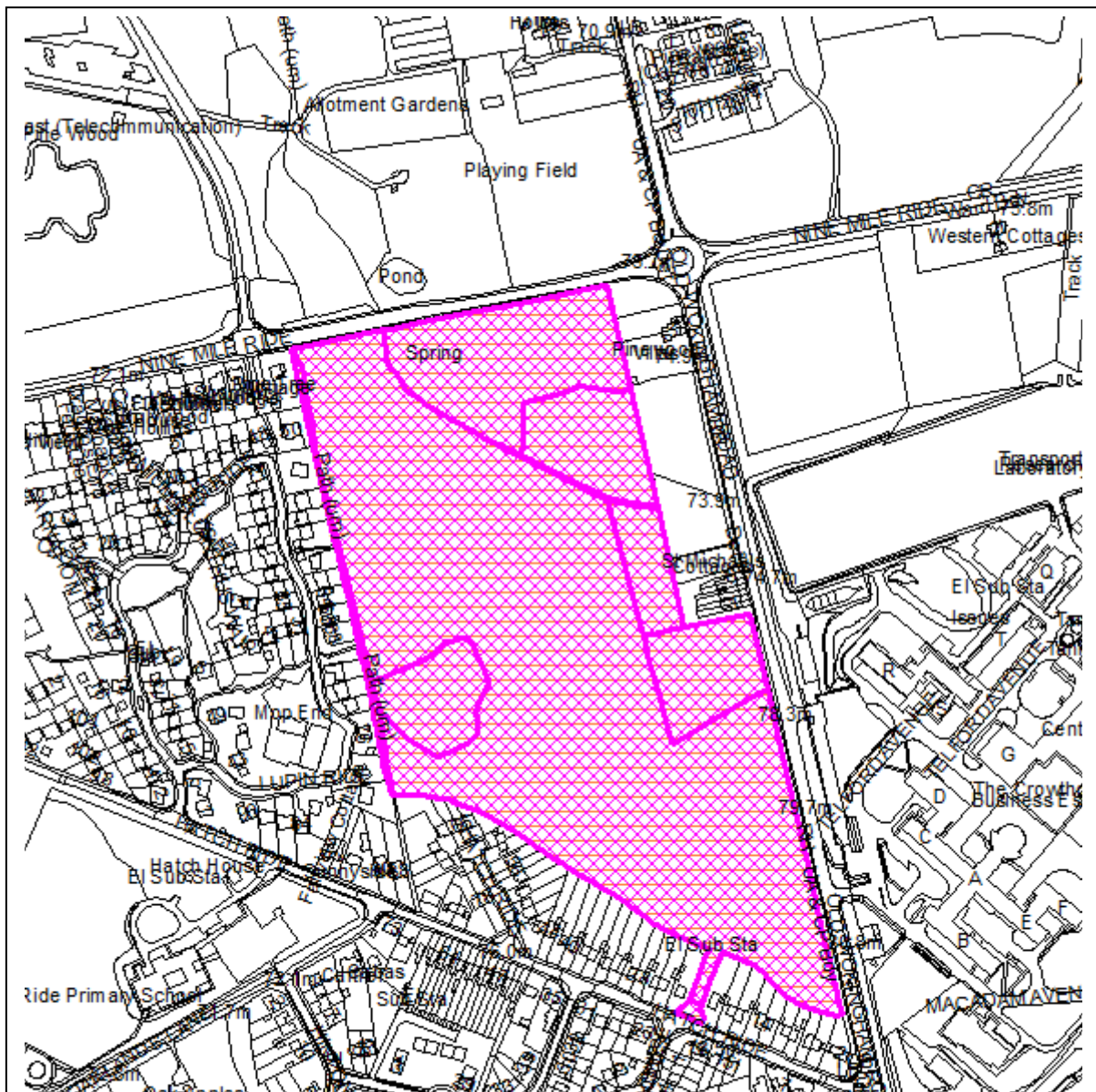
Mrs Gemma Care

Case Officer:

Trevor Yerworth, 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 site straddles the administrative boundary with Wokingham Borough Council (WBC). The vast majority of the site lies within WBC, including all the proposed buildings; however the Old Wokingham Road access and a narrow strip of land within the site, including a ditch adjacent to Old Wokingham Road is within Bracknell Forest.

1.2 A duplicate application has been submitted to WBC which is due to be considered at a meeting of its planning committee on 16th September 2015.

1.3 The proposal is for the erection of 116 dwellings with associated access, parking and landscaping, Suitable Alternative Natural Green Space (SANG) and ancillary features.

1.4 Although this site is allocated for housing in WBC's Development Plan, and therefore the principle of the development is considered acceptable, the proposed access onto Old Wokingham Road would undermine an important landscape buffer allowing views of the housing from Old Wokingham Road and would be harmful to the character and appearance of the area and in particular to the character of Old Wokingham Road.

1.5 Notwithstanding this it is necessary to consider whether there are any other material considerations that may outweigh this harm in order to make a balanced decision. As this is an allocated site within WBC and BFC did not raise any objection in principle to this allocation it is considered unreasonable to obstruct the delivery of this allocated site unless very significant harm would result. In view of this the possibility of finding a more suitable access to this site that would result in less harm has been carefully considered.

1.6 One alternative access point is the proposed emergency access/ cycleway onto Hatch Ride which would enable the landscape buffer to be retained intact. However the corridor through which the access road and footways would need to go passes in close proximity to existing dwellings. It is therefore considered that an access onto Hatch Ride while acceptable in highway terms, may not be regarded as ideal by local residents, neither will it resolve their concerns about this development.

1.7 On balance it is considered that the harm to the character of Old Wokingham Road is outweighed by other material considerations. This view is strengthened by the willingness of the applicant to make amendments to the scheme to reduce the harm identified. In conclusion therefore subject to the provision of mitigation measures set out in the suggested conditions and obligations below, approval is recommended.

RECOMMENDATION
Planning permission be granted subject to the completion of satisfactory Section 106 obligations and the conditions set out in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within BFC the northern part of the site lies within land outside a settlement, but the southern part including the proposed access road lies with the settlement boundary of Crowthorne.
Within 5km of Thames Basin Heath Special Protection Area

3.1 The site straddles the administrative boundary with Wokingham Borough Council (WBC). The vast majority of the site lies within WBC, including all the proposed buildings; however the Old Wokingham Road access and a narrow strip of land within the site approximately 2-3 wide, including a ditch adjacent to Old Wokingham Road, is within Bracknell Forest.

3.2 A duplicate application has been submitted to WBC which is due to be considered at a meeting of its planning committee on 16th September 2015.

3.3 This 10.5ha site lies within a rural location on the west side of Old Wokingham Road approximately 5km south west of Bracknell town centre and just over 1km north of Crowthorne village centre. The site consists mainly of plantation woodland with a small grassed paddock in the north east corner. The site generally slopes gently down from south east to north west towards a small stream that flows in a north westerly direction across the northern part of the site. The site contains no buildings or other development. A public footpath runs along the western boundary of the site linking Hatch Ride to Nine Mile Ride. The site is well screened on all sides by mature woodland preventing clear views across the site.

3.4 The only vehicular access to the site is via a field gate from Old Wokingham Road into the paddock. There is also informal pedestrian access via a public footpath from Hatch Ride, Lupin Ride and Nine Mile Ride.

3.5 Old Wokingham Road forms the eastern boundary to the site. On the opposite side of Old Wokingham Road is the former TRL site which is an allocated site in Bracknell Forest for a large mixed use development including up to 1000 dwellings, a neighbourhood centre and primary school. Outline planning permission for this was granted in January 2015 (13/00575/OUT) but the development has not yet commenced. Residential development on Hatch Ride and Lupin Ride lies to the south and west respectively. The northern boundary is formed by Nine Mile Ride.

3.6 The surrounding area to the north and east is generally open, gently undulating countryside comprising extensive areas of forest separating the settlement of Crowthorne from the larger towns of Bracknell and Wokingham to the north. Within this forested area are several large institutional uses including the former TRL site, Broadmoor Hospital, the Johnson & Johnson Pinewood campus and Pinewood Leisure Centre. Residential development forming the northern edge of Crowthorne adjoins the site to the south and west. This is mainly low density post-war two-storey detached and semi-detached houses on Hatch Ride and more recent two storey detached housing on Lupin Ride.

4. RELEVANT SITE HISTORY

4.1 The site has been identified by WBC as a reserve housing site since 2004. It was formally allocated in 2014 under Policy SAL01 of that Council's Managing Development Delivery Local Plan (MDD) for around 100 dwellings.

In January 2014 WBC determined an EIA screening request (WBC application SO/2014/0025) to the effect that the proposed development did not constitute EIA development.

There is no other relevant planning history on this site with either Council.

5. THE PROPOSAL

5.1 This application seeks permission for the erection of 116 dwellings with associated access, parking and landscaping, Suitable Alternative Natural Green Space (SANG) and ancillary features. The proposed dwellings (entirely within WBC) are of a traditional scale and design, comprising 1, 2, 3, and 4 bed houses constructed of brick and tile, incorporating integrated parking and landscaping. The dwellings are generally detached and semi-detached together with small terraces of generally no more than three dwellings. A 3 storey block of flats would front the main public open space in the centre of the site.

5.2 Generally, dwellings are two storey, with some plots incorporating an additional upper floor in the roof space to make 2.5 storeys. Three storey dwellings are less common throughout the development and are strategically placed in areas where they would not have a significant adverse impact upon character. This traditional scale has been adopted in order to fit with the surrounding forms of development in the area.

5.3 The design of the buildings has been broken down in visual terms by the use of gables, variations in building lines and a wide palette of materials. Other design features adding visual interest to the scheme include the curved nature of the main cul-de-sac road, the large open space in the centre of the site, adequate areas for landscaping at the front of the properties, gable designs with mixed brickwork and rendering styles, along with the use of traditional pitched roofs.

5.4 A 40 m landscape buffer is located between the proposed dwellings and Old Wokingham Road. In the centre of the site there is a large area of public open space incorporating an equipped children's' play area. This adjoins a 5 hectare SANG to the north.

5.5 The main vehicular access to the site will be from Old Wokingham Road although there will be several additional cycle and pedestrian access points, including a cycleway/ emergency access onto Hatch Ride.

5.6 The development has been through several changes to the design of its layout during the course of the application. The most significant amendments include a reduction in the number of dwellings from 123 to 116; the removal of a proposed cycleway along Old Wokingham Road north of Hatch Ride and the re-positioning of dwellings away from the southern boundary in order to provide separation from properties on Hatch Ride, a soft edge to the development, and an ecology corridor.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council:

6.1 Recommends refusal on the following grounds:

- Overdevelopment of the area
- This development is not sustainable without major financial contributions to Bracknell Forest from Wokingham Borough to cover and enhance public transport and highways
- All links are via Bracknell Forest roads
- Additional traffic on already overcrowded roads
- Already overcapacity at road junctions
- Additional threat to air quality
- Internally to the development the roads are narrow and winding, putting residents relying on utility and safety vehicles (ie fire/police/ambulance) at risk
- There is only one access/egress to the development, once again putting residents at risk
- Residents will have to travel outside the immediate area for employment
- On the TRL development, secondary school aged children are scheduled to go to Easthampstead Park. However, similar aged children, who will reside on this development which is in Wokingham Borough, will be allowed to go to Edgbarrow School in Bracknell Forest. CPC strongly objects that Crowthorne students will be disadvantaged by Wokingham students
- There is already a shortage of health care in Crowthorne, with no additional provision for a doctor's surgery

Wokingham Without Parish Council

6.2 Objects to the proposals on the following grounds:

- That the application has been through too many amendments and should be resubmitted. (Officer note: the amendments to the applications have been fairly minor and have seen the number of units reduced).
- The development is unnecessary, WBC has enough housing land supply (Officer note: The site is allocated for housing in WBC development plan and forms an important part of WBC's housing land supply)
- Insufficient existing infrastructure to cope with this development (Officer note: The development is CIL Liable and therefore will contribute to infrastructure (within WBC) in the same way as any other residential development, the development also secures the provision of a SANG)
- Development provides excessive strain on the essential greenspace between Bracknell, Crowthorne and Wokingham (Officer note – The SANG will partially provide this buffer. The site is allocated for housing in WBC development plan).
- Overdevelopment when considered with the cumulative impact of other developments, particularly in terms of infrastructure provision. (Officer note: The development is not dependent on the TRL. The suitability and deliverability of the site was considered as part of WBC's site allocation process)
- Risk to Local Landscape Character
- Loss of Visual Amenity/visual intrusion
- Biodiversity & Ecological Risk (Officer Note: Ecological risk and adequacy of the SANG has been considered by WBC Ecologist and Natural England and is considered acceptable)
- Surface Water Flooding Risk (Officer Note: Drainage solution is considered satisfactory by WBC drainage consultants and the EA)
- Concerns over transport
- No collaboration between WBC and BFC

Other representations:

6.3 12 letters of objection received. In addition 82 letters have been received by WBC. The planning issues raised are:

Principle of development & impact to character/locality:

Scheme considered overdevelopment of the site
 Too many units on the scheme compared to allocation of around 100
 Crowthorne has already had its fair share of development
 Crowthorne is already overdeveloped
 Cumulative impact of this development along with the TRL development, Broadmoor and others is unacceptable
 The initial allocation of this site does not accord with the duty to co-operate
 Enough development is planned for the area. This housing isn't required
 Crowthorne doesn't need flats
 This site acts a valued buffer to other development/settlements
 Will erode the village feel of Crowthorne
 Loss of visual amenity from Hatch Ride/Old Wokingham Road
 Housing on this site will affect the green character or character of adjacent housing/localities
 Character of development is unlikely to be satisfactory with regards some unit types and with the design of the affordable housing
 Density is too high
 Could set a precedent for out of settlement development of buildings with large plots
 Permission for an access should not be granted/access is not suitable
 Potential issues of highway safety for motorists, pedestrians and cyclists
 Already too much queuing and traffic pressure on Old Wokingham Road/Nine Mile Ride/Wider network and associated junctions
 There have been a number of accidents in the area already
 Vehicles regularly speed on Old Wokingham Road
 Insufficient public transport around the site
 Development will cause cumulative traffic problems
 Site is not in a sustainable location
 Poor public transport in the area
 Unacceptable traffic capacity risk based on unsound assumptions
 Insufficient parking
 Could lead to loss of privacy and overlooking
 Could lead to loss of light
 Risk of overbearing
 Could lead to additional noise and pollution/air quality issues
 Development should be better screened from other houses
 Revisions to the plan are to the detriment of Hatch Ride residents as the buffer is reduced. Buffer is still not sufficient
 Existing charities land provides leisure/walking opportunities
 Original southern buffer with rear gardens was better
 Proposals could lead to a negative impact upon ecology, particularly great crested newts, reptiles, owls and nearby SPAs and SSSIs
 Potentially Japanese knotweed in the area
 Too much loss of vegetation/mature woodland. More vegetation should be retained
 Potential impact upon trees and other vegetation
 Lack of School spaces, Doctors' capacity etc.
 Shops and garages may not have capacity
 Potential problems with water infrastructure
 Development can't piggyback on the back of the TRL development
 Should be more joined up thinking between Wokingham and Bracknell Council
 Some of the works are on Bracknell Forest Land and approval of works may not be with in WBCs gift
 Residents of Hatch Ride used to have direct access on to green space
 Infrastructure money may be spent away from Crowthorne
 40% affordable housing is out of line with surrounding area
 Affordable housing should not be provided here

On site drainage is poor/risk of flooding. Loss of trees which help with drainage is not desirable

May impact on ground water

Limited employment opportunities within Crowthorne, this has sustainability implications

Lack of waste/sewerage capacity in the area

Drainage solutions not acceptable. May increase risk to surrounding properties including those in Hatch Ride

PD rights should be removed

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

7.1 No objection subject to conditions including a Grampian-style condition restricting the occupation of the development until certain highway works have been completed and a financial contribution towards the future provision of a Toucan crossing on Old Wokingham Road.

Lead Local Flood Authority

7.2 No objection (to amended plans the removal of the proposed cycleway). Any surface water from the new access and link road would drain to the existing watercourse, as does the existing land.

Landscape Officer

7.3 The main concern with this application is the impact on the existing character of Old Wokingham Road. Old Wokingham Road is a tree lined road with mature oaks overhanging the carriage way in some locations. This wooded character is important to the local landscape character. The proposed site access and the widening of the footway to provide cycle ways is likely to have an adverse impact on a ditch between Old Wokingham Road and the trees that are located in close proximity to the ditch on the western bank. The wooded character of Old Wokingham Road must be retained and therefore the proposals should be revised to minimise the impact on the existing trees and the landscape character.

Tree Officer

7.4 The plans indicate the access road servicing the development, to exit onto Old Wokingham Road at the point where the tree cover appears to be the densest. Notwithstanding the accuracy of the tree cover depicted on the plans, this appears to require the removal of a considerable number of trees; and may yet not take into account the requirement for underground services or the construction pressure on the remaining retained trees closest to the access road which may well lead to the demise of yet more trees due to indirect construction pressure.

7.5 In addition, the plans also indicate a network of paths throughout the length of the woodland amenity area, which suggest that (again notwithstanding the accuracy of the tree cover depicted on the plans) yet more trees are to be removed as part of the scheme.

7.6 If accurately depicted, the proposal would open up the development to overt public view from Old Wokingham Road instead of using the woodland to mask or hide the scheme and will radically change the landscape in that area.

Environment Agency

7.7 Applicant has met the requirements of the NPPF. The EA recommends drainage based on Sustainable Urban Drainage Principles.

Thames Water

7.8 No objection

Berkshire Archaeology

7.9 No objection subject to condition

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Environment	CS1 & CS7 of CSDPD; Saved policies EN1, EN3 & EN20 of BFBLP	consistent
Transport	CS23 of CSDPD; Saved policies M4 and M6 of BFBLP	Consistent
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of Development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport issues
- v Flood risk and drainage
- vi Biodiversity, including SPA mitigation
- vii Infrastructure mitigation

i. Principle of Development

9.2 That part of the site where built development (including the access) is proposed is located within a defined settlement in both BFC's and WBC's adopted Policies Maps, and as such is an area where new residential development is acceptable in principle. The site was allocated in the Wokingham District Local Plan (2004) as a Reserve Housing Site. It was subsequently formally allocated in that Council's Managing Development Delivery Development Local Plan (MDD) adopted in February 2014 for 'around 100' dwellings (policy SAL01). BFC did not raise an objection to the principle of this allocation. The proposed development is therefore considered to be acceptable in principle.

ii. Impact on Character and Appearance of Area

9.2 As the only part of the site within BFC is a narrow strip of land between 2-3m in width bordering Old Wokingham Road, the main issue for this Council to consider is whether the proposed development will cause significant harm to the character of Old Wokingham Road. The question of how the site was to be accessed was not addressed when this site was allocated by WBC. Instead the guidance to Policy SAL01 in that Council's adopted MDD (appendix 12) requires "a Transport Assessment (TA) which details how access to the site has been determined". The application TA takes the access onto Old Wokingham Road as a given with no consideration of any alternatives.

9.3 Appendix 12 of the MDD also sets out the design principle of providing a landscape buffer of at least 40m between any residential development on this site and Old Wokingham Road and requires that information is supplied with the application demonstrating how it addresses any impacts on the environment and landscape of the area. Although a Landscape Design Statement has been submitted with the application this does not address the landscape impacts on Old Wokingham Road arising from the proposed access.

9.4 The Sustainability Appraisal (including Strategic Environmental Assessment) supporting the MDD states in respect of this site "Development within suggested Special Landscape Area due to the high quality of the landscape identified within the Landscape Character Assessment... Development could be harmful to the high quality landscape of this part of the borough." It is acknowledged that the site is not a designated Special Landscape Area and that notwithstanding the assessment that the landscape was of a high quality WBC allocated this site for housing. However it sought to mitigate this identified harm through a requirement to provide a 40m landscape buffer to Old Wokingham Road to help reduce the visual impact of development of this site.

9.5 The loss of a significant part of this 40m landscape buffer in order to create the proposed access road is considered to conflict with this objective by opening up views of the development from Old Wokingham Road thereby seriously undermining the ability of this buffer to provide the required mitigation and calling into question the effectiveness of the buffer. It is considered that having the access from Old Wokingham Road would increase rather than reduce the visual impact of the site, contrary to the guidance set out in Appendix 12 of the MDD.

9.6 It is acknowledged that this site lies within the defined settlement boundary and is not therefore "countryside" in planning policy terms (despite this being its current function). If the existing tree belt along Old Wokingham Road was to remain untouched it is likely that the proposed dwellings would go largely unnoticed from this road. However the proposed access would introduce a suburban form onto Old Wokingham Road which at this point has a rural character, and would also provide views through to the rest of the development. The impact on Old Wokingham Road would be exacerbated by the removal of undergrowth and trees necessary to facilitate the proposed visibility splays and cycle ways that were originally proposed. Although the proposed development lies within settlement limits, harm would be caused to the integrity of the 40m landscape buffer recognised in policy guidance as forming an important feature shaping the design of this development.

9.7. Paragraph 5.2 of the Landscape Design Statement submitted with the application acknowledges the importance of this landscape buffer: "A significant landscape buffer along the eastern boundary allows for the retention of the existing trees which will maintain the character and appearance of the landscape along Old Wokingham Road".

However it has not addressed the harm to the character and appearance of the landscape along Old Wokingham Road as a result of the loss of trees and vegetation resulting from the proposed access, visibility splays and cycle ways together with the significant breach in the 40m landscape buffer from the access road itself.

9.8 As such it is considered that the proposal is contrary to the guidance set out in the adopted MDD. However following further discussion with the applicant some amendments have been made to the development in an attempt to reduce this harm to the character and appearance of Old Wokingham Road. This includes the removal (with the agreement of both Highway Authorities) of the proposed cycleway alongside old Wokingham Road north of Hatch Ride which was considered to significantly exacerbate this harm.

9.9 In addition the applicant has tried to address some of the comments of the Tree Officer by providing more detail in respect of the number of trees that would actually be affected by the access. In order to fully assess this impact more detailed plans have been provided showing visibility splays with individual trees to be removed identified. An amended arboricultural report has been submitted that concludes that the visibility splays can be accommodated within the existing verge avoiding the removal of any additional trees and the proposed cycleway would only require the removal of a small number of trees growing between the ditch and the existing footway, together with some minor pruning works of some lower branches. However this Council's drainage and highway engineers were concerned that the proposed cycle way would reduce the drainage capacity of the ditch and expressed concerns over the design of the proposed retaining structure adjacent to the ditch which was considered likely to require substantial redesign resulting in additional adverse impacts on the capacity of the ditch and on trees close to the western bank.

9.10 The applicant has also sought to reduce the impact on the landscape buffer by replacing the proposed 3m cycle paths with 1.2m hoggin footpaths which would reduce their visual impact, especially in respect of the need for lighting and tarmac surfaces required for a formal cycleway.

9.11 The above amendments are welcomed as they are considered to reduce the impact of the proposed development on the character and appearance of the area. However the proposal to take the access to the development from Old Wokingham Road and construct the main access road through the landscape buffer remain and it is therefore considered that the development would result in a significant adverse impact on the character and appearance of the area. This is in conflict with CSDPD Policy CS7, BFBLP 'Saved' Policies EN1 and EN20, and the NPPF as well as guidance contained within WBC's adopted Development Plan.

9.12 WBC regrets the loss of vegetation on this site but considers that it is "fairly inevitable that there will be a relatively significant change in the appearance of the area as it has been identified for housing. It considers that the applicant has recognised this verdant existing character of the site and as a result has maintained a significant 40m vegetative buffer between the proposed housing and Old Wokingham Road to help retain some of this green character. WBC consider the 40m buffer to be a significant benefit to the site providing significantly greater landscaping than that on comparable sites and which helps to partially mitigate the loss of vegetation.

9.13 Following concerns raised by your Officers that the access through the buffer could impact upon the character of the area WBC has responded that the access takes up a very small proportion of the overall frontage, is an entirely ordinary feature within settlement limits, and that the substantial 40m deep buffer helps to provide far superior

screening to the development than on most other sites in either Borough and as such a reason for refusal could not be substantiated on this point.

9.14 While your Officer's agree that it is unusual to have a 40m landscape buffer within settlement limits, this is a requirement set out in Wokingham's Development Plan rather than something the applicant has offered voluntarily. The provision of this landscape buffer is welcomed, and certainly reduces the visual impact of the development from Old Wokingham Road compared to the impact if there was no or a narrower buffer. However your officers' concerns are that this beneficial feature is undermined by constructing the access road through the buffer and having a major engineered junction with footpaths (and originally cycle ways) impacting on the street scene of Old Wokingham Road. For these reasons your Officers' remain of the view that the proposed development would be harmful to the character and appearance of the area and in particular to the character of Old Wokingham Road. However, as discussed later in this report there are other factors to consider and balance against this harm, leading your Officers' to conclude that on this occasion these other factors outweigh this harm. It is not therefore recommended that the application be refused for this reason.

9.15 WBC has assessed the housing layout and design. It has concluded that the density, housing mix, design, layout and landscaping of the proposed development are acceptable and your Officers have no reason to disagree with this assessment.

iii. Impact on Residential Amenity

9.16 There are no existing residential properties adjacent to the site within Bracknell Forest. Although planning permission has been granted for up to 1000 dwellings on the former TRL site opposite, the proposed 40m landscape buffer would prevent any direct impact on the residential amenities of the future residents of that development.

9.17 WBC has assessed the impact of the proposed development on residents living within Wokingham Borough. With the exception of the flats all properties in close proximity to the boundary are two storey. All the two storey dwellings proposed that have rear to rear, or rear to front relationships would be more than 22m from any residential dwellings adjacent to the site. It is considered that this distance is adequate to avoid any significant loss of light, overbearing or overlooking. Any dwellings within 22m of existing properties have side to side relationships or side to rear relationships that exceed the respective minimum separation distances. The site proposes some elements of three storey flatted development in close proximity to the boundary with Hatch Ride. The rear elevation of the flatted block faces on to the diagonal flank elevation of 64 Hatch Ride with a separation distance of 28m. This is considered to be a satisfactory relationship with that property. Internally within the proposed development there are no areas of concern with regards to amenity and separation distances between individual plots given the orientation of the buildings and distances from elevations with windows in them. It is therefore considered that no unacceptable loss of light, overbearing or overlooking would result from this proposal.

9.18 The proposals are unlikely to have any significant impact on existing residential properties with regards to noise and disturbance. The proposed residential properties are not considered to cause any more significant impact than any other residential scheme and as such would be acceptable. Impacts during construction can be controlled through an hours of construction condition.

9.19 The occupiers of some of the dwellings on Hatch Ride have expressed concerns over the proximity of the southern access road to their dwellings. Similar issues have

been highlighted for the access paths near St. Michaels Cottages. Whilst Officers have sympathy with the occupiers that their property will no longer back on to vegetated green space, this cannot be apportioned any significant weight. Loss of a view is not a planning issue, and whilst some occupiers have suggested there may be unacceptable noise and air quality issues as a result, this claim cannot be substantiated.

9.20 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

iv Transport Issues

Access

9.21 The site is located between Old Wokingham Road and Hatch Ride with vehicular access proposed via a new junction onto Old Wokingham Road. Old Wokingham Road is a well-used important local distributor road which is located within the administrative area of Bracknell Forest Council and is subject to a 40mph speed limit. Due to the alignment and width of the road, speeds are expected to be at or around the limit. It is noted that the site currently has the ability to link onto Hatch Ride with the land outlined in the application.

9.22 The proposed access arrangements show a 5.5m wide access road with a 3m footway/cycleway on its southern side (subsequently reduced to a 2m footway) and a 2m footway on the north side. The applicant proposes to make alterations to the existing right turn lane into the northern access of the former TRL site to form a right turn lane creating a safe access into this site. The northern access for the TRL site is to be removed when that site is developed and thus the current proposal for two shorter right turn lanes serving each site respectively is only likely to be an interim measure until the northern TRL access is closed at which point the right turn lane into TRL will be redundant. As the current TRL access may be used for construction purposes the interim proposal retaining both right turn lanes is essential. The design of the right turn lanes that would be created broadly comply with current guidance and are acceptable for expected road speeds of around 38mph. Once the northern access to the TRL site is removed the right turn lane can be extended to comply with the speed limit of the road. The Highway Authority considers that the concept of this access proposal is acceptable in principle.

9.23 A 3.7m wide emergency access and cycleway is also proposed from Hatch Ride (entirely within WBC) and the applicant has indicated that this route would be adopted. The visibility from the main access junction is good in both directions complying with the splays already accepted as part of the TRL planning application. The detail of the emergency access with its junction with Hatch Ride is for the consideration of WBC as it falls within its administrative area.

9.24 The applicant originally proposed a pedestrian refuge to the north of the site access connecting the originally proposed cycle route along Old Wokingham Road to the proposed north-south cycleway that will be constructed as part of the TRL development. However this was considered unsuitable for inclusion as part of the current proposal as it did not link to any existing pedestrian or cycleway on the eastern side of Old Wokingham Road and would therefore have encouraged unsafe crossing movements. Furthermore the link to the proposed TRL cycleway would have been on the TRL site and thus not under the control of either the applicant or the Highway Authority. It is therefore considered that a stand alone facility within Wokingham

Borough that does not rely on the TRL route should be provided so that cyclists can safely head northwards to Nine Mile Ride.

9.25 The applicant has also proposed new cycle facilities south from the site towards Crowthorne village centre. This includes a cycleway from the site directly onto Hatch Ride and the upgrading of the footway from Hatch Ride to Rowan Drive to provide cyclists safe access to quieter residential roads leading to Crowthorne. In the longer term cyclists from this site would also be able to take advantage of the proposed north-south cycleway on the east side of Old Wokingham Road to be constructed as part of the TRL development. In order to provide a safe crossing point for pedestrians and cyclists to this cycleway as well as providing access to the future neighbourhood centre, bus stops and other amenities to be provided as part of the TRL development the Highway Authority has requested a financial contribution from this development towards the construction of a Toucan crossing of Old Wokingham Road in the vicinity of the Hatch Ride junction to be provided when the TRL development has reached an appropriate stage. This can be secured through a s106 obligation.

9.26 In order to provide a safe route for cyclists, alterations will also be required to the Hatch Ride/ Old Wokingham Road junction to provide a safe link from the new cycleway on the west side of Old Wokingham Road into Hatch Ride.

Parking Requirements

9.27 Parking within the site has been assessed by WBC which has concluded that adequate parking will be provided.

Impact on the local highway network

9.28 The proposal is likely to generate in the region of 65 two way trips in either peak period with a large percentage of the trips heading northwards towards the Old Wokingham Road/Nine Mile Ride junction. This junction suffers from congestion at peak periods and additional traffic could have a detrimental impact on this junction.

9.29 The applicant has undertaken an impact assessment (within the TA) on the local road network but has relied upon the work carried out for the redevelopment of the TRL site. Whilst such an approach would need to be considered, it should be noted that the TRL assessment considered certain committed developments, including the redevelopment of Bracknell Town centre as well as certain alterations to the road network around Bracknell which would have a bearing on traffic flows. In that regard the traffic flows of the Old Wokingham Road/Nine Mile Ride junction will change once future development has occurred.

9.30 However the applicant for the TRL proposals recognised that in the short term the operation of this junction was likely to remain stretched and thus a scheme to help alleviate pressure on the junction was prepared and subsequently agreed with BFC Highway Authority.

9.31 The applicant has, within the addendum TA, undertaken a further set of assessments of the existing junction with and without the TRL and the proposed development. A similar exercise has been undertaken for the mitigation scheme at the junction to establish what impact the improvements have. The work indicates that the improvements help mitigate the impact from both developments so that road conditions with the additional traffic are not severe with the junction generally operating better.

9.32 It is therefore considered reasonable to seek mitigation towards improvements to the Old Wokingham Road/Nine Mile Ride junction. As part of the proposal for the TRL development this junction improvement is required prior to the construction of any

dwelling to help cater for construction traffic and to ensure improvements are in place prior to any occupation. In that regard the provision of the junction improvement will be via a S278 agreement and is secured by condition. With this in mind the Highway Authority consider that it would be reasonable to deliver part of the proposed TRL improvement scheme, namely the improvements to the Old Wokingham Road southern arm as part of the present development. Such an improvement would cater for the additional traffic generated by this proposal but would not prejudice the remainder of the scheme once the former TRL site is developed.

9.33 Members are advised that this view is not currently shared by Officers at WBC. The proposed works to this junction have been reviewed by WBC Highway Authority which considers that whilst they would improve the situation ahead of the arrival of the TRL development, they are not considered necessary for this development to be approved and as such WBC Officers have not recommended a condition requiring this work to be undertaken. WBC Officers are of the opinion that “if BFC consider that there is a need, and can justify a planning condition, this can be secured through the application currently under consideration by Bracknell Forest”.

Bus Services

9.34 In the longer term the TRL development will contribute to support bus services within the area. However in the shorter term BFC Highway Authority expect this development to support the provision of any service enhancements or new services to help enhance the sustainability of the site. Bus services are now covered by CIL. WBC will be collecting CIL payments from this development and discussions will be held with WBC Highway Authority to ensure the delivery of appropriate bus services for the area in both the short and long term. This may include focussing funding on services that could serve both developments.

v Flood Risk and Drainage

9.35 The NPPF advocates a sequential approach to flood risk, establishing that development should be directed away from areas at highest risk and, where development is necessary in areas at risk of flooding, it should be made safe without increasing flood risk elsewhere. The site is located in Flood Zone 1 where the risk of flooding is low and as such all forms of development - including ‘more vulnerable’ uses - are acceptable. Therefore, the proposal complies with the sequential test with regards flooding.

9.36. The Environment Agency has been consulted on the proposals and has raised “no objection” to the proposals subject to conditions. WBC Drainage Consultants have reviewed the drainage proposals for the site. The site drainage solution incorporates a series of drainage measures to help deal with surface water on the site. These include attenuation basins and a French drain surrounding the development and feeding into the basins. WBC Drainage has reviewed the proposals and considers that they are acceptable subject to conditions.

9.37 BFC Lead Local Flood Authority has also been consulted and originally raised concerns about the partial culverting of the ditch alongside Old Wokingham Road to accommodate the proposed cycleway and the lack of information in the drainage strategy about highway drainage. The removal of the cycleway has addressed the former concern and the LLFA is satisfied that the drainage issue can be adequately dealt with as part of the s278 highway works.

vi Biodiversity and SPA mitigation

9.38 WBC has assessed the impact of the proposed development on biodiversity and the SPA. The WBC Ecologist considered the implications of this application against EC Habitats Directive 1992 and the Conservation of Habitats and Species Regulations 2010 and has advised that, subject to conditions, this development is unlikely to adversely affect the local reptile population, bats or other species or to otherwise be detrimental to the ecological value of the site.

9.39 The northern half of the application site lies within an area allocated in the MDD as Suitable Alternative Natural Greenspace (SANG). The SANG proposal designs are informed by Natural England's Design Guidance and will retain the woodland character as far as reasonably practical. There is to be a circular walking route created through the woodland to promote access to the SANG. The walking route will provide connectivity to the residential development, the Public Right of Way along the western boundary as well as to Old Wokingham Road and Nine Mile Ride. It will utilise existing tracks within the woodland to minimise the impact on the existing trees. A bridge is incorporated within the SANG to help promote access and this is considered acceptable.

9.40 The developer has proposed to provide the SANG on this site as a private SANG. Whilst this is not the traditional approach to SANG provision, Natural England has reviewed the SANG and considers that it has the potential to meet the requirements for a SANG subject to review of the funding and maintenance mechanisms in the S106. Maintenance of the SANG will be funded through the use of an annual service charge. The developer will be required to provide a contingency sum of circa £497,223 (the equivalent of 10 years maintenance costs), agree to step in rights for WBC should the SANG not be suitably maintained and to maintain the SANG to an acceptable standard.

9.41 In addition to the provision of an on-site SANG the applicant will also pay a SPA Access Management Contribution (SAMM) contribution towards the management and monitoring of strategic access to the Thames Basin Heaths Special Protection Area. This will be collected by WBC.

vii Infrastructure and Services

9.42 As no dwellings would be sited within Bracknell Forest the only issues relating to infrastructure provision to meet the needs of this development that affect BFC are in respect to education and highways. Highway issues have been dealt with above and include s278 works to improve the Old Wokingham Road/ Nine Mile Ride junction; the provision of a cycleway on the west side of Old Wokingham Road and a financial contribution towards the future provision of a Toucan crossing on Old Wokingham Road.

Education

9.43 WBC has advised that the educational provisions required for this scheme will be made within Wokingham Borough, and WBC will collect a CIL payment towards this. This site is however complicated by the fact that it lies within the Designated Area (DA) of Edgbarrow School within Bracknell Forest. The expansion of Edgbarrow appears on the Council's CIL Regulation 123 list and therefore BFC is no longer able to collect s106 contributions towards this. Furthermore BFC cannot collect any CIL payments for this development as there is no floorspace within this Borough. BFC's LEA is seeking a financial contribution from WBC's LEA towards the provision of additional capacity at Edgbarrow School. This is a matter for the two LEAs to reach agreement on, but until the additional capacity at Edgbarrow School has been provided WBC will have to fund

and provide alternative arrangements for the provision of secondary education to accommodate the additional pupils generated by the proposed development.

9.44 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL applies to any new build and is applied as a charge on each square metre of new development. In this case there is no floorspace proposed within BFC and so far as BFC is concerned therefore the development is not CIL liable.

9.45 However WBC also introduced charging for its CIL on 6th April 2015. This application is CIL Liable within WBC. CIL will provide infrastructure including highway improvements and education improvements in accordance with WBC's Regulation 123 list.

9.46 In addition to its CIL Liability, WBC is seeking commuted sums for the ongoing maintenance of the public spaces on the development. This together with the provision of an appropriate element of affordable housing will be secured by a s106 agreement. WBC has agreed that a maintenance contribution is not required for the SANG as this is to be provided privately. As noted above BFC is also seeking a s106 obligation in respect of a financial contribution towards a Toucan crossing on Old Wokingham Road.

viii Other issues

Archaeology

9.47 Berkshire Archaeology are satisfied with the initial archaeological information provided and have recommended that a post-determination field evaluation be undertaken. An acceptable Written Scheme of Investigation (WSI) for a field evaluation has been prepared by the applicant's archaeological consultant. This approach is considered appropriate to mitigate the impacts of the development proposal on the buried archaeological heritage in accordance with local and national planning policy subject to an appropriate condition being imposed.

Land Affected by Contamination

9.48 The proposed end use is sensitive in nature being residential with private gardens. There is no record of any known pollution or contamination on this site. In accordance with the NPPF, the possibility of contamination should be considered on a precautionary basis when considering sensitive proposals such as residential in accordance with the NPPF and the precautionary principle. A Ground Appraisal Report has been submitted with the application. This provides an assessment of potential contamination at the subject site which includes a Phase 1 Desk Study with Conceptual Site Model and site walkover survey as well as a preliminary intrusive investigation comprising soil sampling and chemical testing. This meets the minimum requirements of the NPPF with respect to the assessment of land affected by contamination.

9.49. The Phase 1 Desk Study did not identify any sources of potential contamination on or in the immediate vicinity of the site which could give rise to contamination. However, a small number of exploratory holes were undertaken on site and soil samples submitted for chemical analysis as a precaution. No concentrations of contaminants were recorded above their guideline values for a residential end use and the report concluded that no further works are required.

9.50. WBC consider that an insufficient number of exploratory locations and samples were undertaken across the site for even a preliminary investigation to inform a suitable

and reliable human health risk assessment. However, as no potential sources of contamination were identified on or in the vicinity of the site, and no Made Ground was recorded WBC consider that it is unlikely that significant contamination is present at the site which would present an unacceptable risk to end users.

10. CONCLUSIONS

10.1 The proposal is for the erection of 116 dwellings with associated access, parking and landscaping, SANG and ancillary features. The site is allocated by WBC in its Development Plan for housing. The application has been subject to various revisions. The amendments to the scheme saw the removal of seven proposed dwellings from the site, the removal of a cycleway along Old Wokingham Road and the re-orientation of a number of the units to better address the streets and open spaces as well as the formation of a vegetative buffer to the south of the site.

10.2 Although this site is allocated for housing in WBC's Development Plan, and therefore the principle of the development is considered acceptable, the MDD did not consider how the site would be accessed. The proposed access onto Old Wokingham Road is considered by your Officers to undermine an important landscape buffer allowing views of the housing from Old Wokingham Road. As such the proposed development is considered to result in harm to the character and appearance of the area and in particular to the character of Old Wokingham Road.

10.3 Notwithstanding the above it is necessary to consider whether there are any other material considerations that may outweigh this harm in order to make a balanced decision. As this is an allocated site within WBC and BFC did not raise any objection in principle to this allocation it is considered unreasonable to obstruct the delivery of this allocated site unless very significant harm would result. In view of this your Officers have carefully considered whether there are any more suitable access points to this site that would result in less harm.

