



NOTICE OF MEETING

Planning Committee

Thursday 15 October 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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Telephone: 01344 352044
Email: committee@bracknell-forest.gov.uk
Published: 5 October 2015



Planning Committee
Thursday 15 October 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

Page No

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 17 October 2015.

5 - 44

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.

5. **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.

49 - 72

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|-----|---|-----------|
| 6. | PS Application No 14/01073/FUL - 48-50 Dukes Ride, Crowthorne, RG45 6NX

Erection of a block of 32no. sheltered apartments for the elderly with detached binstore/cycle/electric buggy store; modification of existing access (to No.50) and closure of existing access to No.48 following the demolition of existing buildings. | 73 - 98 |
| 7. | Application No 15/00082/FUL - 92 High Street, Sandhurst

Erection of 3no two-storey terraced houses and a three-storey building containing 6no flats provision of vehicle parking and circulation areas; cycle and bin storage, private gardens and communal amenity space following the demolition of existing buildings. | 99 - 118 |
| 8. | PS Application No 15/00172/COND - Binfield House Nursery, Terrace Road North, Binfield

Details pursuant to condition 16 (Fencing) of planning permission 13/00966/FUL. | 119 - 126 |
| 9. | PS Application No 15/00536/FUL - Post Office, 6 High Street, Bracknell

Erection of 7 storey building (with undercroft for parking/storage) accommodating A1 (retail) use at ground floor (170 sq m) and 14 residential units over following demolition of Post Office building - resubmission of 14/01015/FUL. | 127 - 140 |
| 10. | Application No 15/00660/FUL - Oak Cottage, St Marks Road, Binfield

Erection of 2no. 4 bedroom detached dwellings with access and parking following demolition of existing dwelling and outbuilding. | 141 - 156 |
| 11. | Application No 15/00674/FUL - 31 Mill Ride, Ascot

Raise main ridge of existing house by 415mm, erection of two storey front extension, two storey side extension, single storey rear extension, installation of rear dormer and alterations to include render (white) and timber cladding. | 157 - 164 |
| 12. | Application No 15/00760/FUL - 73 Wroxham, Bracknell

Retention of external solid wall insulation with silicone render finish. | 165 - 170 |

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**PLANNING COMMITTEE
17 SEPTEMBER 2015
7.30 PM - 0.06 AM**



Present:

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

Also Present:

Councillors Bettison, Leake and Turrell

Apologies for absence were received from:

Councillors Worrall

48. Minutes

RESOLVED that the minutes of the meeting of the Committee held on 20 August 2015 be approved as a correct record and signed by the Chairman.

49. Declarations of Interest

Councillor Dale Birch declared a disclosable pecuniary interest in Agenda item nos. 14 [Application No 15/00623/FUL – Harts Leap Independent Hospital, 5 Windrush Heights, Sandhurst, Berkshire, GU47 8ET] and 15 [Application No 15/00624/FUL – Harts Leap Independent Hospital, 5 Windrush Heights, Sandhurst, Berkshire, GU47 8ET] as his personal dwelling adjoined the site.

The Chairman reported that Council's Monitoring Officer had granted a dispensation to all Members of the Committee to consider and determine Application No 15/00684/FUL – 15 Heath Hill Road North, Crowthorne [Agenda item no 17], notwithstanding the existence of an Affected Interest as defined in paragraph 8 of the Code of Conduct for Members, since the applicant was an elected Member of the Council.

50. Urgent Items of Business

There were no items of urgent business.

51. 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).

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.

- The objection of Sandhurst Town Council 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.
- Eight letters of representation received raising the following material considerations:
 - 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.
 - The proposed route will adversely impact upon the existing woodland.
 - The applicant has had least two lorry loads of road scalplings delivered onto part of the constructed road within the site.
 - The A321 is a busy and fast road and with restricted views, the proposed new access is dangerous and unnecessary.
- The existing planning permission for the site contained included a condition that precluded commercial use.

RESOLVED that the application be **APPROVED** subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary, and specifically to add a condition that precludes commercial use of the site via this access:-

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:
 - 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
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:
 - Site access junction with Wokingham Road
 - The off site highway works shall be completed in accordance with the approved scheme prior to the use of the access.
04. The first 10 metres of the access road, from the back edge of the adjoining highway shall be finished with a bonded surface.
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.

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.
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.
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.
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 scheme shall be implemented as approved.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 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.

52. 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.

A site visit had been held on Saturday 12 September 2015 which had been attended by Councillors Angell, Mrs Angell, D Birch, Brossard, Dudley, Mrs Hayes, Hill, Mrs Ingham, Mrs McKenzie, Ms Peacey, Mrs Phillips, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Warfield Parish Council had recommended 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.
- A total of 13 objections from 10 households, 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.
 - amendments do nothing to alleviate safety dangers to and from the site
 - dispute over rights to the land to the side of the Cottages means that all cars/vans which park there will move onto Forest Road, increasing hazards. If vehicles are parked on the north side of Forest Road, it is extremely difficult to see approaching vehicles or their speed. 30mph speed limit is frequently exceeded.
 - increased vehicular movements to and from the site, along with vehicles parking on Forest Road will restrict and obscure visibility for those exiting the access at Goose Corner.
 - The residents of Hayley Green Cottages and the New House have been parking on the piece of land between 4 Hayley Green Cottages and the New House for a number of years. The proposed development plan shows the track being widened to encompass more of this land. This will encourage on street parking and lead to vehicles waiting in the highway to pass parked cars or to access the site.
- The impact of this will :
- Reduce the visibility splays either side of the exit on to the Forest Road
 - Create additional traffic problems on the Forest Road with the width of the Forest Road being reduced to a single lane due to parked cars
 - Adversely impact pedestrians and cyclists using the Forest Road as cars often park partially on the pavement that runs alongside the Forest Road.
 - The driveway from the proposed development to the Forest Road does not include a pedestrian walkway which means anyone walking on foot from the new development to the Forest Road will be walking on the gravel driveway, which will put these individuals in danger from traffic travelling to and from the development.
 - The residents from Hayley Green Cottages 1 -3 have a right of easement across the back of No 4 and long the track at the side. There will be a safety issue with the increased traffic flow to and from the development, which will put the residents of Hayley Green Cottages at risk for their safety when using the pedestrian access.
 - One of the requirements from the previous planning application was to provide adequate amenities for No 4. On the plan submitted on 6th July it is

unclear of where these amenities are and the size available to No 4. There is a small triangle of land at the rear, which is only large enough for the wheelie bins belonging to no 4 but there is insufficient space for a washing line or an area to sit out on. Plus the pedestrian right of way crosses this triangle of land and therefore across the amenity strip.

- The current development does not comply with the 12 core planning principles outlined in NPPF para. 17.
- There is no evidence that the design of the development will be of a high quality and a good standard as evidenced by the development work completed at No 4.
- This land has not been previously developed and has been used for storage of caravans only. Therefore this means a change of use and will urbanise the area, which has been classified as semi-rural.
- Increase in hardstanding will have an impact on the water table and create a flood risk to the surrounding properties when there was not a risk before. The increase in cars that will be travelling to the properties of Hayley Green and Goose Corner will impact increase carbon emissions in close proximity of the existing residents' gardens.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Lindsay Prendergast who represented the objections of local residents to the proposed development and Thomas Rumble representing the Agent, on behalf of the applicant.

During consideration of the application, questions were raised about whether the access road to the proposed development complied with the requirements regarding attendance of fire appliances. A motion was moved and seconded to defer consideration of the application.

RESOLVED that the application be deferred for further information as to the adequacy of the access road for the attendance of fire appliances.

53. **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).

The vast majority of this site was within Wokingham Borough Council (WBC), including all the proposed buildings. The Old Wokingham Road access and a narrow strip of land within the site approximately 2-3 metres wide, including a ditch adjacent to Old Wokingham Road, was within Bracknell Forest. WBC's Planning Committee had considered a duplicate application on 16th September 2015 and had resolved that the Head of Development Management be authorised to grant planning permission subject to the completion of a satisfactory S106 Legal Agreement.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Crowthorne Parish Council had recommended 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 had objected to the proposals on the following grounds:
 - That the application has been through too many amendments and should be resubmitted. (NB: 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 (NB: 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 (NB: 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 (NB: 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. (NB: 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 (NB: Ecological risk and adequacy of the SANG has been considered by WBC Ecologist and Natural England and is considered acceptable)
 - Surface Water Flooding Risk (NB: Drainage solution is considered satisfactory by WBC drainage consultants and the EA)
 - Concerns over transport
 - No collaboration between WBC and BFC
- 12 letters of objection had received, in addition to 82 letters received by WBC. The following summarises the planning issues raised:
 - 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

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Janet Rogers, who represented her objections to the proposed development, and Gemma Care representing the Agent, on behalf of the applicant.

RESOLVED 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.
02. The development hereby permitted shall be carried out only in accordance with the approved plans received by the Local Planning Authority, to be specified in detail by the Head of Planning.
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.
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.
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
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.
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.
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.
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.
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.
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 Nos to be specified by Head of Planning);
 - 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 Nos to be specified by Head of Planning);
 - 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 Nos to be specified by Head of Planning);

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.

In the event of a S106 Obligation not being completed by 17.11.2015 the Head of Planning be authorised to **REFUSE** the application on the grounds of:-

01. The development would not make adequate provision for pedestrians and cyclists to access the services and amenities to be provided as part of the future development of the adjacent former TRL site. In the absence of a section 106 Obligation to secure a financial contribution towards the provision of a Toucan crossing of Old Wokingham Road at an appropriate stage in the development of the former TRL site, the proposal would be contrary to Policies M4 and M6 of the Bracknell Forest Borough Local Plan, and Policies CS23 and CS24 of the Core Strategy Development Plan Document."

54. **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.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Crowthorne Parish Council had raised no objection.
- Seven letters of representation received raising the following material considerations:
 - 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.
 - Support the principle of building houses on this site, but the site would be better served by fewer units with increased space between properties.
 - 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.
 - 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.
 - Development will result in the loss of the only Green Space on Dukes Ride.

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

RESOLVED that 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)
- the provision of additional contribution to off site affordable housing
- maintenance of the drainage strategy
- Securing a S278/38 agreement for the construction of the access road (including turning head) from Dukes Ride to serve plots 1-9
- Securing a S278/38 agreement for the construction of the access road and footways on Smiths Path and within the site (including turning head) to serve plots 10-36
- Securing public rights over private land within the site

That the Head of Planning be authorised to **APPROVE** the application 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 on 23.04.15, 01.07.15 and 14.07.15:-
 - 2223-A-1000-B
 - 2223-A-1005-W
 - 2223-A-1006-C
 - 2223-C-1010-E
 - 2223-A-3000/D
 - 2223-A-3005-F
 - 2223-A-3010-D
 - 2223-A-3015/F
 - 2223-A-3020/D
 - 2223-A-3030-C
 - 2223-A-3025-D
 - 2223-A-3035-D
 - 2223-A-3040-C
 - 2223-A3045-C
 - 2223-A-3050-C
 - 2223-A-3055-D
 - 2223-A-3056-E
 - 1398/001/E
 - 1398/002/H
 - 8881-D-01/D
 - 8881-SK-03/A
 - 30582/AC/025
 - 30582/AC/026
 - 30582/AC/027

03. No development shall take place until samples of the materials to include bricks, roof tiles and render, 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 a means of vehicular access from both Dukes Ride and Smiths Path has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
05. No dwelling shall be occupied until a means of access for pedestrians and cyclists (including details of the management of the footway link within the site) has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.
06. No dwelling shall be occupied until all the visibility splays shown on the approved drawings have been provided. Those areas shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 meters measured from the surface of the adjacent carriageway.
07. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The spaces shall not thereafter be used for any purpose other than parking and turning.
08. 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 covered and secure cycle parking facilities. No dwelling shall be occupied until the cycle parking serving it has been provided in accordance with the approved scheme. The facilities shall thereafter be retained.
09. No gates shall be provided at the vehicular accesses to the site.
10. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
11. 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:--
 - the site access with Dukes Ride
 - alterations to Smiths Path from Wellington Business Park to the siteThe buildings 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 scheme.
12. 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 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 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.

13. 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) Illustrations 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.
14. The protective fencing and other protection measures specified by condition 13 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.
15. No development (including initial site clearance) shall commence until a programme of supervision/monitoring for all arboricultural protection measures, has been submitted to and approved in writing by the Local Planning Authority. Details shall include:-
- a) Induction and personnel awareness of arboricultural matters.
 - b) Identification of individual responsibilities and key personnel.
 - c) Statement of delegated powers.
 - d) Timing and methods of site visiting and record keeping.
 - e) Procedures for dealing with variations and incidents.
- The programme of arboricultural monitoring shall be undertaken in full compliance with the approved details. No variation of the approved monitoring program shall take place without the prior written agreement of the Local Planning Authority. A copy of the signed inspection report shall be sent to the Local Planning Authority following each visit.
16. No development shall commence until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated 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. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -
- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
 - b) Materials including porous surface finish.
 - c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
 - d) Programme and method of implementation and arboricultural supervision.
- The Construction Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to the occupation of the dwelling. The No Dig structure shall be retained in perpetuity thereafter.
17. 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.
18. 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.

19. No development shall take place until:-

(i) details of all proposed alterations to the ground levels within the site within 5 meters 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) Specific cross section profile drawing at a scale of 1:200 for plot 6 showing its relationship to existing trees.
- d) 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.

20. No development shall take place until comprehensive details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- a) 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. To include trees of the following minimum planting size Height 4-5 metres Stem Girth 25-30cm
- 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) Detailed schedule of Orchard planting accompanied by a specific Comprehensive 10 year post planting maintenance schedule.
- f) Means of enclosure (walls and fences etc)
- g) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
- h) Recycling/refuse or other storage units, play equipment
- i) Other landscape features (water features, seating, trellis and pergolas etc).

Part 2: Implementation

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.

21. 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. If within a 5 year period of the completion of the development any soft landscaped area which is removed, uprooted, or is destroyed or dies shall be replaced by plants of the same species and size as that originally planted at the same place, unless the Local Planning Authority gives its written consent for any variation
22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 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., C, D and E] of Part 1 of the Second Schedule of the 2015 Order shall be carried out.
23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order England 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 a dwelling house
24. A landscape and ecological management plan (LEMP) for the proposed orchard shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The content of the LAMP shall include the following:-
 - a) Description and evaluation of features to be managed
 - b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management
 - d) Appropriate management options for achieving aims and objectives
 - e) Prescriptions for management actions
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - g) Details of the body or organization responsible for implementation of the plan
 - h) On-going monitoring and remedial measures

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

25. 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.
26. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement and shall be retained in accordance therewith unless the Local Planning Authority gives prior written consent to any variation.
27. The development hereby permitted shall be implemented in accordance with the submitted Energy Demand Assessment and save as otherwise agreed in writing by the Local Planning Authority, the building(s) constructed by the carrying out of the development shall be operated in accordance with the submitted Energy Demand Assessment.
28. No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological works (which may comprise more than one phase of investigation), in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority.
Reason: The site is within an area of archaeological potential. A programme of works is required to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance in accordance with Paragraph 141 of the NPPF.
29. The development hereby permitted 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 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.

30. 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.
 31. 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 free standing external site lighting including details of the lighting units, levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme. The development shall be carried out in accordance with the approved scheme.
 32. There shall be no restrictions on the use of the car parking spaces to serve units 10-36, other than shown on the approved plan as being marked as for the sole use of individual units.
 33. No development (other than the construction of the access) shall take place until the access has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.
 34. None of the dwellings shall be occupied until the drainage works have been completed in accordance with the submitted plans.
 35. Units 10-36 shall be occupied only by staff employed at Wellington College and their families.
55. **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.

A site visit had been held on Saturday 12 September 2015 which had been attended by Councillors Angell, Mrs Angell, D Birch, Brossard, Dudley, Mrs Hayes, Hill, Mrs Ingham, Mrs McKenzie, Ms Peacey, Mrs Phillips, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Binfield Parish Council had recommended refusal of the 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
 - There should be improvements to the footpath along St Marks Road.
- 4 objections had been received from residents of surrounding properties, 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.
- The Binfield Neighbourhood Development Plan had been submitted on 16 September 2015 and as the Council had yet to determine whether it met the requirements for publication, it did not constitute a material consideration in decision taking.

RESOLVED that:

- (1) In order that a suitable sustainable urban drainage scheme can be secured, authority be delegated to the Head of Development Management to agree a scheme and to amend, add to or delete conditions as he considers necessary and to amend the requirements within the S106 as necessary to secure the operation and maintenance of the sustainable drainage system for the lifetime of the development.
- (2) 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.
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

03. The materials to be used in the construction of the development hereby approved shall be in compliance with those included on the External Material Specification sheets dated 30 July 2015 Rev A in respect of plots 1 and 2, plot 3, plots 4 and 5, plots 6-11, plots 12-16 and plots 17 and 18.
04. 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.
05. 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.

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% 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.

07. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
08. 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.
09. 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.
10. The development shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans [drawing 22990-SEP-10 B).
11. 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.
12. No development shall take place until all the visibility splays shown on the approved drawing 22990-SL-500-B+W E 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.
13. 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.
14. 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-SL-500-B+W E. The spaces shall thereafter be kept available for parking at all times.

15. 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.
16. 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 22990-SL-500B+W E.
17. No gates shall be provided at the vehicular access to the site.
18. 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).
19. 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.
20. No dwelling shall be occupied until the boundary treatments shown on dwg PKH-908 P3 dated 20 July 2015 have been implemented in full.
21. 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.
22. The services to the site shall be laid out in compliance with dwg PKH-902 P5.
23. 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.
24. 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.
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 that have first been submitted to and approved in writing by the Local Planning Authority.

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).

56. **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.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting, which included details of an additional letter of representation from the applicant.
- Bracknell Town Council had raised no objection.
- An objection had been received from the occupants of the residential property of No.4 Hawthorn Close on the grounds that the proposal will cause a loss of light to their first floor side bedroom window.

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:
L/2118 'Existing plans and elevations'
L/2118/1 (Amended) 'Proposed plans and elevations'
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.
04. The 2 no. existing parking spaces on the existing driveway shall be retained for the use of parking vehicles at all times.

57. **Application 15/00530/FUL - 7 Flint Grove, Bracknell, RG12 2JN**

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

A site visit had been held on Saturday 12 September 2015 which had been attended by Councillors Angell, Mrs Angell, D Birch, Brossard, Dudley, Mrs Hayes, Hill, Mrs Ingham, Mrs Mattick, Mrs McKenzie, Ms Peacey, Mrs Phillips, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Bracknell Town Council had expressed 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 it did not raise an overall objection.
- Four objections had been received from the occupants of neighbouring properties, 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.
- The proposal would be out of character with the surrounding area.
- The amended plans do not address concerns that the proposal would result in an adverse impact on the character of the surrounding area, including by forming a terracing impact, and would result in an adverse overlooking impact on the occupants of 8 Flint Grove.

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 26 August 2015:

FG/07/03 Rev. A 'Proposed' [Plans & Elevations]
FG/07/04 Rev. A 'Location & Block Plan'

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.
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.
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.

58. **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.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Winkfield Parish Council had raised no objection.
- No other representations had been received.

RESOLVED that 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.
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

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.
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.
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.
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.

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.
08. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
09. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings.
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.

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..
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.
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.
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. The site clearance shall thereafter be carried out in accordance with the approved scheme.

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.
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, 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.
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 worksThe works shall be carried out strictly in accordance with the approved details.
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. The mitigation measures shall thereafter be carried out in accordance with the approved scheme.
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.

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.

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.
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.

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.
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.
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.

59. **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.

A site visit had been held on Saturday 12 September 2015 which had been attended by Councillors Angell, Mrs Angell, D Birch, Brossard, Dudley, Mrs Hayes, Hill, Mrs Ingham, Mrs McKenzie, Ms Peacey, Mrs Phillips, Thompson and Turrell.

The Committee noted:

- Warfield Parish Council had raised an objection to the proposal on the following grounds:
 - The proposal represents an undesirable overdevelopment of the site.
 - Concerned at the loss of soft landscaping and amenity land which will result from any increase in number of units on the site.
 - Concern that there will be insufficient land available for resident and visitor parking if the number of units on the site is increased.
 - Does not believe that the plans showing parking adjacent to each home can be achieved due to the size of the plots.
- 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.

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 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.
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
03. No more than 14 caravans (or mobile homes) shall be sited on the site at any one time.
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.

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).

60. **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.

A site visit had been held on Saturday 12 September 2015 which had been attended by Councillors Angell, Mrs Angell, Bettison, Brossard, Dudley, Mrs Hayes, Hill, Mrs Ingham, Mrs McKenzie, Ms Peacey, Mrs Phillips, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting, including additional representations from an objector querying some statements in the officer report relating the access to the proposed development.
- Sandhurst Town Council had 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.
- Eighteen letters of objection had been received, 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
 - 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.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Mr Peter Holbert, who represented his objections to the proposed development, and Paul Dickinson representing the Agent, on behalf of the applicant.

A motion to authorise the Head of Planning to approve the application subject to conditions (and following the completion of a planning obligation) as recommended in the Officer report was put to the vote and was lost. An alternative motion to refuse planning permission was put to the vote and was carried.

RESOLVED that application 15/00623/FUL be **REFUSED** for the following reasons:

1. Visibility at the proposed access would be substandard, obstructed by vehicles parking on Dale Gardens either side of the proposed access, resulting in a hazard to road users and pedestrians to the detriment of highway safety. The development would therefore be contrary to Policy CS23 of the Core Strategy Development Plan Document.
2. The proposal, by reason of its siting would result in an overbearing impact to the detriment of the living conditions of the neighbouring properties in Dale Gardens. The proposed development would therefore be contrary to Policy EN20 of the Bracknell Forest Local Plan.
3. 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).

Councillor Dale Birch, having declared an interest in this item, withdrew from the meeting and took no part in the consideration of it.

61. **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.

A site visit had been held on Saturday 12 September 2015 which had been attended by Councillors Angell, Mrs Angell, Bettison, Brossard, Dudley, Mrs Hayes, Hill, Mrs Ingham, Mrs McKenzie, Ms Peacey, Mrs Phillips, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting, including additional representations from an objector querying some statements in the officer report relating the access to the proposed development.

- Sandhurst Town Council had 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.
- Eighteen letters of objection had been received, 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
 - 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.

The criteria for public speaking had been met in respect of this application and the Committee was addressed by the registered speaker Mr Peter Holbert, who

represented his objections to the proposed development, and Paul Dickinson representing the Agent, on behalf of the applicant.

A motion to authorise the Head of Planning to approve the application subject to conditions (and following the completion of a planning obligation) as recommended in the Officer report was put to the vote and was lost. An alternative motion to refuse planning permission was put to the vote and was carried.

RESOLVED that application 15/00624/FUL be **REFUSED** for the following reasons:

1. Visibility at the proposed access would be substandard, obstructed by vehicles parking on Dale Gardens either side of the proposed access, resulting in a hazard to road users and pedestrians to the detriment of highway safety. The development would therefore be contrary to Policy CS23 of the Core Strategy Development Plan Document.
2. The proposal, by reason of its siting would result in an overbearing impact to the detriment of the living conditions of the neighbouring properties in Dale Gardens. The proposed development would therefore be contrary to Policy EN20 of the Bracknell Forest Local Plan.
3. 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).

Councillor Dale Birch, having declared an interest in this item, withdrew from the meeting and took no part in the consideration of it.

62. **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.

The Committee noted:

- Bracknell Town Council had objected 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.
- No representations had been received from the occupants of neighbouring properties.

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:

Block Plan scale 1:200 received on 26 August 2015
Proposed Plans received on 27 July 2015

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.
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.

63. **Application No 15/00684/FUL - 15 Heath Hill Road North, Crowthorne, RG45 7BU**

Erection of single storey front extension forming a conservatory and demolition of existing conservatory and installation of front dormer.

The Committee noted:

- Members of Crowthorne Parish Council had been unable to comment on the application since the applicant was a member of the Parish Council.
- One letter of objection had been received from a neighbouring resident, summarised as follows:
-the proposed rear dormer windows would cause overlooking on their property. (NB. Following a discussion with the applicant concerning the objection, the applicant decided to remove the rear dormer from the application).

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:
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

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.
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 Section 6 (Figure 3), 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 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 6 (Figure 3), British Standard 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.
 - f) Proposed ground protection measures in accordance with Section 6 (Figure 3), British Standard 5837 (2012).
 - 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.
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.

06. No demolition 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.

64. **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.

A site visit had been held on Saturday 12 September 2015 which had been attended by Councillors Angell, Mrs Angell, Brossard, Dudley, Mrs Hayes, Hill, Mrs Ingham, Mrs McKenzie, Ms Peacey, Mrs Phillips, Thompson and Turrell.

The Committee noted:

- Warfield Parish Council had objected 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.
- No representations have been received from neighbouring properties.

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 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)'
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.
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.
05. The development hereby permitted shall not be occupied until the 1 no. 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.
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.

