ITEM NO:

Application No.	Ward:	Date Registered:	Target Decision Date:
16/00374/FUL	Binfield With Warfield	27 April 2016	27 July 2016

Site Address: **Binfield House Nursery Terrace Road North Binfield Bracknell Berkshire**

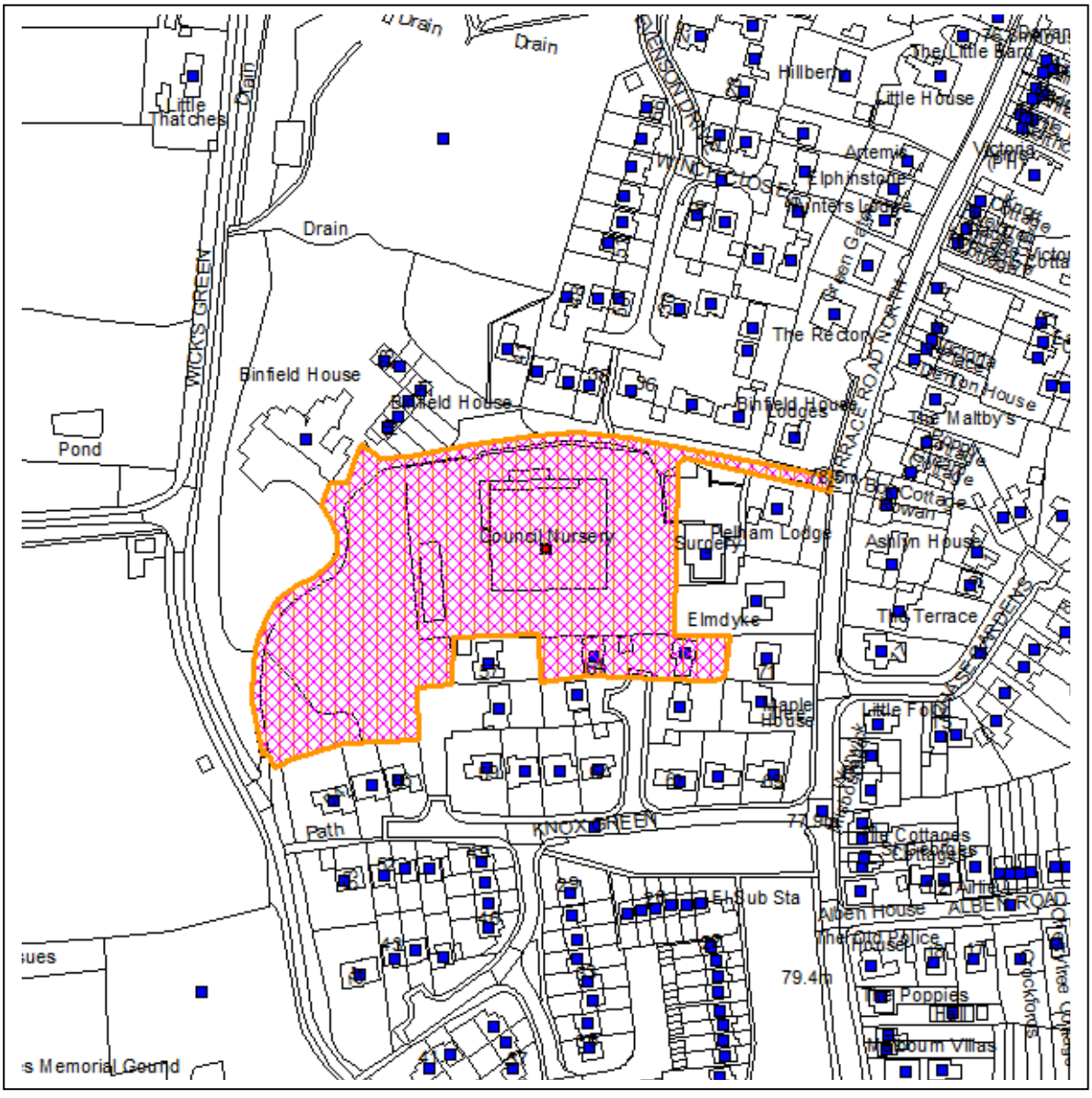
Proposal: **Section 73 application for the variation of condition 02 (approved plans) of planning permission 13/00966/FUL for the erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings, and alterations to wall within the curtilage of a listed building. [Note for clarification: this application seeks a minor material amendment to the approved scheme including changes to fenestration, the introduction of chimneys, amendments to garage roof structures and brick detailing, adjustments to the siting of a number of plots to provide more space for parking and removal of the link element between plots 19/21 and 22/24].**