10.4 One alternative access point is the proposed emergency access/ cycleway onto Hatch Ride which would enable the landscape buffer to be retained intact, resulting in significantly less harm to the character and appearance of Old Wokingham Road. Having considered the views of the applicant about this alternative access to Hatch Ride and visited this on site it is acknowledged that the corridor through which the access road and footways would need to go passes in close proximity to existing dwellings. The applicant has also stated that as part of the pre-application community consultation undertaken by the applicant, the view of local residents was that (while clearly strongly objecting in principle to the development) they were likely to find an access onto Old Wokingham Road preferable to one onto Hatch Ride. It is therefore considered that an access onto Hatch Ride, while acceptable in highway terms, may not be regarded as ideal by local residents, neither will it resolve their concerns about this development.

10.5 Your Officers therefore find themselves in the somewhat difficult position of having to balance the harm to the character of Old Wokingham Road and the undermining of the landscape buffer required by the MDD against the need for cooperation with a neighbouring Council to deliver its housing land supply, the need to avoid jeopardising the delivery of an allocated housing site, the need to make provision for the general need for housing in the area and the need to take account of the perceived negative impact on local residents from an access onto Hatch Ride. On balance it is considered that the harm identified is outweighed by these other material considerations. This view is strengthened by the willingness of the applicant to make amendments to the scheme to reduce the harm identified. In conclusion therefore subject to the provision of

mitigation measures set out in the suggested conditions and obligations below, approval is recommended.

11. RECOMMENDATION

That the application be **APPROVED** subject to the completion of a satisfactory S106 Obligation to secure a financial contribution towards a Toucan crossing on Old Wokingham Road and 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 XXX received by the Local Planning Authority on
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. Prior to the commencement of the development (including tree felling), full details of the location and specification of any footpaths, bridges, tree protection measures, management responsibilities (including timescales and maintenance schedules) and details of new planting within that part of the landscape buffer adjacent to Old Wokingham Road that falls within the Borough of Bracknell Forest shall be submitted to and approved in writing by the local planning authority. Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, ground levels adjacent to trees and an implementation timetable. All landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.
REASON: - In the interests of the visual amenity of the area and to allow satisfactory maintenance of the landscaping hereby approved.
[Relevant Policies: BFBLP EN1, EN2 and EN20, CSDPD CS7]
04. No trees, shrubs or hedges shown as being retained on the details approved under condition 03 shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the Local Planning Authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1, EN2 and EN20, CSDPD CS7]
05. No development shall take place, including any works of site clearance, until a

Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors,
- ii) loading and unloading of plant and materials,
- iii) storage of plant and materials used in constructing the development,
- iv) The phasing of construction
- v) Lorry routing
- vi) types of piling rig and earth moving machinery to be utilised and measures proposed to mitigate the impact of construction operations
- vii) measures to control the emission of dust and dirt during construction,
- viii) measures to prevent the deposit of materials on the highway and details of wheel washing facilities

REASON: To safeguard amenity of neighbouring properties

06. No work relating to the development hereby approved, including works of demolition or preparation prior to building operations, shall take place other than between the hours of 8.00 am and 6.00pm Monday to Friday and 8.00 am to 13.00pm Saturdays and at no time on Sundays or Bank or National Holidays unless otherwise agreed in writing with the Local Planning Authority.
REASON: To safeguard amenity of neighbouring properties.
07. Prior to the occupation of any dwelling on the site, an area of Suitable Alternative Natural Greenspace (SANG) shall be laid out in accordance with the approved SANG Management Plan and made available for use by the public.
REASON: To mitigate for potential harm caused to the Thames Basin Heath SPA.
Relevant Policy: South East Plan NRM6.
08. No development (other than tree felling) shall commence until a programme of archaeological evaluation in accordance with the written scheme of investigation prepared by West Sussex Archaeology and dated June 2014 (or an equivalent scheme) which has been submitted by the applicant and approved by the planning authority. The archaeological evaluation results shall inform archaeological mitigation measures that may subsequently be required, which will be submitted to the Planning Authority for agreement in writing.
REASON: The site lies in an area of archaeological potential.
[Relevant Policies: BFBLP EN6, EN7]
09. No development (other than the construction of the access) shall take place until the access onto Old Wokingham Road has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
10. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) compiled by Odyssey Markides LLP, and the mitigation measures detailed within the FRA. The mitigation measures shall be fully implemented prior to occupation and in accordance with the approved timing / phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with paragraph 103 of the NPPF.

11. No dwelling shall be constructed to practical completion on the site until the following highway works have been completed:
 - a. improvements to the Nine Mile Ride/ Old Wokingham Road junction in general accordance with the works shown on drawings (Plan No's to follow);
 - b. construction of a cycle way on the west side of Old Wokingham Road between Rowan Drive and Hatch Ride in general accordance with the works shown on drawing (Plan No's to follow);
 - c. improvements to the Old Wokingham Road/ Hatch Ride junction, incorporating safe provision for cyclists between the conclusion of the cycle way required under point b. and Hatch Ride in general accordance with the works shown on drawings (Plan No's to follow);
 - d. the clearing and reinstating as required of the existing footway on the west side of Old Wokingham Road to its original width where it is encroached by vegetation, and the clearing of vegetation from the ditch.
- REASON: In the interests of road safety and the amenities of the locality.
[Relevant Policy: CS CS23; BFBLP M4]

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Agenda Item 8

ITEM NO: 8

Application No.
15/00366/FUL

Ward:
Little Sandhurst And
Wellington

Date Registered:
23 April 2015

Target Decision Date:
23 July 2015

Site Address:

**Land At Bowman Court Dukes Ride Crowthorne
Berkshire**

Proposal:

Erection of 36 dwellings (9no open market houses and 27no dwellings to be retained by Wellington College to accommodate teachers) with associated vehicle access (including formation of a new access onto Dukes Ride), parking, landscaping and open space.

Applicant:

Mr Malcolm Callender

Agent:

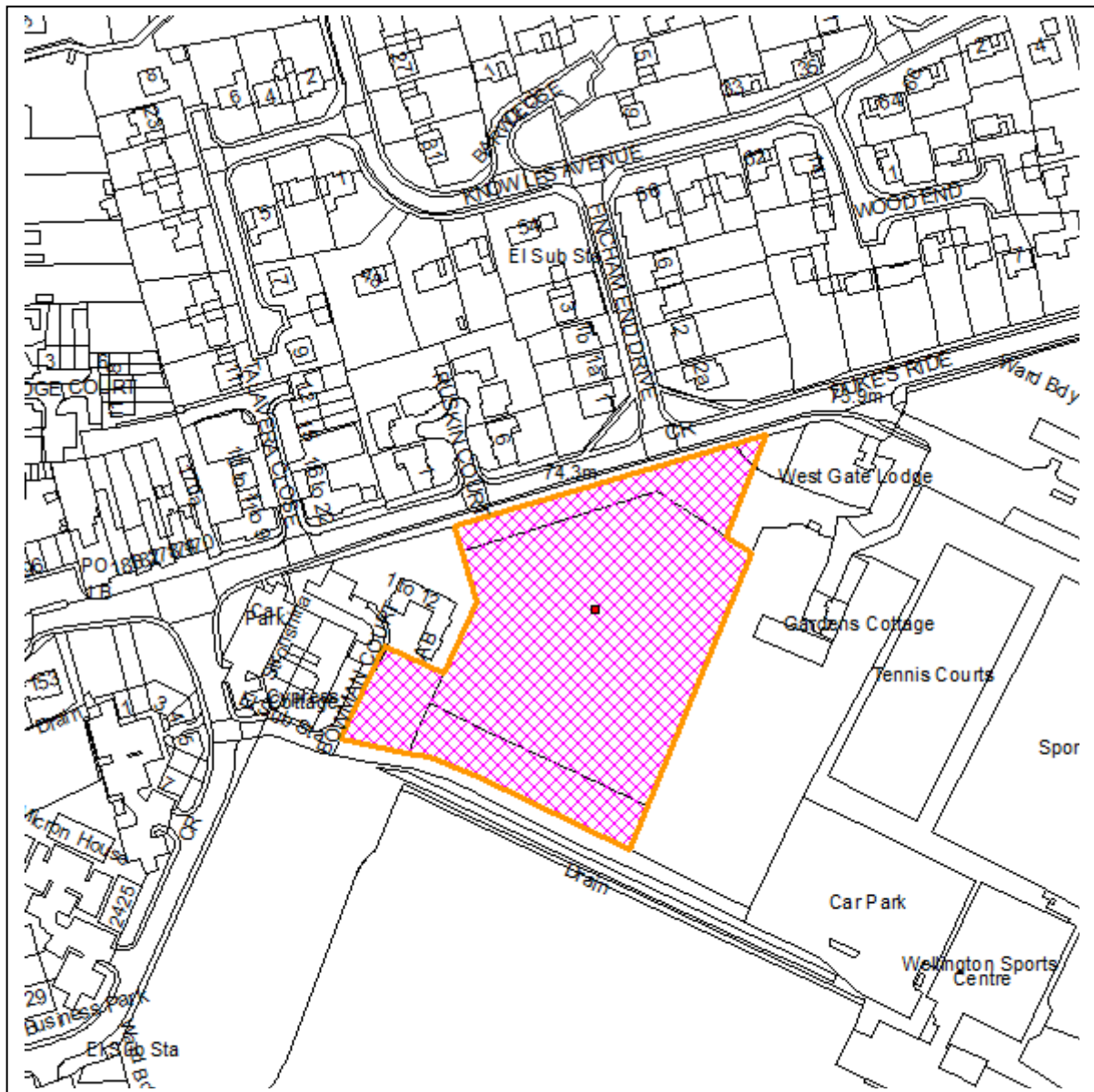
Mrs Alison Thompson

Case Officer:

Margaret McEvit, 01344 352000

environment@bracknell-forest.gov.uk

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



1. SUMMARY

1.1 This proposal is for the erection of 9 market houses accessed from Dukes Ride and 18 houses and 9 flats to accommodate staff at Wellington College . These units are accessed from an existing road running through Wellington Business Park and serving the Wellington Sports Club.

1.2 The majority of the site is an allocated housing site in the Site Allocations Local Plan (SALP) and it is considered that the proposal would have no adverse effect on the character of the area or adjoining properties and there are no highway safety issues.

RECOMMENDATION

Planning permission be granted subject to the completion of a S106 Agreement and conditions in Section 11 of this report
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 This application is being reported to the Planning Committee because more than 3 objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

Within 5km buffer to the Thames Basin Heaths Special Protection Area
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Close to Area B - Crowthorne Character Area

3.1 The site is currently an open field on the south side of Dukes Ride with land in the ownership of Wellington College to the west, south and east. The front boundary of the site along Dukes Ride is formed by a hedge with a gated access onto the site. The eastern boundary with West Gate Lodge and Garden Cottage is formed by a tall conifer hedge. The rear boundary of the site is open to the access road serving Wellington Sports Centre east of the site. West of the site is Bowman Court, a two storey block of flats in the ownership of Wellington College. Wellington College sits within an estate of approximately 400 acres and includes several listed buildings. This site is on the north-eastern corner of the campus.

3.2 As part of the Site Allocations Local Plan process, the majority of this site was allocated as an edge of settlement site for 23 dwellings with a settlement boundary identified for the site. The south western part of the site, where flats are proposed lies outside the allocated site but is within the settlement area. The Council has prepared a Planning Brief for the site (together with White Cairn, Dukes Ride), which provides an overview of the opportunities and constraints relevant to the site, and development principles.

4. RELEVANT SITE HISTORY

4.1 No relevant planning history.

5. THE PROPOSAL

5.1 This full application proposes 36 units in total comprising 6 no 3 bedroom flats and 3no 1 bedroom flats in a 3 storey block in the west of the site, with 12no 3 bedroom houses and 6no 2 bedroom houses in the southern part of the site to provide houses for staff of Wellington College. The northern part of the site will provide nine houses for sale on the open market, accessed from Dukes Ride comprising 5 no 4 bedroom detached houses and 4 no 3 bedroom

semi-detached houses in the northern part of the site accessed from Dukes Ride. The overall density of the site is approximately 30.2 dph.

5.2 The southern part of the site will provide 27 houses and flats to provide accommodation for staff of Wellington College. This part of the site is accessed from the existing access road that serves Wellington Sports Club. The application proposes nine no. one and two bedroom flats in a three storey building adjacent to an existing block of flats owned by Wellington College, Bowman Court. Nine parking spaces are provided for the flats accessed from the road currently serving Bowman Court. Four no. two storey semi-detached houses and fourteen no. two storey terraced houses are also provided with access from the existing access road serving Wellington Sports Club. Car parking spaces to serve the staff housing are shown in front of units and throughout the site. The existing Leylandii hedge along the eastern boundary of the site is to be removed and new tree planting provided.

5.3 Units will incorporate the use of light red bricks with elements of white render on some units, with slate or brown clay tiled pitched roofs.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council:

6.1 Crowthorne Parish Council raise no objection.

Other representations

6.2 Seven letters of representation have been received raising the following material considerations:

6.3 Development will significantly increase the risk of accidents on Dukes Ride. Access to the site should be from the existing route through Wellington Business Park. Traffic calming measures should be introduced onto Dukes Ride.

6.4 Support the principle of building houses on this site, but the site would be better served by fewer units with increased space between properties.

6.5 Objects to the loss of fruit trees on the site that comprise a small orchard with historical value. New fruit trees could be included along the southern boundary of the site.

6.6 Do not object to the proposal but would like to see enhancements to the junction of the private road to serve the southern part of the site and Wellington Business Park to improve safety within the Business Park. The turn is sharp, forcing cars onto the wrong side of the road. Double yellow lines within the Business Park should be extended to prevent parking that forces cars onto the wrong side of the road. Increased traffic to the housing site will exacerbate safety concerns. There should be no reduction in parking for the Sports Club in front of the site as this will push parked cars into the Business Park. Construction traffic should not use the road through the Business Park.

6.7 Development will result in the loss of the only Green Space on Dukes Ride.

6.8 Construction parking should take place within Wellington College grounds and not permitted in Fincham End.

7. SUMMARY OF CONSULTATION RESPONSES

Tree Officer

7.1 No objection subject to conditions.

Biodiversity Officer

7.2 No objection subject to a condition to secure replanting of fruit trees.

Landscape Officer

7.3 Principle of the Landscape Masterplan is acceptable subject to landscape conditions.

Berkshire Archaeology

7.4 A condition is required to secure a programme of archaeological works.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 & SA3 of SALP, CS1, CS2, CS15, of CSDPD	Consistent
Housing Policies	CS16, CS17 of CSDPD	Consistent
Transport Policies	CS23 & CS24 of CSDPD. Saved policy M9 of BFBLP	Consistent
Sustainability Policies	CS10, CS12 of CSDPD	Consistent
Design	CS7 of CSDPD. Saved policy EN20 of BFBLP	Consistent
Thames Basin Heaths SPA	Policy NRM6 of the South East Plan. CS14 of CSDPD	Consistent
Tree Policies	Saved policies EN1 and EN2 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD Thames Basins Heaths SPD Character Areas Assessment SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Community Infrastructure Levy		
Dukes Ride Planning Brief (October 2014)		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Impact on highway safety

- v Impact on biodiversity
- vi Impact on trees
- vii Sustainability and energy demand assessment
- viii Affordable housing
- ix Thames Basin Heaths SPA
- x Community Infrastructure Levy
- xi Sustainable Drainage

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). This is also reflected in SALP Policy CP1, which sets out that planning applications which accord with the Development Plan should be approved without delay, unless material considerations indicate otherwise. Policy CP1 also sets out a positive approach to considering development proposed that reflect the presumption in favour of sustainable development contained in the NPPF.

9.3 The majority of the site is allocated for housing within the SALP with policy SA3 identifying the site as an edge of settlement site with an estimated capacity of 23 units with the settlement boundary adjusted to include the main body of the site. The remaining area of the application site not covered by SA3 lies within the settlement area. The development of this site helps towards meeting the overall housing provision as set out in policy CS15 of the CSDPD.

The proposal includes a range of property sizes from 1 bedroom flats, with 2 bedroom flats and houses and 3 and 4 bedroom houses as sought under policy CS16 of the CSDPD which seeks to meet the housing needs of the community through the provision of a range of housing types and sizes. Therefore, the principle of development on this site is acceptable. The remainder of the report considers whether there are any material considerations which are an obstacle to the grant of planning permission.

ii. Impact on character and appearance of the area

9.4 CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area enhances the landscape and aids movement through accessibility, connectivity, permeability and legibility. Policy CS2 of the CSDPD states that development will be permitted within the defined settlements and on Allocated sites which is consistent with the character within that settlement. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area and appropriate in scale, mass, design, materials, layout and siting. New development should avoid the loss of important open areas, gaps in frontages and natural or built features such as trees, hedges, walls, fences and banks which it is desirable to retain.

9.5 These policies are considered to be consistent with the objectives set out within the NPPF. In addition paragraph 56 of the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live, and therefore these policies can be afforded significant weight.

9.6 Dukes Ride is an important route into Crowthorne and the site lies just outside Area B of the Crowthorne Character Area as set out in the Character Areas Assessment SPD. Many of the characteristics of Area B are relevant to this site. Dukes Ride is characterised by trees and mature landscaping and this should be maintained and enhanced. A Planning Brief was prepared to provide guidance on how the site should be developed following the allocation in the SALP. The Brief recognised the verdant streetscene of Dukes Ride with mature trees and

planting which informs the character of the area. The preferred access into the site in the Brief is from the south of the site via Wellington Business Park to avoid the need to create vehicular access from Dukes Ride. Removal of hedging and trees from the Dukes Ride boundary to create an access point could harm the visual amenity of the streetscene.

9.7 The nine open market houses are shown accessed from Dukes Ride. The creation of this access will not result in the loss of any trees along the frontage. Part of the hedge on this frontage will be removed to create the access and required visibility splays, but additional tree planting along this frontage together with the addition of a pre-formed holly hedge at the entrance and extending back into the site at the vehicular access point will help to maintain the landscaped frontage. Although the creation of an access point will result in the interruption of the hedge line, additional planting with planting extending into the site will help to soften the effect of opening up this landscaped frontage, particularly when the site is viewed obliquely when travelling along Dukes Ride. Houses are set back a minimum of 10m from the site frontage, and at the access point, there is a distance of over 15m to the closest house with some intervening landscaping. The nine houses accessed from Dukes Ride are orientated towards Dukes Ride to create activity along this important street and avoid views of rear gardens and garden fencing. The Planning Brief sought to achieve a green open space with trees and landscaping along Dukes Ride to supplement the existing boundary hedge. An area of open space, which includes a dry drainage pond has been included in the north eastern part of the site.

9.8 Proposed buildings are predominantly 2 storeys in height with the flats shown as being provided in a 3 storey building. The Planning Brief states that any buildings should not exceed 2.5 storeys in height and should have regard to neighbouring residential amenities. The flats are positioned adjacent to the existing flats, Bowman Court, and Stronshira and Cypress Cottage. The flats are not considered to appear inappropriate in this location and the height of the building is considered to be acceptable. The Planning Brief was prepared to cover the main body of the site, and excluded the land the flats are to be sited on. The flats will be viewed from the access road through Wellington Business College and when approaching the Sports Club which itself contains taller buildings.

9.9 Properties have been designed to reflect design features of other properties in the area, including details found on the red brick Victorian properties, Cypress Cottage and Stronshira located on the service road serving the southern part of the site.

9.10 The southern section of the site, accessed via Wellington Business Park has been designed to address the access road, with the flats and units 15 and 16 facing onto the road that also serves the Health Club. Existing fruit trees along this southern boundary will be supplemented by the planting of new fruit trees to create an orchard east of the access to this part of the site. Plots 17-20 will face onto this orchard. On entering the access road from Wellington Business Park, the site is viewed alongside Cypress Cottage and Stronshira, separated from the site by trees and the access road to Bowman Court. The flats have included features found on the adjacent houses in the use of red bricks, a buff feature brick, front gables, scalloped fascias and slate pitched roofs. These details are also included in houses on plots 15, 16 and 17 fronting the service road.

9.11 The provision of two vehicular access points has resulted in the site being designed as two distinctive residential areas. The northern section is designed around a cul de sac with houses set behind landscaping along the boundary with Dukes Ride. Garages between houses create space between houses and the provision of open space incorporating the drainage pool in the north of the site provides a landscaped setting to this part of the site.

9.12 The southern part of the site is designed around a more formal road structure with terraces of housing fronting the internal roads and car parking in spaces at the front of plots.

An area of car parking is also provided behind plots 15 and 16, with these houses fronting the service road. The additional tree planting in the south of the site, together with the garden area for the flats, provides a green entrance to this part of the development. Housing has been designed to front the street, to provide active frontages and to reduce the extent that boundary fences and walls are prominent in the street. Houses are designed in short terraces of three or four units which allows for gaps between buildings.

9.13 Pedestrian access is provided within the site to enable residents of the southern part of the site to access Dukes Ride. Overall, it is considered that the proposal would be appropriate to the character of the area. It is therefore considered to accord with Policies CS2 and CS7 of the CSDPD, Saved Policy EN20 of the BFBLP, the Character Area Assessment SPD, and the NPPF.

iii. Impact on residential amenity

9.14 BFBLP Policy EN20 (vii) seeks to protect the amenity of surrounding properties. The Policy requires the Council to have regard to ensuring new development does not adversely affect the amenity of surrounding properties and adjoining area. This is consistent with the NPPF.

9.15 The closest properties to the site are Cypress Cottage and Stronshira and Bowmans Court. Although occupiers will experience increased traffic and activity on the site, they are positioned close to Wellington Business Park and close to the access road serving the Sports Club. Bowmans Court is positioned approximately 10m north of the proposed block of flats. The elevation of Bowmans Court facing the proposed flats includes one window at ground floor. The proposed flats include one first floor window in the part of the building set back a further 5m from the boundary. The two buildings are not directly facing each other and it is considered that there will not be direct overlooking between properties or any significant effect from overshadowing or loss of amenity to occupiers of Bowman Court.

9.16 Plot 27 is positioned approximately 5m from the boundary with plot 7, ground and first floor windows overlooking this boundary. The distance between the properties will be approximately 10m. The house at plot 27 includes only a first floor bathroom window on the side elevation along this boundary so there would be no direct overlooking of Bowman Court. Although there will be some loss of outlook from the affected flats in Bowman Court, the relationship between Bowman Court and plot 27 is not considered to be unacceptable. Both properties will be owned by Wellington College and occupied by staff.

9.17 The development is considered to be well screened along Dukes Ride and it is not considered to result in any loss of amenity or overlooking of properties opposite the site in Ruskin Court, Fincham End Drive or Talavera Close. The access onto Dukes Ride is positioned between the accesses onto Dukes Ride from Ruskin Court and Fincham End Drive. It is not considered that the access to the site will result in loss of amenity to residents of these roads given the intervening Dukes Ride and general levels of traffic along this road, therefore the proposal is satisfactory in terms of saved policy EN20.

iv Impact on highway safety

9.18 Bracknell Forest Borough Local Plan saved Policy M9 and Core Strategy Policies CS23 and CS24 seek to promote or retain safe highway access and suitable off road parking provisions, thus avoiding highway safety implications. This is consistent with the objectives of the NPPF. A further material consideration for parking provision is provided in the Council's adopted Parking Standards SPD. The SPD was adopted following public consultation, so can

be afforded significant weight. It provides guidance to supplement saved BFBLP Policy M9 (parking).

Access:

9.19 In respect of the access on Dukes Ride, the road is 5m wide near to the junction reducing to 4.8m within the site which is acceptable for the scale of development proposed. Visibility from the access is 2.4m x 90m in both directions and this too is acceptable for observed speeds along the road. Adoption of this access road is to be secured through a legal agreement.

9.20 The other access, which serves the southern half of the development is formed on Smiths Path which is believed to be owned by the applicant as it serves the current sports facilities in the area. The current route provides safe access up to Bowman Court. This proposal will require alterations to be made to allow safe access for all road users to get to the development site. Adoption of part of the access road will be required.

Parking

9.21 Parking for the southern half of the development is less than standard with a ratio of 1.5 spaces per unit being provided. The applicant states that this housing is specifically for staff working at the College and that current parking numbers associated with staff dwellings equates to a ratio of nearer 1.2 cars per dwelling. To ensure that the parking provided continues to be acceptable, occupation of the staff housing should be restricted to members of staff of Wellington College and their families, to be secured through a S106 Agreement.

9.22 The applicant has also provided some additional visitor parking on the southern half of the site (6 spaces). It is advised that all shared spaces should be marked as visitor/occupiers to help maximise the parking stock over this part of the site. There is a controlled public car park in close proximity that could provide for some parking, through parts of the day and evening for visitors should demand exceed what is proposed.

Vehicle Movements

9.23 The applicant has undertaken a robust analysis of the potential traffic demand from this development which indicates that around 23 two way trips will be witnessed in both the morning and evening weekday peak hours. This traffic will be distributed on Dukes Ride through any of the access points.

9.24 The applicant has previously undertaken traffic counts in 2014 along Dukes Ride to help ascertain the impact such traffic could have on Dukes Ride in the morning and evening peak hours. The development would create an impact of around 2% outside the site and as the traffic dissipates across the network the impact reduces. The Highway Authority is content that the scale of development will not have a detrimental impact in isolation and the potential CIL payments required will allow the Council to secure monies for any works to the wider transport network that may be required created by cumulative development in the area. The proposal therefore complies with CSDPD policy CS24

v Impact on biodiversity

9.25 Fruit trees in the south of the site are a Traditional Orchard and included on the list of NERC (National Environment and Rural Communities) Act 2006 Section 41 Habitats of

Principal Importance for England. Under Section 40 of the Act, every public authority must in exercising its functions, have regard to the purpose of conserving biodiversity. It is considered that the retention of 2 of the fruit trees in combination with new tree planting and a condition requiring an orchard management plan to be prepared would be acceptable in biodiversity terms. And the proposal is considered to comply with CSDPD policy CS7 which seeks to enhance the landscape and promote biodiversity.

vi Impact on trees

9.26 The site includes several mature trees particularly in the woodland in the north east of the site. There are also several fruit trees on the southern part of the site close to the boundary with the existing service road as discussed earlier in this report.. The proposal is considered to have a relatively modest impact on trees. Any tree loss as a result of the proposals could be mitigated by the planting of semi mature trees on the site, that could be secured through conditions. The proposal is considered to comply with saved policies EN1 and EN2 of the BFBLP. .

vii Sustainability and energy demand assessment

9.27 The NPPF outlines how the impacts of climate change and the delivery of renewable and low carbon energy and associated infrastructure is central to the economic, social and environmental dimensions of sustainable development. Para 96 of the Framework states that in determining planning applications, Local Planning Authorities should expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

9.28 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards. A Pre-assessment Estimator representing a Sustainability Statement has been provided. A condition is recommended to be imposed to ensure that this is implemented.

9.29 CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. An Energy Demand Assessment has been submitted and a condition is recommended to be imposed to ensure that this is implemented.

viii Affordable Housing

9.30 Policies CS16 and CS17 of the CSDPD (in relation to housing needs and affordable housing) can be afforded full weight (in relation to para. 215 of the NPPF) as they are consistent with para. 50 of the NPPF which relates to delivering a wider choice of homes, a mix of housing and affordable housing. The Council's affordable housing policy currently applies to proposals involving 15 net dwellings or more.

9.31 The application does not propose any on site affordable housing. A Viability Assessment has been submitted with the application setting out the calculation of the commuted sum offered in lieu of on site affordable housing. Two assessments have been provided, one to reflect a policy compliant scheme of 25% affordable housing and the second with all properties as market sale. The surplus on this second assessment is the contribution offered towards off site affordable housing.

9.32 The Viability Assessment has been independently assessed on behalf of the Council. Amended plans recently submitted have reduced the size of 4 plots on the site, which will affect the viability of the development and has required some adjustments to be made to the contributions to be sought. The revised contribution sums will therefore be agreed following the revised assessment of viability. The level of contributions is to be agreed and secured through a S. 106 Agreement.

ix Thames Basin Heaths Special Protection Area (SPA)

9.33 Relevant policy and guidance includes SEP Policy NRM6, CSDPD Policy CS14 and the Thames Basin Heaths Avoidance and Mitigation Supplementary Planning Document. These policies seek to ensure that the development will not adversely affect the integrity of the Thames Basin Heaths SPA.

9.34 In line with South East Plan Policy NRM6, the Council has reviewed its SPA avoidance and mitigation strategy in the form of the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPASPD) (March 2012). This includes a requirement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis. A contribution towards SAMM and towards SANG provision should be secured in association with this application.

9.35 The Council is satisfied, following consultation with Natural England, that the above measures will prevent an adverse affect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2012) permission may be granted.

x Planning Obligations and Community Infrastructure Levy

9.36 The application should comply with guidance in:-

* Planning Obligations SPD, this came into effect (with CIL) on 6 April.

* TBHSPA Avoidance and Mitigation SPD.

9.37 This application is for CIL chargeable development. It lies within the Crowthorne CIL Charging Zone. CIL payments may be used to mitigate the impact on the following which would previously have been addressed by contributions secured by a s106 agreement:-

- the wider transportation network
- open space and outdoor recreational facilities
- built sports facilities serving the development
- local education facilities
- local library facilities
- local community facilities
- local youth facilities
- part of the measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA)

9.38 Matters to be secured by S106 Agreement now comprise:-

- measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA)

- contributions towards off site affordable housing

-adoption of access roads within the site

-long term maintenance of drainage strategy

10. CONCLUSIONS

10.1 SALP Policy CP1 and paragraph 14 of the NPPF set out the Government's presumption in favour of sustainable development. This requires that development proposals should be approved that accord with the development plan or where the development plan is absent, silent or relevant policies out of date unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or where specific policies indicate development should be restricted.

10.2 The site is within the settlement area and the majority is an allocated housing site in the SALP. Policy SA7 of the SALP identifies the site as having a capacity of 23 units. This application proposes the development of a larger site to include land west of the allocated site, on land also within the settlement area. The principle of housing development on this site is acceptable.

10.3 The Planning Brief for this site indicates that the preferred access is along the southern boundary via Wellington Business Park. The hedgerow feature along Dukes Ride is considered to be important to retain and enhance. The application proposes access for nine houses from Dukes Ride. No trees will be lost to create this access and although hedgerow will be lost at the access point, additional planting is proposed along the Dukes Ride frontage and along the access road to retain the landscape appearance of the site.

10.4 Access to the southern part of the site is via Wellington Business Park using the existing road that serves the Wellington Sports Club. Some of the existing fruit trees close to the southern boundary that form an orchard, with ecological value, will be lost as a result of the development, but three fruit trees will be retained and additional orchard trees planted in an area of open space adjacent to the site access road. This is beneficial in both ecological and visual terms and creates a green entrance to the site.

10.5 The layout provides for houses to front the street, and the proposed flats are positioned to address the service road running south of the site. The block of flats is adjacent to the existing Wellington College staff flats at Bowman Court.

10.6 The development would not adversely affect the residential amenities of adjoining properties and would not adversely impact upon the character and appearance of the surrounding area. No highway safety implications will arise subject to the imposition of conditions. Relevant conditions will be imposed in relation to sustainability. A legal agreement will secure contributions for SPA mitigation and off site affordable housing and the scheme is CIL liable. The proposal is therefore considered to be in accordance with 'Saved' Policies EN20 and M9 of the BFBLP, CS1, CS7, and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

10.7 A legal agreement is required to secure Thames Basin Heaths SPA mitigation measures, contributions towards off site affordable housing, to secure adoption of access roads within the site and to ensure the long term maintenance of the drainage strategy.

Doc. Ref: Uniform 7/DC/Agenda

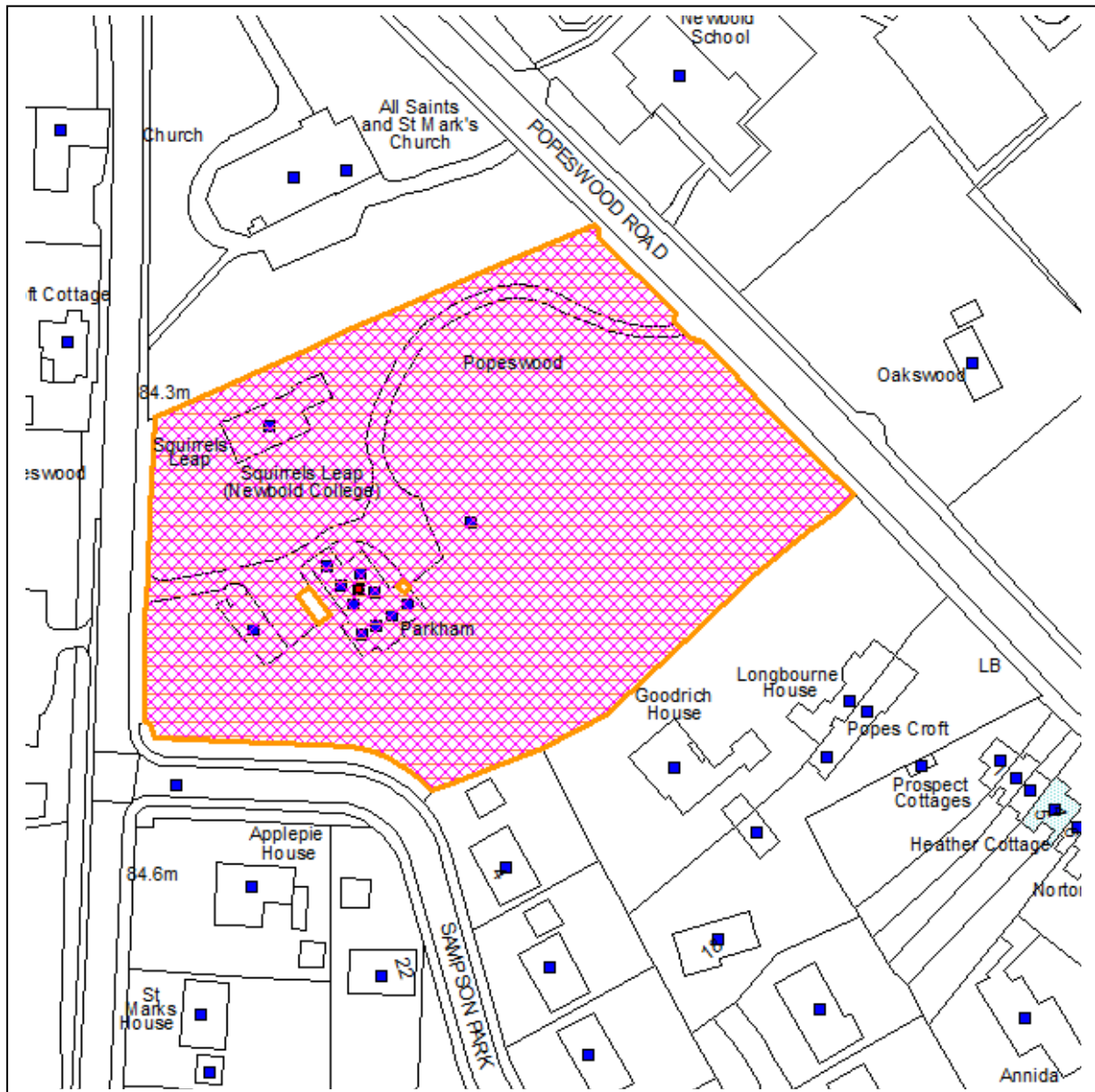
The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Unrestricted Report

ITEM NO: 9

Application No. 15/00464/FUL	Ward: Binfield With Warfield	Date Registered: 22 May 2015	Target Decision Date: 21 August 2015
Site Address: Parkham St Marks Road Binfield Bracknell Berkshire			
Proposal:	Retention and refurbishment of Parkham to provide 5 residential flats, demolition of remaining buildings and erection of 13 residential dwellings with associated car parking and landscape works.		
Applicant:	Millgate Homes		
Agent:	Mr Bhavash Vashi		
Case Officer:	Katie Andrews, 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 proposal is for the retention and refurbishment of Parkham to provide 5 residential flats, demolition of remaining buildings and erection of 13 residential dwellings with associated car parking and landscape works. The proposal would result in a net increase of 12 dwellings.

1.2 The site is within an existing settlement and it is considered that the proposal will respect the historic environment and would have no adverse effects on the character of the area or adjoining properties. Tree considerations can be addressed by conditions and there are no highway safety issues.

RECOMMENDATION
Planning permission be granted subject to a S106 Legal Agreement and 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 following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within a defined settlement boundary
Area tree preservation order
Adjacent to Grade II Listed Buildings: St Marks Church, St Marks Road and Littlehurst (now Longbourne House) and Popescroft, Popeswood Road
Area B of the Binfield and Popeswood Area Character Area Assessment SPD (adopted 2010)
Within 5km of Thames Basin Heaths SPA
Area of Special Housing Character

3.1 The application site relates to a piece of land off the eastern side of St Marks Road which also has its eastern boundary with Popeswood Road. The site is 0.9 ha in size.

3.2 The site is marked by two existing properties Parkham and its associated stable building, a Victorian building which has previously been converted to 5 flats, situated centrally within the site and Squirrels Leap, a modern bungalow situated to the northern boundary of the site.

3.3 To the north of the site is St Marks Church, a Grade II Listed Building and to the south of the site is the residential development of Sampson Park along with 2 no. Grade II Listed Buildings, Popescroft and Littlehurst (now known as Longbourne House) located along Popeswood Road.

3.4 The site is marked by heavy tree coverage with the trees covered by an area tree preservation order.

3.5 The site falls within the Area B: Popeswood North of the Character Areas Assessments SPD which notes that the area provides buildings in high quality landscape setting and is a point of transition between Binfield and Popeswood. The site

also falls within the Popeswood triangle which is described as comprising large houses set in fairly extensive grounds, together with several small houses and cottages.

3.6 Popeswood Meadow lies opposite the site to the western boundary of the site.

4. RELEVANT SITE HISTORY

4.1 14/01298/FUL Erection of 18 new residential units (10no. houses and 8no. flats) with associated car parking, accessed from St Mark's Road, and landscape works following the demolition of existing buildings. REFUSED 11.05.2015 for 6 reasons for refusal covering the following issues:

- Loss of Victorian building and design and layout of proposed development having an adverse impact on setting of St Mark's Church.
- Impact on character and amenities of area by reason of mass/scale/bulk of proposed houses and flats and siting of plot 03 in relation to plot 04.
- Design of plots 04 and 05 not in keeping with Area 'B' of the Bracknell Forest Character Area.
- Plots 01 and 18 would not address the street scene being sited side-on to St Marks Road.
- Inadequate provision made for pedestrian access to front doors of properties on plots 01, 04, 05 and 15.
- Not demonstrated that a large refuse vehicle can safely access and turn within the site.
- Not addressed the Thames Basin Heaths Special Protection Areas.
- Not demonstrated that the proposed development would incorporate a sustainable drainage system.
- Had not demonstrated that the proposed development will provide pedestrian permeability.

4.2 14/00489/LDC Certificate of lawfulness for the retention of five residential flats (C3). APPROVED 06.08.2014

4.3 617007 Erection of three pairs of semi detached dwellings with separate garages. APPROVED 20.12.1991

4.4 617011 Erection of one pair semi detached houses with detached garages, after demolition of existing garage/store. REFUSED 20.12.1991

4.5 2523 2 Dwelling Houses. APPROVED 01 January 1954

5. THE PROPOSAL

5.1 This is a full planning application for the retention and refurbishment of Parkham to provide 5 x 2 bed residential flats, demolition of remaining buildings and erection of 13 x 3 bed residential dwellings with associated car parking and landscape works. The proposal would result in a net increase of 12 dwellings.

5.2 The current planning application seeks to overcome a refused application under reference 14/01298/FUL. The main change being the retention of the building named 'Parkham' which forms a non designated heritage asset. 'Squirrels Leap' is proposed to be demolished which is a single storey modern bungalow.

- 5.3 A pair of houses is proposed to front St Marks Road with the remainder of the houses fronting the proposed shared access road with a turning head towards the end of the shared access.
- 5.4 A total of 26 parking spaces are proposed to include driveway parking and 3 visitor parking spaces with a separate cycle store and bin store for the flats.
- 5.5 Private amenity spaces are proposed for each of the dwellings with amenity space for the flats and a footpath leading from the site to Popeswood Road. A footpath is proposed along the eastern side of St Marks Road to the south of the proposed vehicular access linking with Sampson Park.
- 5.6 The application has been the subject of minor amendment to the location of plots 17 and 18 to address some arboricultural concerns. A footpath has been shown to the eastern boundary of St Marks Road to provide pedestrian permeability and some boundary treatment changes have been made to address ecology concerns. A view was taken at the time, that as these were minor changes, further consultation was not required.