65. **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.

A site visit had been held on Saturday 12 September 2015 which had been attended by Councillors Angell, Mrs Angell, Brossard, Dudley, Mrs Hayes, Hill, Mrs Ingham, Mrs McKenzie, Ms Peacey, Mrs Phillips, Thompson and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Winkfield Parish Council had objected to the proposal on the basis that alternative locations should be considered.
- 11 objections had been received from surrounding residential properties, 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.
- 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, including its Green Belt setting
- The proposal would result in an adverse impact on highway safety due to its location in close vicinity of a highway bend
- The proposal may adversely affect the health of the surrounding residents
- The proposal would result in an adverse impact on biodiversity.

RESOLVED 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'

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.

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
15th October 2015**

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

		Case Officer	Reporting Officer
5	<p>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.</p>	Sarah Horwood	Basia Polnik
6	<p>14/01073/FUL 48-50 Dukes Ride Crowthorne Berkshire (Crowthorne Ward) Erection of a block of 32no. sheltered apartments for the elderly with detached binstore/cycle/electric buggy store; modification of existing access (to No.50) and closure of existing access to No.48 following the demolition of existing buildings. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>	Simon Roskilly	Martin Bourne
7	<p>15/00082/FUL 92 High Street Sandhurst Berkshire (Little Sandhurst And Wellington Ward) Erection of 3no two-storey terraced houses and a three-storey building containing 6no flats provision of vehicle parking and circulation areas; cycle and bin storage, private gardens and communal amenity space following the demolition of existing buildings. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>	Sarah Horwood	Martin Bourne
8	<p>15/00172/COND Binfield House Nursery Terrace Road North Binfield (Binfield With Warfield Ward) Details pursuant to condition 16 (Fencing) of planning permission 13/00966/FUL. Recommendation: Approve.</p>	Sarah Fryer	Martin Bourne

- | | | | |
|----|--|-----------------|---------------|
| 9 | 15/00536/FUL
Post Office 6 High Street Bracknell
(Wildridings And Central Ward)
Erection of 7 storey building (with undercroft for parking/storage) accommodating A1 (retail) use at ground floor (170 sq m) and 14 residential units over following demolition of Post Office building - resubmission of 14/01015/FUL.
Recommendation: Approve. | Simon Roskilly | Martin Bourne |
| 10 | 15/00660/FUL
Oak Cottage St Marks Road Binfield
(Binfield With Warfield Ward)
Erection of 2no. 4 bedroom detached dwellings with access and parking following demolition of existing dwelling and outbuilding.
Recommendation: Approve Subject To The Completion Of Planning Obligation(s). | Sarah Horwood | Basia Polnik |
| 11 | 15/00674/FUL
31 Mill Ride Ascot Berkshire
(Ascot Ward)
Raise main ridge of existing house by 415mm, erection of two storey front extension, two storey side extension, single storey rear extension, installation of rear dormer and alterations to include render (white) and timber cladding.
Recommendation: Approve. | Charlotte Pinch | Basia Polnik |
| 12 | 15/00760/FUL
73 Wroxham Bracknell Berkshire
(Great Hollands North Ward)
Retention of external solid wall insulation with silicone render finish
Recommendation: Approve. | Gerald Hegarty | 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

BFBLP Bracknell Forest Borough Local Plan
CSDPD Core Strategy Development Plan Document
SALP Site Allocations Local Plan
RMLP Replacement Minerals Local Plan
WLP Waste Local Plan for Berkshire

SPG Supplementary Planning Guidance
SPD Supplementary Planning Document

RSS Regional Spatial Strategy (also known as the SEP South East Plan)

NPPF National Planning Policy Framework (Published by DCLG)
NPPG National 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

SITE LOCATION PLAN

For information the plans are orientated so that north is always at the top of the page.

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:

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

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 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. The application had previously been presented to the Committee on 17 September, however was deferred as there were concerns about whether a fire and rescue service vehicle would be able to access the development due to the width of the internal access road.

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 causing 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, 1 no. four bed (plot 3) and 2 no. three bed units (plots 1 and 2).

5.2 At ground floor each 3 bed roomed 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 bed roomed 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 bed roomed 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 14 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.
- 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.
- amendments do nothing to alleviate safety dangers to and from the site
- The residents of Hayley Green Cottages and the New House have been parking on the piece of land between 4 Hayley Green Cottages and the New House for a number of years. The proposed development plan shows the track being widened to encompass more of this land. This will encourage on street parking and lead to vehicles waiting in the highway to pass parked cars or to access the site.
- The impact of this will:
 - Reduce the visibility splays either side of the exit on to the Forest Road
 - Create additional traffic problems on the Forest Road with the width of the Forest Road being reduced to a single lane due to parked cars
 - Adversely impact pedestrians and cyclists using the Forest Road as cars often park partially on the pavement that runs alongside the Forest Road.
 - The driveway from the proposed development to the Forest Road does not include a pedestrian walkway which means anyone walking on foot from the new development to the Forest Road will be walking on the gravel driveway, which will put these individuals in danger from traffic travelling to and from the development.
 - The residents from Hayley Green Cottages 1 -3 have a right of easement across the back of No 4 and long the track at the side. There will be a safety issue with the increased traffic flow to and from the development, which will put the residents of Hayley Green Cottages at risk for their safety when using the pedestrian access.
 - The current development does not comply with the 12 core planning principles outlined In NPPF para. 17.
 - There is no evidence that the design of the development will be of a high quality and a good standard as evidenced by the development work completed at No 4.
 - urbanising impact on semi-rural area.
 - The increase in cars that will be travelling the properties of Hayley Green and Goose Corner will impact increase carbon emissions in close proximity of the existing residents gardens.
 - The applicant has failed to acknowledge 3 Hayley Green Cottages's vehicular access in its latest application.
 - Under the Fire Access safety, Building Regulations requires access for a fire engine with a minimum road and gateway widths and turn space. The minimum width for access road is 3.7 metres.

- Road surface noise: The access road will be made of gravel which will be noisy and I note that this will adversely affect the amenities of the nearby occupiers using outdoor space which will be located very close to the access track. The increase in traffic in the access road will create fumes to nearby houses.

6.3 The planning agent has made the following comments in support of the application:

- Additional private amenity space is also to be provided to the side of the retained dwelling. Overall, the scheme results in a net gain of private amenity space to no 4 Hayley Green Cottages.

- A dry riser can be installed in the ground from entrance to houses so that no fire engines are required to enter the site. However, fire tenders could still access the site should it be necessary given that the access road serving the dwellings is greater than the minimum 3.7m width specific in Building Regs Part B5 (Fire Safety). Whilst there is a narrowing at the gateway pinch point to the access Rd within the site, this nonetheless meets the minimum width specified in B5 such that the width of the road can accommodate a fire tender.

- The surface material can be secured by condition and could include bonded gravel. Bins only need to be taken to the collection point on bin collection day.

- The garages do meet the requisite standards. Further, the garages enable the storage of a bike, whilst sheds for additional storage can also be provided in the rear gardens and secured by condition.

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 objectively 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 of BFBLP	Consistent 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	CS9 is consistent

	EN8, H5 of the BFBLP	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 dwellings 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 implication 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 (ENVIRONMENT & 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 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. 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.

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 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 each of 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 hardstanding. 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. A further condition will be imposed restricting installation of gates to ensure the 2 parking spaces to the side of the existing cottage are not affected.

9.52 The garages comply with the latest standards for practical vehicle parking.

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 would be secured by planning condition for highway safety and residential amenity.

9.56 Following matters raised in some of the objection comments, the Council's Highways Officer made the following additional comments in response: The informal parking which currently occurs on the grass close to the boundary with New House is taking place on private land over which the Highway Authority has no control. It is also unlikely that there are any planning conditions covering the use of the land for parking. This informal parking could therefore cease at any time, unless others have the legal right to park on the land and as such on-street parking along Forest Road could result at any time. The land is within the red line area and is shown as being controlled by the applicant.

9.57 On-street parking on Forest Road to the front of nos. 2 and 3 Hayley Green Cottages which could occur at present would not interfere with sight-lines for vehicles exiting the access serving the 3 new dwellings, as vehicles exiting the access would have sight-lines across the frontage of no. 4 Hayley Green Cottages and behind parked vehicles. Parking is being provided within the application site for no. 4 Hayley Green Cottages.

9.58 Forest Road is a straight road and whilst parking on Forest Road would affect two-way traffic movements, as vehicles would have to give-way to each other, adequate sight-lines are provided to enable drivers to see oncoming traffic.

9.59 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)

9.60 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.

9.61 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)

9.62 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 3.7km 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.

9.63 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, this application is for three dwellings and therefore the SANG costs are £7,530

9.64 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. The SAMM contribution is £2,229.

9.65 The total SPA related financial contribution for this proposal is £9,759.

9.66 The SPA contributions have been paid to the Council (including Council legal costs and monitoring costs). As such, 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.

vii. COMMUNITY INFRASTRUCTURE LEVY (CIL) (ECONOMIC & SOCIAL FACTOR)

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

9.75 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.

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

9.77 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.

9.78 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)

9.79 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.

9.80 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.

9.81 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.

9.82 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.

9.83 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.

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

ix. BIODIVERSITY (ENVIRONMENTAL FACTOR)

9.85 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."

9.86 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

9.87 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.

9.88 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 is however a civil matter and again would not withhold the granting of planning permission.

9.89 Following the deferral of the application from the Planning Committee of 17 September 2015, the Royal Fire and Berkshire Rescue Service have been consulted on the application. The solution to overcome whether a fire engine could navigate the internal access road would be for the installation of a dry riser at the entrance to the site and an outlet to the front of the proposed dwellings. This would allow the fire engine to connect a hose pipe to the inlet and a secondary pipe to be connected to the outlet. This would be a satisfactory solution to the Council's Building Control department who enforce Building Regulation 2000, Section B5 relating to fire access and safety. A planning condition will be imposed requiring the submission of details of a dry riser for approval to the LPA.

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]

28. No dwelling shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for the installation of a dry riser. The approved scheme shall be implemented in full before the dwellings are occupied and shall thereafter be retained.

REASON: In the interests of fire safety.

Informatives:

1. 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.

2. The applicant is advised that the following conditions require discharging prior to commencement of development:

03. Materials.

04. Landscaping.

06. Sustainability Statement.

07. Energy Demand.

11. Site Organisation.

14. Slab levels

15. Boundary treatment

17. Tree protection

20. Biodiversity enhancements. (this should include, bird boxes, bat boxes, insect houses and hedgehog houses.)

22. Bat survey for trees.

25. Cycle parking.

The applicant is requested to ensure that samples of materials are available on-site for inspection by the case officer.

The applicant is advised that the following conditions require discharging prior to occupation of development:

09. Parking and turning.

24. Pedestrian Visibility Splays.

28. Details of dry riser

No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

01. Time limit.

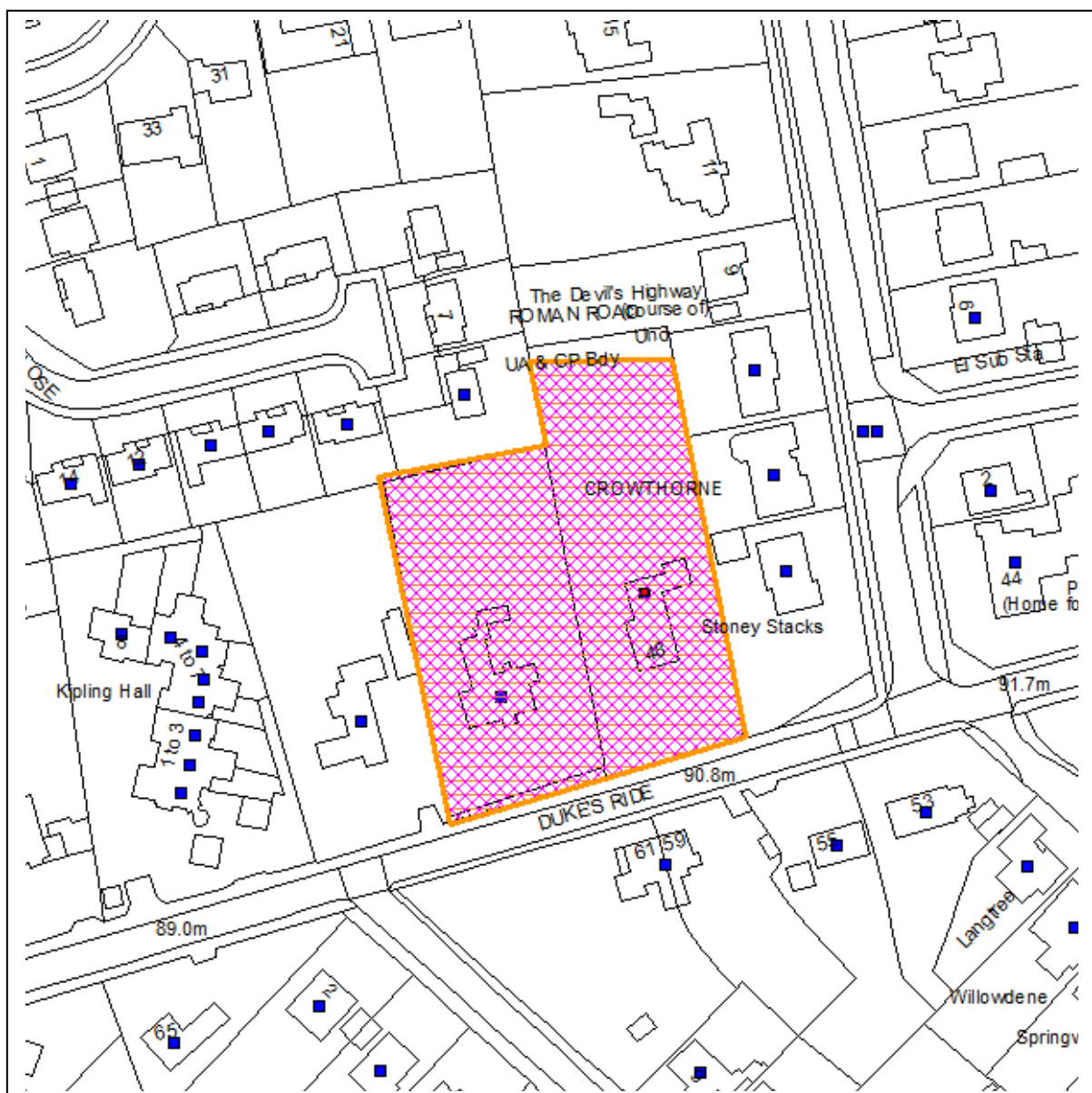
- 02. Approved plans.
- 05. Landscaping retention.
- 08. Access
- 10. Garage retention.
- 12. No additional windows.
- 13. Obscure glazing.
- 16. Hours of demolition and construction.
- 18. Tree Protection.
- 19. No external lighting.
- 21. No site clearance shall take place during the main bird-nesting period.
- 23. Visibility splays
- 26. No gates
- 27. Cut back of hedge

3. Details in respect of condition 4 shall include the re-instatement of the front of 4 Hayley Green Cottages back to soft landscaping to prevent vehicles parking to the front of the existing property. Condition 15 shall also detail the enclosure be provided to the front of no. 4 Hayley Green Cottages to prevent vehicles parking to the front of the existing property.

4. The applicant is advised that the proposal does not comply with the Council's standard in respect of the distance from the dwellings to the bin storage area and as such any occupiers will need to carry their bins/refuse to the bin storage area at the front of the site.

ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
14/01073/FUL	Crowthorne	27 October 2014	26 January 2015
Site Address:	48-50 Dukes Ride Crowthorne Berkshire RG45 6NX		
Proposal:	Erection of a block of 32no. sheltered apartments for the elderly with detached binstore/cycle/electric buggy store; modification of existing access (to No.50) and closure of existing access to No.48 following the demolition of existing buildings.		
Applicant:	Renaissance Retirement Ltd		
Agent:	Mr P Tanner		
Case Officer:	Simon Roskilly, 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 application provides for the erection of a block of 32no. sheltered apartments for the elderly (12no. 1 bedroom and 20no. 2 bedroom) (Use Class C3).

1.2 The application is considered to address concerns raised in a previous appeal decision which included this site. With appropriate materials and finishes the proposed building is considered to be in keeping with the area. The relationship with adjoining properties is acceptable and there are no over-riding highway safety implications.

RECOMMENDATION

Planning permission be granted subject to conditions in Section 11 of this report and a Section 106 legal agreement.
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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

Trees on site protected by TPO

Within 5km buffer to the Thames Basin Heaths Special Protection Area
--

Within Area B (West Crowthorne) of the Crowthorne Area Character Assessment

3.1 The site's area is 0.43 hectares and it currently contains 2no. large detached dwellings.

3.2 The application site is located off Dukes Ride (B3348), to the west of Wiltshire Avenue.

3.3 Part of the north-eastern corner of the site is located within Wokingham Borough however this triangular piece of land is outlined in blue on an amended site plan and therefore does not fall within the red line of the application site. This is not considered to be a concern as the size and shape of this triangular piece of land would mean that it would remain as land that could also be used as part of the residential amenity space should the scheme be approved.

3.4 There are residential properties east of the site including Stoney Stacks, and nos. 5 and 7 Wiltshire Avenue. West of the site is no.52 Dukes Ride, a residential property, with no. 8 Thornbury Close and no. 9 Wiltshire Avenue being located north of the site.

3.5 To the front of the site, on the opposite side of Dukes Ride, is the Little Red House Nursery.

3.6 There are no significant level changes on the site.

3.7 Trees on and adjoining the site, generally on its southern and northern edges, are protected by TPOs 549 and 647. Other trees lie in the centre of the site between Nos 48 and 50 Dukes Ride.

3.8 The route of the Devil's Highway, a Roman Road, runs close to the site's northern boundary.

4. RELEVANT SITE HISTORY

4.1 07/00001/FUL- Redevelopment of site for a part 2, and part 3 storey building providing 60no. units of accommodation for the 'frail elderly' with associated car parking. REFUSED on the grounds of overbearing, overshadowing, overdevelopment, lack of Transport Assessment and S106 contributions.

4.2 07/01165/FUL- Redevelopment of site for a part 2, and part 3 storey building providing 50no. units of accommodation for the 'frail elderly' with associated car parking. REFUSED for the following reason:-

The proposed development would not contribute positively to Dukes Ride and would not be appropriate within its context. Furthermore the proposal is not in sympathy with the appearance and character of the local environment and is not appropriate in scale, mass, design and layout, both in itself and in relation to adjoining buildings, spaces and views. As such the proposal is contrary to National Planning Policy contained within PPS1, Policy CS7 of the Bracknell Forest Core Strategy DPD and Policy EN20 of the Bracknell Forest Borough Local Plan.

4.3 There were also S106 related reasons for refusal.

4.4 This application was the subject of an appeal the decision letter is appended to this report.

4.5 The appeal was dismissed mainly due to the size and design of the proposed building. The Inspector considered that the size of the proposed building, with an unbroken frontage of some 67 metres, would considerably exceed the scale of that of any other development along the road and that its appearance would be unlike that of any other development in the area. Whilst he considered the building was of appropriate scale, design and layout for the proposed use and could be accommodated on the site without appearing cramped or as an overdevelopment, he concluded that the solid mass and extensive roofscape would be of uncharacteristic scale within Dukes Ride and together with the uncharacteristic and uncompromising modern-looking curved roof forms would fail to integrate successfully into the surroundings.

4.6 The Inspector did not consider the principle of the development, impact on the amenity of neighbouring properties or the loss of the existing buildings to be of over-riding concern.

4.7 It will be noted that both of the above applications related to a larger site than the current application as they also included land at no. 52 Dukes Ride.

5. THE PROPOSAL

5.1 Full planning permission is sought for the erection of a block of 32no. sheltered apartments (12no. 1 bedroom and 20no. 2 bedroom) (Use Class C3) for the elderly with a detached binstore/cycle/electric buggy store, modification of the existing access (to No.50) and closure of the existing access to No.48 following the demolition of the two existing houses on the site. The application has been amended in the course of its consideration.

5.2 The block consists of two part two-storey/part three-storey wings (east and west) fronting Dukes Ride and linked by a single-storey glazed element. Both wings have been designed so as to look different to each other and have the appearance of two separate large buildings. The proposal also provides a part two-storey/part three-storey element extending out into the rear of the site (rear wing).

5.3 The building is of traditional design with features such as pitched roofs, projecting gabled bays and sash windows to pick up local design cues. Proposed materials include contrasting areas of

facing brick and areas of painted render with decorative tile hanging to upper floor gables and stone cills and window heads.

5.4 The development would have one main access point off Dukes Ride close to the boundary with no. 52 Dukes Ride serving an access road running north close to the boundary with no. 52 Dukes Ride. Parking would be located within the north-western part of the site. Landscaping in the form of trees is proposed to enhance existing vegetation. Grassed amenity space is proposed around the building with the largest area located within the north-eastern corner of the site.

6. REPRESENTATIONS RECEIVED

Crowthorne Parish Council:

6.1 Crowthorne Parish Council has considered the application as amended and recommends Refusal on the following grounds:

1. Insufficient parking provision
2. Overbearing and out of character with neighbouring properties
3. Light pollution to 52 Dukes Ride

Wokingham Without Parish Council

6.2 Raises concerns including:

- Harmful impact on character of area
- Impact on living conditions of nearby residents
- Inadequate car parking.

Other representations:

6.3 Seventy five objections were received at the time this report was written from separate addresses.

The concerns raised have been summarised below:-

- Inappropriate development on greenfield land that has not been allocated [*Officer Comment: The site is located within the settlement whereby development of this nature is acceptable in principle*]
- Adverse impact upon surrounding residential amenity [*Officer Comment: These concerns are addressed under section 9 - Residential Amenity.*]
- Lack of parking, traffic and highway safety. [*Officer Comment: These concerns are addressed in section 9 - Transport Implications*]
- Adverse impact upon the character and appearance of the area through inappropriate scale, massing, design, density and loss of character buildings. [*Officer Comment: These concerns are addressed under section 9 - Impact Upon Character and Appearance of the Area. However regarding the loss of the existing buildings, the Inspector when assessing the previous scheme at appeal, had no concerns with the loss of the buildings which included an additional building at no. 52. The two buildings that are to be demolished are not listed, not located within a conservation area and are not considered to form non-designated heritage assets.*]
- Impact upon local wildlife and the Thames Basin Heaths SPA. [*Officer Comment: These concerns are addressed in section 9 - Biodiversity and The Thames Basin Heaths SPA.*]

- Impact upon Trees. *[Officer Comment: This concern is addressed in section 9 - Trees.]*
- Is there a need for this type of accommodation? *[Officer Comment: The Inspector when determining the appeal for the refusal of application 07/01165/FUL did not dispute the proposed nature of the development. If the developers are willing to provide such accommodation then there must be a recognised need.]*
- Waste and Odour *[Officer Comment: Any issues regarding waste and odour from the proposed bin store can be dealt with under separate health and safety legislation.]*
- Impact upon GP facilities in the area *[Officer Comment: It is not for this application to determine whether there are sufficient health facilities in the area it is for other bodies to provide health facilities to meet the needs of the population and the Council can allocate CIL funds towards such provision if appropriate].*
- No public consultation from the developer. *[Officer Comment: It is best practice that developers seek the views of the local residents at the early stages of development planning. However they do not have to do this and this application has been the subject of public consultation at every stage, which includes various revised submissions.]*

7. SUMMARY OF CONSULTATION RESPONSES

Wokingham Borough Council

Had no comments to make.

Environmental Health

Recommends conditional approval.

Transportation Officer

Recommends conditional approval.

Biodiversity Officer

Recommends conditional approval

Tree Officer

Recommends conditional approval.

Berkshire Archaeology

No objection subject to a condition.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary planning policies and associated guidance applying to this 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	CS16, CS17 of CSDPD, Saved policy H8 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
Trees, Landscape and Biodiversity	Saved policies EN1, EN2 and EN20 (ii) of BFBLP, CS1 and CS7 (iii) of CSDPD	Consistent
SPA	CS14 of CSDPD, NRM6 of SEP, Saved policy E3 of BFBLP	Consistent
Sustainability (resources)	CS10 and CS12 of CSDPD	Consistent
Archaeology	Saved policies BFBLP EN6 and EN7 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD		
Planning Obligations SPD		
Character Areas Assessment SPD		
Thames Basin Heath Special Protection Area (SPD)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
Bracknell Forest Community Infrastructure Levy Charging Schedule (2015)		
The House of Commons: Written Statement (HCWS161) Sustainable Drainage Systems		

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. Trees
- iv. Impact on residential amenity
- v. Transport implications
- vi. Biodiversity
- vii. Sustainability (resources)
- viii. Affordable Housing
- ix. Thames Basin Heaths Special Protection Area
- x. Drainage
- xi. Archaeology
- xii. Planning obligations

i. PRINCIPLE OF DEVELOPMENT

9.2 The site lies within a settlement and will contribute to meeting the housing needs of the community. It is therefore considered to be acceptable in principle complying with CSDPD Policies CS1 and CS16 and the NPPF. The remainder of this report considered matters of detail.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

(i) Site Layout

9.3 As noted above the application site currently contains two large detached houses. The frontage of the on the eastern part of the site (No 48) contains a number of trees, that of No 50 is more open. The boundary treatment of both is a low wooden fence.

