



NOTICE OF MEETING

Planning Committee

Thursday 18 May 2017, 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, Ms Gaw, Mrs Hayes MBE, Heydon, Hill, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie, Mrs McKenzie-Boyle, Skinner, Thompson and Worrall

ALISON SANDERS
Director of Corporate Services

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If you require further information, please contact: Hannah Stevenson
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Published: 8 May 2017



Planning Committee
Thursday 18 May 2017, 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 20 April 2017 .

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3. **Declarations of Interest**

Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.

Any Member with a Disclosable Pecuniary 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 Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

Any Member with an affected Interest in a matter must disclose the interest to the meeting and must not participate in discussion of the matter or vote on the matter unless granted a dispensation by the Monitoring officer or by the Governance and Audit Committee. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.

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 16/01153/FUL Land R/O Neuchatel, Chavey Down Road, Winkfield Row, Bracknell**
Erection of 5no. 5 bed detached dwellings with new access off Chavey Down Road. 33 - 54
6. **16/01187/FUL The Laurels, Downshire Way, Bracknell, Berkshire RG42 1XT**
Demolition of existing dwelling and construction of 5No. one bedroom apartments in a single building. 55 - 68
7. **16/01240/FUL 48 Ludlow, Bracknell, Berkshire RG12 7BZ**
Erection of two storey side, single storey rear and single storey front extension including a bay window. 69 - 78
8. **16/01266/FUL The Brackens, London Road, Ascot, Berkshire SL5 8BE**
Residential development comprising partial demolition of existing buildings, retention and conversion of Brackens House to provide 5 no apartments and construction of 51 new dwellings, with associated parking, tree removal and landscaping and improvements to existing access to London Road. 79 - 106

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**PLANNING COMMITTEE
20 APRIL 2017
7.30 - 10.41 PM**



Present:

Councillors Dudley (Chairman), Brossard (Vice-Chairman), Angell, Mrs Angell, D Birch, Finnie, Ms Gaw, Mrs Hayes MBE, Hill, Mrs Ingham, Leake, Mrs Mattick, Mrs McKenzie-Boyle, Thompson and Worrall

Also Present:

Councillors Peacey and Turrell

Apologies for absence were received from:

Councillors Heydon and Mrs McKenzie

106. Minutes

RESOLVED that the minutes from the meeting held on 23 March 2017 be approved as a correct record and signed by the Chairman.

107. Declarations of Interest

Councillors Hill, Mrs Ingham, Mrs Mattick, Mrs McKenzie-Boyle and Turrell declared that they had an Affected Interest in item 12: Application 17/00158/FUL, as they were Members of Bracknell Town Council who were they applicant, and would be leaving the room for the duration of the item.

108. Urgent Items of Business

There were no urgent items of business.

109. PS 16/00372/FUL Land West Of Alford Close and 96 and 98 High Street, Sandhurst, Berkshire GU47 8EE

A site visit had been held on Saturday 15 April 2017 which had been attended by Councillors Birch, Brossard, Dudley, Finnie, Ms Gaw, Mrs Ingham, Mrs McKenzie-Boyle and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Sandhurst Town Council.
- The 40 letters of objections received as summarised in the agenda papers.
- The 1 letter of representation neither objecting nor supporting the proposal.
- The additional comments of objection as summarised in the supplementary report.

The criteria for public speaking had been met in respect of this application and the committee was addressed by the registered speaker Tony Greening, objector to the application and Tim Burden representing the applicant.

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

01. Securing suitable on-site affordable housing;
02. Mitigation of impacts on the Thames Basin Heaths SPA consisting of a SANG and SAMM Management Plan;
03. Securing publicly accessible on-site open space and its long-term management and maintenance;
04. Securing further details of drainage design, implementation, management and on-going maintenance of the approved drainage strategy;
05. Securing the transfer of the community hall to the Town Council;
06. Provision for permissive pedestrian and cycle access off Alford Close and the Lakeside Business Park should agreement with third parties be agreed in order to enhance the site accessibility for non-car modes;
07. Securing the main vehicular access and footways as privately maintainable with permissive rights for the public at all times;
08. The developer informing all future purchasers of the private status of the roads and footways within the site and that they, not the Council, will be responsible for them in perpetuity.
09. The developer agreeing to indemnify the Council's waste collection vehicles from damage that may occur from entering a private road.

RESOLVED that the Head of Planning be authorised to **APPROVE** the application subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary:-

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

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

- Site Layout (+coloured) SOSAN-SL- 001 E
- Fire and Refuse Strategy SOSAN-SL- 002 E
- Car Parking Strategy SOSAN-SL- 003 E
- Storey Height SOSAN-SL- 004 E
- Boundary Treatment Plan SOSAN-SL- 005 E
- 203 SV Elevations & Floor Plans SOSAN-PD- 200 A
- 303 Elevations & Floor Plans SOSAN-PD- 201 A
- 303 305 SV Elevations SOSAN-PD- 202 A
- 303 305 SV Floor Plans SOSAN-PD- 203 A
- 304 SV Elevations & Floor Plans SOSAN-PD-206 A
- 305 SV Elevations & Floor Plans SOSAN-PD-207 A
- 305 SV Elevations & Floor Plans SOSAN-PD-208 A
- 353 Elevations SOSAN-PD-211 A
- 353 Floor Plans SOSAN-PD- 212 A
- 353 Elevations SOSAN-PD- 213 A
- 353 Floor Plans SOSAN-PD- 214 A
- 353 Elevations SOSAN-PD- 215 A
- 353 Floor Plans SOSAN-PD- 216 A
- 353 Elevations SOSAN-PD- 217 A

353 Floor Plans SOSAN-PD- 218 A
 353 SV 360 Elevations SOSAN-PD- 219 A
 353 SV 360 Floor Plans SOSAN-PD- 220 A
 360 Elevations & Floor Plans SOSAN-PD- 223 A
 360 350 Elevations SOSAN-PD- 224A
 360 350 Floor Plans SOSAN-PD- 225 A
 410 Elevations & Floor Plans SOSAN-PD- 226 A
 410 Elevations & Floor Plans SOSAN-PD- 227 A
 412 Elevations & Floor Plans SOSAN-PD- 228 A
 412 Elevations & Floor Plans SOSAN-PD- 229 A
 420 Elevations & Floor Plans SOSAN-PD- 230 A
 420 Elevations & Floor Plans SOSAN-PD- 231 A
 420 SV Elevations & Floor Plans SOSAN-PD- 232 A
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 435 Elevations & Floor Plans SOSAN-PD- 239 A
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 450 Elevations & Floor Plans SOSAN-PD- 241 A
 453 Elevations SOSAN-PD- 242 A
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 453 SV Elevations SOSAN-PD- 246 A
 453 SV Floor Plans SOSAN-PD- 247 A
 459 Elevations & Floor Plans SOSAN-PD- 248 A
 459 350 Elevations SOSAN-PD- 249 A
 459 350 Floor Plans SOSAN-PD- 250 A
 9303 Elevations SOSAN-PD-251 B
 9303 Floor Plans SOSAN-PD- 252 B
 305 Elevations & Floor Plans SOSAN-PD- 254 /
 309 Elevations & Floor Plans SOSAN-PD- 255 /
 309 SV Elevations & Floor Plans SOSAN-PD- 256 /
 203 203 SV Elevations & Floor Plans SOSAN-PD-257/
 303 305 SV Elevations SOSAN-PD- 258 /
 303 305 SV Floor Plans SOSAN-PD- 259 /
 Community Facility SOSAN-PD- 100A
 1BF04 SV Elevations SOSAN-PD- 600 B
 1BF04 SV Rear Elevation & Floor Plans SOSAN-PD- 601 B
 1BF04 SV Floor Plans SOSAN-PD-602 B
 2B4P Elevations SOSAN-PD- 605 A
 2B4P Floor Plans SOSAN-PD- 606 A
 3B5P 25 Elevations SOSAN-PD- 607 A
 3B5P 25 206 1BF03 Elevations SOSAN-PD- 608 A
 3B5P 25 206 1BF03 Elevations & Floor Plans SOSAN-PD- 609 A
 3B5P 25 206 1BF03 Floor Plans SOSAN-PD- 610 A
 2B4P 2B4P SV Elevations SOSAN-PD- 611 /
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 3B5P 25 3B5P 25 SV Elevations SOSAN-PD- 613/
 3B5P 25 3B5P 25 SV Floor Plans SOSAN-PD- 614 /
 3B5P 25 Floor Plans SOSAN-PD-615/
 GL01 Elevations & Floor Plans SOSAN-PD- 850 A
 GL01 SP Elevations & Floor Plans SOSAN-PD- 851 A
 GL02 Elevations & Floor Plans SOSAN-PD- 852 A

GL02 SP Elevations & Floor Plans SOSAN-PD- 853 A
BIN STORE Elevations & Floor Plans SOSAN-PD- 854 A
SUB STATION Elevations & Floor Plans SOSAN-PD-855/
Proposed Access Arrangement 15-055 15-055-025 A
Junction tracking 15-055 15-055-026A
Alternative junction tracking 15-055 15-055-027 A.
Response to Drainage Comments dated 16/01/17
C&A Technical Note Dated March 2016
C&A FRA Dated October 2016
C&A Drawing No.
Revised FRA October 2016
Bloor Homes Sandhurst Maintenance Specification - Revision A
Omnia Groundwater monitoring letter dated 30th March 2017 and associated monitoring results
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. No works above damp proof course level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings 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. Prior to construction of the permitted buildings details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point shall be 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]

05. No development 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 protective barrier/s.
- e) Illustration/s of the proposed protective barriers to be erected.
- f) Proposed location/s and illustration/s of site specific 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.
- 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.

06. Within a period of 5 years from the completion of the development: -

a) No retained tree, hedgerow or groups of shrubs (as specified as being retained on the approved details as part of this permission) shall be cut down, uprooted or destroyed.

b) Any trees, hedgerows or groups of shrubs shown to be retained on the approved plans submitted in accordance with other conditions of this consent, which die are removed or irreparably damaged during the course of the development within a period of 5 years of the completion of the development, another tree, hedgerow or group of shrubs of the same species and size as that originally planted shall be planted at the same time.

REASON: In the interests safeguarding biodiversity.

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

07. The development hereby permitted shall not be begun 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: -

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

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]

08. The development hereby permitted shall not be begun until:

(i) a site layout plan showing the proposed layout of all underground services and external lighting and

(ii) a programme for the phasing and timing of works

have been submitted to and approved in writing by the Local Planning Authority.

Details of the site layout plan shall include:-

a) Surface water/ foul drainage and associated inspection chambers (existing reused and new)

b) Soak-aways (where applicable)c) Gas, electricity, telecom and cable television.

d) Lighting columns and all associated ducting for power supply.

The development shall be constructed in accordance with the approved details.

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]

09. No construction shall take place 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]

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 (2013) or whatever is the most up to date, and

(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be at least 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. The development hereby permitted, with the exception of the demolition works, as approved, 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).

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 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]

12. The means of enclosure required by the previous condition shall be designed to provide for the movement of wildlife across the site.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

13. No development (other than the construction of the access) shall take place until the access has been constructed to base course in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

14. No building shall be occupied until all the visibility splays shown on the approved drawings (Proposed Access Arrangement 15-055 15-055-025A) 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]

15. No dwelling shall be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway serving it and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

16. No building shall be occupied until the associated vehicle parking serving it 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.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

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

17. No superstructure works shall be undertaken until:-

(a) details of the location of visitor car parking spaces, and

(b) details of the signing for the spaces

have been submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.

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]

18. 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]

19. The development hereby permitted, with the exception of the demolition works hereby approved, 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 building shall 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]

20. The car parking indicated on the approved plans as car parking for people with disabilities shall be provided prior to the first occupation of the building that the parking relates to and shall thereafter be retained, unless otherwise agreed in writing by the Local Planning Authority.

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

[Relevant Policy BFBLP M7]

21. 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]

22. The development hereby permitted, with the exception of the demolition hereby approved, shall not be begun until a scheme for off-site highway works comprising the construction of the access off High Street, including the right-turn lane and any associated footway works, has been submitted to and approved in writing by the Local Planning Authority. The buildings shall not be occupied until the off-site highway works have been completed in accordance with the scheme.

REASON: In the interests of highway safety.

[Relevant Policy: BFBLP M4]

23. The development hereby permitted shall not be begun until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall pay due regard to:

- (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) Cabins 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 (e) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

24. No apartment shall be occupied until the bin storage provision for that apartment has been built in accordance with the provisions shown on the approved plans. The approved facilities shall thereafter be retained.

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

25. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless undertaken under a watching brief by suitably qualified ecologist. 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]

26. 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) site security arrangements including hoardings

(iv) proposed method of piling for foundations (if required)
(v) routes to be used by construction traffic
(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 or as may otherwise be agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenities of the area.

27. 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 public holidays. 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.

28. The scheme hereby permitted shall be carried out in accordance with the mitigation measures outlined in:-
- Extended Phase 1 Ecological Survey April 2016
- Great Crested Newt Survey July 2016
- Reptile Survey April 2016
- Bat Activity Survey April 2016.
If more than two years elapses between the grant of permission and the commencement of the development, updated protected species surveys shall be submitted hereby approved.
REASON: In the interests of nature conservation.
[Relevant Plans and Policies: CSDPD CS1]

29. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on bats has been submitted to and approved in writing by the local planning authority. The scheme shall include details of:

- details of methods to avoid killing, injury or disturbance to bats during development
- details of the provision of temporary roosts during construction
- details of the provision of replacement roosts
- details of habitat management and enhancement, e.g. suitable lighting and planting
- details of appropriate post construction monitoring

The mitigation scheme shall be implemented in accordance with the approved details, unless otherwise approved in writing by the local planning authority. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]

30. The areas shown for bat roost and ecological mitigation purposes on the approved plans shall thereafter be retained as such.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

31. 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 buildings on the site except in accordance with details set out in a lighting design strategy for

biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

32. The demolition shall not be begun until a scheme for the provision of biodiversity enhancements (not mitigation), 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]

33. The Velux windows in the dwellings hereby approved on plots 2, 63, 64, 96 and 97 shall be installed so that the sill height is no lower than 1.7m in height above floor level.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

34. The following windows shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) and shall at all times be fixed with the exception of a top hung openable fanlight:

- Plot 2 rear bathroom window
- Plot 19 stairwell window

and no additional windows, other than those shown on approved drawings, shall be inserted in the following rear elevations:-

- Plots 52, 53, 76, 77, 84 and 85 at second floor level or above
- Plot 38 serving bedroom 1

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

35. Prior to any works taking place on site to install a pumping station details of the external appearance of the pumping station shall be submitted to and approved in writing by the Local Planning Authority. The pumping station shall be constructed in accordance with the approved details.

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

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

110. PS 16/00846/FUL Land At Reference C012Z Drift Road, Winkfield, Windsor, Berkshire

A site visit had been held on Saturday 14 January 2017 which had been attended by Councillors Brossard, Dudley, Ms Gaw, Mrs Hayes, Mrs Ingham, Mrs McKenzie-Boyle and Turrell

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Winkfield Parish Council.
- The 32 objections received as summarised in the agenda papers.
- The additional comments received from Winkfield Parish Council as summarised in the supplementary report.

The criteria for public speaking had been met in respect of this application and the committee was addressed by the registered speaker Councillor Nigel Atkinson, representing Winkfield and Cranbourne, objector to 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.

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 25.11.16 and 27.02.17:

041115/LEVEL (Revision A)

Block Plan

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

03. The developer shall notify the Local Planning Authority in writing within 21 days of the commencement of works on site.

Within 3 calendar months of the notice period provided to the LPA, the levelling of the field authorised by this permission shall cease, the haul road (shown on the Block Plan) shall be removed and the land over which it extended returned to its former condition.

REASON: To ensure that the development is completed in a timely manner and to ensure that the impacts on the amenities in the area are kept to a minimum.

[Relevant Policy: CSDPD Policy CS9, BFBLP EN20]

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

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development.

As a minimum, the quality of all 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 the visual amenities of the area.

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

05. Within one week of delivery, a waste transfer note and/or a clean soil certificate for each load must be submitted to the Local Planning Authority.

REASON: To identify the origin of the soil to protect the land from contamination.

[Relevant Policy: BFBLP EN20]

06. No levelling work or deliveries of materials shall take place outside the hours of 07.30 and 17.30 Monday to Friday and not at any time on Saturdays, Sundays or Public Holidays.

REASON: In the interests of the amenities of occupiers of neighbouring properties.

[Relevant Policy: BFBLP EN20, EN25]

07. Access to the site shall be from Crouch Lane only.

REASON: In the interests of the amenities of occupiers of neighbouring properties and in the interests of highway safety.

[Relevant Policy: CSDPD CS23, BFBLP EN20]

08. The development shall be carried out in accordance with the Construction Management Plan, dated 17.02.17 and received by the Local Planning Authority on 27.02.17.

REASON: In the interests of the amenities of occupiers of neighbouring properties and in the interests of highway safety.

[Relevant Policy: CSDPD CS23, BFBLP EN20]

09. 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 widening of Crouch Lane to the north west of the site access. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of highway safety.

[Relevant Policy: CSDPD CS23]

10. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of materials
- (c) Access to the site and on-site turning for lorries
- (d) Storage of plant and materials used in constructing the development
- (e) Temporary portacabins and welfare for site operatives
- (f) Traffic control through Ranelagh Farm and details of the haul road
- (g) Advance warning signs

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 (g) above.

REASON: In the interests of amenity and road safety.

[Relevant Policy: CSDPD CS23, BFBLP EN20]

11. The development shall be implemented in accordance with the scheme of biodiversity mitigation and enhancement measures contained within the AAe Environmental Ltd Ecological Report dated July 2016. The scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

12. 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 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: CSDPD CS1, CS7]

13. The development hereby permitted shall not be begun until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved by the Local Planning Authority.

REASON: The site lies in an area of archaeological potential. The potential impacts on the buried archaeological heritage can be mitigated by a programme of archaeological work so as to record and advance understanding of their significance in accordance with national and local planning policy.

111. **16/01117/FUL 44 Pinehill Road, Crowthorne, Berkshire RG45 7JR**

A site visit had been held on Saturday 15 April 2017 which had been attended by Councillors Birch, Brossard, Dudley, Finnie, Ms Gaw, Mrs Ingham, Mrs McKenzie-Boyle and Turrell.

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Crowthorne Parish Council objecting to the proposal.
- The 8 objections received as summarised in the agenda papers.
- The 2 further representations from 46 Pinehill Road as summarised in the supplementary papers.

RESOLVED that the application is recommended to 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 19 January 2017:

AP 00 'Proposed layout'

AP 01 'Proposed 1st and 2nd floor plans'

AP 02 'Proposed basement and ground floor plans'

AP 04 'Proposed side elevations'

AP 05 'Proposed Block Plan'

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 including brickwork, wall render, colour of windows, and roofing materials to be used in the construction of the external surfaces of the dwellinghouse 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: Core Strategy DPD CS7, BFBLP 'Saved' Policy EN20]

04. 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.

REASON: In the interests of good landscape design and the visual amenity of the area, and in the interests of nature conservation.

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

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (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 either the east- or west-facing elevations of the development hereby approved, with the exception of those shown on the approved plans.

REASON: In the interests of the residential amenity of the neighbouring properties of 42 and 46 Pinehill Road, Crowthorne.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

06. The 2no. windows on the first floor and second floor of the west-facing side elevation and the 1no. window on the first floor of the east-facing side elevation of the development 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 with the exception of a top hung openable fanlight. Any replacement windows shall be glazed and fixed to this standard, and retained as such.

REASON: In the interests of the residential amenity of the neighbouring properties of 42 and 46 Pinehill Road, Crowthorne.

[Relevant Policy: BFBLP 'Saved' Policy EN20].

07. The development hereby permitted shall not be occupied until the 3no. parking spaces, as shown on drawing Dwg. Title AP 00 'Proposed layout' received by the Local Planning Authority on 19 January 2017, have been provided in accordance with the approved plans. The parking spaces shall thereafter be retained for the use of the parking of vehicles at all times.