6. REPRESENTATIONS RECEIVED

Binfield Parish Council

Binfield Parish Council recommend refusal of this planning application for the following reasons:

- There is insufficient parking on the site for residents and visitors which could lead to inappropriate parking in the Popes Meadow car park and hazardous parking on St Marks Road [*Officer Comment: This point is addressed under section 15: Transport Implications*]
- There should be improvements to the footpath along St Marks Road. [*Officer Comment: A footpath has now been shown to the eastern side of St Marks Road south of the vehicular access*]

Other representations

A total of 4 objections have been received from residents of surrounding properties. The objections can be summarised as follows:

- We would like assurance that the existing screening to Goodrich House will be kept otherwise our privacy will be seriously affected.
- Overdevelopment adding more houses to the site. Greater occupancy level.
- Will put more cars onto nearby congested roads and place more stress and detriment on local amenities than previous proposal.
- Loss of trees along the boundary from listed properties Popescroft and Littlehurst. Trees provide vital boundary screening and protect sightlines of Listed Building.
- Loss of wildlife from tree removal.
- Level of traffic too much combined with Temple way, Foxley lane (and upcoming Blue Mountain) developments. Traffic assessment should consider all developments holistically.
- Residents may be forced to park along St Marks Road causing serious obstruction.
- Question suitability of a chainlink fence between boundary of development and St Marks Church.

1 letter of comment has been received raising the following points:

- Requested advice from the applicant regarding how the apartments and garden areas would be maintained [*Officer comment: The applicant has advised that the upkeep of the apartments will be managed by a management company. They will oversee gardening, estate maintenance, tree maintenance etc.*]
- Enquired what boundary treatment was proposed to the boundary with 4 Sampson Park [*Officer comment: The applicant has advised that a close boarded fence is proposed between the brick piers and this is confirmed on boundary treatment plan PKH-908*].

7. SUMMARY OF CONSULTATION RESPONSES

Lead Local Flood Authority (LLFA)

The LLFA has advised that the information submitted with the application does not include all of the details required to address SuDS. At the time of writing this report the amended information has not been received and the matter will be addressed within the supplementary report.

Highway Officer

The Highway Officer initially recommended the application for refusal in the absence of a new footway on the eastern side of St Mark's Road. The plans have now been amended to include the footway on the eastern side of St Marks Road with the Highway Officer now raising no objection subject to conditions.

Environmental Health Officer

No objection

Biodiversity Officer

No objection subject to conditions.

Tree Officer

The Tree Officer objected to the initial submission on the grounds that plots 17 and 18 need to be set back from trees T70, G13 and G12. The applicants have amended the plans to set the houses back an additional 1.5m and amend their design. The Tree Officer still considers that the trees will grow and dominate the space in front of these units. The Tree Officer has also advised that a Method Statement will be required to partner the tree protection plan in respect of phased construction within the construction exclusion zone.

The Tree Officer has advised that if the Planning Authority is minded to approve the current proposal, then conditions should be attached that require:-

- An investigation into the potential for subsidence to units 17 and 18 due to the clay nature of the soil and the proximity of high water demand species;
- If there is a risk then foundation details to cater for that risk;
- A method statement (including any phased works) to demonstrate that appropriate measures will be taken to minimise disruption to their RPA'S;
- A service layout plan to ensure that no services will be installed within their RPA's.

At the time of writing the report the applicants have submitted a method statement and services layout plan. Any further comments from the Tree Officer will be addressed within the supplementary report.

Conservation Officer

Acknowledges that retaining Parkham House is a positive starting point but is concerned with the loss of the original C19th stable and its replacement with what she considers to be a poorly designed, over-scaled pair of semi-detached houses to St.

Mark's Road. Feels that that the new house designs are insufficiently thought-through and the setting of Parkham House is encroached upon by car parking which comes too close to the historic building.

Berkshire Archaeology

Advises that the applicant has established the limited potential of archaeological remains at the site and no further action is required.

Parks and Countryside Development Officer (landscape comments)

The layout of the site around the retained Parkham House has a spacious feel due to the set back of new buildings from the road with good sized front gardens. Has raised concern about the proximity of parking bays to the western elevation of Parkham and that the landscaping on plots 5 -11 hugs the corner of the plots.

The Victorian Society

In commenting on the amended application the Victorian Society have advised that they are pleased to see that the applicants now propose to retain and reuse Parkham House as part of the larger housing scheme.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1, CS2, CS15, CS16, CS17 of CSDPD	Consistent
Design and Historic Environment	CS1, CS7 of CSDPD, Saved policy EN20 of BFBLP Saved policy H4 of BFBLP	Consistent Not entirely consistent with the NPPF in particularly with respect to making the most efficient use of land and maximising brown field sites.
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.
Highways	CS23 and CS24 of CSDPD, Saved Policy M4,M6, M9 of BFBLP	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
SPA	CS14 of CSDPD Policy NRM6 of the South East Plan	Consistent
Ecology and Trees	Saved Policies EN1, EN2 and EN3 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Character Area Assessments SPD		

Thames Basin Heaths SPD Planning Obligations SPD
Other publications
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Bracknell Forest Community Infrastructure Levy Charging Schedule (2015)

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Heritage considerations
- iii. Impact on character and appearance of the area
- iv. Trees
- v. Impact on residential amenity
- vi. Transport implications
- vii. Biodiversity
- viii. Sustainability
- ix. Planning obligations
- x. Affordable Housing
- xi. Thames Basin Heaths Special Protection Area
- xii. Drainage

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). This is also reflected in SALP Policy CP1, which sets out that planning applications which accord with the Development Plan should be approved without delay, unless material considerations indicate otherwise. Policy CP1 also sets out a positive approach to considering development proposed that reflect the presumption in favour of sustainable development contained in the NPPF.

9.3 At the national level, the key planning policy guidance relevant to this proposal is the National Planning Policy Framework (NPPF). Chapter 6: Delivering a wide choice of high quality homes, Chapter 12: Conserving and enhancing the historic environment, Chapter 7: Requiring good design and The House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems. The following Planning Policy Guidance in detail is also relevant: Conserving and enhancing the historic environment, design, flood risk and coastal change, climate change, and natural environment.

9.4 At a local level, the most relevant planning policies are those set out in the Core Strategy Development Plan Document (CSDPD) and the Bracknell Forest Borough Local Plan (BFBLP).

9.5 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.

9.6 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. The Council does not currently have a 5 year supply of housing land, however the site is

within a defined settlement and therefore the principle for development, in relation to Policy CS2, is acceptable. Furthermore as it would involve a net addition of 12 dwellings to the stock, it would contribute to the Borough's housing requirement as a medium windfall site.

9.7 Policy CS15 of the CSDPD requires the provision of 11,139 dwellings in the Borough over the Plan period.

9.8 Policy CS16 of the CSDPD requires a range of housing types, sizes and tenures.

9.9 These policies are considered to be consistent with the need for sustainable development including the need to boost the supply of housing delivering a wide choice of homes as set out in the NPPF. As a consequence they are considered to carry significant weight.

9.10 The site lies within a settlement and predominantly constitutes previously developed land due to the presence of existing buildings and areas of hardstanding across the site. The remainder of the land which forms gardens to the residential use would be defined as green field land. The proposal is considered to be acceptable in principle and in particular complies with CSDPD Policy CS1 (i) which advises that development will be permitted which makes efficient use of land, buildings and infrastructure. Under this application Parkham is proposed to be retained, with its loss forming a reason for refusal under the previous application. The remainder of the report will therefore consider whether the amended application has overcome the reasons for refusal under 14/01298/FUL and whether it raises any additional material considerations.

ii. HERITAGE CONSIDERATIONS

9.11 CSDPD Policy CS1 (ix) advises that development will be permitted which protects and enhances the historic and cultural features of acknowledged importance. CSDPD Policy CS7 (i) advises that development proposals will be permitted which build on the urban, suburban and rural local character, respecting local patterns of development and the historic environment. These policies are considered to be consistent with the NPPF.

9.12 Para. 12.9 of the NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and necessary expertise.

9.13 The refused application 14/01298/FUL resulted in the loss of Parkham and its associated stables. Under this application Parkham is proposed to be retained but the stable building is proposed to be demolished. Parkham is a Victorian building which falls within the setting of St Marks Church, a Grade II Listed Building, located to the north of the application site. Popescroft and Littlehurst (now known as Longbourne House) a pair of Grade II Listed Buildings are to the south east boundary.

Parkham and Loss of Associated Stable building

9.14 Parkham is a handsome and well-preserved example of an Arts and Crafts mid to late nineteenth century house. It is of two to three storeys and has steeply pitched roofs with gable ends and large brick chimneys. It features red and grey brick contrasting with plain and patterned tiles. It has a strong relationship with St Marks Church by reason of its proximity and design. The building is proposed to be

retained under this application and whilst already having a lawful use for 5 flats is proposed to be refurbished. Its associated stable building is however proposed to be demolished. The Council's Conservation Officer has expressed concern at the loss of the stables and the buildings that would replace it fronting St Marks Road. The stable building whilst sharing the same design characteristics as Parkham is a building of 1 and a half stories in height situated to the west of Parkham and not forming a strong relationship with St Marks Church. In commenting on the application the Victorian Society have welcomed that Parkham is to be retained. Whilst the stable building is to be demolished it is Parkham which forms a strong visual relationship with St Marks Church and which is the most visually important building in the street scene. The loss of the stable building is considered to be acceptable.

Setting of adjacent Listed Buildings

St Marks Church, St Marks Road

9.15 Parkham forms part of the setting of the Grade II Listed St Marks Church with views of the two buildings clearly seen from outside and from within the site. Both are buildings dating from the second half of the C19th. The Council's Conservation Officer advises that Parkham is a fine quality mid-Victorian house with evident historic and architectural merit, even at the local level. Parkham appears by its close proximity, and construction date (c1860-70's) to be in the same 'family' stylistically to St Marks Church, adjacent and both drawing significance from each other being so closely located. Under the refused application 14/01298/FUL the loss of Parkham was considered to significantly harm the setting of the Listed Building and this has been addressed by retaining the building.

9.16 Plots 1-5 would back on to St Marks Church with a separation of at least 36 metres between the houses and the church. The two groups of houses (Plots 1 and 2 and 3-5) have been designed with a first floor gap of 8 metres between them so that they do not appear as a continuous built-form and whilst on higher ground to St Marks Church have been designed with a cottage style design reflecting design cues from Parkham. There would still be views from the Church through to Parkham. A mesh fence is proposed on the northern edge of the development to form a secure boundary which would be softened visually by existing and proposed landscaping. These changes to the refused application, which proposed a more continuous form of development with a 1.8m high close boarded fence on the site's northern boundary, are considered to be more sympathetic to setting of the church as a Listed Building.

Popescroft and Littlehurst, Popeswood Road

9.17 In considering the impact on the setting of the Popescroft and Littlehurst (now known as Longbourne House) the proposed development would be set at its closest point 39m from Longbourne House. Whilst two trees are proposed to be removed a dense belt of vegetation would remain on this boundary with further additional tree planting proposed. A 1.8m high close boarded fence is proposed on this boundary although in view of the vegetation to be retained to soften its impact it is not considered to harm the setting of Longbourne House as a Listed Building.

Conclusion on Heritage Matters

9.18 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects the setting of a listed building, the LPA has to have special regard to the desirability of preserving its setting. For the reasons set out above it is considered that

the proposed development does preserve the setting of both St Marks Church and Popescroft and Littlehurst (now known as Longbourne House).

9.19 It is considered that the retention of Parkham is a positive factor in achieving sustainable development at the site and whilst the loss of the stables is regrettable, in line with this para of the NPPF a balanced judgement is required. The former stable building is not considered to have the significance that Parkham – a much larger building - has in terms of the setting of St Marks Church; accordingly the loss the stables did not form part of the earlier reason for refusal. The benefit arising from the net gain of 12 dwellings associated with this application in the light of the current housing land supply position also needs to be weighed against the harm arising from the loss of the stables.

9.20 Overall the proposal is considered to have addressed the previous reason for refusal under 14/01298/FUL relating to the wholesale loss of Parkham and the impact on the setting of St Marks Church. It is therefore considered to accord with Policies CS1 and CS7 of the CSDPD, Chapter 7 of the NPPF and NPPG.

iii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.21 CSDPD Policies CS1, CS2 and CS7 and BFBLP Policy EN20 together seek to promote sympathetically designed development that respects its surroundings and subsequently does not result in any adverse impacts upon the character and appearance of the area. These policies are considered to have significant weight, as they are consistent with Chapter 7 of the NPPF.

9.22 BFBLP Policy H4 deals specifically with 'Areas of Special Housing Character'. The Policy states that residential development will be permitted only where 'it would not undermine the quality of the area as a low density development with dwellings generally set in spacious surroundings; and result in a material loss of trees, other vegetation, natural features and wildlife habitats; and in any other respect, prejudice the established residential character of the area'. Para. 5.31 of the Local Plan goes further and describes how the overall density in the Popeswood Triangle is low at approximately 9 dwellings per hectare (dph) and in recognising the vulnerability of the area, states that the Council will resist proposals which exceed a maximum density of 10dph. However, this policy is not considered to be entirely consistent with the NPPF and particularly with respect to making the most efficient use of land and maximizing brownfield sites.

9.23 The Council also has a specific 'Character Area Assessment' SPD (adopted 2010) which provides a more up to date description of the character of Popeswood Triangle. This SPD can be afforded significant weight and provides guidance to supplement Core Strategy Design Policy CS7 (noted above). (The SPD was adopted following public consultation, so can be afforded significant weight). The application site falls within 'Area B' of the Binfield and Popeswood Area. The application site is mentioned a number of times within the assessment. Parkham is noted for having a large to medium size private garden with significant trees and mature tree and shrub boundary treatments and having a strong vegetation relationship between tree cover. The recommendations for development within this area should be small scale, in the form of cottages and subservient to institutional buildings, development should keep the open character and proposals of high densities or the redevelopment of large plots, should take care to avoid the erosion of tree cover and any development should retain mature trees.

9.24 Application 14/01298/FUL was refused as the proposed development was considered to be harmful in terms of its mass and bulk, cramped layout, design of dwellings, not providing pedestrian access to front doors and not addressing the street scene of St Marks Road.

9.25 The main layout change under this application has been the retention of Parkham. This has resulted in a different layout to the houses. Plots 17 and 18 will have a positive impact on the street scene with the dwellings designed to fully address the street and to be cottage scale and subservient to Parkham from which the dwellings take design cues. Furthermore the existing landscaping with St Marks Road is proposed to be retained maintaining tree coverage. Parking for these dwellings would be included within the site and away from the street scene.

9.26 To the front of Parkham parking has been shown close to the south west elevation. Whilst it is noted that concerns have been raised regarding this aspect, when considering the whole setting to Parkham the building would be set in spacious landscaping and on balance this could not be seen as an unacceptable relationship. The remainder of parking for the flats would be to the southern boundary where there would be no impact on the street scene.

9.27 The remainder of the houses would front onto a shared access drive with a pair of semi-detached dwellings and a terrace of 3 dwellings to the northern side of the access and 3 pairs of semi-detached dwellings to the south of the access road. The dwellings to the north of the access road have been set apart visually at the first floor by 8m and designed as cottage scale dwellings to plots 1-3, with plots 4 and 5 two and a half storeys in height. The dwellings have incorporated traditional designs and reflect design cues from Parkham. Parking for each of these dwellings would be within an attached or integral garage with driveway parking to the front of each dwelling. Three visitor parking spaces are proposed on the northern side of the access road.

9.28 To the south of the access road the dwellings are set 2m apart and proposed to be two and a half storeys with pitched roofs and chimneys centrally marking the roofs. Gables are proposed within the roof with dormer windows. These dwellings have been set 12m from their closest point with Parkham and 22m from their boundary with Popeswood Road. Parking is proposed within integral garaging and on driveways.

9.29 Soft landscaping would be provided along the access road and within front and rear gardens and, with the retention of the majority of trees on site, should provide a well landscaped setting in compliance with the recommendations within the Character Area Assessments SPD. Boundary treatments have been proposed which will achieve privacy to private garden areas with 1.8 metre high close boarded fences and within public areas of the site hedging with fencing behind is proposed with the boundary to Popeswood Road to be marked by an open parkland style fence.

9.30 The layout provides a footpath through the development providing a link from Popeswood Road through to St Marks Road. Amended plans received now show a footpath along the front of St Marks Road which will enable access along the eastern side of St Marks Road.

9.31 Overall, it is considered that the amended scheme has addressed the previous reason for refusal under 14/01298/FUL by providing a more spacious scheme which would be appropriate to the character of the area which would fully address the street scene and maintain a high level of tree coverage. It is therefore considered to accord with Policy CS7 of the CSDPD, Saved Policy EN20 of the BFBLP, Area B of the Bracknell Forest Character Area Assessments SPD and the NPPF.

iv. TREES

9.32 Saved Policy EN1 of the BFLP ensures that the Borough's significant trees are protected. Section 11 of the NPPF refers to conserving the natural environment, therefore this policy is consistent with the NPPF.

9.33 The application site is subject to an area Tree Preservation Order. The Council's Tree Officer has advised that the number of trees to be removed is modest and accordingly the adverse impact on the landscape is minimal.

9.34 The original plans showed plots 17 and 18 in close proximity to 3 oak trees along the front boundary of the site trees T70, G13 and G12. The Council's Tree Officer advised that the relationship was not acceptable to ensure the retention of these trees, which will grow and dominate the space to the front if the dwellings.

9.35 The plans have been amended to set the units back a further 1.5 metres. The Tree Officer still has concerns that the trees will grow and dominate the space in front of these houses. As Oak trees they are capable of substantial growth so that regular maintenance pruning will be necessary to maintain an acceptable relationship between their branch structures and the proposed elevations of the two buildings. It is considered that a condition should be applied to require a management plan to secure the maintenance of these trees and whilst the Tree Officer's concerns are understood, with the changes that have been made to the design of the houses it is considered that this relationship is acceptable. To protect the trees the Tree Officer recommends imposing conditions covering:-

- An investigation into the potential for subsidence to units 17 and 18 due to the clay nature of the soil and the proximity of high water demand species;
- If there is a risk identified then foundation details to cater for that risk;
- A method statement (including any phased works) to demonstrate that appropriate measures will be taken to minimise disruptions to the RPAs;
- A service layout plan to ensure that no services will be installed within their RPAs.

9.36 Overall in view of the fact that the remainder of the trees on the site will be retained and protected as part of the development (to be secured by planning conditions) it is considered the site would retain a high level of tree cover in line with the recommendations of the Character Area Assessment SPD. Further planting has also been shown on proposed landscaping plans which can be secured by a condition.

v. RESIDENTIAL AMENITY

9.37 BFBLP Policy EN20 (vii) seeks to protect the amenity of surrounding properties. The Policy requires the Council to have regard to ensuring new development does not adversely affect the amenity of surrounding properties and adjoining area. This is consistent with the NPPF.

Impact upon existing properties

9.38 Proposed houses on plots 6-11 would be set at a first floor height at least 42m from the side of Longbourne House and 26m from the side of Goodrich House to the south. It is noted that secondary side windows are present in the side of Goodrich House however given these distances and existing screening provided by existing vegetation and proposed planting it is not considered that any unacceptable impacts would result in terms of loss of privacy or of light or overbearing impacts.

9.39 No.4 Sampson Park would be situated at least 30m at a first floor height from plot 11 and 40m from the side of Parkham which is as existing. An impact on their amenity is not considered to occur.

9.40 Apple Pie house within Sampson Park would be situated at least 25m from the side of plot 18 thereby ensuring a significant adverse impact on their amenity would not occur.

Impact upon residential amenity of future occupants of the development

9.41 The proposed houses and flats have been designed to achieve suitable privacy, outlook and daylight. Flat 13 in Parkham would have a ground floor bedroom window overlooking the parking for the flats. A condition is recommended to be imposed so that, given this siting relationship, the occupant overlooks his/her parking space.

9.42 In view of the above the development is considered to result in an acceptable impact on the amenity of neighbouring dwellings and for future occupiers and complies with BFBLP Policy EN20 and the NPPF.

vi. TRANSPORT IMPLICATIONS

9.43 CSDPD Policies CS23 and CS24 seek to promote or retain safe highway access and suitable off road parking provisions, thus avoiding highway safety implications. BFBLP Policy M9 seeks to ensure that new development has sufficient car parking. BFBLP Policy M6 seeks to provide pedestrian routes which are direct, convenient, safe and attractive and BFBLP Policy M4 seeks highway measures in association with new development. These policies are consistent with the objectives of the NPPF. To supplement this policy the adopted Parking Standards SPD (2007) sets out the advised levels and size of parking spaces for residential dwellings (The SPD was adopted following public consultation, so can be afforded significant weight). For a 2/3 bedroom house the standard would be 2 parking spaces and for a 2/3 bedroom flat the standard would be 2 spaces per unit including communal parking. The visitor parking standard would be 1 parking space per 5 units. The NPPF allows for LPAs to set their own parking standards for residential development and therefore the above policies are considered to be consistent with the NPPF.

Access

9.44 The application site would take its access off St Marks Road, a local distributor road (classified C road) which is subject to a 30 mph speed limit. The existing vehicular crossover (drop kerb) is to be replaced with a new bell-mouth junction which will incorporate a 4.8m wide carriageway and 6m junction radii which is considered to be acceptable. Short lengths of 2 metre wide footways are to be provided around the bell-mouth leading to a 4.8 metre wide shared surface for vehicles and pedestrians within the new residential estate.

9.45 The proposed bell mouth junction is located approximately 16 metres from the existing access to Popes Meadow on the western side of St Marks Road which is considered acceptable and visibility splays of 2.4 metres by 65 metres are proposed in either direction which would comply with the speed survey results submitted with the application.

9.46 Application 14/01298/FUL was refused on the grounds that the development did not provide pedestrian permeability and direct pedestrian access outside the site.

9.47 The plans have been amended under this application to show a 1.2 metre wide footway to the south of the bellmouth along the eastern side of St Marks Road. The Local Highway Authority have advised that this is considered acceptable due to the constraint of existing trees. These details can be secured by a condition. A tactile crossing point is shown at the end of the footway with Sampson Park. These details will enable pedestrian access to the existing bus stops along both the western and eastern sides of St Marks Road.

9.48 There is an existing vehicular access onto Popeswood Road, a classified (C) road, which is subject to a 30mph speed limit. This vehicular access is to be removed and replaced with a pedestrian route between the site and Popeswood Road. The removal of this vehicular access is recommended to be secured by a planning condition for highway safety.

9.49 In view of the above, pedestrian permeability would be provided through the site, from Popeswood Road to St Marks Road, and outside the site providing access to bus stops on both sides of St Marks Road. This is considered to overcome the previous reason for refusal on 14/01298/FUL.

Parking Requirements

9.50 Plots 1 to 11 are proposed to have integral or attached garaging with a driveway parking space in front. The garages parking can be secured by a condition to ensure vehicular parking at all times. The driveway for plot 2 is less than 6m and in relation to plots 10 and 11 there is a lip for access to the parking spaces which would provide turning space in the development. A condition is therefore proposed to require a roller shutter garage door to these units.

9.51 The flats are provided with 2 open parking spaces each, a total of 10 spaces which complies with the parking standards for the 2 bed flats. Two parking spaces are to be provided for plots 17 and 18 in a rear parking courtyard with rear pedestrian access.

9.52 3 visitor parking spaces are proposed opposite plots 8 and 9. This complies with the parking standards.

9.53 Cycle parking would be available within the integral garages and each of the houses has a rear access which would allow for cycle and bin storage to the rear.

9.54 A cycle store is to be provided for the apartments within the parking courtyard as is a communal bin store which would be 20 metres from the internal access road. A refuse vehicle could enter the site as demonstrated by the vehicle tracking and the Local Highway Authority has advised that it is intended for the access road to be adopted as public highway.

Site Layout

9.55 The site is proposed to have a 4.8 metre wide shared surface and be bounded on both sides by a 2 metre wide service margin. A turning area is being provided within the site. The layout has been designed to accommodate a large refuse vehicle (11.4 metres) and a tracking plan has been provided to demonstrate this. Under refused application 14/01298/FUL this had not been demonstrated and this has overcome the previous reason for refusal.

Trips

9.56 The Transport Statement submitted with the application notes that the proposal would give rise to an additional 80 trips over the course of a typical day. This is based on a net increase of 12 units (18 proposed minus 6 existing units) and has not been disputed by the Local Highway Authority.

9.57 In view of the above it is considered that the previous reasons for refusal relating to pedestrian permeability and vehicles turning within the site have been addressed. The development is considered to be acceptable subject to conditions and a Section 106 Legal Agreement to secure that the footpath and road through the site is adopted and accordingly complies with CSDPD Policies CS23 and CS24 and Saved BFBLP policies M4 and M9 and the NPPF.

vii. BIODIVERSITY

9.58 CSDPD Policy CS1 seeks to protect and enhance the quality of natural resources including biodiversity. CSDPD Policy CS7 also requires the design of new development to enhance and promote biodiversity. These policies are consistent with the NPPF and can be afforded full weight.

9.59 The information submitted with the application has been considered by the Council's Ecologist. The ecology report confirms that Parkham is used as a roost by Common Pipistrelle bats. The applicants have previously gained a license from Natural England for the works to Parkham to advise how the works can be carried out whilst considering the bat roost. Bat and bird boxes are proposed on the site which can be secured by a planning condition.

9.60 The Council's Ecologist has advised that a condition regarding the bird nesting season should be applied and that any boundary treatment with Popeswood Road should allow the free flow of wildlife. Originally a mesh fence was proposed in this location although the applicants have amended the boundary treatment to a parkland style fence.

9.61 In view of the above it is considered that the development accords with Core Strategy Policies CS1 and CS7 and the NPPF.

viii. SUSTAINABILITY

9.62 Core Strategy Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards. Previously this was achieved by Code for Sustainable Homes Level 3 however the government has withdrawn the code for sustainable homes. To comply with the policy a sustainability statement should be provided in accordance with the requirements set out in the Sustainable Resource Supplementary Planning Document (October 2008).

A sustainability statement should address the following:-

- Energy and Carbon Dioxide;
- Water;
- Materials;
- Surface water runoff;
- Waste;
- Pollution;
- Health and wellbeing;
- Management; and

-Ecology

9.63 A sustainability statement has not been submitted with the application and it is considered that this could be required by an appropriate planning condition.

9.64 Core Strategy Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. The applicant has provided an Energy Demand Assessment demonstrating that the notional carbon levels will be reduced by 10% through passive design however on top of this the 20% energy demand offset cannot be met. The applicant states that Air Source Heat Pumps could be replaced by future owner/occupiers however this is not considered to form a robust argument and therefore the reasoning given has not been accepted. A condition can be applied to require further details.

ix. PLANNING OBLIGATIONS

9.65 The application should comply with guidance in:-

- o Planning Obligations SPD, this came into effect (with CIL) on 6 April.
- o TBHSPA Avoidance and Mitigation SPD.

9.66 This application is for CIL chargeable development. It lies within the Northern Parishes CIL Charging Zone and a CIL liability notice would be served upon any grant of planning permission.

9.67 Matters to be secured by S106 Agreement now comprise:-

- Thames Basins Heath Special Protection Area (SPA) mitigation (see section xi) below).
- Provision to secure the adoption of the estate road and footpath to ensure the pedestrian route through the site.

x. AFFORDABLE HOUSING

9.68 CSDPD Policies CS16 and CS17, BFBLP Policy H8, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive in 29 March 2011 seek to provide affordable housing when a scheme provides 15 or more net additional dwellings on a site. As the proposal represents a net gain of 12 dwellings there is no requirement to provide affordable housing. However as the scheme falls below the affordable housing threshold a higher rate of CIL will be charged.

xi. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

9.69 SEP Policy NRM6, CSDPD Policy CS14 and the Thames Basin Heaths Avoidance and Mitigation Supplementary Planning Document (The SPD was adopted following public consultation, so can be afforded significant weight) seek to ensure that the development will not adversely affect the integrity of the Thames Basin Heaths SPA.

9.70 The Council, in consultation with Natural England (NE), 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 SPA, either alone or in-combination with other plans or projects.

9.71 This site is located approximately 4.1 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.

9.72 Therefore, a Habitats Regulations Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the SPA. The development will result in a net increase of 13 X 3 bedroom dwellings replacing a single 1 bedroom dwelling. The level of SANG payment would be £26,052.

9.73 The enhancement of open space works at The Cut Countryside Corridor SANG is the most appropriate project to mitigate this proposal (although it may be necessary to allocate the contribution to another SANG).

9.74 An occupation restriction will be included in the Section 106 Agreement. This serves to ensure that the SANGs enhancement works have been carried out before occupation of the dwellings. This gives the certainty required to satisfy the Habitats Regulations in accordance with South East Plan Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2

9.75 The development will also be required to make a contribution towards Strategic Access Management and Monitoring (SAMM). This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it.

9.76 The level of contributions is calculated on a per bedroom basis as set out in the SPA SPD Summary Table 1. The application for this development is for 13 X 3 bedroom dwellings replacing a single 1 bedroom dwelling for which the level of SAMM payment is £8, 532.

9.77 In summary, the total SPA related financial contribution applied through a section 106 agreement for this proposal is £34, 584 (i.e. £26,052+£8,532). CIL contributions, where relevant, will be applied separately.

9.78 A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). Without any appropriate avoidance and mitigation measures the Habitats Regulations Assessment will conclude that the development is likely to have a significant effect upon the integrity of the SPA with the result that the Council would be required to refuse a planning application.

9.79 Provided that the applicant is prepared to make a financial contribution (see paragraph 3. above) towards the costs of SPA avoidance and mitigation measures, the application will accord with the SPA mitigation requirements as set out in the relevant policies above.

9.80 The Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) as amended, and permission may be granted.

xii. DRAINAGE

9.81 The Planning Practice Guidance 'Flood Risk and Coastal Change' as amended 15/04/2015 advises under para. 079 that when considering major development, as defined under the Town and Country Planning (Development Management Procedure) (England) Order 2015, sustainable drainage systems should be provided unless demonstrated to be inappropriate.

9.82 This is a major application and at the time of writing the report an acceptable SuDS proposal has not been submitted. The matter will be addressed within the supplementary report.

10. CONCLUSION

9.83 The application site is located within the defined settlement boundary, close to services and public transport routes. The development now retains the non-designated heritage asset 'Parkham' and it is considered that it would preserve the setting of the adjacent statutory listed buildings, St Marks Church, Popescroft and Littlehurst (now known as Longbourne House). Whilst it is acknowledged that the Council's Conservation Officer has raised concern regarding the loss of the associated stable building, the Victorian Society has not objected to the application. It is not considered the significance of the asset is great enough to retain it.

9.84 The proposal would not harm the character or amenity of area Area B of the Binfield and Popeswood Area Character Area, the amenities of neighbouring residents or the bio-diversity value of the site. The application would not result in any highway safety concerns and provides parking in line with the council's adopted parking standards. The applicants have now shown a pavement to the eastern side of St Marks Road which will allow pedestrian permeability through and outside the site. Whilst units 17 and 18 would be located in close proximity to protected trees subject to appropriate conditions it is considered the trees can be retained and protected.

9.85 The proposal is therefore considered to have addressed the previous reasons for refusal under 14/01298/FUL and does not give rise to any other reasons why it should be refused. The application is considered to be acceptable and in conformity with relevant development plan policies and the NPPF.

11. RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA).
02. Provision to secure the adoption of the estate road and footpath to ensure the pedestrian route through the site.

That the application be **APPROVED** subject to the following conditions:-

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 documents:-

22990-SL01
22990 - CSL-01-REV B
2990-SL-500B+W REV E
22990 - SEP -10-REV B
22990-SE01 -REV A
22990-CBS-01
22990-APP_01
22990-APP-02
22990-APP_03
22990-APP-04A
22990-APP-05A
22990-HT-A-01-REV A
22990-HT-A-02A-REV B
22990-HT-A-03A- REV B
22990-HT-B-01- REV A
22990-HT-B-02A-A
22990-HT-C-01
22990-HT-C-02A
22990-HT-C-03A
22990-HT-D-01
22990-HT-D-02A
22990-HT-D-03A
22990-HT-E-01-REV B
22990 HT-E-02A REV A
22990-VT-01-B
22990-SK01
MILL 19920-03 REV D
PKH-902-REV P5
PKH-903-REV P3
PKH-906-REV P4
PKH-908-REV P3
MILL-19920-11 REV A
666156-DWG-SBU-105 REV T2
666156/102 REV T4

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

03. No development shall take place 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 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]

04. The development hereby permitted shall not be begun until details showing the finished floor levels of the dwellings, garages, bin stores and the levels of the roads hereby approved in relation to a fixed datum point have been submitted to and

approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

REASON: In the interests of the character of the area.

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

05. The development hereby approved shall be strictly in accordance with soft landscaping plan MILL-19920-11 REV A and the post planting maintenance schedule submitted with the application. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the above details, 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, or as may otherwise be agreed in writing by the Local Planning Authority. 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 (Part 1) '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, unless the Local Planning Authority gives written consent to any variation.

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

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS1 and CS7]

06. The development shall not be begun 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. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

(a) that before taking account of any on-site renewable energy production 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) that 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).

The buildings 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]

08. The garage accommodation shall be retained for the use of the parking of vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.

[Relevant Policy: BFBLP M9]

09. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved in writing by the Local Planning Authority. Any such study will have to be complied with during construction.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP CS1, CS7]

10. All ecological measures and/or works shall be carried out in accordance with the details contained in the report produced by AA Environmental Limited (ref: 143237/JDT) dated 8 May 2015 and separate letter produced by AA Environmental (ref:143237/ARB) dated 1 July 2015. The biodiversity enhancements to include bird and bat boxes shall be implemented prior to the occupation of the development and shall be retained therein.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

11. The development shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans [drawing 22990-SEP-1--A).

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

12. The development shall not be occupied until a means of access for pedestrians has been constructed in accordance with dwg 22990-SL-500-B+W-E dated April 2015.

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.

[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

13. No development shall take place until all the visibility splays shown on the approved drawing 22990-CSL-500-B+W-D have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

14. The dwelling(s) shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent carriageway. The dimensions shall be measured along the edge of the drive and the edge of the carriageway from their point of intersection. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

15. The development shall not be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing 22990-CSL-500-B+W-D .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]

16. The garage door for the houses on Plots 2, 10 and 11 shall be of a roller shutter design. Any replacement or repair shall only be with a roller shutter type garage door.

REASON: To ensure that the garage is still accessible while a car is parked to the front of the property avoiding inappropriately parked cars within the communal reversing/turning area.

[Relevant Policy: BFBLP M9]

17. The development shall not be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawing 22990-CBS-01 and site plan 2990-SL-500B+W REV D.

REASON: In order to ensure bicycle facilities are provided.

[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. The development shall be constructed strictly in accordance with the Site Welfare and Traffic Management Plan Dwg PKH-903 P3 dated 20 July 2015 and Method of Construction Statement (Revision A, dated 21st July 2015).

REASON: In the interests of amenity and road safety.

[Relevant Policies: Core Strategy DPD CS23]

20. The development shall not be occupied until a 1.2 metre wide footway has been constructed on the eastern side of St Marks Road between the site access and Sampson Park to include a tactile crossing point at Sampson Park, in accordance dwg SEP-10 B dated May 2015.

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

[Relevant Policy: BFBLP M6]

21. No dwelling shall be occupied until the boundary treatments shown on dwg PKH-908 P3 dated 20 July 2015 have been implemented in full.

REASON: In the interests of the visual amenities of the area and to protect privacy.

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

22. Prior to the commencement of the development hereby approved an investigation into the potential for subsidence to units 17 and 18 shall be submitted to and approved in writing by the Local Planning Authority. If the investigation advises that there is a risk of subsidence to those units the foundation details shall be designed to cater for that risk and full details shall be submitted with the investigation. The agreed details shall be complied with in full within the development.

REASON: Due to the close proximity of oak trees to units 17 and 18.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

23. The development shall be constructed in compliance with the Arboricultural Impact Assessment and Method Statement produced by ACD Arboriculture dated 20 August 2015 and associated tree protection plan MILL19920-03D.

REASON: To ensure the protection of trees on the site.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

24. The services to the site shall be laid out in compliance with dwg PKH-902 P5.
REASON: To ensure the protection of trees on the site.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

25. Prior to the occupation of the flats a site plan shall be submitted showing how the parking will be allocated to the flatted building. The parking shall be allocated in accordance with the approved plan and thereafter retained in accordance with the plan.
REASON: To ensure that flat 13 receives suitable privacy.
[Relevant Policies: BFBLP EN20, CSDPD CS7]

26. Prior to the occupation of units 17 and 18 a management plan shall be submitted to and approved in writing with the Local Planning Authority to consider the maintenance of the protected oak trees situated to the western (front) boundary of these plots. The approved management plan shall be observed, performed and complied with.
REASON: To ensure the retention of the protected oak trees and amenity of units 17 and 18.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity.
[Relevant Policies: BFBLP EN15, EN20 and EN25]

Informative(s)

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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:
1, 2, 5, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24,
03. The applicant is advised that the following conditions require discharging prior to commencement of construction works:
3, 4, 6, 7, 9, 22,
04. The following conditions require discharge prior to the occupation of the dwellings hereby approved:
25, 26

In the event of the S106 planning obligation(s) not being completed by 17th November 2015 the Head of Planning be authorised to **REFUSE** the application on the grounds of:-

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. 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 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 Avoidance and Mitigation Supplementary Planning Document (2012).

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Unrestricted Report

ITEM NO: 10

Application No.
15/00507/FUL
Site Address:

Ward:
Priestwood And Garth

Date Registered:
12 June 2015

Target Decision Date:
7 August 2015

5 Hawthorn Close Bracknell Berkshire RG42 1YB

Proposal:

Erection of a part single storey and part two storey side extension following demolition of garage and utility room.

Applicant:

Mrs Levey

Agent:

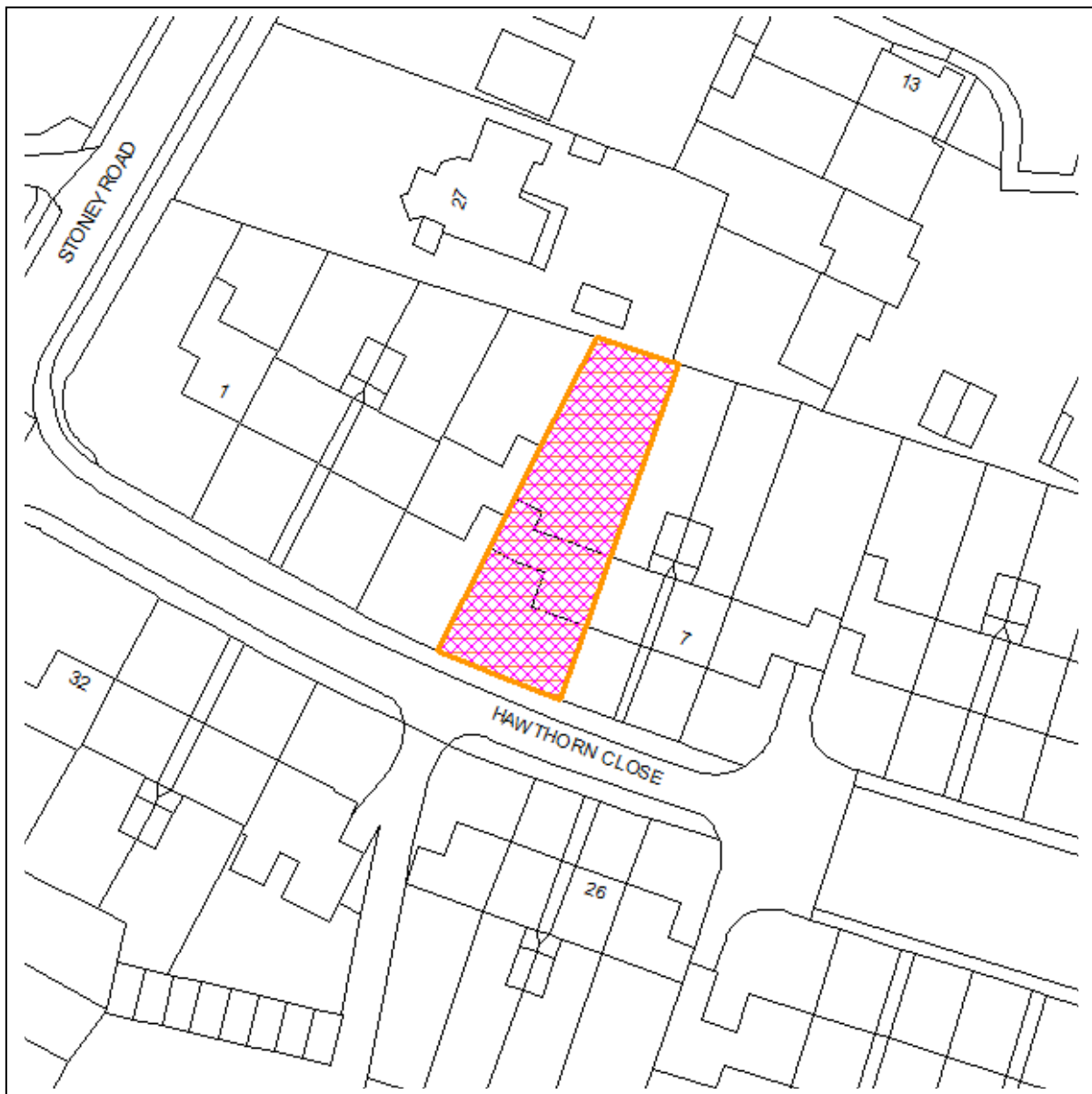
Mrs Helen Nightingale

Case Officer:

Charlotte Pinch, 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 proposal is for a part single storey and part two storey side extension.
- 1.2 Amended plans were received altering the design to a hipped roof style, which resulted in the proposal meeting BRE loss of light standards, therefore the proposal is considered acceptable in relation to impact on residential amenity and there are no highway safety implications. The design is considered acceptable and there would be no adverse impact on the streetscene or character of the area.