9.4 The application site lies in Area B (West Crowthorne) of the Crowthorne study area. A number of points in this SPD are relevant to development in Dukes Ride including the importance of boundary treatments in blending different plot sizes and buildings styles into a cohesive character. In this regard hedges and low walls are identified as the predominant boundary treatment. Building materials are noted to be predominantly red brick, with the odd use of yellow brick and render.

9.5 The proposed building is set back from Dukes Ride to respect the general building line along this part of the road. A single-storey bin store/cycle store/buggy store is located close to the front entrance into the site but set slightly back to allow planting to take place around it and for further planting on the site's frontage to maintain and reinforce existing hedging.

9.6 The layout of the proposed scheme is considered to represent a sympathetic development that respects the pattern of built form surrounding the site and the existing building line along this part of Dukes Ride. It provides a suitable balance between built-form, amenity space and parking.

9.7 Adequate landscaping has been incorporated in order to soften the proposed building from the Dukes Ride frontage and surrounding residential properties. Details of landscaping are to be conditioned.

(ii) External appearance of the dwellings

9.8 The proposed building would have two large wings on the Dukes Ride frontage, connected by a single-storey glazed element. This is considered to address the appeal Inspector's concerns regarding the mass of the building and how it is read within the streetscene. The single-storey glazed central element provides a link essential to the use of the building but at the same time breaks up the mass of the building on the frontage. The rear wing of the proposed building, again connected by the single-storey glazed element, is considered to be set back sufficiently so as not to fill the gap when viewed from Dukes Ride.

9.9 Through the submission of amended plans the applicant has set out to address early concerns expressed by officers regarding the design of the building. The applicant was required to provide a design sympathetic to its surroundings and yet have distinguishing features on the two wings facing Dukes Ride which means the wings read as two separate buildings. The design was also changed to address residential amenity concerns regarding the height of the flank walls, both east and west, so that they were two storey. The building, when seen from the street, and with the flank wall changes, is considered to appear as having two sympathetic yet differing wings.

9.10 The external materials proposed are considered to be in keeping with other buildings on Dukes Ride, and in line with the Character Areas SPD, and at the same time resulting in two wings to the building that differ from each other and resemble stand alone buildings. A condition is recommended to be imposed to secure final details of the materials.

9.11 Further screening and landscaping will be established within the site to soften the development's appearance from neighbouring properties and views from Dukes Ride.

9.12 Overall the external appearance of the building, subject to suitable materials, is considered in keeping with the character and appearance of the area and addresses concerns raised previously

at appeal for a similar development albeit bigger in scale to the one assessed under this submission.

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

iii. TREES

9.14 A number of trees in the centre of the site are proposed to be removed but the trees on the site's boundary, covered by a TPO, are to be retained. Where hard-surfacing is proposed close to trees to be retained construction is to be carried out in accordance with methodology contained in the submitted Tree Protection Plan and an Arboricultural Impact Assessment and Methodology Report (June 2015) to avoid damage to root protection areas. This approach is considered acceptable and can be secured by condition.

9.15 Overall, subject to the imposition of suitable conditions, it is considered that the proposal would not adversely affect protected trees on and adjoining the site which are important in the street scene. The application is therefore considered to be in accordance with BFBLP Policies EN1 and EN20 and CSDPD Policies CS1 and CS7.

iv. RESIDENTIAL AMENITY

(i) Impact upon the living conditions of adjoining properties

9.16 The impact on the following properties, considered to be those most affected by the proposal, has been assessed as follows:

8 Thornbury Close

9.17 No. 8 Thornbury Close is located north of the site. There is natural screening consisting of trees and hedging between the neighbouring property and the site approximately 4.5m high. There are areas along this boundary where trees have been lopped however there is a substantial screen between the two sites.

9.18 The proposed northern part of the building has now been located so that it has first-floor windows no closer than 10m to the boundary with no. 8 Thornbury Close. There are no first floor rear-facing windows closer than 22m to the rear of no. 8 Thornbury with a rear facing window also being 21m from the side of the property. There are second floor rooflights within the roof that would be located 1.7m above floor level so as to avoid overlooking.

9.19 All these distances and heights of rooflights meet with Council guidelines and it is not considered that any significant overlooking of no. 8 Thornbury would result.

9.20 Also given the distances, existing screening and proposed planting the building would not appear unduly overbearing and would not significantly overshadow this property.

9.21 The proposed parking at the rear of the site is not considered to be so close as to result in any unacceptably adverse impacts upon the residential amenity of this dwelling or its garden.

7 Wiltshire Avenue

9.22 This property is a chalet style bungalow that backs onto the site. The proposed eastern flank of the building closest to 7 Wiltshire Avenue would be located 23m from the rear of the property. Given this separation it is not considered that any unacceptably adverse overlooking would arise

or that the proposed building would appear overbearing and/or overshadow this neighbouring property.

9.23 In order to address the perception of being overlooked cill heights at first floor level have been raised, lower parts of the first floor windows will be obscure glazed and any side-facing rooflights will be 1.7m above floor area to avoid any overlooking.

Stoney Stacks

9.24 Stoney Stacks, like 7 Wiltshire Avenue, shares a boundary with the site and is located to the east. The closest point of the building (stairwell) is 13.6m from the rear of Stoney Stacks. Given this distance it is not considered that the proposed building will result in any unacceptably adverse overlooking or appear overbearing or overshadow this neighbouring property.

9.25 In order to address any perception of overlooking cill heights at first floor level have been raised, lower parts of the first floor windows will be obscure glazed and any side facing rooflights will be 1.7m above floor level.

52 Dukes Ride

9.26 No. 52 Dukes Ride shares a boundary on the western side of the site and its principal elevation faces east towards the application site. The closest part of the proposed western wing would be some 15.5m away from this elevation. The proposed west facing flank wall has been reduced to 2 storeys in height so that the impact is similar to the existing relationship with the house at no. 50.

9.27 As per 7 Wiltshire Avenue and Stony Stacks this side to rear/front relationship is considered to be acceptable with no unacceptably adverse overlooking or overbearing/overshadowing impacts.

9.28 The lower panes at first-floor level facing west in the front wing will be obscure glazed and any side-facing rooflights will be 1.7m above floor area to avoid any unacceptable overlooking.

9.29 The rear wing of the building would have 3rd floor Juliet balcony windows no closer than 25m from the boundary with no. 52 Dukes Ride with the Council guideline distance being 15m. There would be no direct window to window overlooking from the rear wing and the rear of no. 52 Dukes Ride. As such it is not considered that the rear wing of the building would result in any significant overlooking or overshadowing and would not appear unduly overbearing due to the distances quoted above.

9.30 The proposed access road along the side of the boundary with no. 52 Dukes Ride will result in an increase in activity on the boundary. However the majority of the access road would be east of the adjoining property's garage and driveway with only a short length being close to the rear garden of no. 52. It is not considered that the driveway and parking would result in any significant adverse impacts upon the residential amenity of the occupants of no. 52 Dukes Ride.

(ii) Living conditions of future residents

9.31 Due to its orientation and design the proposed development does not result in any adverse overlooking and/or overbearing impacts upon any of proposed residential units. It is considered that adequate amenity space is provided around the proposed building.

Conclusion on residential amenity:

9.32 Given the assessment made above the proposal as a whole is not considered to result in any significantly harmful impacts upon residential amenity. As such the proposal is considered to comply with saved BFBLP Policy EN20 proviso (vii) and the NPPF.

v. TRANSPORT IMPLICATIONS

Access

9.33 The site is located on Dukes Ride, a busy classified road. The new proposed site access would be on the boundary of a 30mph speed limit and a 20mph zone. There is traffic-calming in the form of road humps along this stretch of Dukes Ride.

9.34 There are currently 3 accesses serving the existing residential properties (nos. 48 and 50 Duke's Ride). These would be removed under the proposal and replaced with one single point of access at the western end of the site. The access to the site would be located approximately 30 metres to the east of the junction of Dukes Ride with Heath Hill Road North. The removal of existing points of access is considered to provide a highway safety benefit.

9.35 The Site Plan, as amended, shows visibility splays of 43 metres in either direction at a set-back of 2.4 metres into the proposed site access. Visibility splays can be provided within the highway and the application site itself and therefore these visibility splays can be secured by planning condition.

9.36 Works to close existing accesses and create a new access will require the consent of the Local Highway Authority. This may include requirements to amend the position of the existing 30mph and 20mph speed limit zone at the applicant's expense.

9.37 The width of the proposed access has been amended to 4.8 metres. This will enable two vehicles to pass each other at the site access and be clear of Dukes Ride. The internal access road is to be a shared surface with a 4.1 metre width. This would be acceptable for vehicular and pedestrian access within the site. It narrows to 3.7 metres around the corner of the building. This is not a concern as there is a separate turning area for servicing vehicles being provided to the front of the building. This short 3.7 metre wide narrowing would be acceptable given the low car and pedestrian movements likely along this access road. A gated access is being proposed which is set-back 6 metres from the edge of the road. This would enable a standard car to pull clear of the carriageway.

9.38 A separate gated pedestrian access which is 900mm wide is proposed adjacent to the vehicular access.

Deliveries and Servicing

9.39 As noted above a turning space which could accommodate domestic delivery vehicles is proposed which should be secured by planning condition. A refuse vehicle would not enter the site and a communal bin store is proposed within a suitable distance of Dukes Ride for collection.

Parking

9.40 17 car parking spaces are proposed, including a disabled parking space. The Bracknell Forest Borough Parking Standards (2007) indicates that 1 parking space is required per 1.5 units and that 1 visitor parking space is required per 4 units for sheltered accommodation. Against this standard there is a shortfall of 14 car parking spaces within the site.

9.41 The site is located close to the centre of Crowthorne with access to a range of shops and facilities. Dukes Ride is a bus route and, though services are limited, residents could walk to the

town centre and the junction of Dukes Ride and High Street for access to a wider range of bus services. The location of the site could therefore support travel by non-car modes for many people and both buggy parking and cycle parking are proposed which will assist this.

9.42 The scheme has been revised reducing the number of flats from 33 to 32. Also, the mix of the flats has been reduced from 7 no. 1 bed flats and 26 no. 2 bed flats to 11 no. 1 bed flats and 21 no. 2 bed flats.

9.43 The Report of Transport Considerations, submitted with the application, indicates that 14 to 15 car parking spaces would be adequate, based on surveys of peak parking demand at other similar sites. The provision of a slightly greater amount of car parking than this reflects the view that car ownership for the two-bedroom apartments may be a little higher than that of the one-bedroom apartments.

9.44 There may be some overspill parking on surrounding roads, where parking is generally unrestricted, from visitors. If this took place on Dukes Ride it would affect the free-flow of traffic on that road and parking adjacent to the access would affect access and visibility. Parking restrictions apply further east of the site along Dukes Ride and at junctions and the Local Highway Authority would seek to implement a traffic regulation order for parking restrictions on Dukes Ride across the site frontage and other areas of local residential roads as considered appropriate.

9.45 Overall the Local Highway Authority considers that the level of parking provision proposed is acceptable subject to an age-restriction on those occupying the proposed accommodation (minimum age of 65 years) and the on-site car parking being unallocated in order to maximise the use of available parking on the site.

9.46 The internal access road and parking areas will need to be appropriately surfaced, drained and lit. This should be secured by planning condition.

Trips

9.47 The Report on Transport Considerations indicates that the proposal will give rise to 56 two-way trips over the course of a typical day and that the existing dwellings could create in the region of 16 two-way trips.

9.48 To conclude, with suitable conditions and planning obligations to restrict occupants to those with a minimum age of 65 and to secure contributions to TROs, the proposal is not considered to result in any unacceptable highway safety implications and is therefore considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

vi. BIODIVERSITY

9.50 The proposal, subject to conditions, is considered acceptable in terms of biodiversity and therefore accords with Core Strategy Policies CS1 and CS7 and the NPPF.

vii. SUSTAINABILITY (RESOURCES)

9.51 Since the Government's Ministerial statement of the 26th March 2015 for residential development CSDPD Policy CS10 is only taken to require the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. An adequate Sustainability Statement has not as yet been received therefore a condition is recommended to be imposed in order to secure this.

9.52 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. No Energy Demand Assessment has been submitted therefore again a condition is recommended to be imposed in-order to secure this.

viii. AFFORDABLE HOUSING

9.53 CSDPD Policy CS17 and BFBLP Policy H8 seek the provision of a level of affordable housing on suitable development sites, taking account of the economics of provision. The policies are consistent with the NPPF.

9.54 The proposal would see the implementation of 32no. flats for elderly people. This goes beyond the threshold of 15 units and therefore the applicant is required to provide 25% of the proposed units as affordable housing. Due to the nature of the development it has been accepted in other cases that on-site affordable housing is not appropriate and that suitable financial contributions could be an acceptable solution. The applicant has stated their willingness to provide a financial contribution towards the provision of off-site affordable housing to offset the lack of on-site affordable housing. It is recommended that an acceptable contribution is secured by way of a Section 106 Legal Agreement.

ix. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

9.55 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 SPA is likely to have a significant effect on the SPA, either alone or in combination with other plans or projects.

9.56 This site is located approximately 0.82 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.

9.57 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.

SPA Avoidance and Mitigation Measures

a) The provision of Suitable Alternative Natural Greenspace (SANG) and its on-going maintenance in perpetuity.

9.58 In accordance with the SPA SPD, the development will be required to provide alternative land (SANG) to attract new residents away from the SPA. As this development leads to a net increase of less than 109 dwellings, the developer may make a payment contribution towards strategic SANGs (subject to SANGs capacity in the right location within Bracknell Forest).

9.59 The cost of the SANG enhancement works will be funded through the Community Infrastructure Levy (CIL) whether or not this development is liable for CIL. This is equal to 9.5% of the total SANG contributions set out in the SPA SPD Summary Table 1. The remaining SANG contributions will be taken through Section 106 contributions.

9.60 The enhancement of open space works at The Ambarrow Hill/Court SANG is the most appropriate to this proposal.

9.61 An occupation restriction will be included in the Section 106 Agreement. This is to ensure that the SANGs enhancement works to be secured by the CIL 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

b) Strategic Access Management and Monitoring (SAMM) Contribution

9.62 The development will also be required to make a contribution towards SAMM. This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it

Conclusion on SPA mitigation

9.63 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.

9.64 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 be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

9.65 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.

x. DRAINAGE

9.66 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.

9.67 The applicant has submitted a Drainage Strategy which the Council's Drainage Engineer considers acceptable and should be conditioned so that it is fully implemented on site.

xi. ARCHAEOLOGY

9.68 There are potential archaeological implications associated with this application as identified on Berkshire Archaeology's Historic Environment Record. The site lies immediately adjacent to the Devil's Highway, the Roman Road from *Londinium* (London) to *Calleva Atrebatum* (Silchester). The route of the Road is known to the east and west of Crowthorne and in places, such as on Bagshot Heath, stretches of the Road are protected as a nationally important Scheduled Monument. The course of the Roman Road within the built-up area of Crowthorne is less certain although one of the roadside ditches was thought to have been identified in Wiltshire Avenue in 1993.

9.69 Perhaps more significantly a series of Roman settlements and buildings are known to lie close to the line of the Roman Road, some probably servicing the needs of travellers along this important route from London to the west. The large Roman settlement at Wickham Bushes lies to the east of Crowthorne and is a nationally important Scheduled Monument. Further to the east in Sunningdale two possible Roman buildings are thought to lie close to the line of the road, one of which included a tessellated pavement and may represent a villa site. To the west in Finchampstead at Wheatlands Manor, there is another Roman settlement that straddles the line of the Roman and this also is a Scheduled Monument.

9.70 Although the site at 48-50 Duke's Ride has witnessed some development from the construction of the existing buildings, areas of the application site are largely undeveloped garden areas. There are therefore reasonable grounds to suggest that the site at 48-50 Duke's Ride may contain surviving buried remains relating to the Roman road and other Roman features which may be impacted by the proposed development. As it is unlikely that such remains would merit preservation *in situ*, the mitigation of the impacts of development can be secured by condition. This is considered to be in accordance with saved BFBLP Policies EN6 and EN7 and the NPPF.

xii. PLANNING OBLIGATIONS

9.71 The proposal would be CIL liable. The application site lies within the zone of Sandhurst/Crowthorne. In the event of planning permission being granted, a CIL Liability Notice (CLN) will be issued for the development.

9.72 The following obligations will be included within a Section 106 Legal Agreement:-

- affordable Housing contributions;
- Thames Basin Heaths SPA mitigation;
- An occupancy restriction so that minimum age for occupancy of the flats is 65 years; and
- a contribution to any costs associated with the making of TROs in the area linked to this development.

10. CONCLUSIONS

10.1 This site is located within the settlement and therefore the proposed development is considered to be acceptable in principle. The 32 flats (30 net increase in dwellings) contribute to the Council's housing supply which is a material consideration.

10.2 A large number of objections were received. The report has sought to address these.

10.3 In terms of visual character, and subject to appropriate materials and finish, the development is considered to be sympathetic within the streetscene when viewed from Dukes Ride. The layout, bulk, massing and design are considered to have addressed concerns raised by an Inspector at the appeal of a previous refusal on this site and land at no. 52 Dukes Ride, insofar as the building although linked by a single-storey glazed element is sufficiently broken up visually so as not to detract from its setting.

10.4 The proposed vehicular access to the site and parking layout are acceptable to the Highway Authority subject to conditions and a Section 106 obligation restricting the age of the occupants to a minimum age of 65. As such the proposal would not result in any over-riding highway safety concerns.

10.5 The impact of the proposal on the living conditions of the occupiers of nearby houses, in terms of the proposed flats, parking and access, has been carefully considered. The scheme, as amended, is now considered acceptable in this regard.

10.6 It is concluded that the proposed development provides housing without compromising the character and appearance of the area, residential amenity or highway safety. The application is therefore recommended for approval subject to appropriate conditions and the completion of a Section 106 legal agreement to secure the matters referred to in Section 9(xi).

11. RECOMMENDATION

Following the completion of planning obligations under Section 106 of the Town and Country Planning Act 1990 relating to:-

01. a financial contribution to the off-site provision of affordable Housing;
02. mitigation of impacts on the Thames Basin Heaths SPA;
03. an occupancy restriction so that minimum age for occupancy of the flats is 65 years; and
04. a financial contribution to TROs linked to the development.

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 and documents:-

ASP.14.018.202/J Amended Sections received 27 May 2015.

ASP.14.027.001/G Amended Location and Block Plan received 27 May 2015.

ASP.14.027.002/I Amended Site Plan received 27 May 2015.

ASP.14.027.100/G Amended Proposed Ground Floor Plan received 27 May 2015.

ASP.14.027.101/H Amended Proposed First Floor Plan received 27 May 2015.

ASP.14.027.102/G Amended Proposed Second Floor Plan received 27 May 2015.

ASP.14.027.103/G Amended Proposed Roof Plan received 27 May 2015.

ASP.14.027.200/H Amended Elevations received 27 May 2015.

ASP.14.027.201/F Amended Elevations received 27 May 2015.

Biodiversity Report received 27 October 2014.

Report of Transport Considerations received 27 October 2014.

Drainage Strategy received 25th June 2015.

Tree Protection Plan received 26th June 2015.

Arboricultural Impact Assessment and Methodology received 26th June 2015.

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 first floor windows in the east facing elevation of the east wing and the west facing elevation of the west wing of the building hereby permitted shall not have the lower half of the windows glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). The windows shall be fixed shut with the exception of the top half being openable.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

05. All rooflights at second floor level shall be installed so that the lower cill is 1.7m above floor level.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

06. No windows at first floor level or above other than those shown on the approved drawings shall be inserted in the west elevation of the west wing, the east elevation of the east wing and east elevation of the rear wing hereby approved.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

07. The development hereby permitted shall not be begun until details showing the finished floor levels of the building, bin/scooter store and the levels of the road and parking hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

08. 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 propose 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 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, visual amenity of the area and biodiversity.

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

09. No development shall take place until the implementation of a programme of archaeological work (which may comprise more than one phase of work) has been secured in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority.

REASON: The site lies in an area of archaeological potential, particularly for Roman remains. The potential impacts can be mitigated through a programme of archaeological work in accordance with national and local planning policy.

REASON: In the interests of the archaeological and historical heritage of the Borough.

[Relevant Policies: BFBLP EN6, EN7]

10. 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. Any site clearance during this period shall be undertaken in compliance with the approved scheme.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

11. No development shall take place (including demolition, ground works and site clearance) until a method statement for the sensitive demolition to avoid the potential of harm to bats in any buildings on site 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 in accordance with the approved method statement.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

12. The demolition of buildings as identified in Abbas Ecology's report dated September 2014 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.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

13. If more than 2 years elapse between the previous bat and reptile surveys and the due commencement date of works, updated bat and reptile surveys 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.

REASON: To ensure the status of bats and reptiles on site has not changed since the last survey.

14. All ecological measures and/or works shall be carried out in accordance with the details contained in Abbas Ecology's report dated September 2014 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

15. 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

16. 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]

17. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include control of dust, smell, and other effluvia. The approved scheme shall be performed, observed and complied with.

REASON: In the interest of amenity.

18. Demolition or 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. The measures included in the approved scheme shall be implemented prior to the first occupation and use of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme.

REASON: In the interest of amenity.

19. If ventilation equipment or air conditioning equipment is to be installed, no development shall begin until a scheme has been submitted to and approved in writing by the Local Planning Authority for the control of noise emanating from noise sources. The measures included in the approved scheme shall be implemented prior to the first occupation and use of the building that they relate to and thereafter the measures shall be operated in accordance with the approved scheme.

REASON: In the interest of residential amenity.

20. No development shall take place until details in respect of measures to:

(a) Minimise, re-use and re-cycle waste, including materials and waste arising from demolition;

(b) Minimise the pollution potential of unavoidable waste;

(c) Dispose of unavoidable waste in an environmentally acceptable manner;

have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented during the course of all building operations.

REASON: In the interest of amenity.

21. No development shall take place until details of on-site refuse storage for any waste (arising from the legitimate use of the development) awaiting disposal have been submitted to and approved in writing by the Local Planning Authority. The details should include the method used to determine the size/capacity of the proposed covered bin store, and whether any additional bin storage areas will be required, and whether any such additional bin storage areas will be open air storage. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: In the interest of amenity.

22. No information has been submitted regarding potential existing contamination of the site with harmful substances. The records held by this Department do not indicate any contamination on this site. However, should evidence of contamination be discovered, then a scheme to deal with this contamination should be submitted and approved in writing by the Local Planning Authority. The scheme should include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, buildings and environment, when change of use takes place. The approved scheme shall be performed, observed and complied with.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

[Relevant Policies: BFBLP EN25]

23. 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]

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]

25. The development hereby approved shall be implemented in accordance with the approved Drainage Strategy submitted 25.06.15.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

26. All Tree protection and construction of hardsurfacing shall be carried out in accordance with the Tree Protection Plan and Arboricultural Impact Assessment and Methodology (June 2016)

REASON: In the interests of tree protection and visual amenity.

[Relevant Plans and Policies: BFBLP EN20 and EN1, CSDPD Policies CS1 and CS7]

27. No dwelling shall be occupied until the existing accesses to the site have been closed and the footways/verges are provided over the closed accesses 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]

28. No dwelling shall be occupied until the vehicular and pedestrian access from Dukes Ride has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

29. No dwelling shall be occupied until all the visibility splays shown on the approved drawings 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.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

30. No dwelling shall be occupied until the associated vehicle parking and on-site turning 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]

31. There shall be no restrictions on the use of the car parking spaces shown on the approved plan for the occupiers of, or visitors to, the building hereby permitted.

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]

32. No dwelling shall be occupied until the covered bin store/cycle store/buggy store has been provided in accordance with the approved drawings.

REASON: In order to ensure that bin storage and bicycle and buggy parking is provided.

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

33. 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

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 (d) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

Informatives:

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: 01, 02, 04, 05, 06, 13, 14, 15, 18, 25, 26 and 31.

03. The applicant is advised that the following conditions require discharging prior to commencement of works: 03, 07, 08, 09, 11, 12, 16, 17, 19, 20, 21, 23, 24 and 33.

04. The following conditions require discharge prior to the occupation of the dwellings hereby approved: 27, 28, 29, 30 and 32.

05. 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.

In the event of the S106 planning obligation(s) not being completed by 15th December 2015 the Head of Planning be authorised to **REFUSE** the application on the grounds of:-

01. In the absence of a planning obligation to secure contributions towards affordable housing in terms that are satisfactory to the Local Planning Authority, the proposal is contrary to Policy H8 of the Bracknell Forest Borough Local Plan, Policy CS16 of the Core Strategy Development Plan Document and to Supplementary Planning Guidance on Affordable Housing (adopted September 2003),

02. The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicants have not satisfactorily mitigated the development to comply with the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012. In the absence of a section 106 planning obligation to secure suitable mitigation measures, the proposal would therefore 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 to the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) 2012.