REASON: To ensure that the Local Planning Authority's vehicle parking standards are met, in the interests of highway safety

[Relevant Policies: CSDPD Policy CS23, BFBLP 'Saved' Policy M9]

08. No development (including any additional site-clearance) shall continue until a detailed scheme for the protection of existing trees, hedgerows and groups of mature shrubs to be retained has been submitted to and approved in writing by the Local Planning Authority, in accordance with British Standard 5837:2012 'Trees in Relation To Construction Recommendations', or any subsequent revision. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works/building construction works/hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200 and show 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 locations of protective barriers, that are a minimum height of 2.0 metres and supported by a metal scaffold framework, constructed in accordance with Section 6 (Figure 2) and which include appropriate weatherproof signage (such as "Keep Out - Construction Exclusion Zone") affixed at regular intervals to the outside of the protective fencing structure.
- e) Illustrations of the proposed protective barriers to be erected.
- f) Proposed location and illustration of ground protection measures associated with the 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) Annotations at regular intervals, of the minimum protective distances between barriers and trunks of retained trees.
- 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.

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

09. The protective fencing and other protection measures specified by condition 08 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials;
- b) No storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description;
- c) No installation of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, portable-toilets, storage compounds or hard standing areas of any other description;

- d) No soil/turf-stripping; raising or lowering of existing levels; excavation or alterations to the existing surfaces/ground conditions of any other description;
- e) No installation of any underground services, temporary or otherwise, including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting;
- f) No parking or use of tracked or wheeled machinery or vehicles of any description;
- g) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained;
- h) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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

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

10. 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 amenities of the area.

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

11. No development (including site clearance and demolition) shall be begun until:-

- (i) the site has been surveyed for the presence of badgers
- (ii) the survey has been submitted to and approved by the Local Planning Authority, and
- (iii) a scheme to minimise disturbance to badgers during the construction of the development, to mitigate the impact of the development upon them, and to improve their habitat has been submitted to and approved by the Local Planning Authority.

The scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

12. All ecological measures and/or works shall be carried out in accordance with the details contained in Arbtech's Ecological Assessment dated January 2017 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]

13. No development shall commence until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. All boundary treatments should provide for the free movement of wildlife to and from the site. The approved details shall thereafter be implemented and retained as such.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]

14. 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]

112. 16/01240/FUL 48 Ludlow, Bracknell, Berkshire RG12 7BZ

This item was withdrawn from the Agenda.

113. 17/00039/FUL Windrush Forest Road, Binfield, Bracknell, Berkshire RG42 4HD

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- Binfield Parish Council raised no objection to the proposal.
- The representation from the applicant as summarised in the supplementary papers.

RESOLVED that the application is recommended to be **REFUSED** for the following reasons:-

01. By reason of its design, bulk, scale and mass, the proposed extension would result in an unsympathetic and disproportionate addition to the detriment of the character and appearance of the dwelling and visual amenities of the surrounding area. The proposed development would therefore be contrary to 'Saved' policy EN20 of the Bracknell Forest Borough Local Plan, Policy CS7 of the Core Strategy Development Plan Document and the Design SPD.

02. It has not been demonstrated that the proposed development would not adversely affect existing trees [T5 and T6 of TPO 1022] which contribute significantly to the character and visual amenity of the area. It has not been demonstrated that the proposed parking layout can be achieved without a detrimental impact to the protected Oak tree to the front of the property. As such, the development would be contrary to 'Saved' Policies EN1 and EN20 of Bracknell Forest Borough Local Plan.

114. 17/00050/FUL 2 Brookside, Sandhurst, Berkshire GU47 9AF

A site visit had been held on Saturday 15 April 2017 which had been attended by Councillors Birch, Brossard, Dudley, Finnie, Ms Gaw, Mrs Ingham, Mrs McKenzie-Boyle and Turrell.

The Committee noted:

- Sandhurst Town Council raised no objections to the application.
- The 1 letter of objection received as summarised in the agenda papers.

RESOLVED that the application be **UNCONDITIONALLY APPROVED**

115. **17/00087/FUL 30 Deller Street, Binfield, Bracknell, Berkshire RG42 4UU**

The Committee noted:

- The comments of Binfield Parish Council objecting to the proposal.
- The 5 objections received as summarised in the agenda papers.

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

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

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

Site Location Plan, Received 30.01.2017

Block Plan, Received 30.01.2017

Parking Layout, Received 01.03.2017

Proposed Floor Plans, Roof Plan and Elevations, Drawing number: 2017/1B/TR B, Received 23.03.2017

Existing and Proposed Left Elevation, Drawing number: 2017/1B/TR A, Received 13.03.2017

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be similar in appearance those of the existing dwelling.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

04. The windows to be inserted into the northern elevation of the dormer structure of the development hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). The openable part(s) shall at all times be no less than 1.7 metres above internal floor level of the room in which the window will be installed.

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 (as amended) (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 north eastern elevation of the development hereby permitted at first floor level and above, except for any which may be shown on the approved drawing(s).

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

06. The vehicle parking spaces, as set out in the approved parking layout, shall be kept available for parking at all times.

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority, and 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, CSDPD CS23]

116. **17/00158/FUL Great Hollands Bowls Club, South Road, Wokingham, Berkshire RG40 3EE**

The Committee noted:

- That no representations were received for 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.

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 7 March 2017:

5000654 RDG XX 00 PL B 0020 Rev. C 'Location & Block Plan'

5000654 RDG XX 00 PL B 0023 Rev. A 'Proposed Floor Plan & Roof Plan'

5000654 RDG XX 00 EL B 0024 Rev. A 'Proposed Elevations'

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing building.

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

[Relevant Policies: Core Strategy DPD CS7, BFBLP 'Saved' Policy EN20].

04. The development shall not be begun until a scheme depicting 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.

REASON: In the interests of good landscape design and the visual amenity of the area, and in the interests of nature conservation.

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

117. **17/00201/PAC Building A, Berkshire Court, Western Road, Bracknell, Berkshire RG12 1RE**

The Committee noted:

- The Supplementary report of the Head of Planning tabled at the meeting.
- No representations were received for the application.

RESOLVED that **PRIOR APPROVAL** is granted, subject to the following conditions. Subject to these conditions, the proposal complies with Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) with the following conditions:

01. The development must be completed within 3 years starting with the prior approval date.

02. This prior approval decision is based on the following plans and information received by the Local Planning Authority:

- Received on 27 February 2017:-

1096.12-100 'Location Plan 1:1250'

1096-12-110 'Existing 1st, & 2nd Floor Plans'

1096-12-200 'Proposed 1st, & 2nd Floor Plans'

GWPR1827/DS/January 2017 - Contamination Desk Study Report [Phase One]

GWPR1985 'Contamination Risk Assessment' [Phase Two]

17005-002 Noise Survey & Assessment (Philip Acoustics Ltd.)

- Received on 10 March 2017:-

Brooks/Murray Architects - Floor Risk Assessment Feb 2017

- Received on 13 April 2017:-

GWPR1985/CAR/April 2017 'Contamination Assessment Report'

- Statement from Applicant dated 19 April 2017 confirming flooding escape route

03. Prior to the occupation of the building for residential use, the mitigation measures set out in GWPR1985/CAR/April 2017 'Contamination Assessment Report' received by the Local Planning Authority on 13 April 2017, shall be implemented and complied with.

REASON: To ensure that the proposal complies with Condition (b), paragraph O.2 of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

04. The existing pedestrian access path surrounding Building A, which provides access on to Western Road, shall be retained for the duration of the building being occupied for residential use.

REASON: To ensure that the proposal complies with Condition (c), paragraph O.2 of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

118. **17/00222/PAC Building 2, Technology House, The Boulevard, Cain Road, Bracknell, Berkshire RG12 1WP**

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- The comments of Binfield Parish Council objecting to the proposal.
- The objection received from Technogym UK Ltd as summarised in the agenda papers.
- The 2 further objections made on behalf of Technogym UK Ltd as summarised in the supplementary report.

RESOLVED that **PRIOR APPROVAL** is granted, subject to the following conditions. Subject to these conditions, the proposal complies with Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended):

01. The development must be completed within 3 years starting with the prior approval date.

02. This prior approval decision is based on the following plans, received by the Local Planning Authority on 1 March 2017:

Site location plan
1st, 2nd and 3rd floor plans
Existing Ground Floor plan

And the following plan received by the Local Planning Authority on 3 April 2017:

Transport Plan

03. Prior to the occupation of the building for residential use, a suitably qualified person shall carry out works to seal all the service ducts with a closed cell foam/sealant in accordance with the methodology set out in the Contamination Assessment Report for the site at TECHNOLOGY HOUSE, FSC CAMPUS, THE BOULEVARD, CAIN ROAD, BRACKNELL, RG12 1WP, GWPR2029/CAR/April 2017 and the plans for the ducts (4, 5 & 6) that will be sealed by the closed cell foam received on 20 April 2017.

REASON: To ensure that the proposal complies with Condition (b), paragraph O.2 of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

04. Prior to the occupation of the building for residential use, a further 6 weeks of internal gas monitoring at the same locations in report GWPR2029/CAR/April 2017 will be carried out, along with 6 weeks of gas monitoring at various locations where the gas is most likely to build up, on the 1st floor where the potential residents may live. This monitoring will be carried out to ensure that the mitigating measures put in place have been successful. This information will be submitted in a report and the building must not be occupied for residential use until this report has been approved in writing by the Local Planning Authority. This report will also specify how any future maintenance work will be carried out without compromising the sealant.

REASON: To ensure that the proposal complies with Condition (b), paragraph O.2 of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

119. **17/00263/PAC Building A, Berkshire Court, Western Road, Bracknell, Berkshire RG12 1RE**

The Committee noted:

- The supplementary report of the Head of Planning tabled at the meeting.
- That no representations had been received for the application.

RESOLVED that **PRIOR APPROVAL** is granted, subject to the following conditions. Subject to these conditions, the proposal complies with Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) with the following conditions:

01. The development must be completed within 3 years starting with the prior approval date.

02. This prior approval decision is based on the following plans and information received by the Local Planning Authority:

- Received on 16 March 2017:

1096.12-100 'Location Plan 1:1250'
1096-12-300 'Existing and Proposed Roof plan'
1096-12-300 'Existing and Proposed Roof plan From above'
GWPR1827/DS/January 2017 - Contamination Desk Study Report [Phase One]
GWPR1985 'Contamination Risk Assessment' [Phase Two]
17005-002 Noise Survey & Assessment (Philip Acoustics Ltd.)
Brooks/Murray Architects - Floor Risk Assessment Feb 2017

- Received on 13 April 2017:-

GWPR1985/CAR/April 2017 'Contamination Assessment Report'

- Statement from Applicant dated 19 April 2017 confirming flooding escape route

03. Prior to the occupation of the building for residential use, the mitigation measures set out in GWPR1985/CAR/April 2017 'Contamination Assessment Report' received by the Local Planning Authority on 13 April 2017, shall be implemented and complied with.

REASON: To ensure that the proposal complies with Condition (b), paragraph O.2 of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

04. The existing pedestrian access path surrounding Building A, which provides access on to Western Road, shall be retained for the duration of the building being occupied for residential use.

REASON: To ensure that the proposal complies with Condition (c), paragraph O.2 of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

120. **17/00264/PAC Building B, Berkshire Court, Western Road, Bracknell, Berkshire RG12 1RE**

The Committee noted:

- The Supplementary report of the Head of Planning tabled at the meeting.
- That no representations had been received for the application.

RESOLVED that the application be delegated to the Head of Planning to grant **PRIOR APPROVAL** following the confirmation that the submitted contamination mitigation measures are acceptable, subject to compliance with the following conditions and any further conditions deemed necessary by the Head of Planning:

01. The development must be completed within 3 years starting with the prior approval date.

02. This prior approval decision is based on the following plans and information received by the Local Planning Authority:

Received on 16 March 2017:

1096B.12-100 'Location Plan 1:1250'
1096B-12-110 'Existing Ground and 1st, Floor Plans'
1096B-12-200 'Proposed 1st, & 2nd Floor Plans'
1096B-12-201 'Proposed 2nd Floor Plans'
GWPR1827/DS/January 2017 - Contamination Desk Study Report [Phase One]
GWPR1985 'Contamination Risk Assessment' [Phase Two]
17005-002 Noise Survey & Assessment (Philip Acoustics Ltd.)

Received on 24 March 2017:

Turner Jomas & Associates - Flood Risk Assessment March 2017

Received on 13 April 2017:-

GWPR1985/CAR/April 2017 'Contamination Assessment Report'

- Statement from Applicant dated 19 April 2017 confirming flooding escape route

03. The existing pedestrian access path surrounding Building B and the connecting Building A, which provides access on to Western Road, shall be retained for the duration of the building being occupied for residential use.

REASON: To ensure that the proposal complies with Condition (c), paragraph O.2 of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

If the contamination issues cannot be resolved, the application be delegated to the Head of Planning to refuse Prior Approval for the following reason:

Insufficient information has been provided to demonstrate that the proposal complies with Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in terms of contamination risks.

121. **17/00295/PAC Circa House, 2A High Street, Bracknell, Berkshire RG12 1AA**

The Committee noted:

- The Supplementary report of the Head of Planning tabled at the meeting.
- That no representations had been received for the application.

RESOLVED that **PRIOR APPROVAL** is granted, subject to the following conditions. Subject to these conditions, the proposal complies with Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) with the following conditions:

01. The development must be completed within 3 years starting with the prior approval date.

02. This prior approval decision is based on the following plans, received by the Local Planning Authority on 21 March 2017:

- A3405-100: Existing location and block plan
- A3405-101: lower ground car park layout
- A3405-102: Ground concept layout
- A3405-103: First floor concept layout
- A3405-104 Second floor concept layout
- A3405-105: Third floor concept layout
- A3405-106: Fourth floor concept layout
- A3405-111: Basement car park layout

and the following document received by the Local Planning Authority on 7 April 2017:

Circa House, The Ring, Bracknell RG12 1AA, BS8233 Noise Assessment and Planning Report, prepared by Aran Acoustics, dated 7 April 2017.

03. Prior to the occupation of the building for residential use, the mitigation measures set out in the Noise Assessment (Circa House, The Ring, Bracknell RG12 1AA, BS8233 Noise Assessment and Planning Report, prepared by Aran Acoustics, dated 7 April 2017) shall be implemented.

REASON: To ensure that the proposal complies with Condition (d), paragraph O.2 of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

04. Prior to the occupation of the building for residential use, a further acoustic survey shall be carried out to ensure that the targets in the Noise Assessment (Circa House, The Ring, Bracknell RG12 1AA, BS8233 Noise Assessment and Planning Report, prepared by Aran Acoustics, dated 7 April 2017) have been met. The building shall not be occupied for residential use until this report has been approved in writing by the Local Planning Authority.

REASON: To ensure that the proposal complies with Condition (d), paragraph O.2 of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

122. **Miscellaneous Item**

The Committee noted the information contained in the Planning Performance Report – Quarter Four 2016/17 which was provided in the supplementary report tabled at the meeting.

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
18th May 2017**

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

		Case Officer	Reporting Officer
5	<p>16/01153/FUL Land R/O Neuchatel Chavey Down Road Winkfield Row (Winkfield And Cranbourne Ward) Erection of 5no. 5 bed detached dwellings with new access off Chavey Down Road. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>	Katie Walker	Basia Polnik
6	<p>16/01187/FUL The Laurels Downshire Way Bracknell (Priestwood And Garth Ward) Demolition of existing dwelling and construction of 5No. one bedroom apartments in a single building. Recommendation: Approve Subject To The Completion Of Planning Obligation(s).</p>	Katie Walker	Basia Polnik
7	<p>16/01240/FUL 48 Ludlow Bracknell Berkshire (Hanworth Ward) Erection of two storey side, single storey rear and single storey front extension including a bay window. Recommendation: Approve.</p>	Matthew Miller	Basia Polnik
8	<p>16/01266/FUL The Brackens London Road Ascot (Ascot Ward) Residential development comprising partial demolition of existing buildings, retention and conversion of Brackens House to provide 5 no apartments and construction of 51 new dwellings, with associated parking, tree removal and landscaping and improvements to existing access to London Road. Recommendation:</p>	Sarah Fryer	Martin Bourne

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.

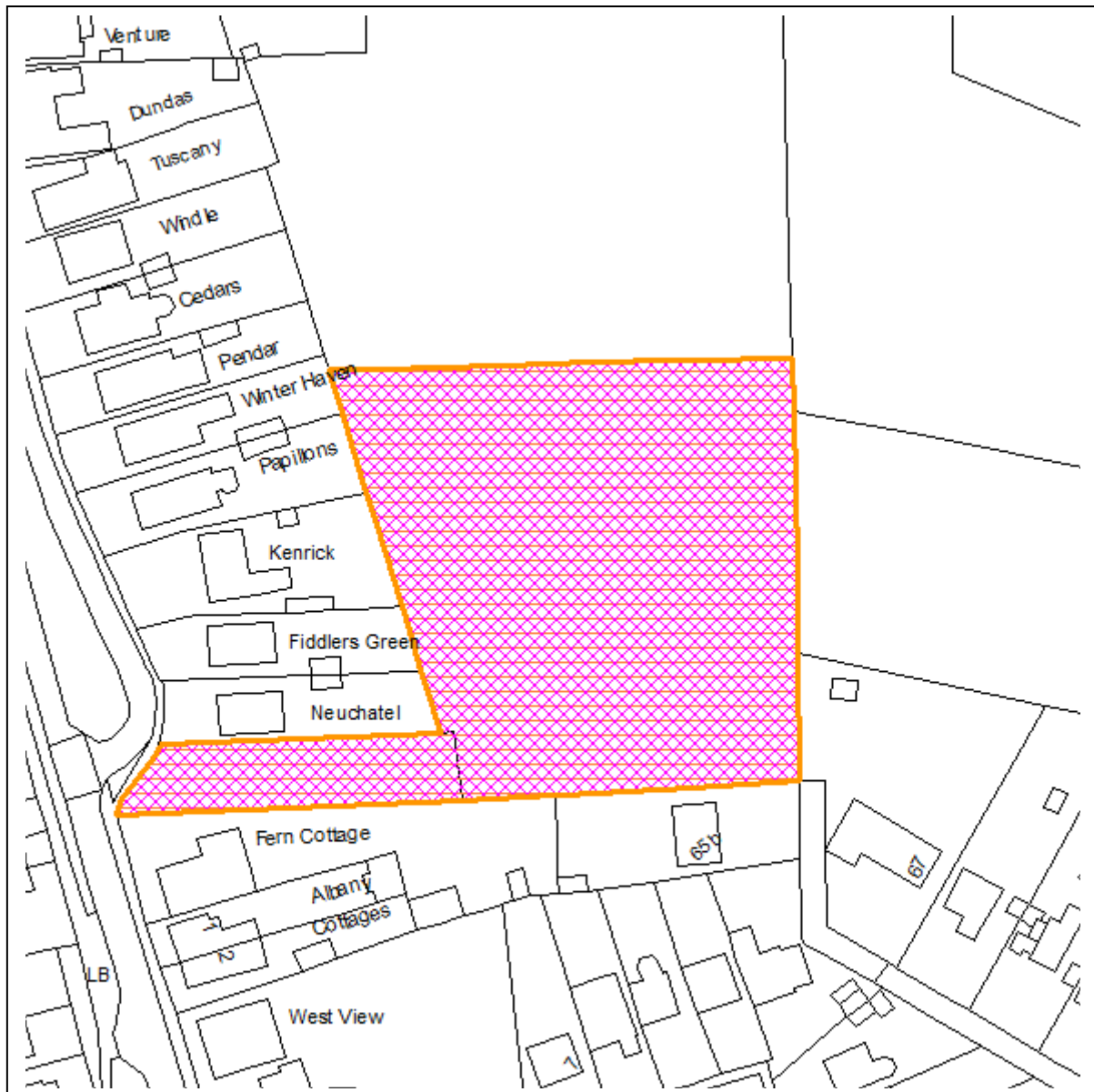
The provisions of the Human Rights Act 1998 have been taken into account in the preparation of the reports contained in this agenda.