RECOMMENDATION

Planning permission be granted subject to 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 at the request of Councillor McKenzie-Boyle due to concerns over loss of light and creating a tunneling effect.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary, therefore this development is acceptable in principle.
--

- 3.1 No. 5 Hawthorn Close is a two storey link semi-detached property located in a predominantly residential area. The property has an enclosed rear garden with 1.8 metre high boundary fencing and high vegetation on the rear boundary. The property has a small grassed area to the front, with 1 metre high picket style fence, in addition to a hard standing to the front of the garage for parking.

4. RELEVANT SITE HISTORY

- 4.1 No relevant planning history.

5. THE PROPOSAL

- 5.1 The proposed development is the erection of a part single storey and part two storey side extension, following demolition of the garage and utility room. The extension will form a ground floor family room, utility room and W/C, in addition to a first floor third bedroom with en-suite. The side extension will have a ground floor width of 4.6 metres and depth of 7.3 metres, and a first floor width of 3.9 metres and depth of 6.8 metres.

During the course of the application process amended plans were received on 20 July 2015, altering the roof of the proposal to meet BRE Loss of Light standards.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

- 6.1 Bracknell Town Council raise no objection.

Other representations:

6.2 An objection was received from the occupants of the residential property of No.4 Hawthorn Close. The occupants objected to the proposal on the grounds that it will cause a loss of light to their first floor side bedroom window.

[Officer Note: An assessment of potential loss of light and overshadowing, using guidance from within the Building Research Establishment (BRE) Report “Site layout planning for daylight and sunlight: a guide to good practice” (2011) has been carried out and is further explained in the report below.]

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highways Authority

The existing dwelling takes access off an adopted residential cul-de-sac. Hawthorn Close is subject to parking controls to minimise commuter parking, though residents are entitled to permits to park on-street.

The proposal would result in the loss of the garage parking space and the existing plan indicates that there are 2 no. existing parking spaces on the existing driveway. These spaces are considered practical and useable and it is advised that this is secured by planning condition/removal of permitted development rights to ensure adequate on-plot parking provision.

The Highway Authority has no objection and recommends that this planning application be approved.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent Para. 39 refers to LPA’s setting their own parking standards for residential development.
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Building Research Establishment (BRE) Report “Site layout planning for daylight and sunlight: a guide to good practice” (2011)		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

- i Impact on character and appearance of the area
- ii Impact on residential amenity
- iii Impact on highway safety
- iv Community Infrastructure Levy

i. Impact on Character and Appearance of Area

9.2 It is not considered that the proposed two storey side extension would be out of character with the host dwelling, as it would not be larger in depth than the existing dwellinghouse. It would be set back slightly from the front elevation and have a roof of a slightly lower height than the existing dwellinghouse, therefore providing a sympathetic design.

9.3 The proposal would be visible in the street scene of Hawthorn Close from the front and side elevations. The proposed design and massing of the extension would form an appearance similar to No. 25 Hawthorn Close, and therefore the proposal would not be considered incongruous or adversely out of character with the surrounding area.

9.4 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area or the host dwelling, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF, subject to a condition requiring matching materials.

ii. Impact on Residential Amenity

9.5 Saved BFBLP Policy EN20 (vii) refers to the need to consider impact on the amenity of surrounding properties. In terms of potential loss of light and overshadowing, guidance within the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011) can be used as a standard for assessing acceptable levels of visual amenity with concern to loss of light.

9.6 The proposed extension would be visible from the side and rear of the neighbouring dwellinghouse of No. 4 Hawthorn Close. The closest side facing window at first floor level at No. 4 serves a bedroom. In accordance with BRE Report guidance, a 25 degree line drawn on the horizontal plane from the midpoint of the side facing window (which serves a habitable room) towards the proposed extension intersects the proposed two storey extension at a distance of 4.4 metres from the window, resulting in a small section of the roof of the proposed extension breaching this standard.

9.7 As a result amended plans were received on 20 July 2015 showing a hipped roof, which would therefore meet BRE Loss of Light standards. The residents at No.4 Hawthorn Close were reconsulted on 22 July 2015 with the amended plans, however on 26 July 2015 a further objection was received as they still had concerns about loss of light.

9.8 The proposed extension will be no higher than the existing dwellinghouse and the wider ground floor element will be between 1.9 metres and 0.75 metres from the boundary with No. 4 Hawthorn Close, which is an improvement on the existing ground floor garage which adjoins the boundary. The first floor element is 2.5 metres from the boundary with No. 4 Hawthorn Close, it is therefore considered that this two storey side extension will not have any overbearing impacts.

9.9 The proposed two storey side extension will have one front facing first floor window and one rear facing first floor window, with no windows on the north west side elevation, except from a ground floor door into the utility room. It is considered that neither of the first floor windows will cause any detrimental impacts from overlooking, as there are existing first floor windows on the front and rear elevations of the dwellinghouse and they face onto the highway and into the property's rear garden.

9.10 Due to factors outlined above, the proposal would not be significantly detrimental to the living conditions of the occupants of adjoining properties. It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

iii Impact on Highway Safety

9.12 The proposal would result in the loss of the garage parking space and there are 2 parking spaces on the existing driveway. It is advised these 2 parking spaces are secured through a planning condition.

iv Community Infrastructure Levy (CIL)

9.13 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.

9.14 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. This proposal would not result in an extension of over 100 square metres of gross internal floor space, therefore the development is not CIL liable.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties, subject to the recommended conditions. There would be no highway safety implications. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2 and CS7, BFBLP 'Saved' Policy EN20 and M9, and the NPPF.

11. RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

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:

L/2118 'Existing plans and elevations'

L/2118/1 (Amended) 'Proposed plans and elevations'

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

03. The materials to be used in the construction of the external surfaces of the part single storey, part two storey side extension hereby permitted shall be similar in appearance to those of the existing building.

REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

04. The 2 no. existing parking spaces on the existing driveway shall be retained for the use of parking vehicles at all times, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.

[Relevant Policy: BFBLP M9]

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
3. Materials
4. Parking

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.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Unrestricted Report

ITEM NO: 11

Application No.
15/00530/FUL
Site Address:

Ward:
Bullbrook

Date Registered:
8 June 2015

Target Decision Date:
3 August 2015

7 Flint Grove Bracknell Berkshire RG12 2JN

Proposal:

Erection of part two storey part single storey front and side extensions following demolition of garage and conservatory.

Applicant:

Mr G Arden

Agent:

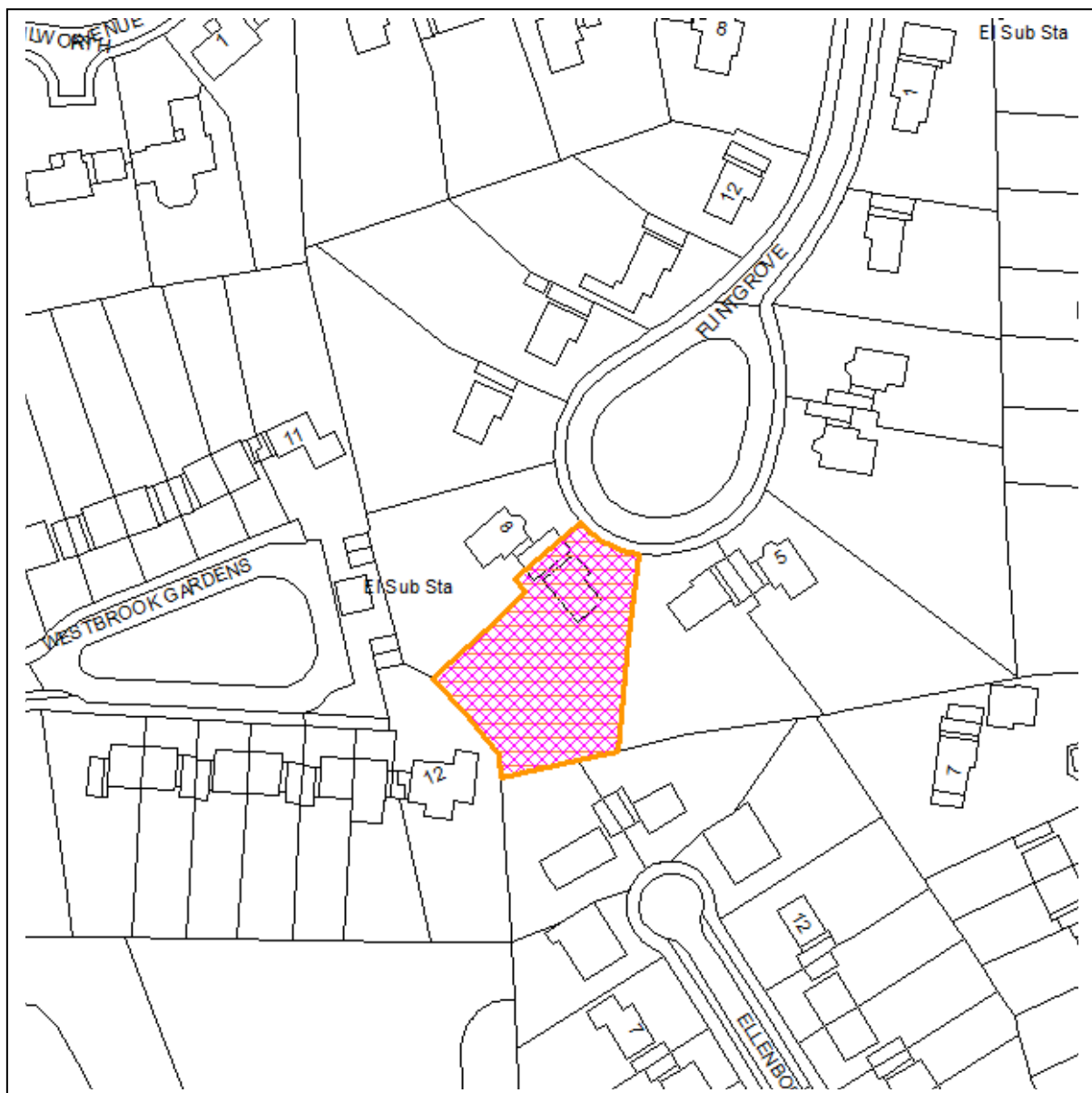
Mr Robert Cole

Case Officer:

Matthew Miller, 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 proposal is for part two storey part single storey front and side extensions, following demolition of garage and conservatory.

1.2 The proposal is not considered to be out of character with the surrounding area when viewed in the context of the surrounding street scene. Furthermore the proposal is not considered to result in an adverse impact on the amenity of the surrounding properties considering the overall massing and projection of the proposal in comparison to the existing built form, the presence of existing side- and rear-facing windows on the host dwelling, and the proposed projection of the single storey rear extension.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been called to Planning Committee at the request of Councillor Dudley in relation to concerns regarding the impact of the proposal on the character of the surrounding area, and on the amenity of neighbouring residential properties.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary, therefore development is acceptable in principle
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3.1 7 Flint Grove is a four bedroom two storey link-detached dwellinghouse located in a predominately residential area. The dwelling contains an attached garage (to be demolished), which connects to the attached garage of 8 Flint Grove to the north. The property contains two hardsurfaced front driveways providing off-street parking, and access to the existing garage, with an area of soft landscaping in between, and benefits from an enclosed rear garden.

3.2 At the time of writing, a detached garage is under construction on the southern side of the dwelling, following the demolition of a side extension forming a conservatory (under planning permission 15/00153/FUL).

4. RELEVANT SITE HISTORY

15/00153/FUL

Erection of a detached garage to side following demolition of existing conservatory
Approved (2015)

5. THE PROPOSAL

5.1 The proposed development is the erection of a part single storey, part two storey northern side extension following the demolition of the existing garage and connecting passageway, and the erection of a part single storey, part two storey front extension.

5.2 The proposed side extension would project 3.8 metres in width at ground floor level, and 2.8 metres at first floor level, and measure 9.6 metres in depth at ground floor, and 4.3 metres at first floor. The single storey element would have a flat roof

measuring 3.1 metres in height (with a pitched front section) and a roof lantern measuring 3.6 metres in height from ground level. The two storey element would have a hipped dual-pitched roof and would measure 6.0 metres from ground level.

5.3 The proposed front extension would project 1.7 metres in depth at ground floor, and 1.0 metres in depth at first floor. It would project 3.0 metres in width at ground floor level, and 2.7 metres at first floor level. The single storey element would have a pitched roof and measure 3.0 metres in height. The two storey element would have a hipped pitched roof and measure 6.0 metres in height from ground level.

5.4 Cumulatively the extension would form a play room, utility room, dining room and front porch at ground floor level, and an enlargement to an existing bathroom and bedroom at first floor level.

5.5 During the course of the application amended plans have been received to reduce the rear projection of the single storey side extension so that its rear elevation would project 0.75 metres in depth beyond the rear garage of 8 Flint Grove (compared to its original rear projection of 1.8 metres).

6. REPRESENTATIONS RECEIVED

Bracknell Parish Council:

6.1 Bracknell Town Council states that it has reservations regarding the height of the proposed extensions and the proximity of the side and rear extensions to the boundary with 8 Flint Grove, however does not raise an overall objection.

Other representations:

6.2 Three objections have been received from the occupants of the neighbouring properties of 8 and 9 Flint Grove to the north, and 12 Westbrook Gardens to the southwest (rear). The objections can be summarised as follows:

- The proposal would be out of character with the host dwelling and the surrounding area, including its front projection, and would result in a terracing impact.
- The proposal would result in an adverse loss of light and overlooking impact to the occupants of 8 Flint Grove
- There are concerns over the long-term stability of the proposed extensions in relation to the adjoining dwelling of 8 Flint Grove
- The proposal would provide the potential for the dwelling to be converted into a House in Multiple Occupation (HMO)
- The proposal may result in long-term problems relating to surface water drainage and sewerage capacity.

[Officer Note: Construction matters are not a planning consideration, and are subject to separate Building Control regulations. Considering the proposed massing of the extensions in relation to the existing dwelling and its attached garage, and that the proposal would not involve an increase in the number of bedrooms, it is not considered that there is any more potential for the dwelling to be converted into a HMO than is already present. Thames Water as the Water Authority have provided comments on the proposal with regards to drainage and sewerage, and these comments are to be addressed separately to any grant of planning permission. The other above matters are discussed in the report below].

7. SUMMARY OF CONSULTATION RESPONSES

Water Authority:

7.2 Thames Water as the Water Authority has provided comments on the proposal. The applicant is to be advised of these by an way of informative on the issued decision notice.

7.3 No further statutory or non-statutory consultations have been required.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Parking	CS23 of CSDPD, 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.
Supplementary Planning Documents (SPD)		
Parking standards SPD (2007)		
Other publications		
National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG) Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011) Community Infrastructure Levy		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Impact on character and appearance of the area
- ii Impact on residential amenity
- iii Impact on highway safety
- iv Community Infrastructure Levy

i. Impact on Character and Appearance of Area

9.2 Considering the proposed design and massing of the proposal, it is not considered that it would be adversely out of character with the host dwelling. The design and form of the extensions are considered to be in keeping with the hipped pitched roof and front-projecting gable of the host dwelling. The single storey element of the side extension would occupy a similar footprint to the garage to be demolished. Furthermore, the extensions would project forward of the front elevation of the host dwelling by less than 0.5 metres, and only at ground floor level, and such a front projection is not considered to be adversely out of character.

9.3 The proposal would be visible in the street scene of Flint Grove. It is noted that a near-identical first floor side extension has been erected on the neighbouring dwelling

of 9 Flint Grove to the north. Furthermore the dwelling at 1 Flint Grove further to the north benefits from a two storey front extension similar to that proposed. Various other dwellings within Flint Grove have been extended through different means and this has resulted in variety in the street scene. Considering the front projection of the proposal, its similarity to other extensions within Flint Grove, and the similar footprint of the single storey side extension to the existing garage to be demolished, it is not considered that the proposal would be adversely out of character with the surrounding area.

9.4 It is not considered that the proposal would result in a terracing impact considering that the dwellings of 7 and 8 Flint Grove are already linked through their attached garages. The proposed side extension at first floor level would have a separation distance of 4.7 metres to the first floor of the dwelling of no.8. Furthermore it is not proposed to extend the dwelling southwards towards 6 Flint Grove, and there would be clear separation to the garage under construction as part of planning approval 15/00153/FUL, which in turn has clear separation to no.6. External rear access to the property for secure bin storage would be retained by the access between the host dwelling and garage currently under construction.

9.5 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area or the host dwelling, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF, subject to a condition requiring matching materials.

ii. Impact on Residential Amenity

9.6 In association with the assessment of potential loss of light and overshadowing, guidance within the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011) is utilised as a standard for assessing acceptable levels of visual amenity with concern to loss of light.

9.7 The proposal would be visible from the neighbouring property of 8 Flint Grove to the north. Following the receipt of amended plans the single storey side extension would project 0.75 metres past the rear elevation of the existing adjoining garage of no.8. In view of this projection it is not considered that it would result in an adverse loss of light or overbearing impact to the occupants of no.8, especially as the affected room (a kitchen and dining room) is served by a secondary south-facing window.

9.8 The two storey element of the side extension would be sited forward of the front elevation of no.8. In accordance with the BRE Report guidance, a 45 degree line drawn on the horizontal plane from the midpoint of the closest front-facing windows at ground and first floor levels on the dwelling of no.8 (which serve habitable rooms) towards the extensions would not intersect the extensions. Furthermore, considering the separation distance of 4.7 metres, and the presence of the intervening attached garage of no.8, it is not considered that the proposed two storey side extension would result in an adverse loss of light or overbearing impact on the occupants of no.8.

9.9 No north-facing side windows are proposed to be installed on the side extension. This represents an improvement on the current situation as the existing north side elevation of the host dwelling contains a side-facing window which does result in some loss of privacy. It is recommended that a condition be imposed to restrict the formation of windows on this side, in the interests of the residential amenity of no.8.

9.10 The two storey side extension would contain a rear-facing window at first floor level, to be sited at a distance of 6.2 metres from the rear boundary of no.8. Considering the presence of rear-facing first floor windows much closer to the

boundary with no.8, it is not considered that this additional window would result in an adverse loss of privacy or overlooking impact in comparison to the existing situation.

9.11 The proposed side extension would be visible from the residential properties sited to the south and southwest. Considering the separation distance of approximately 35 metres between the proposal and these properties, it is not considered that the proposal would result in an adverse impact on the residential amenity of these properties.

9.12 The proposed front extension and the front section of the proposed side extension would be visible from the other neighbouring properties to the north and east. However, considering the separation distances, the front-projection of the extensions, and the presence of existing front-facing first floor windows, it is not considered that the proposal would result in an adverse impact on the residential amenity of these properties. As a front-facing window is proposed to be installed to the enlarged bathroom, it is recommended that a condition be imposed to obscure-glaze this window, in the interests of residential amenity.

9.13 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF, subject to the recommended conditions.

iii Impact on Highway Safety

9.14 The proposal would not result in a net increase in bedrooms, but would involve the loss of an existing garage space through demolition works. The retained driveway of the property has suitable capacity to provide at least three off-street parking spaces of acceptable size. The garage currently under construction as approved under 15/00153/FUL would have capacity to provide a further parking space.

9.15 As a result it is not considered that the proposed development would result in an adverse impact on highway safety, in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9, the Parking Standards SPD, and the NPPF.

iv Community Infrastructure Levy (CIL)

9.16 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.

9.17 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. In this case the extension does not exceed 100m² and therefore is not CIL liable.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties, or on highway safety, subject to the recommended conditions. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1,

CS2, CS7 and CS23, BFBLP 'Saved' Policies EN20 and M9, the Parking Standards SPD, and the NPPF.

11. RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

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 received by the Local Planning Authority:

FG/07/03 Rev. A 'Proposed' [Plans & Elevations] received on 26 August 2015
FG/07/04 'Location & Block Plan' received on 8 June 2015

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.

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

[Relevant Policies: Core Strategy DPD CS7, BFBLP 'Saved' Policy EN20].

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no windows at ground floor level or above shall be installed on the north-facing side elevation of the development hereby permitted, with the exception of the roof lantern shown on the approved plans.

REASON: In the interests of the residential amenity of the neighbouring property of 8 Flint Grove, Bracknell.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

05. The 1no. window serving the bathroom on the first floor of the front extension hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). It shall at all times be fixed with the exception of a top hung openable fanlight. Any replacement windows shall be glazed and fixed to this standard, and retained as such.

REASON: In the interests of the residential amenity of the neighbouring properties within Flint Grove, Bracknell.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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. Commencement
2. Approved Plans
3. Materials
4. Side windows
5. Obscure-glazing

03. Thames Water as the Water Authority have provided the following comments:

Waste Comments:

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments:

With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, Rocfort Road, Snodland, Kent, ME6 5AH, Tel: 01444-448200

04. The Applicant is advised 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.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Unrestricted Report

ITEM NO: 12

Application No. 15/00547/FUL	Ward: Winkfield And Cranbourne	Date Registered: 22 June 2015	Target Decision Date: 21 September 2015
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Site Address: **Orchard Lea Drift Road Winkfield Windsor Berkshire**

Proposal: **Part redevelopment of existing office buildings to provide 14 residential units (Class C3) together with garages, balconies, hard and soft landscaping, open space and reconfiguration of car park and closure of entrance off Winkfield Lane.**

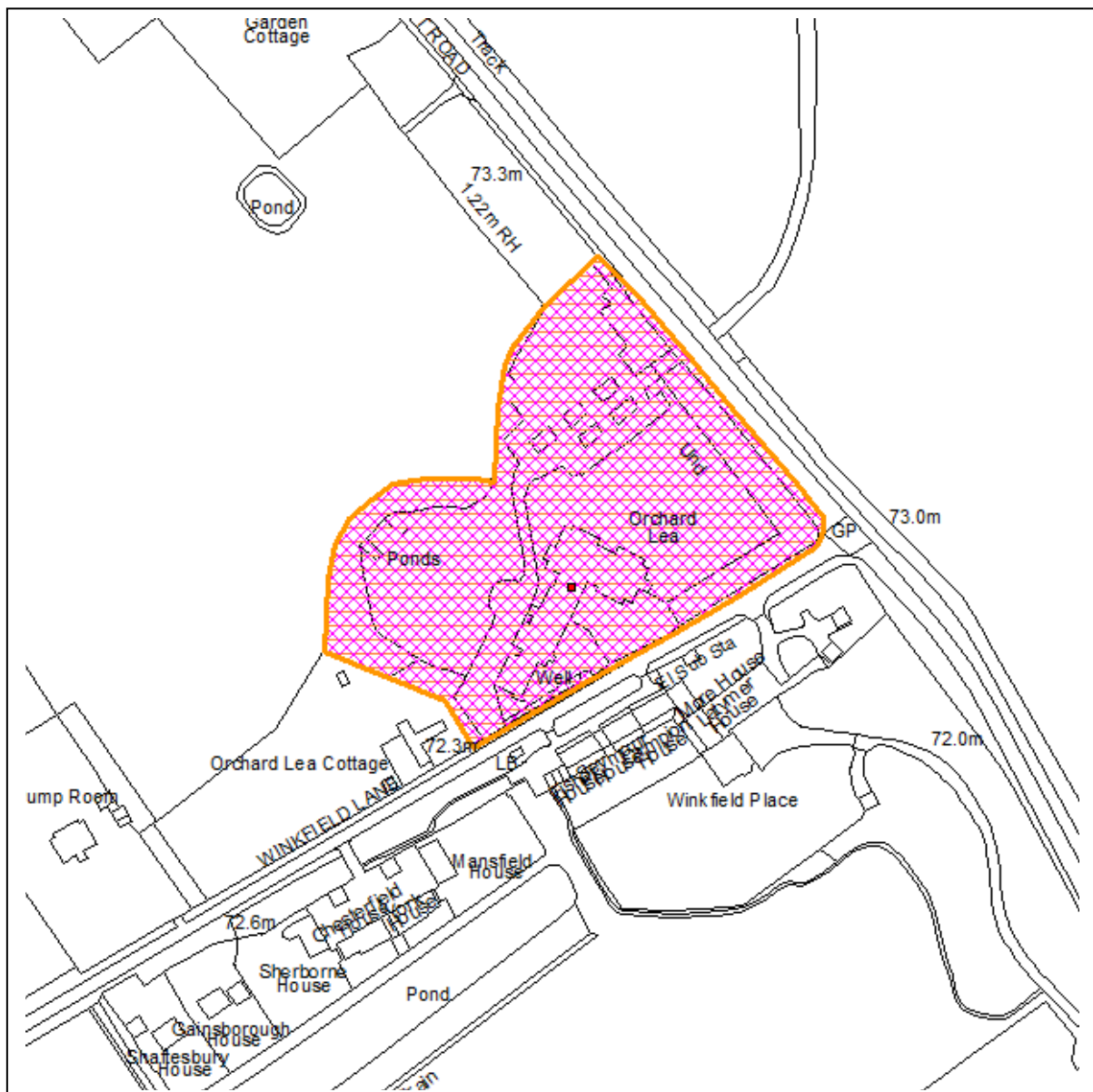
Applicant: Danescroft (Orchard Lea) Ltd

Agent: Ms Paula Stratford

Case Officer: Trevor Yerworth, 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 proposal is for the part redevelopment/ part change of use of an existing office building to provide 14 residential units, including four houses and ten apartments. The site lies within the Green Belt.

1.2 The proposed development is considered to be appropriate development in the Green Belt. The site constitutes previously developed land and development is shown to be largely within parts of the site currently developed as office buildings or as car parking areas. The overall height of development would not be increased and the form of development results in a reduced mass of buildings. The proposed development would not result in any adverse impact on the openness of the Green Belt.

1.3 The proposed development would result in a reduction in vehicular trips. Although the development would be predominantly served by cars due to its rural location, this is also true of the current office use of the site.

1.4 The proposal development is considered to have an acceptable impact on the character and appearance of the surrounding area, on the residential amenities of neighbouring properties, on the setting of nearby listed buildings, on highway safety, on biodiversity and on trees and landscaping.

1.5 The LLFA has requested additional information in respect of the drainage strategy. The application is therefore recommended for approval subject to confirmation by the LLFA that an acceptable drainage strategy has been submitted and subject to the imposition of appropriate conditions.

RECOMMENDATION

Subject to confirmation by the LLFA that an acceptable drainage strategy has been submitted Planning permission be granted subject to the conditions set out in Section 11 of this report amended, added to or deleted as the Head of Planning considers necessary
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 This application is reported to committee as it has been advertised as a departure from the Development Plan.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Green Belt

Land outside a settlement

Setting of a Listed Building

3.1 The site straddles the administrative boundary with the Royal Borough of Windsor and Maidenhead (RBWM) and a duplicate application has been submitted to that Authority. The vast majority of the site lies within Bracknell Forest, including all the existing and proposed buildings, however the Drift Road access and a narrow strip of land within the site adjacent to Drift Road is within RBWM.

3.2 This 1.7ha site lies within a rural location at the junction of Winkfield Lane and Drift Road approximately 7km north east of Bracknell town centre and 5km south west of

Windsor town centre. The site contains a large three storey building with a maximum ridge height of 12m and a floorspace of 2,366 sq m (2,100 sq m net) set within extensive landscaped grounds. Orchard Lea is presently in use as serviced office accommodation, however the existing tenants are due to vacate the premises in October 2015. In addition the site contains 110 hard surfaced car parking spaces serving the office accommodation.

3.3 The main vehicular access is from Drift Road which serves the main car park. There is an informal one way traffic circulatory system in operation with traffic moving through the site from the main car park to exit onto Winkfield Lane. A further access off Winkfield Lane serves a separate car park isolated from the rest of the site.

3.4 Drift Road forms the eastern boundary to the site, beyond which lies extensive woodland forming part of Windsor Forest. Winkfield Lane forms the southern boundary with residential properties opposite and to the west of Orchard Lea. The northern boundary adjoins open fields.

3.5 The site is well screened on all sides by mature woodland. An ivy clad brick wall bounds the site on the Winkfield Lane frontage. The site is generally secluded from public view, except in the vicinity of the Winkfield Lane car park where the access affords clear views of the building and parking area. In addition glimpsed views can be obtained of the north western corner of the main car park from Drift Road where the boundary screening is less substantial.

3.6 The surrounding area is generally open, gently undulating countryside comprising fields and extensive areas of forest. In the vicinity of the site there is some scattered residential development on the north eastern fringes of Winkfield. Immediately opposite the site is Winkfield Place, a grade II listed building. A further listed building, The Pump House lies a short distance to the west of the site on the north side of Winkfield Lane.

4. RELEVANT SITE HISTORY

4.1 Planning permission was granted in January 1989 for the demolition of the east wing and erection of a new building for B1 use, including refurbishment of the existing building (615112).

4.2 On 31 August 2005 planning permission was granted for change of use from offices (Class B1) to residential to provide 23 two bedroom flats with associated parking and access (04/00989/FUL). The proposals also included remodelling of the newer part of the building to include the provision of balconies, a reduction in the number of car parking spaces from 110 to 35 and the provision of a new access road through the site.

4.3 The above development was not implemented and on 22 November 2010 planning permission was granted for an extension of time to implement the above planning permission (10/00573/EXT). This planning permission remains extant and expires on 22 November 2015.

4.4 In June 2015 BFC issued an EIA screening opinion (application 15/00024/SCR) to the effect that the proposed development did not constitute EIA development.

5. THE PROPOSAL

5.1 Full planning permission is sought for the part redevelopment/ part change of use of the existing office building to provide 14 residential units, including four houses and ten apartments (Use Class C3) together with garages, balconies, hard and soft landscaping, open space, an internal estate road and the reconfiguration of the car park.

5.2 It is proposed to sub-divide vertically the attractive, original part of the building to create four large four and five bedroom houses. An unattractive modern extension would be demolished and a new separate building constructed with a similar scale and position to accommodate 10 two bedroom apartments.

5.3 The majority of the development will be accessed from the existing site access off Drift Road with one of the houses accessed via an existing vehicular entrance off Winkfield Lane. The existing accesses to the separate car park on Winkfield Lane would be closed and replaced with a pedestrian/cycle access. The existing brick wall along Winkfield Lane would be retained and extended across the existing access proposed to be closed off.

5.4 Each of the houses will be provided with private gardens, garage and a driveway providing additional car parking.

5.5 The proposed development would be incorporated within the footprint of the existing buildings and car parking areas immediately adjoining the existing office building. A large area of the existing hardstanding used for parking adjoining Drift Road would be removed and landscaped.

5.6 The conversion works to create the four houses would retain the existing style, materials and scale of the building and would only require minor alterations to the façade to provide new entrances for the houses. In addition new and amended window openings are proposed. A roof level extension in the form of a tiled mansard roof with lead faced dormers is proposed for house 1 to provide two additional bedrooms. The extension would be set behind the existing brick parapet façade line of the original house and set below the ridge line of the adjoining part of the building. Small extensions are also proposed for houses 2 and 4.

5.7 The detached apartment building would be constructed using matching materials including red facing bricks with a pitched tile roof, with matching detailing of tile hanging, projecting bay windows and decorative features. The height of the proposed apartment building roof would be no taller than that of the existing office building. A refuse store and cycle park is proposed adjacent to the apartment block.

5.8 The landscaping scheme retains the highest quality trees that provide a wildlife buffer and screening to the site boundaries. Substantial areas of additional landscaping are proposed, including the planting of approximately 53 semi-mature trees. Ecological enhancements are also proposed including the retention and extension of existing ponds and the preservation of habitats on site, including the translocation of existing bee orchids to new meadow areas and further native woodland planting.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council:

6.1 No objection

Other representations:

6.2 No other representations have been received.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

7.1 No objection subject to conditions.

Lead Local Flood Authority

7.2 Further information requested.

Biodiversity Officer

7.3 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Green Belt	CS9 of CSDPD, Saved Policies GB1, GB2 & GB4 & H5 of BFBLP	Policies GB1 & H5 not fully consistent Policies CS9, GB2 & GB4 consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Environment	CS1 & CS7 of CSDPD; Saved policies EN1, EN3, EN8, EN20 of BFBLP	Policy EN8 not consistent; other policies consistent
Transport	CS23 of CSDPD; Saved policies M4 and M6 of BFBLP	consistent
Other publications		
Parking Standards SPD		
Community Infrastructure Levy Charging Schedule 2015		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of Development
- ii Impact on character and appearance of the area, including the setting of listed buildings
- iii Impact on residential amenity
- iv Transport issues
- v Flood risk and drainage
- vi Biodiversity, including SPA mitigation
- vii Trees and Landscaping issues
- viii Infrastructure mitigation

i. Principle of Development

9.2 This application proposes new residential development on land outside a settlement and within the Green Belt. This is in conflict with the provisions in saved BFBLP policies EN8, GB1 and H5 which seek to prevent new residential development on land outside of settlements and in the Green Belt. Accordingly the application has been advertised as a departure from the Development Plan. However as explained below, it is considered that the relevant parts of the above policies are not fully in accordance with the NPPF and as such they are out of date and only limited weight can be attached to them.

9.3 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. SALP Policy CP1 requires a positive approach to considering development proposals which reflects the presumption in favour of sustainable development as set out in the NPPF. It states that the Development Plan is the statutory starting point for decision making. However where relevant policies are out-of-date, permission will be granted unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF, or where specific policies in the NPPF indicate that development should be restricted.

9.4 Policy CS1 of the CSDPD relate to sustainable development principles, and is considered to be consistent with the NPPF and therefore can be afforded full weight. Policy CS1 refers to the need to locate development in locations that reduce the need to travel, supporting the economic well being of the population and protecting and enhancing the character and quality of local landscapes and the wider countryside.

9.5 Policy CS2 sets out a sequence for allocating land for development in the Borough and states that development will be permitted within defined settlements and on allocated Sites. Although the application is not in accordance with the sequential approach set out in Policy CS2 as the site is not within a settlement or an allocated site, other development plan policies and guidance in the NPPF consider how sites within the Green Belt may be developed.

9.6 Policy CS9 states that the Council will protect land outside settlements for its own sake, particularly from development which would adversely affect the character, appearance or function of the land, and will also maintain the Green Belt boundary and protect the Green Belt from inappropriate development. Policy CS9 is considered to be consistent with the NPPF as although the NPPF has changed the definition of buildings that might not be inappropriate, policy CS9 does not go into detail on what comprises inappropriate development.

9.7 BFBLP 'saved' Policy EN8 also sets out that the countryside will be protected for its own sake and that, outside the settlement boundary, development will be permitted only where it would not adversely affect the character, appearance or function of the land, would not damage its landscape quality, and where it is conspicuous from the Green Belt, would not injure the visual amenities of the Green Belt. The implications of recent appeal decisions is that the Council cannot demonstrate a five year land supply. Para. 49 of the NPPF states that in such a situation relevant policies for the supply of housing should not be considered up to date and the weight to be attached to them reduces. Insofar as it relates to land outside of the Green Belt this policy is therefore out of date and carries reduced weight when applied to housing development. However this does not apply to those areas outside of a settlement boundary within the Green Belt.

9.8 BFBLP 'saved' Policy GB1 sets out that permission will not be granted, except in very special circumstances, for any new buildings in the Green Belt unless it is acceptable in scale, form, character and siting, would not cause road safety or traffic problems and is for one of a list of appropriate uses. Residential development (other than the replacement of an existing dwelling) is not a use considered appropriate in relation to this policy. As explained later this is not consistent with the NPPF and therefore only limited weight can be attached to aspects of this Policy.

9.9 BFBLP 'saved' Policy GB2 sets out a general presumption against changes of use of land in the Green Belt unless it is for one of a list of appropriate uses, including "other uses which protect the open, rural and undeveloped character of the Green Belt". As explained below the proposed residential use is considered to fall within this category of development and is therefore in accordance with Policy GB2. Although the NPPF does not make explicit reference to changes of use of land, this policy is not considered to be inconsistent with the general approach to Green Belt within the NPPF. In particular paragraph 90 which refers to certain other forms of development (i.e other than new buildings) as not being inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

9.10 BFBLP 'saved' Policy GB4 sets out criteria for assessing the acceptability of a proposed change of use of a building within the Green Belt. Factors to consider include the scale and nature of the proposed use and any extensions proposed; whether the impact on the open rural character of the Green Belt would be materially greater than that of the present use; whether the building is of permanent construction and in keeping with its surroundings and whether its adaption would result in harm to the character of the building or its surroundings. Policy GB4 is considered to be generally consistent with the NPPF.

9.11 BFBLP 'saved' Policy H5 seeks to prevent the erection of new dwellings outside defined settlement boundaries. As in the case of Policy EN8, as the Council cannot demonstrate a five year land supply para. 49 of the NPPF states that relevant policies for the supply of housing should not be considered up to date. Insofar as it relates to land outside of the Green Belt Policy H5 is therefore out of date and carries reduced weight when applied to housing development. However this does not apply to those areas outside of a settlement boundary within the Green Belt.

9.12 Despite conflict with some of the above policies it must also be considered whether there are any other material considerations. The NPPF is an important material consideration. In the case of this proposal, the site is located within the Green Belt. Section 9 of the NPPF contains specific policies relating to development in the Green Belt. Where there is any conflict with the Development Plan policies set out above the proposal should be assessed against the policies of NPPF and not in accordance with the these policies which are rendered "out of date" by the NPPF's more recent policies. Paragraph 88 of the NPPF states that when considering planning applications the LPA should ensure that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness or any other harm is clearly outweighed by other considerations.

9.13 Paragraph 89 sets out that construction of new buildings is inappropriate in the Green Belt unless it is one of a list of appropriate uses. Of particular relevance to this proposal this list differs significantly from that in Policy GB1. The NPPF list includes the additional item 'Limited infilling or the partial or complete redevelopment of

previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development'. The glossary to the NPPF (Annex 2) defines 'previously developed land' as 'land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure'.

9.14 As the site currently contains a large office building and extensive areas of hardstanding used for parking and circulation it is considered to fall within this definition of 'previously developed land', and therefore to fall within the list of potentially appropriate development within the Green Belt. Whether the proposed development does actually comprise appropriate development now is not a question of the actual use being proposed but requires a judgement to be made of the impacts of the proposed development on the openness of the Green Belt. In considering this impact, factors such as the massing, location and height of the proposed buildings, together with any changes to likely amounts of traffic to the site will be considered. Although the current use could be said to encroach into the countryside, the proposed use will be assessed by considering whether any change in impact would amount to an increased degree of encroachment with a greater impact on the openness of the Green Belt.

9.15 While the development plan policies referred to above are considered to be generally consistent with the aims of the NPPF, in relation to the Green Belt there is considered to be some conflict between Policy GB1 and the NPPF due to the change in the definition of what comprises appropriate development within the Green Belt which is less restrictive in the NPPF. Therefore limited weight should be given to this part of Policy GB1 and the NPPF should instead become the basis for assessment. Furthermore the NPPF does not completely exclude new dwellings outside of settlements; therefore the weight that can be given to BFBLP 'saved' Policy H5 in this respect is also reduced.

9.16 In terms of assessing the proposal against the NPPF, the proposal would appear to fulfil the economic role of sustainable development in providing required housing. The proposal would assist in encouraging the reuse of land that is previously developed and which will become vacant in October. The proposed housing would also meet the social role of sustainable development by helping increase the supply of housing to meet the needs of the community. The development would not provide affordable housing but provides for some mix in types of housing, including 2 bedroom flats and 4 and 5 bedroom houses. The environmental role of sustainable development would be met by enhancing or protecting the natural environment. The extent to which this role is fulfilled in the proposal depends upon the impact the proposal would have on the openness of the Green Belt and the impact of the proposal on ecology and trees on the site.

9.17 The Bracknell Forest Employment Land Review (2009) concluded that there is a significant over supply of office sites in both Bracknell and the wider region. The site is not within a defined employment area or in a town centre location so there is no concern over the loss of office use in employment policy terms. Paragraph 51 of the NPPF states that local planning authorities should normally approve planning applications for changes to residential use and any associated development from commercial buildings where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

9.18 This is relevant to the current proposal and therefore there is no objection in principle to the loss of an office use on this site or to the demolition of the modern extension to existing building. This acceptance of the principle of the loss of office use is already confirmed through the extant planning permission for the change of use of the existing building to residential.