Applicant: Mr Craig Killoran

Agent: Mr Matthew Jouanides

Case Officer: Sarah Fryer, 01344 352000
development.control@bracknell-forest.gov.uk

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



1. SUMMARY

1.1 This is a planning application submitted under Section 73 of the Town and Country Planning Act 1990. This Section enables the variation or removal of conditions attached to an extant planning permission. This includes amending the plans listed as part of a condition to enable minor material amendments to be considered by the Local Planning Authority, as is the case in this instance.

1.2 Accordingly consent is sought to amend condition 02 (approved plans condition) imposed on planning permission 13/00966/FUL, which gave consent for the 'Erection of 5 no. five bedroom, 7 no. four bedroom, 2 no. three bedroom and 10 no. two bedroom dwellings with associated landscaping and vehicular access from Knox Green following demolition of existing buildings and alterations to wall within the curtilage of a listed building.

1.3 The proposed changes consist of minor alterations which are listed in section 5 below.

1.4 There are no additional bedrooms proposed which would affect parking requirements or SPA contributions.

RECOMMENDATION
Approve

2. REASON FOR REPORTING APPLICATION TO COMMITTEE

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

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS
Within settlement boundary
Within grounds of Binfield House - Grade II Listed property.

3.1 The site consists of the former Council Nursery and adjoining land, which forms part of the grounds of the Grade II Listed Binfield House. The site consists of the curtilage listed walled garden walls, whilst to the west of this is open land consisting of tall grass. To the south the site adjoins residential properties on Knox Green, through which access to the site will be obtained. To the east and north the site abuts residential properties, including the elderly persons bungalows to the east of Binfield House, whilst to the west are the amenity grounds sited to the front of Binfield House and associated elderly persons bungalows. The site is generally flat with slight undulations.

4. RELEVANT SITE HISTORY

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

13/00967/LB Application for listed building consent for alterations to walled garden within the curtilage of a listed building, comprising:-
- the removal of two lean-to buildings,
- the widening of an existing opening on the west side of the walled garden, and

- the infilling of an existing archway on the south side of the walled garden.
Approved 17.10.2014

15/00095/COND Details pursuant to conditions 37 (contaminated land Phase I report) and 38 (contamination remediation scheme) of planning permission 13/00966/FUL.
Approved 17.06.2015

15/00097/COND Details pursuant to condition 21 (Management and Maintenance Plan for the area of trees lying to the west of plots 7-9) of planning permission 13/00966/FUL.
Approved 17.07.2015

15/00098/COND Details pursuant to conditions 03 (detailed drawings of works to wall), 04 (scheme of works to secure safety and stability of wall), 05 (removal and storage of materials for re-use) and 06 (sample panel of brickwork) of listed building consent 13/00967/LB.
Approved 03.08.2015

15/00099/COND Details pursuant to conditions 05 (access from Knox Green), 32 (scheme to minimise impact on nesting birds) and 34 (bat mitigation scheme) of planning permission 13/00966/FUL. Approved 17.12.2015

15/00105/COND Details pursuant to conditions 03 (external materials), 04 (finished floor levels), 13 (off-site highway works), 14 (external lighting), 17 (hard and soft landscaping), 22 (works to wall), 23 (protection of wall during construction), 24 (SuDs), 25 (sustainability statement), 26 (post construction review), 27 (Energy Demand Assessment), 28 (Working Method Statement), 29 (site organisation) and 30 (Construction Traffic Management Plan) of planning permission 13/00966/FUL. Approved 17.12.2015

15/00172/COND Details pursuant to condition 16 (Fencing) of planning permission 13/00966/FUL. Approved 22.10.2015