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.

ITEM NO: 05			
Application No. 16/01153/FUL	Ward: Winkfield And Cranbourne	Date Registered: 8 December 2016	Target Decision Date: 2 February 2017
Site Address:	Land R/O Neuchatel Chavey Down Road Winkfield Row Bracknell Berkshire		
Proposal:	Erection of 5no. 5 bed detached dwellings with new access off Chavey Down Road.		
Applicant:	JPP Land Ltd		
Agent:	Mr D Bond		
Case Officer:	Katie Walker, 01344 352000 development.control@bracknell-forest.gov.uk		

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



OFFICER REPORT

1. SUMMARY

1.1 The proposal is for the erection of five detached dwellings on land to the rear of Neuchatel, Chavey Down Road.

1.2 The proposed development is within the countryside, however it is well related to existing residential development and would provide an additional five dwellings in the Borough. A balancing exercise has been carried out and it is considered that the application is acceptable in principle. The proposal incorporates the requirements of the Forestry Commission's restocking order and it is not considered that the development would result in an adverse impact on the character and appearance of the area, residential amenity, highway safety or biodiversity. The proposal would be liable for SPA contributions and CIL payments.

RECOMMENDATION

That the Head of Planning be authorised to grant planning permission subject to the conditions set out in Section 11 of this report and the signing of the S106 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 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Outside settlement, within countryside
--

Within 5km of SPA

The access falls within the Character Area Assessments SPD but not the land to the rear of Neuchatel.

3.1 The 0.59 hectare site is located to the rear of the house known as Neuchatel on Chavey Down Road. The site is currently vacant and is bounded to the north and east by open countryside and to the south and south west the site is bounded by residential dwellings. The site's boundaries comprise trees.

3.2 The main part of the site is within the countryside, with the section leading to the highway being within the settlement boundary.

3.3 There is a Forestry Commission re-stocking order on the site. The site is within 5km of the SPA.

4. RELEVANT SITE HISTORY

4.1 There have been a number of planning applications for residential development on this site, however the majority of these are historic and are not considered to be relevant to this application. The most recent applications are set out below:

605547: Erection of 6 dwellings – refused 1980.

610483: Erection of one detached house (land adjoining Fern Cottage) – refused 1986.

613508: Erection of 8 detached houses and garages – refused 1988.

614741: Erection of 1 detached house – approved 1989.

5. THE PROPOSAL

5.1 The proposal is for the creation of a new access road from Chavey Down Road, to the south of Neuchatel, and the construction of five new five-bedroom detached houses. Each house would have a garage and a rear garden. The houses would be arranged in a cul-de-sac around the new access.

5.2 The houses on Plots 1, 2 and 5 would have a study; a kitchen/family room/diner; and a drawing room at ground floor, and 5 bedrooms at first floor, two of which would have an en suite, as well as a family bathroom.

5.3 Plots 3 and 4 would have a study; a kitchen/living room/diner; a further living room; and a utility room at ground floor, and 5 bedrooms at first floor, two of which would have an en suite, as well as a family bathroom. Plots 1 and 2 would have detached garages, and the other plots would have attached garages.

5.4 Following discussions with the Forestry Commission, the trees to the site's boundaries would be retained and, additionally, trees would be replanted in the positions required by the restocking order.

6. REPRESENTATIONS RECEIVED

Winkfield Parish Council

6.1 Winkfield Parish Council responded to the application, stating that they are aware of the Forestry Commission restocking order and it would therefore be inappropriate to support this application pending resolution of that order [Officer note: amended plans have been received which incorporate the requirements of the restocking order].

Other responses received

6.2 24 objections have been received from 21 addresses. The issues raised can be summarised as follows:

- Proposed entrance inadequate for amount of traffic that the development will generate;
- Access too narrow for service and emergency and would cause road safety issues;
- The road would be 9 feet from the nearest house which is not conducive to the well being of the occupier of that property;
- Loss of privacy to properties on Chavey Down Road, aggravated by felling of trees;
- Emissions from vehicles using new access road in close proximity to Neuchatel;
- Area lacks infrastructure and local amenities and has a poor public transport system;
- No trees to mitigate the pollution problem;
- Chavey Down and Locks Ride are busy minor roads;
- Pedestrian walkways are inadequate;
- Principle of back land development;
- Precedent would be set for back land development;
- Inadequate sewerage system;
- Ecological disturbances, including impact of tree felling;
- Overdevelopment of the site;
- Noise and light pollution, including from headlamps of cars using new access road;
- Conflict between pedestrians and vehicles;
- Flood risk concerns;
- Houses will be visible from road and will dominate bungalows;

- Pressure on local services;
- Local services are not within walking distance;
- Proposal out of character as surrounding houses are not 5 bedroom;
- Houses would not be affordable;
- Insufficient parking;
- Disturbance to houses through headlamps of cars using the access road;
- Overbearing on bungalows;
- Architecture should reflect Victorian roots to a greater degree;
- Garages could be converted to habitable accommodation;
- If the application is approved, there should be a design overhaul to provide adequate services;
- Impact on utilities as this could cause disruption.

6.3 Fourteen other objections were received, however no name or contact details were given and therefore cannot be counted as formal objections. These did not raise any material planning issues that were not raised through the formal objections.

6.4 One letter of support was received, stating that the proposal would create additional housing which is required in Bracknell and England. The site is no different to hundreds of different housing locations within Bracknell and Chavey Down.

7. SUMMARY OF CONSULTATION RESPONSES

Highways:

7.1 No objection subject to conditions.

Biodiversity Officer:

7.2 No objection subject to conditions.

Environmental Health:

7.3 No objection subject to conditions.

Tree officer:

7.4 See response from Forestry Commission. Elements of the proposal could be improved by moving some of the replanting areas.

Forestry Commission:

7.5 Revised plans are in line with restocking order, subject to conditions.

Berkshire Archaeology:

7.6 Conditions recommended.

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, CS8, CS9 of CSDPD Saved policies EN8 and H5 of BFBLP	Consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Trees	CS1, CS7 of CSDPD; Saved policies	Consistent

	EN1, EN2 of BFBLP	
Biodiversity	CS1, CS7 of CSDPD	Consistent
Sustainability	CS10, CS12 of CSDPD	
Supplementary Planning Documents (SPD)		
Parking Standards SPD		
Design SPD		
Character Area Assessments SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

i. Principle of development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CP1 of the Site Allocations Local Plan sets out that a positive approach should be taken to considering development proposals (which reflects the presumption in favour of sustainable development set out in the NPPF), and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

9.3 Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements.

9.4 The application site is located outside of a defined settlement in an area of countryside as designated by the Bracknell Forest Borough Policies Map. Development in the countryside is contrary to the provisions in saved BFBLP policies EN8 and H5 which relate to development on land outside of settlements and new dwellings outside settlements. This is also contrary to CSDPD Policies CS2 and CS9 (relating to locational principles and development on land outside of settlements).

9.5 However, the Council is unable to demonstrate a five year housing land supply. 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.

9.6 The proposal would provide a net increase of 5 family dwellings on an available site, contributing to the supply of housing in the Borough and these could be delivered within the next 5 years. The proposed dwellings would be accessed from Chavey Down Road, and the site is bounded to the west, south and partly the east by residential development.

9.7 As such, while this proposed residential development is in a relatively unsustainable location with limited bus services and local facilities, it is considered that the location of the dwellings would not be isolated, given the surrounding residential development. 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.

9.8 The remainder of the report outlines relevant considerations and the final section of this report contains the 'balancing' exercise.






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

9.9 The access road to the site falls within the Character Area Assessments SPD, Northern Villages Area D. The main part of the site, to the rear of Neuchatel, does not fall within this area. However, given the proximity to the study area, this still remains relevant. The SPD sets out that trees and vegetation are a feature of the Character Area and that there is a slightly more urban sense of character in the south. The recommendations relevant to the site are:

- Proposed backland development should ensure that it does not impact negatively on the existing street scene i.e. minimise gaps that allow access to the rear;
- A variety of architectural approaches would be acceptable in areas that are less consistent, but the overriding building line should be retained;
- Redevelopment should not erode the street landscape and the sense of wooded enclosure permeating into the settlement;
- In new development, create new long views to the surrounding landscape;
- Retain and enhance the subtle differences in the landscape between the northern and southern parts of the area including the wooded and tree line western and southern boundaries;
- Retain the linear settlement pattern in any new development; and
- Rural gaps between individual settlements should be retained and reinforced with tree and hedgerow planting in keeping with the local landscape pattern.

9.10 The site is currently vacant, comprising mainly mowed grass with trees to the boundaries. While these trees were not protected, the site is subject to a restocking order by the Forestry Commission. There are a number of tree stumps on the site, demonstrating where the trees have been removed. This means that the original character of the site has been altered. The original proposal for the site sought to thicken the tree cover to the site boundaries, but not to replant the trees in the areas stipulated by the restocking area. However, following discussions with the Forestry Commission, the site layout has been amended so that the areas of replanting required by the restocking order can be accommodated, as demonstrated in the site plan below:



-  Approved Forestry Commission restocking areas A, B, C and D
-  Proposed new tree planting
-  Existing trees as surveyed
-  Existing trees taken from Google Earth
-  Existing hedge supplemented with wildlife friendly native species

9.11 As such, while it is acknowledged that introducing housing onto a vacant countryside site would have an impact on the character of the site, the amended site plan incorporating the trees subject to the restocking order would ensure that the site retains the original woodland character, in line with the Character Area Assessments SPD, while also allowing for five houses to be built. The proposal is low density, at 8.3 dwellings per hectare, and as set out above the tree cover to the boundaries would remain. As such, the impact on the character of the site is considered to be acceptable.

9.12 In addition, the site is directly behind the properties on Chavey Down Road, Woolford Close and Locks Ride, all of which are within the settlement boundary. It is, therefore, well related to the settlement boundary and other residential properties, and the provision of housing on this site would not be out of character with the site's wider context. There is open countryside to the north and east of the site, however the existing and proposed trees on the boundaries would screen the proposal from this land, ensuring that there would not be an undue impact on this. The layout of the site as a cul de sac means that the proposal would have the effect of rounding off the residential development to the west and south, and would not lead to development sprawling into the countryside.

9.13 The proposed dwellings themselves would be two storey detached houses, which is in keeping with the houses on Woolford Close to the south and on Locks Ride beyond this. The bungalows on Chavey Down Road are also detached, and some of these have been extended to two storeys. As additional tree planting is proposed on the western boundary of the site, the proposal would not impact negatively on the existing street scene, in line with the recommendations of the Character Area Assessments SPD.

9.14 The proposed houses for plots 1 and 5 would have a pitched roof with a central gable feature to the front. Plot 2 would have a hipped roof with a gable feature facing the road. Plots 3 and 4 would have gabled frontages. The design and access statement sets out that the materials would comprise different tones of red facing brick with some vertical tiling and blue/grey slate tiles as well as Portland Stone detailing. While there is not one uniform architectural style in the surrounding area, there are examples of these features in the street scenes of Chavey Down Road, Locks Ride and Woolford Close. As the design of the houses has been amended through the process of the application, a condition is recommended to require details and samples of materials.

9.15 The houses would be similar in appearance to each other, with variation between house types. This would ensure that the houses not only tie in to the character and appearance of the surrounding area, but relate to each other while providing their own design identity.

9.16 Subject to the proposed condition regarding materials, it is considered that the development would not result in an adverse impact on the character and appearance of the area or the host property, in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, the Character Area Assessments SPD and the NPPF.

iii. Impact on Residential Amenity (social and environmental factors)

9.17 At its closest point, plot 1 would be 16 metres from the rear boundary with Fiddlers Green on Chavey Down Road and 39 metres from the house itself; and 18 metres from the rear boundary with Neuchatel on Chavey Down Road and 42 metres from the house itself. There is planting on this boundary, which is proposed to be retained. Plot 1 would be at an angle to these dwellings. Given this angle, the planting and the distances between the proposed dwellings and the existing properties, it is not considered that any undue overlooking or overshadowing would occur. Plot 1 would be two storeys and approximately 9.6 metres tall. It is not considered that this would be overbearing on the existing dwelling, given the separation distances between them. The double garage for plot 1 would be 8 metres from the boundary with Neuchatel at its closest point, and given its height of 5 metres, it is not considered to result in any overlooking, overshadowing or overbearing impacts on Neuchatel.

9.18 The side elevation of plot 2 would be 6.5 metres from the rear boundary of Kenrick on Chavey Down Road, and 30 metres from the house itself at the northern corner of the proposed house. The southern corner of the proposed house would be 9 metres from the rear boundary with Kenrick and 26 metres from the house itself. Plot 2 has a bathroom window at first floor level in the side elevation facing Kenrick, and conditions are recommended to ensure that this is obscure glazed, and to remove permitted development rights for further windows in this elevation. Subject to these conditions, it is not considered that there would be any undue overlooking impacts from the proposal on Kenrick. Plot 2 is 9.5 metres tall and, given the distance between the properties, it is not considered that this would result in any overshadowing or overbearing impacts. The double garage for plot 2 would be 2 metres from the boundary at its closest point, but given that this would be 5 metres tall and would not have any habitable room windows, it is not considered that it would result in overbearing, overshadowing or privacy concerns.

9.19 The side elevation of plot 5 would be 11 metres from the side boundary of 65 b Locks Ride and 14 metres from the side elevation of the house itself. No habitable room windows are proposed in the southern elevation of plot 5, and conditions are recommended to restrict permitted development rights for future windows in this elevation. The attached double garage is closer to the boundary, at 5.5 metres, and the house at 8 metres. However, there are no windows proposed in the side elevation of the garage so no overlooking impacts would occur. There are two windows in the side elevation of 65b Locks Ride, facing the proposed dwelling on plot 5. It is not known whether these are habitable room windows, and as such a loss of light assessment in line with the Design SPD has been carried out. A line was drawn on elevational plans from the centre of the windows on the existing house at 65b Locks Ride, towards the proposed dwelling on Plot 5. This line did not intersect the proposed dwelling and, as such, it is not considered that any undue loss of light to 65b Locks Ride would occur as a result of the proposal.

9.20 Plots 3 and 4 would be largely screened from existing properties by plots 1, 2 and 5 and as such they would not have any impacts on the residential amenities of neighbouring occupiers.

9.21 The Design SPD states that a distance of 12 metres between windows on the street side of dwellings is generally considered acceptable to afford both properties sufficient privacy. While none of the five proposed houses face each other directly, there is a minimum of 12 metres between them on the street side at their closest points.

9.22 The side elevations of plots 3 and 4 are approximately 2 metres apart from one another. However, each house has only utility room windows at ground floor and bathroom windows at first floor on the side elevations. Conditions are recommended to secure that the bathroom windows are obscure glazed, and to remove permitted development rights in the side elevations. This will ensure the privacy of future occupiers.

9.23 In line with the Design SPD, each house has access to useable outdoor space, in the form of a generous rear garden.

9.24 Part of the garden of plot 2 is taken up by the replanting of the re-stocking order. However, given the site's countryside location, a woodland garden is considered acceptable. There is still sufficient clear garden space free of planting to provide a large useable garden for the house. Plot 3 also has an element of replanting to the northern part of the garden, however again a sufficient amount of useable garden space would remain. The restocking order requires that a square of replanting would be within the rear garden of plot 4, again potentially resulting in a woodland-style garden. However, as explained, this is considered in keeping with the character of the wider site, and would leave a generous useable rear garden.

9.25 It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties or future occupiers and would also provide an acceptable level of amenity for future occupiers, in accordance with BFBLP 'Saved' Policy EN20 and the NPPF, subject to the recommended condition.

iv. Transport implications (environmental and social factors)

Access

9.26 This site would take access off Chavey Down Road, a local distributor road which is subject to a 30mph speed limit via an adjacent residential service road currently serving 12 properties. On-street parking is un-restricted.

9.27 A new access is proposed between Neuchatel and Fern Cottage and the centre of this

new access is shown on the Proposed Site Access drawing (ITB11391-GA-001-C) as 10m from the give-way line of the junction of the residential service road and the main road. As such, this is close to a junction; however vehicles exiting the development would generally be turning left and would not therefore come into conflict with vehicles turning right off the main road into the residential service road. Also, there is space for vehicle turning right into the new development access to be clear of the junction with Chavey Down Road. Adequate sight-lines of 43m can be achieved northwards along the residential service road for vehicles exiting the new development access.

9.28 It is noted that the applicant has provided an extensive Transport Statement, including a Road Safety Audit and this did not raise any highway safety concerns. The Transport Statement indicates that these 5 new dwellings could generate three vehicle movements in both the morning and evening peak periods and the potential for conflict between traffic generated by these 5 new houses and the 12 properties currently using the residential service road is low (particularly as the service road has accesses at either end). No changes are proposed to the existing accesses to Neuchatel and Fern Cottage.

9.29 The Transport Statement notes that, '*vehicular access to the site will take the form of a driveway crossover arrangement*', however, the general arrangement drawing indicates that the access would be a bell-mouth with alterations to the kerb-line. The Highway Authority considers that a bell-mouth is preferable to a dropped kerb and that provision for pedestrians to cross will be required (dropped kerbs, tactile paving etc...). The existing footways should continue into the new access road for a short distance before dropping pedestrians into the shared surface and the 2m wide verge on the south side of the access road could be a footway. A condition is recommended to secure these details.

9.30 The Site Plan drawing (2340-01/C) and the Transport Statement indicates that this development would be served by a 4.8m wide shared surface and this complies with the Council's highway design guide for a development of this size, enabling two vehicles to pass at low speed and for pedestrians and cyclist to pass. Also, vehicle tracking indicates that a refuse vehicle can access the site turning left off the residential service road and a turning head is to be provided. The access should not be gated to enable access for a waste collection.

9.31 The access road includes a 3.7m narrowing to keep speeds low and a fire tender would be able to access via a 3.7m width aided by the metre wide verge to either side. The Highway Authority would not adopt this road, though it should be adequately surfaced, incorporating SUDs and lit and a condition is recommended to this effect.

9.32 Drawing 2340-01/C indicates that each of the houses would have a pedestrian path to the front door and a rear gated access to the garden for bin storage.

Parking

9.33 Each of these new 5-bed dwellings is to be provided with 3 parking spaces, including garages to comply with the Council's parking standards (2016). Garages could be used for cycle parking. 2 visitor parking spaces are to be provided.

Trips

9.34 The Transport Statement indicates that these 5 new dwellings could generate three vehicles in both the morning and evening peak periods.

9.35 As a result it is not considered that the proposed development would result in an adverse impact on highway safety, in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9, the Parking Standards SPD, and the NPPF.

v. Impact on trees (environmental factor)

9.36 As set out previously, a number of trees were removed from the site prior to the planning application being submitted, resulting in a restocking order from the Forestry Commission. This is because too many trees were removed in a specified time period. Through the course of the application, the plans have been revised to allow the restocking order to be complied with. The Forestry Commission has confirmed that the revised plans accord with the restocking order, and request a condition securing the planting and the 10 year maintenance of the newly planted trees.

9.37 The Council's Tree Service has suggested that some of the planting could be better placed to the boundaries of the site, given the relationship of the planting with the proposed houses. With the 'planting square' in the rear garden of Plot 2, the Tree Service has raised the issue of the usability of the garden when the trees mature, potentially dominating the garden causing shade and restricting reasonable use of the rear garden. However, as explained, it is not considered unacceptable for a dwelling on this site to have a woodland garden, given the character of the site, and the Local Planning Authority considers that there is a sufficient amount of useable garden remaining.