03. The applicant has failed to provide an adequate and safe parking layout for the unrestricted C3 Residential Use and this could lead to vehicles parking on the highways to the detriment of road safety. The proposed development is therefore contrary to Local Plan Policy M9 and Core Strategy Policy CS23 and the NPPF.

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Appeal Decision

Inquiry held on 22 and 23 July 2008

Site visit made on 23 July 2008

by **David Leeming**

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
13 August 2008

Appeal Ref: APP/R0335/A/08/2068170 48-52 Dukes Ride, Crowthorne, RG45 6NX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by McCarthy & Stone Assisted Living against the decision of Bracknell Forest Borough Council.
- The application Ref 07/01165/FUL, dated 13 November 2007, was refused by notice dated 31 January 2008.
- The development proposed is redevelopment to form 50 extra care units for the frail elderly.

Decision

1. I dismiss the appeal.

Procedural Matter

2. At the Inquiry an executed copy of a Section 106 Unilateral Undertaking was submitted. This makes appropriate provision towards affordable housing, transport facilities and avoidance and mitigation in respect of the Thames Basin Heaths Special Protection Area. It was accepted by the Council that the Undertaking overcame three of their reasons for refusal of planning permission.

Main issue

3. As agreed at the Inquiry, the main issue is whether the proposed development would have an unacceptable impact on the character and appearance of the site and the surrounding area by reason of its scale, mass, design and layout.

Reasons

4. Dukes Ride is a mainly residential road with a sylvan aspect along most of its length, arising from the densely landscaped frontages to the majority of the properties. For the most part the frontages are narrow but extend well back from the road. The original development took the form of large detached houses with steeply pitched roofs and these remain a significant element and distinctive feature that, in addition to the landscaping, helps to define the character of this part of Crowthorne. More recently there have been some flatted developments, these being located to the east of the appeal site, nearer the town centre, as well as beyond the junction with New Wokingham Road, some distance to the west.

5. The site currently contains 3 large houses on generous individual plots. The Council are not opposed in principle to their removal and the redevelopment of the composite site for extra care living accommodation in a single flatted (albeit smaller) building of contemporary style.
6. The size of the proposed building, with an unbroken frontage of some 67 metres, would considerably exceed the scale of that of any other development along the road, including the more recent blocks of flats. Its appearance too would be unlike that of any other development within the area.
7. In the appellants' view, although clearly different to those existing in the vicinity, the building would create local distinctiveness, in accordance with paragraph 36 of Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1) and would also meet the tests in paragraph 69 of Planning Policy Statement 3: *Housing* (PPS3), which lists criteria when determining planning applications. However, as PPS1 advises, creating or reinforcing local distinctiveness should be in response to the local context. It is a key principle of PPS1 that design which is inappropriate in its context should not be accepted. Moreover, PPS3, in paragraph 16, advises that, when assessing design quality matters, it is necessary to consider whether a building is well integrated with and compliments the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.
8. With regard to local plan policy, the appellants detect a conflict between the requirements of saved Policy EN20, which predates the advice in PPS1 and PPS3, and the Council's recent policy on design in CS7 of their adopted Core Strategy Development Plan Document. In respect of the former, the appellants note, among other things, the requirement for new development to be 'in sympathy' with the appearance and character of the local environment, whereas in Policy CS7 there is the requirement to 'respect' local patterns of development and to provide 'innovative architecture'.
9. I do not interpret Policy EN20 as requiring replication in scale, design, layout or an appearance of similar age to others. Rather, the reference to 'in sympathy' seems to me to be a requirement to work with the design principles that have informed the development within the area to date. Despite a good deal of variety in the style and appearance of the buildings in Dukes Ride and adjacent roads, by and large the more recent developments pick up on earlier design aspects, including the pitched roofs and gabled frontages. Whilst these other recent developments are contemporary, there is a restrained aspect in the use of materials and in the general finish, which compliments the older buildings.
10. Taken in isolation, I do not doubt that the appeal building exhibits an appropriate scale, design and layout for the use proposed and that, given the substantial size of the combined plot, it could be accommodated on the site without appearing cramped or as over development there. The existing houses on the site and those adjacent on Dukes Ride are substantial dwellings with a similar height to the ridge. However, in noticeable contrast, despite the proposed articulation, the replacement building would present a solid mass and an extensive roofscape that, even having regard to the recent flatted accommodation, would be of a scale quite uncharacteristic of development within Dukes Ride. The presence of the building would be further emphasised by its uncharacteristic and uncompromisingly modern-looking curved roof

- forms. In the context of the prevailing restrained residential character and appearance of Dukes Ride and adjacent side roads I therefore consider that the proposed development would be a jarring element in the street scene. Despite also being for residential purposes, it would thus fail to compliment the neighbouring properties and the wider area or to respect local patterns of development.
11. I have taken into account the fact that views of the development would be limited, particularly in the summer months, by the extensive frontage and other boundary landscaping. However, the fact that it may not be unduly prominent does not alter my finding that the building would fail to integrate successfully into the surroundings. The proposed development would thus be contrary to Policy EN20 of the Local Plan and Policy CS7 of the Core Strategy Development Plan.
 12. The Council raise secondary issues concerning the design of the building, criticising what they see as its minimal elements of relief to the frontage and the absence of any front entrance to address the street. However, I consider that the degree of articulation to the front is adequate. The placing of the entrance away from the frontage is a functional requirement of the type of accommodation to be provided; and from the layout of the access it is clear where the entrance is located. It is otherwise clear from the design of its frontage, that the building would address the street. I therefore consider that, as regards these secondary elements of design, the building would exhibit an acceptable standard.
 13. In the context of the Council's acceptance of a single building on the site, I consider that a single access point would not be inappropriate and would not necessarily be discordant in the street scene, even though the plot width would be untypical of the narrow adjoining frontages. Neither, in my view, would a metal boundary fence necessarily create an urban feel.
 14. Despite my findings on the points mentioned in paragraphs 12 and 13 above, I consider that the proposed development would have an unacceptable impact on the character and appearance of the surrounding area by reason of its scale, mass, design and layout.
 15. I acknowledge the fact that a key objective of PPS3 is the efficient and effective use of land. A smaller building, as sought by the Council, might be considered to fail in that regard. However, a necessary constraint is that the quality of the local environment should not be compromised. Despite the fact that the proposed development would undoubtedly be an efficient use of the site, I consider, for the reasons outlined above, that it would compromise the quality of the local environment.
 16. It is not in dispute that the appeal site is brownfield land and in a sustainable location. I acknowledge that the Unilateral Undertaking provides a significant contribution for affordable housing on sites elsewhere in the Borough, as well as other financial contributions. These factors are material considerations that carry weight in favour of the development. I note too that the Council have no allocated sites for extra care accommodation within the Borough nor any criteria based policies to identify appropriate sites. As a result, I accept that they are reliant on windfall sites to meet this need. Even so, it is not argued

by the appellants that there are no other possible sites within the Borough where the required accommodation could be provided or that the need for this type of accommodation should outweigh identified harm to character and appearance. Indeed, my view is that the factors in favour of the development do not outweigh the harm I have found.

17. There was some discussion at the Inquiry about the Crowthorne Village Design Statement, to which the Council referred in their written statement. For the avoidance of any doubt, I agree with the appellants that, aside from its purely descriptive content, the Statement does not reflect current policy requirements. Since this document has not been adopted by the Council as a Supplementary Planning Document it can, in any event, carry only limited weight.
18. I have taken note of other appeal decisions that form part of the appellants' evidence. However, the circumstances of these are not directly comparable to those at the appeal site. In my view, the decisions in question do not set a precedent for the present appeal, which I have considered on its own merits.
19. Various other concerns have been expressed by interested third parties. These include the impact of the development on living conditions; transport matters - including parking, safety of the access and the impact of additional traffic on Dukes Ride; the impact of the development on local wildlife and on drainage infrastructure. However, the Council consider that these concerns are either unjustified, carry insufficient weight to justify refusal of planning permission or could be overcome by condition. I see no reason to disagree.
20. For the reasons given above I conclude that the appeal should be dismissed.

David Leeming

INSPECTOR

Unrestricted Report

ITEM NO:

Application No.
15/00082/FUL

Ward:
Little Sandhurst And
Wellington

Date Registered:
9 February 2015

Target Decision Date:
6 April 2015

Site Address:

92 High Street Sandhurst Berkshire GU47 8EE

Proposal:

Erection of 3no two-storey terraced houses and a three-storey building containing 6no flats provision of vehicle parking and circulation areas; cycle and bin storage, private gardens and communal amenity space following the demolition of existing buildings.

Applicant:

Mr A Shenton, Mr P Shenton & Mrs A Simpson

Agent:

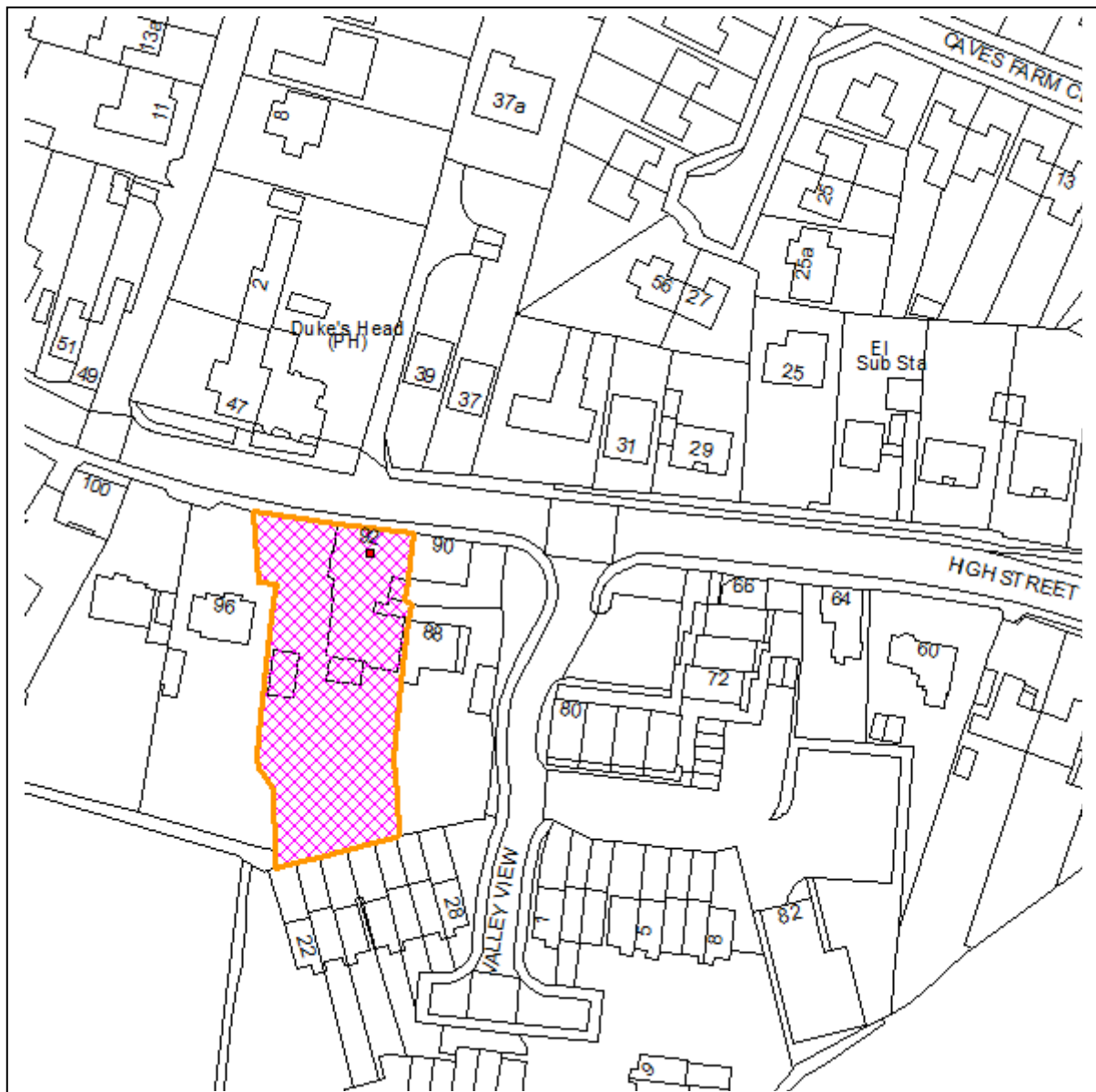
Mr Jim Bailey

Case Officer:

Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

1.1 The proposal is for the erection of 3no two-storey terraced houses comprising 3 bedrooms each (plots 7, 8 and 9) and a three-storey building containing 6no flats comprising 3no. 1 bedroom flats and 3no. 2 bedroom flats.

1.2 The proposal would not adversely impact upon the residential amenities of neighbouring properties or the living conditions of future occupiers. The number of units, design and layout would not be harmful to the character and appearance of the area and overall the development would integrate well into the surrounding area.

1.3 No adverse highway implications would result from the proposal subject to conditions and further conditions are recommended in relation to trees, biodiversity and sustainability. SPA mitigation will be secured.

RECOMMENDATION

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

Within a local parade – Old Mills Parade, High Street, Sandhurst
--

Within 5km buffer of the Thames Basin Heath Special Protection Area

3.1 92 High Street is located to the south of High Street. It comprises a brick built two storey building facing onto the highway with an existing retail unit at ground floor level and residential accommodation above. To the rear is a single storey brick built element which contains a further retail use of a dress shop. To the rear of this is a white clad single storey building and there is a detached outbuilding along the western boundary. The remainder of the site is laid to hard surfacing. Site levels slope gently from the highway southwards down into the site.

3.2 There are residential dwellings to the north and to the south of the site is Valley View, a collection of terraced properties. To the east, is 88 High Street, a detached two storey, white rendered dwelling. To the front of 88 High Street is a further building – no. 90 High Street which adjoins 92 High Street and contains an accountants at ground floor level and residential accommodation above. This building is white washed with flat roofed dormers on the front elevation facing onto High Street. 96 High Street, a detached two storey, white rendered dwelling with hipped roof is to the west of the site.

4. SITE HISTORY

00/00631/FUL - Erection of 4 no. two bedroomed houses. Refused February 2001.

621946 - Retrospective application for change of use from office to residential. Approved January 1996.

617018 – Erection of a store. Approved November 1991.

614489 - O/L Application for erection of detached bungalow with garage and formation of access road adjacent to No.92 High Street. Refused February 1989.

610744 - Demolition of existing building at rear and erection of two storey building forming offices. Approved September 1986.

604174 - O/L Application for erection of bungalow. Refused May 1979.

10686 - O/L Application for demolition of existing buildings and erection of four shops and 4 flats. Refused July 1965.

5. THE PROPOSAL

5.1 Full permission is sought for the erection of 3no two-storey terraced houses and a three-storey building containing 6no flats provision of vehicle parking and circulation areas; cycle and bin storage, private gardens and communal amenity space following the demolition of existing buildings.

5.2 The flatted development containing 6 flats - 3no. 1 bedroom units and 3no. 2 bedroom units (plots 1-6) would be located to the south of High Street, set back 0.5m from the footpath.

5.3 A communal entrance into the building would be on the western elevation along with an entrance to the communal bike store. Community amenity space would be provided for the flatted development.

5.4 The 3no. terraced dwellings (plots 7, 8 and 9) would be located to the south of the flatted development. They would be 16m wide x 8.5m deep with an eaves height of 5.4m and ridge height of 10.2m.

5.5 The 3no. dwellings would benefit from rear gardens ranging in depth between 9m and 11m, backing onto the southern boundary of the application site. 2no. parking spaces are proposed to the north of the dwellings, along with a further 3no. parking spaces to the west of the dwellings and further parking to the north-west.

5.6 A bin store is proposed to the west of the flatted development, set back approximately 4m from the footpath. The proposed bin store would be 3.2m wide x 3.2m deep with a ridge height of 3.4m.

5.7 The scheme has been amended during the course of its determination to address issues including design, highway matters and biodiversity.

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 Made the following observations:

no objection but request that plans be amended to include:

- i) a flat roof over the bin/cycle store
- ii) obscure glass on the first floor landing of the flats

iii) some form of noise attenuation for the eight parking spaces in front of No. 96 and the two in front of No. 88

Other representations

6.2 4no. letters of objection received which raise the following:

- Loss of privacy
- Overlooking
- Noise and disturbance due to parking spaces proposed
- Vehicles displaced onto Valley View if not enough parking provided
- Loss of retail units – a retail use could be incorporated into any new build to retain businesses
- Bin/cycle store will cause smells/overshadowing/loss of daylight
- Responsibility of boundary fence between application site and no. 96 High Street
- Tree plotted incorrectly in garden of no. 96 High Street
- Proximity of plots 7-9 to boundary with 88 High Street
- Proximity of parking spaces to boundary with 88 High Street would result in petrol fumes from cars and oil smells
- Plots 7-9 do not follow building line of the area

7. SUMMARY OF CONSULTATION RESPONSES

Highways:

An objection was originally raised relating to access and on site parking and its layout. Revised plans were received and therefore no objection subject to conditions.

Biodiversity:

An out of date ecological survey was first submitted with the application which was unacceptable. Following receipt of an updated ecological survey, no objection, subject to conditions.

Environmental Health:

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
Residential	CS15 and CS16 of CSDPD	Consistent
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Noise	Saved Policies EN20 and EN25 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
Energy 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
Economic/retail development	Saved policy E11 of BFBLP, CS21 of the CSDPD	E11 not entirely consistent as local parades not included in definition of a centre CS21 consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPA)		
Parking standards SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
DCLG 2012 based household projections published February 2015 (table 406)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Housing
- iii. Impact on character and appearance of surrounding area
- iv. Impact on residential amenity
- v. Impact on highway safety
- vi. Trees
- vii. Biodiversity
- viii. Thames Basin Heath SPA
- ix. Community Infrastructure Levy (CIL)
- x. Sustainability

i. PRINCIPLE OF DEVELOPMENT

9.2 The site is located within the settlement boundary where the principle of development is acceptable subject to no adverse impact upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.

9.3 The application site comprises previously developed land (brownfield land) in the defined settlement. The Core Planning Principles contained in paragraph 17 of the NPPF include encouraging the effective use of land by reusing land that has been previously developed, providing it is not of high environmental value. NPPF Annex 2 sets out the definition of 'Previously Developed Land' as follows (PDL): It is described 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. CS1 of the CSDPD also refers to the efficient use of land. The site is not considered to be of high environmental value and therefore the proposal would be acceptable in principle.

9.4 The application site is located within the defined settlement and is within the western part of the Old Mills Shopping Parade in Sandhurst (a defined local parade). Number 92 High

Street is currently occupied by The Knob Shop that sells door knobs and work tops. It would result in the loss of an A1 retail unit in a local parade. BFBLP 'saved' policy E11 states that the loss of shops will only be permitted where it would result in a change of use to A2 or A3, would not adversely affect the standard of local retail provision and would not adversely affect the amenities of neighbouring residents. CSDPD policy CS21 states that the loss of retail units that perform an important community role will only be allowed in exceptional circumstances. Whilst the protection of local shops that serve the local community is consistent with the NPPF in particular para. 70 (bullet 2), Annex 2 excludes local parades from the definition of centres. BFBLP policy E11 is not entirely consistent with the NPPF. Therefore, not only is the policy 'out of date' but the weight that can be attached to it, is also reduced.

9.5 Previous annual retail surveys indicate that the retail unit has been occupied by The Knob Shop for at least the last 9 years. In terms of local retail provision, the existing form of retail use is not considered to perform an important community role such as that of a post office, a chemist or a pub. The current retail uses of unit 92 is of a specialised nature and likely to draw customers from a wide area. Furthermore, number 92 is at the western extreme of the Local Parade, with a gap between the unit and the main cluster of shops in the local centre, therefore the introduction of a different use would not disrupt the retail frontage.

9.6 On balance, this retail unit cannot be considered to fulfil an important community role, and therefore the proposed loss does not result in a conflict with policy CS21 of the CSDPD or the NPPF. In economic terms, it would result in the loss of a retail unit that could potentially be occupied by a business, this needs to be viewed alongside jobs that would be created during the construction of the development and the potential spending power of future occupiers of the dwellings in the local economy.

ii. HOUSING

9.7 The proposal involves a net gain of 9 dwellings. In terms of the Council's housing provision, the proposal constitutes a small windfall site and (if approved and built) would contribute to the achievement of the "small" sites allowance and overall supply of housing.

9.8 The proposal would also add to the range of type and size of housing provided in that it involves a mix of terraced houses and flats providing accommodation for small and medium sized households.

iii. IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA

9.9 The flatted development on plots 1 to 6 would sit on a similar footprint to the existing building on site and would not extend beyond the footprint of adjoining dwellings at nos. 88 and 96 High Street. The flatted development would be set back 0.5m from the adjoining building at no. 90 High Street to provide a small area of soft landscaping between the footpath and the frontage of the building, enclosed by railings. A front door is proposed in the front elevation of the flatted development facing onto High Street. This would create an active frontage facing onto High Street and would integrate well into the street scene.

9.10 The proposed 3no. dwellings on plots 7 to 9 would be located to the south of the flatted development, forming a row of terraces, constituting backland development and would be set some 43m from the front boundary of the site. Due to the set back of the 3no. terraced dwellings, they would not appear so readily prominent in the street scene. There is no predominant pattern of development in the local area. Backland development is apparent in the surrounding area, including 4no. detached dwellings at Pinewood Close to the west and 2no. detached dwellings located to the rear of 112 High Street to the west. Further, land to

the south-east/south of the application site has been developed for housing at Valley View so backland development is evident in the immediate area. As such, the proposal would fit with the existing urban grain of the area.

9.11 The flatted development facing onto High Street would comprise a gable end on the western elevation with 2no. flat roofed dormer windows at second floor level and include architectural features of window ledges and soldier courses above the proposed fenestration. The front elevation of the building would reflect design characteristics of the existing building and the adjoining building at no. 90 High Street which includes flat roofed dormer windows at second floor level. The proposed development would be set back 0.5m from the front elevation of no. 90 High Street, with the eaves of the roof approximately 0.3m above the eaves of no. 90, but the ridge height of the roof set slightly lower than that of no. 90. However, the eaves of the existing building sit a similar level above the eaves of no. 90 currently and therefore the front elevation of the flatted development would assimilate well with the adjoining building in respect of its design and external appearance. The plans as originally submitted included a parapet on the front elevation of the flatted development facing onto High Street, creating a bulky, formal front elevation out of keeping in the street scene. The amended design has simplified the front elevation of the building so that it would assimilate well with adjoining buildings and would be more in keeping with the existing built form in the area.

9.12 The 3no. dwellings would be gable ended on the flank elevations and would include architectural features of soldier courses above the proposed fenestration to add design interest. The surrounding area is characterised by a mix of styles of dwellings including hipped roofs and gable ends. In view of the non-uniform design of dwellings in the surrounding area, the proposed 3no. dwellings would be acceptable in design.

9.13 The proposed bin store would be set 4m from the back edge of the footpath. In view of its modest size and height, it would not appear unduly prominent in the street scene. There is sufficient space to the north of the store to undertake landscaping to provide further screening to the proposed bin store and details of landscaping will be secured by condition.

9.14 The internal street scene within the development would comprise the access road, with parking and the turning head in front of the proposed row of terraced dwellings on plots 7-9. A communal garden area is proposed to the south of the flatted development, along with further strips of landscaping to the side of the flats and surrounding the proposed bin store. Whilst there would be a large amount of hard surfacing internally within the development, there would be areas of soft landscaping to soften the hard surfacing, with communal garden space for the flatted development and the row of terraces being afforded rear gardens of a proportionate size. Planning conditions in relation to landscaping and boundary treatments will be imposed.

9.15 It is considered that the number of units, design and layout would not be harmful to the character and appearance of the area and overall the development would integrate well into the surrounding area. As such, the proposal would not adversely affect the character and appearance of the surrounding area and would be in accordance with Saved Policy EN20 of the BFBLP, Policies CS1, CS2, CS7 of CSDPD and the NPPF.

iv. RESIDENTIAL AMENITY

37 and 39 High Street

9.16 The proposed flatted development would be located in excess of 25m from the front elevation of no. 37 High Street and in excess of 30m from the front elevation of no. 39 High Street to the north. The front elevation of the building would not appear dissimilar to that of the existing building in relation to external finish, however would comprise 2no. flat roofed

dormer windows in the roof of the building. It is not considered that the flatted development would appear unduly prominent to the detriment of nos. 37 and 39 High Street. Further, in view of the separation distances between the flatted development and nos. 37 and 39 and the front to front relationship, the flatted development would not result in undue overlooking and loss of privacy to the front gardens and front elevations of nos. 37 and 39 High Street.