15/00177/COND Details pursuant to condition 33 (Ecological Report) of planning permission 13/00966/FUL Approved 14.10.2015

15/00989/NMA Non material amendment to planning permission 13/00966/FUL for the removal of requirement under conditions 25 and 26 of planning permission 13/00966/FUL.
Agreed 26.10.2015

16/00734/NMA Non material amendment to planning permission 13/00966/FUL for the following:-
1. Amendments to window size and locations.
2. Amendments to door sizes, types and locations
3. Addition of chimneys
4. Amendments and additional brick detailing elevations
5. Alteration to cill and header detailing to window and doors
6. Alteration to garage roofs.
Agreed 26.08.2016

5. THE PROPOSAL

5.1 This application seeks consent for a variety of minor material amendments to plans approved under planning reference 13/00966/FUL. The proposed changes are listed below plot by plot:

- Plot 1, insertion of bi-folding doors to rear elevation; external chimney; rear window enlarged; porch details changed and brick detail added.

- Plot 2, new external chimney, changes to window header details, changes to fenestration details, larger window to kitchen, additional window either side of external chimney breast.
- Plot 3, roof light to front elevation, first floor window moved, first floor balcony added above single storey element.
-Plot 4, first floor windows increased in size, external chimney added, fenestration patterns changed, window removed from side elevation, rear windows moved.
-Plot 5, windows added to front elevation, a chimney removed, width of first floor windows increased, brick detailing added, additional rear window, patio doors added to ground floor.
- Plot 6, windows added to front elevation, chimney removed, other changed to external chimney stack, new window to rear elevation, new doors to rear elevation, door and window removed. Plot to be moved 1m west to increase driveway width.
- Plot 7, bay window at ground floor to front, bay window removed from side, chimney removed, other changed to an external chimney stack, fenestration changed, window widths increased, additional roof lights to rear roof plane, pitched roof removed from over garage, lantern roof light installed.
-Plot 8, Small single storey extension linking dwelling with garage. Chimney removed, pitched roof removed from garage, rear windows enlarged. Dwelling moved 1m south to increase driveway width.
- Plot 9, Bay added new external chimney stack, pitched roof over garage changed to flat, side window removed, side window added, front first floor windows increased in size. Dwelling moved 1m south to increase driveway width.
- Plot 10, Front first floor windows increased in size, position of chimney moved and external chimney breast added, side ground floor window enlarged, study added at ground floor.
- Plot 11, First floor windows enlarged, chimney removed and retained chimney moved and made external, ground floor side window added,
- Plot 12, Rooflights added to single storey element, ground floor window on front elevation made into a 'dummy' window, cill details to rear window openings changed, rear door moved and patio doors replaced by bi-fold doors.
- Plots 13 & 18, dormer windows enlarged, segments between garages in same ownership removed.
- Plots 14 to 17(inc), Ground floor door style changed, external chimney stack added, lantern roof lights to rear extension, bay windows added to front elevation, increase in size of windows on rear elevation, appearance of window changed.
- Plots 19, 20, 21, roof lights added to front roof slope, one rear dormer increased in height, study shown on first floor (no door and open stairwell)
- Plots 22, 23 and 24, These dwellings have moved to the south by 3m and the covered way linking the two blocks has been removed, roof lights added to front roof slope, one rear dormer increased in height, study shown on first floor (no door and open stairwell)

5.2 There are no additional bedrooms planned which would affect parking or SPA contributions.

Legislative Background.

5.3 Section 73 of the Town and Country Planning Act 1990 enables conditions to be amended or removed. One use of this is to enable plans to be substituted where details within a scheme have changed. The S73 application creates a new planning permission that sits alongside the original which remains unaltered. S73 applications do not have the power to increase the time limit requiring a development to be begun. In respect of conditions, Planning Practice Guidance clarifies that 'notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged'.