9.38 The Tree Service is also concerned that the larger planting area with the corner of Plot 3 is not sustainable because when the trees start to mature, there could be pressure from the resident to prune back and/or remove trees that are in contact with the house structure. Another concern is the potential for damage to the house foundations due to the mass of trees in such close proximity that could cause soil desiccation and consequently subsidence damage. The Tree Service considers that in both instances the proposed relationship would be contrary to the advice within BS5837 and that, as such, it would not be appropriate to TPO these trees as is normally the case with restocking orders. The Tree Service has, however, set out that technically specialist foundations detail could address the subsidence risk issue, and as such a condition is recommended for details of the foundations of plot 3 prior to the commencement of the development of that plot.

9.39 On balance, subject to the proposed conditions, it is considered that compliance with the restocking order, retaining the site's countryside character, as well as the amount of additional planting proposed to the site's boundaries, would outweigh any concerns regarding the relationship between the trees and the dwellings. As such, the proposal is considered acceptable in line with CSDPD Policy CS1 and CS7 and 'Saved' BFBLP Policies EN1 and EN2.

vi. Impact on biodiversity (environmental factor)

9.40 As has been set out in this report, the site was largely cleared prior to the application being submitted. As such, the applicant's ecological survey reflected the cleared site. The Council's Biodiversity Officer has questioned this approach, as this in itself may have disturbed animals. The Council's Biodiversity Officer has therefore suggested a number of conditions, which take a precautionary approach to the conservation and enhancement of the potential biodiversity on the site. These include additional reptile and great crested newt surveys; securing of all mitigation measures set out in the ecology appraisal; and biodiversity and habitat enhancements. Subject to these conditions, the proposal is considered acceptable in line with CSDPD Policies CS1 and CS7 and BFBLP 'Saved' Policy EN20.

vii. SPA (environmental factor)

9.41 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the

integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 4.3 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.

9.42 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures which Natural England will spend upon the SPA land. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.43 In this instance, the development would result in a net increase of five X five bedroom dwellings which results in a total SANG contribution is £16,055.

9.44 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. The SAMM contribution is £5,260.

9.45 The total SPA related financial contribution for this proposal is will be £21,315. The applicant will need to agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

viii. CIL (economic factor)

9.46 The Council, in consultation with Natural England, has formed the view that any net 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.

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

9.48 In this case, the proposal would be CIL liable as it comprises the creation of new dwellings. The dwelling falls within the Northern Parishes charging area, where CIL is charged at £350 per square metre of floorspace.

ix. Other matters

9.49 Berkshire Archaeology has commented on the application, stating that there are no known heritage assets within the application site, however the site is previously undeveloped and could, therefore, have archaeological implications. A condition is recommended to secure a

scheme of archaeological works prior to the commencement of development, in line with Berkshire Archaeology's advice.

10. CONCLUSIONS

10.1 As noted above the Council is unable to demonstrate a 5 year supply of land for housing. It therefore falls for the application to be considered in relation to the presumption in favour of sustainable development as set in SALP Policy CP1 (and para. 14 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

10.2 The application is considered first by having regard to the Development Plan and then whether there are any material consideration that should be taken into account.

10.3 The site is located outside the defined settlement boundary and as such is directly contrary to Policy CS9 of the CSDPD, Policy EN8 and Policy H5 of the BFBLP. All of these policies restrict the development of residential dwellings in the countryside, seeking to protect the countryside for its own sake, unless specific criteria are met. The proposal does not comply with the stated criteria.

10.4 It is acknowledged, that the proposal would have an impact upon the character and appearance of the current open field, resulting in a localised change of character and appearance within the landscape. Policy CS9 protects land for its own sake, particularly from development that would adversely affect the character, appearance or function of the land. However, the site is visually well contained and proposal incorporates the Forestry Commission's restocking order, minimizing the impact on the character of the area.

10.5 While well related to the adjacent settlement boundary, it is not considered that the site is located in a sustainable location. Its development for residential purposes would therefore be contrary to CSDPD Policies CS1(ii), CS23(i) and the NPPF.

10.6 The balancing exercise is thus:-

Economic

10.7 In terms of economic benefits the development will create construction jobs in the short term as the development is built and added expenditure by future residents in the local economy. There will also be CIL contributions. It is considered that in the context of the current health of the Borough's economy and the amount of building taking place and provided for in allocated schemes, economic benefits should be given little weight in favour of the proposal.

Social

10.8 The proposal would result in the net gain of 5 dwellings on a windfall site, which as the Council cannot demonstrate an up-to-date five-year supply of housing land, carries significant weight in favour of the proposal. In terms of the delivery of the site and contribution to the 5 year supply, the supporting planning statement states that 'The site is available now and developable [...] There are no other constraints impeding the implementation of the scheme, other than the grant of a planning permission.' (p30). There is no reason for the Local Planning Authority to doubt that this is the case.

10.9 The site adjoins the settlement boundary, but there are limited services within

recommended walking distances to the site so at the present time the development is not considered to be in a sustainable location, which weighs against the proposal.

Environmental

10.10 There is some harm related to the change in character of the application site, however these impacts have been somewhat mitigated against through the incorporation of the Forestry Commission's restocking order. In any event, these impacts are localised and therefore the weight attributed to this harm and to the conflict with CSDPD policies CS1, CS7 and CS9 and policies EN8, EN9, EN20 and H5 of the BFBLP are reduced. It is not considered that the proposal would significantly change the character of the wider landscape in which the proposal sits.

10.11 The site is well contained by trees, and the site plan demonstrates that additional trees are proposed to the boundaries of the site, in particular the north and eastern boundaries, which are adjacent to the open countryside. The site layout plan demonstrates that 5 new dwellings can be accommodated whilst maintaining the amenities of neighboring residents.

10.12 Conditions are recommended to ensure that there would not be an adverse impact on biodiversity.

Conclusion

10.13 In summary, whilst contrary to the development plan, the proposal would add 5 dwellings to the housing land supply and this is considered to be a significant benefit. There would also be more limited economic benefits. Against this needs to be weighed the current unsustainability of the site's location and the moderate harm to the character and appearance of the area, although this in itself would be somewhat mitigated by the incorporation of the requirements of the Forestry Commission's restocking order.

10.14 In conclusion, whilst there is some harm arising from the proposal, it is not considered that in this instance that harm significantly and demonstrable outweighs the benefits of the proposal. The application is therefore recommended for conditional approval, subject to the completion of a S106 agreement to secure the necessary SPA mitigation.

11. RECOMMENDATION

Following the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 relating to SPA mitigation measures, the Head of Planning be authorised to APPROVE the application 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 plan received by the Local Planning Authority on 22 November 2016:

2340 08- Location Plan

And the following approved plans received by the Local Planning Authority on 13 April 2017:

2340 03A - Plot 1
2340 04A – Plot 2

2340 05A – Plot 3
2340 06A – Plot 4
2340 07A – Plot 5

And the following plan received 25 April 2017:

2340 01B – Site Plan

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

3. No construction works 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 proposed bathroom window in the western elevation of the dwelling on plot 2 hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) and shall be fixed shut with the exception of an openable fanlight that is no less than 1.7m above internal finished floor level of the room that the window serves. Any replacement window shall be glazed and fixed to this standard and retained as such.

REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]

5. 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 or above of the western elevation of the dwelling on plot 2 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]

6. 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 or above of the southern elevation of the dwelling on plot 5 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]

7. 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. All boundary treatments should provide for the free movement of wildlife to and from the site. The approved scheme shall be implemented in full before the occupation of any 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 and in the interests of nature conservation.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS1, CS7]

8. All ecological measures and/or works shall be carried out in accordance with the details contained in the approved Ecology Partnership Preliminary Ecological Appraisal dated

2016. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

9. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on biodiversity has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

- (i) measures to avoid harm to biodiversity including reptiles and great crested newts
- (ii) features provided to mitigate the loss of habitat (e.g. scrub, grassland, ponds, hibernacula)
- (iii) on-going management of new features/habitat

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

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1]

10. The demolition shall not be begun until a scheme for the provision of biodiversity enhancements (not mitigation), including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

11. The areas shown for biodiversity mitigation and enhancement 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 nature conservation.

[Relevant Plans and Policies: CSDPD CS1, CS7]

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) 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.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

13. No development shall take place until a programme of archaeological work has been secured in accordance with a written scheme of investigation, to be submitted to and approved by the Local Planning Authority. The works shall be implemented.

REASON: The site lies in an area of archaeological potential.

14. No dwelling 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. It shall be retained as such thereafter.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

15. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced in accordance with the approved drawing. The spaces shall thereafter be kept available for parking and turning at all times.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.

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

16. The garage 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]

17. During the demolition and construction phases, no deliveries shall be taken at or dispatched from the site outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

REASON: In the interests of the amenities of the occupiers of nearby residential premises.

[Relevant Policies: BFBLP EN25]

18. 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
- (f) specifications of control of noise arrangements for construction and demolition
- (g) methodology of controlling dust, smell and other effluvia
- (h) site security arrangements including hoardings
- (i) proposed method of piling for foundations
- (j) construction and demolition methodology
- (k) construction and demolition working and delivery hours
- (l) Alternative methods of disposing of green waste other than burning; as there are to be no bonfires on site.

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

REASON: In the interests of the amenities of the area and highway safety.

19. 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.

20. 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, other than the trees subject of the Forestry Commission Restocking Order REN25 16-17.
- 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)
- f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
- g) Recycling/refuse or other storage units, play equipment
- h) Other landscape features (water features, seating, trellis and pergolas 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. 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 and the visual amenity of the area, and in the interests of ecology.

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

21. The restocking order REN25/16-17 as shown on site plan 2340/01/B shall be complied with in full by June 2018.

REASON: In the interests of the visual amenity of the area and to ensure that the restocking order is complied with.

22. Within a period of 10 years from the completion of the development: -

- a) No tree as planted as part of the Forestry Commission restocking order REN25/16-17 as shown on site plan 2340/01/B shall be cut down, uprooted or destroyed.
- b) Any trees shown to be planted as part of the Forestry Commission restocking order REN25/16-17 as shown on site plan 2340/01/B, which die are removed or irreparably damaged during the course of the development within a period of 10 years of the completion of the development, shall be replaced by another tree of the same species and size as that originally planted (within the nearest planting season of 1st October to 31st March inclusive).

REASON: In the interests of nature conservation and tree protection.

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

23. No development of plot 3 (including any initial site-clearance works) shall commence until details of the foundation structure, of the approved dwelling on plot 3, so designed to minimise its adverse impact on tree roots, have been submitted to and approved in writing by the Local Planning Authority. Details shall be site specific and include:

- a) An approved layout plan at a minimum scale of 1:200 scale, showing the accurate trunk positions of the trees subject to the Forestry Commission replanting area A in relation to the proposals.
- b) Layout and construction profile drawing/s.
- c) Engineering/ Arboricultural construction method statement.
- d) Implementation method statement including timing/ phasing of works.

The foundation structure shall be implemented in full accordance with the approved details.

REASON: - In order to safeguard the trees subject to the restocking order.

24. The development hereby permitted shall be implemented in accordance with the submitted Energy and Sustainability Statement prepared by Bluesky Unlimited, dated 21 November 2016 and thereafter the buildings constructed by the carrying out of the development shall be operated in accordance with the submitted Statement. REASON: In the interests of the sustainability and the efficient use of resources.

[Relevant Plans and Policies: CSDPD Policy CS12]

25. The development shall incorporate surface water drainage that is SuDS compliant

and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). It shall be operated and maintained as such thereafter.

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

[Relevant Policies: CSDPD CS1, BFBLP EN25]

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. The following conditions do not require details to be submitted, but must be complied with:

1. Time limit
2. Approved plans
4. Obscure glazed windows
5. No additional windows in plot 2
6. No additional windows in plot 5
11. Biodiversity mitigation areas to be retained
15. Parking and turning
16. Retention of garages
17. Construction hours
21. Compliance with restocking order
22. 10 year maintenance of restocking order trees
24. In accordance with energy and sustainability statement
25. SuDS complaint

The following conditions require details to be submitted:

3. Details of materials
7. Means of enclosure
8. Site inspection report
9. Biodiversity mitigation
10. Biodiversity enhancements
12. External lighting
13. Scheme of archaeological works
14. Vehicular access
18. Construction management plan
19. Protection of trees to be retained
20. Hard and soft landscaping
23. Foundation structure for plot 3

03. The Streetcare Team 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 agreement not being completed by 30 June 2017, the Head of Planning be authorised to either extend the period further or to refuse the application on the grounds of:

The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).

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ITEM NO: 06

Application No.
16/01187/FUL
Site Address:

Ward:
Priestwood And Garth

Date Registered:
28 February 2017

Target Decision Date:
25 April 2017

**The Laurels Downshire Way Bracknell Berkshire
RG42 1XT**

Proposal: **Demolition of existing dwelling and construction of 5No. one bedroom apartments in a single building.**

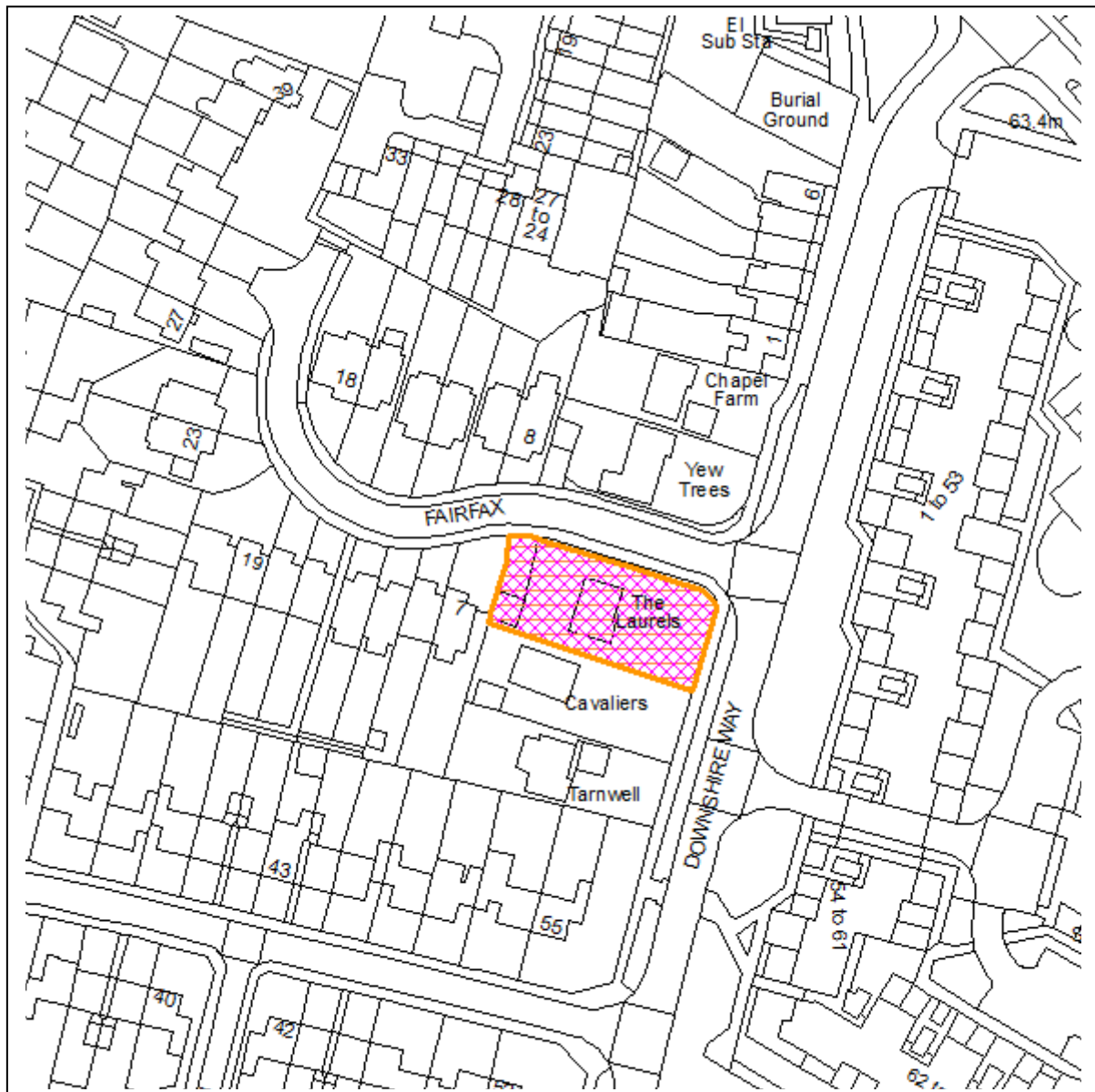
Applicant: Mr Tim Young

Agent: Mr Sean Kelly

Case Officer: Katie Walker, 01344 352000

development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. SUMMARY

- 1.1 The proposal is for the demolition of the existing building at The Laurels on Downshire Way and the redevelopment of the site to provide five one-bedroom flats in a single building.
- 1.2 The proposed development is within the settlement boundary and is therefore acceptable in principle, providing a net increase of four new dwellings to contribute to the Borough's housing supply. It is not considered that the development would result in an adverse impact on the character and appearance of the area, residential amenity, highway safety or on trees or biodiversity. The proposal would be liable for SPA contributions and CIL payments.

RECOMMENDATION

That the Head of Planning be authorised to grant planning permission subject to the conditions set out in Section 11 of this report and the signing of the S106 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 5 objections.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within settlement

Within 5km of SPA

3.1 The Laurels is a vacant two-storey, four bedroom dwelling on the corner of Downshire Way and Fairfax. It is bounded to the south and west by residential properties; to the north by Fairfax, beyond which are residential properties; and to the east by Downshire Way, beyond which are residential properties. The building is currently boarded up, with overgrown front and rear garden areas.

3.2 The surrounding area is predominantly residential, and the site is within 5 km of the SPA.

4. RELEVANT SITE HISTORY

4.1 There is no relevant planning history for this site.

5. THE PROPOSAL

5.1 The proposal is for the demolition of the existing dwelling and the redevelopment of the site for 5 one-bedroom flats in a part two storey with accommodation in the roofspace, part three storey building. The proposed building would front onto Downshire Way and would have vehicular access and parking to the rear, from Fairfax. Bin and cycle storage would also be provided to the rear. Pedestrian access to the front and rear of building would be from Downshire Way. Private and communal amenity spaces would be provided to the east and west of the building.

5.2 The southern part of the building would be two storey, with accommodation in the roof space, and the north east corner of the building would rise to three stories. There would be gable features to the front and rear, and the taller element would have a pyramid hipped roof.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council

6.1 Bracknell Town Council made observations on the application, raising concerns that there is no visitor or disabled parking shown [*Officer note: the application has been revised to include one visitor parking space and is in line with the Council's parking standards*].

Other responses received

6.2 Nine objections have been received from eight addresses. The issues raised can be summarised as follows:

- Proposal will dwarf and overlook the neighbouring property, exacerbated by changes in ground level between properties;
- Neighbour was told they could not build closer to the boundary with their neighbour and had to have an obscure glazed upstairs window;
- Proposal would be overbearing [*Officer note: impacts on residential amenity are considered within the report*].
- Insufficient parking [*Officer note: the proposal complies with the Council's parking standards*];
- Proposal would be out of keeping [*Officer note: impacts on the character and appearance of the area are discussed in the report*];
- Inconsistencies in application form and CIL form;
- Proposal does not include renewable energy [*Officer note: a condition is recommended to secure renewable energy in line with standards*];
- Proposal is not a conversion and is instead a redevelopment, contrary to NPPF core principles [*Officer note: the redevelopment of a site is not contrary to the NPPF and should be assessed on its own merits*];
- Limited information on proposed materials [*Officer note: a condition is recommended to secure details of materials*];
- Proposed building would be larger than existing building and project further forward than existing build line;
- Loss of trees and hedgerows, including some significant trees that should be considered for TPO [*Officer note: a condition is recommended to secure a scheme of hard and soft landscaping and a condition is recommended to protect the tree at the front of the property*];
- Narrow access;
- Useability of proposed car parking;
- Parking stress on Fairfax [*Officer note: highway implications are discussed within the report*];
- Risk of flooding from car parking area [*Officer note: a condition is recommended to ensure that the proposal would be SuDS compliant*];
- Noise and disturbance during construction [*Officer note: a condition is recommended to secure reasonable construction hours*];
- Boundary treatments [*Officer note: a condition is recommended to secure details of boundary treatments*].