9.19 The key issue for this proposal therefore is whether or not the proposed development would have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

9.20 The NPPF stresses that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and the essential characteristics of Green Belts are their openness and permanence. The existing built footprint presently extends to 1,285 sq m. The proposed main building footprint would be less at 1,190 sq m. However when the proposed garages and bin/ cycle stores are included the total footprint would increase by approximately 11% to 1,429 sq m. If the total developed area of the site, including the area covered by hardstanding is taken into consideration, there would be a reduction of 1,101 sq m representing a 19% reduction in the total amount of buildings and hardstanding on site.

9.21 Although there would be a substantial overall reduction in the developed footprint there are some changes in respect of which parts of the site would be used for parking and circulation. The major reduction in hardstanding would arise from the removal of the main car park at the northern end of the site. This would become communal woodland under the proposed scheme. This is one of the few places where the site can be seen from Drift Road, and is considered to represent a significant benefit of the development as any glimpsed views of parked cars would be replaced with views of trees and landscaped grounds. It would completely remove built development from this part of the site. In this respect the proposed development would significantly improve the openness of the Green Belt.

9.22 Given the depth and extent of the tree screening around the application site, views from public vantage points are limited. As such, the current perception of openness, when viewed from outside the site, would be retained and enhanced further by additional tree planting and other landscaping proposals. The perception of openness would be further enhanced by the removal of the separate car park on Winkfield Lane which is visible in the public street scene, and its replacement with private enclosed gardens for the proposed houses. A further significant benefit arises from the separation of the apartment building from the houses which would reduce the scale, mass and bulk of the built form and allow views from Winkfield Lane through the site towards open countryside.

9.23 Set against these benefits there are some areas of the site which would see a loss of openness. These include part of the grassed amenity area immediately north of the office building, part of which would become a car parking area for the proposed apartments. The other major area that would see a reduction in openness is the area to the west of the existing building. Presently there is a driveway with a small parking area beyond which is a large open grassed area leading to two ponds close to the western boundary. This part of the site under the proposed development would become more enclosed, with the main driveway being diverted further from the building leading to a private courtyard area for three of the houses with garages, parking, a circular driveway and gardens. Following discussion with your officers the layout has been revised to reposition the garages so they are in a less intrusive location and would not block views out from the houses towards the communal gardens and open countryside beyond. The driveway and turning area has also been reduced and all the

apartment parking is now located adjacent to the apartment building with no parking retained in the area of the main car park. These revisions have significantly reduced the amount of hard surfaced area and are considered to represent a significant improvement in the openness of the Green Belt compared to the original proposals.

9.24 The proposed extensions to the retained buildings and the new garages and bin store would result in an overall increase in gross internal floorspace of 587 sq m (22%). However there would be no increase in the height or footprint of the main building and therefore this additional floorspace is not considered to result in a significant loss of openness.

9.25 On balance it is considered that the proposed residential development would not have a materially greater scale, height or mass than the existing building or materially encroach onto presently open areas of the site. As such the development proposed would not have a greater impact on the openness of the Green Belt than the existing development, and therefore is not considered to constitute inappropriate development within the Green Belt.

9.26 The existence of an extant planning permission for the conversion of the whole existing building to form 23 apartments on the site, and the potential permitted development rights to convert the existing building to flats are also material considerations. Both these alternatives are considered to establish the principle of residential use of this site and to have broadly similar impacts to the proposed development in terms of their impact on the openness of the Green Belt. However the proposed development is considered to offer significant design benefits compared to these alternatives principally through the reduction in massing caused by creating a detached apartment building. Having two smaller buildings would reduce the bulk of the large existing building as well as removing a large unattractive extension allowing the integrity of the original older property to be regained. Further the reduction in the number of dwellings would be likely to result in a reduction in the amount of traffic and general levels of activity at the site compared to the extant permission.

9.27 In summary, the site is located on land outside a settlement and within the Green Belt as defined on the Bracknell Forest Policies Map. There are no Development Plan policies that would seek to retain the employment uses on this site and there is no objection to the principle of residential development here. It is considered that the proposed redevelopment of the site for housing would not have a greater impact on the openness of the Green Belt than the existing development. As such the proposal would be appropriate development within the Green Belt as defined by the NPPF. The proposed development is therefore considered to be acceptable in principle.

ii. Impact on Character and Appearance of Area including the setting of listed buildings

9.28 Core Strategy Policy CS1 deals with sustainable development and expects new development to protect and enhance historic and cultural features of acknowledged importance. Policy CS7 deals with the design of new development and expects proposals to build on rural local character, respecting patterns of development and the historic environment. BFBLP Policy EN20 (proviso i) requires development to be in sympathy with the character and appearance of the local environment and appropriate in scale, mass, design, materials, layout and siting, both in itself and in relation to adjoining buildings, spaces and views. These policies are consistent with Chapter 7 of the NPPF and are therefore are considered to have significant weight.

9.29 The NPPF attaches great importance to the design of the built environment (paragraph 56). Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (Paragraph 64).

9.30 The application site currently comprises a developed office site within the open countryside, bounded by mature woodland. The design of the scheme has sought to maintain the openness of the Green Belt through keeping the proposed development substantially within the footprint of the existing building and retaining the mature tree screening around the perimeter of the site.

9.31 The perceived massing of the building would be reduced through the demolition of the unsympathetic extension and its replacement with a stand alone building, allowing views between the buildings towards the communal grounds and open countryside beyond. The new apartment building has been designed to provide a modern building while reflecting the character, style, scale and materials of the original building and is considered to represent an enhancement to the appearance of the site. Although the existing built footprint would be increased as a result of ancillary buildings such as garages these are all single storey and relatively low key buildings and would not be readily visible from public viewpoints. Following discussion with your Officers the applicant has amended the layout, including the position of the car parking and some of the garages. This has resulted in an improved relationship with the adjacent communal amenity areas, and further reduced the amount of hardstanding on the site improving the openness of the Green belt.

9.32 As the proposed development largely follows the footprint of existing buildings and hardstandings on the site, overall changes to the character and appearance of the site are considered to be minimal in terms of how the site is perceived from public viewpoints. Its character and appearance would be enhanced through the removal of car parking areas visible in the street scene and the demolition of the unsympathetic extension to the original building. A reduction in levels of traffic would also reduce the perception of urbanisation at this developed site providing further enhancements to its character and appearance.

9.33 Paragraph 128 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through development within its setting.

9.34 Opposite the site on the south side of Winkfield Lane lies Winkfield Place, a Grade-II Listed country house, dating back to the Late C18. It is considered that the site forms part of the setting of the Listed Building as views to and from Winkfield Place can be obtained from within the site. However, as noted above changes to the character and appearance of the site are considered to be minimal, and if anything would represent an enhancement to the setting of the listed building.

9.35 The proposed development is therefore considered to be acceptable in terms of its impact on the character and appearance of the area and its impact on the setting of the adjacent listed building. The proposal is therefore considered to be in accordance with the NPPF and Development Plan policies CS1, CS7, and EN20

iii. Impact on Residential Amenity

9.36 Saved BFBLP Policy EN20 proviso (vii) seeks to prevent development that would adversely affect the amenity of surrounding properties. This is consistent with the NPPF.

9.37 The closest property to the application site is Orchard Lea Cottage which adjoins the site to the west. This property is 25m from the closest part of the existing building. In between the two properties there is substantial boundary screening and a driveway leading to the Winkfield Lane access. This arrangement would be very similar under the proposed development. The building would be converted into a house with a new garage constructed on part of the existing driveway. The access onto Winkfield lane would be retained but would now only serve a single dwelling. The mature boundary trees and other vegetation would be retained and enhanced. It is therefore considered that the proposed development is unlikely to result in any significant impact on the amenities of the occupiers of Orchard Lea Cottage.

9.38 Opposite the site on the south side of Winkfield lane there are a number of mews style residential properties. At their closest these are over 25m from the existing building at Orchard Lea. The proposed development would not come any closer to any of these properties than the existing building and it is considered that the change of use to dwellings would reduce traffic and be more in keeping with the residential nature of this part of Winkfield Lane. The proposal is therefore considered to be acceptable in terms of its impact on the residential amenities of existing residents in the area and to be in accordance with policy EN20 of the BFBLP.

iv Transport Issues

9.39 BFBLP Policy M9 and CSDPD Policies CS23 and CS24 seek to promote or retain safe highway access and suitable off-road parking provisions, thus avoiding highway safety implications. This is consistent with the objectives of the NPPF. A further material consideration for parking provision is provided in the Council's adopted Parking Standards. (The SPD was adopted following public consultation, so can be afforded significant weight. It provides guidance to supplement 'saved' BFBLP Policy M9 (parking).

Access:

9.40 The main site access (serving 10 apartments and 3 dwellings) would be off Drift Road. The access is within the administrative boundary of the Royal Borough of Windsor and Maidenhead. The retention of this access is considered acceptable. An existing vehicular access onto Winkfield Lane will be retained to serve a single residential dwelling. The continued use of this access to serve a single property is also considered acceptable, given its current business use.

9.41 There are two further vehicular accesses onto Winkfield Lane which will be closed off to vehicles, although the easternmost access would be retained for access by pedestrians and cyclists. Visibility is restricted to the left (towards the junction with Drift Road) due to over-hanging trees and vegetation and this will need to be cut-back to ensure sight-lines for the safety of pedestrians and cyclists entering the road. This, together with the closure of existing accesses can be secured by planning conditions.

9.42 The Transport Statement notes that, 'the site is located in a rural location and as such will be mainly reliant on motorised transport'. Also, 'along the majority of Drift Road and Winkfield Lane there is no pedestrian footway provision'. The nearest bus stops are approximately 1.2km from the site and no provision for cyclists exists on local roads. It is acknowledged that this site is in an unsustainable location where residential

development would not normally be permitted; however, the site has an existing use as offices which are also reliant on the private car and are not conducive to walking, cycling and bus journeys. As such no objection is raised on the grounds of poor access to non car modes of travel.

Parking:

9.43 The proposed residential development will provide a total of 39 car parking spaces, which includes 3 visitor spaces and 6 disabled spaces. The 4 houses will each be provided with a garage providing 2 parking spaces and driveways which allow parking for up to 2 additional vehicles. Parking for the remaining residential apartments is provided within a separate car parking area and provides 23 spaces for the 10 apartments in accordance with the adopted standard of 2 spaces per apartment set out in the Parking Standards (July 2007) Supplementary Planning Document.

9.44 22 cycle parking spaces are to be provided for the apartments within a secure cycle store. Secure cycle parking for each house will be provided within the garages.

Vehicle Movements:

9.45 The applicant has provided a transport statement for the proposal and this concludes that there will be a significant reduction in the number of vehicle movements as a result of the proposed residential development. The assessment concludes that the existing office buildings have the potential to attract 382 daily vehicle trips compared to approximately 63 daily trips for the proposed residential use, which would represent a reduction in traffic movements of 83.5%. The Highway Authority has confirmed that the existing offices would generate greater trips than the proposed residential use.

9.46 In conclusion the proposal is considered to be acceptable in terms of access and parking arrangements. Vehicle trip rates are likely to be significantly lower than the existing office use when fully occupied. The proposal is therefore in accordance with BFBLP Policy M9 and CSDPD Policies CS23 and CS24.

v Flood Risk and Drainage

9.47 Paragraph 103 of the NPPF seeks to ensure that when determining planning applications Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site specific flood risk assessment.

9.48 A Flood Risk Assessment has been submitted that concludes that the proposed development is not at significant flood risk subject to flood mitigation strategies being implemented. As the site falls within Flood Zone 1 a NPPF Sequential Test in respect of flood risk is not required. The report concludes that the site is considered to be at low risk from flooding and is not considered to increase flood risk to others.

9.49 The submitted Flood Risk Assessment and surface water drainage strategy has been assessed by the Council as Lead Local Flood Authority (LLFA). Following initial comments additional information has been submitted. It is considered that there is no reason to believe that an acceptable drainage strategy cannot be achieved for this site and therefore it is recommended that Members delegate authority to the Head of Planning to determine the application following confirmation from the LLFA that a satisfactory strategy has been submitted.

vi Biodiversity and SPA mitigation

9.50 Policy CS1 of the CSDPD seeks to protect and enhance the quality of natural resources including biodiversity. Policy CS7 also requires the design of new development to enhance and promote biodiversity. These policies are consistent with the NPPF.

9.51 The site is not subject to any site specific environmental constraints or Tree Preservation Orders. However, the site is located adjacent to Windsor Forest SSSI and SAC. An extended Phase 1 Habitat Survey Report was submitted with the application which provides an assessment of the ecological value of the site. The study identified that the amenity grassland on the eastern side of the site contains Bee Orchids and recommends that the grassland is retained in situ or translocated and incorporated into the new landscaping scheme. It also identifies that the pond, scrub and woodland verges to the site have potential for great crested newts and recommends further survey work is undertaken. The survey also recommends that due to the potential for bat and bird species both on the site and within the surrounding habitats a further survey should be undertaken to inform the need for any mitigation in relation to roosting bats if they are found to be utilising the site.

9.52 Further survey work was accordingly carried out and a Phase 2 Protected Species Survey has been submitted. This found that Common Pipistrelle bat roosts are present across the roof of the existing building and recommends additional bat emergence survey work is carried out.

9.53 The survey also concluded that the three ponds gave a positive result for great crested newts and that there is a risk that the great crested newts will be negatively impacted as a result of the proposed development in the absence of further surveys and the production of an appropriate mitigation plan. The report recommends further surveys are undertaken to establish a population, size class estimate and an appropriate mitigation plan.

9.54 As a result of the above surveys a biodiversity mitigation strategy was prepared and submitted with the application. This sets out a number of mitigation measures to ensure that the habitats are preserved and restored as necessary. The strategy states that no direct impacts are anticipated in relation to Windsor Forest and Great Park SSSI and SAC during the redevelopment of the site providing the mitigation outlined in the strategy is implemented.

9.55 The mitigation proposed includes the following measures:

- The areas of amenity grassland to the east of the site containing bee orchids will be translocated and incorporated into the new landscaping scheme within areas of new wildflower meadow planting;
- Areas of species rich in native wildflower meadow will be created on the site adjacent to existing areas of plantation woodland on the eastern part of the site and adjacent to the two ornamental ponds;
- An updated badger survey immediately prior to any construction on site to ensure no new setts have been dug;
- Works to be undertaken in accordance with a Bat Method Statement;
- Survey work on two acacia trees which are scheduled to be removed, immediately prior to their removal to confirm bat presence/likely absence. If bats or signs of bats are found then a Mitigation Licence to be sought from Natural England prior to their removal;

- Great crested newts are present in the three ponds within the site. All three ponds will be enhanced for great crested newts on a yearly basis;
- A small scrub area on the western fringe of the site provides suitable habitat for reptiles, specifically the slow worm. As a precaution any scrub clearance will take place in phases/strips, which allows reptiles to gradually move back into areas of the habitat that will not be affected to avoid any potential harm.

9.56 These mitigation measures are considered appropriate and proportionate and can be secured by appropriately worded conditions.

9.57 The Council, in consultation with Natural England (NE), 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 SPA, either alone or in-combination with other plans or projects.

9.58 This site is more than 7km from the Thames Basin Heaths Special Protection Area and therefore the proposed development would have no impact on the SPA and no mitigation is required.

vii Trees and Landscaping Issues

9.59 Policy CS7 of the CSDPD seeks to enhance the landscape and Policy EN1 of the BFBLP seeks to prevent the destruction of trees and hedgerows that are important to the retention of the character and appearance of the landscape. These are consistent with the objectives of the NPPF.

9.60 The site contains a significant number of trees and woodland areas. An Arboricultural Report has been submitted that indicates that the majority of trees to be lost are of low category because of their poor condition or size. No Category A trees are to be removed and just one Category B Willow tree would be felled to provide light into the pond area enhancing the wildlife and landscape amenity of the development. This tree is well within the site and not prominent in any public view. It is not considered to contribute significantly to the amenity of the site or the character of the local area and is set against a backdrop of large trees to be retained.

9.61 To mitigate the loss of trees a comprehensive new landscaping scheme is proposed which includes new trees to be planted. The proposed long term management to remove ornamental species and replace them with native species trees and shrubs will further enhance the character of the area. The proposed soft landscaping is considered to be acceptable in principle, however further details are required in respect to means of enclosure which can be secured by condition.

9.62 The proposed building footprint is similar to the footprint of the existing building but additional garages are proposed outside the existing footprint. The original plans showed the proposed garages located away from the dwellings enclosing a large turning circle between the dwellings and garages. At the end of the access road there was a large hard surface turning area and an additional layby. In addition there was a second northern parking area on part of the existing main car park. These features cumulatively extended the built form further into the countryside and would have had an urbanising impact on these parts of the site.

9.63 Following discussion with your officers the layout has been revised to reposition the garages so they are in a less intrusive position and would not block views out from the houses towards the communal gardens and open countryside beyond. The

driveway and turning area has been reduced and all the apartment parking is now located to the side of the apartment building with no parking areas retained in the area of the main car park. These revisions have significantly reduced the amount of hard surfaced area and are considered to represent a significant enhancement to the original proposals. Overall it is considered that there would be no adverse impact of the proposed development on trees or landscape and the development is therefore in accordance with policies CS7 and EN1.

viii Infrastructure and Services

9.64 CSDPD Policy CS6 states that development is expected to contribute to the delivery of:-

- (a) infrastructure needed to support growth and;
- (b) infrastructure needed to mitigate impacts upon communities, transport and the environment.

9.65 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. It applies to any new build.

9.66 If this application were to be approved CIL payments would be collected following commencement of the development. CIL receipts could be spent on infrastructure projects or types of infrastructure identified in the Council's Regulation 123 list of infrastructure that it intends will be wholly or partly funded by CIL. These comprise:-

- Provision and enhancement of land to Suitable alternative Natural Greenspace (SANG) standard (part of Special Protection Area (SPA) Avoidance and Mitigation measures)
- specified Local Road Network capacity improvements
- strategic road network improvement outside the borough
- specified footpath and cycleway improvements
- bus service subsidies
- specified educational projects
- libraries
- built sports facilities

9.67 CSDPD Policies CS16 and CS17, BFBLP Policy H8, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive on 29 March 2011 seek to address the housing needs of the community through providing a level of affordable housing on suitable development sites. In this case the number of dwellings falls below the affordable housing threshold of 15 units and therefore no affordable housing is required to be provided under the above policies.

viii Other issues

Sustainable resources and renewable energy

9.68 The NPPF outlines how the impacts of climate change and the delivery of renewable and low carbon energy and associated infrastructure is central to the economic, social and environmental dimensions of sustainable development. Para 96 of the Framework states that in determining planning applications, LPAs should expect new development to comply with adopted Local Plan policies on local requirements for

decentralised energy supply, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. This application has been considered against the objectives of the NPPF and in the context of the Borough's energy and sustainability policies, CSDPD Policies CS10 and CS12 which are considered to be consistent with the NPPF.

9.69 Policy CS10 requires the submission of a Sustainability Statement demonstrating how the residential aspect of the development meets current best practice standards. Policy CS12 requires development proposals for five or more net additional dwellings to be accompanied by an energy demand assessment demonstrating how (potential) carbon dioxide emissions will be reduced by at least 10% and will provide at least 20% of their energy requirements from on-site renewable energy generation.

9.70 A Sustainability Statement and Energy and Carbon Emissions Reduction Options Appraisal have been submitted. The Sustainability Statement summarises a range of measures which will be installed and built into the design and construction of the buildings to ensure that the potential carbon emissions associated with annual energy requirements are reduced significantly, beyond minimum standards. These will include superior insulation compared to that required under Part L 1A of the Building Regulations, specification of energy efficient boilers with heat pump technology, consideration of thermal tightness and thermal bridging, along with the potential for the installation of solar thermal or PV technology on the roofs.

9.71 Domestic water consumption will comply with the requirements set out in the Council's Supplementary Planning Document, with particular focus on tap and shower fill rates and the installation of dual flush WCs.

9.72 The Energy and Carbon Emissions Reduction Option Appraisal concludes that to comply with a target of 10% of annual site energy use be met by low and zero carbon technologies, it is proposed to install a total of eight solar thermal heating systems to provide hot water for all the houses and selected apartments on the site which will offset 11.03% of annual site energy requirements. However this appraisal fails to set out how 10% of the development's carbon emissions will be reduced through passive design measures and then on top of this how 20% of the development's energy demand would be offset via the use of onsite renewable energy generation measures. This can be secured by condition.

9.73 The proposed approach to sustainable resources and renewable energy is considered to be acceptable and in accordance with Policies CS10 and CS12.

Land Affected by Contamination

9.74 The applicant has undertaken a Ground Investigation and Geo Environmental Risk Assessment of the site. The report concludes that there is no evidence of potential soil contaminants and that no remediation works are necessary. The report also concludes that the site is not at significant risk from hazardous ground or gas ingress given the absence of nearby significant gaseous sources of risk. The report concludes that it is a low environmental risk. The Environmental Health Officer agrees with this report and does not advise any further action at this time.

10. CONCLUSIONS

10.1 This application has been considered in relation to the presumption in favour of sustainable development as set in SALP Policy CP1 (and para. 14 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

10.2 The proposed development is considered to be appropriate development in the Green Belt. The site constitutes previously developed land and development is shown to be largely within parts of the site currently developed as office buildings or car parking areas. The overall height of development would not be increased and the form of development results in a reduced mass of buildings. It is concluded that the proposed development would not result in any adverse impact on the openness of the Green Belt.

10.3 The proposed development would result in a reduction in vehicular trip rates. Although the development would be predominantly served by cars due to its rural location, this is also true of the current office use of the site.

10.4 The proposed development would increase the supply of housing in the Borough, assisting with the provision of a 5 year supply of housing land.

10.5 The proposal development is considered to have an acceptable impact on the character and appearance of the surrounding area, on residential amenities of neighbouring properties, on the setting of nearby listed buildings, on biodiversity and on trees and landscaping.

10.6 As the proposed development would provide significant benefits in terms of providing housing and reducing traffic and would not result in any significant harm to the openness of the Green Belt or any other material considerations, the NPPF and Policy CP1 indicate that planning permission should be granted. The application is therefore recommended for approval subject to confirmation by the LLFA that an acceptable drainage strategy has been submitted and the imposition of appropriate conditions.

11. RECOMMENDATION

Subject to confirmation by the LLFA that an acceptable drainage strategy has been submitted planning permission be granted 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:

752-PL-2.101A house conversion floor plans
752-PL-2.201A proposed apartments plans
752-PL-3.101A existing & proposed Orchard Lea House elevations
752-PL-3.102A existing & proposed Orchard Lea House elevations
752-PL-3.103A existing & proposed Orchard Lea House elevations

752-PL-3.201A apartment block elevations
752-PL-3.202A apartment block elevations

received by the Local Planning Authority on 22.06.2015

752-PL-1.101G proposed site plan
752-PL-1.104B proposed site plan – roofscape
752-PL-2.501B proposed garage and bike shed plans & elevations
752-PL-4.501D existing and proposed massing sections

received by the Local Planning Authority on 18.08.2015

1398a-01F soft landscape proposals
13989a-02F soft landscape proposals (outline)
13989a-02E soft landscape proposals (outline) (sheets 1&2)
1398a-08F landscape management plan

received by the Local Planning Authority on 21.08.2015

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall;
- a) match those of the existing building, or
 - b) shall be as unless otherwise agreed 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 permitted shall not be begun until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

REASON: In the interests of the character of the area.

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

05. No dwelling shall be occupied until the existing accesses to the site identified on the approved plan as to be closed have been closed and a footway/ verge is provided over the closed access in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; the footway/verge shall be retained thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

06. No dwelling shall be occupied until a means of access for pedestrians and cyclists has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.

[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

07. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced 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]
08. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
09. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings.
REASON: In order to ensure bicycle facilities are provided.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
10. The development hereby permitted shall not be begun 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
- 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 (d) above without the prior written permission of the Local Planning Authority.
REASON: In the interests of amenity and road safety.
11. The development hereby permitted (including any demolition) shall not be begun until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- (i) control of noise (including piling noise)
 - (ii) control of dust, smell and other effluvia
 - (iii) control of surface water run off
 - (iv) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site
- The development shall be carried out in accordance with the approved scheme..
REASON: In the interests of the amenities of the area.
12. No noisy demolition or construction work shall take place outside the hours of 08:00 and 18:00 Monday to Friday; 08:00 and 13:00 Saturday and not at all on Sundays and Bank Holidays.
REASON: To safeguard the amenities of the area and the occupiers of neighbouring properties.
Relevant Policies: BFBLP EN25

13. Should any unforeseen contamination be encountered during the development, the local planning authority shall be informed immediately. Any further investigation/remedial/protective works shall be carried out in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" to agreed timescales and approved by the local planning authority in writing.

REASON: To enable to the local planning authority to ensure that appropriate measures are taken to avoid any threat which the proposed development might pose to health and safety and/or the environment.

14. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

15. The development hereby permitted shall be carried out in accordance with the mitigation measures detailed in Viewpoint Associates LLP's Biodiversity Mitigation Plan, dated 27/05/2015, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a. identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

17. No development shall take place (including demolition, ground works and site clearance) until a method statement for the sensitive demolition and other works to any buildings on site to avoid the potential of harm to bats has been submitted to and approved by the local planning authority. The content of the method statement shall include:

- the purpose and objectives for the proposed works
- detailed designs and/or working methods to achieve the stated objectives
- extent and location of the proposed works shown on an appropriate plan

- a timetable for implementation
- details of persons responsible for implementing the works

The works shall be carried out strictly in accordance with the approved details.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

18. If more than 2 years elapse between the previous bat and Great Crested Newt surveys and the due commencement date of works, updated bat and Great Crested Newt surveys shall be carried out by a suitably qualified ecologist, unless otherwise agreed in writing by the Local Planning Authority. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site.

Reason: To ensure the status of bats and Great Crested Newts on site has not changed since the last survey.

19. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement/Pre-assessment Estimator and shall be retained in accordance therewith.

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS10]

20. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

(a) that before taking account of any on-site renewable energy production 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) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%).

The buildings 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]

21. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the amended landscape scheme detailed in the approved landscape drawings by Viewpoint Associates LLP's, dated 18.08.2015 and the Landscape Management Manual dated 08.06.2015, 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.

REASON: In the interests of the visual amenity of the area

[Relevant Plans and Policies: BFBLP EN1 and EN20, CSDPD CS7]

22. Tree protective fencing and other tree protection measures shall be carried out in full accordance with the details contained in the arboricultural impact statement and method statement by Barrell Tree Consultancy dated 18th August 2015. Tree protection measures shall be put in place prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed

otherwise in writing by the Local Planning Authority). No activity of any description must occur at any time within these protected areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
 - f) Parking/use of tracked or wheeled machinery or vehicles of any description.
- In addition to the protection measures specified above,
- g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
 - h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

23. No retained tree or hedgerow (as specified as being retained on the approved details as part of this permission) shall be cut down, uprooted or destroyed without the prior written consent of the Local Planning Authority. If within a period of 5 years of the completion of the development any trees or hedgerows shown to be retained on the approved plans are removed, uprooted, destroyed, die or become diseased another tree or hedgerow of the same species and size as that originally planted shall be planted at the same place unless the Local Planning Authority gives it written consent for any variation.

REASON: In the interests safeguarding visual amenity.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

24. The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission or as may otherwise be agreed in writing by the Local planning Authority.

REASON: - In the interests of the visual amenities of the area.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D, E, F and G of Part 1 of the Second Schedule or the erection or alteration of a gate, fence, wall or other means of enclosure permitted by Class A of Part 2 of the 2015 Order shall be carried out.

REASON: - The site is located within the designated Green Belt where strict controls over the form, scale and nature of development apply. Furthermore the site contains trees which are a feature of the site where strict control over development is required to ensure their protection and to safeguard the character and visual amenities of the area.

[Relevant Policies: BFBLP EN1, EN20, GB1, Core Strategy DPD CS9]

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

ITEM NO: 13

Application No.
15/00554/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
15 June 2015

Target Decision Date:
10 August 2015

The Hermitage Herschel Grange Warfield Bracknell Berkshire

Proposal:

Section 73 Application for the variation of condition 02 of Planning Permission Ref: 620217 granted on the 29th November 1994 which allowed for the increase in the number of mobile homes from 10 to 11, to allow for an increase to 14 mobile homes.

Applicant:

Mr David Reed

Agent:

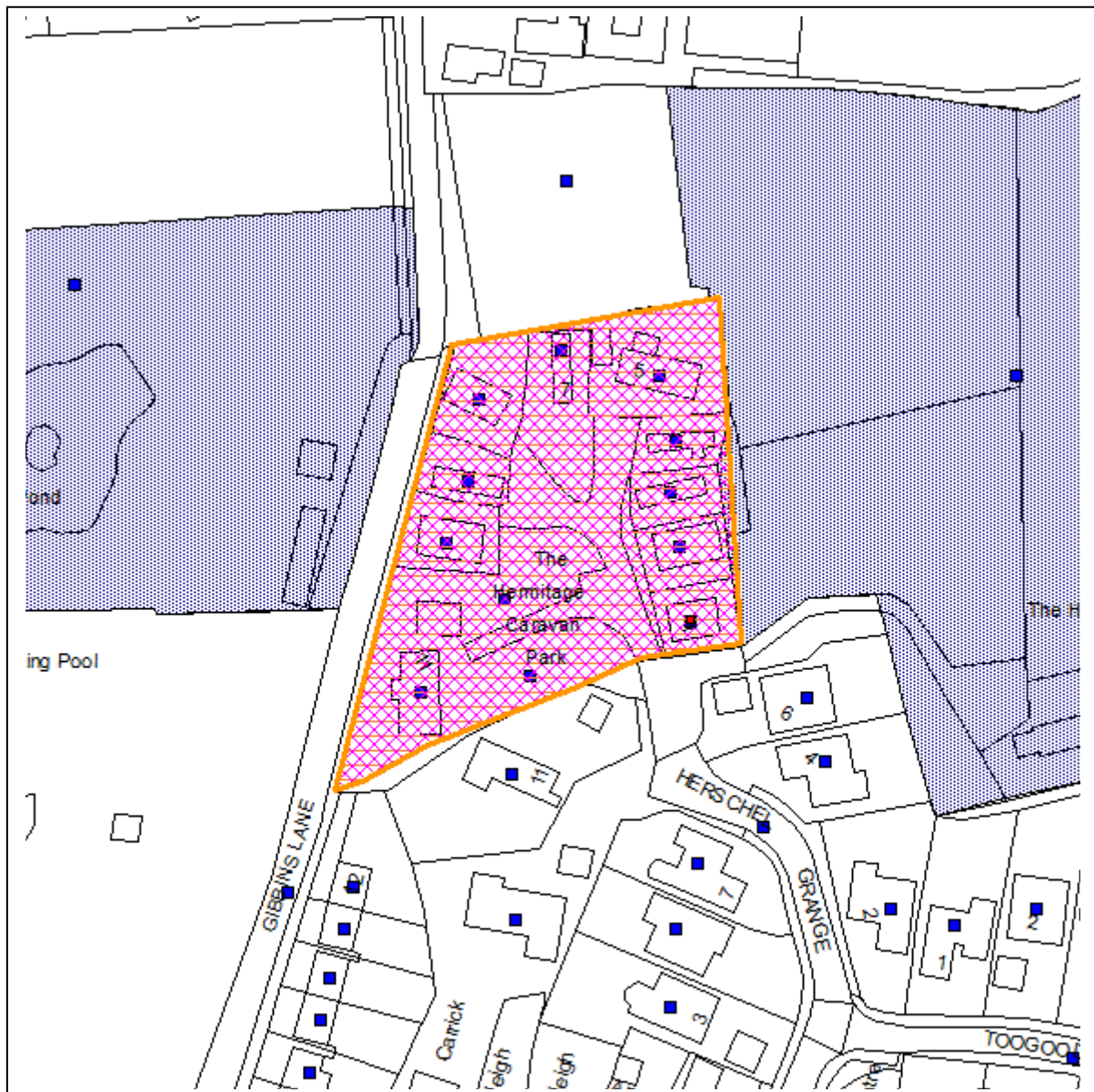
Mrs Ruth Reed

Case Officer:

Paul Corbett, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 This proposal is for the variation of condition 02 of Planning Permission Ref: 620217 granted on the 29th November 1994 (which allowed for the increase in the number of mobile homes from 10 to 11), to allow for an increase to 14 mobile homes.

1.2 The site is located outside of a defined settlement. At the present time the Council is unable to demonstrate a 5 year housing land supply.

1.3 Taking account of the presumption in favour of sustainable development, the proposed increase of 3 additional mobile homes is considered appropriate, and would contribute to the Council's current need to meet its 5 year housing land supply where such small sites assist in providing a variety of homes that are in need across the borough.

1.4 The proposal would have no adverse effect on the character of the area, or on adjoining properties.

1.5 This proposal would also result in an improved parking provision across the whole site which is considered acceptable.

1.6 The change of use for the siting of 3 additional mobile homes is therefore recommended for approval subject to conditions and completion of a S106 legal agreement to secure the SPA Mitigation identified.

RECOMMENDATION
The Head of Planning be authorised to grant planning permission subject to the completion of a satisfactory Section 106 agreement and the conditions set out in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Land outside of defined settlement - Countryside
Located within 5km buffer to the Thames Basin Heaths SPA

3.1 The site is an existing mobile home site located approximately 2km to the north east of Bracknell Town Centre. The site is known as The Hermitage Caravan Park which is located just off Herschel Grange a small cul de sac to an existing residential development of 8 large detached dwellings.

3.2 The site currently has lawful consent under the 1994 planning permission (620217) which allowed an additional caravan to be stationed on the site increasing the total number of caravans as approved originally under the 1961 planning permission (1553/51) from 10 to 11 caravans.

4. RELEVANT SITE HISTORY

4.1 1961 - 1553 - Planning Permission Approved
Application for caravan site

- Condition No. 1 restricts the number of caravans to no more than 10.

4.2 1994 - 620217 Planning Permission Approved
Allowing the number of mobile homes to increase from 10 to 11 without compliance with condition 1 of planning permission number 1553/51

4.3 The following conditions of this planning permission are of particular relevance to this proposal.

4.4 Condition No. 2 approved the siting of 'No more than 11 mobile homes shall be stationed on this site'

Reason: To ensure that the development is carried out as approved by the LPA.

4.5 Condition No 3 specified that the 'additional mobile home shall only be sited in accordance with amended plan 1631/TP/2 received on 22nd November 1994'

Reason: To ensure that the development is provided with adequate parking facilities in order to minimise the incidence of roadside parking which would be a danger to other road users.

4.6 The approved drawing 1631/TP/2 therefore defines the siting of mobile home no.11 and ensures it is provided with 2 car parking spaces as identified.

4.7 14/01332/FUL REFUSED 18 Feb 2015

Section 73 Application for the variation of condition 02 of Planning Permission Ref: 620217 granted on the 29th November 1994 to allow for the increase in the number of mobile homes from 11 to 14.

4.8 The reasons for refusal were:

4.9 1.It has not been demonstrated that siting of additional mobile homes on the site can provide sufficient additional parking and tuning without impacting upon the existing parking arrangements on the site. This would lead to on-street parking to the detriment of highway safety and users of the highway. The proposed development would therefore be contrary to Policy M9 of the Bracknell Forest Borough Local Plan, Policy CS23 of the Core Strategy Development Plan Document and Bracknell Forest Borough Parking Standards (Supplementary Planning Document approved July 2007).

4.10 2.The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. 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 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 Avoidance and Mitigation Supplementary Planning Document (2012).

5. THE PROPOSAL

5.1 This application seeks to vary condition 02 of Planning Permission Ref: 620217 granted on the 29th November 1994 to allow for the increase in the number of mobile homes from 11 to 14 (a net increase of 3 mobile homes).

5.2 The site area is approximately 0.4 ha.

6. REPRESENTATIONS RECEIVED

Warfield Parish Council:

6.1 Warfield Parish Council raises an objection to the proposal on the following grounds..

- The proposal represents an undesirable overdevelopment of the site.
- Warfield Parish Council is concerned at the loss of soft landscaping and amenity land which will result from any increase in number of units on the site.
- Warfield Parish Council is concerned that there will be insufficient land available for resident and visitor parking if the number of units on the site is increased.
- Warfield Parish Council does not believe that the plans showing parking adjacent to each home can be achieved due to the size of the plots.

Other representations:

6.2 Eight letters of representation have been received raising the following material considerations:

- The proposed increase in the number of caravans will result in cramped arrangement representative of overdevelopment
- The proposal will result in a loss of onsite amenity space
- The proposal does not demonstrate how the site will accommodate resident and visitor parking.
- The residents and visitors of The Hermitage often park within the street outside the site which impacts upon the existing residents of Herschel Grange
- Concerns that the proposed parking plan submitted with this application will never be implemented.

The above concerns are addressed within the report.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 No statutory or non-statutory consultations have been required.

Highways Officer:

7.2 No objection subject to conditions

Licensing Officer:

7.3 Concerns raised in respect of whether the site owner will be able to comply with the regulations relating to the licensing of the caravan site. [Officer Comment: As the application is for a change of use this application would allow for some resiting of caravans to be permitted so long as the principle of 2 parking spaces are still provided for each caravan).

SPA Officer:

7.4 No objection subject to securing the SPA Mitigation via a S106 legal agreement.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS15 of CSDPD CS16 of CSDPD	Inconsistent – para 47 that refers to objectively assessed need Consistent – para 50 that refers to mix of size, type, tenure and range
Parking	CS23 of CSDPD, Saved policy M4, M9 of BFBLP	Consistent
Countryside	CS9 of CSDPD, Saved Policy EN8 and H5	EN8 /H5 not consistent as more restrictive. CS9 is consistent, NPPF para. 17(5).
Accessibility	CS7 of CSDPD, Saved Policy EN22	Consistent
SPA	Retained SEP Policy NRM6 and CSDPD Policy CS14	Consistent
Supplementary Planning Documents (SPD)		
Character Areas (SPD)		
Parking standards (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Community Infrastructure Levy		
DCLG 2012 based household projections (February 2015)		

8.2 A key material consideration currently is that the Council is unable to demonstrate a 5 year housing land supply and therefore the Councils restrictive policies preventing any form of housing within the countryside are considered out of date. The lack of a five year supply of deliverable sites is a material consideration (in relation to para. 49 of the NPPF and Policy CP1 of SALP together with para. 14 of the NPPF in relation to the presumption in favour of sustainable development). This means that proposed housing (in the form of mobile homes) on this site cannot therefore be refused in principle.

8.3 This proposal relates to an existing caravan site outside of settlement but is immediately adjacent to an existing settlement and the increase of 3 additional mobile homes whilst on land outside settlement would currently be acceptable in principle due to the Council's inability to demonstrate a 5 year housing land supply. Furthermore the site is also considered to constitute Previously Developed Land (PDL). Such land can in principle be developed.

8.4 As a result the proposed development is considered to be acceptable in principle, subject to no adverse impact on the character of the area, amenity of neighbouring occupiers, highway safety, trees, etc. These issues are addressed elsewhere in this report.

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Impact on highway safety
- v Impact on Accessibility
- vi Impact on SPA
- viii Community Infrastructure Levy

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). This is also reflected in SALP Policy CP1, which sets out that planning applications which accord with the Development Plan should be approved without delay, unless material considerations indicate otherwise. Policy CP1 also sets out a positive approach to considering development proposals that reflects the presumption in favour of sustainable development contained in the NPPF.

9.3 The site is located outside of a defined settlement, where ordinarily new residential development is not acceptable in principle, therefore if approved; the application would constitute a departure from the Development Plan.

9.4 The Council's housing requirement is indicated in CSDPD Policy CS15 together with the DCLG 2012 based household projections. At this time, the Council is unable to demonstrate a 5 year housing land supply and therefore the Council's restrictive policies preventing any form of housing within the countryside are considered 'out of date'. This applies to CSDPD Policy CS9, and 'saved' BFBLP policies EN8 and H5.

9.5 The lack of a five year supply of deliverable sites is a material consideration (in relation to para. 49 of the NPPF and Policy CP1 of SALP together with para. 14 of the NPPF in relation to the presumption in favour of sustainable development). This means that proposed housing (in the form of 3no x bed (max) mobile homes which would represent additions of small units (Policy CS16) to the housing stock) on this site cannot be refused in principle. This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are

out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

9.6 Furthermore the site is also considered to constitute Previously Developed Land (PDL). (given the nature and extent of built form on the site: hard standing, garage blocks etc). Redevelopment of PDL sites is supported by the NPPF, provided the land is not of high environmental value (para. 17(8) and 111).

9.7 The remainder of this report deals with the 'balancing' exercise.

ii. Impact on Character and Appearance of Area

9.8 CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area.

9.9 Access to the site is off Herschel Grange a neighbouring residential area and the site was originally created to form a caravan site in 1961.

9.10 Two planning permission are of particular relevance to this site (i) 1553/51 which approved the caravan site for a total of 10 caravans in 1961 and (ii) a later amendment in 1994, 620217 allowing an increase from 10 to 11 caravans.

9.11 The later amendment (620217) approved the siting of the mobile home on plot 11 with associated parking. The applicant has submitted a site layout plan to clearly demonstrate that the site could satisfactorily accommodate a net increase of 3 mobile homes as well as provide sufficient onsite parking and amenity space.