45 High Street

9.17 The proposed flatted development would be located in excess of 15m from the front elevation of 45 High Street – the former Dukes Head PH which has recently been converted into a dwellinghouse. No. 45 is located to the north-west of the application site and therefore the windows proposed in the north and west elevations would not result in direct overlooking to no. 45 to result in undue overlooking and loss of privacy. Further, given the separation distances between the flatted development and no. 45, the development would not appear overbearing or unduly prominent to no. 45.

9.18 The proposed row of terraces at plots 7-9 would be located in excess of 60m from the front elevation of no. 45 and would therefore not adversely affect the residential amenities of no. 45 through overlooking or visual prominence.

9.19 The proposed bin store would be located some 15m from the front elevation of no. 45. In view of this separation distance, the proposed height of the bin store of 3.4m and that planting is proposed in front of it facing onto High Street, it would not appear obtrusive to no. 45.

88 High Street

9.20 The flatted development would be set approximately 2.5m from the front elevation of no. 88 at the closest point. There would be an increase in the bulk and massing of the eastern elevation of the flatted development visible from the front elevation of no. 88 High Street, however this would not be considered to appear so unduly overbearing to the detriment of no. 88. The visual prominence of the eastern elevation would be further mitigated by the roof hipping away from the boundary with no. 88. There is a small gravel area in front of no. 88 from where the flatted development would also be visible from, however this is not private amenity area, located alongside a parking area serving no. 90 High Street. Loss of daylight to front facing windows would not be so adverse as to warrant refusal of the application.

9.21 Plots 7 to 9 would be set approximately 6m from the rear elevation of no. 88 at the closest point and set approximately 1m from the boundary with no. 88. Lane levels slope from north to south to the rear of nos. 88 and 92 High Street.

9.22 The front elevations of plots 7 to 9 are orientated away from the boundary with no. 88. The window closest to the boundary with no. 88 at first floor level serves a bathroom and it is therefore recommended this window be obscure glazed and fixed shut to ensure no overlooking results to the rear elevation and rear garden of no. 88. Remaining front facing first floor windows in plots 7-9 would face into the application site and not have direct views into the rear garden of no. 88.

9.23 2no. parking spaces are proposed close to the eastern boundary with no. 88, however these would not result in undue noise and disturbance to no. 88.

90 High Street

9.24 The rear elevation of no. 90 adjoins onto the rear elevation of no. 92. The ground floor of no. 90 is put to a commercial use and the first and second floors of the building comprise residential accommodation. There would be an increase in the bulk and massing of the eastern elevation of the flatted development visible from the rear elevation of no. 90,

however given the residential accommodation is located on the first and second floors of the building, the increase would not appear so unduly overbearing to the occupiers of the flats. Further, any loss of daylight to existing rear facing windows at first and second floor level serving the residential accommodation would not be so adverse to the detriment of the owners/occupiers as to warrant refusal of the application.

9.25 The dwellings proposed at plots 7-9 would be sited in excess of 29m from the rear elevation of no. 90 and would therefore not adversely affect the residential amenities of the flats through visual prominence, overlooking, etc.

9.26 4no. windows are proposed in the eastern elevation at ground and first floor level – 2no. windows would serve communal hallways and 2no. windows would serve bathrooms. These windows would be conditioned to be obscure glazed and fixed shut with the exception of top opening fanlights in the interests of the amenities of nos. 88 and 90 High Street.

9.27 1no. rooflight is proposed in the eastern elevation. Due to the siting of this window directly facing onto the flank wall of no. 88 High Street, it would not result in overlooking to no. 88.

96 High Street

9.28 The proposed flatted development would be located between 12-14m from the boundary with no. 96 High Street to the west with 14-15m separation distance the western elevation of the development and the flank wall of no. 96 at the closest point. Due to the separation distances between the proposed flatted development and no. 96, along with the siting of the building in relation to no. 96, it would not appear unduly overbearing to the detriment of no. 96.

9.29 In relation to whether overlooking would result to no. 96 from windows proposed in the western elevation of the flatted development at ground, first and second floor levels, these windows would look out on the flank wall of no. 96 and over the front garden of no. 96 and be set 14-15m from the flank wall of no. 96. Whilst there would be views over the front garden of no. 96, given this is not the most useable garden area of the dwelling, the proposal in terms of privacy would not result in harm to the living conditions of the owner/occupier of no. 96. There is 1no. existing window at ground floor level in the flank wall of no. 96

9.30 The proposed 3no. terraced dwellings would be located approximately 17m from the rear elevation of no. 96. In view of these separation distances and that the dwellings would not be directly to the rear of no. 96, they would not appear overbearing to the detriment of no. 96. Further, the windows proposed in the front elevation of plot 9 closest to the boundary with no. 96 would have oblique views over the rear garden and rear elevation of no. 96 but would not result in such a level of overlooking and loss of privacy that would be detrimental to no. 96 given plots 7-9 would be set off the boundary with no. 96 by approximately 6m at the closest point and therefore not directly to the rear of no. 96.

9.31 2no. windows are proposed in the western flank wall of plot 9 at ground floor and first floor level. The window at ground floor level would face onto an existing boundary fence so would not result in overlooking. The window proposed at first floor level would serve an en-suite and could be conditioned to be obscure glazed and fixed shut with the exception of a top opening fanlight in the interests of the residential amenities of no. 96.

9.32 Parking spaces are proposed along the western boundary with no. 96 High Street. Whilst there would be a degree of noise and disturbance to the adjoining dwelling as a result of the proposed parking layout, it is not considered that this would be so adverse given there is existing fencing denoting the boundary between the two properties which would provide some buffering of noise and of headlights. Further, the existing A1 uses that exist on site are

low key at present; however a more intensive A1 use could operate from the site such as a convenience store which would generate more vehicular movements than the scheme proposed for 9 residential units on scheme.

9.33 The proposed bin store would be set close to the boundary of no. 96 High Street, however due to its modest height of 3.5m, it would not appear obtrusive to no. 96. Further, the bin store would allow the refuse bins to be stored internally within the structure to limit odour issues.

Valley View

9.34 To the south of the application site lies Valley View, a more modern development of terraced dwellings. The rear elevation of the proposed row of terraces at plots 7 to 9 would be located between 9m and 11m from the southern boundary of the application site with a minimum of 20m to the rear elevations of dwellings at Valley View at the closest point. In view of these separation distances, the rear elevations of plots 7-9 would not result in a level of overlooking and loss of privacy that would be so detrimental as to warrant refusal of the application. Further, in view of the separation distances, the dwellings would not be considered to appear unduly overbearing to the detriment of the occupiers of the dwellings at Valley View.

9.35 The flatted development would be located 34m from the southern boundary of the site at the closest point, with in excess of 40m to the rear elevation of properties at Valley View at the closest point. Given the separation distances, with the row of terraces at plots 7-9 in between, the flatted development would not impact upon the residential amenities of Valley View through overlooking or overbearing impact.

9.36 Planning conditions are recommended to control the hours of demolition and construction along with a working method statement.

Amenity of future occupiers of development

9.37 There would be between 16m and 18m separation distance between the flatted development and the row of terraces at plots 7-9. In view of these separation distances and the design of the flatted development, it would not appear unduly overbearing to the future occupiers of the terraced dwellings.

9.38 2no. single panel windows and 1no. roof light are proposed in the southern elevation of the flatted development which would serve the open plan living space for plots 2, 4 and 6. These windows would be set a minimum of 17m from the front elevation of plots 7 and 8 and 20m from the front elevation of plot 9. In view of these separation distances and the size of the windows proposed in the southern elevation of the flatted development, the level of overlooking and loss of privacy to the front elevations of plots 7-9 would not be so adverse to be detrimental to the future occupiers of the proposed terraced dwellings.

9.39 A communal garden area is proposed to the south of the flatted development to provide useable amenity space to the future occupiers of the flatted development. Planting is proposed around the perimeter of the garden area to provide a degree of separation from the access road and parking spaces proposed.

9.40 Rear gardens are proposed for the terraced dwellings at plots 7-9 which would be between 9m and 11m deep. The proposed gardens would be proportionate to the size of the dwellings and would be similar in size to the gardens of dwellings at Valley View.

9.41 2no. parking spaces are proposed to the front of plot 7 and 3no. parking spaces to the side of plot 9. It is not considered that the location of the parking spaces would result in undue disturbance to the future occupiers of the dwellings.

9.42 The flatted development would incorporate windows in the southern and western elevations which would have views across the communal garden area and parking areas in the interests of surveillance of these communal areas. Further, the front elevations of plots 7 to 9 would have views over these areas, along with a window proposed at ground floor level in the flank wall of plot 9 to monitor the parking spaces proposed to the west of the plot.

9.43 As such, the proposal would not be considered to affect the residential amenities of neighbouring properties and would be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

v. IMPACT ON HIGHWAY SAFETY

Access

9.44 The site takes access off the A321 High Street, a local distributor road (and classified A road) which is subject to a 30mph speed limit. There is a controlled pedestrian crossing adjacent to the existing site access and a footway across the site frontage. Also, there is a speed camera sited further east of the pedestrian crossing.

9.45 The building would not interfere with sight lines.

9.46 The existing vehicular crossover (dropped kerb) is to be replaced with a bell-mouth junction. This new access would be slightly closer to the pedestrian crossing than the existing access, though this new formal access would be an improvement. A 5.5 metre wide access is proposed which is more than adequate for this scale of development with 6 metre wide junction radii.

9.47 2 metre wide footways are to be provided to either side of the access. This is acceptable for pedestrian access to the development. Pedestrian access will need to be maintained across the site frontage and informal tactile crossing points will be required as part of the new access construction works. The applicant will need to enter into a section 278 agreement with the Local Highway Authority for access works within the public highway.

9.48 A 6 metre wide access road is to be provided which would be acceptable.

Parking

9.49 An amended parking layout has been submitted during the course of the application. 16 parking spaces are proposed – this would provide parking for the proposed 3 no. two-bed flats, 3 no. one-bed flats and 3 no. 3 bed dwellings and also provide 1no. visitor parking space. The provision of 16no. spaces would be acceptable.

9.50 Adequate pedestrian access is to be provided for plots 7, 8 and 9 following the receipt of amended plans.

Site Layout

9.51 Vehicle tracking has been provided to demonstrate that a large fire tender could access the site and thus domestic delivery vehicles could also enter and turn within the site to exit onto High Street in a forward gear. A bin store is proposed adjacent to the site access and therefore a refuse vehicle would not enter the site.

9.52 The Highway Authority would not adopt the internal access road as public highway and the road would remain private.

Trips

9.53 The applicant has carried out manual traffic counts of the existing vehicle movements into and out of the site, during the morning and evening peak hours. These counts indicate that there were two vehicle movements in the morning peak and one vehicle movement in the evening peak. Whilst this first principles approach is acceptable, it is worth noting that the surveys are unlikely to have captured peak trips associated with the existing shops which are likely to be outside of typical commuting peak hours.

9.54 The applicant has utilised the TRICS database (which is based on surveyed sites) to identify peak hour movements of 3 vehicles in the morning peak and 5 vehicles in the evening peak as a result of this proposal to provide 6 no. flats and 3 no. houses. The proposal will not therefore generate a significant increase in vehicular movements, during the peak hours. Also, whilst the existing retail units may be low key, a general retail use (e.g. a local convenience store) could generate a greater number of trips over the course of a typical day than this proposal to provide 9 residential units.

9.55 Subject to the imposition of conditions, the proposal is considered to be in accordance with CS23 and CS24 of the CSDPD, Saved Policy M9 of the BFBLP and the NPPF and would not result in any adverse highway implications.

vi. TREES

9.56 There is an oak tree in the rear garden of 96 High Street which is subject to a Tree Preservation Order.

9.57 The proposed row of terraces at plots 7 to 9 would be located outside of the root protection area (RPA) of the oak tree. 3no. parking spaces proposed to the west of the flank wall of plot 9 would encroach into the RPA of the protected oak. In the interests of the protected oak, it is recommended that a tree protection plan is submitted to the LPA for approval along with details of no dig construction for the proposed parking.

9.58 Subject to the imposition of condition, the proposal is considered to be in accordance with Policy EN1 of the Bracknell Forest Borough Local Plan and the NPPF and would not result in an adverse impact on protected trees.

vii. BIODIVERSITY

9.59 The ecological report submitted with the application was undertaken in October 2012 and therefore is out of date.

9.60 An updated ecological survey was submitted in April 2015. The ecological survey finds that there are no bats in the buildings on site. There is the possibility of birds nesting in the buildings to be demolished. There are no other ecological constraints for the development. It is therefore recommended that conditions be imposed in relation to no site clearance/demolition works during bird nesting season; ecological measures are undertaken in accordance with the Ecological Report submitted to the LPA and a scheme for biodiversity enhancements is submitted to the LPA for approval

9.61 Subject to the imposition of the above conditions, the proposal would be in accordance with Policies CS1 and CS7 of the CSDPD and the NPPF.

viii. THAMES BASIN HEATH SPA

9.62 The Council, in consultation with Natural England (NE), has formed the view that 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.

9.63 This site is located approximately 1.16 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.

9.64 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 will result in a net increase of 3 x 1 bedroom, 3 X 2 bedroom and 3 X 3 bedroom dwellings replacing 1 X 1 bedroom, 1 X 3 bedroom and 1 X 4 bedroom dwellings. The total SANG contribution is therefore £9,118.

9.65 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. The application for this development is for 3 x 1 bedroom, 3 X 2 bedroom and 3 X 3 bedroom dwellings replacing 1 X 1 bedroom, 1 X 3 bedroom and 1 X 4 bedroom dwellings. The SAMM contribution is therefore £2991.

9.66 The total SPA related financial contribution for this proposal is £12,109. 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.

ix. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

9.68 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.

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

9.70 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 floor space) based on the development type and location within the borough.

9.71 The application site lies within the zone of Sandhurst/Crowthorne. 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.

x. ENERGY SUSTAINABILITY

9.72 The applicant has provided a Pre-assessment estimator which demonstrated that the development will be designed so that it does not encourage any more than 105 litres of water to be consumed by each person per day.

9.73 There is no longer a requirement to meet with the full Code for Sustainable Homes and therefore as long as the development restricts the water usage as stated in the pre-assessment estimator then the applicant has met with the requirements of Policy CS10. A condition is recommended to ensure the development is undertaken in accordance with the Sustainability and Energy Demand Statement'

9.74 The applicant firstly needs to demonstrate that 10% of the development's carbon emissions will be reduced as a result of a fabric first approach and secondly needs to demonstrate that following this 20% of the development's energy demand has been offset.

9.75 The applicant mentions that 20% of the development's carbon emission would be offset as a result of implementing solar PV measures. However this is not as the policy above asks. Relevant conditions can however be imposed to address this matter.

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. The loss of the retail units due to their specialist nature would not be so harmful to the surrounding area given other benefits would result such as employment during the construction of the development and the spending power of new occupants of the development in the Borough. No adverse highway safety implications would result. Relevant conditions will be imposed in relation to 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, E11 and M9 of the BFBLP, CS1, CS2, CS7, CS10, CS12, CS14, CS21, 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 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
21 August and 2 October 2015:

drawing no. 01 H
drawing no. 02 B
drawing no. 03 B
drawing no. 04 D
drawing no. 05 C
drawing no. 06 C
drawing no. 07 C
drawing no. 08 C
drawing no. 14 B

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. The windows in the eastern elevation of the flatted development (plots 1-6) and the window in the eastern elevation of plot 7 and window in the western elevation of plot 9 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 with the exception of a top hung openable fanlight.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
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 in the east elevation of plots 1-6 (the flatted development) and in the east and west elevations of plots 7 and 9 at first floor level in the buildings hereby permitted except for any which may be shown on the approved drawings.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
06. 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]
07. 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 scheme
have 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]

08. 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]
09. The development hereby permitted shall be implemented in accordance with the submitted Pre-assessment estimator contained within the 'Sustainability and Energy Demand Statement' January 2015 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]
10. 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]
11. 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.
REASON: In the interests of the amenities of the area.
[Relevant Policies: BFBLP EN25]
12. 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) 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.
[Relevant Policies: BFBLP EN25]
13. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting including details of

the lighting units, levels of illumination direction of illumination, and hours of use. No lighting shall be provided at the site other than in accordance with the approved scheme.

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

[Relevant Policies: BFBLP EN25]

14. 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]
15. All ecological measures and/or works shall be carried out in accordance with the details contained in John Wenman Ecological Consultancy's report dated April 2015. The scheme shall be implemented as approved and thereafter retained.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]
16. 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 scheme shall be implemented as approved. The approved scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
17. 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 scheme shall be implemented as approved and thereafter retained.
Reason: To ensure the status of bats on site has not changed since the last survey.
18. No site clearance or demolition 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 development has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented as approved and thereafter retained.
REASON: In the interests of nature conservation
19. No part of the development shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
20. No part of the development shall be occupied until all the visibility splays shown on the approved drawings 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.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

21. 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.

22. The development shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The approved scheme shall be implemented and thereafter retained.

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

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

23. No part of the development 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]

24. 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]

25. No development shall commence until a detailed site specific construction method statement for all hard surfaced areas of any description within the minimum root protection areas of retained trees calculated 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. Details shall be based on a porous 'No-Dig' principle of construction, avoiding any excavation of existing levels in all areas concerned, and shall include: -

- a) An approved development layout plan identifying all areas where special construction measures are to be undertaken.
- b) Materials including porous surface finish.
- c) Construction profile/s showing existing /proposed finished levels together with any grading of levels proposed adjacent to the footprint in each respective structure.
- d) Program and method of implementation and arboricultural supervision.

The Construction Method Statement shall be implemented in full accordance with the approved scheme, under arboricultural supervision, prior to the occupation of the dwelling. The No Dig structure shall be retained in perpetuity thereafter.

REASON: In order to alleviate any adverse impact on the root systems and the long term health of retained trees, in the interests of the visual amenity of the area.

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

In the event of the S106 agreement not being completed by 15 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 (February 2015).

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. The applicant is advised that the following conditions require discharging prior to commencement of development:

03. Materials

06. Slab level

07. Hard and soft landscaping

10. Energy demand assessment

12. Working method statement

- 13. Site lighting
- 14. Boundary treatment
- 16. Bird and bat boxes
- 19. Vehicular access
- 21. Site organisation
- 22. Cycle parking
- 24. Tree protection
- 25. Details of no dig construction

The following conditions require discharge prior to the occupation of the dwellings hereby approved:

- 20. Visibility

No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

- 01. Time limit
- 02. Approved plans
- 04. Obscure glass
- 05. Restrictions on windows
- 08. Retention of soft landscaped areas
- 09. Sustainability
- 11. Hours of construction/demolition
- 15. Ecological measures
- 17. Updated bat survey (if required)
- 18. No site clearance during bird nesting season
- 23. Parking and turning

Unrestricted Report

ITEM NO:

Application No.
15/00172/CON
D

Ward:
 Binfield With Warfield

Date Registered:
 21 September
 2015

Target Decision Date:
 16 November 2015

Site Address:

**Binfield House Nursery Terrace Road North Binfield
 Bracknell Berkshire**

Proposal:

**Details pursuant to condition 16 (Fencing) of planning permission
 13/00966/FUL.**

Applicant:

Beaulieu Homes Southern Limited

Agent:

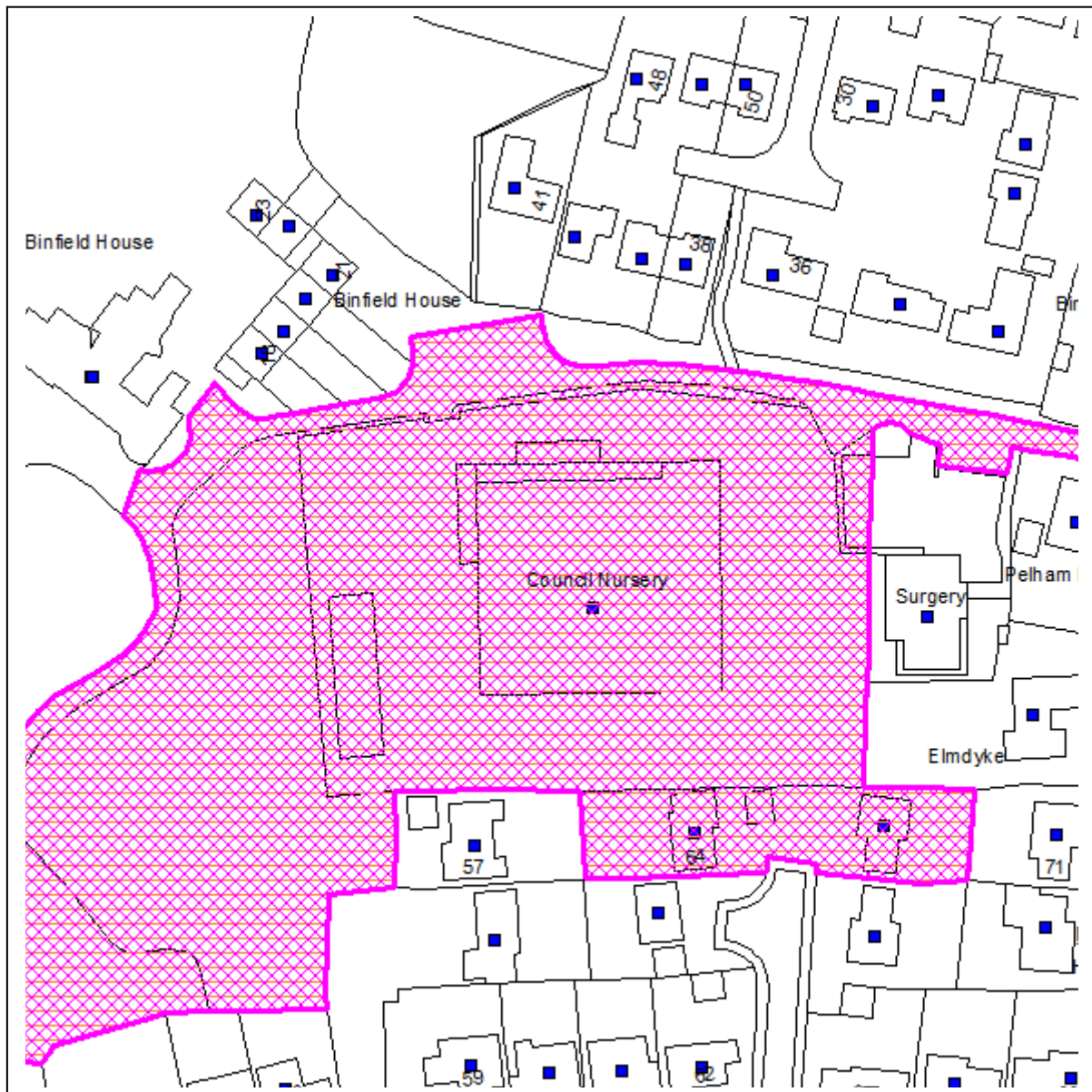
Mr Matthew Jouanides

Case Officer:

Sarah Fryer, 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 seeks to discharge conditions imposed upon application 13/00966/FUL, specifically condition 16 relating to means of enclosure.

1.2 The boundary treatments proposed contain a mixture of brick wall and 1.8m high timber fences. Where the means of enclosure is prominent within the street scene, brick boundary treatment is proposed. Timber fencing is therefore confined to the private spaces between properties or facing onto private land over which no right of way exists. Accordingly the details are considered to be acceptable.

RECOMMENDATION

That condition 16 attached to planning application 13/00966/FUL be discharged.
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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

Within grounds of Binfield House- Grade II Listed property.

3.1 The site consists of the former Council Nursery and adjoining land, which forms part of the grounds of the Grade II Listed Binfield House. The site contains the curtilage listed walled garden walls. To the west of this is open land which has been left and is now overgrown. To the south the site adjoins residential properties on Knox Green, through which eventual access to the site will be obtained. To the east and north the site abuts residential properties, including the elderly persons bungalows to the east of Binfield House, whilst to the west are the amenity grounds sited to the front of Binfield House.

4. RELEVANT SITE HISTORY

4.1 13/00966/FUL Erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings, and alterations to wall within the curtilage of a listed building. Approved 01.04.2015

5. THE PROPOSAL

5.1 This application seeks the discharge of condition 16, concerning boundary treatments, attached to planning application 13/00966/FUL.

5.2 Application 13/00966/FUL granted planning permission for the erection of no. 24, 2, 3, 4 and 5 bedroomed dwellings at Binfield Nursery. Condition 16 requires the following:-

The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure, including a new boundary to the side of plot 22, has been submitted to and approved in writing by the Local Planning

Authority. The approved scheme associated with each building shall be implemented in full insofar as it related to that building before its occupation and the means of enclosure shall thereafter be retained.

5.3 The applicant has submitted drawing PC-2001 Revision C which shows the position of the various boundary treatments. The wider scheme proposes walls to key boundaries that adjoin the proposed adopted highway, and fences to the rear of properties or where the boundary is not prominent from public areas.