6. REPRESENTATIONS RECEIVED

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

- The Council adopted new parking standards earlier this year. These are a material consideration in the determination of the application and many of the plots now do not comply resulting in a under provision of parking across the site.
- Under provision of parking will result in on-street parking either within the site or within Knox Green, resulting in dangers to users of the highway.
- The Binfield Neighbourhood Plan requires a satisfactory level of parking to be provided and a safe access. If the parking is sub-standard the development is contrary to these policies.
- The density of the proposed housing is in excess of previous permitted development and will detract from the rural nature of this part of the village. *(Officer note: no additional dwellings are proposed and therefore the density of the proposal has not changed from that approved)*
- Proposed access from Knox Green is poorly considered and will create congestion both in Knox Green and on the intersection with Terrace Road North. *(Officer note: the access arrangement was approved under the original application and is not proposed to be changed)*
- Plots 3 and 4 will reduce parking for the Doctors surgery which is already heavily congested.
- There appears to be no restrictions on traffic entering/ exiting onto Wicks Green.
- The proposals move plots 22, 23 and 24 nearer to the properties on 54, 55 and 56 Knox Green and the protected trees along the boundary. This is unacceptable and in addition no consideration of the shadow these trees will cast has been had.
- Boundary treatment plan is referenced as Rev. C and not the approved Rev. E.

Binfield Parish Council

6.2 Binfield Parish Council has objected on the grounds of lack of parking due to the proposal no longer complying with the updated parking standards. In addition they require provision of broadband within the proposals. *[Officer comment: the applicant has confirmed that the dwellings will have the ability to have a broadband connection through the phone cable]*

7. SUMMARY OF CONSULTATION RESPONSES

Highways

7.1 The access to the site remains as approved under the last application and thus no further commentary is required in relation to this aspect of the proposal.

7.2 The recent change in parking standards is a material consideration and has an impact on many of the units as garage sizes are affected and thus the level of parking for certain units required amending to comply with the new standards.

7.3 The submitted amendments have gone someway to overcoming the concerns initially raised, however there still remains a shortfall in parking provision which could result in overspill parking on surrounding roads to the detriment of highway safety.

Conservation Consultant.

7.4 Binfield House which is a grade II listed building, is now used as a care home for the elderly. The house dates from the late 18th century and was altered and extended in the 19th century with the addition of Gothic features, and was further altered in the late 20th

century. It is two storeys in height with an attic level and has a rectangular plan with extensions at rear. The house is built of red brick in Flemish bond under hipped tiled roofs of different heights and several chimneys, some with clay pots.

The proposals centre on the kitchen garden walls of Binfield Nursery which form part of the curtilage of Binfield House and are also grade II Listed.

7.5 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires decision makers to have special regard to preserving the setting of Listed buildings in determining planning applications.

7.6 In view of the approved scheme for housing within the kitchen garden walls of Binfield Nursery, the proposed changes would not have an additional significant impact upon the setting of the Grade II listed building.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	**NPPF**
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Highways	CS23 of CSDPD, Saved Policy M9 of BFBLP.	consistent
Supplementary Planning Documents (SPD)		
Parking Standards SPD 2016		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) Binfield Parish Neighbourhood Plan		

9. PLANNING CONSIDERATIONS

9. 1 The key issues for consideration are:

i Highway safety
ii Impact on character and appearance of the area and proposal
iii Impact on residential amenity
iv Impact on the setting of the Listed Building
v Trees
vi Conditions

i. HIGHWAY SAFETY

9.2 Since the previous scheme was granted, the Council has adopted a new parking standards SPD. This is therefore a material consideration. Whilst not changing the parking space requirement for dwellings it does increase the dimensions garages have to be, to be counted as a parking space. The previous scheme complied with the old standards.

9.3 Where possible garages have been amended to comply with the new standard of 3.5m in width by 7.5m in length incorporating a separately accessible storage area (plots 7 and 8).

Due to the constraints of the site it has not been possible to amend all the garages to comply across the site. Particular problems have arisen within the listed walled garden, where due to the impact upon the listed structure it would not be possible to increase the size of the garages here.

9.4 In terms of the 2016 parking standards, plots 9, 11, 1214-17 and 18 do not comply and between them this results in a shortfall of 8 spaces.

9.5 The 'fall back' position is the extant 2015 permission on the site which the applicant can continue to implement if they wish to that does not comply with the 2016 parking standards. In two recent appeals (Wildwoods, 24 Prince Consort Drive and 6 Longdown Road) the Inspector gave considerable weight to the respective 'fall back' positions.