9.12 It is considered that the site layout plan may require some minor adjustments to the positioning of caravans within the site to ensure it meets with the licensing requirements covered under separate legislation.

9.13 It is therefore considered that this proposal accords with the principles of Core Strategy Policy CS7, 'Saved' BFBLP Policy EN20 and the NPPF.

iii. Impact on Residential Amenity

9.14 BFBLP 'Saved' Policy EN20 (viii) refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. BFBLP 'Saved' Policy EN20 and CSDPD Policy CS7, require the development to be sympathetic to the visual amenity of neighbouring properties through its design implications.

9.15 Objections received question the likelihood of this proposal ever being implemented as it would require the reconfiguring of a number of the existing garden boundary fences to accommodate the parking as shown on the plan. Whilst it is acknowledged that a number of the existing garden boundary fences will need to be repositioned to enable the parking to be implemented in accordance with the plan submitted, this remains within the control of the applicant and site owner to agree such matters with its existing tenants. The Council cannot control the size of the plots only the number of caravans that can be stationed on the site.

9.16 It is considered that the scheme as now amended is designed so as not to create any adverse impacts on the amenities of nearby residents and is therefore in

accordance with CSDPD Policy CS7 and saved BFBLP Policy EN20 of the BFBLP and the NPPF.

iv. Impact on Highway Safety

9.17 CSDPD CS23 states that the Local Planning Authority will use its powers to reduce the need to travel and increase the safety of travel, while simultaneously promoting alternative modes of travel. Saved Policies M4 and M9 of the BFBLP ensure that development provides satisfactory highway measures and parking provision. To supplement this policy, the Parking Standards SPD (2007) sets out the advised levels and size of parking spaces for residential dwellings. The SPD was adopted following public consultation, so can be afforded significant weight. The NPPF allows for LPAs to set their own parking standards for residential development..

9.18 The caravan park takes its vehicular access from Herschel Grange an adopted residential cul-de-sac. On-street parking is un-restricted and some on-street parking was observed to occur at present. Herschel Grange is a shared surface and additional on-street parking would interfere with the movement of vehicles and pedestrians to the detriment of highway safety.

9.19 The applicant's proposed site layout as amended demonstrates that two car parking spaces are achievable for each of the 14 plots. This is considered to sufficiently address the neighbours concerns that parking currently spills out onto the surrounding roads. It is recommended that the parking plan is secured by condition.

9.20 For the reasons given above the proposal is considered to accord with Saved Policies M4 and M9 of the BFBLP, Policy CS23 of the Core Strategy DPD, Parking Standards SPD and the NPPF.

v. Impact on Accessibility

9.21 BFBLP Saved Policy EN22 and CSDPD Policy CS7 state that the Local Planning Authority (LPA) will ensure that new development provides convenient access, parking space and facilities for people with disabilities.

9.22 The current proposal will need to comply with the licencing regulations in respect of caravan parks; it is therefore considered that if the appropriate license is granted the proposal would comply with the requirements of the Development Plan and the NPPF.

vi. Impact on SPA

9.23 Retained SEP Policy NRM6 and CSDPD Policy CS14 seek to avoid an adverse impact upon the integrity of the Thames Basins Heaths Special Protection Area The Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) (March 2012) provides guidance on implementing these policies.

9.24 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 SPA is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects.

9.25 This site is located approximately 1.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.

9.26 A contribution is calculated on a per bedroom basis to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. In this instance, the net increase in caravans is based on the home providing a maximum of 3 bedrooms each. The SANG costs are therefore calculated as follows:

9.27 Total SANG contribution for a 3 bed mobile home/caravan is £2,171
The total for a 3 x 3 bed mobile home/caravan = £6,513 (3 X 2,171)

9.28 The open space works at Ambarrow Hill/Court SANG is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The legal agreement will also incorporate a clause requiring occupancy to be restricted until the works and measures are in place.

9.29 The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis as follows:

9.30 Total SAMM for a 3 bed mobile home/caravan is £711
The total for a 3 x 3 bed mobile home/caravan = £2,133 (3 X 711)

9.31 In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £8,646. (i.e. £6,513 + £2,133) that will need to be secured by S106 Legal Agreement.

9.32 It should be noted that the SPA calculations have changed since the introduction of the Community Infrastructure Levy (CIL) on 6th April 2015.

9.33 Therefore subject to the completion of a S106 legal agreement the proposal would comply with the quoted policies and the NPPF

vii. Community Infrastructure Levy (CIL)

9.34 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.

9.35 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. In this case the proposal is for caravans and therefore is not CIL liable.

10. CONCLUSIONS

10.1 Taking account of the presumption in favour of sustainable development, the proposed increase of 3 additional mobile homes is considered appropriate, and would contribute to the Council's current need to meet its 5 year housing land supply, on a PDL site where such small sites assist in providing a variety of homes that are in need across the borough.

10.2 This proposal would also result in an improved parking provision across the whole site which is considered acceptable, and is not considered to result in any

adverse harm to the character and appearance of the area, or neighbouring residential amenities.

10.3 There no adverse impacts arising from this proposed change of use for the siting of no.3 additional mobile home that significantly and demonstrably outweigh the benefits of granting planning permission. Therefore this proposal is recommended for approval subject to conditions and completion of a S106 legal agreement to secure the SPA Mitigation identified.

10.4 It is therefore considered, on balance that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS7, CS23, BFBLP 'Saved' Policy EN20 and M9, and the NPPF

11. RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. Measures to avoid and mitigate the impact of residential development upon the Thames Basin Heaths Special Protection Area (SPA).

That the application be **APPROVED** subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

01. This permission and parking areas shown on plan 14/644A-003 Rev B hereby permitted shall be completed before the expiration of 10 months from the date of this permission.

REASON: To ensure that the site 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 Saved Policy M9, Core Strategy DPD Policy CS23]

02. The development hereby permitted shall be carried out only in accordance with the following approved plans and other submitted details.

14/644A-001 - Site Location Plan Received 15.06.15

14/644A-003 Rev B - Proposed Site Layout Received 10.08.15

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

03. No more than 14 caravans (or mobile homes) shall be sited on the site at any one time.

REASON: In the interests of the character area and to safeguard the amenities of the residents both within and outside the site.

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

04. The provision of 2 car parking spaces per caravan shall be implemented as approved and retained thereafter at a ratio of 2 car parking spaces per caravan in accordance with approved plan 14/644A-003 Rev B unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the site is provided with adequate on site car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

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

In the event of the S106 agreement not being completed by 30 November 2015, the Head of Planning be authorised to refuse the application on the grounds of:

01. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. 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 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 Avoidance and Mitigation Supplementary Planning Document (2012).

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. In accordance with the Caravan Sites and Control of Development Act 1960 (as amended 2006), the dimension for a caravan when assembled must not exceed 20m in length x 6.8m in width and internal height of 3.05m.

Under the Caravan Sites Act 1968 (as amended), the structure must not compose of more than two sections, which should be physically capable of being moved as one when assembled.

No development should be permitted that results in a caravan being stationed on the site that does not comply with the above legislation, or that would result in a breach of either the site licence conditions or the Model Standards 2008 for Caravan Sites in England.

The license holder would also need to obtain a variation to the site licence if permission were to be granted for an increase in the number of caravans stationed on the site.

Legislative updates:

http://www.legislation.gov.uk/uksi/2006/2374/pdfs/uksi_20062374_en.pdf

http://www.legislation.gov.uk/uksi/2006/2374/pdfs/uksiem_20062374_en.pdf

Please contact Bracknell Forest Councils Licensing Department for further information.

03. No details are required to be submitted in relation to the following conditions:
1, 2, 3, 4,

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

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Unrestricted Report

ITEM NO: 14

Application No.
15/00623/FUL

Ward:
Little Sandhurst And
Wellington

Date Registered:
1 July 2015

Target Decision Date:
26 August 2015

Site Address:

**Harts Leap Independent Hospital 5 Windrush Heights
Sandhurst Berkshire GU47 8ET**

Proposal:

**Erection of 3 no 3 bed detached and 6 no 4 bed dwellings with
garages following demolition of all existing buildings.**

Applicant:

Halebourne Developments Ltd

Agent:

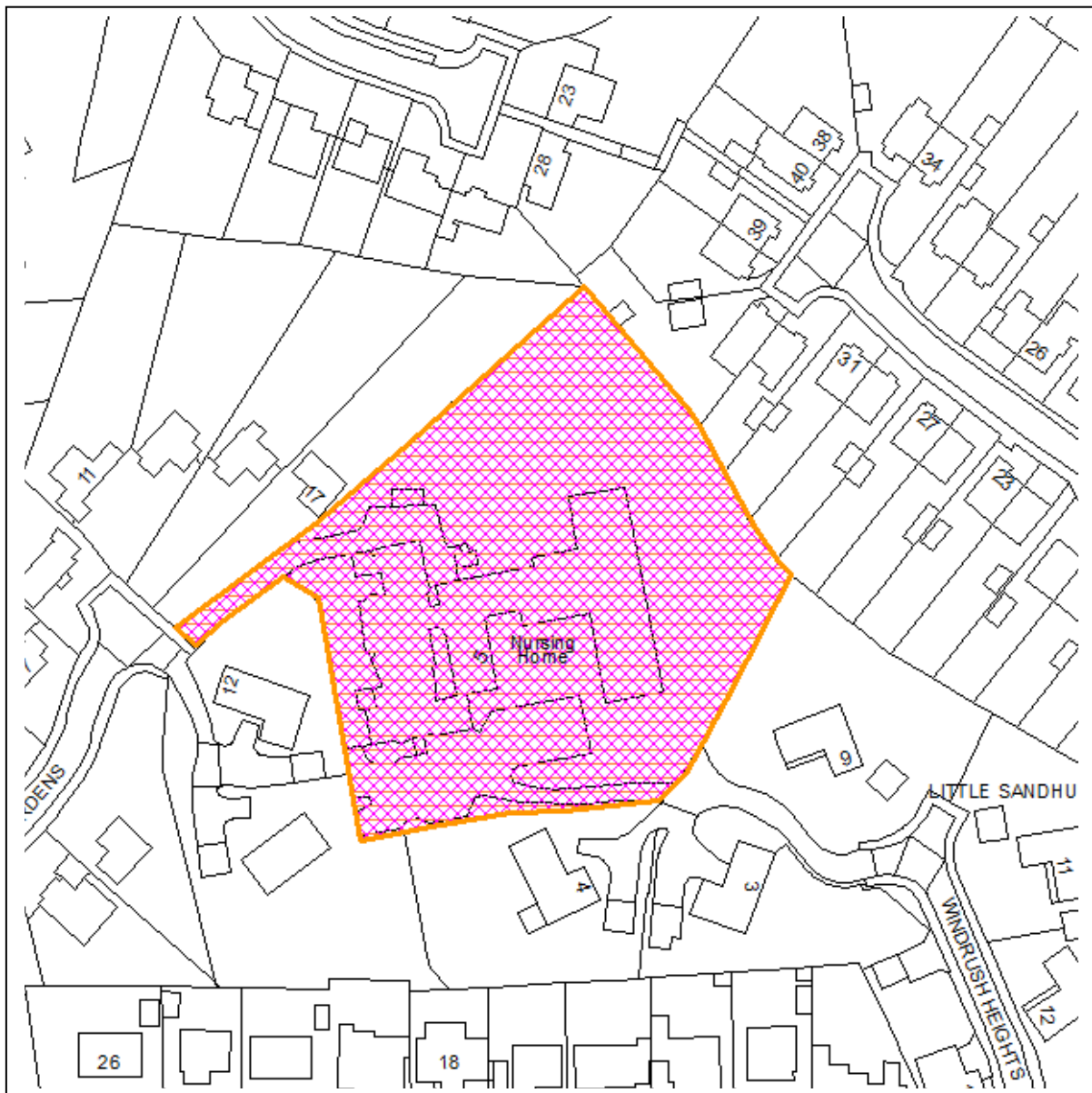
Mr Paul Dickinson

Case Officer:

Katie Walker, 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 proposal is for the demolition of all existing buildings on site and the erection of a cul-de-sac of nine detached houses.

1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. No highway safety implications will arise subject to the imposition of conditions. Relevant conditions will also be imposed in relation to detailed design, trees, biodiversity and sustainability and a section 106 agreement will be entered into in relation to impacts on the SPA.

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.

In the event of the S106 agreement not being completed by 25 January 2016, the Head of Planning be authorised to refuse the application on the grounds of:

The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. 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 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 Avoidance and Mitigation Supplementary Planning Document (2012).

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

Site subject to TPO No 20/1966

Character Areas SPD, Sandhurst Study Area, Area A

3.1 The 0.65 ha site occupied by the former Harts Leap care home building and associated outbuildings, which have been vacant since February 2014. It is bounded to the north by thick planting, beyond which is Oaktree Way; to the west by Dale Gardens; to the south by Windrush heights and the rear of Harts Leap Road; and to the east by planting and the rear gardens of Harts Leap Close.

3.2 The site is located in an urban setting within a defined settlement as shown on the Bracknell Forest Policies Map. The site is currently secured, however access to the care home was via both Dale Gardens and Windrush Heights.

4. RELEVANT SITE HISTORY

4.1 There is no relevant planning history for the site other than alterations to the care home building.

5. THE PROPOSAL

5.1 The proposals are for the demolition of all existing buildings on site, and the erection of a cul-de-sac of nine detached houses, accessed from Dale Gardens. The dwellings would be arranged in a horse-shoe shape, facing the new road in the centre of the site, all with rear gardens.

5.2 The development would comprise three 3-bedroom houses (plots 1, 3 and 9) and six 4-bedroom units. Plots 1-6 would be located to the south of the new road, with plots 7-9 located on the northern part of the site. Plots 1-6 would be two storeys. Plots 7-9 would be on land with a level change. They would have two storeys plus living accommodation in the roof. For these dwellings, the first floor (upper ground level as labelled on the plans) would form the ground floor at the rear of the houses. There would be external steps to the side of these properties.

5.3 Vehicular access to the development would be via Dale Gardens, with a 2 metre pedestrian footpath and servicing route provided from Windrush heights. Each dwelling would have an attached garage and all except for plots 1 and 3 would have accommodation above the garage. Plots 1, 3 and 9 would have one parking space in front of their garages and the remaining houses would have 2 additional parking spaces. Two visitor parking spaces would also be provided for the development.

5.4 A significant proportion of the existing tree and hedgerow cover on site would be retained within the proposals, and new planting is also proposed. Each house would have a rear garden.

6. REPRESENTATIONS RECEIVED

Town Council

6.1 Sandhurst Town Council objected to the proposal on the following grounds:

- the volume of traffic combined with the difficulty in negotiating access to the development would be detrimental to the amenity of Dale Gardens residents
- Pedestrians would be put at risk by the lack of a footway along the narrow access road, exacerbated by poor visibility;
- The access road does not meet the minimum width requirement for access by a fire appliance;
- The density of housing will result in a cramped development that is not in keeping with the surrounding properties.

Other Letters of Representation

6.2 Eighteen letters of objection were received. The issues raised are summarised as follows:

- Access should be by both Dale Gardens and Windrush Heights for traffic, parking and road safety reasons.
- Access for service vehicles.
- Increase in traffic on Dale Gardens, Windrush Heights and the surrounding road network.

- TRICS data in the transport statement is misleading and the care home did not ever operate at capacity.
- Inadequate visitor parking.
- Road safety.
- New footpath will result in Windrush Heights becoming a shortcut and possible overspill car parking area.
- Additional traffic in Windrush Heights will cause severe congestion.
- Concerns over impact of additional traffic on the road in terms of sink holes in Dale Gardens.
- Access constraints for larger vehicles on Dale Gardens.
- Too many houses resulting in high density and cramped development.
- Potential noise and disturbance to surrounding properties from the development itself, the access road and construction traffic.
- Retention of area for open communal garden would be more in keeping with ground's original use.
- Emergency vehicle access.
- Concerns over rights of way over 4 Windrush Heights [*officer comment: the applicant has provided title plans demonstrating a right of way between the site and the highway*]
- Impact on and management of trees.
- Reduction in screening of site through removal of trees and planting
- Concerns over houses at a lower level being hemmed in.
- Overlooking concerns.
- Clarity should be sought over replacement landscaping.
- Proposals will be out of keeping with the area.
- Houses are too tall
- Proposals will result in a car dominated street scene.
- Parking during construction.
- Large vehicles manoeuvring close to existing properties in Dale Gardens creates anti social atmosphere.
- Cars park in existing hammerhead which makes the roads more restricted.
- Proposals contrary to development plan with regards to character and appearance and prioritising pedestrians, cyclists and public transport.
- Consideration should be given to removing trees to improve access, site viability and amenity of residents.
- Flood risk and drainage.
- Pedestrian safety.
- Refuse and waste.
- Biodiversity.

6.3 One letter of observation was received, raising the following points:

- Proposals comprise overdevelopment of the site.
- Important to retain screening provided by the surrounding trees.
- Access should be via Dale Gardens.
- Emergency vehicles need access to the new development and Windrush Heights.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 The following consultees have provided comments on the application, summarised below and within the report:

- Environmental Policy: No objections subject to conditions.

- Tree service: No comments on the application. The planning officer should consider the information provided by the applicant alongside the potential impact that the development may have on trees and landscape.
- Biodiversity: no objection subject to conditions.
- Environmental Health: conditions recommended.
- SPA: S106 required.
- Transportation officer: No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 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 and CS24 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1 and EN2 of BFBLP, CS1 of CSDPD.	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Character Areas (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 consideration are:

- i Impact on character and appearance of the area
- ii Impact on residential amenity
- iii Transport implications
- iv Biodiversity considerations
- v SPA
- vi Impact on trees
- vii Sustainability
- viii Community Infrastructure Levy

i. Impact on Character and Appearance of Area

9.2 The Sandhurst Study Area A (Little Sandhurst) of the Character Areas SPD sets out, in summary, that the high quality character of the area is established by the informal plot patterns, boundary treatments and landscape rather than a distinctive form of development and/or architecture. The following relevant recommendations are set out in the SPD:

- Development should be in the form of short terraces and detached houses and their orientation can vary;
- An engineering driven change of road surface should be avoided;
- The existing street pattern and focal points should be retained to maintain a sense of place;
- The backdrop of woodland should be retained throughout the character area as it adds significantly to local distinctiveness;
- The characteristic setting of houses above road level should be retained as well as the use of brick retaining walls;
- Conserve and enhance the woodland cover and localised dense shrubbery; and
- Retain and encourage greater use of brick walls to frontages.

9.3 The site is located between Dale Gardens and Windrush Heights, in a residential area. The surrounding roads generally slope down from the site, which is largely screened from the surrounding properties with trees and shrubs. A significant proportion of the existing trees, shrubs and planting would be retained on the boundaries of the site, and new planting would be introduced, ensuring that the proposals would not appear overly dominant from the surrounding properties.

9.4 The layout of the proposals would be in keeping with the urban grain of the surrounding area. With the exception of Harts Leap Close, which comprises semi-detached houses, the majority of the houses surrounding the site are detached. The spacing between the proposed houses is comparable to the spacing on Harts Leap Road, and the proposed residential density (13.8 dph) is also in keeping with the surrounding area.

9.5 The houses would be different from one another, however they would be of a similar style which would ensure that the development would have a sense of place while not resulting in a regimented street scene. The houses would be predominantly brick with tiled roofs. Plots 1, 3, 5 and 8 would have hung tile detailing and plots 4 and 7 would have white cladding. They would all have gable features facing the road and would each have an open porch feature. These features and detailing are all in keeping with the character of the houses in Dale Gardens, Harts Leap Road and Windrush heights.

9.6 The proposals are in keeping with the surrounding residential development in terms of plot pattern and design, and retain a significant number of existing trees and hedgerow, as well as introducing new planting to the site's boundaries in line with the character area SPD. It is therefore not considered that the development would result in an adverse impact on the character and appearance of the area. It would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

ii. Impact on Residential Amenity

- 9.7 The site is well screened from the surrounding roads through trees and hedges. A significant proportion of these would be retained as part of the proposals, maintaining the screening for the proposed development. The existing Harts Leap independent hospital is a large, bulky building which would be demolished along with the two outbuildings on the site. The proposed nine houses are detached, allowing for spacing between them and resulting in a less overbearing built form than the existing building.
- 9.8 The four closest properties to the proposals are numbers 10, 12 and 17 Dale Gardens; number 4 Windrush Heights; and number 35 Harts Leap Close.
- 9.9 Plot 9 is 15 metres from 17 Dale gardens at its closest point, from the western corner of the garage to the side elevation of number 17. Plot 9 has a first floor window in this elevation, for the study, and this window has been angled to minimise overlooking. It should be noted that there is new planting proposed outside this elevation of plot 9, and the existing line of trees would be retained on the western boundary of the side. In addition, plot 9 is located further from number 17 than the existing building. It is therefore not considered that the proposed development would adversely impact on light, privacy or overlooking on number 17 Dale Gardens.
- 9.10 At its closet point, plot 1 is 7.2 metres from 12 Dale Gardens. This distance is measured from the garage of plot 1 to the side elevation of 12 Dale Gardens. There are, however, no windows in the side elevation of plot 1, ensuring that there would be no loss of privacy or issues of overlooking arising from this relationship. While the garage would be closer to 12 Dale Gardens than the existing building, the house itself would be on the same building line and would be over a metre shorter than the existing building (0.8 metres to the decorative feature on the ridge).
- 9.11 Plot 1 is, at its closest point, 17.2 metres from 10 Dale Gardens. This is measured from the corner of the garage of plot 1 to the side of 10 Dale Gardens. The proposed dwelling is orientated so that there would be no overlooking to this property, and again the screening at the boundary would be retained. The proposed dwelling is also situated further back than the existing building line.
- 9.12 Plot 3 would be 20 metres from number 4 Windrush Heights at its closest point. While the rear elevation of plot 3 would have windows at first floor, the house would be orientated at an angle to minimise direct overlooking to 4 Windrush Heights, which is a bungalow. In addition, the proposal would be located at a higher level than number 4 Windrush Heights, again minimising direct overlooking to windows, and the existing established trees and shrubs on the boundary would be retained.
- 9.13 Number 4 Windrush Heights raised concerns regarding the overbearing impact of the proposals. While it is acknowledged that the proposed plot 3, at 9.2 metres (plus a 0.5 cm decorative feature on top of the ridge) would be taller than the existing building, which is 6.25 metres at this point, plot 3 would be situated further back into the site than the existing building. The single storey garage would be 4 metres further back than the existing building, and the main dwelling would be over 5.5 metres further back than the existing building. The corner of the garage of plot 4 is also approximately 21 metres from 4 Windrush Heights, however the main house is approximately 25 metres away and does not face 4 Windrush Heights. The garage is approximately 5 metres further back than the existing building and the house is approximately 7 metres further back. The

corner of the garage of plot 2 is also approximately 21.5 metres from 4 Windrush Heights, however the closest part main house is approximately 25 metres away and does not face 4 Windrush Heights. The garage is in line with the building line of the existing hospital and the house is approximately 1 metre further back. The layout of the proposed dwellings together with the planting on the site's boundaries would ensure that the proposed dwellings would not have an overbearing impact on 4 Windrush Heights.

- 9.14 Plot 7 would be 20.5 metres from number 35 Harts Leap Close at its closest point. There would be one window on the eastern elevation, however this would be angled away from number 35 Harts Leap Close, and would be obscure glazed. In addition, the part of plot 7 closest to 35 Harts Leap Close would be at a level between 2 and 3 metres lower than 35 Harts Leap Close. Again, the trees and hedges on the eastern boundary of the site, between the two properties, would be retained.
- 9.15 Conditions are recommended to ensure that the impact on residential amenity during construction is mitigated.
- 9.16 Due to the layout and design of the proposed houses and the retained screening around the site, and subject to conditions regarding management and hours of construction, it is not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20, EN25 or the NPPF.

iii Transport implications

Access

- 9.17 The site is currently served by two points of vehicular access: off Windrush Heights; and Dale Gardens. The existing access off Windrush Heights is via a shared private driveway which also serves two existing residential properties (nos. 3 and 4 Windrush Heights). The proposed development would take vehicular access off Dale Gardens only. The existing Dale Gardens access has a carriageway width of 4.6 metres immediately off Dale Gardens and is at least 4.1 metres for the first 6 metres to enable a standard car to pull clear of the road and two vehicles to pass each other at the access. The access road narrows to around 3.7 metres with a pinchpoint of 3.6 metres over a distance of 20 metres before widening to 4.8 metres thereafter.
- 9.18 Adequate inter-visibility can be achieved between the start of the 4.8 metre wide access road and the 4.6 metre wide access off Dale Gardens enabling drivers to stop and wait for each other at either end of the narrowing. Also, adequate sight-lines can be achieved within the highway and across the footway between vehicles heading towards the development, at a point adjacent to no. 7 Dale Gardens and vehicles exiting through the narrowing. A width of no less than 3.6 metres enables adequate access for one-way movements of all vehicles which would access the site, including those for deliveries, refuse and emergency access. The access should be provided prior to the occupation of the dwellings, and details of site organisation, including site access, should be provided prior to commencement of development. In addition, no gates should be allowed at the vehicular access and conditions are recommended to secure these points.

- 9.19 The existing access road off the shared private driveway from Windrush Heights is narrower than Dale Gardens, in the region of 3 metres wide, and it is unlikely that a suitable access road could be created without adversely affecting trees. A condition is recommended to secure the closure of this access prior to the occupation of the dwellings.
- 9.20 A pedestrian route is to be provided between the site and Windrush Heights to replace the existing vehicular access, providing a more direct route between the site and existing bus stops on Crowthorne Road, Uplands Primary School, the local centre and the train station. The provision of a separate pedestrian route is also likely to mean that few pedestrians would use the access road off Dale Gardens and this reduces the potential for conflict along the access road. Some existing residents of Dale Gardens may use this pedestrian route through the site and this is likely to be an improvement to existing pedestrian access via Harts Leap Road which has limited footway provision. The pedestrian access onto Windrush Heights should be provided prior to the occupation of the dwellings and this should be secured by condition, with details of the route provided.
- 9.21 A construction management plan should also be secured by condition to ensure highways safety and residential amenity.

Parking

- 9.22 The proposed parking complies with the parking standards for 9 residential dwellings. The proposal should not therefore give rise to over-spill parking on surrounding residential roads and the internal dimensions of the proposed garages (3 metres by 6 metres) comply with the latest standards for practical vehicle parking. It is advised that garages be kept for vehicle parking at all times and that this be secured by planning condition. Garages could be used for cycle and bin storage, though rear access to properties would be available. The driveway spaces should also be secured by planning condition, as well as the turning spaces, and details of cycle parking.
- 9.23 The proposed plans indicate that pedestrian access to the main front doors of the dwellings is acceptable and that soft landscaping is being provided to the front of dwellings.

Site Layout

- 9.24 The Local Highways Authority actively seeks to adopt residential estate roads which serve 6 or more dwellings, however this is not a pre-requisite for a development to be acceptable from a highways perspective. The applicant has indicated that they wish the road to remain private and the LHA would not therefore insist on it being adopted.
- 9.25 The proposed road widths are considered acceptable to serve this residential development, as has been discussed previously. Also, a turning head is to be provided within the site and it has been adequately demonstrated that a large refuse vehicle could enter the site and turn to exit onto Dale Gardens in a forward gear. The site layout provides acceptable access and turning for domestic delivery vehicles such as online shopping.

Trips

- 9.26 The Transport Statement indicates that 9 new dwellings are likely to generate in the region of 60 two-way trips over the course of a typical day, with 6 of these in both the morning and evening peak periods. At worst, each dwelling could generate 8 trips and this would represent a total of 72 two-way trips per day. The site is in a reasonably sustainable location and not all of these trips would be by private car. The Transport Statement notes that the permitted use of the site as a nursing home could generate in the region of 144 two-way trips over the course of a typical day and whilst a number of local comments suggest that the site may have never reached capacity, the permitted use of the site is a key planning consideration.
- 9.27 The Transport Statement notes that, 'the Dale Gardens access has historically been used for service and delivery vehicles and previous planning consents have included conditions requiring the provision and maintenance of a turning area at this part of the site. However, there are no planning conditions or restrictive covenants that restrict the use of either access for cars. The owner of the nursing home could direct all car traffic to use Dale Gardens without the need for any express consents'. The development would therefore generate fewer trips than the permitted uses of the site would allow.
- 9.28 Subject to the conditions suggested, it is not considered that the development would result in an adverse impact on highway safety. It is therefore not considered that the development would be contrary to CSDPD Policy CS23, BFBLP 'Saved' Policy M9 or the NPPF.

iv Biodiversity Implications

Bats

- 9.29 The ecological reports submitted with the application show that the existing building is a roost for Pipistrelle bats. Following comments from the Council's biodiversity officer, further information was submitted by the applicant which demonstrates that the development would meet the three tests under regulation 3 (4) of the Conservation (Natural Habitats &C) regulations 1994 (now implemented by regulation 53 of the Conservation of Habitats and Species Regulations 2010). These tests are:
- the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range;
 - a licence can be granted for the purposes of "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"; and
 - that there is no satisfactory alternative.
- 9.30 The Council's biodiversity officer is satisfied that the information submitted meets these tests and conditions are recommended to ensure that the proposals would protect and enhance biodiversity through sensitive demolition of the building to avoid harm to bats, and through appropriate mitigation measures.

Landscaping

- 9.31 The proposals are for Laurel hedges in the gardens. Native species hedges would be more appropriate, and conditions are recommended to require details of proposed landscaping.
- 9.32 Some neighbour responses to the application raised queries over boundary treatments. A condition is also proposed requesting details of boundary treatments
- 9.33 Subject to the conditions recommended, the proposals would be acceptable in biodiversity terms, in line with CSDPD Policies CS1 and CS7, and 'Saved' BFBLP policy EN2.

v SPA

- 9.34 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 SPA is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects. This site is located approximately 0.6 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.
- 9.35 A contribution is calculated on a per-bedroom basis to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. In this instance, the development would result in a net increase of 6 x 4 bedroom dwellings and 3 x 3 bedroom dwellings. 3 bedroom dwellings require a contribution of £2,171 and 4 bedroom dwellings require a contribution of £2,469. The total SANG contribution is therefore £21,327.
- 9.36 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will be also calculated on a per bedroom basis. 3 bedroom dwellings require a contribution of £711 and 4 bedroom dwellings require a contribution of £807. The total SAMM contribution is therefore £6,975.
- 9.37 The total SPA related financial contribution for this proposal is £28,302. The applicant has agreed to enter into a S106 agreement to secure this contribution. Subject to the completion of the S106 agreement, the proposal would not have an unacceptable impact on the SPA and would comply with SEP Saved Policy NRM6, Saved Policy EN3 of the BFBLP and CS14 of CSDPD and the NPPF.

vi Impact on trees

- 9.38 The site is subject to TPO No 20/1966, except for a small area in the north east of the site. The arboricultural report submitted with the application sets out that two individual trees and two groups of trees are to be removed in order to facilitate the development. Due to the existing built form of development, most of the trees on site are around the boundaries of the site. The proposed houses are sited a sufficient distance from the boundary to allow for the retention of the trees, and the access road is offset by adjacent property boundaries in Dale Gardens by at least 300 mm to protect trees from passing vehicles.
- 9.39 The applicant has removed a minimal number of trees in order to facilitate the development, and the arboricultural report assesses the value of the trees to be

removed as low quality. Conditions are proposed to ensure the protection of those trees which are to be retained. The indicative landscaping proposals demonstrate a number of new trees and hedges to be planted. A condition requiring details of hard and soft landscaping is also proposed, as well as details of boundary treatments.

- 9.40 Subject to these conditions, the proposal is not considered to have an unacceptable impact on trees and therefore is in line with CSDPD policy CS1 and BFBLP 'Saved' policies EN1 and EN2.

vii Sustainability

- 9.41 The applicant has demonstrated that the development would result in an average water use of 110 litres/person/day. A condition is recommended to secure this. The applicant has also demonstrated that through passive design measures, the overall carbon emissions would reduce by at least 10%. In addition, 8.4% of the development's energy demand would be offset via renewables. As this does not meet the requirement for a 2015 offset, a condition requiring further energy details is recommended.
- 9.42 Subject to the suggested conditions, the application is acceptable with regards to CSDPD Policies CS10, CS12 and the provisions of the NPPF.

viii Community Infrastructure Levy (CIL)

- 9.43 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.
- 9.44 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.
- 9.45 In this case, the proposal would be CIL liable as the proposal comprises the creating of nine new dwellings, totalling 1,740.9 sq.m. of floorspace. The buildings to be demolished, however, total 2,536.43 sq.m. and have been occupied for 6 months continuously in their lawful use in the last 3 years (they were last occupied in February 2014). Such floorspace will be offset against the proposed floorspace for the purposes of calculating CIL and therefore although the proposals are CIL liable, it is unlikely that any charge would be applicable to the proposal, subject to officer confirmation.

10. CONCLUSIONS

- 10.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. No highway safety implications will arise subject to the imposition of conditions. Relevant conditions will be imposed in relation to detailed design, trees, biodiversity and sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable. The proposal is therefore considered to be in accordance with Saved SEP Policy NRM6, 'Saved' Policies EN1, EN2, EN3,

EN20 and M9 of the BFBLP, CS1, CS2,CS7, CS10, CS12, CS14,CS23, CS24 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

11. RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA);

That the Head of Planning be authorised to **APPROVE** the application subject to the following condition(s):-

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 received by the Local Planning Authority on 30/06/2015:

- 14-P1034-9-201: Proposed Plans and Elevations (Plot 1&3)
- 14-P1034-9-202: Proposed Plans and Elevations (Plot 2)
- 14-P1034-9-203: Proposed Plans and Elevations (Plot 4)
- 14-P1034-9-204: Proposed Plans and Elevations (Plot 5)
- 14-P1034-9-205: Proposed Plans and Elevations (Plot 6)
- 14-P1034-9-206: Proposed Plans and Elevations (Plot 7)
- 14-P1034-9-207: Proposed Plans and Elevations (Plot 8)
- 14-P1034-9-208: Proposed Plans and Elevations (Plot 9)
- 14-P1034-9-500: Dale Gardens Access

And the following plan received by the Local Planning Authority on 26 August 2015:

14-P1034-9-200 Rev A: Proposed Site Layout 9 Unit Scheme.

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

03 No development shall take place until details 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 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]

04 All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with British Standard 5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.
REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

05 The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following:

- a) Accurate trunk positions and canopy spreads of all existing trees
- b) Minimum 'Root Protection Areas' of all existing trees
- c) Plans of a minimum scale of 1:200 showing the proposed locations of protective barrier/s, constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- d) Proposed ground protection measures in accordance with Section 6 (Figure 3) of BS 5837:2012.
- e) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
- f) Illustration/s of the proposed fencing structure/s to be erected.

The development shall be carried out in accordance with the approved scheme and programme.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

06 The protective fencing and other protection measures specified by condition 05 shall be erected prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. No activity of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

- 07 The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission or as may otherwise be agreed in writing by the Local planning Authority.
 REASON: - In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.
 [Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]
- 08 The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.
 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, or as may otherwise be agreed in writing by the Local Planning Authority. 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 (Part 1) '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, unless the Local Planning Authority gives written consent to any variation.
 REASON: In the interests of good landscape design and the visual amenity of the area.
 [Relevant Policies:BFBLP EN2 and EN20, CSDPD CS7]
- 09 No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.
 REASON: In the interests of nature conservation
 [Relevant Plans and Policies: BFBLP EN3 CS1, CS7]
- 10 The demolition shall not be begun until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the local planning authority.
 The approved scheme shall be performed, observed and complied with.
 REASON: In the interests of nature conservation
 [Relevant Plans and Policies: CSDPD CS1, CS7]
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that

order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

- 12 No demolition or construction work shall take place outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policies: BFBLP EN25]

- 13 During the demolition and construction phases, no deliveries shall be taken at or dispatched from the site outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

REASON: In the interests of the amenities of the occupiers of nearby residential premises.

[Relevant Policies: BFBLP EN25]

- 14 The development hereby permitted (including any demolition) shall not be begun until details of a scheme of control during demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) control of noise – in particular details of noisy equipment or activities and how disturbance will be minimised where there are noise sensitive neighbours
- (ii) control of dust, smell and other effluvia
- (iii) control of surface water run off
- (iv) site security arrangements including hoardings
- (v) proposed method of piling for foundations
- (vi) construction and demolition working hours
- (vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site
- (viii) Parking of vehicles of site personnel, operatives and visitors
- (ix) Loading and unloading of plant and vehicles
- (x) Storage of plant and materials used in constructing the development
- (xi) Wheel cleaning facilities
- (xii) Temporary portacabins and welfare for site operatives

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 (viii) to (xii) above without the prior written permission of the Local Planning Authority.
 REASON: In the interests of the amenity of the area amenity and road safety.
 [Relevant Policies: BFBLP EN25 and CS DPD CS23]
- 15 No dwelling shall be occupied until the existing access to the site from Windrush Heights has been closed and a footway/ verge is provided over the closed access in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; the footway/vergeshall be retained thereafter.
 REASON: In the interests of highway safety.
 [Relevant Policies: Core Strategy DPD CS23]
- 16 No dwelling shall be occupied until vehicular access as shown on drawing 14-P1034-9-500 has been constructed.
 REASON: In the interests of highway safety.
 [Relevant Policies: Core Strategy DPD CS23]
- 17 No dwelling shall be occupied until a means of access for pedestrians on to Windrush heights has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.
 REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
 [Relevant Policies: BEBLP M6, Core Strategy DPD CS23]
- 18 The dwelling(s) shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the private driveways and the adjacent carriageway. The dimensions shall be measured along the edge of the drive and the edge of the carriageway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.
 REASON: In the interests of highway safety.
 [Relevant Policies: Core Strategy DPD CS23]
- 19 No dwelling shall be occupied until the associated vehicle parking and turning spaces has been surfaced and marked out in accordance with the approved drawings. 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]
- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification).The garage accommodation shall be retained for the use of the parking of vehicles at all times.
 REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
 [Relevant Policy: BFBLP M9]
- 21 No dwelling shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities shall be retained.
 REASON: In the interests of accessibility of the development to cyclists.

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

- 22 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]
- 23 The development hereby permitted shall be implemented in accordance with the submitted Sustainability and Energy Statement and shall be retained in accordance therewith.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]
- 24 The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:
- (a) that before taking account of any on-site renewable energy production 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) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%).
- The buildings 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]

In the event of the S106 agreement not being completed by 25 January 2016, the Head of Planning be authorised to refuse the application on the grounds of:

The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. 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 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 Avoidance and Mitigation Supplementary Planning Document (2012).