6. REPRESENTATIONS RECEIVED

Other representations:

6.1 A total of 12 objections have been received from residents of surrounding properties. The objections can be summarised as follows:

- The proposal does not take into consideration the character of the Grade II Listed House.
- The proposal is in conflict with the NPPF which states new developments should respect existing boundaries.
- The proposal shows the fence up against ours- leaving no room for us to maintain our fence or trim the plants growing up the back of it.
- The land to the rear is a lot higher resulting in the proposed fence feeling overbearing and overshadowing our garden.
- According to the plan there is a large pipe which runs along the rear of the boundary fence to 54-56 Knox Green. If fencing is installed in this area it could burst any underground pipes.
- To install the fence would mean removing a lot of shrubs- which is in conflict with the Core Strategy and the NPPF which states trees and hedges should be protected. In fact the trees and hedges are protected under tree protection plan approved under application 13/00966/FUL.
- The proposed fence is not required due to the natural green boundary of hedges and trees that have been established for 30 years.
- The plan is totally unsuitable and leaves the elderly accommodation with large open plan gardens (four times larger than any other garden on the proposed development, with no demarcation for land registry or ownership.
- Plots 22-24 should have a decent size garden (similar to plots 19-21) suitable for elderly people, and delineated by fences if necessary.
- The applicant has indicated that the rear gardens to plots 22, 23 and 24 will be managed by a management company, however practically this is not going to work.
- The reason for the condition includes 'the amenities of properties adjoining the site' which appears to have been totally omitted.
- Given the likelihood of the site flooding, what chance has a timber structure got for long term survival?
- The amended plan proposes a strange combination of minimum run of brick walls and maximum runs of timber fencing.
- Neither the desk revision or the original submission appear to have paid any regard for or attention to the adjacent properties or existing natural features
- The proposed fencing is sterile, characterless and prevents ground based wildlife from accessing territory.

[Officer Note: Regarding the objection about land ownership, this is not a material planning consideration. Maintenance of a boundary fence again is a civil issue. The existence of services is not a material consideration and there would be an engineering solution to deal with this eventuality.]

7. SUMMARY OF CONSULTATION RESPONSES

7.1 No 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 application 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
Supplementary Planning Documents (SPD)		
None relevant		
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 Impact on character and appearance of the area
- ii Impact on residential amenity
- iii Impact on the character and setting of the Listed Building

i. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.2 The objections principally concern the proposed boundary treatments relating to plots 19- 24 inclusive, sited in the south western corner of the site. Within this area it is proposed to erect a 1.8m high fence along the boundary of the site with nos. 54, 55 and 56 Knox Green and to the front of the private shared driveway to the west of 58 and 59 Knox Green. The amenity space to plots 22-24 would be open, whilst plots 19- 21 would have small enclosed gardens. All the plots have separate access into the rear gardens.

9.3 At present the application site is separated by a mixture of post and wire fencing (although some is missing) with some low level close board fencing between the application site and 54-56 Knox Green whilst there is a metal gateway within the site boundary to the west of 58 Knox Green. The area contains a mixture of self set trees, overgrown brambles and small shrubs, which provide a pleasant green outlook for the existing residents of Knox Green. The side boundaries to the gardens in Knox Green consist of 1.8m close boarded fences.

9.4 The wider scheme proposes walls to key boundaries that adjoin the proposed adopted highway, and fences to the rear of properties or where the boundary is not prominent from public areas. This approach is supported.

9.5 A boundary treatment is required between the development site and existing properties to ensure that the proposed properties are secure, boundaries defined and that mutual overlooking between existing occupiers and future residents of the site is prevented and therefore privacy maintained. The condition specifically requires this to the side of plot 22 securing this from the land to the front of Binfield House and the

historical access into the grounds. A 1.8m close boarded fence is considered to be an appropriate treatment between the amenity areas of two properties, which would not be visible from or have an effect on the character or appearance of the streetscene.

9.6 Objections have been received on the basis that this treatment is out of character with the surrounding area. The proposed development of this site will change the character to that of a small residential estate. Accordingly, the erection of close boarded fencing to separate plots and adjoining residential gardens is considered an appropriate treatment that is evident within the adjoining estates, including the properties on Stevenson Drive where they back onto the current driveway to Binfield House. Therefore, the proposal is considered to comply with Policy CS7 of the CSDPD and 'saved' Policy EN20 of the BFLP. The proposal is therefore considered to respect the character of the area and that of the approved development.

ii. IMPACT ON RESIDENTIAL AMENITY

9.7 Objections have been received on the basis that the proposal does not protect the amenities currently enjoyed by existing residents, including preserving the existing green outlook that is currently enjoyed, would result in over shadowing and overbearing boundary treatment. Objections have stated that the Binfield Nursery site is 3ft higher than their property and therefore a 6ft fence would in fact result in a 9ft barrier.

9.8 Under planning legislation, no one has the right to a view, including protecting an outlook. The proposed fence would be located due north of the rear elevation of the properties 54-56 Knox Green which have a garden depth of approximately 10m. No 56 and 54 Knox Green benefit from dense vegetation past the boundary of the site, restricting views. No 55 has a more open outlook including views into the site. Given this relationship it is not considered that a 1.8m close boarded fence in this location would detrimentally affect light or be overbearing. There is a bund that raises the land levels, however to the rear of nos. 55 and 56 Knox Green this is within the Binfield Nursery site and the boundary is at the same level as the gardens to the properties within Knox Green. To boundary with no. 54 Knox Green appears to be on the top of the bund although it is unclear in parts. However no. 54 Knox Green has dense vegetation screening consisting of laurels, an evergreen shrub over 2 m in height, above the boundary. In this instance the proposed fence would not significantly affect the amenities of occupiers.

9.9 No. 57 Knox Green is located up a shared private driveway, with a 1.8m high fence proposed 8m from the projecting element of the front elevation and separated by the driveway serving the garage and partially by the garage itself. Currently this boundary is heavily vegetated. The fence is proposed in this location as it will also form the boundary to a private garden to plot 11. Accordingly the 1.8m fence in this location is considered appropriate.

9.10 No. 58 also has a fence proposed to the front of the dwelling. Again this property is accessed by a private driveway with a grass strip between the driveway and the application site resulting in the proposed boundary fence being sited 24m from the front elevation. At this distance the proposed 1.8m boundary fence would not detrimentally affect the amenities of occupiers of this property, and due to its location off a private driveway, the proposed fence is considered acceptable in this location.

9.11 Issues have also been raised regarding maintenance of existing boundary treatments. This is a civil matter and it is usual for only one fence to be provided along a shared boundary, with the owners responsible for maintaining the vegetation on their side of the boundary.

9.12 Other objections relate to the amenities of the future occupants. These raise concerns around the ability of the future occupiers to maintain the large communal area and run of fencing between the development and the occupiers of dwellings within Knox Green. Members may recall that plots 19-24 are subject to an age restrictive condition, meaning that future residents will be of retirement age or older. The applicant has indicated that they intend to set up a management company, similar to how communal areas serving apartments are managed, to maintain the amenity areas for the occupiers of plots 22-24. In this respect the proposed scheme proposes a mix of options for the future occupiers, either to have their own private gardens or the benefit of a larger outlook that is shared. Whilst not conventional, there are no policy grounds to object to this approach.

9.13 Objections have been received on the basis that the proposal would result in the loss of trees and shrubs which are shown to be protected by the tree protection plan submitted with application 13/00699/FUL. Whilst it is proposed to construct the fences within the tree protection areas, fences are the least intrusive method and can be carried out in a way which ensures there is minimal harm to important trees and shrubs in the area. Most of the vegetation required to be cleared consists of brambles, small self set shrubs, and laurels planted by the previous owners of the site, none of this is statutorily protected.

9.14 Accordingly it is considered that the proposal complies with 'saved' Policy EN20, specifically criterion vii.

iii IMPACT ON SETTING OF LISTED BUILDING

9.15 The proposed residential development is located within the former grounds of Binfield House, a Grade II Listed Building. As stated previously within the report, the approved residential scheme will change the character of the area and impact upon the setting of the Listed Building. This was considered at the time of the approved scheme and found to be acceptable. Given this, and that the approved scheme would result in dwellings being constructed closer to the listed building, it is considered that the proposed boundary treatments do not detrimentally affect the setting of the Listed Building, over and above that of the approved development which has been found acceptable. The proposal is therefore not considered to detrimentally affect the setting of the Listed Building complies with Policy CS7 criterion i of the CSDPD, supported by Section 12 of the NPPF.

10. CONCLUSIONS

10.1 The proposed means of enclosure are considered appropriate in character, design and appearance to the residential scheme that they would eventually be part of. The proposed details include the provision of walls at key points with fencing restricted to areas between gardens and to areas considered not to be significant within the streetscene. The details would not significantly harm the amenities of neighbouring occupiers, whilst also providing an acceptable level of amenity for future occupiers. The proposed enclosures are considered not to detrimentally affect the setting of the listed building. Accordingly the proposed walls and fences are considered to be acceptable

11. RECOMMENDATION

That condition 16 attached to planning application 13/00966/FUL be discharged.

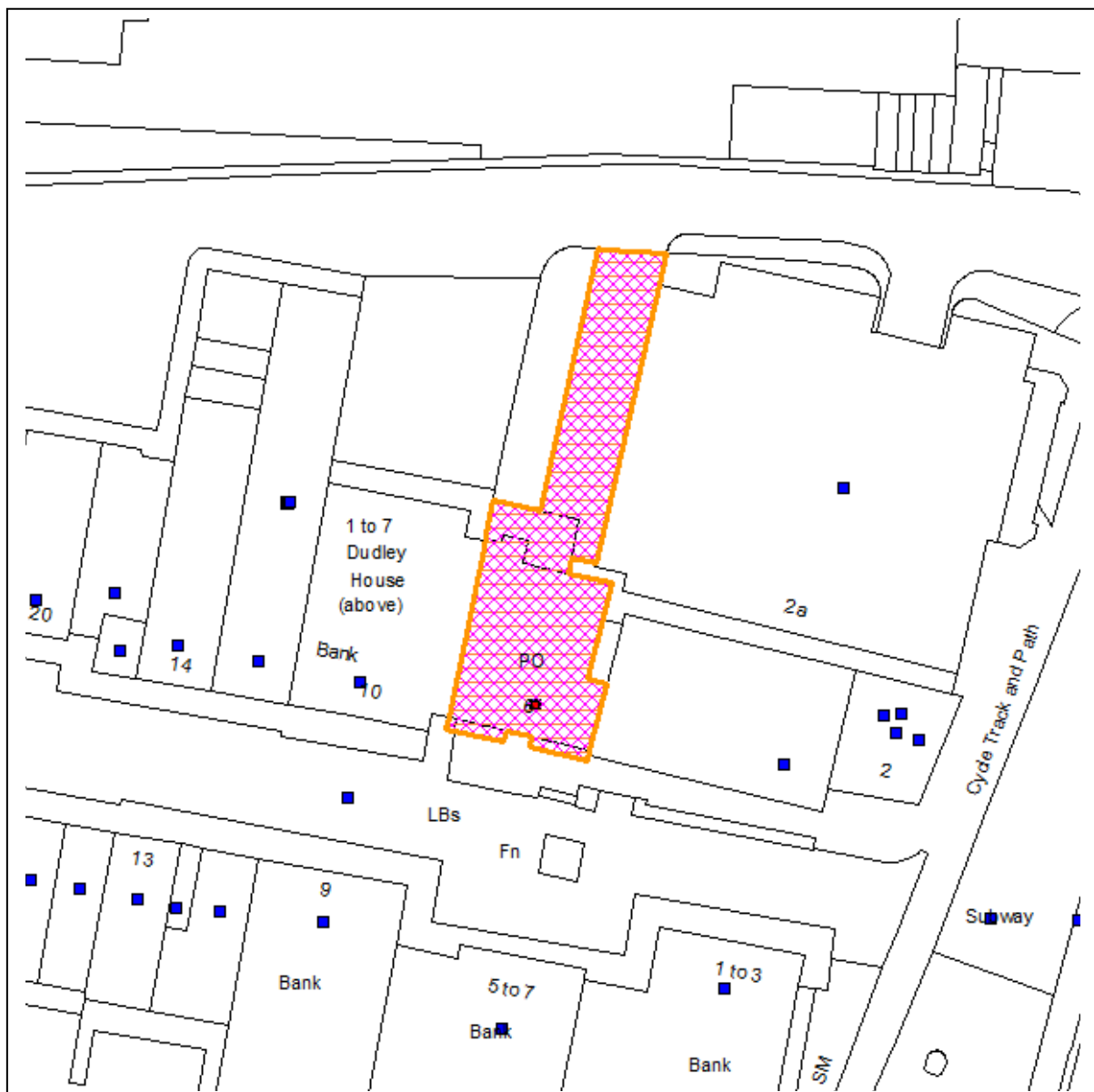
Approved details:-

Site layout plan PC-2001- REV C received 17.09.2015

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ITEM NO:			
Application No.	Ward:	Date Registered:	Target Decision Date:
15/00536/FUL	Wildridings And Central	22 June 2015	21 September 2015
Site Address:	Post Office 6 High Street Bracknell Berkshire RG12 1AA		
Proposal:	Erection of 7 storey building (with undercroft for parking/storage) accommodating A1 (retail) use at ground floor (170 sq m) and 14 residential units over following demolition of Post Office building - resubmission of 14/01015/FUL.		
Applicant:	Bradiston Real Estate Inc.		
Agent:	Carter Jonas		
Case Officer:	Simon Roskilly, 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 to demolish the existing single-storey Post Office building and construct a seven-storey building accommodating 14 flats (6no. 1 bedroom, 7no. 2 bedroom and 1no. 3 bedroom) with a retail unit at ground floor level fronting the pedestrianised High Street. Five parking spaces, cycle parking and bin storage are proposed at undercroft level with rear vehicular access from The Ring via an existing service road. The proposal does not affect the former Post Office building (currently a vacant restaurant) which adjoins the site to the east.

1.2 The application site is previously developed land located within Bracknell Town Centre. The development has been designed so as not to result in any adverse impacts upon neighbouring premises and to be in keeping with the streetscene. The proposed car parking arrangements are considered to be satisfactory for this town centre location and the proposal and would not result in any highway safety implications subject to conditions and the completion of a Section 106 Legal Agreement.

RECOMMENDATION
Planning permission be granted subject to conditions in Section 11 of this report and the completion of a S106 Legal Agreement.

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 the Town Centre primary retail area
Within 5km of Thames Basin Heaths SPA

3.1 The site is the current Post Office building located on the north side of the High Street, Bracknell. It adjoins a building to the east which was formerly in Post Office use. The permitted use of this building is now as a restaurant although it is currently empty. This building is not directly affected by the proposal and will remain.

3.2 The building fronts onto the main pedestrianised High Street and has vehicular access, including parking, located to the rear. It is surrounded by taller buildings with the adjoining former Post Office building predominantly two storeys in height and other buildings nearby (including the former Enid Wood House) up to 8 storeys high. Nearby buildings, the majority of which are of post-war design, are constructed of a variety of facing materials.

4. RELEVANT SITE HISTORY

4.1 624171- Erection of side and rear extensions to Post Office building following demolition of sorting office to rear. Retention of Post Office Counters and change of use of remainder of building to Class A3. REFUSED. (Appeal Withdrawn)

4.2 624173 - Outline application for the erection of office building (1950 sq m) in yard to rear of Post Office with associated parking & alterations to access following demolition of part of sorting office building. REFUSED (Appeal Withdrawn)

4.3 625358 - Erection of rear extensions (140 sq m) to Post Office following demolition of the sorting office. Retention of Post Office counters use and change of use of remaining building to Class A3 (food and drink) use. Alterations to pedestrian area in High Street. Provision of a walkway to the rear of the building including installation of an external staircase adjacent to the Post Office counters extension. Formation of a new footpath link between The Ring and High Street. Provision of new servicing area to the rear with a new access onto the service road. APPROVED WITH LEGAL AGREEMENT.

4.4 14/01015/FUL - Erection of 7 storey building (with undercroft for parking/storage) accommodating A1 (shops) use at ground floor (170 sq m) and 14 flats above following demolition of Post Office building. WITHDRAWN.

4.5 This submission forms a resubmission of application 14/1015/FUL along with updated Transport information.

5. THE PROPOSAL

5.1 Erection of 7 storey building (with undercroft for parking/storage) accommodating A1 (retail) use at ground floor (170 sq m) and 14 residential units over following demolition of Post Office building - resubmission of 14/01015/FUL.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 Observations:- Bracknell Town Council has concerns regarding car parking provision and the loss of one of the few remaining old buildings in Bracknell.

Other representations:

6.2 Twenty-three letters of objection were received making the following points:-

- Loss of historic building would have a detrimental impact upon the character of the Town Centre. *[Officer Comment: This concern is addressed in section 9 under 'Impact upon the character and appearance'. However it should be noted that this application does not involve the loss of the larger former Post Office building that adjoins the site and is currently empty. This application solely involves the demolition of the current single-storey Post Office building.]*
- Do we need more residential flats? *[Officer Comment: Bracknell Forest Council currently does not have a 5 year housing land supply and to have a proposal for housing that is located within the Town Centre, a sustainable location, is welcomed in principle subject to other considerations.]*
- There would not be adequate parking provision. *[Officer Comment: This is addressed in section 9 below under 'Transport Implications'.]*

7. SUMMARY OF CONSULTATION RESPONSES

Lead Local Flood Authority (LLFA)

Any comments will be included in the Supplementary Report

Highway Officer

Recommend approval subject to conditions and the completion of a Section 106 Legal Agreement relating to parking.

Environmental Health Officer

No objection subject to conditions.

Biodiversity Officer

No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

8.1 The primary planning policies and associated guidance applying to this site are:

	Development Plan	NPPF
General policies	CP1 of SALP, CS1, CS2 of CSDPD	Consistent
Town Centre	SA11 of SALP, CS3 and CS21 of CSDPD and saved policies E1, E9 and E10 and Proposal PE1i of BFBLP	Consistent
Design	CS1, CS7 of CSDPD, saved policy EN20 of BFBLP	Consistent
Access for disabled people	Saved policies EN22 and M7 of BFBLP	Consistent
Housing	CS16 of CSDPD	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LAs 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 (resources)	CS10 and CS12 of CSDPD	Consistent
SPA and Biodiversity	CS1, 7 and 14 of CSDPD, Saved Policy EN3 of BFBLP, Policy NRM6 of the South East Plan	Consistent
Supplementary Planning Documents (SPD)		
Parking standards SPD Thames Basin Heaths SPD Planning Obligations SPD		
Other publications		

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 implications
- v. Biodiversity
- vi. Sustainability (resources)
- vii. Planning obligations
- viii. Affordable Housing
- ix. Thames Basin Heaths Special Protection Area
- x. Drainage

i. PRINCIPLE OF DEVELOPMENT

9.2 The proposal involves development on a previously developed site within a settlement. The proposed mixed use development comprising a replacement retail unit at ground floor level, with residential accommodation above, is considered to comply with relevant development plan policies covering this part of Bracknell town centre including BFBLP Policies E1, E9 and E10 and Proposal PE1i, CSDPD Policies CS3 and CS21 and SALP Policy SA11. It will not prejudice the wider redevelopment of Bracknell town centre approved under 12/00476/OUT and associated permissions. Overall the principle of the proposed development is therefore considered to be acceptable. The remainder of the report considers matters of detail.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.3 The current building on the site probably dates from the inter-war period and is single-storey with a flat roof. The elevation fronting on to High Street is of red brick with 3no large sash windows and a door with a neo-classical surround in stone.

9.4 The façade of the proposed retail unit facing High Street would be largely glazed. At undercroft and ground levels the building is across the full width of the plot. There is a step back from first-floor upwards and above to the western face of the southern half of the building to allow light into existing neighbouring windows. A further set back at levels four and five to the north of the building helps to break up the mass. The sixth floor is further recessed on three sides to minimise the building mass and provide external amenity space for the three bed penthouse. It also acts as a 'cap' to the development. All residential units are provided with balconies and terraces of varying sizes to both principle facades (north and south). The materials proposed comprise reconstituted stone, terracotta and mosaic tile cladding. The flat roof would be light grey. The building would be about 22m tall on its High Street frontage.

9.5 The submission includes an analysis of the existing building and how the proposed redevelopment of the site would fit within its surroundings. There are multi-storey buildings in the area and in this context the seven storey building proposed is not considered out of keeping with the surrounding area.

9.6 Overall the design of the building and its overall bulk and massing is not considered to

detract from both the character, appearance and function of the Town Centre location.

9.7 The existing building on the site is not listed and is not located within a conservation area and whilst it is one of the older buildings in the town centre its loss is not considered to be overriding. The two-storey former Post Office building that adjoins the site is considered to play a more important role within the streetscene of High Street. As mentioned above this is not directly affected as part of this application.

9.8 It is therefore considered that the development would not result in an adverse impact on the character and appearance of the Town Centre area and is felt to accord with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, and the NPPF, subject to a condition requiring the submission and approval of details of materials to be used.

iii. RESIDENTIAL AMENITY

9.9 There are no residential units nearby that would be affected by the proposed redevelopment of this site and the proposed layout of the flats is considered acceptable in terms of the amenity of future residents. The proposals are therefore considered to accord with the relevant provisions of BFBLP 'Saved' Policy EN20 and the NPPF.

iv. TRANSPORT IMPLICATIONS

Access:

9.10 The site is located on High Street which is part of the pedestrianised area within the town centre. Vehicular access is to the rear of the site via the access road to service yard C.

9.11 Pedestrian access to the front is to be maintained via the existing ramp although alterations may occur to it during demolition. The ramp is outside the red line of the application and may be within the adopted highway and thus any alterations to it may be required to be carried out under a highways agreement. A condition is also recommended to be imposed to secure access for disabled people.

9.12 The rear access to the development provides some delivery access for the ground floor of the proposed building. This is via a stepped entrance to the rear of the building as per the current arrangement.

9.13 The access to the car park, which is proposed to have a security gate, is only suitable for one vehicle to use at a time. The limited amount of parking and the ability for vehicles able to see vehicles exiting, as well as approach speeds being low, mean that this is not an over-riding issue.

Car Parking:

9.14 The proposal provides a total of 5 car parking spaces in the undercroft, one of which would be a disabled space. One space would be allocated to the ground floor retail unit. It is proposed that the other four parking bays would be allocated to four of the dwellings and the remaining ten dwellings would be marketed as being car-free.

Car Free Development

9.15 Car-free developments are where car parking provision is not provided on-site and when planning permission is granted for the development it limits the parking provision for any additional vehicles. There are several variations of parking controls. Examples include:-

- *Car-free (CF)*: A development with no on-site provision for car parking. With the housing stock having no on-site parking, relying on off-site and on-street car parking;
- *Part Car-Free (PCF)*: Limited numbers of parking provision are available to allocated units, with remaining dwellings being CF;
- *Permit-free (PF)*: The removal of the right to a Residents' Parking Permit from residents of certain named new developments (on-site parking may be available);
- *Car-free plus permit-free (CPF)*: A development with no on-site provision for car parking and where the residents have no right to a Residents' Parking Permit.

9.16 The redevelopment of Bracknell Post Office will incorporate a *part car-free plus permit-free* strategy, with ten of the 14 proposed dwellings being marketed as car-free.

9.17 The application site is well located to promote sustainable travel using the extensive network of pedestrian and cycle routes, as well as the nearby public transport. The areas surrounding the site are all subject to various parking controls, minimising any potential parking overspill from the development.

9.18 The use of car-free or part car-free developments has been widely accepted to encourage sustainable based travel. Examples in Berkshire include:-

Development	Proposals	Details
The Old Bakehouse, Hemdean Road, Caversham, Reading	Existing building replaced with residential development comprising seven 1 bedroom flats.	The development is situated in a very sustainable location and has no private parking spaces. Parking on adjacent roads is controlled by a resident parking permit scheme.
Kennet House, Reading	Remodelled existing building and converted to 103 flats.	The development retains a basement car park, utilising the existing access to provide 45 car parking spaces, including 3 dedicated disabled parking spaces. The car park provision is 0.44 per dwelling. The site is located in Zone 1 of the Reading Council Parking SDP. On-street parking in the vicinity of the site is restricted and future occupiers would not be eligible for parking permits.

9.19 It is proposed that the car-free arrangement would be managed by a Section 106 Agreement removing residents' ability to obtain residential parking permits to park on street (if applicable) or season tickets in local car parks which could set a precedent and over time could undermine the parking needs of the wider town centre.

9.20 The Council's Assistant Borough Solicitor has confirmed that this approach can be followed and it addresses the Highway Officer's concerns regarding the impact of the proposal on town centre parking.

9.21 Visitor parking opportunities are available in nearby public parking areas, including the Charles Square car park which is within 100m walking distance (1½ minute walk). In line with BFC Town Centre Parking Standards, the development will include a total of 30 secure cycle spaces in the undercroft area.