9.6 The application involves the slight relocation of plots to widen driveways. This affects the driveways between plots 5/6 and 7/8, making them more useable. Where possible garages have been increased in size to meet the new requirements (plots 7 and 8). Both measures are considered to be improvements over the extant scheme. Therefore, although the proposal would not comply with the 2016 parking standards having regard to the fall back position of the extant scheme, the proposal would result in improvements to the usability of the parking within the scheme. It is not possible, therefore, to demonstrate that the proposed changes would result in significant cumulative harm to highway safety. The proposal is therefore considered to comply with Policy 23 of the CSDPD, Policy M9 of the BFBLP and paragraph 32 of the NPPF

9.7 Objections have been received relating to the access being from Knox Green and the resulting increase in traffic using the junction between Knox Green and Terrace Road North. Both these were approved under the original application and there are no proposed changes to the proposed access of the development.

II. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.8 'Saved' Policy EN20 of the BFBLP states that in determining applications the Borough Council will seek development that is in sympathy with the appearance and character of the local environment. Policy CS7 of the CSDPD states that proposals should build on the urban, suburban and rural local character.

Plot 5 as approved by the 13/00966/FUL application

Plot 5 as now proposed

9.9 The proposals seek minor changes to the elevation and fenestration detail. An example is shown above. It is considered that the proposed external changes are minor and do not

have any detrimental affect upon the character or appearance of the development and therefore are considered to comply with Policies EN20 of the BFBLP and CS7 CSDPD.

9.10 It is proposed to extend the ground floor of plot 8 with a 4m by 3m flat roof extension effectively linking the dwelling with the garage. This replicates the approved layouts of plot 7 and 9 either side of plot 8. This addition would not be visible from the street and is not considered to affect the character or appearance of the dwelling or the development.

9.11 A first-floor balcony is proposed over the existing flat roofed ground floor element of plot 3. Whilst visible from the highway the lightweight structure would not appear dominant within the streetscene and would not detract from the character of the development.

9.12 An objection has been received to the density of the development. The number of units has not changed since the 2013 application, and therefore there is no increase in density to this proposal.

iii. IMPACT ON RESIDENTIAL AMENITY

9.13 Many of the changes do not result in an effect upon the residential amenities of surrounding properties (i.e. changes to chimneys, alterations to window design and appearance). The proposed changes that may have an effect on the amenities of neighbouring properties are considered in turn.

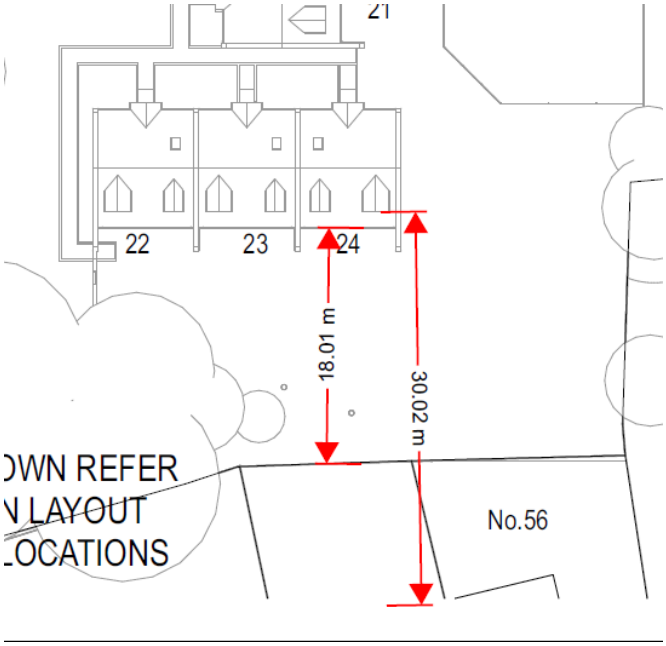
Plot 3: Proposed roof terrace

9.14 The first floor structure would be located above the single storey side extension located to the south side of the proposed dwelling. The terrace would be visible from the road, and would directly face the side elevation of plot 2. On the northern side of plot 2 there is a double garage and windows serving a dining room at ground floor level and en-suite at first floor. The ground floor dining room window is a secondary narrow window which is visible from the public highway. It is not considered that the proposal would detrimentally affect the amenities of future residents of plot 2.