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 subject to conditions, 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. Commencement
 - 2. Approved Plans
 - 4. Tree retention
 - 6. Protection of trees during construction

9. No site clearance during nesting season
12. Hours of construction and demolition
13. Delivery hours during construction and demolition
16. Access
18. Visibility splays
19. Vehicle parking and turning spaces
20. Garages to be used for parking only
22. No gates at vehicular access
23. In accordance with Sustainability and Energy Statement

Details are required to be submitted in relation to the following conditions:

3. Materials
5. Tree protection programme
7. Boundary treatments
8. Hard and soft landscaping
10. Bird and bat boxes
11. Lighting strategy
14. Management plan
15. Access details
17. Pedestrian access
21. Cycle parking
24. Energy demand assessment

- 03 The Chief Engineer (Highways) should be contacted at Department of Transport & Transportation, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 351668, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

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Unrestricted Report

ITEM NO: 15

Application No.
15/00624/FUL

Ward:
Little Sandhurst And
Wellington

Date Registered:
1 July 2015

Target Decision Date:
26 August 2015

Site Address:

**Harts Leap Independent Hospital 5 Windrush Heights
Sandhurst Berkshire GU47 8ET**

Proposal:

**Erection of 5 no 4 bed and 3 no 3 bed detached dwellings with
garages following demolition of all existing buildings.**

Applicant:

Halebourne Developments Ltd

Agent:

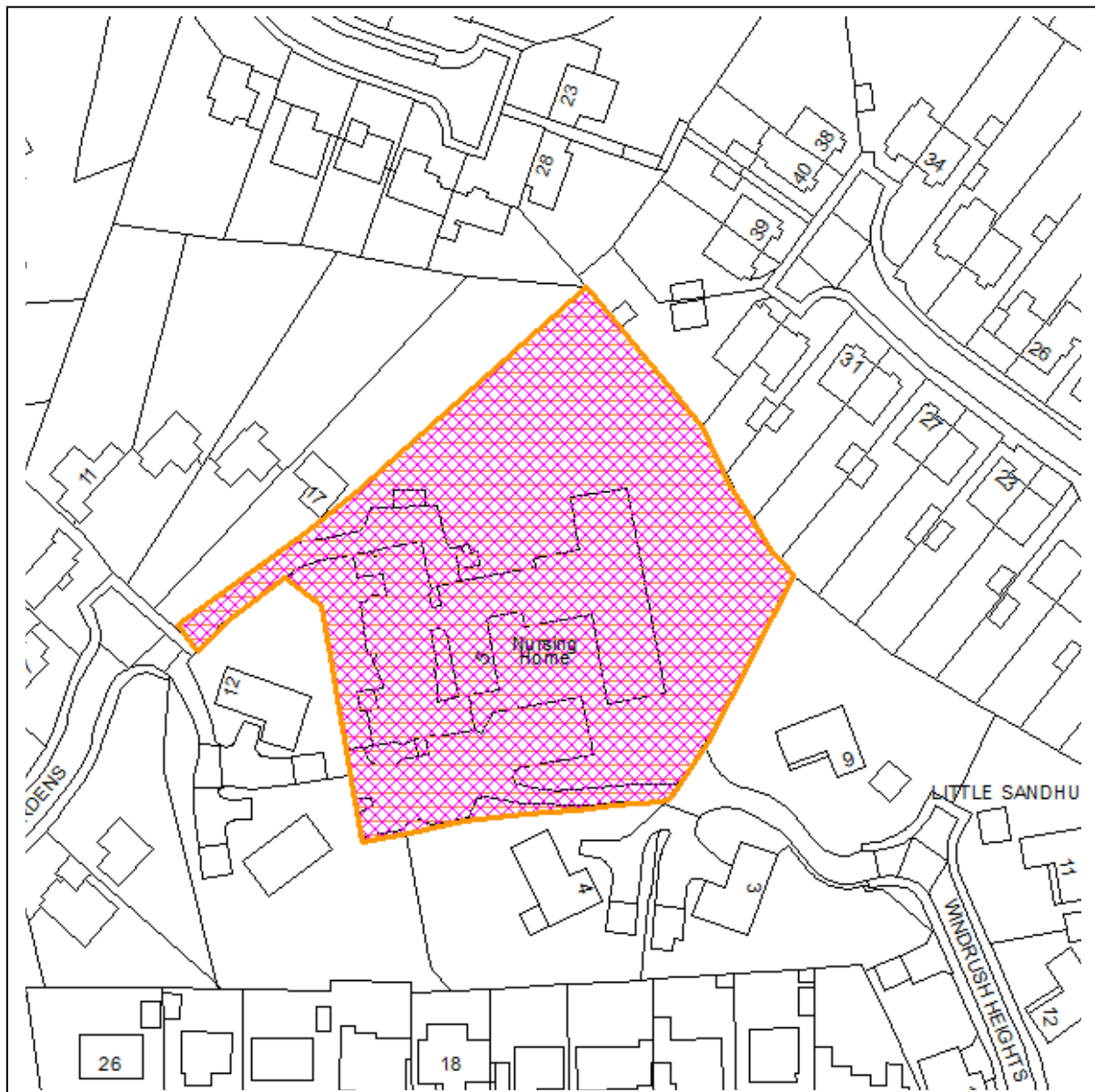
Paul Dickinson

Case Officer:

Katie Walker, 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 proposal is for the demolition of all existing buildings on site and the erection of a cul-de-sac of eight detached houses.

1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. No highway safety implications will arise subject to the imposition of conditions. Relevant conditions will also be imposed in relation to detailed design, trees, biodiversity and sustainability and a section 106 agreement will be entered into in relation to impacts on the SPA.

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.

In the event of the S106 agreement not being completed by 25 January 2016, the Head of Planning be authorised to refuse the application on the grounds of:

The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. 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 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 Avoidance and Mitigation Supplementary Planning Document (2012).

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary

Site subject to TPO No 20/1966

Character Areas SPD, Sandhurst Study Area, Area A

3.1 The 0.65 ha site is occupied by the former Harts Leap care home building and associated outbuildings, which have been vacant since February 2014. It is bounded to the north by thick planting, beyond which is Oaktree Way; to the west by Dale Gardens; to the south by Windrush heights and the rear of Harts Leap Road; and to the east by planting and the rear gardens of Harts Leap Close.

3.2 The site is located in an urban setting within a defined settlement as shown on the Bracknell Forest Policies Map. The site is currently secured, however access to the care home was via both Dale Gardens and Windrush Heights.

4. RELEVANT SITE HISTORY

4.1 There is no relevant planning history for the site other than alterations to the care home building.

5. THE PROPOSAL

5.1 The proposals are for the demolition of all existing buildings on site, and the erection of a cul-de-sac of eight detached houses, accessed from Dale Gardens. The dwellings would be arranged in a horse-shoe shape, facing the new road in the centre of the site, all with rear gardens.

5.2 The development would comprise three 3-bedroom houses (plots 6, 7 and 8) and five 4-bedroom houses. Plots 1-5 would be located to the south of the new road, with plots 6-9 located on the northern part of the site. Plots 1-6 would be two storeys. Plots 7-9 would be on land with a level change. They would have two storeys plus living accommodation in the roof, however the lower ground floor would be the ground floor as read from the front of the properties and the first floor (upper ground level as marked on the plans) would form the ground floor from the rear. There would be external steps to the side of these properties.

5.3 Vehicular access to the development would be via Dale Gardens, with a 2 metre wide pedestrian footpath and servicing route provided from Windrush Heights. Each dwelling would have an attached garage and plots 1, 2, 5, 6, 7 and 8 would have accommodation above the garage. Plots 2, 6, 7 and 8 would have one parking space in front of their garages and the remaining houses would have 2 additional parking spaces. Two visitor parking spaces would also be provided for the development.

5.4 A significant proportion of the existing tree and hedgerow cover on site would be retained within the proposals, and new planting is also proposed.

6. REPRESENTATIONS RECEIVED

Town Council

6.1 Sandhurst Town Council objected to the proposal on the following grounds:

- the volume of traffic combined with the difficulty in negotiating access to the development would be detrimental to the amenity of Dale Gardens residents
- Pedestrians would be put at risk by the lack of a footway along the narrow access road, exacerbated by poor visibility;
- The access road does not meet the minimum width requirement for access by a fire appliance;
- The density of housing, although one less dwelling than 15/00623/FUL, will still result in a cramped development that is not in keeping with the surrounding properties.

Other Letters of Representation

6.2 Fifteen letters of objection were received. The issues raised are summarised as follows:

- Access should not be by both Dale Gardens and Windrush Heights for traffic, parking and road safety reasons.
- Increase in traffic on Dale Gardens, Windrush Heights and the surrounding road network.

- TRICS data in the transport statement is misleading and the care home did not ever operate at capacity.
- Inadequate visitor parking.
- Road safety for vehicles and pedestrians.
- Impact of parking and construction traffic on Harts Leap Road.
- New footpath will result in Windrush Heights becoming a shortcut and possible overspill car parking area.
- Concerns over impact of additional vehicles on the road in terms of sink holes in Dale Gardens.
- Access constraints for larger vehicles on Dale Gardens.
- Too many houses resulting in high density and cramped development.
- Potential noise and disturbance to surrounding properties from access road, construction and the development itself.
- Retention of area for open communal garden would be more in keeping with ground's original use.
- Emergency vehicle access.
- Concerns over rights of way over 4 Windrush Heights [*officer comment: the applicant has provided title plans demonstrating a right of way between the site and the highway*]
- Impact on and management of trees.
- Reduction in screening of site through removal of trees and planting
- Concerns over houses at a lower level being hemmed in.
- Overlooking concerns.
- Clarity should be sought over replacement landscaping.
- Proposals will be out of keeping with the area.
- Houses are too tall
- Proposals will result in a car dominated street scene.
- Parking during construction.
- Dale Gardens originally had restricted access and was designed as a service entrance.
- Large vehicles manoeuvring close to existing properties in Dale Gardens creates anti social atmosphere.
- Cars park in existing hammerhead which makes the roads more restricted.
- Damage to gate posts due to narrow roads.
- Impact on safety of children in Dale Gardens and new children from development.
- Access for service vehicles.
- Proposals are contrary to development plan with regards to character and appearance of the area and priority to needs of pedestrians, cyclists and public transport.
- Trees should be removed to improve access, site viability and amenity of residents.
- Refuse collection.
- Flood risk.
- Biodiversity.

6.3 Two letters of observation were received, raising the following points:

- This proposal is preferred to 9 unit scheme.
- Important to retain screening provided by the surrounding trees.
- Access should be via Dale Gardens.
- Emergency vehicles need access to the new development and Windrush Heights.
- Only reasonable pruning of Leyland cypress trees (G4) should take place
- A tree screen of at least 6 metres in height on the south border with 9 Windrush Heights should be maintained
- The proposed footpath should not become a public right of way for persons other than the new residents of the development

- The proposed footpath should be maintained, especially with regards to falling leaves in the Autumn and Winter.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 The following consultees have provided comments on the application, summarised below and within the report:

- Environmental Policy: No objections subject to conditions.
- Tree service: No comments on the application. The planning officer should consider the information provided by the applicant alongside the potential impact that the development may have on trees and landscape.
- Biodiversity: No objections subject to conditions
- Environmental Health: conditions recommended.
- SPA: S106 required.
- Transportation officer: No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 and CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent. Para. 39 refers to LPA's setting their own parking standards for residential development.
Transport	CS23 and CS24 of CSDPD	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, Saved Policy EN3 of BFBLP and Policy CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1 and EN2 of BFBLP, CS1 of CSDPD.	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Character Areas (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 consideration are:

- i Impact on character and appearance of the area

- ii Impact on residential amenity
- iii Transport implications
- iv Biodiversity considerations
- v SPA
- vi Impact on trees
- vii Sustainability
- viii Community Infrastructure Levy

i. Impact on Character and Appearance of Area

9.2 The Sandhurst Study Area A (Little Sandhurst) of the Character Areas SPD sets out, in summary, that the high quality character of the area is established by the informal plot patterns, boundary treatments and landscape rather than a distinctive form of development and/or architecture. The following relevant recommendations are set out in the SPD:

- Development should be in the form of short terraces and detached houses and their orientation can vary;
- An engineering driven change of road surface should be avoided;
- The existing street pattern and focal points should be retained to maintain a sense of place;
- The backdrop of woodland should be retained throughout the character area as it adds significantly to local distinctiveness;
- The characteristic setting of houses above road level should be retained as well as the use of brick retaining walls;
- Conserve and enhance the woodland cover and localised dense shrubbery; and
- Retain and encourage greater use of brick walls to frontages.

9.3 The site is located between Dale Gardens and Windrush Heights, in a residential area. The surrounding roads generally slope down from the site, which is largely screened from the surrounding properties with trees and shrubs. A significant proportion of the existing trees, shrubs and planting would be retained on the boundaries of the site, and new planting would be introduced, ensuring that the proposals would not appear overly dominant to the surrounding properties.

9.4 The layout of the proposals would be in keeping with the urban grain of the surrounding area. With the exception of Harts Leap Close, which comprises semi-detached houses, the majority of the houses surrounding the site are detached. The spacing between the proposed houses is comparable to the spacing on Harts Leap Road, and the proposed residential density (12.3 dph) is also in keeping with the surrounding area.

9.5 The houses would be different from one another, however they would be of a similar style which would ensure that the development would have a sense of place while not resulting in a regimented street scene. The houses would be predominantly brick with tiled roofs. Plots 2, 3, 5 and 7 would have hung tile detailing and plots 1 and 6 would have white cladding. They would all have gable features facing the road and would each have an open porch feature. These features and detailing are all in keeping with the character of the houses in Dale Gardens, Harts Leap Road and Windrush heights.

9.6 The proposals are in keeping with the surrounding residential development in terms of plot pattern and design, and retain a significant number of existing trees

and hedgerow, as well as introducing new planting to the site's boundaries in line with the character area SPD. It is therefore not considered that the development would result in an adverse impact on the character and appearance of the area. It would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

ii. Impact on Residential Amenity

- 9.7 The site is well screened from the surrounding roads through trees and hedges. A significant proportion of these would be retained as part of the proposals, maintaining the screening for the proposed development. The existing Harts Leap independent hospital is a large, bulky building which would be demolished along with the two outbuildings on the site. The proposed eight houses are detached, allowing for spacing between them and resulting in a less overbearing built form than the existing building.
- 9.8 The five closest properties to the proposals are numbers 10, 12 and 17 Dale Gardens; number 4 Windrush Heights; and number 35 Harts Leap Close.
- 9.9 Plot 8 is 15 metres from 17 Dale gardens at its closest point, from the western corner of the garage to the side elevation of number 17. Plot 8 has a first floor window in this elevation, for the study, and this window has been angled to minimise overlooking. It should be noted that there is new planting proposed outside this elevation of plot 8, and the existing line of trees would be retained on the western boundary of the side. In addition, plot 8 is located further from number 17 than the existing building. It is therefore not considered that the proposed development would adversely impact on light, privacy or overlooking on number 17 Dale Gardens.
- 9.10 At its closet point, plot 1 is 8.1 metres from 12 Dale Gardens. This distance is measured from the garage of plot 1 to the side elevation of 12 Dale Gardens. There is, however, only one window in the side elevation of plot 1 which is a ground floor obscure-glazed window, ensuring that there would be no loss of privacy or issues of overlooking arising from this relationship. While the garage would be closer to 12 Dale Gardens than the existing building, the house itself would be on the same building line and would be over two metres shorter than the existing building (1.5 metres to the decorative feature on the ridge).
- 9.11 Plot 1 is, at its closest point, 17.2 metres from 10 Dale Gardens. This is measured from the corner of the garage of plot 1 to the side of 10 Dale Gardens. The proposed dwelling is orientated so that there would be no overlooking to this property, and again the screening at the boundary would be retained. The proposed dwelling is also situated further back than the existing building line of the hospital.
- 9.12 Plot 3 would be 21 metres from number 4 Windrush Heights at its closest point. While the rear elevation of plot 3 would have windows at first floor, the house would be orientated at an angle to minimise direct overlooking to 4 Windrush Heights, which is a bungalow. In addition, the proposal would be located at a higher level than number 4 Windrush Heights, again minimising direct overlooking to windows, and the existing established trees and shrubs on the boundary would be retained.
- 9.13 Number 4 Windrush Heights raised concerns regarding the overbearing impact of the proposals. While it is acknowledged that the proposed dwelling, at 8.4 metres

(plus a 0.5 metre decorative feature on top of the ridge) would be taller than the existing building, which is 6.25 metres at this point, plot 3 would be situated further back into the site than the existing building. The garage would be 5.5 metres further back than the existing building, and the main dwelling would be 7 metres further back than the existing building. The corner of the garage of plot 2 is also approximately 22 metres from 4 Windrush Heights, however the main house is approximately 25 metres away and does not face 4 Windrush Heights. The garage is in line with the building line of the existing hospital and the house is approximately 1.6 metres further back. Plot 4 is over 27 metres from 4 Windrush heights and is angled away from it and it is not considered to have an impact on 4 Windrush Heights. The layout of the proposed dwellings together with the planting on the site's boundaries would ensure that the proposed dwellings would not have an overbearing impact on 4 Windrush Heights.

- 9.14 Plot 6 would be 22 metres from number 35 Harts Leap Close at its closest point. There would be three windows on the eastern elevation: one at ground floor, one at upper ground floor and one on the first floor, which would be obscure glazed. The orientation of plot 6 would ensure that these would not overlook 35 Harts Leap Close. Again, the trees and hedges on the eastern boundary of the site, between the two properties, would be retained.
- 9.15 Conditions are recommended to ensure that the impact on residential amenity during construction is mitigated.
- 9.16 Due to the layout and design of the proposed houses and the retained screening around the site, it is not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20, EN25 or the NPPF.

iii Transport implications

Access

- 9.17 The site is currently served by two points of vehicular access: off Windrush Heights; and Dale Gardens. The existing access off Windrush Heights is via a shared private driveway which also serves two existing residential properties (nos. 3 and 4 Windrush Heights). The proposed development would take vehicular access off Dale Gardens only. The existing Dale Gardens access has a carriageway width of 4.6 metres immediately off Dale Gardens and is at least 4.1 metres for the first 6 metres to enable a standard car to pull clear of the road and two vehicles to pass each other at the access. The access road narrows to around 3.7 metres with a pinchpoint of 3.6 metres over a distance of 20 metres before widening to 4.8 metres thereafter.
- 9.18 Adequate inter-visibility can be achieved between the start of the 4.8 metre wide access road and the 4.6 metre wide access off Dale Gardens enabling drivers to stop and wait for each other at either end of the narrowing. Also, adequate sight-lines can be achieved within the highway and across the footway between vehicles heading towards the development, at a point adjacent to no. 7 Dale Gardens and vehicles exiting through the narrowing. A width of no less than 3.6 metres enables adequate access for one-way movements of all vehicles which would access the site, including those for deliveries, refuse and emergency access. The access should be provided prior to the occupation of the dwellings, and details of site organisation, including site access, should be provided prior to

commencement of development. In addition, no gates should be allowed at the vehicular access and conditions are recommended to secure these points.

9.19 The existing access road off the shared private driveway from Windrush Heights is narrower than Dale Gardens, in the region of 3 metres wide, and it is unlikely that a suitable access road could be created without adversely affecting trees. A condition is recommended to ensure the closure of the Windrush Heights access prior to the occupation of development.

9.20 A pedestrian route is to be provided between the site and Windrush Heights to replace the existing vehicular access, providing a more direct route between the site and existing bus stops on Crowthorne Road, Uplands Primary School, the local centre and the train station. The provision of a separate pedestrian route is also likely to mean that few pedestrians would use the access road off Dale Gardens and this reduces the potential for conflict along the access road. Some existing residents of Dale Gardens may use this pedestrian route through the site and this is likely to be an improvement to existing pedestrian access via Harts Leap Road which has limited footway provision. The pedestrian access onto Windrush Heights should be provided prior to the occupation of the dwellings and this should be secured by condition, with details of the route provided.

9.21 A construction management plan should also be secured by condition to ensure highways safety and residential amenity.

Parking

9.22 The proposed parking complies with the parking standards for 8 residential dwellings. The proposal should not therefore give rise to over-spill parking on surrounding residential roads and the internal dimensions of the proposed garages (3 metres by 6 metres) comply with the latest standards for practical vehicle parking. It is advised that garages be kept for vehicle parking at all times and that this be secured by planning condition. Garages could be used for cycle and bin storage, though rear access to properties would be available. The driveway spaces should also be secured by planning condition, as well as the turning spaces, and details of cycle parking.

9.23 The proposed plans indicate that pedestrian access to the main front doors of the dwellings is acceptable and that soft landscaping is being provided to the front of dwellings.

Site Layout

9.24 The Local Highways Authority actively seeks to adopt residential estate roads which serve 6 or more dwellings, however this is not a prerequisite for a development to be acceptable from a highways perspective. The applicant has indicated that they wish the road to remain private and the LHA would not therefore insist on it being adopted.

9.25 The proposed road widths are considered acceptable to serve this residential development, as has been discussed previously. Also, a turning head is to be provided within the site and it has been adequately demonstrated that a large refuse vehicle could enter the site and turn to exit onto Dale Gardens in a forward gear. The site layout provides acceptable access and turning for domestic delivery vehicles such as online shopping.

Trips

9.26 The Transport Statement indicates that 8 new dwellings are likely to generate in the region of 54 two-way trips over the course of a typical day, with 6 of these in both the morning and evening peak periods. At worst, each dwelling could generate 8 trips and this would represent a total of 64 two-way trips per day. The site is in a reasonably sustainable location and not all of these trips would be by private car. The Transport Statement notes that the permitted use of the site as a nursing home could generate in the region of 144 two-way trips over the course of a typical day and whilst a number of local comments suggest that the site may have never reached capacity, the permitted use of the site is a key planning consideration.

9.27 The Transport Statement notes that, 'the Dale Gardens access has historically been used for service and delivery vehicles and previous planning consents have included conditions requiring the provision and maintenance of a turning area at this part of the site. However, there are no planning conditions or restrictive covenants that restrict the use of either access for cars. The owner of the nursing home could direct all car traffic to use Dale Gardens without the need for any express consents'. The development would therefore generate fewer trips than the permitted uses of the site would allow.

9.28 Subject to the conditions suggested, it is not considered that the development would result in an adverse impact on highway safety. It is therefore not considered that the development would be contrary to CSDPD Policy CS23, BFBLP 'Saved' Policy M9 or the NPPF.

iv Biodiversity Implications

Bats

9.29 The ecological reports submitted with the application show that the existing building is a roost for Pipistrelle bats. Following comments from the Council's biodiversity officer, further information was submitted by the applicant which demonstrates that the development would meet the three tests under regulation 3 (4) of the Conservation (Natural Habitats &C) regulations 1994 (now implemented by regulation 53 of the Conservation of Habitats and Species Regulations 2010). These tests are:

- the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range;
- a licence can be granted for the purposes of "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"; and
- that there is no satisfactory alternative.

9.30 The Council's biodiversity officer is satisfied that the information submitted meets these tests and conditions are recommended to ensure that the proposals would protect and enhance biodiversity through sensitive demolition of the building to avoid harm to bats, and through appropriate mitigation measures.

Landscaping

9.31 The proposals are for Laurel hedges in the gardens. Native species hedges would be more appropriate, and conditions are recommended to require details of proposed landscaping.

9.32 Subject to the conditions recommended, the proposals would be acceptable in biodiversity terms, in line with CSDPD Policies CS1 and CS7, and 'Saved' BFBLP policy EN2.

v SPA

9.33 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 SPA is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects. This site is located approximately 0.6 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.

9.34 A contribution is calculated on a per-bedroom basis to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Avoidance and Mitigation Strategy. In this instance, the development would result in a net increase of 5 x 4 bedroom dwellings and 3 x 3 bedroom dwellings. 3 bedroom dwellings require a contribution of £2,171 and 4 bedroom dwellings require a contribution of £2,469. The total SANG contribution is therefore £18,858.

9.35 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. 3 bedroom dwellings require a contribution of £711 and 4 bedroom dwellings require a contribution of £807. The total SAMM contribution is therefore £6,168.

9.36 The total SPA related financial contribution for this proposal is £25,026. The applicant has agreed to enter into a S106 agreement to secure this contribution. Subject to the completion of the S106 agreement, the proposal would not have an unacceptable impact on the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD and the NPPF.

vi Impact on trees

9.37 The site is subject to TPO No 20/1966, except for a small area in the north east of the site. The arboricultural report submitted with the application sets out that two individual trees and two groups of trees are to be removed in order to facilitate the development. Due to the existing built form of development, most of the trees on site are around the boundaries of the site. The proposed houses are sited a sufficient distance from the boundary to allow for the retention of the trees, and the access road is offset by adjacent property boundaries in Dale Gardens by at least 300 mm to protect trees from passing vehicles.

9.38 The applicant has removed a minimal number of trees in order to facilitate the development, and the arboricultural report assesses the value of the trees to be removed as low quality. Conditions are proposed to ensure the protection of those trees which are to be retained. The indicative landscaping proposals demonstrate a number of new trees and hedges to be planted. A condition requiring details of hard and soft landscaping is also proposed, as well as details of boundary treatments.

9.39 Subject to these conditions, the proposal is not considered to have an unacceptable impact on trees and therefore is in line with CSDPD policy CS1 and BFBLP 'Saved' policies EN1 and EN2.

vii Sustainability

9.40 The applicant has demonstrated that the development would result in an average water use of 110 litres/person/day. A condition is recommended to secure this. The applicant has also demonstrated that through passive design measures, the overall carbon emissions would reduce by at least 10%. In addition, 17% of the development's energy demand would be offset via renewables. As this does not meet the requirement for a 2015 offset, a condition requiring further energy details is recommended.

9.41 Subject to the suggested conditions, the application is acceptable with regards to CSDPD Policies CS10, CS12 and the provisions of the NPPF.

viii Community Infrastructure Levy (CIL)

9.42 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.

9.43 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

9.44 In this case, the proposal would be CIL liable as the proposal comprises the creating of eight new dwellings, totalling 1,521.3 sq.m. of floorspace. The buildings to be demolished, however, total 2,536.43 sq.m. and have been occupied for 6 months continuously in their lawful use in the last 3 years (they were last occupied in February 2014). Therefore although the proposals are CIL liable, it is unlikely that any charge would be applicable to the proposal, subject to officer confirmation.

10. CONCLUSIONS

10.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. No highway safety implications will arise subject to the imposition of conditions. Relevant conditions will be imposed in relation to detailed design, trees, biodiversity and sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable. The proposal is therefore considered to be in accordance with Saved SEP Policy NRM6, 'Saved' Policies EN1, EN2, EN3, EN20 and M9 of the BFBLP, CS1, CS2, CS7, CS10, CS12, CS14, CS23, CS24 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

11. RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA);

That the Head of Planning be authorised to **APPROVE** the application subject to the following condition(s):-

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 received by the Local Planning Authority on 30/06/2015:

- 14-P1034-8-101: Proposed Plans and Elevations (Plot 1)
- 14-P1034-8-102: Proposed Plans and Elevations (Plot 2)
- 14-P1034-8-103: Proposed Plans and Elevations (Plot 3)
- 14-P1034-8-104: Proposed Plans and Elevations (Plot 4)
- 14-P1034-8-105: Proposed Plans and Elevations (Plot 5)
- 14-P1034-8-106: Proposed Plans and Elevations (Plot 6)
- 14-P1034-8-107: Proposed Plans and Elevations (Plot 7)
- 14-P1034-8-108: Proposed Plans and Elevations (Plot 8)
- 14-P1034-8-500: Dale Gardens Access

And the following plan received by the Local Planning Authority on 26/08/2015:

14-P1034-8-100 rev A: Proposed Site Plan 8 Unit Scheme

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

03 No development shall take place until details 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 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]

04 All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with British Standard 5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

05 The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following:

- a) Accurate trunk positions and canopy spreads of all existing trees
- b) Minimum 'Root Protection Areas' of all existing trees

- c) Plans of a minimum scale of 1:200 showing the proposed locations of protective barrier/s, constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as “Keep Out - Construction Exclusion Zone”) securely fixed to the outside of the protective fencing structure at regular intervals.
- d) Proposed ground protection measures in accordance with Section 6 (Figure 3) of BS 5837:2012.
- e) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
- f) Illustration/s of the proposed fencing structure/s to be erected.

The development shall be carried out in accordance with the approved scheme and programme.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

06 The protective fencing and other protection measures specified by condition 05 shall be erected prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. No activity of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

07 The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of any of the buildings approved in this permission or as may otherwise be agreed in writing by the Local planning Authority.

REASON: - In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.

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

08 The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. 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, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried out 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 (Part 1) '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, unless the Local Planning Authority gives written consent to any variation.

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

[Relevant Policies:BFBLP EN2 and EN20, CSDPD CS7]

09 No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

10 The demolition shall not be begun until a scheme for the provision of bird and bat boxes (and other biodiversity enhancements), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the local planning authority.

The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be

clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

- 12 No demolition or construction work shall take place outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policies: BFBLP EN25]

- 13 During the demolition and construction phases, no deliveries shall be taken at or dispatched from the site outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

REASON: In the interests of the amenities of the occupiers of nearby residential premises.

[Relevant Policies: BFBLP EN25]

- 14 The development hereby permitted (including any demolition) shall not be begun until details of a scheme of control during demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

(i) control of noise – in particular details of noisy equipment or activities and how disturbance will be minimised where there are noise sensitive neighbours

(ii) control of dust, smell and other effluvia

(iii) control of surface water run off

(iv) site security arrangements including hoardings

(v) proposed method of piling for foundations

(vi) construction and demolition working hours

(vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site

(viii) Parking of vehicles of site personnel, operatives and visitors

(ix) Loading and unloading of plant and vehicles

(x) Storage of plant and materials used in constructing the development

(xi) Wheel cleaning facilities

(xii) Temporary portacabins and welfare for site operatives

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 (viii) to (xii) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of the amenity of the area amenity and road safety.

[Relevant Policies: BFBLP EN25 and CS DPD CS23]

- 15 No dwelling shall be occupied until the existing access to the site from Windrush Heights has been closed and a footway/ verge is provided over the closed access in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; the footway/vergeshall be retained thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

- 16 No dwelling shall be occupied until vehicular access as shown on drawing 14-P1034-9-500 has been constructed.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
- 17 No dwelling shall be occupied until a means of access for pedestrians on to Windrush heights has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
[Relevant Policies: BEBLP M6, Core Strategy DPD CS23]
- 18 The dwelling(s) shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the private driveways and the adjacent carriageway. The dimensions shall be measured along the edge of the drive and the edge of the carriageway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
- 19 No dwelling shall be occupied until the associated vehicle parking and turning spaces has been surfaced and marked out in accordance with the approved drawings. 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]
- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification). The garage accommodation shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
- 21 No dwelling shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities shall be retained.
REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
- 22 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]
- 23 The development hereby permitted shall be implemented in accordance with the submitted Sustainability and Energy Statement and shall be retained in accordance therewith.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]

24 The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate:

(a) that before taking account of any on-site renewable energy production 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) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20%).

The buildings 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]

In the event of the S106 agreement not being completed by 25 January 2016, the Head of Planning be authorised to refuse the application on the grounds of:

The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. 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 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 Avoidance and Mitigation Supplementary Planning Document (2012).

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 subject to conditions, 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. Commencement
 2. Approved Plans
 4. Tree retention
 6. Protection of trees during construction
 9. No site clearance during nesting season
 12. Hours of construction and demolition
 13. Delivery hours during construction and demolition
 16. Access
 18. Visibility splays
 19. Vehicle parking and turning spaces
 20. Garages to be used for parking only
 22. No gates at vehicular access
 23. In accordance with Sustainability and Energy Statement

Details are required to be submitted in relation to the following conditions:

3. Materials
5. Tree protection programme
7. Boundary treatments
8. Hard and soft landscaping
10. Bird and bat boxes
11. Lighting strategy
14. Management plan
15. Access details
17. Pedestrian access
21. Cycle parking
24. Energy demand assessment

- 03 The Chief Engineer (Highways) should be contacted at Department of Transport & Transportation, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 351668, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

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Unrestricted Report

ITEM NO: 16

Application No.
15/00679/FUL
Site Address:

Ward:
Great Hollands North

Date Registered:
27 July 2015

Target Decision Date:
21 September 2015

16 Ptarmigan Heights Bracknell Berkshire RG12 8AB

Proposal:

Change of use of amenity land to residential curtilage, including formation of 2m high brick boundary wall following demolition of existing.

Applicant:

Mr Colin Elder

Agent:

(There is no agent for this application)

Case Officer:

Matthew Miller, 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 proposal is for the change of use of amenity land to residential curtilage, including the formation of a 2 metre high brick boundary wall following demolition of existing.

1.2 It is not considered that the proposal would be adversely out of character with the surrounding area, as it would be setback from the public highway by 1.1 metres, with areas of amenity land retained to the north and south. Planting would also be formed on the retained land. Furthermore it is not considered that the proposal would result in an adverse impact on residential amenity, or on highway safety.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 1 The application has been reported to the Planning Committee at the request of Councillor Hill due to concerns that the proposal would be out of character with the surrounding area.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary, therefore development is acceptable in principle.

3.1 16 Ptarmigan Heights is a three storey semi-detached dwelling located in a predominately residential area. The dwelling has been extended through a single storey rear extension. The property benefits from an rear garden enclosed by a 2 metre high brick wall, with a detached garage and associated driveway to the rear (south) of the rear garden.

3.2 The application site subject to the change of use consists of a partially landscaped amenity area, with an area of grassland on the southern section and un-landscaped exposed soil on the northern section. An adopted public footway adjoins the site to the east.

4. RELEVANT SITE HISTORY

08/00201/FUL

Erection of a single storey rear extension. (Amendment to Plot 12 approved under reserved matters approval 06/00735/REM)
Refused (2008)

[Officer Comment: following the above refusal a rear extension was erected to the dwelling under permitted development rights].

5. THE PROPOSAL

5.1 The proposed development is the change of use and enclosure of a section of amenity land to the east of the property, to form an enlargement of the rear garden.

5.2 The total enclosure would measure 12.0 metres in depth and 1 metre in width from the existing boundary wall (at the largest point), and 2.4 metres in width from the existing garage. The enclosure would comprise a 2 metre high brick wall, similar to the existing brick wall. A replacement access gate would be provided to the rear garden on the southern side of the proposed enclosure.

5.3 The applicant has confirmed that the amenity land falls under their ownership.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 Bracknell Town Council object to the proposal on the grounds that it would result in the adjoining public pathway having the appearance of an alleyway, which would be overbearing and detrimental to the street scene. [Officer Comment: This matter is addressed in the report below].

6.2 No representations have been received from the occupants of neighbouring properties.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer:

7.1 The Highway Officer raises no objection to the proposal.

7.2 No further statutory or non-statutory consultations have been required.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design/character of area	CS7 of CSDPD, Saved policies EN2, EN20 and H12 of BFBLP	Consistent
Highway safety	CS23 of CSDPD	Consistent
Supplementary Planning Documents (SPD)		
Streetscene SPD (2011)		
Other publications		
National Planning Policy Framework (NPPF)		
National Planning Policy Guidance (NPPG)		
Community Infrastructure Levy		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Impact on character and appearance of the area
- ii Impact on residential amenity
- iii Impact on highway safety
- iv Community Infrastructure Levy

i. Impact on Character and Appearance of Area

9.2 Although limited planting is present on the existing amenity land, the land does provide a contribution to the predominately open character of the area. It is not considered that the proposed enclosure would result in a detrimental impact on the character of the surrounding area, as it is considered that the openness of the area would be preserved through the proposed set back of the enclosure from the footway, and that the open areas of landscaping to the south and north of the application site would be retained.

9.3 The proposed set back of the enclosure from the footway would be 1.1 metres, as compared to the existing 1.3 metre set back present at the shortest separation point. Considering this proposed set-back, and the provision of planting (as detailed in section 9.4 of the report), it is not considered that the proposal would result in the footway forming the appearance of an uncharacteristic alleyway.

9.4 The proposed enclosure would comprise a 2 metre high brick wall, similar to the existing brick wall present on site, to be demolished. It is recommended that a condition be imposed to ensure that the materials used on the replacement wall match those of the existing, in the interests of the character of the surrounding area.

9.5 Planting is proposed to be formed, which would aid in mitigating against the loss of amenity land, and may serve to improve the immediate character of the area in comparison to the existing sections of exposed soil present on site. Details of the proposed planting, including its long-term maintenance, can be secured by planning condition.

9.6 The proposal would provide a replacement rear garden access point, which would be closer to the rear garage and main access route from Ptarmigan Heights, and therefore would serve to provide a more practical access route for secure bin storage than currently exists.

9.7 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area or the host dwelling, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN2, EN20, and H12, the Streetscene SPD, and the NPPF, subject to the recommended conditions.

ii. Impact on Residential Amenity

9.8 It is not considered that the proposed development would result in an adverse impact on the amenity of the neighbouring properties in respect of loss of light, overbearing or loss of privacy impacts, considering the nature and siting of the proposal in relation to the surrounding residential properties and existing enclosures.

9.9 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF

iii Impact on Highway Safety

9.10 The Highway Officer has been consulted on the proposal in respect of potential impacts on the adjacent public footway. The Highway Officer raises no objection to the proposal as it would be set back from the public footway, and there is no highway verge in this section of land.

9.11 Furthermore the Highway Officer raises no objection to the proposed re-location of the rear access gate to the rear garden, as it could provide practical use for secure bin

and cycle storage. The Highway Officer also considers that the revised location of the rear access gate would improve access between the main dwelling and the property's allocated parking spaces.

9.12 It is therefore considered that the development would not result in an adverse impact on highway safety, in accordance with CSDPD Policy CS23 and the NPPF.

iv Community Infrastructure Levy (CIL)

9.13 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.

9.14 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. In this case the proposal would not involve the formation of additional internal floorspace, and therefore is not CIL liable.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties, subject to the recommended conditions. There would be no highway safety implications. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2 and CS7, BFBLP 'Saved' Policy EN2, EN20 and H12, the Streetscene SPD, and the NPPF.

11. RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

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 received by the Local Planning Authority:

Block Plan scale 1:200 received on 26 August 2015

Proposed Plans received on 27 July 2015

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

03. The materials to be used in the construction of the external surfaces of the boundary wall hereby permitted shall be of similar appearance to those of the existing boundary wall.

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

[Relevant Policies: Core Strategy DPD CS7, BFBLP 'Saved' Policy EN20].

04. The development shall not be begun until a scheme depicting soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

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. 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 (Part 1) '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.

[Core Strategy DPD CS7, BFBLP 'Saved' Policies EN2, EN20 and H12]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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. Commencement
 2. Approved Plans
 3. Materials
 4. Landscaping

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Unrestricted Report

ITEM NO: 17

Application No.
15/00684/FUL
Site Address:

Ward:
Crowthorne

Date Registered:
21 July 2015

Target Decision Date:
15 September 2015

15 Heath Hill Road North Crowthorne Berkshire RG45 7BU

Proposal:

Erection of single storey front extension forming a conservatory and demolition of existing conservatory and installation of front dormer

Applicant:

Mr Bob Wade

Agent:

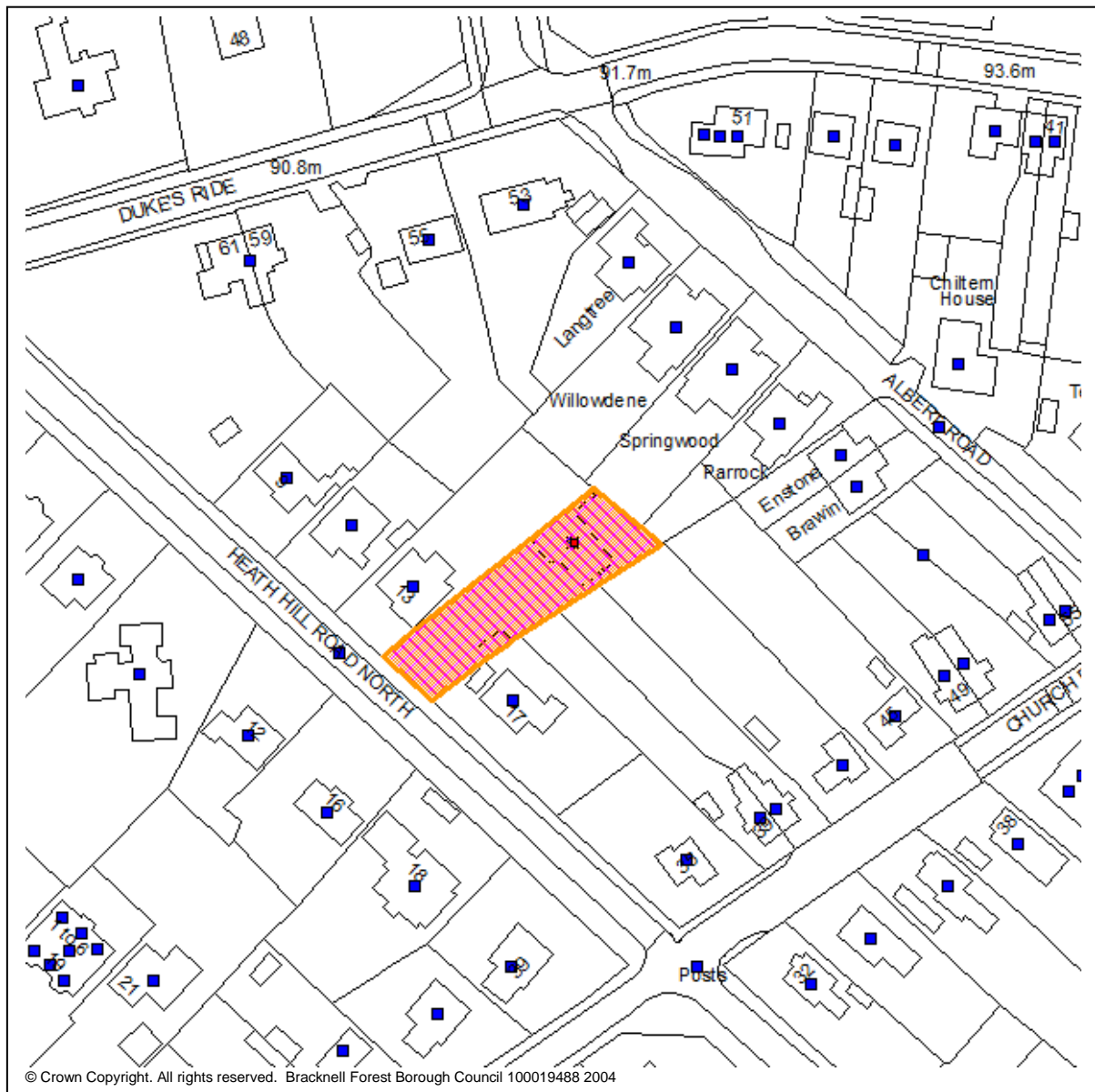
(There is no agent for this application)

Case Officer:

Gerald Hegarty, 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 proposal is for a single storey front extension forming a conservatory and demolition of existing conservatory and installation of front dormer.

1.2 Considering the nature and siting of the proposed works and host dwelling, the design is considered acceptable. There would be no adverse impact on the streetscene or character of the area. The relationship with adjoining properties is acceptable and there are no impacts on the adjoining protected tree.