7. SUMMARY OF CONSULTATION RESPONSES

Highways:

7.1 No objection subject to conditions.

Biodiversity Officer:

7.2 No surveys required.

Environmental Health:

7.3 No objection subject to conditions controlling construction hours.

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	Consistent
Residential amenity	Saved policy EN20 of BFBLP	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Trees	CS1, CS7 of CSDPD; Saved policies EN1, EN2 of BFBLP	Consistent
Biodiversity	CS1, CS7 of CSDPD	Consistent
Sustainability	CS10, CS12 of CSDPD	
Supplementary Planning Documents (SPD)		
Parking Standards SPD		
Design SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

i. Principle of development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). Policy CP1 of the Site Allocations Local Plan sets out that a positive approach should be taken to considering development proposals (which reflects the presumption in favour of sustainable development set out in the NPPF), and that planning applications that accord with the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise.

9.3 Core Strategy Policies CS1 (Sustainable Development) and CS2 (Locational Principles) are

relevant and consistent with the objectives of the NPPF, and can be afforded full weight. In particular, Policy CS2 permits development within defined settlements. The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Therefore, the principle of development on this site is acceptable.

ii. Impact on character and appearance of the area

9.4 This part of Downshire Way is characterised by residential development, comprising two storey detached houses on generous plots on Downshire Way on the same side as the application site; terraces and semi-detached houses on Fairfax; and three storey flats on the opposite side Downshire Way.

9.5 The existing building, to be demolished, is two storey. The proposed building would be 2.5 storeys (two storeys with accommodation in the roof space) with a taller, three storey element on the north east corner. While some residents have objected on grounds that the proposed building would be dominant in the street scene, it is considered that a building rising from 7.5 metres tall to 9.9 metres tall, with a main ridge height of 8.4 metres tall and of a maximum of three storeys would be in keeping with the surrounding development. In addition, given the flatted development opposite the site, the proposed flatted development would be in character with the surrounding area.



9.6 The dwellings on Downshire Way and Fairfax vary in character, with no one distinct style. The proposed building would have gable features fronting Downshire Way and Fairfax, which can be seen in the street scene. Some windows would have soldier courses above to add

texture to the building, and there would be Juliet balconies to some of the first and second floor windows. These are not prevalent in the street scene, however as there is not a uniform style of architecture, this is not considered to detract from the character of the area, and a balcony is visible on the adjacent property. The building would also have rooflights, which can be seen in the streetscene, including on the adjacent property on Downshire Way.

9.7 The materials to be used for the proposed building have not been specified, and a condition requiring details and samples of materials is therefore recommended to ensure that the materials would be of a high quality and appropriate to the character of the area.

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

iii. Impact on Residential Amenity

9.9 The proposed building would be 2 metres from the boundary with the adjacent property to the south, Cavaliers, and 4 metres from the house itself. The Design SPD sets out guidance for minimum back to back distances, but notes that blocks of flats do not necessarily have private backs. It states that each case will be considered on its own merits. Objections to the proposals have been raised regarding privacy and overbearing from the proposed building to Cavaliers. It should be noted that Cavaliers faces south, with the side elevation facing the road. The proposed building is, therefore, closest to its rear elevation, however Cavaliers' amenity areas are to the sides (east and west) of the building.

9.10 At the point closest to Cavaliers, the building would be 7.5 metres tall, at a distance of 4 metres from the existing property. This is considered to be appropriate to the residential setting of the site. The main ridge height of the building would be 8.4 metres tall, rising to 9.9 metres tall at a distance of 12 metres from the existing adjacent property. The height, bulk and massing of the building is considered to be of an acceptable domestic scale and not unduly overbearing to the adjacent property. The owner of Cavaliers has raised concerns regarding the change in ground level between the two sites, however this is in line with the gentle slope of Downshire Way. The neighbour has stated that there is a difference of 83 cms between the two sites. However, it is not considered that this would make a significant difference to the impacts of the proposed development and the proposal would still be at an acceptable domestic scale in relation to the neighbouring property.

9.11 The Design SPD, as outlined above, states that blocks of flats will be considered on their own merits, but that minimum distances between facing habitable room windows of 22 metres would be sought. The proposed flats would have secondary lounge and bedroom windows to the southern elevation at ground and first floor, facing the existing adjacent property. Floorplans for Cavaliers show that none of the rooms on its northern elevation at first floor are habitable and comprise bathrooms and cupboard.

9.12 To the ground floor, Cavaliers has a kitchen-diner window, however there are a number of other windows to this room and, as such, this can be considered a secondary source of light. Therefore there would be no overshadowing impacts to habitable room windows from the development. However, to ensure that the privacy of any future occupiers of that building is preserved, a condition is recommended to ensure that the secondary windows to the lounges on the southern elevation are obscure glazed.

9.13 The proposal would be approximately 17 metres from the side elevation of 7 Fairfax, the closest property on Fairfax. At this distance, the proposed building would not cause any overshadowing issues. It is also not considered that this would result in overlooking impacts,

given the distance between the properties. There is only one window in the eastern elevation of 7 Fairfax, facing the proposed development. There are Juliet balconies on the rear elevation, serving bedroom and lounge windows, facing 7 Fairfax. However, due to the position of the window in 7 Fairfax and the position of the windows in the proposed development, there would be no overlooking as a result of the proposed development.

9.14 The Design SPD also sets out distances between first and second floor windows and neighbouring garden areas. However, due to the positioning of the proposed building, it would not directly overlook any rear gardens of neighbouring properties. While the car park area would be adjacent to the front driveway area of 7 Fairfax, this is where the parking area for the adjacent house is and, given that there would be a relatively small number of trips generated by the proposed development, it is not considered that this would cause undue disturbance to 7 Fairfax or Cavaliers.

9.15 The Design SPD states that a distance of 12 metres between windows on the street side of dwellings is generally considered acceptable to afford both properties sufficient privacy. The occupiers of Yew Trees on Downshire Way, on the opposite side of Fairfax from the site, have raised concerns regarding overbearing and overlooking impacts from the proposal. However, at a distance of 15 metres from the house across Fairfax, it is not considered that the proposal would have overbearing or undue overlooking impacts on this property.

9.16 The Design SPD states that all new dwellings should have easy access to usable outdoor space. The site plan demonstrates that there would be a sufficient amount of both private and communal amenity areas surrounding the proposed development.

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

iv Transport implications

9.18 The Laurels is located on the corner of Downshire Way and Fairfax, an adopted residential cul-de-sac and the car park for these proposed flats would take access off Fairfax, in a similar position to an existing dropped kerb serving a couple of dilapidated garages. The car park access measures off the revised Proposed Site Plan 13.367.P.100D as 4.1m and this would enable adequate access for cars noting the Council's highway guide for residential developments of 5 dwellings or less require a minimum 4.1m wide access drive. Also, adequate visibility between cars exiting the car park and pedestrians using the footway is achieved. There should be no gates to assist with access for cars entering and exiting the car park. Domestic deliveries could occur on-street.

9.19 6 car parking spaces are to be provided and this complies with the Council's parking standards for 5 no. one-bed flats plus one visitor space. The parking spaces measure off the latest Proposed Site Plan as 2.4m by 4.8m with 6m of access space and this complies with current standards. There are double yellow lines restricting parking at all times along Downshire Way. The bike store is shown as accommodating 5 bikes to comply with the parking standards for residents.

9.20 5 no. one-bed flats is likely to generate in the region of 16 two-way trips per day, including two movements in both peak periods. The development is close to Bracknell Town Centre and there is a bus stop outside of the site on Downshire Way, thus not all journeys would be by car. A pedestrian path is proposed from the front door of the flats to the footway adjacent to Downshire Way.

9.21 The Highway Authority has no objection to the proposal and, subject to conditions, the

proposal is considered to comply with CS Policy CS23, Saved Policy M9 of the BFBLP, the Parking SPD and the NPPF.

v. Impact on biodiversity and trees

9.22 Although the existing building is vacant, the Council's Biodiversity Officer has assessed the site and considers that the existing house and garden do not have sufficient biodiversity potential to warrant a survey. As such, no survey or mitigation measures are required. In line with policies CS1 and CS7 for the enhancement of biodiversity, a condition is recommended to secure a scheme of bird and bat boxes.

9.23 Although none of the trees on the site are protected, the tree in the existing front garden is considered to contribute to the character of the area, and the site plan demonstrates that this will be retained. As such a condition is recommended to secure protection measures for this tree. The site plan demonstrates that trees are proposed on Downshire Way as part of the landscaping for the proposed amenity areas. A number of trees are also proposed within the grounds of the development. A condition is recommended to secure a scheme of hard and soft landscaping. Subject to the proposed conditions, the proposal would be acceptable in line with CSDPD Policies CS1 and CS7 and 'Saved' BFBLP Policies EN1 and EN2.

vi. SPA

9.24 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately **3.5 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.

9.25 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures which Natural England will spend upon the SPA land. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.26 In this instance, the development would result in a net increase of five X 1 bedroom dwellings replacing the existing 4 bedroom dwelling which results in a total SANG contribution of £3,636.

9.27 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which is also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £1,188.

9.28 The total SPA related financial contribution for this proposal is £4,824. The applicant must agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal

would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

vii. Community Infrastructure Levy (CIL)

9.29 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.

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

9.31 In this case, the proposal would be CIL liable as it comprises the creation of new dwellings. The dwelling falls within the Outer Bracknell charging area, where CIL is charged at £75 per square metre of floorspace.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the local area, the amenities of the residents of the neighbouring properties or future residents, on highway safety or biodiversity and trees. The proposal would contribute to the supply of housing within the Borough. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' Policies EN20 and M9, the Parking Standards SPD, the Design SPD and the NPPF.

10.2 The application is therefore recommended for conditional approval, signing to the completion of a S106 agreement to secure the necessary SPA mitigation.

11. RECOMMENDATION

Following the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 relating to SPA mitigation measures, the Head of Planning be authorised to APPROVE the application 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 and documents received by the Local Planning Authority on 1 December 2016, re-stamped 28 February 2017:

13.367.P.100C Proposed ground and first floor plans
13.367.P.101B proposed second floor plan
13.367.P.200A Proposed elevations
13.367.P.002 Proposed bin and cycle store

And the following plan received by the Local Planning Authority on 26 April 2017:

13.367.P.001D Proposed site plan.

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

3. No construction works 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. Construction works 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.

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]

5. The first floor windows in the southern elevation of the building 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 an openable fanlight that is no less than 1.7m above internal finished floor level of the room that the window serves. Any replacement window shall be glazed and fixed to this standard and retained as such.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

6. The existing trees shown to be retained on the approved drawing 13.367.P.001D Proposed site plan shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

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

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

7. Within a period of 5 years from the completion of the development: -

- a) No retained tree as specified as being retained by condition 6 shall be cut down, uprooted or destroyed.
- b) Any trees shown to be retained on the approved plans submitted in accordance with condition 6 of this consent, which die are removed or irreparably damaged during the course of the development within a period of 5 years of the completion of the development, another tree, hedgerow or group of shrubs of the same species and size as that originally planted shall be planted at the same time.

REASON: In the interests safeguarding biodiversity.

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

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

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties

9. 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)
- f) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
- g) Recycling/refuse or other storage units, play equipment
- h) Other landscape features (water features, seating, trellis and pergolas 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. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved, unless the Local Planning Authority gives written consent to any variation.

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

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

10. The demolition shall not be begun until a scheme of bat and bird boxes has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

11. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with the approved plan 13.367.P.001D Proposed site plan.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

12. 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 and turning 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]

13. No dwelling shall be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings
REASON: In order to ensure bicycle facilities are provided.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]
14. 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]
15. 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.
16. 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 how the proposed development will show that 10% of the developments energy requirements will be provided from on-site renewable energy production.
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 Policy: Core Strategy DPD CS12].
17. 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]
18. The development shall incorporate surface water drainage that is SuDS compliant and in accordance with DEFRA "Sustainable Drainage Systems - Non-statutory technical standards for sustainable drainage systems" (March 2015). It shall be operated and maintained as such thereafter.
REASON: To prevent increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage scheme.
[Relevant Policies: CSDPD CS1, BFBLP EN25]

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. The following conditions do not require details to be submitted, but must be complied with:

1. Time limit
2. Approved plans
5. Obscure glazed windows
7. 5 year protection
8. Construction hours
11. Vehicular access
12. Parking and turning
13. Bicycle parking
14. No gates at vehicular access
18. SuDS compliant

The following conditions require details to be submitted:

3. Details of materials
 4. Means of enclosure
 6. Protective fencing
 09. Hard and soft landscaping
 10. Bat and bird boxes
 15. Site organization
 16. Energy demand assessment
 17. Sustainability statement.
03. The Streetcare Team 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.

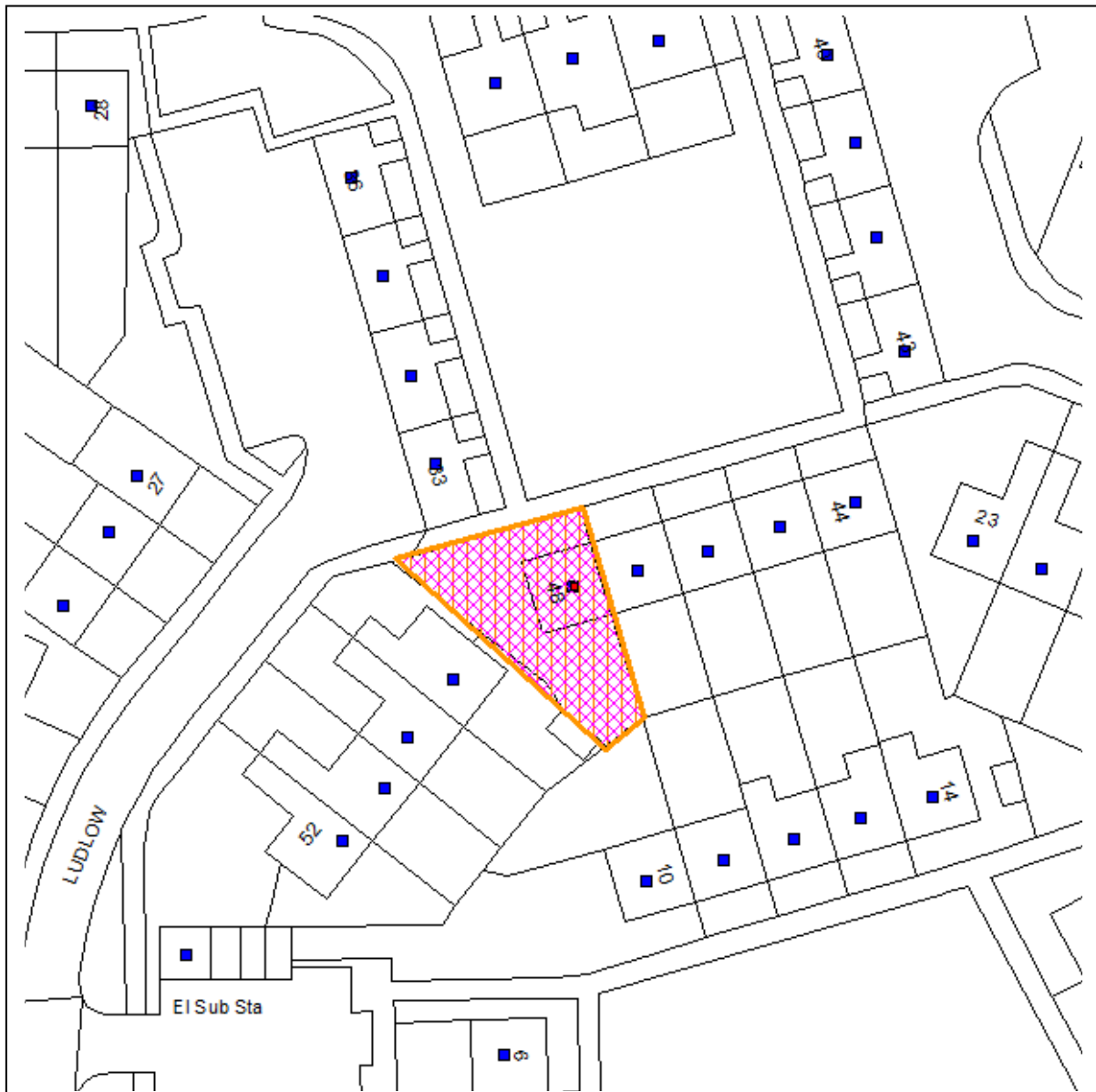
In the event of the S106 agreement not being completed by 30 June 2017, the Head of Planning be authorised to either extend the period further or to refuse the application on the grounds of:

The occupants of the development would put extra pressure on the Thames Basin Heaths Special Protection Area and the proposal would not satisfactorily mitigate its impacts in this respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).

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ITEM NO: 07	Ward:	Date Registered:	Target Decision Date:
Application No. 16/01240/FUL	Hanworth	9 January 2017	6 March 2017
Site Address:	48 Ludlow Bracknell Berkshire RG12 7BZ		
Proposal:	Erection of two storey side, single storey rear and single storey front extension including a bay window.		
Applicant:	Mr & Mrs Booth		
Agent:	Helen Nightingale		
Case Officer:	Matthew Miller, 01344 352000 development.control@bracknell-forest.gov.uk		

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



OFFICER REPORT

1. SUMMARY

1.1 Erection of two storey side, single storey rear and single storey front extension including a bay window.

1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely impact upon the character and appearance of the surrounding area, or the residential amenities of neighbouring properties, and would be acceptable in terms of highway safety and parking, subject to proposed conditions.

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

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been reported to the Planning Committee at the request of Councillor Ingham following concerns over the development resulting in an adverse impact on residential amenity, and on the character of the area.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary

3.1 48 Ludlow is a two storey, three bedroom end-of-terrace dwelling located in a predominately residential area. The dwelling does not appear to have been previously enlarged. The property benefits from a soft landscaped front garden and an enclosed rear garden. The site level of the property slopes downwards from west to east, and north to south.

3.2 Access to the property is via adopted public footpaths connecting to the main highway of Ludlow. There is a communal parking area to the northwest, with a garage space owned by the applicant underneath the first floor apartment of 44 Ludlow.

4. RELEVANT SITE HISTORY

4.1 The site history of the property can be summarised as follows:

16/00959/FUL

Erection of single storey front and rear extension and two storey side extension.
Withdrawn (2016)

5. THE PROPOSAL

5.1 The proposed development is the erection of two storey side, single storey rear and single storey front extension including a bay window.

5.2 The proposal is a re-submission of withdrawn application 16/00959/FUL which was for a two storey side extension of a different design, and for more significant front extensions. The

proposal was withdrawn over concerns regarding the impacts of the proposal on the character of the area through its design.

5.3 During the process of this application the proposal has been amended to reduce the width and depth of the two storey extension and to standardise its design.

5.4 The amended two storey side extension would measure 2.8 metres in width, 6.7 metres in depth, and 6.6 metres in height. It would have a dual-pitched roof, with two front-facing roof windows.

5.5 The single storey rear extension would measure 6.9 metres in width, 3.0 metres in depth and 3.6 metres. It would have a mono-pitched roof with three roof windows.

5.6 The single storey front extension would measure 3.8 metres in width, 1.0 metre in depth, and 3.6 metres in height. It would have a mono-pitched roof with two roof windows.

5.7 Cumulatively at ground floor level the proposal would form an entrance hall, WC, family room, study, and enlarged kitchen and living room areas. At first floor level it would form an enlargement to an existing bedroom, with an en-suite bathroom.