9.15 The proposed terrace would also afford views over the doctors surgery located to the east. The doctors surgery is separated from the site by a 2m concrete sectional wall. There are three roof lights within the mansard roof of the surgery building facing the site. Due to the height and angle of the rooflights it is not considered that views into the consulting rooms will be visible from the proposed terrace.

Plots 22, 23 and 24.

9.16 It is proposed to move these dwellings 3m to the south and therefore closer to 54, 55 and 56 Knox Green. Whilst moving closer there is still a distance of 18m between the proposed dwellings and the garden boundaries of the properties on Knox Green. Between the first floor windows there is a distance of 30m (see below). These distances are well in excess of the Council's indicative standards of 10m and 22m respectively, and accordingly the repositioning of plots 22, 23 and 24 is not considered to result in any unacceptable additional overlooking or loss of amenity to existing residents.



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

iv. IMPACT ON SETTING OF LISTED BUILDING

9.18 Binfield House is a grade II listed building, now used as a care home for the elderly.

9.19 The proposals centre on the kitchen garden walls of Binfield Nursery form part of the curtilage of Binfield House and are also grade II Listed. In light of the Conservation Consultant's advice set out in paragraph 7.4- 7.6 above the proposal is not considered to detrimentally affect the setting of the Listed Building complying with Policy CS7 criterion i of the CSDPD, supported by Section 12 of the NPPF.

v. TREES

9.22 Objections have been made on the grounds that the proposal would encroach into the required protective area around trees located south of plots 22, 23 and 24. The proposed plots are still outside the previously approved tree protection areas and the proposed changes would not result in harm to any of the trees within the site.

vi. CONDITIONS

9.23 Whilst all pre-commencement conditions have been discharged the current proposal included changes to the layout. If acceptable, the plans approved under discharge of conditions application, need to be consistent with the current layout. As the layout has not been updated, any details which include a layout cannot be approved and therefore conditions 03, 04, 05, 13, 14, 16, 17, 20, 22, 23, 24, 27, 28 and 29 will be reinstated as originally imposed.

9.24 Conditions 21, 32, 33 and 34 were discharged with relevant reports or details that were not shown on a site layout. These conditions have therefore been amended to ensure that this application complies with the previously approved details. Application 15/00989/NMA removed condition 26 following the revocation of the Code For Sustainable Homes and therefore this condition will not be re-instated to this application. This and the approved

sustainability statement will also be reflected within the conditions attached to this application.

10. CONCLUSIONS

10.1 The application seeks consent for alterations to an approved scheme. These changes are considered material to the development, however minor in nature and do not affect the character or appearance of the area. The proposed changes are not considered to affect the amenities of existing or future occupiers significantly more than the extant scheme. The proposals therefore comply with Policies CS7 of the CSDPD and EN20 of the BFBLP.

10.2 Since the original application was approved, the Council has adopted revised parking standards which are now a material consideration to this section 73 application. The layout does not fully meet these requirements and would lead to a notional shortfall of 10 spaces in relation to them. The extant 2013 permission is, however, a material consideration and it will be noted that in recent appeal decisions Inspectors have given significant weight to 'fall back' positions.The revised layout also provides improvements over the consented extant scheme.I It is therefore concluded that the proposal would not result in severe cumulative impacts upon highway safety. The application is therefore considered to comply with Policy CS23 of the Core Strategy DPD and Policy M9 of the Bracknell Forest Borough Local Plan.

RECOMMENDATION :