9.22 There is no direct vehicular access to the front of the building as it is located within the pedestrianised area of the town centre. The access to the site is via Service Road C and local roads near to the site have, in general, parking restrictions including areas that have

time limited parking, which restricts or controls long-stay parking that would be more likely to occur from residents.

Servicing

9.23 The access road serving Service Yard C will be used to maintain the servicing and refuse access for the site. Provision for the storage of both commercial and residential waste is proposed.

Vehicle Movements

9.24 The proposal is likely to lead to an increase in daily activity due to the residential element of the proposal. The existing retail element would be comparable to the existing retail floor space. The proposal could generate in the region of 4-6 two way trips in either peak hour with a daily increase in the region of 56 two way trips per day. This level of traffic will have a nominal impact on the highway.

9.25 The development is considered to be acceptable subject to conditions and a Section 106 Legal Agreement to restrict future occupiers from purchasing parking permits and Town Centre Parking season tickets. As such the development complies with CSDPD Policies CS23 and CS24 and Saved BFBLP policies M4 and M9 and the NPPF.

v. BIODIVERSITY

9.26 The submitted Code for Sustainable Homes report states that the site has been assessed by an ecologist as being of low ecological value. Therefore it is recommended that an informative is added to any permission advising that before undertaking demolition works, appropriate action must be taken to check the building or structure for evidence of bats and reasonable efforts must be taken to ensure no bird nests are present.

9.27 The proposed redevelopment has the potential to contribute to the Bracknell Forest Biodiversity Action Plan by providing nesting opportunities for swifts as part of the design of the scheme. The installation of these swift boxes can be secured by condition.

9.28 In view of the above it is considered that the development, subject to conditions, accords with Core Strategy Policies CS1 and CS7 and the NPPF.

vi. SUSTAINABILITY (RESOURCES)

9.29 Since the Governments Ministerial statement of the 26th March 2015 for residential development Policy CS10 requires the submission of a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. An adequate Sustainability Statement has been received addressing this matter.

9.30 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 provided demonstrating that 25% of the development's Carbon emissions would be reduced through passive design. However the applicant has failed to confirm which measures will be implemented in-order to provide 20% of the development's on-site energy generation offset. These details can be secured by condition.

vii. PLANNING OBLIGATIONS

9.31 This application is for CIL chargeable development but, as the site lies within the Town Centre CIL Charging Zone where the chargeable rate is zero, no CIL will be levied.

9.32 Matters to be secured by S106 Agreement comprise:-

- Thames Basins Heath Special Protection Area (SPA) mitigation (see section 9(x) below).
- Restriction for future occupiers relating to the purchase of parking permits and Town Centre parking season tickets (see section 9(v) above).

viii. AFFORDABLE HOUSING

9.33 The number of dwellings provided (14) lies below the threshold for the provision of affordable housing.

ix. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

9.34 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.

9.35 This site is located approximately 3 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.

9.36 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.

SPA Avoidance and Mitigation Measures

a) The provision of Suitable Alternative Natural Greenspace (SANG) and its ongoing maintenance in perpetuity.

9.37 In accordance with the SPA SPD, the development will be required to provide alternative land (SANG) to attract new residents away from the SPA. As this development leads to a net increase of less than 109 dwellings, the developer may make a payment contribution towards strategic SANGs (subject to SANGs capacity in the right location within Bracknell Forest).

9.38 The cost of the SANG enhancement works will be funded through the Community Infrastructure Levy (CIL) whether or not this development is liable for CIL. This is equal to 9.46% of the total SANG contributions set out in the SPA SPD Summary Table 1. The remaining SANG contributions will be taken through Section 106 contributions.

9.39 The enhancement of open space works at The Cut Countryside Corridor SANG is the most appropriate to this proposal.

9.40 An occupation restriction will be included in the Section 106 Agreement. This serves to ensure that the SANGs enhancement works to be secured by the CIL 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

b. Strategic Access Management and Monitoring (SAMM) Contribution

9.41 The development will also be required to make a contribution towards SAMM. This project funds strategic visitor access management measures on the SPA to mitigate the effects of new development on it.

9.42 The level of contributions is calculated on a per bedroom basis as set out in the SPA SPD Summary Table 1.

Conclusion on SPA

9.43 A Habitats Regulations Assessment is required for this development in accordance with the Habitats Regulations 2010 (as amended). In the absence of 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.

9.44 Provided that the applicant is prepared to make a financial contribution towards the costs of SPA avoidance and mitigation measures, the application will be in accordance with the SPA mitigation requirements as set out in the relevant policies above.

9.45 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.

x. DRAINAGE

9.46 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.

9.47 This matter is still under consideration; an update will be provided in the supplementary report. Given the location and form of the site it should be possible to achieve a suitable drainage solution that will at least meet with the current impacts or possibly improve on them. This matter can be covered by a condition, if necessary.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of this part of Bracknell town centre, or on the amenities of the residents of the nearby properties. It is considered that highway/parking matters can be satisfactorily addressed by conditions and a Section 106 Legal Agreement. It is therefore considered that the proposed development complies with relevant Development Plan policies and proposals 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. Restrictions on future occupiers preventing the purchase of both Town Centre Parking permits and carpark season tickets.

The Head of Planning be given delegated authority, subject to confirmation by the LLFA that an acceptable drainage strategy has been submitted, to **APPROVE** the application 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:-

PL/05 Proposed Site Plan received 22.06.15.

PL/06 Proposed Ground Floorplan received 22.06.15.

PL/07 Proposed 1st and 2nd Floorplan received 22.06.15.

PL/08 Proposed 3rd and 4th Floorplan received 22.06.15.

PL/09 Proposed 5th and 6th Floorplan received 22.06.15.

PL/10 Proposed North and South Elevations received 22.06.15.

PL/11 Proposed West and East Elevations received 22.06.15.

PL/12 Proposed 3D Views received 22.06.15.

Drainage Assessment received 22.06.15.

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 building 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 permitted shall be implemented in accordance with the submitted Sustainability 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]

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% 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]

07. The development hereby permitted shall not be begun until details of on-site refuse storage for waste material awaiting disposal have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON: To ensure the provision of satisfactory waste collection facilities in the interests of amenity.

08. The development 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]

09. No part of the development 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]

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 for covered and secure cycle parking facilities. The building shall not be occupied until the approved scheme has been implemented. The facilities save as otherwise agreed in writing by the Local Planning Authority shall be retained.

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

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

11. No development shall take place until a scheme indicating the provision to be made for disabled people to gain access to the retail unit and flats has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the building provided by the carrying out of the development is occupied.

REASON: To ensure that people with disabilities have access to the development

[Relevant Policy BFBLP EN22 and M7]

Informatives

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. Before undertaking demolition works, appropriate action must be taken to check the building or structure for evidence of bats as a European protected species. Reasonable effort must also be taken to ensure no bird nests are present as these are protected under the Wildlife and Countryside Act 1981.
03. No details are required to be submitted in relation to the following conditions: 01, 02 and 05.
04. The applicant is advised that the following conditions require discharging prior to commencement of construction works: 03, 04, 06, 07, 08, 10 and 11.
05. The following condition requires discharge prior to the occupation of the dwellings hereby approved: 09.

In the event of the S106 planning obligation(s) not being completed by 15th December 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).
02. The applicant has failed to secure restrictions on future occupiers of the development so that no parking permits and no Town Centre car parking season tickets can be obtained. In the absence of such a restriction this would compromise the overall Town Centre Parking strategy to the detriment of highways safety. The proposed development is therefore contrary to Local Plan Policy M9 and Core Strategy Policy CS23 and the NPPF.

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Unrestricted Report

ITEM NO:

Application No.
15/00660/FUL
Site Address:

Ward:
Binfield With Warfield

Date Registered:
23 July 2015

Target Decision Date:
17 September 2015

**Oak Cottage St Marks Road Binfield Bracknell
Berkshire RG42 4BB**

Proposal: **Erection of 2no. 4 bedroom detached dwellings with access and parking following demolition of existing dwelling and outbuilding.**

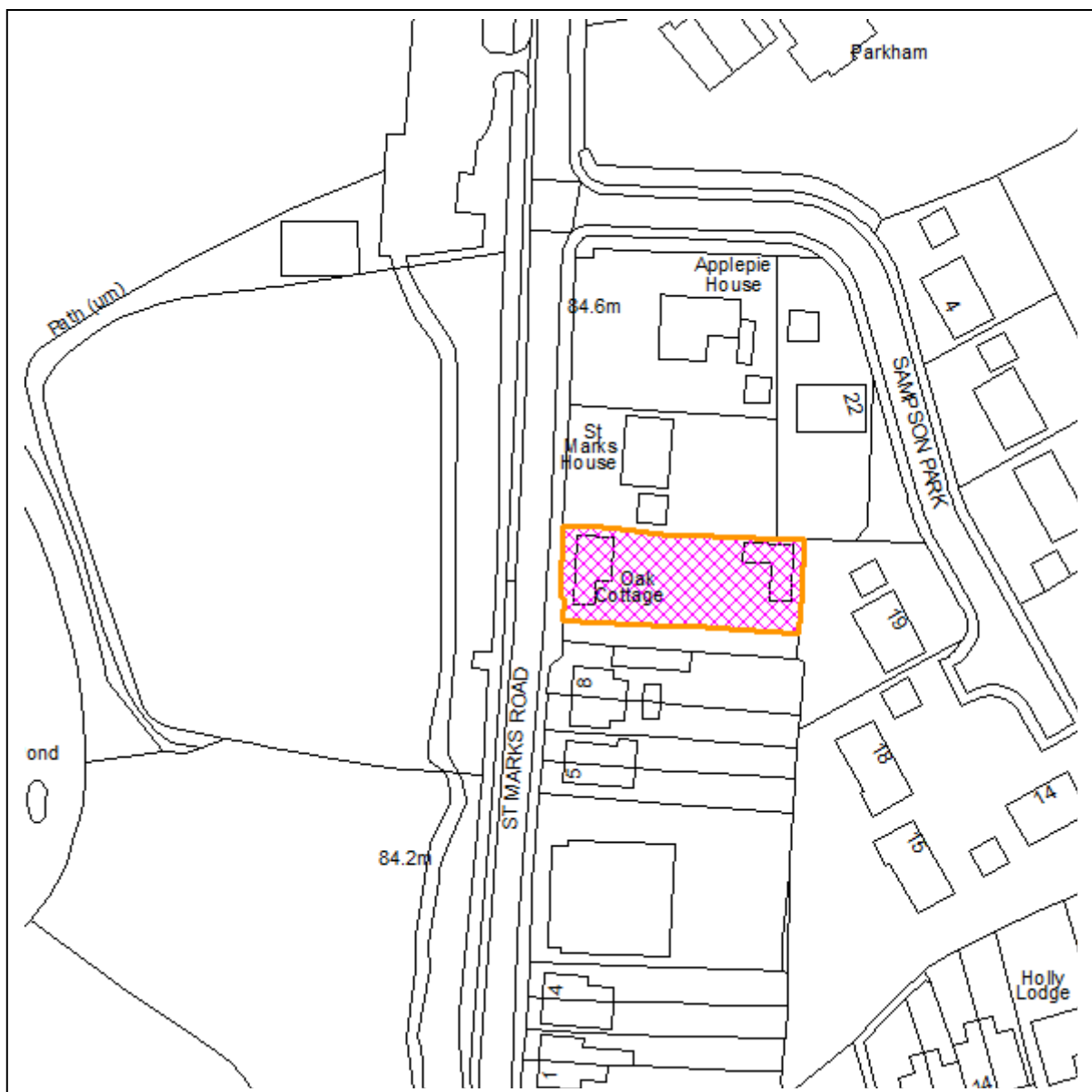
Applicant: Mr R Howell

Agent: Mrs Emily Temple

Case Officer: Sarah Horwood, 01344 352000

Development.control@bracknell-forest.gov.uk

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



1. SUMMARY

1.1 The proposal is for the erection of 2no. detached dwellings following demolition of existing dwelling and outbuilding.

1.2 The proposed development relates to a site within the settlement boundary. 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 would result. Relevant conditions will be imposed in relation to biodiversity and sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable.

RECOMMENDATION

Planning permission be granted subject to the conditions in Section 11 of this report and a section 106 agreement relating to mitigation measures for the SPA.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Land within defined settlement

Character Area Assessment - Area B - Popeswood North
--

Area of special housing character

3.1 Oak Cottage is a detached two storey white rendered dwelling with slate roof located on the eastern side of St Marks Road. There is a detached outbuilding located in the rear garden close to the northern and eastern boundaries of the site. The outbuilding is accessed by a driveway that runs to the south of the dwelling.

3.2 The surrounding area is residential in character. To the north is St Marks House, a detached dwelling with hipped roof and central gable, and detached garage set closest to the boundary with the application site. To the south is 8 St Marks Road, a semi-detached dwelling. There is a detached outbuilding set on the boundary with the application site which is two storeys high. To the east is Sampson Park, a newer development of detached dwellings with detached garages. To the west of the site is Popes Meadow, a Council owned area of open space.

4. RELEVANT SITE HISTORY

4.1 There is no relevant site history.

5. THE PROPOSAL

5.1 Full permission is sought for the erection of 2no. 4 bedroom detached dwellings following demolition of existing dwelling and outbuilding.

5.2 The proposed dwellings would be 8.3m wide by some 15m deep at the deepest point with an eaves height of 4.8m and ridge height of 8.2m. They would have hipped roofs with front facing gables and to the rear, facing flat roofed dormer windows.

5.3 The proposed dwellings would comprise the following layout:

GROUND FLOOR: porch, hall, integral garage, study, cloakroom, utility, kitchen and breakfast area, living room;
 FIRST FLOOR: 4no. bedrooms, 2 with en-suites, bathroom
 SECOND FLOOR: fitness room, shower room

5.4 Parking and turning is proposed to the front with 0.9m high wrought iron railings along the front boundary of the site along with landscaping. To the rear of each plot are private gardens which would be some 19-20m deep, enclosed by existing 1.8m high fencing.

5.5 The scheme has been amended during the course of the application to address issues over design and on-site parking and turning.

6. REPRESENTATIONS RECEIVED

Binfield Parish Council

6.1 Binfield Parish Council recommend refusal for the reasons set out below:

1. This is overdevelopment of the plot.
2. There is insufficient parking on the site as what is proposed looks impractical and won't be used.
3. The second floor window overlooking the rear neighbours should perhaps be on the front elevation.

Other representations

6.2 3no. letters of objection which can be summarised as follows:

- Proposal is shoe-horning 2 large houses on a relatively narrow site which are unlike other properties in style and height
- Accommodation in the roof space with dormer window contrary to design of surrounding properties
- Overlooking and loss of privacy
- Loss of daylight

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer

7.1 Objection originally raised on parking and turning grounds. Amended plans received and in light of the amendments, no objection subject to conditions.

Biodiversity Officer

7.2 No objection subject to conditions

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO 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
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.

Housing	Saved Policy H4	Not entirely consistent as NPPF refers to effective use of land.
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, EN2 and EN3 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		
Binfield Neighbourhood Development Plan		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i. Principle of development
- ii. Impact on character and appearance of surrounding area
- iii. Impact on residential amenity
- iv. Impact on highway safety
- v. Biodiversity
- vi. Thames Basin Heath SPA
- vii. Community Infrastructure Levy (CIL)
- viii. Sustainability

i. PRINCIPLE OF DEVELOPMENT

9.2 The site is located within the settlement boundary where the principle of development is acceptable subject to no adverse impact upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.

ii. IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA

9.3 The site is located within an area of special housing character in the Popeswood Triangle bounded by Popeswood Road, St Marks Road and London Road as identified in Policy H4 of the BFBLP. The policy refers to areas within the Borough with distinctive character due to existing patterns and form of development, normally low density development and larger dwellings set in extensive grounds. The policy at para 5.30 refers to the area in the Popeswood Triangle being low density development, approximately 9 units per hectare and that the area comprises large houses set in extensive grounds, together with smaller houses and cottages.

9.4 The site is also located within a Character Area as identified by the Character Area SPD under Area B- Popeswood North. The SPD identifies the area as having a distinctive residential character, with low density with Victorian cottages predominately constructed

using red brick and located within close proximity of the highway. However, the SPD does identify new developments being suburban with detached dwellings set in larger front gardens. There are varied boundary treatments with low hedges/walls/railings along residential streets. The recommendations of the SPD are that:

- Development should be small scale, in the form of cottages and subservient to institution building;
- Development should keep the open character;
- Proposals of high densities or the redevelopment of large plots, should take particular care to avoid the erosion of tree cover and any development should retain mature trees;

9.5 The redevelopment of the plot with the erection of 2no. dwellings following demolition of existing dwelling would result in a housing density of 25 dwellings per hectare. Whilst policy H4 of the BFBLP refers to low density development in the Popeswood area, the proposal would result in a net gain of 1no. dwelling in the Borough and would not result in an overdevelopment or cramped form of development given adequate space would be retained between the proposed dwellings and adjoining buildings, along with adequate separation distance between the 2 plots themselves and each having appropriate sized rear gardens. The proposal would represent an efficient use of the land and would not be dissimilar in plot size to surrounding dwellings, in particular the Victorian semi-detached dwellings to the south. The NPPF refers to the effective use of land and it is considered that this proposal would comply with this objective.

9.6 The design of the proposed dwellings would reflect the characteristics of other properties within the surrounding area with hipped roofs and front facing gables. Whilst the design of the proposed dwellings would differ to that of the Victorian cottages to the south, they would reflect the design of a replacement dwelling to the north at St Marks House and would identify the dwellings as a more recent addition within the street scene. The design would therefore fit into the context of the street scene when viewed as a whole.

9.7 The ridge heights of the proposed dwellings would be acceptable, staggered between the ridge heights of adjoining properties, with the ridge heights higher than the adjoining cottages at nos. 7 and 8 St Marks Road to the south but lower than the ridge height of St Marks House to the north. The dwellings would therefore assimilate well with adjoining dwellings in view of the staggered ridge heights.

9.8 Details of materials for the external finishes of the proposed dwellings have not been specified and a planning condition is recommended requiring details to be submitted for approval prior to commencement of development. Architectural detailing in the way of string and soldier courses above the windows would add design interest to the dwellings.

9.9 The frontages of the proposed dwellings would be dominated by parking and turning with areas of soft landscaping enclosed by 0.9m high railings. The frontages of the surrounding cottages are also dominated by parking, with vehicles overhanging the footpath in areas. As such, the proposed parking and turning to the frontage of the dwellings would not detract from the visual amenities of the surrounding area. Some soft landscaping would be provided to soften the hard surfacing and low level railings are proposed along the front boundary which are characteristic of the area as identified in the Character Area SPD (and seen on the adjoining properties at 7 and 8 St Marks Road). A planning condition is recommended requiring details of hard and soft landscaping to be submitted for approval in the interests of the visual amenities of the area.

9.10 The site is located in Binfield. The Binfield Neighbourhood Area was designated by Bracknell Forest Council in February 2014. The Parish Council undertook a pre-submission consultation of the draft plan in August 2015, however the document is not formally adopted and therefore little weight can be afforded to it in assessment of this application.

9.11 As such, the development would not result in an adverse impact on the character and appearance of the area and would be in accordance with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD and the NPPF.

iii. IMPACT ON RESIDENTIAL AMENITY

Plot 1

9.12 The dwelling on plot 1 would be set a minimum of 1m from the northern boundary with St Marks House. There would be 2.5m separation distance between the flank wall of plot 1 and the existing garage at St Marks House, and there would be 9m between the flank wall of plot 1 and the flank wall of St Marks House at the closest point. In view of the separation distances between plot 1 and the flank wall of St Marks House with the detached garage as an intervening feature between, and that 3m of the dwelling at two and a half storeys high would project beyond the rear elevation of St Marks House, the proposed dwelling would not appear unduly overbearing or result in loss of daylight to the adjoining property. The visual prominence of the dwelling would be further mitigated by the roof hipping away from the common boundary with St Marks House.

9.13 3no. windows and a door are proposed in the northern elevation at ground floor level. There is existing fencing 1.8m high denoting the northern boundary with St Marks House which would be retained. In view of the boundary treatment, the ground floor windows and door proposed would not result in overlooking and loss of privacy to the adjoining property. 2no. windows are proposed in the northern elevation at first floor level serving bathroom and en-suite bathroom. A planning condition is recommended requiring these windows be obscure glazed and fixed shut to prevent overlooking and loss of privacy to the adjoining property.

9.14 2no. roof lights are proposed in the northern roof slope serving the proposed fitness room and shower room. A planning condition is recommended requiring the roof lights be more than 1.7m above internal floor level to prevent overlooking and loss of privacy to the adjoining property. A planning condition restricting permitted development rights for additional windows at first floor level and above in the northern elevation of plot 1 is also recommended.

9.15 The rear elevation of plot 1 at ground floor level would be set 18.5m from the eastern boundary, with 22.5m at first floor level to the eastern boundary and the proposed dormer 23m to the eastern boundary. There would be 27m between the rear elevation of plot 1 at ground floor level and 19 Sampson Park and in excess of 30m between the rear elevation of plot 1 at first and second floor level and 19 Sampson Park. In view of these separation distances, no adverse overlooking and loss of privacy would result to the rear elevation and rear garden of 19 Sampson Park to the east and the proposed dwelling would further not appear overbearing to the adjoining property.

9.16 The rear elevation of plot 1 at ground floor level would be set 15m from the boundary with no. 22 Sampson Park at the closest point, with in excess of 27m separation distance between the rear elevation of plot 1 and no. 22 to the north-east of the site at the closest point. In view of the separation distances between plot 1 and no. 22 and that no. 22 is orientated 90 degrees to plot 1; there would be no direct overlooking or loss of privacy to no. 22 and its rear garden that would be detrimental to the adjoining property. Further, in view of the separation distances, the proposed dwelling would not appear overbearing to no. 22.

Plot 2

9.17 The dwelling on plot 2 would be set a minimum of 1m from the southern boundary with 8 St Marks Road. There is an existing detached outbuilding (used as an annexe) at 8 St

Marks Road which is set on the boundary with the application site and there would be approximately 5.5m separation distance between the flank wall of plot 2 and the flank wall of 8 St Marks Road at the closest point. In view of the separation distances between plot 2 and the flank wall of 8 St Marks Road with the detached annexe set on the boundary with the application site as an intervening feature between, the proposed dwelling would not appear unduly overbearing to the adjoining property or annexe. The visual prominence of the dwelling would be further mitigated by the roof hipping away from the common boundary with 8 St Marks Road.

9.18 The proposed dwelling at plot 2 would be set further back into the site and further back from the front elevation of 8 St Marks Road in comparison to the existing dwelling. However, in view of the separation distances between the dwellings with the existing annexe at no. 8 set on the boundary with the application site, no loss of daylight would result to the adjoining property.

9.19 3no. windows and a door are proposed in the southern elevation at ground floor level. The proposed windows and door would look out onto the flank wall of the annexe at 8 St Marks Road. There are no windows in the side elevation of the outbuilding facing onto the application site and therefore the proposed windows and door at ground floor level would not result in overlooking to the existing annexe at the adjoining property. 2no. windows are proposed in the southern elevation at first floor level serving bathroom and en-suite bathroom. A planning condition is recommended requiring these windows be obscure glazed and fixed shut to prevent overlooking and loss of privacy to the adjoining property. 2no. roof lights are proposed in the southern roof slope serving the proposed fitness room and shower room. A planning condition is recommended requiring the roof lights be more than 1.7m above internal floor level to prevent overlooking and loss of privacy to the adjoining property. A planning condition restricting permitted development rights for additional windows at first floor level and above in the southern elevation of plot 2 is also recommended.

9.20 The rear elevation of plot 2 at ground floor level would be set 16.5m from the eastern boundary, with 21m at first floor level to the eastern boundary and the proposed dormer 21.5m to the eastern boundary. There would be 25m between the rear elevation of plot 1 at ground floor level and 19 Sampson Park and in excess of 29.5m between the rear elevation of plot 1 at first and second floor level and 19 Sampson Park. In view of these separation distances, no adverse overlooking and loss of privacy would result to the rear elevation and rear garden of 19 Sampson Park to the east and the proposed dwelling would further not appear overbearing to the adjoining property.

9.21 To the west of the site is Popeswood Meadow, a Council owned area of open space and therefore front facing windows would look over the open space and not onto any existing housing.

Future occupiers of proposed dwellings

9.22 In relation to the residential amenities of future occupiers of the proposed dwellings, the dwellings would be separated by 2m measured between their flank walls and would be staggered within the site, with plot 1 set forward from plot 2 by 2m. It is not considered the dwellings would appear unduly overbearing to each other.

9.23 Windows are proposed in the flank walls facing each plot; however these windows are either serving non-habitable rooms or are secondary sources of light i.e. at ground floor level, 2no. windows are proposed to serve the lounge which are secondary light sources with the primary light source in the rear elevations and as such, no undue loss of daylight would result to the proposed dwellings. Windows and a door are proposed at ground floor level, however a 1.8m high fence is proposed between the plots to avoid overlooking from ground

floor windows. At first floor level, an en-suite and landing window are proposed on each plot facing the other plot. A planning condition is recommended requiring these windows be obscure glazed and fixed shut to prevent overlooking and loss of privacy to the adjoining plot. 2no. roof lights are proposed in the roof slopes facing the other plots. A planning condition is recommended requiring the roof lights be more than 1.7m above internal floor level to prevent overlooking and loss of privacy.