6. REPRESENTATIONS RECEIVED

Bracknell Town Council:

6.1 No comments have been received from Bracknell Town Council within the advised time frame.

Other representations:

6.2 No comments have been received from occupants of neighbouring properties within the advised time frame.

7. SUMMARY OF CONSULTATION RESPONSES

Highway Officer:

7.1 The Highway Officer raises no objection.

7.2 No further statutory or non-statutory consultations have been required.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Highway Safety & Parking	CS23 of CSDPD, Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards for residential development, this policy is considered to be consistent.
Supplementary Planning Documents (SPD)		

Parking standards SPD (2016)

Design SPD (2017)

Other publications

National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)

BRE Site Layout planning for Daylight and Sunlight: A Guide to Good Practice (2011).
CIL Charging Schedule

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

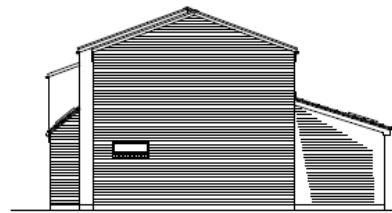
9.2 The application site is located within a defined settlement as designated by the Bracknell Forest Borough Policies Map. Due to its location and nature, the proposal is considered to be acceptable in principle and in accordance with CSDPD CS1 (Sustainable Development), CS2 (Locational Principles)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

ii. Impact on Character and Appearance of Area

9.3 As stated in Section 5 of the report above, the proposal has been significantly changed from that initially submitted in the previous application (16/00959/FUL), and within the current application, to address concerns raised over the impact on the character of the area.



Front Elevation



Side Elevation



Side Elevation

9.4 The proposed two storey side extension would have a subordinate appearance, through its lower height to the main dwelling, its set back from the main dwelling of 1.0 metres, and its overall width, which has been significantly reduced. The resulting subordinate appearance would accord with the guidance contained within the Design SPD (2017), and is considered to constitute an appropriate bulk and massing for a side extension. The architectural layout of the host dwelling has been reflected through the proposed side extension.

9.5 The proposed front extension, is considered appropriate in scale, bulk and massing to the existing dwelling and to the other proposed extensions. Initially the applicant proposed to physically attach the front extension to the side extension, and to also add a second front extension through a bay window. The proposal has therefore been revised to provide a more harmonised and consolidated design.

9.6 The proposed front and side extensions would be visible in the street scene. When viewing the proposal cumulatively they would involve significant additions to the host dwelling. However, this is not in itself inappropriate, or does constitute overdevelopment, when considering the built-up urban setting. The extensions have design merits and the character and visual presence of the host dwelling remains prominent.

9.7 The separation space between the dwelling and that of 49 Ludlow to the west (which is orientated at an angle to no. 48) would be reduced. A separation distance of approximately 5.8 metres would be retained at the front, reducing to approximately 1.9 metres at the rear. While the proposal would result in a narrowing of the separation between nos. 48 and 49 particularly at the rear, a minimum 1.9 metres separation distance is not considered unacceptable within a built-up residential area, with the built form opening up at the front of the dwelling.

9.8 The proposed single storey rear extension would be of a standard design and massing for an extension of its type. It would not be readily visible in the street scene due to its location, but in any case rear extensions are a common feature within 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, subject to a condition requiring matching materials.

iii. Impact on Residential Amenity

9.10 In association with the assessment of potential loss of light and overshadowing, guidance within the Design SPD (2017), utilising the Building Research Establishment (BRE) Report "Site layout planning for daylight and sunlight: a guide to good practice" (2011) is used as a standard for assessing acceptable levels of light.

9.11 The proposal would be visible from the rear garden of 49 Ludlow. While the side extension would not project past the rear elevation of its host dwelling, concerns have been raised as to the creation of a tunnelling impact, which would reduce light reaching the rear garden from the north, and would also be overbearing to the occupants of no.49.



9.12 While it is acknowledged that the siting of the side extension in such a position may result in some loss of light reaching the garden from the north, it is not considered that the loss would amount to an adverse reduction which would result in a significant impact on residential amenity, or otherwise provide justification for refusing a planning application in its own right. Furthermore, it is not considered that the side extension would be unduly overbearing to the occupants of no.49 as it would not project past the rear elevation. The outlook from the rear-facing windows of the dwelling of no.49 would not be directly affected by the side extension.

9.13 The two storey extension would include a rear facing window at first floor level. Due to the angled relationship between the host property and the neighbouring dwelling of 49 Ludlow to the west, the rear elevation of the host dwelling does prominently face no.48's rear garden.

9.14 Weight is given to the fact that there are existing rear-facing first floor windows on the host dwelling of no.48. While the proposed window would be sited closer to the rear garden of no.49 in comparison to the existing windows, it would serve an en-suite bathroom, and would therefore be required to be obscure-glazed and non-opening (and secured by condition). This would therefore serve to limit any impacts of the proposal on the occupants of no.49 in terms of overlooking and loss of privacy. This also applied to the neighbouring residential properties to the south, namely 9 and 10 Liscombe, from which the extension would be visible.

9.15 In terms of the resulting perception of overlooking the window would create, when giving weight to the existing windows on this elevation it is not considered that one (obscure-glazed) additional window would result in adverse harm in comparison to the existing situation.

9.16 It is noted that the proposed rear extension would, in isolation from the remainder of the proposed development, constitute permitted development (Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)). Therefore the applicant would be able to erect this rear extension without the need for submitting a planning application. Significant weight must be applied to this fact.

9.17 In any case, the proposed rear extension would accord with the guidance contained within the Design SPD as to loss of light. The single storey height and 3.0 metre depth would not be considered to be either unduly overbearing or result in an adverse loss of light to the neighbouring dwellings of 47 and 49 Ludlow, including when considering the site level changes.

9.18 It is not considered that the proposed front extension would result in an adverse impact on the amenities of the occupants of the neighbouring properties in view of its height and depth, and its siting in relation to the neighbouring properties.

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

iv Impact on Highway Safety

9.20 The proposal would not result in a net increase in bedrooms (three existing), but would instead enlarge an existing bedroom. The Highway Officer has been consulted on the proposal and raises no objection.

9.21 While it is acknowledged that Ludlow does experience significant on-street parking pressures due to the absence of dedicated off-street parking to many individual properties, the proposal does not give rise to additional parking pressure.

9.22 As a result it is not considered that the proposed development would result in an adverse impact on highway safety, in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9, the Parking Standards SPD (2007), and the NPPF, subject to the recommended condition.

v Community Infrastructure Levy (CIL)

9.23 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.

9.24 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including new build that involves the creation of additional dwellings. Extending the existing dwelling at this site is not development that 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 surrounding area, the amenities of the residents of the neighbouring properties, or on highway safety, subject to the recommended conditions. It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7 and CS23, BFBLP 'Saved' 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:

B-2234 Rev. B 'Existing Plans and Elevations' received on 4 April 2017
B-2234-1 Rev. B 'Proposed Plans and Elevations' received on 22 March 2017

REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be of similar appearance to those of the existing dwelling.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: Core Strategy DPD CS7, BFBLP 'Saved' Policy EN20].
04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (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 either the west- or south-facing elevation of the development hereby approved, with the exception of those shown on the approved plans.
REASON: In the interests of the residential amenity of the neighbouring property of 49 Ludlow.
[Relevant Policy: BFBLP 'Saved' Policy EN20].
05. The 1no. window the first floor on the south-facing rear elevation of the development hereby permitted, serving the en-suite bathroom, 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 window shall be glazed and fixed to this standard, and retained as such.
REASON: In the interests of the residential amenities of the neighbouring properties of 48 Ludlow, and 9 and 10 Liscombe, Bracknell.
[Relevant Policy: BFBLP 'Saved' Policy EN20].

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application and discussing these with the applicant. The proposal has been assessed against all relevant material considerations, including planning policies and any representations that may have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
1. Commencement
 2. Approved Plans
 3. Materials
 4. Rear windows
 5. Obscure-glazing

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

Doc. Ref: Uniform 7/DC/Agenda

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

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1. SUMMARY

1.1 This application seeks the redevelopment of the Brackens, a site currently used as offices providing accommodation for a number of companies. The site is in the Countryside, is previously developed and has an extant Prior Approval Consent (PAC) for the conversion of the existing offices into 32 residential apartments.

1.2 Although the site is located within the countryside as the Council cannot currently demonstrate a five-year supply of deliverable housing sites the NPPF states that development should be approved unless the harm of the proposal, demonstrably and significantly outweighs the benefits, in this case the provision of 56 dwellings. Given the extant PAC, the previously developed nature of the site and the location on a bus route, it is considered that in this instance the harm to the character of the area does not outweigh the benefits of providing additional houses.

RECOMMENDATION
Approve subject to S106 agreement

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application has been called to the Planning Committee by Cllr Hayes on the grounds that the proposal represents overdevelopment, would not maintain highway safety and would harm trees on the site many of which are protected.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Countryside

3.1 The application relates to a site located on the south side of London Road, between the defined settlements of Bracknell and Ascot. The site is therefore within the countryside.

3.2 The application site consists of an office building, which was originally a country house. The formal lawns still exist to the south of the main property.

3.3 The site also contains various ancillary buildings. These consist of a building to the west of the entrance last used as an office but, at the time of the site visit, vacant and outbuildings including garages located to the north west of the main office building, used for a variety of purposes including offices and storage ancillary to the other uses on the site. There is a large parking area located to the south of the main entrance drive with some further parking to the north of the main building. The Brackens has a variety of built extensions, many of which are considered to detract from the original form and character of the building.

3.4 The site is contained by trees with protected groups along the northern boundary and woodland groups to the west of the site and along the eastern boundary. The site also contains smaller groups of protected trees, and some individual trees are protected within the site.

3.5 To the south the site abuts a conifer plantation to which the public have access. This blends into the more informal wooded heathland located to the west which contains larger clearings.

3.6 To the east the site abuts a residential property located in large grounds beyond which the B3017 lies on a north-south axis which also forms the Green Belt Boundary.

3.7 The site benefits from access from London Road which runs along its northern boundary. North of the site and London Road is the Heathfield School with the school buildings set back from the road.

4. RELEVANT SITE HISTORY

16/01242/OUT Hybrid planning application for a residential development comprising: DETAILED application for partial demolition of existing buildings. Retention and conversion of Brackens House to provide 5 no. apartments with associated parking, tree removal and improvements to existing access. OUTLINE application for the Construction of up to 51 new homes with access. Under consideration.

16/00171/PAC Application for prior approval for the change of use of office (B1) to residential use (class C3) comprising 32 apartments. Agreed.

2328 Use of Brackens as flats and offices Approved 14.01.1954

Various applications during the 1950's, 1960's, 1970's and 1980's for works and changes of use to the main building.

5. THE PROPOSAL

5.1 The application consists of three distinct parts:-

1. The conversion of part of the original Brackens House to provide 5 apartments consisting of four 2-bedroomed apartments, and one 3-bedroomed apartment. The existing unsympathetic and later extensions would be demolished reverting the property back to its original dimensions. This aspect of the proposal would require minor alterations to block up doors and alter windows and make good where the demolished extensions adjoined the original structure.

2. Construction of a block of apartments and dwellings on the previously developed land to the north of the site. These consist of

- Detached two storey dwelling on the location of the existing office building located at the entrance to the site. This would be a two storey, two bedroomed dwelling.
- A pair of semi-detached dwellings (The Coach House) on the clearing to the south of the entrance road consisting of two 4 bedroomed dwellings on a north south orientation.
- 3 dwellings (The Gardeners Cottages) on the footprint of part of the extension to the Brackens to be demolished consisting of two 3-bedroomed semi-detached dwellings and one detached 5 bedroomed dwelling.
- Extension to The Brackens to accommodate four x 3 bedroomed properties, eight x 2 bedroomed apartments and two x 4 bedroomed apartments located on the existing footprint of the existing extensions.
- To the north and west of the existing Brackens House, one detached 3 bedroomed dwelling and two terraces each containing two x 5-bedroomed and four x 3 bedroomed dwellings.
- A semi-detached pair of dwellings located to the south of the extension to Brackens House. Each would contain 4 bedrooms.

3. Residential development on the lawns to the south of Brackens House, containing 10 detached dwellings, and a block of 6 apartments. Each detached house would benefit from a triple garage and private turning area.

6. REPRESENTATIONS RECEIVED

Other representations:

6.1 One objection has been received objecting to the proposal on the following grounds:-

- The site is outside the defined settlement and located within the narrow 'green corridor' that separates Bracknell from Ascot.
- Contrary to Policy CS9: Development of land Outside Settlements which amongst other things protect the function of the land as a gap which this proposal would erode.
- Additional strain upon local infrastructure including the amount of traffic along London Road.

Winkfield Parish Council

6.2 Asks the officer to ensure the retention of trees and shrubs on the site particularly along London Road. The Parish Council remains concerned about the impact of the development of this size on local infrastructure; especially schools, highways and affordable housing. The Parish Council ask that officers explore the possibility of creating a cycleway/footway from the back of the site to Martins Heron Station.

7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highways: Taking into account the existing use, the existing junction and nature of the proposal there are no objections from a highway safety perspective, subject to conditions.

7.2 Drainage: Sufficient information has been received demonstrating that the site can be suitable drained. No objection subject to conditions.

7.3 Bio-diversity: Additional information has addressed initial concerns and conditions have been suggested.

7.4 SPA: The site is within 5km of the SPA and therefore avoidance and mitigation measures are required. These will be secured through a legal agreement.

7.5 Landscape: raises concerns about proximity of the built form to London Road, impact upon the development within RPAs of trees and request further details regarding landscaping.

7.6 Archaeology: Content that sufficient information has been provided to demonstrate that it is unlikely that significant historical remains are present on the site and therefore recommends a condition to assess any further archaeological remains. .

7.7 Environmental Health: There is a landfill site to the north of the development, suggest conditions.

7.8 Waste: The communal bin store areas are all of adequate size. A reminder to the developer that collection is from the back edge of the highway, so there must be sufficient space on the edge of the highway/ footways to accommodate the bins on collection days. [Officer note: this can be included as a informative]

7.9 Renewable Energy: Requested conditions relating to energy requirements

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: Presumption in favour of sustainable development CS1 of CSDPD: Sustainable Development Principles CS2 of the CSDPD: Locational Principles	Consistent. (Para. 14 of the NPPF)
Housing	CS15 of the CSDPD: overall housing provision	Not consistent with the NPPF as it does not represent an 'objective assessment of need', and therefore carries little weight.
Affordable housing/ Mix	CS16 of the CSDPD: Housing Needs of the Community CS17 of the CSDPD: Affordable Housing	Consistent. (Para. 50 of the NPPF).
Design & Character	CS1 (viii) of the CSDPD CS7 (i) & (iii) of CSDPD: Design Saved policy EN20 (i) of BFBLP: Design considerations in new development	Consistent with para. 17, 56, and 109 of the NPPF.
Open Space provision	CSDPD Policy CS8: Recreation and Culture Saved Policy R4 of the BFBLP: Provision of open space of public value	Consistent with paras. 72 & 74 of the NPPF. Consistent with the NPPF Chapter 8.
Noise and pollution	Saved Policy EN25 of the BFBLP: Noise and other pollution	This is considered to be consistent with paras. 17(4), 17(7) and 109(4) of the NPPF.

SPA	SEP Policy NRM6: Thames Basin Heaths Special Protection Area CSDPD Policy CS14: Thames Basin Heaths Special Protection Area Saved Policy EN3 of the BFBLP: Nature Conservation	Consistent with the NPPF (Chapter 11)
Supplementary Planning Documents (SPD)		
Parking Standards SPD 2016		
Design SPD		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Character Area Assessments SPD (Chapter 4- Northern Villages) Bracknell Forest Borough Landscape Character Assessment (LUC) 2015 Design SPD (2017)		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on the character and appearance of the area
- iii Design
- iv Residential Amenity
- v Pollution
- vi Impact on Highway safety
- vii Drainage
- viii Archaeology
- ix Bio-diversity
- x Trees and landscaping
- xi Securing necessary infrastructure / CIL
- xii Thames Basin Heaths Special Protection Areas (SPA)
- xiii Affordable Housing
- xiv Sustainability issues

i. Principle of Development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration.

9.3 Paragraph 14 of the NPPF sets out that for decision takers this means:

- approving development proposals that accord with the development plan without delay, and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits assessed against the policies in this Framework taken as a whole: or
 - Specific policies in this Framework indicate development should be restricted.

9.4 Paragraph 49 of the NPPF states that 'relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'.

9.5 The site is located outside the defined settlement boundary and as such is directly contrary

to Policy CS9 of the CSDPD, Policy EN8 and Policy H5 of the BFBLP. All of these policies restrict the development of residential dwellings in the countryside, seeking to protect the countryside for its own sake, unless specific criteria are met. The proposal does not comply with the stated criteria.

9.6 However, Bracknell Forest Council is unable to demonstrate that it has a 5 year supply of deliverable housing sites. Accordingly, relevant policies for the supply of housing are considered out of date and, whilst still a consideration, the weight that can be attributed to them decreases.

9.7 The application therefore should be considered in relation to the presumption in favour of sustainable development, as set out in SALP Policy CP1 and paragraph 14 of the NPPF. Permission should only be refused where the harm arising from the application would significantly and demonstrably outweigh the benefits of the scheme. The benefits and harm of the development are considered in the following sections of the report.

ii Impact on character and appearance of the area, including landscape impact

9.8 Policy CS7 of the CSDPD seeks a high quality of design for all development In Bracknell Forest. This should be achieved by building upon the local character, respecting local patterns of development and enhancing the landscape.

9.9 The Council's Landscape Character Appraisal (LUC 2016) has the Brackens on the boundary between two areas, the Brackens falls within the Character Area F1: Chavey Down Wooded Sands, however immediately to the south is Area A1: Bracknell Forest.

9.10 The appraisal describes the F1 area as being defined by the urban edge with a gradual transition from the forest in the south to the clay farmland to the north. The site is characterised by semi-rural suburban landscape with typically short views across small clearings to the next block of woodland. The landscape appraisal also identified that the density of development tends to increase closer to junctions. The developments between the junctions on this part of London Road are generally large single units or clusters of buildings, set a little way back from the highway and within large plots. The areas of natural and undeveloped character are valued features of the landscape. They provide physical and visual separation or 'gap' between the urban areas of Bracknell and the suburban areas of North Ascot.

9.11 To the rear the site adjoins an area of forested woodland which is also used for the Lapland seasonal leisure attraction. This area of Swinley Forest is accessible to members of the public, and is used by dog walkers and recreational workers alike, though it is in private ownership. Within the Landscape appraisal the character is said to be strongly influenced by the long blocks of forest plantation which result in a sense of remoteness and the impact from the suburban development at the edges is limited.

9.12 The proposal seeks to increase the amount of development to the front of the site, utilising the existing areas of hard standing and built form. The proposal then seeks dwellings and flats extending into the site and reducing in density to detached villas located to the rear.

9.13 London Road is considered to be semi-rural in character but dominated by the trees which flank the highway. Development is generally linear with groups of buildings set back behind the trees located within large grounds.

9.14 It is acknowledged that the site consists of previously development land (PDL). However the definition contained within annex 2 of the NPPF, states that it should not be assumed that the whole of such sites should be developed.

9.15 The development, particularly to the south of the Brackens would be detrimental to the

character of what was, and has been maintained as, formal lawns to the dwelling enclosed by mature trees belts and woodland. However, views into the rear of the site are limited and screened by the existing landscaping and the redevelopment would screen this further. The principle character view is considered to be along the London Road frontage where it is proposed to reinforce the planting, screening the site and maintaining the semi-rural feel. Whilst glimpses of the development would still be seen through the site entrance or existing gaps in the vegetation this is considered to be in keeping with the existing character of London Road where glimpses of buildings through the trees are possible.