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 01.04.2018.
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:-
PL-1000 Location Plan
8278-PL-1002AP Proposed Block Plan
8278-PL-1003AP Proposed Information Layout
PL-1009A Proposed Listed wall elevations
PL-101 Rev B Plot 1 - Floor Plan
PL-102 Rev B Plot 1- Elevations
PL-103 Rev. C Plot 2 - Ground and first floor plan
PL-104 Rev. A Plot 2 - Second floor and roof plan
PL-105 Rev. C Plot 2 - Elevations
PL-106 Rev. B Plot 3 - Ground and first floor plan
PL-107 Rev. A Plot 3 - Second floor plan and roof plan
PL-108 Rev. A Plot 3 - Elevations
PL-109 Rev. B Plot 4 - Floor Plan
PL-110 Rev. B Plot 4 - Elevations
PL-111 Rev. B Plot 5 - Floor plans and elevations
PL-112 Rev. B Plot 6 - Floor plans and elevations
PL-113 Rev. D Plot 7 - Floor Plan
PL-114 Rev. D Plot 7 - Elevations
PL-115 Rev. B Plot 8 - Floor Plan
PL-116 Rev. D Plot 8 - Elevations
PL-117 Rev. E Plot 9 - Ground and first floor plan
PL-118 Rev. C Plot 9 - Second floor plan and roof plan

PL-119 Rev. CPlot 9 - Elevations
PL-120 Rev. C Plot 10 - Floor Plan
PL-121 Rev. B Plot 10 - Elevations
PL-122 Rev. C Plot 11 - Floor Plan
PL-123 Rev. B Plot 11 - Elevations
PL-124 Rev. C Plot 12 - Floor Plans
PL-125 Rev. A Plot 12 - Elevations and roof plan
PL-126 Rev C Plots 13 & 18 Elevations
PL-127 Rev D Plot 13 & 18 Floor Plans
PL-128 Rev B Plot 14-17 Floor Plans
PL-129 Rev. A Plot 14-17 Elevations
PL-130 Rev. A Plot 14-17 Roof Plan and Elevations
PL-131 Rev D Plots 19,20,21 Floor Plans
PL-132 Rev C Plots 19,20,21 Floor Plans
PL-133 Rev. C Plots 22,23,24 Floor Plans
PL-134 Rev. B Plots 22,23,24 Elevations
PL-135 Bin Store plans and elevations
PL-21A Double garage for No. 64 Knox Green
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.

03. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

04. The development hereby permitted shall not be begun until details showing the finished floor levels of the buildings hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.
REASON: In the interests of the character of the area.
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

05. No development (other than the construction of the access and the provision of replacement parking for Nos 64 and 65 Knox Green) shall take place until the access from Knox Green including a turning head within the site has been constructed 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]

06. No dwelling shall be occupied until a means of vehicular access to it has been constructed in accordance with the approved plans.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

07. No dwelling shall be occupied until a means of access to it for pedestrians and/or cyclists has been constructed in accordance with the approved plans.
REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.
[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]

08. 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 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]

09. No dwelling shall be occupied until the associated vehicle parking and turning space serving it has been surfaced in accordance with the approved drawings. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

10. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]

11. There shall be at least 6.0 metres between the garage door (when shut) and the highway boundary.
REASON: In order to ensure that adequate off street vehicle parking is provided in accordance with the
Borough Councils vehicle parking standards.
[Relevant Policy: BFBLP M9]

12. There shall be no restrictions on the use of the visitor parking spaces shown on the approved plan for visitors to the buildings hereby permitted.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street parking which would be a danger to other road users.
[Relevant Policy: BFBLP M9]

13. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works including the following:-
- alterations to Knox Green to form the vehicular access
- works on the section of the existing drive to Binfield House between Terrace Road North and the footpath link to Stevenson Drive to provide safe pedestrian and cyclist access.
None of the buildings provided by the carrying out of the development shall 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]

14. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting for the parking courts serving plots 13-18 and 19-24, including lighting units and levels of illumination. The approved scheme shall be implemented before the first use of each parking court and the lighting retained in accordance therewith.
REASON: In the interests of the amenity of the neighbouring property and the character of the area.
[Relevant Plans and Policies: BFBLP EN20, CSDPD CS7]

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no freestanding external lighting shall be installed on the site except in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of nature conservation
[Relevant Policies: BFBLP EN15, EN2O and EN25]

16. The development hereby permitted shall not be begun until details of a scheme of walls, fences and any other means of enclosure, including a new boundary to the side of plot 22, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme associated with each building shall be implemented in full insofar as it relates to that building before its occupation and the means of enclosure shall thereafter be retained.
REASON: In the interests of the visual amenities of the area the amenities of properties adjoining the site.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]