9.24 Each plot would have a private garden proportionate to the size of the proposed dwellings, along with on site parking and turning to the front.

9.25 As such, the proposal would not be considered to affect the residential amenities of neighbouring properties and, the residential amenities of the future occupiers of the proposed dwellings would be acceptable. The proposal would therefore be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

iv. IMPACT ON HIGHWAY SAFETY

9.26 These two new dwellings would take access off St Mark's Road, a local distributor road (Classified C road) which is subject to a 30mph speed limit. The Site Plan indicates that the new dwelling adjacent to S Mark's House will be served by a new access. The new dwelling to the south would be served by an existing access.

9.27 The Site Plan shows sight-lines in the region of 90 metres as being available at a set-back of 2.4 metres. To the left (south) these are shown as being across the frontages of nos. 5 to 8 and such sight-lines are not within the control of the applicant. Nonetheless, sight-lines in the region of 90 metres could be achieved to a point slightly off the kerb-line, such that vehicles exiting these driveways would have adequate sight-lines to any northbound vehicles which may overtake in this location. Acceptable sight-lines to the right (north) can be achieved within the highway boundary. A minimum 2 metre wide footway should be provided across the frontage to protect sight-lines. Such works can be carried out as part of the access works.

9.28 3 on-plot parking spaces are to be provided for each of these 4-bed dwellings to comply with the parking standards. An integral garage is proposed as are 2 driveway parking spaces. The garages are shown on the floor plans as having internal dimensions of 3 metres by 6 metres. This complies with the latest standards for vehicle parking and the garages could be used for cycle and bin storage as well, though rear access is being provided for each of the dwellings.

9.29 The parking and turning layout as originally submitted was not considered acceptable as there was insufficient turning space to allow vehicles to exit the site in a forward gear. An amended parking and turning layout was submitted to the LPA on 26 August 2015 which is considered to comply with the Council's Standards for parking and turning. Vehicles would be able to exit the driveways onto the classified road in a forward gear.

9.30 The parking areas would need to be permeable paving.

9.31 No gates are proposed at the vehicular accesses and the introduction of gates would affect parking and turning. A planning condition is recommended to restrict the installation of gates at the vehicular accesses.

9.32 Further conditions are recommended including access, provision of parking and turning areas and site organisation. Subject to the imposition of the above conditions, the proposal is considered to be in accordance with CS23 of the CSDPD, Saved Policy M9 of the BFBLP and the NPPF and would not result in highway implications.

v. BIODIVERSITY

9.33 The bat survey report shows that the building to be demolished is unlikely to support roosting bats. Nonetheless, a method statement for the sensitive demolition of this building should be secured by condition.

9.34 Further conditions are recommended in relation to no site clearance works during the bird nesting season and the provision of biodiversity enhancements, including bird and bat boxes. Subject to the imposition of the above conditions, the proposal would be in accordance with Policies CS1 and CS7 of the CSDPD and the NPPF.

vi. THAMES BASIN HEATH SPA

9.35 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 4km 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.

9.36 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 will result in a net increase of for 2 X 4 bedroom dwellings replacing a single 4 bedroom dwelling. The total SANG contribution is therefore £2,469.

9.37 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. The application for this development is for 2 X 4 bedroom dwellings replacing a single 4 bedroom dwelling. The SAMM contribution is therefore £807.

9.38 The total SPA related financial contribution for this proposal is £3,276. 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.

vii. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

9.40 CIL applies to any new build (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.

9.41 The proposal would be CIL liable.

9.42 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.

9.43 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.

9.44 Mitigation towards the Thames Basin Heath SPA will continue to be secured through a Section 106 agreement as outlined above.

viii. SUSTAINABILITY

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

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

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 would result. Relevant conditions will be imposed in relation to 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 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 23 July 2015 and 26 August 2015:
drawing no. 21506-2/01
drawing no. 21506-2/02 Rev A
drawing no. 21506-2/03 Rev B
drawing no. 21506-2/04 Rev B
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. The first floor windows in the side elevations of plots 1 and 2 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 with the exception of a top hung openable fanlight.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
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 north and south elevations of the dwellings hereby permitted except for any which may be shown on the approved drawings.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
06. The rooflights in the roof slopes facing north and south of the proposed development shall at all times be no less than 1.7 metres above internal floor level.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
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.
REASON: In the interests of the character of the area.
[Relevant 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. 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. The areas shown for landscaping shall thereafter be retained.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

09. No development shall 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 the new dwellings and retained as such thereafter.

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

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

10. The dwellings hereby permitted shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans received by the Local Planning Authority on August 2015.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

11. The dwellings hereby approved shall not 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]

12. 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]

13. No gates shall be provided at the vehicular accesses to the site.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

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 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.

[Relevant Policies: Core Strategy DPD CS23]

15. 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 scheme, if required, shall be implemented in accordance with the approved details.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP EN3 CS1, CS7]

16. 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]

17. 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 scheme, if required, shall be implemented in accordance with the approved details

REASON: To ensure the status of bats on site has not changed since the last survey.

[Relevant Plans and Policies: CSDPD CS1, CS7]

18. No development shall take place (including demolition, ground works and site clearance) until a method statement for the sensitive demolition to avoid the potential of harm to bats of any buildings on site has been submitted to and approved by the Local Planning Authority. The content of the method statement shall include:

- o the purpose and objectives for the proposed works
- o detailed designs and/or working methods to achieve the stated objectives
- o extent and location of the proposed works shown on an appropriate plan
- o a timetable for implementation
- o 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]

19. 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]

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 that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 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]

21. The dwellings hereby permitted shall not be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and

secure cycle parking facilities. The scheme shall be implemented and retained thereafter.

REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, CSDPD CS23]

In the event of the S106 agreement not being completed by 15 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 (February 2015).

Informatives

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; however they are required to be complied with:
 01. Time limit
 02. Approved plans
 04. Obscure glazing and top opening fanlight
 05. Restrictions on windows
 06. Height of skylights above floor level
 12. Retention of garage
 13. No gates
 15. No site clearance during bird nesting season
 17. Updated bat survey

The applicant is advised that the following conditions require discharging prior to commencement of development:

03. Materials
07. Finished floor level
08. Hard and soft landscaping
09. Boundary treatment
14. Site organisation
16. Bird and bat boxes
18. Method statement for demolition
19. Sustainability statement
20. Energy demand assessment

The following conditions require discharge prior to the occupation of the dwellings hereby approved:

- 10. Vehicular access
- 11. Parking and turning
- 21. Cycle parking

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Unrestricted Report

ITEM NO:

Application No.
15/00674/FUL

Ward:
Ascot

Date Registered:
21 July 2015

Target Decision Date:
15 September 2015

Site Address:

31 Mill Ride Ascot Berkshire SL5 8LF

Proposal:

Raise main ridge of existing house by 415mm, erection of two storey front extension, two storey side extension, single storey rear extension, installation of rear dormer and alterations to include render (white) and timber cladding.

Applicant:

Mr Malcolm Saunders

Agent:

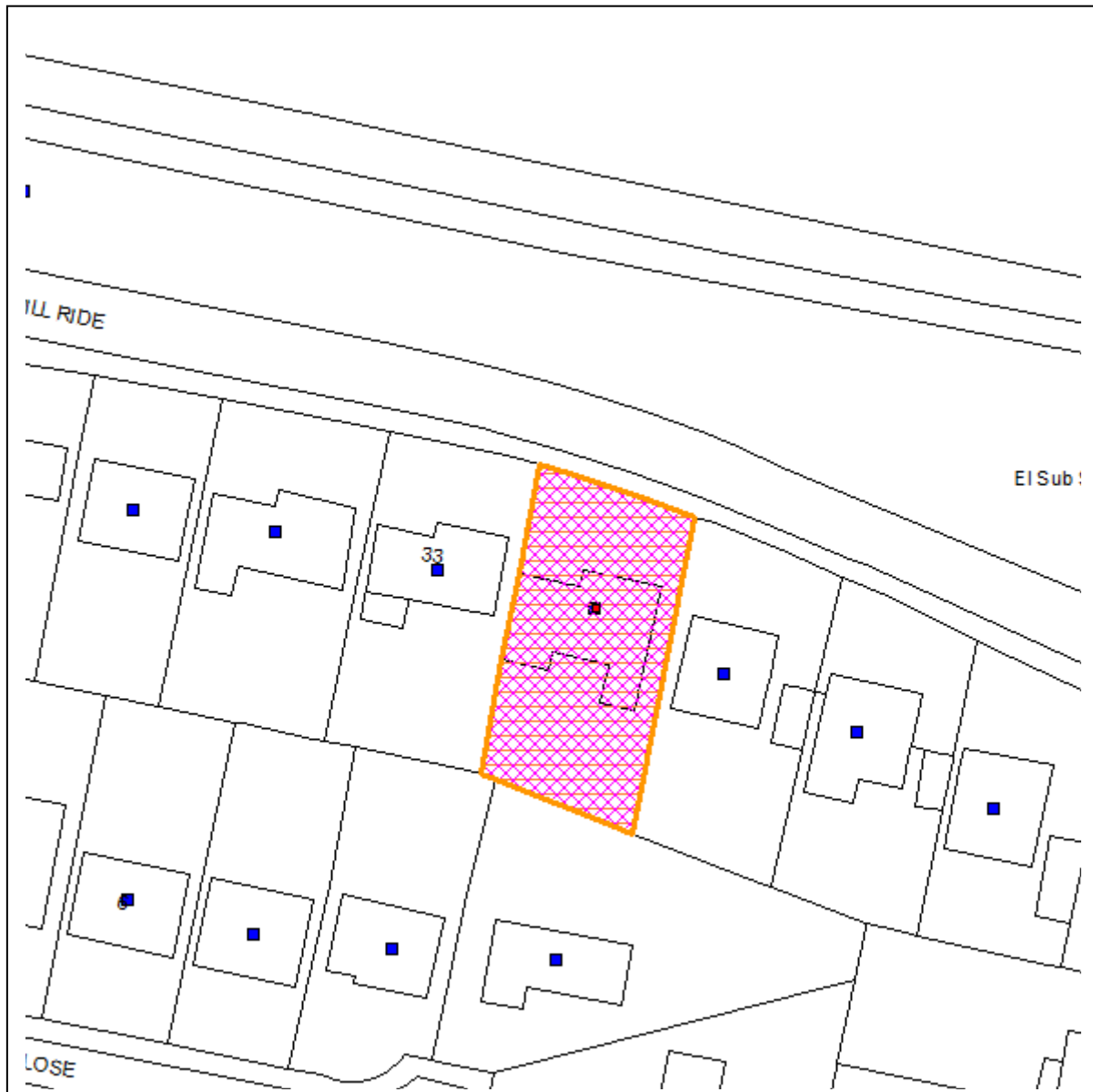
Mr Sam Jones

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 raising the main ridge of the existing house by 415mm, erection of two storey front extension, two storey side extension, single storey rear extension, installation of rear dormer and alterations to include white render and timber cladding.
- 1.2 Amended plans were received on 18 September 2015 which showed obscure glazed windows on the first and second floor, therefore it is considered there will be no negative impacts on privacy. The design was altered to fit in with the street scene, by retaining existing cladding combined with white render. The relationship with adjoining properties is acceptable and there are no highway safety implications.

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 following the receipt of more than 3 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement boundary.

- 3.1 No.31 Mill Ride is a 4 bedroomed, two storey detached property located in a predominantly residential area. The property has an enclosed rear garden with 1.8 metre high boundary fencing on the east and west side boundary, with high and thick vegetation on the rear boundary. The property has a small grassed area to the front, in addition to a hard standing providing parking for 3 vehicles.

4. RELEVANT SITE HISTORY

4.1 621097

Erection of single storey rear extension and new flat roof over existing garage.
Approved 1995.

08/00461/FUL

Erection of two storey side extension, single storey front extension and single storey rear extension.
Approved 2008.

5. THE PROPOSAL

- 5.1 The proposed development is for raising the main roof by 415mm and the installation of a rear dormer, to allow for a loft conversion to form a 4th bedroom, ensuite and home office. Proposal also includes the erection of a two storey front extension, to form a second front gable feature with a small round window on both gables, two storey side extension and conversion of the garage below and single storey rear extension to form an enlarged kitchen/dining area. The whole house will be white rendered with some sections of timber cladding.

The rear dormer will measure 12.6 metres in width, 2.5 metres in height and be 3.6 metres deep. The two storey front extension would have a width of 5.7 metres, depth of 1.8 metres and a height of 7.9 metres. The two storey side extension would have a width of 2.35 metres, depth of 7.4 metres and height of 8 metres. The single storey rear extension would have a depth of 6.2 metres, width of 7.2 metres and height of 3 metres.

During the course of the application process amended plans were received, adding in round windows to the two front gables, altering the position of the cladding and obscure glazing the first and second floor rear windows.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council:

6.1 An objection was received from Winkfield Parish Council, objecting on the grounds that it would be overdevelopment of the site, out of keeping with the street scene and impacts the residential amenity of neighbouring properties.

Other representations:

6.2 A total of 3 objections have been received from residents of surrounding properties.

The objections can be summarised as follows:

- Overlooking and loss of privacy from the second floor dormer windows.
- Overbearing scale of the alterations to the rear.
- Out of character for the area.

[Officer Note: The distances between second floor windows and neighbouring properties will be analysed using guidance from Bracknell Forest Borough Council 'Extending your home: A Householder's guide' (2003). However, amended plans were received on 18 September 2015 showing the second floor rear dormer windows to be obscure glazed. The concerns over the overbearing nature of the proposal will be discussed in the report below. The concerns over the impact of the proposal on the character of the host dwelling and surrounding area are also discussed in the report below.]

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highway Authority

Despite the loss of the garage as a parking space there is sufficient spaces across the frontage to provide 3 parking spaces for this 4-bed dwelling. The exiting dropped kerb would need to be extended.

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) Bracknell Forest Borough Council 'Extending your home: A Householder's guide' (2003) 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. Principle of development
- ii. Impact on character and appearance of the area
- iii. Impact on residential amenity
- iv. Impact on highway safety
- v. Community Infrastructure Levy

i. PRINCIPLE OF DEVELOPMENT

9.2 No. 31 Mill Ride is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, highway safety, etc. These matters are assessed below.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.3 It is considered that the proposed rear dormer would not be visible in the street scene of Mill Ride. There are a number of other similar rear dormers on many properties in Mill Ride, including the neighbouring property of No.29 Mill Ride. The dormer will also be clad in wood to match that of the cladding on the front elevation of the property. It is therefore considered that the proposal would not be out of character for the area.

9.4 To accommodate the rear dormer the main ridge of the existing house is proposed to be raised by 415mm. There are a range of ridge heights and property elevations in the street scene of Mill Ride. The neighbouring property to the east has a considerably lower ridge height, however the property to the west, No.33 Mill Ride, has a ridge height slightly higher. Therefore it would be considered that a raise in ridge height would not be detrimental to the character of the area or street scene.

9.5 It is considered that the proposed single storey rear extension would not be visible in the street scene of Mill Ride, and considering the presence of an existing rear extension at No. 31 Mill Ride and rear extensions (including conservatories) on

surrounding dwellinghouses, it is not considered the proposed will result in an adverse impact on the appearance of the surrounding area.

9.6 It is considered that the proposed two storey side extension would not be adversely out of character with the host dwelling. Despite it being on the front elevation of the house and visible in the street scene, a number of other properties in Mill Ride, including No. 33 have similar two storey side extensions incorporating garages, therefore it would not be out of character for the area.

9.7 The proposed two storey front extension with gable roof feature and round window is considered not to have a detrimental impact on the character of the area. No.31 Mill Ride already has a gable roof feature on the principal elevation of the property, and the proposed extension would mirror this. Furthermore, gable features are recurrent in the street scene of Mill Ride, therefore it would not be out of character for the area.

9.8 The proposed white render on the property, will be broken up with a large section of wooden cladding on the front elevation and rear dormer. There are other examples of partial white render of properties in Mill Ride and it is becoming more common. Although white render is not an overwhelming trend in the street scene of Mill Ride, it is not considered to have a detrimental impact on the character of the area.

9.9 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.

iii. IMPACT ON RESIDENTIAL AMENITY

9.10 Amended plans were received showing all second floor windows on the proposed rear dormer as obscure glazed. However, in accordance with the Bracknell Forest Borough Council 'Extending your home: A Householder's guide' (2003) it states that a window at second floor level (including a dormer) should be no less than 30 metres from a neighbouring property and 15 metres from a boundary, where it overlooks that property or boundary. The proposed rear dormer at No.31 Mill Ride would be 13 metres from the rear boundary with No.9 Ferrard Close and 25 metres from the property of No.9 Ferrard Close. Although this does not quite meet the Council's guidance, there is tall vegetation screening on the rear boundary and proposed second floor windows will be obscure glazed. It is therefore considered that there will be no significant detrimental impact on residential amenity from overlooking.

9.11 Considering the siting of the proposed single storey rear extension, although it is close to the boundary with No.29 Mill Ride, it would be further away than the current single storey rear extension, therefore it is unlikely to result in an adverse impact on the residential amenity of No.29 Mill Ride. The south west facing patio doors on the proposed rear extension, are unlikely to result in an adverse impact on the residential amenity of No. 9 Ferrard Close due to the fencing and vegetation boundary screening.

9.12 Both sets of windows on the two storey front extension face north eastwards onto Mill Ride and Mill Ride Golf Club, therefore there are no neighbouring properties that these windows would overlook. The first floor side extension above the garage has windows on the front and rear elevations, however both are shown to be obscure glazed at first floor level. There are no side facing windows. The front window faces north eastwards onto Mill Ride and the rear window faces towards the rear of No.9 Ferrard Close, which is 13 metres from the rear boundary and 25 metres from the property. This exceeds the BFC requirements, of 10 metres to the boundary and 22 metres 'back to back' distance, despite the rear first floor window being obscure

glazed, therefore it is considered that there will be no significant detrimental impact on residential amenity.

9.13 The proposed two storey front extension only projects 1.6 metres from the front elevation of the property, to come in line with the existing front gable feature, therefore not reducing the distance between the property and neighbouring properties boundaries. Furthermore, all windows face north eastwards onto Mill Ride Road.

9.14 The two storey front extension would be the same height as the existing front gable feature and project no further from the front elevation than the existing gable, there are no properties adjoining the front boundary of No.31 Mill Ride, so this is not considered overbearing. The first floor side extension would be no wider than the existing ground floor garage or higher than the existing dwellinghouse. The first floor extension will be 2 metres from the boundary with No.29 Mill Ride, which is an acceptable separation distance and is therefore not considered overbearing. The second floor rear dormer, although it runs the width of the dwellinghouse, it does not protrude significantly beyond the roof. It would be 13 metres from the rear boundary with No.9 Ferrard Close and 2 metres from the boundary with No.29 Mill Ride, therefore it is not considered to be overbearing.

9.15 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.

iv IMPACT ON HIGHWAY SAFETY

9.16 This dwelling takes access off an adopted residential road. On-street parking is un-restricted.

This property is shown on submitted plans as currently being a 4-bed dwelling and as having an integral garage. The garage is to be converted into a storage area and as such a potential car parking space is being removed. This garage is unlikely to have an associated planning condition that it be retained for the purposes of the parking and therefore it would not be reasonable to seek replacement on-plot parking by planning condition.

There is sufficient space across the frontage to provide 3 parking spaces to comply with the current standards for a 4-bed dwelling or more whilst retaining soft landscaping and the low front walls which are a feature of this road. The existing dropped kerb would need to be extended to serve a widened parking area. This ought to be considered, but the proposal does not require such changes.

v 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.

9.19 The proposal would result in an extension of over 100 square metres of gross internal floor space and therefore the development is 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, received by the Local Planning Authority on 18 September 2015:

1501-MillRide-03 'Proposed Elevations – Revision P2 Cladding and Gable Windows Amended'

1501-MillRide-02 'Proposed Floor Plans'

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

03. Those windows shown on the approved drawings as having obscured glazing in part or full shall at all times be so fitted with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed with the exception of a top hung openable fanlight.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP 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 additional windows, similar openings or enlargement thereof shall be constructed in the first floor and above of the east and west side elevation and rear elevation hereby permitted except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

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. Obscure glazing
4. Side facing windows

03. The applicant should note that this permission does not convey any authorisation to enter onto land or to carry out works on land not within the applicant's ownership.

04. The Street Care Team should be contacted at the Environment, Culture and Communities Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, 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.

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:

Application No.

15/00760/FUL

Site Address:

Ward:
Great Hollands NorthDate Registered:
10 August 2015Target Decision Date:
5 October 2015**73 Wroxham Bracknell Berkshire RG12 8QR**

Proposal:

Retention of external solid wall insulation with silicone render finish

Applicant:

Mrs Rachel Phillips

Agent:

Mr Bradley Isaacs

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 the retention of external solid wall insulation with blue silicone render finish.

1.2 Considering the mix of finishes to the external appearance of the dwellings in Wroxham, there would be no adverse impact on the character of the area. The relationship with adjoining properties is acceptable and there is no impact on the adjoining footpath regards pedestrian access or safety.

RECOMMENDATION
Planning permission be granted.

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 Four objections have been received and therefore the application is to be considered by the Members of the Planning Committee.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary

3.1 No. 73 Wroxham is an end terraced dwelling located to the north west of the highway. There is communal parking available on Wroxham. The surrounding area is residential. The application property is attached to No. 74 Wroxham.

4. RELEVANT SITE HISTORY

4.1 There is no recorded planning history relevant to the proposed development.

5. THE PROPOSAL

5.1 Full planning permission is sought for the retention of external solid wall insulation with blue silicone render finish. Notice was served on the Bracknell Forest Borough Council Highways Section and Bracknell Forest Homes as the external wall insulation overhangs land under the control of the BFBC Highways Section and ownership of Bracknell Forest Homes.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Bracknell Town Council have considered the application and have no objection.

Other Letters of Representation

6.2 Four Letters of objection have been received which can be summarised as follows:
-the colour is very strong and is out of keeping with the adjoining properties.
-the chosen render finish will devalue property prices and is an eyesore.

[Officer Note: The impact of the render finish on the character of the area and residential amenity is assessed in this report. However, impact on property value is not a material planning consideration].

6.3 One letter of support has been received which can be summarised as follows:
-the house finish is a vibrant colour. There are other examples in the area where individuals have not chosen to paint their houses white.

7. SUMMARY OF CONSULTATION RESPONSES

Highways

7.1 The Highways Officer has no objection to the application.

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
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 Principal of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Highway Implications
- v. Community Infrastructure Levy

i. PRINCIPAL OF DEVELOPMENT

9.2 No. 73 Wroxham is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (Locational Principles) and the NPPF subject to no adverse impacts upon character and appearance of surrounding area, residential amenities of neighbouring properties, highway safety, etc. These matters are assessed below.

ii. IMPACT ON CHARACTER AND APPEARANCE OF THE AREA

9.3 Only the external wall insulation on the south side elevation of the dwelling requires planning permission as it overhangs a public footpath that is controlled by the BFBC Highways Department and is owned by Bracknell Forest Homes. However, the external wall insulation on the front east elevation and rear west elevation of the dwelling is permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 2, Class C, that includes the painting of the exterior of any building or work is permitted development, subject to the painting not being for the

purpose of advertisement, announcement or direction. The term 'painting' in class C includes any type of colour

9.4 It is acknowledged the colour of the silicone external wall insulation that has been used is distinctive in the street scene and although the adjoining terraced dwellings are also rendered, the type of colour used is a cream white finish. However, there is a mix of finishes to the external appearance of the dwellings in the surrounding area, including light blue, brown and red render, therefore considering these mixes it is not considered that the colour that has been used for No. 73 would be out of character in association with the existing render colour mix in Wroxham.

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 Policy CS7 of CSDPD, Saved Policy EN20 of the BFBLP and the NPPF.

iii. IMPACT ON RESIDENTIAL AMENITY

9.6 It is not considered that the external wall insulation would result in an adverse impact on residential amenity because it would not result in any loss of light, overbearing or loss of privacy implications.

9.7 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.

iv HIGHWAYS IMPLICATIONS

9.8 The Highway Officer has no objection and recommends that it is approved, as the wall insulation at a 110 millimetre projection over the adopted footpath, that is adjacent the dwelling, would not affect pedestrian access or safety.

v COMMUNITY INFRASTRUCTURE LEVY (CIL)

9.9 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.

9.10 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 does not create any additional 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, or the amenities of the residents of the neighbouring properties. There would be no impact on pedestrian access or safety. 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 and the NPPF.

Therefore recommend approval.

11. RECOMMENDATION

That the application be **APPROVED**

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. This permission is in respect of plans received by the Local Planning Authority received on 10 August 2015

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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