9.16 In conclusion, due to the surrounding landscaping, most of which is protected, and the current developed nature of the northern half of the site, the impacts of the proposal on the character and appearance of the area are limited.

iii Design

9.17 The proposed dwellings have all been designed taking cues from the original part of the Brackens. The design and access statement depicts the story of the site which builds from the history of Brackens House. This separates the site into 5 areas;

1. Brackens House and setting (includes The Gate House and the Brackens)

By retaining the landscaping and large Wellingtonia trees, views into the site will remain relatively unchanged. The existing gate house will be replaced with a red brick dwelling with feature gables and a steeply pitched roof. Stone is proposed to dress windows and decorative brickworks adds to the design interest of the property. The design of the proposed dwelling (Plot 1) is considered acceptable.

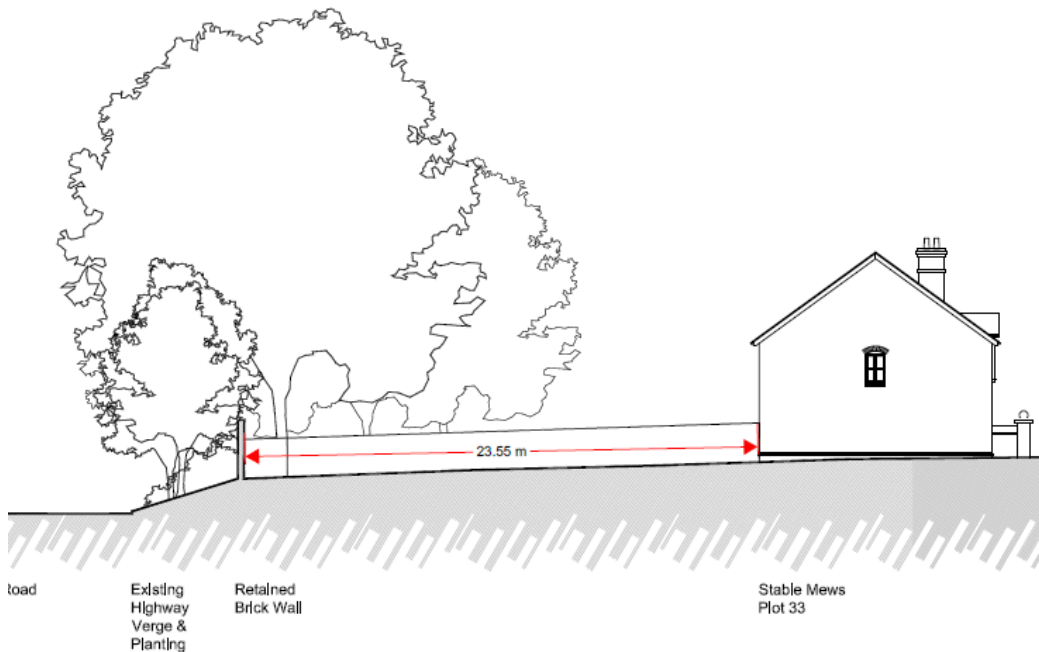


To facilitate the conversion of the existing Brackens into apartments it is proposed to remove the existing unsympathetic extensions. To the eastern elevation a double height bay window would be reinstated. Other minor alterations to doors and windows are also proposed. The proposals are considered to improve the appearance of the building, reinstating the integrity and design of the original building. Overall the proposed changes would result in a positive improvement.

2. The Stables Courtyard and Kitchen Gardens

This area is located to the west of the main house and creates a group of buildings comprising a mix of apartments and dwellings. This area is designed to resemble the outbuildings (stables and storage) associated with the main house. Dwellings have been set back 23m from the highway boundary protecting views from the road and enabling the vegetation planting to be reinforced without detrimentally affecting the

amenities of future occupiers.



Again the design of this area uses red brick with stable details picked up in the large ground floor openings with timber detailing. The Kitchen cottages have a more residential character design as ancillary accommodation to the main dwelling. Again gable features and brick detail add visual and design interest.

3. The Coach House and The Gardeners Cottages

This is the area located to the south of the main driveway where there is currently a carpark and an extension to the main office building which would be demolished. All these dwellings are located on part of the originally PDL part of the site. The design and appearance replicates dwellings elsewhere.



4. The South Lawn and Villas

A small block of apartments and 3 detached dwellings are proposed to the south of the formal lawn, where an existing group of trees breaks up the site. Again the use of red brick and steeply pitched roofs takes the cue from Brackens House, whilst the

apartment block is designed around a courtyard and encompasses arched details.

5. Sylvan Villas

This area comprises of 7 large detached properties in large plots. The existing landscaping has been used to influence the plots and the setting of the properties. These dwellings consist of 5 bedroom mainly 2 storey dwellings (one exception William House is 2.5 storey) with chimneys and gable features broken up with timber or tile details. Each dwelling is different and of bespoke design.

Waste collection

A plans has been submitted providing detail of refuse storage and collection points. The Waste and Recycling Manager has been consulted and commented that the communal bins stores are all of an adequate size. The properties that do not have bin storage areas will require a suitable place for storage preferably within rear gardens. It is also required that the bins are presented for collection at the kerbside of the adopted highway, so those properties up private sections of road will need to wheel their bins to the adopted highway so there must be enough space on the edge of the highway/footways to accommodate the bins on collection day without causing an obstruction.

The dwellings all have large gardens with rear access enabling storage of bins within these areas Collection points have also been indicated upon the plans.

Conclusion on design

9.18 The proposal would create a character of its own which has been influenced and led by the retention of the Brackens House within the site. Due to its separation from other developments it is not considered that the proposal needs to replicate the character or appearance of nearby developments. Overall the design the buildings is well considered with good proportions and detail to break up mass and provide interest and integrity. The design and appearance of the buildings is therefore considered to be in accordance with Policies CS7 of the CSDPD, and EN20 of BFBLP.

iv Residential amenity.

9.19 Saved Policy EN20 of the BFBLP seeks to protect the amenity of surrounding properties. This property requires the Council to have regard to ensuring new development does not adversely affect the amenity of surrounding properties and adjoining areas. Paragraph 17 of the NPPF also seeks to protect the amenities of future occupiers.

9.20 There are no dwellings located sufficiently close to the proposal to be detrimentally affected by it (the nearest is Westwood located 50m east of the site and separated by protected trees).

9.21 Within the site the layout of properties has been considered and orientated to prevent overlooking and protect the amenities of future occupiers from overlooking. Dwellings have sufficient private amenity space, and there is ample amenity space provided for the apartments which do not benefit from private balconies.

9.22 Concerns were raised regarding the proximity of some of the trees to the elevations of proposed properties. The trees on the site are mature and many are in excess of 10m in height and taller than the proposed dwellings. Trees can block out light and deciduous species create nuisance from shedding leaves once a year. The Council knows from experience that trees located too close to dwellings result in complaints regarding loss of light and litter drop, resulting in requests to have trees removed.

9.23 The applicants have stated that the mature landscape is a feature of the site and seek to use it to attract purchasers. The grounds will also be maintained by a private company who will be the first point of call regarding concerns with the trees. Where habitable rooms would be affected by trees they have been designed with dual aspect windows. As a result the layout is considered acceptable.

9.24 Plots 2 and 3 are proposed in the clearing on the site of the existing car park. This is a considerable area but enclosed on all sides by a mix of deciduous and coniferous trees and dense undergrowth. Whilst again the trees will overshadow and result in loss of light to the dwellings, there is considered to be sufficient space around these dwellings to provide an acceptable degree of amenity for future residents.

9.25 Due to the proximity of the trees to plots 25 and 26 and the southern elevation of the Stable Court, it is not considered that the proposal would provide a sufficient level of amenity for future residents. In this respect the application does not comply with Policy EN20 or paragraph 17 of the NPPF. However this harm needs to be balanced against the benefits of the scheme and this is considered below in the conclusions.

v. Pollution

9.26 There is a landfill site located to the north of the proposed development site and the Council currently monitors leachate and gas levels from the site in the surrounding area.

9.27 It is therefore recommended that conditions requiring schemes of investigation monitoring are requested to ensure that future residents of the site are not affected by any contamination as a result of the nearby landfill site.

iv. Impact on Highway safety

Access

9.28 The Brackens takes access off the A329 London Road, a primary distributor road which is subject to a 40mph speed limit and this new residential development would utilise the existing access around 120m west of the London Road/Priory Road/Swinley Road Junction.

9.29 It is noted that this junction and London Road, more generally, suffers from congestion and delay and the Highway Authority has a planned improvement scheme to assist with left-turning traffic into Licensed Victuallers School (Ascot) and minimise queueing traffic interfering with traffic flows along London Road.

9.30 The applicant has provided a Transport Statement and this includes traffic and speed surveys. The traffic surveys identified an average daily traffic flow of 23,500 vehicles along London Road thus the potential 285 vehicle movements per day which could be generated by 56 residential units (as indicated in the Transport Statement) equates to around 1% of the overall traffic using London Road. Clearly, the existing office use would generate traffic by staff and visitors and this is a material consideration. Also, the existing access includes a right-turn lane which is 2.9m wide and can easily accommodate a standard car to avoid right-turning vehicles interfering with traffic flows along London Road.

9.31 The speed surveys recorded 85th percentile vehicle speeds of 39mph along London Road which indicates compliance with the 40mph speed limit and visibility splays of 2.4m by 120m can be achieved within the highway boundary for vehicles exiting the development onto London Road in line with vehicle speeds.

9.32 Access alterations are proposed to create a formal bell-mouth with 6m radii accessing a 5.5m wide access road in line with the Council's highways guide for development. Also, a 2m wide footway is proposed on the eastern side of the development access road to connect to this existing footway on the south side of London Road and existing bus stop for westbound journeys towards Bracknell. There is a 3m wide shared footway/cycle-way on the northern side of London Road opposite the development and this can be accessed via an existing pedestrian refuge to the west of the development access.

9.33 The development is to include a 5.5m wide access road following the alignment of the existing access with a 2m wide footway provided on the eastern side before narrowing to 4.8m over a distance of around 40m to take account of TPO trees. This narrowing is to be raised to protect the trees and a potential access road cross section is shown on drawing 4150721-KS20-P2 including over-edge drainage and the principles of this are acceptable. This raised narrowing would assist in keeping vehicle speeds low and pedestrians would be able to cross to a footpath heading westwards towards Stable Mews and gain access around the junction with Brackens House to connect to a footway on the south-western side of the junction. Further into the development, 4.8m wide shared surfaces are proposed in line with the Council's design guidance.

9.34 The proposed road adoption strategy is shown on drawing 3019.205 with associated swept path for a refuse vehicle and the Highway Authority is content with this layout for refuse vehicle access. The drawing indicates that the access road serving The Coach House would be offered for adoption; however, the Highway Authority does not consider this necessary. Also, an adoptable service margin is proposed through the private parking courtyard serving The Gardeners' Cottage and this too does not appear necessary. The extent of adoptable road and footways could be dealt with via a Section 38 Agreement. Acceptable junction and forward visibilities are shown on drawing 4140721-SK18-P2 for adequate vehicle and pedestrian access within this residential development.

Proximity to services

9.35 As indicated in the Transport Statement, the development is within acceptable walking distances (2km based on guidance) of facilities and services, including Tesco (Martin's Heron) and Martin's Heron railway station. Also, Bracknell and Ascot town centres are within a 5km cycle distance which is in line with guidance and London Road is served by an hourly bus service (no. 702) to/from Bracknell.

Parking

9.36 The Transport Statement indicates that the proposed development is to be provided with parking to comply with the Council's parking standards (2016), including garages for the houses and parking barns, cars ports and pergolas for the apartments. The submitted plans indicate that adequate parking, turning and access is being provided.

9.37 The Transport Statement notes that visitor parking at ratio of one space per 5 dwellings is to be provided and the plans show a lay-by close to plots 13 to 19. Also, one visitor parking space is to be provided within the pergolas serving South Lawn Villas and this is shown on the plans as being wider for potential use by a disabled user. Details of cycle parking within garages and sheds etc... should be secured by planning condition.

Trips

9.38 The Transport Statement indicates that 56 residential units is likely to generate a total of 285 two-way vehicle movements per day, including 32 movements in the morning peak period and 33 movements in the evening peak period. The existing office use could generate a total of 348 two-way vehicle movements per day, including 41 movements in the morning peak period and 52

movements in the evening peak period based on TRICs data from similar sites which is a recognised practice rather than a survey of The Brackens. There are around 98 parking spaces, at present and clearly, the office use would generate vehicular traffic by staff and visitors and by deliveries.

9.39 The development may be CIL liable and as London Road/Priory Road/Swinley Road Junction is included within the CIL regulation 123 list, monies could be allocated to fund junction improvements. Construction traffic, including site deliveries and contractor parking could be dealt with by planning condition.

vii Drainage

9.40 The site is not situated within a Flood Zone and is not shown to be at risk of surface water flooding.

9.41 The application has been submitted with a Flood Risk Assessment (FRA) and a SuDs drainage scheme for dealing with the surface water. The Applicant has undertaken a ground investigation, and infiltration testing to demonstrate that the SUDS scheme will operate. Following some amendments, the Lead Local Flood Authority is satisfied that the proposed scheme, subject to details, is appropriate for dealing with the surface water without increasing flood risk off-site.

9.42 Accordingly subject to a suitably worded condition requiring further details of the scheme and confirmation of the management and maintenance of the surface water drainage scheme, the proposals would not result in any increase in surface water flooding off the site and are considered to comply with Chapter 10 of the NPPF and Planning Practice Guidance.

viii Archaeology

9.43 In accordance with Paragraph 128 of the NPPF, the applicant has submitted with their application a desk-based assessment (Foundations Archaeology, dated April 2016), which assesses the impact of this proposal on the historic environment. The desk-based assessment is a very thorough consideration of the archaeological potential of the application area. No known heritage assets are known within the application area and there are few known monuments and finds spots in its vicinity. The report notes that The Brackens is not listed or a non-designated asset or a locally listed building but is 'an asset of low heritage value' (Paragraph 10.10).

9.44 The report notes the site has a history of being heathland or woodland until the construction of The Brackens. The report therefore reasonably concludes, on available evidence, that the potential for buried remains pre-dating the 19th-century is low. However the report does note that 'there is evidence for general Prehistoric activity in the landscape in the form of several bowl barrows and an Iron Age hill fort within 5km of the site'. This includes the nationally-important Scheduled Bronze Age barrows in Swinley Park and Heatherwood Hospital, both less than 1.5km from the application area.

9.45 The report concludes that the impacts of the proposal on the heritage would be negligible (Paragraph 13.4)

9.46 Berkshire Archaeology is content that sufficient information has been provided with the application. Berkshire Archaeology acknowledge that, on current evidence, the archaeological potential of the application area is uncertain. This may partly reflect the former heathland environment which was generally not conducive to ancient agriculture and settlement but it also reflects to some extent the lack of previous archaeological investigations in the area. As noted above, the area is not devoid of important prehistoric monuments and the builders of and those interred in the funerary Bronze Age barrows nearby must have lived and farmed somewhere nearby.

9.47 On this basis, Berkshire Archaeology is content that, while substantial archaeological remains are unlikely to be present in the application area, there is a possibility for lesser remains to be present. Further investigation is therefore merited but this can be secured through an appropriately worded condition, should the scheme be permitted. Accordingly, subject to a condition, the proposal is considered to comply with Policy EN7 of the BFBLP.

ix Bio-diversity

9.48 The protection of bio-diversity is a requirement embedded within Policies CS1 and CS7 of the CSDPD.

9.51 The application was supported by various surveys including bat and reptile surveys which identified a number of European protected species within the site. Originally, although the identified species and habitats are present within the site, the application information lacked a comprehensive document demonstrating how the proposals will protect and enhance bio-diversity in line with local and national policy.

9.49 Additional information was provided demonstrating that appropriate mitigation could be achieved within the site in the form of appropriate landscaping and structures such as bat boxes etc. These details can be conditioned.

9.50 The reports identified the existence of reptiles on the site which are protected species under the NERC Act 2006, which also states that Local Authorities have a statutory duty to conserve. As the proposal would result in the loss of reptile habitat it was proposed to translocate the populations which is considered to be acceptable in principle. Natural England's standing advice for reptiles explains that translocation is only taken as a last resort and that receptor sites should be chosen "as close as possible to the development site, and within the same local planning authority if possible".

9.51 Figure 2 of the ecological assessment shows that an area of coniferous woodland is located in the southwest corner of the site which is of low ecological value. Section 7.3.9 of the ecological assessment indicates that this area was an open area on 1900 OS map that probably formed heathland. Clearance of the conifer woodland would provide new reptile habitat and could potentially compensate for the loss of poor semi-improved acid grassland at the site. It will also create a suitable area to move two species of reptiles, Viviparous Lizard and Slow worm that are currently within the development area of the site. These species are listed under section 41 of the Natural Environmental Rural Communities Act which means that the council has a statutory duty to have regard to their conservation. Providing an onsite area of habitat for reptiles is more likely to be successful. With an appropriate condition, a detailed reptile mitigation strategy will be able to create valuable habitat for these animals including hibernacula and support a UK priority habitat in the form of acid grassland. The habitat will be connected to adjacent areas that also support these reptiles providing a more robust population in the area and contributing to conservation of these species within the parish. The loss of the coniferous woodland for bat foraging is likely to be compensated for by the improved pond habitat.



9.52 The impact of the loss of the trees is considered below. Subject to that being acceptable, and to appropriate conditions, the impact of the proposal on bio-diversity is considered acceptable and compliant with Policies CS1 and CS7 of the CSDPD and national guidance.

x Trees and Landscaping

9.53 Policy EN1 of the BFBLP, seeks to retain trees and hedges which are important in either:

- The character and appearance of the landscape, or
- Habitats for local wildlife

9.54 The site is covered by TPO 1171 which includes 11 individually protected trees, 4 groups of protected trees and 3 woodland groups.

9.55 The proposal was submitted with a Tree survey and full arboriculture report. Whilst large areas of the site are covered by a TPO not all the trees within the site are protected. The TPO on this has also been recently surveyed and updated, it therefore is considered that trees outside the TPO are not worthy of protection.

9.56 The proposal would see the loss of a number of trees to facilitate the proposal. All removed trees would be within the site, not affecting the vegetation which screens the site and has greatest effect upon the character. Sufficient mature landscaping would be retained to maintain the character and the important tree groups would remain.

9.657 Specifically following officers expressing concerns regarding the proximity of T84 to the southern elevation of The Stable Court and western elevation of plots 25 and 26, amended plans have been submitted proposing the removal of this tree. This tree, a horse chestnut is not protected under the TPO covering the site and subject to a suitable replacement being sought through the landscape scheme, its removal is considered acceptable.

9.58 Policy EN1 protects the loss of trees and vegetation where their retention is important to:-

- Serve as a distinction between settlement and countryside,
- the character and appearance of an area,
- provide green links between open spaces,
- provide habitat for local wildlife, or

- provide areas of historical significance.

9.59 It is proposed to mitigate the loss of the tree through the landscaping scheme. It is acknowledged that within the development the internal character of the site will change, and that this would not significantly be affected by the number of trees to be removed. It is considered more important to preserve and limit the impact of the proposal on the wider character of the surrounding area, and this is principally identified as the character along London Road. One tree, a pear, is proposed to be removed from the section along London Road which has been removed from protected woodland order W1. Accordingly the character of London Road would be preserved, maintaining the character and appearance of the landscape. Additional planting is proposed to support and reinstate this edge.

9.60 In conclusion, whilst the proposal would result in the removal of trees, none of the trees to be removed are considered important for retention for any of the criteria listed in policy EN1. Whilst one tree would be removed along the London Road frontage, the removal of one tree, outside the protected W1 area would not significantly affect the character of this edge. The removal of the trees as proposed is therefore considered acceptable.

9.61 As discussed above, to mitigate for the loss of habitat for a reptile population, it is proposed to fell a number of trees within W2. Whilst this would result in a number of trees being felled the woodland group would still be a significant feature and the trees to be removed form an area of former conifer plantation and therefore lack the species diversification of the rest of the Woodland group, reducing the area's bio-diversity value. Clearings within the trees are a landscape characteristic of the area. Accordingly the clearing of this area is not considered to significantly affect the character of the area and due to the numerous bio-diversity benefits this would bring, is considered justified on this occasion.