RECOMMENDATION
Planning permission be granted subject to the conditions in Section 11 of this report

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 As Councillor Wade is an elected member of Bracknell Forest Borough Council for the Crowthorne Ward, the proposed development at No. 15 Heath Hill Road North, Crowthorne shall be considered by the elected members of the Planning Committee.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary, therefore development is acceptable in principle
TPO to the south west of the property

3.1 No. 15 Heath Hill Road North is a detached dwelling located to the north east of the highway. There is parking available to the front of the dwelling. The surrounding area is residential. The site is adjacent to No. 13 Heath Hill Road North and No. 41 Church Road East.

4. RELEVANT SITE HISTORY

4.1 Application 620366 - Erection of single storey front extension forming conservatory - Approved January 1995.

4.2 Application 620270 - Erection of single storey front extension to bungalow and single storey rear extension to garage - Approved February 1994.

4.3 Application 10908 - Erection of conservatory and garage - Approved September 1965.

5. THE PROPOSAL

5.1 Full planning permission is sought for the erection of a single storey front extension and the installation of front dormer (south west facing) on the south west front roof slope of the host dwelling, following demolition of the existing front conservatory. The proposed front extension would have a maximum depth of approximately 5.5 metres, would be approx. 4.8 metres in width, would have a maximum height of approx. 3.9 metres and would have an eaves height of approx. 2.4 metres. The proposed front dormer would have a maximum depth of approx. 1.9 metres, would be approx. 1.7 metres in width, would have a maximum height of approx. 1.9 metres and therefore would have a maximum volume in cubic metres of approx. 3 metres.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council

6.1 The members of the Crowthorne Parish Council are unable to comment on the application as the applicant is a member of the parish council.

Thames Water

6.2 Thames Water has no objection to the application. They have asked that the applicant contact Thames Water in relation to a public sewer pipe under their ownership that may be within 3 metres of the proposed development. Moreover, they have advised on surface water drainage, have no objection to the application regarding sewerage infrastructure capacity and ask that the applicant contact the South East Water Company with regard to water supply.

Other Letters of Representation

6.3 1 Letter of objection has been received which can be summarised as follows:
-the proposed rear dormer windows would cause overlooking on their property.

[Officer Note: Following a discussion with the applicant concerning the objection, the applicant decided to remove the rear dormer from the application].

7. SUMMARY OF CONSULTATION RESPONSES

Trees

7.1 Following correspondence with the trees team, it has been decided that there would be no adverse impacts on the protected tree adjoining the application site.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE 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 with para. 56, 57, 64 and 215
Design	CS7 of CSDPD, Saved Policies EN1 and EN20 of BFBLP	Consistent with para. 56, 57, 64 and 215
Supplementary Planning Documents (SPD)		
Character Areas Assessments SPD 2010		
Other publications		
National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) and The Community Infrastructure Regulations 2010, as amended		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:
i Impact on character and appearance of the area
ii Impact on residential amenity
iii Impact on trees
iv Community Infrastructure Levy

i. Impact on Character and Appearance of the Area

9.2 The proposed front extension would be sited to the front of the dwelling, some 29 metres from its front boundary. Due to its siting the proposed front extension would be visible in the street scene, however due to its modest size and the distance from the front boundary of the property it would not appear obtrusive.

9.3 The proposed front dormer would be sited on the front (south west) roof slope. Due to its siting it would be visible in the street scene, however due to its modest size and the distance from the front boundary of the property it would not appear obtrusive.

9.4 The design and scale proposed are considered to be sympathetic to the host dwelling house, including the proposed materials to be used, and the surrounding area.

9.5 The site is located in a Character Area – West Crowthorne as identified by the Character Area Assessment SPD adopted 2010. This document identifies areas with distinctive, positive characters or where there may be pressure for future development. The proposed development would not detract from any features identified in this document.

9.6 It is noted that there are examples of front roof slope dormers in the surrounding area, including Nos. 9, 11 and 18 Heath Hill Road North. As there is already an existing front extension on the host dwelling north west of the proposed development, it is considered that neither element of the proposed development would be out character with the surrounding area.

9.7 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area or the host dwelling, in accordance with, Policy CS7 of CSDPD, Saved Policy EN20 of the BFBLP, the NPPF and the Bracknell Forest Character Area Assessments SPD, subject to a condition requiring matching materials.

ii. Impact on Residential Amenity

9.8 The proposed front extension would be set approx. 1.9 metres from the boundary with No. 41 Church Road East and it would be set approx. 7.5 metres from the boundary with No. 13 Heath Hill Road North. The proposed front extension would be approx. 5.5 metres in depth and would have a maximum height of approx. 3.9 metres. It would also have an eaves height of approx. 2.4 metres. The proposed front extension would be visible to No. 41 Church Road East and No. 13 Heath Hill Road North. However, it is considered that it would not appear visually intrusive to the detriment of the residential amenity of Nos. 41 and 13. No overlooking would result from the proposed front extension due to the boundary screening, including hedging, and significant trees and vegetation bordering the application site and Nos. 41 and 13. In addition, the orientation of the three dwellings means that no overshadowing or overbearing impact would occur as a result of the proposed front extension.

9.9 The proposed front roof dormer would be set approx. 5.8 metres from the boundary with No. 41 Church Road East and it would be set approx. 4.6 metres from the boundary with No. 13 Heath Hill Road North. The proposed front roof dormer would be approx. 1.9 metres in depth and would have a height of approx. 1.9 metres. The proposed front roof dormer would be visible to No. 41 Church Road East and No. 13 Heath Hill Road North, however, it is considered that it would not appear visually intrusive to the detriment of the residential amenity of Nos. 41 and 13. No overlooking would result from the proposed front dormer as there are no windows on the south east and north west elevations facing these properties. In addition, the orientation of the three dwellings means that no overshadowing or overbearing impact would occur as a result of the proposed front dormer.

9.10 It is not considered that the proposed development would have any detrimental impact on the residential amenity of Nos. 16 and 17 Heath Hill Road North, due to its siting, the modest scale of the proposed works and the separation distances from the proposed development to the boundaries of these properties. Due to its siting, the proposed development would not be visible to Parrock and Springwood, Albert Road.

9.11 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, and therefore accords with BFBLP 'Saved' Policy EN20 and the NPPF.

iii Impact on Trees

9.12 There is a tree adjoining the application site that is protected by a confirmed Tree Preservation Order (with Local Authority reference: 522). Following correspondence with the trees team and a site visit to No. 13 Heath Hill Road, the proposed front extension was found to be on the border with the root protection area of the adjoining protected tree. The proposed front extension would be just outside the canopy spread of the tree and it is therefore considered that there would be no impacts to the roots of this protected tree as a result of digging the foundations for the proposed front extension, or would there be a treat of pruning the tree that extends into the application site.

9.13 Considering the proximity of the proposed front extension to the root protection area of the protected tree, it is advised that the applicant installs protective fencing on site and on the boundary of the root protection area before and during construction works. This will be secured by condition. Additionally, as the proposed development includes the demolition and removal of the existing front extension to the north west of the proposed development, the applicant will need to submit a method statement detailing the removal of the existing hard surfaced areas and structure, including the existing front extension, that are located within the minimum root protection area of the protected tree. This will be secured by condition.

9.14 It is therefore not considered that the proposed development would be contrary to BFBLP 'Saved' Policy EN1 or the NPPF, subject to the mentioned conditions.

iv Community Infrastructure Levy (CIL)

9.15 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.

9.16 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. In this case the extension does not exceed 100m² and therefore is not CIL liable.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the host dwelling or local area, or the amenities of the residents of the neighbouring properties, subject to the recommended conditions. There would be no impact on the adjoining protected tree. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD

Policies CS1, CS2 and CS7, BFBLP 'Saved' Policies EN1, EN20, the NPPF and the guidance contained within the Bracknell Forest Character Area Assessments SPD.

11. RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

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:

BPLP001- Rev 1 'Location Plan', received on 23 August 2015

PDP001 - Rev 1 'Proposed Development Plans', received on 23 August 2015

PDE001 - Rev 1 'Proposed Development Elevations', received on 23 August 2015

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

03. The materials to be used in the construction of the external surfaces of the single storey front extension and front dormer hereby permitted shall be similar in appearance to those of the existing building.

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

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

04. The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837:2005 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following: -

a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development.

b) Positions and spreads of existing hedgerows and groups of mature shrubs.

c) All proposed tree, hedge, shrub removal and retention.

d) Minimum 'Root Protection Areas' of all existing retained trees within the site and on neighbouring land adjacent to the approved development, calculated in accordance with BS 5837 recommendations.

e) Plans of a minimum scale of 1:200 (unless agreed otherwise by the Local Authority) showing the proposed locations of 2.3m high protective barrier/s, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of BS 5837:2005, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.

f) Proposed ground protection measures in accordance with Section 9 (Figure 3) of BS 5837:2005.

g) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.

h) Illustration/s of the proposed fencing structure/s to be erected.

The development shall be carried out in accordance with the approved scheme and programme.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

05. The protective fencing and other protection measures specified by condition 4 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). No activity of any description must occur at any time within these protected areas including but not restricted to the following: -
- a) No mixing of cement or any other materials.
 - b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
 - c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
 - d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
 - e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
 - f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

06. No development hereby permitted shall be begun until a site specific method statement for the removal of all existing hard surfaced areas, associated with the front conservatory to be demolished, and structures of any other description, located within the minimum Root Protection Areas (RPA's) of trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. Details shall include: -
- a) A site plan identifying all areas where such work is to be undertaken.
 - b) Reinstatement to soft landscape area including proposed ground de-compaction works.
 - c) Timing and phasing of works.

The approved Method Statement shall be observed, performed and complied with.

REASON: - In order to safeguard tree roots and thereby safeguard trees in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

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
 3. MaterialsDetails are required to be submitted in relation to the following conditions;
 4. Protection of existing trees
 5. Locations of protected fencing
 6. Method statement for all existing hard surfaced areas and structures

03. Please note that trees adjoining the site are protected by a Tree Preservation Order. The legislation protecting these trees overrides Permitted Development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification). Prior written consent must be obtained from the Council's Tree Service before undertaking any works which require the removal/ and or pruning of a protected tree or may affect / cause damage of any description to its canopy, trunk or root system and subsequent health, stability and survival in any way. Typically such works include but are not limited to the laying of hard surfaces of any description, foundations for garden structures, including decking areas, construction of retaining walls, topsoil stripping, excavation/ alterations to existing ground conditions of any other description near trees. Any pruning or removal of a protected tree as a result of such works, without the necessary consent or any damage arising from non compliance with this requirement may be liable to prosecution by the Council.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Unrestricted Report

ITEM NO: 18

Application No. 15/00693/FUL	Ward: Warfield Harvest Ride	Date Registered: 24 July 2015	Target Decision Date: 18 September 2015
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Site Address: **17 Worcestershire Lea Warfield Bracknell Berkshire RG42 3TQ**

Proposal: **Erection of a first floor side extension and single storey rear extension following the demolition of the existing conservatory, and formation of hardstanding to front of property.**

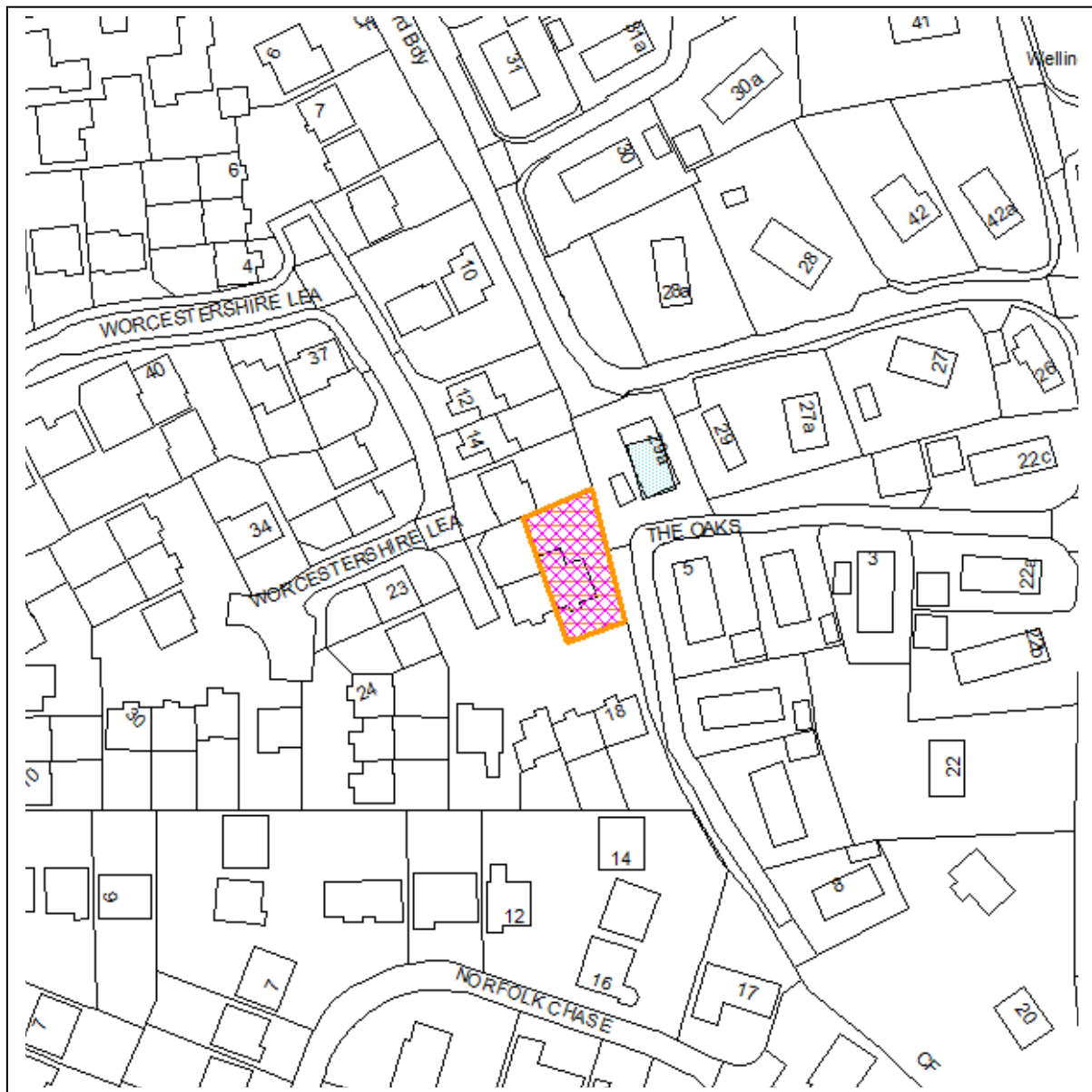
Applicant: Mr & Mrs Toks and Adetoun Fashanu

Agent: Mr Jonathan Hughes

Case Officer: Matthew Miller, 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 proposal is for a first floor side extension, and single storey rear extension following the demolition of the existing conservatory.

1.2 It is not considered that the proposal would be out of character with the host dwelling or the surrounding area considering the subordinate appearance, and overall massing and design of the side extension. It is not considered that the proposal would result in an adverse impact on the residential amenity of neighbouring properties, or on highway safety considering that an additional parking space would be provided.

RECOMMENDATION

Planning permission be granted subject to 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 at the request of Councillor Thompson due to concerns that the proposal would be out of character with the surrounding area.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary, therefore this development is acceptable in principle

3.1 17 Worcestershire Lea is a three bedroom two storey link-detached dwellinghouse located in a predominately residential area, close to the boundary of the settlement, with the mobile home park of 'Warfield Park' sited to the east. The dwelling contains an attached single garage which in turn is attached to the attached garage of 16 Worcestershire Lea to the west. The dwellinghouse has been previously extended through a single storey rear extension forming a conservatory (to be demolished). The frontage of the property consists of a soft landscaped front garden and a hardsurfaced driveway leading to the garage, and the property benefits from an enclosed rear garden.

4. RELEVANT SITE HISTORY

4.1 No relevant planning history.

5. THE PROPOSAL

5.1 The proposal is for the erection of a first floor eastern side extension above the existing attached garage. It would project 2.7 metres in width from the eastern wall of the host dwelling (projecting 4.9 metres in total width from the existing roof slope), and would measure 7.5 metres in depth and 7.3 metres in height from ground level. It would have a dual-pitched roof.

5.2 In addition the proposal is for the erection of a single storey rear extension, following the demolition of the existing conservatory. It would project a total of 3.4 metres in depth, and measure 8.2 metres in width, and 3.5 metres in total height. It would have a mono-pitched roof with four roof lights.

5.3 Cumulatively the proposal would form a dining and kitchen room at ground floor level, and a bedroom, dressing room and en-suite bathroom at first floor level.

5.4 In addition hardstanding is proposed to be installed within the front garden of the property to provide additional parking. This element of the proposal also requires planning permission in respect of a planning condition imposed on the property to retain landscaping features.

5.5 During the process of the application amended plans have been received to alter the proposed roof design of the first floor extension so that it be symmetrical and in line with the ridge of the roof of the adjoining attached garage.

6. REPRESENTATIONS RECEIVED

Warfield Parish Council:

6.1 Warfield Parish Council object to the proposal on the grounds that the proposed first floor side extension and the proposed hardstanding to the front of the property would be out of character with the surrounding area. [Officer Comment: These matters are assessed in the report below].

6.2 No representations have been received from neighbouring properties.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 The Highway Officer raises no objection to the proposal.

Water Authority

7.2 Thames Water as the Water Authority have provided comments on the proposal. The applicant is to be informed of these by way of informative.

7.3 No further statutory or non-statutory consultations have been required.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Parking	CS23 of CSDPD, 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.
Supplementary Planning Documents (SPD)		
Parking standards SPD (2007)		
Other publications		
National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG) Building Research Establishment (BRE) Report "Site layout planning for daylight and		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Impact on character and appearance of the area
- ii Impact on residential amenity
- iii Impact on highway safety
- iv Community Infrastructure Levy

i. Impact on Character and Appearance of Area

9.2 The proposed first floor side extension would be subordinate to the host dwelling as it would have a lower height than the ridge of the host dwelling, and would be set back from the front-projecting gable element of the host dwelling. Following the receipt of amended plans, the roof layout of the proposed first floor extension has been revised to be symmetrical, and its ridge would be parallel to the ridge of the adjoining garage of 18 Worcestershire Lea, which would result in an improved design to the extension. Therefore in view of the above, and considering the siting, design and height of the proposed rear extension, it is not considered that the proposal would be adversely out of character with the host dwelling.

9.3 The proposed first floor side extension would be visible in the street scene of Worcestershire Lea to the front. The proposal would alter the relationship of the host dwelling to the adjoining dwelling of 18 Worcestershire Lea. However, since the dwellinghouses would remain as link-detached, that a separation distance of 2.7 metres would be provided between the proposed side extension and the first floor of the main dwelling of no.18, the nature of the general layout of dwellinghouses within the surrounding area, which contains a mix of detached and semi-detached dwellings, it is not considered that the proposal would be adversely out of character with the surrounding area. Furthermore the quality of the design design and the subordinate height of the side extension would aid in providing a sympathetic appearance in relation to the character of the surrounding area.

9.4 The proposed rear extension would not be readily visible in the street scene, however in any case because of its single storey height, and its massing and design, it is not considered that it would result in an adverse impact on the character of the surrounding area.

9.5 It is not considered that the proposed section of hardstanding to the front of the property would be out of character with the surrounding area considering the proposed extent of the hardsurfacing, the retention of sections of landscaping within the surrounding cul-de-sac, and the nature of the proposal in a built-up residential area.

9.6 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area or the host dwelling, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF, subject to a condition requiring matching materials.

ii. Impact on Residential Amenity

9.7 In association with the assessment of potential loss of light and overshadowing, guidance within the Building Research Establishment (BRE) Report "Site layout

planning for daylight and sunlight: a guide to good practice" (2011) is used as a standard for assessing acceptable levels of light.

9.8 The proposed first floor side extension would not project forwards or to the rear of the neighbouring dwelling of 18 Worcestershire Lea. No west-facing side windows are proposed to be installed on the extension, and no.18 does not contain any east-facing side windows at first floor level. As a result it is not considered that the proposal would result in an adverse loss of light, or be overbearing on the occupants of no.18. It is recommended that a condition be imposed to restrict the formation of windows on the west-facing elevation of the extension at first floor level or above, in the interests of preventing any adverse loss of privacy or overlooking impacts on the occupants of no.18.

9.9 The proposed side extension would include front- and rear-facing windows at first floor level. However, due to the presence of existing windows on these elevations at first floor level on the host dwelling, it is not considered that these proposed windows would result in an adverse loss of privacy or overlook the neighbouring properties, compared to the existing situation and considering the nature of the area as a built-up residential estate.

9.10 The proposed rear extension would be visible from the dwelling of no.18. The closest window at ground floor level on the rear elevation of no.18 serves a utility room, which is not a habitable room. In accordance with BRE guidance, a 45 degree line drawn on the horizontal plane from the midpoint of the closest rear-facing window serving a habitable room of the dwelling of no.18 at ground floor window towards the single storey rear extension would not intersect the extension. Therefore, when also considering the proposed height and depth of the proposed rear extension, it is not considered that this extension would result in an adverse loss of privacy or be overbearing to the occupants of no.18.

9.11 The development would not therefore result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF, subject to the recommended condition.

iii Impact on Highway Safety

9.12 The proposal would result in a net increase in bedrooms from three to four. The proposed dressing area would not have the capacity to be used as a bedroom due to its proposed size. The proposal would also involve the alteration of existing parking arrangements through the provision of an additional space within the existing front garden of the property.

9.13 In accordance with the Parking Standards Supplementary Planning Document (SPD), a dwelling that contains four bedrooms or more requires the provision of a minimum of three acceptable off-street parking spaces. The property currently benefits from two spaces provided by the existing garage (to be retained) and the driveway to the front.

9.14 The Highway Officer has been consulted on the proposal and advises that the proposed additional parking space within the existing front garden of the property would be acceptable in provided the required third space, as it would comply with current standards in terms of the required size. Although the proposed parking space would be sited diagonally to the existing driveway, it is considered to be practical and usable by the Highway Officer, considering that access to the property is within a cul-de-sac location.

9.15 It is recommended that a condition be imposed to provide and retain the proposed parking layout, in the interests of highway safety. It is also recommended that a condition be imposed to restrict the conversion of the garage to habitable accommodation, for the same reason.

9.16 Therefore the development would not result in an adverse impact on highway safety, in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9, the Parking Standards SPD, and the NPPF, subject to the recommended conditions.

iv Community Infrastructure Levy (CIL)

9.17 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.

9.18 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. In this case the extension does not exceed 100m² and therefore is not CIL liable.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the host dwelling or local area, the amenities of the residents of the neighbouring properties, or on highway safety, subject to the recommended conditions. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies EN20 and M9, the Parking Standards SPD, and the NPPF.

11. RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:-

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 received by the Local Planning Authority on 24 July 2015:
DPA 095 02 P1 'Site Plan'
DPA 095 05 P4 'Proposed Plans (Option 1)'
DPA 095 06 P3 'Proposed Elevations (Option 1)'
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.
REASON: In the interests of the visual amenities of the area.

[Relevant Policies: Core Strategy DPD CS7, BFBLP 'Saved' Policy EN20].

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no windows at first floor level or above shall be installed on the west-facing elevation of the first floor side extension hereby permitted.
REASON: In the interests of the residential amenity of the neighbouring property of 18 Worcestershire Lea, Warfield.
[Relevant Policy: BFBLP 'Saved' Policy EN20].
05. The development hereby permitted shall not be occupied until the 1no. off-street parking spaces as shown on drawing DPA 095 05 P4 'Proposed Plans (Option 1)' received by the Local Planning Authority on 24 July 2015 has been provided in accordance with the approved plans. The parking space shall thereafter be retained for the use of the parking of vehicles at all times.
REASON: To ensure that an acceptable level of off-street parking is provided to the property, in the interests of highway safety.
[Relevant Policies: CSDPD Policy CS23, BFBLP 'Saved' Policy M9]
06. The development hereby permitted shall not be occupied until the parking within the garage has been provided in accordance with drawing DPA 095 05 P4 'Proposed Plans (Option 1)' received by the Local Planning Authority on 24 July 2015. The garage shall, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) thereafter be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP 'Saved' Policy M9, Core Strategy DPD CS23]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application and negotiating, with the applicant, acceptable amendments to the proposal to address those concerns. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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. Commencement
 2. Approved Plans
 3. Materials
 4. Side windows
 5. Parking provision
 6. Garage retention

03. Thames Water as the Water Authority have provided the following comments:

Waste Comments:

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments:

With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, Rocfort Road, Snodland, Kent, ME6 5AH, Tel: 01444-448200

04. The Applicant is advised 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.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk

Unrestricted Report

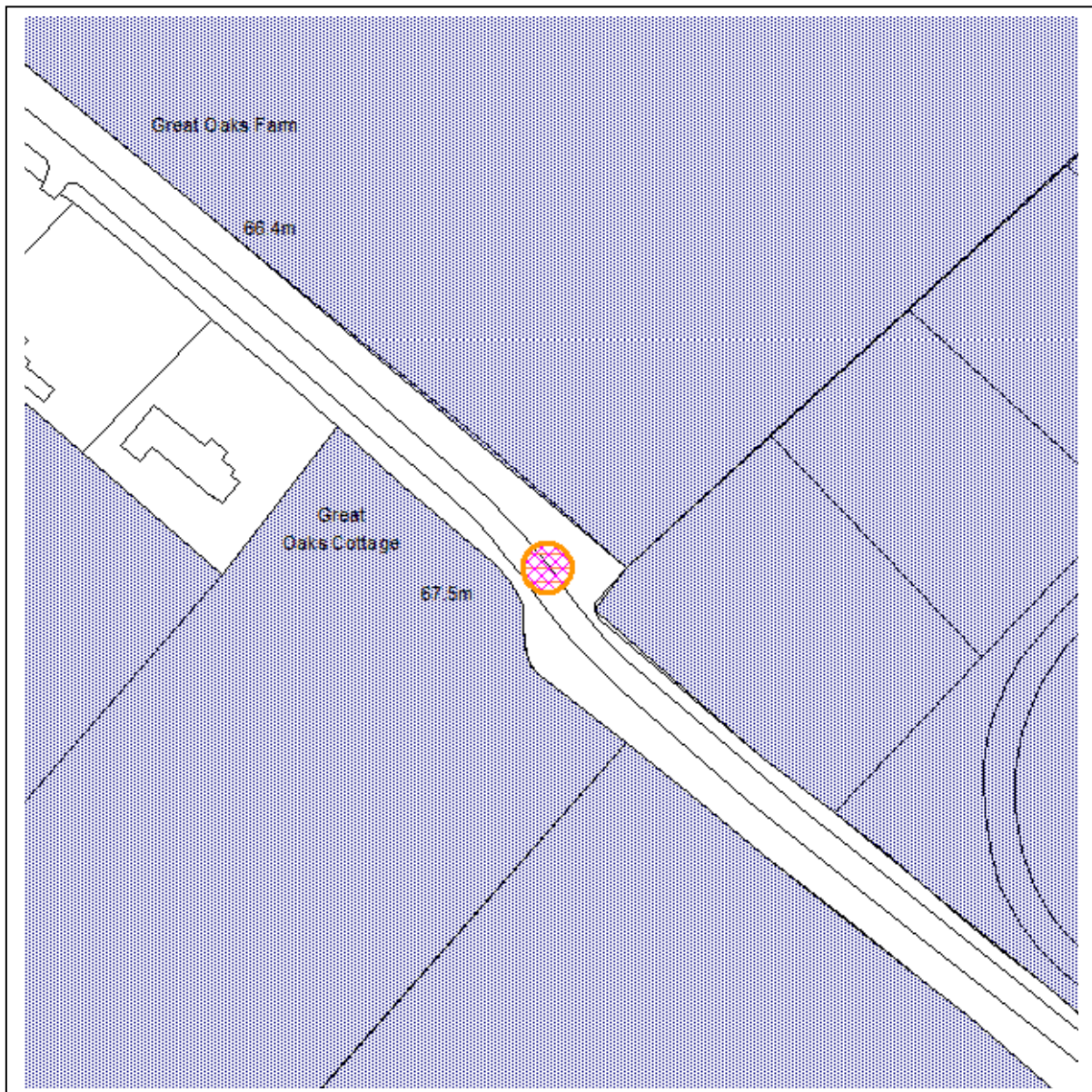
ITEM NO: 19

Application No. **15/00793/RTD** Ward: Winkfield And Cranbourne Date Registered: 17 August 2015 Target Decision Date: 11 October 2015

Site Address: **Telecommunications Mast Opposite Great Oaks Cottage Crouch Lane Winkfield Windsor Berkshire**
Proposal: **Installation of 12 metre tall dual-operator monopole with 2 no. dishes, 2 no. equipment cabinets, 1 no. meter cabinet and associated ancillary works.**

Applicant: Vodafone Ltd
Agent: Daly International
Case Officer: Matthew Miller, 01344 352000
Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

1.1 Prior Approval is sought for a 12 metre high telecommunications mast, as an amendment to approval 12/01274/RTD.

1.2 The proposal is not considered to result in an adverse impact on the character of the surrounding area through its use of timber finishing. It would not result in an adverse impact on the amenity of the neighbouring properties due to the separation distances. It is not considered that the proposal would result in an adverse impact on highway safety considering the provision of a hardsurfaced off-street lay-by for a maintenance vehicle. Furthermore it is not considered that there are any grounds for refusal of the proposal based on perceived health risks.

1.3 It is therefore recommended that the siting and appearance of the development proposed be approved.

RECOMMENDATION

Prior Approval be granted as per the recommendation in Section 12 of this report.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported before the Planning Committee as the application has to be determined within 56 days.

3. PERMITTED DEVELOPMENT RIGHTS FOR TELECOMMUNICATIONS DEVELOPMENT

3.1 Class (a) A, Part 16, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 deals with permitted development for telecommunications development.

3.2 Class (a) A relates to the installation, alteration or replacement of any telecommunications apparatus.

A.1 states that development is not permitted by Class A (a) if-
(a) in the case of the installation of apparatus (other than on a building or other structure) the apparatus, excluding any antenna, would exceed a height of 15 metres above ground level. [Officer Comment: This is as opposed to the alteration or replacement of existing apparatus].

3.3 The proposed mast would not exceed 15 metres and as such the mast complies with the above. The GPDO also allows for cabinets where they do not exceed 1.5 square metres. The ground area of the three proposed cabinets would not individually exceed 1.5 square metres.

3.4 However as the proposal is in close proximity to the highway it is considered necessary to assess the siting of the mast in terms of highway safety, and as such Prior Approval is required to ensure that there is no detrimental impact upon highway safety.

4. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Outside defined settlement, within the Green Belt

4.1 The application site is a grass verge along the northern side of the highway of Crouch Lane, bordering an area of planting forming hedging exceeding 2 metres in height to the north. The site is located within predominately undeveloped rural surroundings, within the Green Belt. To the north and south of the site are open fields. To the east lies Ranelagh Farm. To the west lies a small cluster of building and dwellings.

4.2 The nearest dwellinghouse, known as 'Great Oaks Cottage', Crouch Lane, is located some 67 metres from the site.

4.3 There is no existing telecommunications mast on the site. An existing equipment cabinet and an existing meter cabinet are present on site, and these are to be either retained or replaced with like-for-like cabinets as part of the proposal.

5. RELEVANT SITE HISTORY

14/01274/RTD

Installation of 10 metre tall dual-operator telecom's monopole complete with 1 no. antenna within a GRP shroud , 1 no. equipment unit plus ancillary works.
Approved (2015)

6. THE PROPOSAL

6.1 This application seeks Prior Approval for a 12 metre high mast of a telegraph pole design, with a timber-effect finish.

6.2 An equipment cabinet is proposed to be installed to the east of the mast, measuring 1.3m (l) x 0.7m (w) x 1.45m (h). An equipment cabinet and a meter cabinet are proposed to be installed/retained to the west of the mast, measuring 1.98m (l) x 0.79m (w) x 1.65m (h), and 0.66m (l) x 2.6m (w) x 1.02m (h) respectively. All three cabinets would have an external green finish.

6.3 Hardstanding forming 'grasscrete' is proposed to be formed to the south of the proposal, adjoining the main highway of Crouch Lane, to provide off-street parking for a maintenance vehicle.

6.4 The mast and the associated antennas are 'permitted development', but the developer must apply to the Local Planning Authority (LPA) to ascertain whether prior approval is required for the siting and appearance of the development. In this instance the applicant has submitted these details for approval and the Council has 56 days in which to consider them. If no decision is made within the timeframe the application will be deemed as approved.

6.5 The applicant has submitted a certificate which confirms that the proposed mast meets ICNIRP (International Commission on Non-Ionising Radiation Protection) guidelines.

6.6 The proposal is a revision to prior approval 14/001274/RTD, to revise the height of the proposed mast from 10 metres to 12 metres, and to install two additional cabinets. The revisions are required as since the approval of the previous application in January

2015, the need has arisen to establish a new base-station in the area. To prevent the need to establish two individual masts in the same area, it is proposed to increase the height of the approved mast to increase its coverage.

7. REPRESENTATIONS RECEIVED

Winkfield Parish Council:

7.1 No representations have been received from Winkfield Parish Council at time of writing.

Other representations:

7.2 Three objections have been received from residential properties within Crouch Lane. The objections can be summarised as follows:

- There has not been adequate consideration of alternative sites for the proposed mast.
- The proposal would result in an adverse impact on the character of the surrounding area, and on highway safety.
- The submitted proposed plans are inaccurate, as they show a tree that is not present on site.

[Officer Comments:

(i) The applicant has provided within their submission an assessment of twenty individual sites considered as part of the proposal. Through this assessment it has been determined that the application site would be the most practical option for the proposal. The submitted plans indicate the presence of existing shrubbery and hedging on site. The tree shown on the proposed elevation plan is correct as it shows a tree present on land behind the hedging].

The matters concerning impacts on the character of the surrounding area and on highway safety are assessed in the report below.

(ii)The consultation period expires on 9 September 2015. Any further comments received past the deadline of the Committee Report will be included on the Supplementary Report.]

8. SUMMARY OF CONSULTATION RESPONSES

8.1 Highway Officer:

None received at time of writing [Officer Comment: Any comments received will be reported in the supplementary report].

9. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary strategic planning considerations applying to the site and the associated policies are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy GB1 and SC4 of BFBLP	Consistent (SC4 consistent with regards to character and appearance considerations)
Highway safety	CS23 of CSDPD	Consistent

Health implications	None, refer to NPPF	N/A
Need	Saved policy SC4 of BFBLP	Not consistent (see sections 9.16 – 9.18 of report).
Supplementary Planning Documents (SPD)		
(None)		
Other publications		
National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG) Community Infrastructure Levy.		

10. PLANNING CONSIDERATIONS

10.1 The key issues for consideration are:

- i Impact on character and appearance of the area
- ii Impact on residential amenity
- iii Impact on highway safety
- iv Health implications
- v Need
- vi Community Infrastructure Levy

i Impact on Character and Appearance of Area

10.1 The mast is required by Telefonica UK Ltd. In order to provide replacement coverage, which up until the present has been provided from a base station located 560 metres to the west of the site in a field off Crouch Lane. The submitted Design and Access Statement states that the landlord of the site to the west has served Telefonica with a Notice to Quit the current lease agreement, which has necessitated the need for a replacement site to be provided to ensure that coverage is maintained. Failure to replace the coverage could result in economic and social impact on local residents and businesses. The proposed mast would provide 2G and 3G coverage for Telefonica UK Ltd. and Vodafone Ltd.

10.2 As stated within section 6.6 of the report, revisions are required to prior approval 14/01274/RTD to prevent the need to establish two individual masts in the same area.

10.3 The mast is designed to have a timber-effect finish, to make it more sympathetic in appearance in relation to the surrounding telegraph poles, and it would therefore not be considered to be out of character in the street scene of Crouch Lane and in the general surrounding area. The proposed height of 12 metres would be the minimum height possible to provide the coverage that has been identified as being required. In any case, it is considered that a height of 12 metres would not be adversely out of character with the surrounding area and its countryside setting considering its overall bulk and the use of timber-effect finishing in the context of the surrounding area, which includes existing telegraph poles.

10.4 The proposed cabinets would be painted green and would be viewed against a backdrop of a hedge. Considering this and the overall size of the proposed cabinets, it is not considered that they would appear visually prominent within the street scene.

10.5 The applicant's Design & Access Statement has states that the applicant has conducted a detailed investigation into finding a suitable site for the proposed mast, the identification of twenty alternative options. Out of these available options the application site has been determined as being the most favourable.

10.6 The formation of hardstanding is proposed adjacent to the main highway. This would consist of 'grasscrete', which would be considered sympathetic to the rural character of the surrounding area, particularly compared to standard tarmac.

10.7 As the proposal would replace an existing mast present to the west (implemented under application 00/01019/RTD42), it is recommended that a condition be imposed to ensure the removal of this existing mast, to prevent an unnecessary proliferation of masts to the detriment of the countryside setting, and Green Belt location.

10.8 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area, including its Green Belt setting, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policies EN20 and SC4, and the NPPF, subject to the recommended condition.

ii Impact on Residential Amenity

10.9 It is not considered that the proposed mast and associated equipment cabinet would have a detrimental impact on neighbouring properties, considering that the nearest building to the application site ('Great Oaks Cottage', Crouch Lane) has a separation distance of 67 metres.

10.10 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

iii Impact on Highway Safety

10.11 The grass verge is considered to be wide enough to be able to safely accommodate the proposed equipment and mast, whilst not encroaching or infringing too far towards the main highway. An existing ditch is sited on the northern side of the application site, between the proposal and the existing hedging to the rear. A 1.0 metre separation distance would be retained between the proposal and the ditch to provide access to maintain the ditch and hedging.

10.12 The highway of Crouch Lane is not overly wide at the location of the application site, and the road bends directly to the west of the site, potentially disrupting visibility. As a result it is considered that any maintenance vehicles would need to be parked on the grass verge so as not to restrict passing vehicles or disrupt visibility. The proposal would therefore involve the formation of permeable 'grasscrete' hardstanding, which would provide an acceptable amount of space to park a maintenance vehicle off-street.

iv Health Implications

10.13 The applicant has submitted a certificate which confirms that the proposed mast meets ICNIRP (International Commission Non-Ionising Radiation Protection) guidelines.

10.14 The ICNIRP is an independent scientific body which has produced an international set of guidelines for public exposure to radio frequency waves.

10.15 These guidelines were recommended in the Stewart Report and adopted by the Government, replacing the National Radiological Protection Board (NRPB) guidelines.

10.16 It is therefore considered that there are no grounds for refusal of the proposal based on perceived health risks, and as a result the proposal complies with the NPPF.

v Need

10.17 BFBLP 'Saved' Policy SC4 refers to telecommunication development being permitted provided that there is a need for the development.

10.18 However, para. 46 of the NPPF states that 'Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, [or] question the need for the telecommunication systems'.

10.19 The applicants have outlined the need to provide telecommunications equipment in this location in sections 6.6 and 9.1 of this report. However, the issue of need is not a planning consideration and therefore in this respect, 'Saved' Policy SC4 is inconsistent with national policy.

vi Community Infrastructure Levy (CIL)

10.20 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.

10.21 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings. In this case the proposal is not CIL liable as it would not constitute the creation of internal floor space.

11. CONCLUSIONS

11.1 It is considered that the proposed telecommunications equipment to accommodate both Telefonica UK Ltd. and Vodafone Ltd. would be acceptable as a mast share, and would not result in an adverse impact on the character of the surrounding area, the amenity of the surrounding properties, on highway safety, or on public health. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, and CS23, BFBLP 'Saved' Policy EN20, and the NPPF. With regard to 'Saved' Policy SC4 limited weight is given to this policy for the reason given in section 9.18 of the report.

12. RECOMMENDATION

That the siting and appearance of the development proposed be APPROVED subject to the following conditions:

01. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 17 August 2015:
Drg no 100 Issue E 'Site Location Maps'
Drg no 200 Issue E 'Proposed Site Plan'
Drg no 300 Issue B 'Proposed Site Elevation A'
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

02. The existing 15m high mast and associated cabinet approved and implemented under application 00/01019/RTD42 shall, within 3 months of the installation of the mast

hereby permitted, be decommissioned and removed from the land on which it is currently installed.

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

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

Informative(s):

01. The applicant is advised to seek consent from the Council's Traffic Manager for any works on the highway. The Traffic Manager can be contacted at the Environment Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000.
02. The applicant is advised that consideration should be given to the use of anti-graffiti paint on the proposed cabinets.
03. The National Joint Utilities Group (NJUG) publish clear guidance on the work methods required to minimise damage to trees in the execution of excavations and works of the type required by the installation of phone masts. The publications are available as free downloads from the following website:
www.njug.org.uk/category/3/pageid/5/
These standards should be applied to the execution of approved works.

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed at the Council's Time Square office during office hours or online at www.bracknell-forest.gov.uk