9.62 The proposal is considered to comply with Policy EN1 of the BFBLP.

xi Securing necessary infrastructure / CIL

9.63 CSDPD Policy CS6 states that development is expected to contribute to the delivery of:-

- (a) infrastructure needed to support growth and;
- (b) infrastructure needed to mitigate impacts upon communities, transport and the environment.

9.64 Guidance in the Planning Obligations SPD, which came into effect (with CIL) on 6 April 2015, is relevant.

9.65 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development. It applies to any new build but in the case of outline applications is calculated when reserved matters are submitted.

9.66 If this application were to be approved, CIL payments would be collected following commencement of the development. CIL receipts could be spent on infrastructure projects or types of infrastructure identified in the Council's Regulation 123 list of infrastructure that it intends will be wholly or partly funded by CIL. These include:-

- Provision and enhancement of land to Suitable alternative Natural Greenspace (SANG) standard (part of Special Protection Area (SPA) Avoidance and Mitigation measures)
- specified Local Road Network capacity improvements (this includes capacity improvements on Locks Ride/Long Hill Road)

- strategic road network improvement outside the borough
- specified footpath and cycleway improvements
- bus service subsidies
- specified educational projects
- libraries
- built sports facilities

9.67 CIL receipts could be spent on items not listed on the Regulation 123 list that meet the government criteria on CIL spending.

xii Thames Basin Heaths Special Protection Areas (SPA)

9.68 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 2.8 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.

9.69 On commencement of the development, a contribution (calculated on a per-bedroom basis) is to be paid to the Council towards the cost of measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPD) and the Planning Obligations SPD. The strategy is for relevant developments to make financial contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) in perpetuity as an alternative recreational location to the SPA and financial contributions towards Strategic Access Management and Monitoring (SAMM) measures which Natural England will spend upon the SPA land. The Council will also make a contribution towards SANG enhancement works through Community Infrastructure Levy (CIL) payments whether or not this development is liable to CIL.

9.70 In this instance, the development would result in a net increase of seventeen x 2 bedroom dwellings, twenty one x 3 bedroom dwellings, eleven x 4 bedroom dwellings and seven x 5 bedroom dwellings which results in a total SANG contribution of £122,444.

9.71 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will also be calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £40,144.

9.72 The total SPA related financial contribution for this proposal is £162,588. The applicant will need to agree to enter into a S106 agreement to secure this contribution and a restriction on the occupation of each dwelling until the Council has confirmed that open space enhancement works to a SANG is completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

9.73 A contribution to cover the SAMM payment (monitoring) and SANG maintenance payments will need to be paid to the Council. Again these will be secured through a S106 agreement.

xiii Affordable Housing

9.74 Policies CS16 and CS17 of the CSPD (in relation to housing needs and affordable housing). The Council's affordable housing policy currently applies to proposals involving 15 net

dwellings or more. On these sites there is a requirement for 25% of the proposal to be affordable housing of which 70% to be affordable rent and 30% to be intermediate housing.

9.75 The applicant has indicated that due to the size of the units the high service charges (due to the protected woodland within the site) the approached RPA's have declined to offer for any property within the site.

9.76 The applicant has therefore put forward two options to the Local Authority to comply with Policy CS16 and CS17.

9.77 Option one is provision of units within a surrogate site, in this instance the Berkeley's development at Warfield, and the other a contribution in lieu of provision.

9.78 The applicants have also stated that as some buildings within the application site are vacant, the Government's Vacant Building Credit (VBC) initiative is relevant. VBC was introduced by a Written Ministerial Statement originally made on the 28 November 2014 and provides an incentive for the development of brownfield sites containing vacant buildings. The VBC allows a financial credit equivalent to the existing gross floor space of the relevant vacant buildings when the Local Planning Authority calculates any affordable housing contribution which will be sought.

9.79 The applicant will be required to justify and evidence the claims that parts of the site are vacant before officers will accept or apply VBC. Any off-site payment will be calculated in accordance with the Council's formula.

9.80 The affordable housing provision will be secured through an appropriate legal agreement and failure to do so would result in the application being refused due to not meeting the Council's affordable housing target, having regard to national legislation. Subject to agreement being reached the proposal would comply with Policies CS16 and CS17 of the CSDPD.

xiv Sustainability issues

9.81 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards.

9.82 CSDPD Policy CS12 seeks a reduction in the potential emissions and energy usage.

9.83 Both of these can be secured by a condition will be imposed requiring the submission of the energy statement.

10. PLANNING BALANCE

10.1 As noted above the Council is unable to demonstrate a 5 year supply of land for housing. It therefore falls for the application to be considered in relation to the presumption in favour of sustainable development as set in SALP Policy CP1 (and para. 14 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF (economic, social, and environmental). Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

10.2 The application is considered first by having regard to the Development Plan and then whether there are any material considerations that should be taken into account.

10.3 The site is located outside the defined settlement boundary and as such the proposal is directly contrary to Policy CS9 of the CSDPD, Policy EN8 and Policy H5 of the BFBLP. All of

these policies restrict the development of residential dwellings in the countryside, seeking to protect the countryside for its own sake, unless specific criteria are met. The proposal does not comply with the stated criteria.

10.4 It is acknowledged, that the proposal would have an impact upon the character and appearance of the current site, resulting in a localised change of character and appearance within the landscape. Policy CS9 protects land for its own sake, particularly from development that would adversely affect the character, appearance or function of the land. However, the site is visually well contained and the limited impacts could be reduced and mitigated through landscaping.

10.5 The balancing exercise is thus:-

Economic

10.6 In terms of economic benefits the development will create construction jobs in the short term as the development is built and added expenditure by future residents in the local economy. There will also be CIL contributions and New Homes Bonus payments. It is considered that in the context of the current health of the Borough's economy and the amount of building taking place and provided for in allocated schemes, economic benefits should be given little weight in favour of the proposal.

Social

10.7 The proposal would result in the net gain of up to 51 dwellings on a windfall site, which as the Council cannot demonstrate an up-to-date five-year supply of housing land, carries significant weight in favour of the proposal. Added weight can be given to the provision of affordable dwellings, either off-site or through a financial contribution to facilitate provision elsewhere. In terms of the delivery of the site and contribution to the 5 year supply, the site is owned by a housebuilder and it is understood that the last tenants are due to leave in June of this year. There is no evidence to suggest that it would not be possible to deliver the site within 5 years.

10.8 The site does not adjoin any settlement boundary and is located over the accepted 800m distance people are usually willing to walk for services. It is 1.6km from both the train station and supermarket at Martins Heron and whilst some people may use other modes of transport than the private car it is probable that the private car would be the transport choice of many. Accordingly the development is not considered to be in a sustainable location with regard to giving future occupiers real transport choices. However the site has Prior Approval Consent for conversion into residential apartments, a material consideration in the determination of this application. Since this establishes the principle of residential development, it is considered concerns about the sustainability of the location carry less weight in the decision making process.

Environmental

10.9 There is identified harm related to the change in character of the application site especially relating to the development of the site on the lawns to the south of the main dwelling and beyond the existing built form. However, these impacts are localised and screened from views into the site from the London Road by the existing and consequentially the proposed development. Accordingly the weight attributed to this harm and to the conflict with CSDPD policies CS1, CS7 and CS9 and policies EN8, EN9, EN20 and H5 of the BFBLP is reduced. It is not considered that the proposal would significantly change the character of the wider landscape in which the proposal sits.

The proposal would result in the loss of a number of trees within the site and an area of woodland to accommodate mitigation for habitat loss. The loss of the trees within the site would not detract from its overall wooded character.

10.10 The site is well contained by mature and protected tree belts and woodland, and part of the site is previously developed land (PDL). The NPPF places strong emphasis on the re-use of PDL sites (paragraph 111).

10.11 To mitigate the loss of reptile habitat, an area of woodland would be felled to create a woodland clearing bringing with it greater bio-diversity benefits than just replacing the lost reptile habitat.

Conclusion

10.12 In summary, whilst contrary to the development plan, the proposal would result in a net gain of 51 dwellings to the housing land supply, and a contribution towards affordable housing in the borough, which complies with national and local policy. The proposal would result in the development of a PDL site and a site which has extant consent for conversion of the existing buildings to residential apartments. This is considered to be a significant benefit. There would also be more limited ecological and economic benefits. Against this needs to be weighed the current unsustainability of the site's location, the impact upon the living accommodation from the trees the moderate harm to the character and appearance of the area.

10.13 In conclusion, whilst there is some harm arising from the proposal, it is not considered that in this instance that harm significantly and demonstrable outweighs the benefits of the proposal. The application is therefore recommended for approval.

11. RECOMMENDATION

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

- SPA mitigation measures
- Affordable housing

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:

- 3019.200- Location Plan
- 3019.206- Demolitions Plan
- 3019.101 rev. F – Illustrative site layout
- 3019.202 rev. A- Site layout
- 3019.207 rev. A - Context Site Plan
- 3019.204 rev. A- Site Layout overlay- Parking refuse and Cycle Storage
- 3019.203- Colour contextual sections
- 3019.205 rev. A- Site Layout Overlay: Road Strategy and Swept Paths
- 3019.210- Brackens House Conversion Proposed Plans
- 3019.213 - Brackens House Conversion Proposed Demolitions First/ Second FI Plan
- 3019.211 - Brackens House Conversion Proposed Elevations
- 3019.212 - Brackens House Conversion Proposed Demolitions Ground Floor Plan
- 3019.214- Brackens House Conversion Elevations Demolitions

3019.215- The Gate House, Plot 1
 3019.216 -Coach House Plots 2 and 3
 3019.217- Gardeners Cottages Plots 4-6 Plans and Elevations
 3019.218 - South Lawn Court Plots 7-12 Plans and Elevations (Sheet 1 of 2)
 3019.219 - South Lawn Court Plots 7-12 Plans and Elevations (Sheet 2 of 2)
 3019.220 Rev A- Sylvan Villas: Kensington House Plot 13 Plans and Elevations
 3019.221 Rev A - Sylvan Villas: Noelle House Plot 14 Plans and Elevations
 3019.222 Rev A - Sylvan Villas: William House Plot 15 Plans and Elevations
 3019.223 Rev A - Sylvan Villas: Trinity House Plot 16 Plans and Elevations
 3019.224 Rev A - Sylvan Villas: Holmwood Plot 17 Plans and Elevations
 3019.225 Rev A - Sylvan Villas: Cheltenham House Plot 18 Plans and Elevations
 3019.226 Rev A - Sylvan Villas: Cuinchy House Plot 19 Plans and Elevations
 3019.227- South Lawn Villas Plot 20
 3019.228 - South Lawn Villas Plot 21
 3019.229 - South Lawn Villas Plot 22
 3019.230- The Kitchen Gardens Plots 23 and 24
 3019.231 - Stable Mews Plots 27-32 Floor Plans (sheet 1 of 2)
 3019.232 - Stable Mews Plots 27-32 Elevations (Sheet 2 of 2)
 3019.234 - Stable Mews Plots 33-38 Elevations
 3019.233 - Stable Mews Plots 33-38 Floor Plans
 3019.235 - The Blacksmith's Lodge Plot 39
 3019.236 - Stable Court Kitchen Gardens Plots 25-26, 40-51
 3019.237 - Stable Court Kitchen Gardens Elevations 2 of 2 Plots 25-26, 40-51
 3019.238 - Stable Court Kitchen Gardens Ground Floor Plan Plots 25-26, 40-51
 3019.240 - Stable Court Kitchen Gardens Plots 25-26, 40-51
 3019.239 - Stable Court Kitchen Gardens First Floor Plan Plots 25-26, 40-51
 3019.241 Rev A - Detached Garages (1 of 2)
 3019.242 Rev A - Detached Garages (2 of 2)
 3019.243 Rev A - Carport and Pergola
 Ruskins Arboricultural Report and Tree Condition Survey (Rev 2. December 2016, revised May 2017)

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

03. No superstructure 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 proposed buildings hereby approved in relation to fixed datum points showing the land levels across the site 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: BSP DP5, BFBLP EN20, Core Strategy DPD CS7]
05. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with the approved plans 3019.202.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

06. No dwelling shall be occupied until all the visibility splays shown on the approved drawings (4140721-SK18-P2 within Glanville Transport Statement Issue 6: 19 December 2016) have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6m measured from the surface of the adjacent carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
07. 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 footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall 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]
08. No dwelling shall be occupied until the associated vehicle parking or 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.
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]
09. No development shall take place until
(a) details of the location of visitor car parking spaces, and
(b) details of the signing for the spaces
have been submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall be provided and signed in accordance with the approved details and the spaces and signage shall thereafter be retained.
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 parking spaces including cycle parking, including spaces within car ports, as shown on plans 3019.204 (Site Layout Overlay: parking, refuse and cycle storage), 3019.238 (Stable Court Kitchen Gardens Plots 25-26, 40-51), 3019.218 (South Lawn Court Plots 7-12 Plans and Elevations sheet 1 of 2) shall be implemented in accordance with the approved plan and these 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]
11. No gates shall be provided at the vehicular access to the site from London Road.
REASON: In the interests of highway safety.
[Relevant Policies: BSP T1, Core Strategy DPD CS23]
12. 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.

13. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall include details of:
- o measures to avoid harm to biodiversity
 - o features provided to mitigate the loss of habitat (e.g. ponds, hibernacula)
 - o habitat enhancements (not mitigation)
 - o on-going management of new features/habitat

The mitigation scheme shall be implemented in accordance with the approved details, unless otherwise approved in writing by the local planning authority. An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

14. 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, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

15. The development (including site clearance and demolition) shall not begin until a scheme to mitigate the impact of the development on bats has been submitted to and approved in writing by the local planning authority. The scheme shall include details of:
- o details of methods to avoid killing, injury or disturbance to bats during development
 - o details of the provision of temporary roosts during construction
 - o details of the provision of replacement roosts
 - o details of appropriate post construction monitoring

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

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1]

16. The development, nor any part thereof shall be occupied until a habitat creation/restoration/management plan has been submitted to and approved by the local planning authority prior to the occupation of the development. The plan shall include:
- i) description and evaluation of the features to be managed
 - ii) description of target habitats and species
 - iii) ecological potential and constraints on the site
 - iv) aims and objectives of management
 - v) appropriate management options including location and method statements
 - vi) prescriptions for management actions
 - vii) preparation of a work schedule indicating the timing of works
 - viii) personnel responsible for implementation of the plan
 - ix) monitoring and remedial measures triggered by monitoring
- The approved plans shall be observed, performed and complied with.
 REASON: In the interests of nature conservation
 [Relevant Plans and Policies: CSDPD CS1]
17. No development shall commence until details of the boundary treatments (fencing, hedges, walls) have been submitted to and approved by the Local Planning Authority. All boundary treatments should provide for the free movement of wildlife to and from the site.
 REASON: In the interests of nature conservation and appearance of the site
 [Relevant Plans and Policies: CSDPD CS1, CS7]
18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
 REASON: In the interests of nature conservation
 [Relevant Plans and Policies: CSDPD CS1, CS7]
19. Prior to the commencement of development, the applicant, their agents or successors in title, will secure the implementation of a programme of archaeological field evaluation in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The results of the evaluation will inform the preparation of a mitigation strategy which will be submitted by the applicant and approved by the Local Planning Authority prior to the commencement of the development. The mitigation strategy will be undertaken in accordance with the approved document.
 REASON: To understand the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance
 Relevant Policies: in accordance with Paragraph 141 of the NPPF

20. A phase 2 investigation based upon the findings in the phase 1 report and a remediation scheme to deal with any contaminants identified and including gas protection measures must be submitted to and approved in writing by the local planning authority. The scheme shall include an implementation timetable, monitoring proposals and a remediation verification methodology. The remedial scheme must be carried out before the development commences unless otherwise agreed in writing by the Local Planning Authority. An appropriately qualified person shall oversee the implementation of all remediation/mitigation works.
A Site Completion Report shall be submitted to, and approved in writing by, the local planning authority upon completion of the remediation/mitigation work in accordance with the agreed implementation timetables. The report shall include confirmation that all remediation measures have been carried out fully in accordance with the approved remediation scheme and detail the action taken and verification methodology used (including details of the sampling and analysis programme) at each stage of the remediation/mitigation works to confirm the adequacy of decontamination. The Site Completion Report must also include details of future monitoring and reporting if this is deemed necessary, or a statement to the effect that no future monitoring is required, with an explanation as to why future monitoring is not necessary.
If no contamination is encountered during the development, a written statement confirming this fact shall be submitted to the local planning authority upon completion of the development.
REASON: The proposed development is located on a potentially contaminated site, due to its proximity to a known former landfill. To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas.
[Relevant Plans and Policies: EN25 BFBLP]
21. Should any unforeseen contamination be encountered during the development, development shall stop immediately and the local planning authority shall be informed. Development shall not recommence until any further investigation/remedial/protective works, including timescales have been approved in writing by the local planning authority.
REASON: To enable to the local planning authority to ensure that appropriate measures are taken to avoid any threat which the proposed development might pose to health and safety and/or the environment.
[Relevant Plans and Policies: EN25 BFBLP]
22. 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]
23. 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 at least 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]

24. The development hereby permitted (including initial site-clearance) shall not be begun until a tree protection plan showing the location of protective fencing around the trees shown to be retained on Plan TRP1 rev. 5 has been submitted to and approved in writing by the Local Planning Authority. The fencing shall be in accordance with the details contained within Ruskins Arboricultural Report and Tree Condition Survey (Rev 2. December 2016, revised May 2017). The development shall be undertaken in accordance with the specifications within the approved report.

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. The development hereby permitted (including initial site clearance) shall not be begun until details of the construction of the section of vehicular access honeycombed pink on Tree Plan TRP1 Rev 5 contained within the Ruskins Arboricultural Report, past trees T40 and T41, have been submitted to and approved in writing by the Local Planning Authority. The details shall included a timeframe for construction. The proposal shall be implemented in accordance with the approved details.

REASON: n 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]

Informative(s)

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

1. Time

- 2. Plans considered
- 10. Parking and cycle parking
- 11. Gates
- 18. Lighting
- 21. Un-expected contamination

The following conditions require discharge prior to the commencement of development hereby approved:-

- 3. Materials
- 4. Finished floor levels
- 12. Site management
- 13. Bio-diversity
- 14. Landscaping
- 15. Bat mitigation
- 17. Boundary treatments
- 19. Archaeology
- 20. Contamination
- 22. Sustainability statement
- 23. Energy Demand Assessment.
- 24. Trees
- 25. Trees

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

- 5. Vehicular access
- 6. Visibility splays
- 7. Pedestrian visibility splays
- 8. Vehicle parking and turning
- 9. Visitor parking
- 16. Habitat creation

- 02. 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.
- 03. The developer is advised that a section 278 Agreement will be required for works within the highway.
- 04. For more information on the number of bins provided per property please see the waste guidance notes; <http://www.bracknell-forest.gov.uk/guidance-notes-for-new-developments-waste.pdf>
- 05. Conditions 20 and 21 relating to contaminated land must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11

In the event of the s106 planning obligations not being completed by 18th August 2017 the Head of Planning be authorised to either extend the deadline or REFUSE the application for the following reasons:-

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

respect. In the absence of a planning obligation to secure suitable avoidance and mitigation measures and access management monitoring arrangements, in terms that are satisfactory to the Local Planning Authority, the proposal would be contrary to Policy NRM6 of the South East Plan, Policy EN3 of the Bracknell Forest Borough Local Plan, Policy CS14 of the Core Strategy Development Plan Document and the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (2012).

2. In the absence of a planning obligation to secure 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, Policies CS16 and CS17 of the Core Strategy Development Plan Document, the Planning Obligations SPD and the resolution on affordable housing made by BFC Executive on 29 March 2011.