17. 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 to mitigate for the loss of Tree T5
c) Comprehensive 5 year post planting maintenance schedule.
d) Underground service and external lighting layout (drainage, power, communications cables, pipelines etc. indicating lines, manholes etc.), both existing reused and proposed new routes.
e) Paving including pedestrian open spaces, paths, patios, proposed materials and construction methods, cycle routes, parking courts, play areas etc.
f) 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 plot to which it relates or the completion of the development as a whole, 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.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

18. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, Core Strategy DPD CS7]

19. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2.3m high (minimum) protective barriers, supported by a metal scaffold framework, constructed in accordance with Section 9 (Figure 2) of British Standard 5837:2005, 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]

20. The protective fencing and other protection measures specified by conditon 19 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning Authority). No activity of any description must occur at any time within these protected areas including but not restricted to the following:-
a) No mixing of cement or any other materials.
b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ground conditions of any other description.
e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
f) Parking/use of tracked or wheeled machinery or vehicles of any description.
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]

21. The area of trees lying to the west of plots 7-9 shall be managed and maintained in accordance with the details within the Tree Management Report by Venners Arboriculture dated June 2015.
REASON: To ensure this area of retained trees is maintained in the interests of the visual amenities of the area.
[Relevant Plans and Policies: BFBLP EN1, EN20]

22. 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 steps and works to secure the long-term safety and stability of the garden wall, including measures to strengthen it

as necessary. No dwelling shall be occupied until the approved scheme has been implemented.
REASON: To protect and preserve the garden wall in the interests of the visual amenities of the area.
[Relevant Policies: Core Strategy DPD CS1]

23. The development hereby permitted shall not be begun until a scheme for the protection, during demolition/construction works, of the C19th garden wall has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed and complied with.
REASON: To protect and preserve the garden wall in the interests of the visual amenities of the area.
[Relevant Policies: Core Strategy DPD CS1]

24. The development hereby permitted shall not be begun until details of the design, implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:-
a) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control the surface water discharged from the site and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
c) Flood water exceedance routes, both on and off site;
d) A timetable for its implementation, and
e) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
Once approved, the scheme shall be implemented, retained, managed and maintained in accordance with the approved details.
REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system

25. The development hereby permitted shall be implemented in accordance with the submitted Sustainability Statement, water usage (dated 27th April 2017) and shall be retained in accordance therewith.
REASON: In the interests of sustainability and the efficient use of resources.
[Relevant Policy: Core Strategy DPD CS10]

26. The development hereby permitted shall be carried out in accordance with the Carbon Reduction and Local Energy Generation Options Report V.3 dated October 2015 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]

27. 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
(v) construction and demolition working hours
(vi) hours during the construction and demolition phase, when delivery vehicles or vehicles taking materials are allowed to enter or leave the site.
The development shall be carried out in accordance with the approved scheme.
REASON: In the interests of the amenities of the area.

28. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
(a) Parking of vehicles of site personnel, operatives and visitors
(b) Loading and unloading of plant and vehicles
(c) Storage of plant and materials used in constructing the development
(d) Wheel cleaning facilities
(e) Temporary portacabins and welfare for site operatives
and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (d) above without the prior written permission of the Local Planning Authority.
REASON: In the interests of amenity and road safety.

29. The development hereby permitted, including works to deal with on-site contamination, shall not be begun until a Construction Traffic Management Plan has been submitted to and approved by the Local Planning Authority. The approved Management Plan shall be performed, observed and complied with for the duration of site preparation and the construction of the development hereby approved.
REASON: In the interests of road safety and the amenity of nearby residents.
[Relevant Policies: BFBLP EN25, CSDPD CS23]

30. Notwithstanding the provisions of Class G of Part 17 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development by statutory undertakers for the generation, transmission or supply of electricity shall be installed or constructed.
REASON: In the interests of the visual amenities of the area
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

31. Any site clearance shall be carried out in accordance with the 'Ecological Monitoring Report: Matters relating to breeding birds' dated June 2015.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3, CSDPD CS1 and CS7]

32. The development (including site clearance and demolition) shall be carried out in accordance with the Ecological Monitoring Report: Matters related to Great Crested Newts (Planning condition 33) September 2015. The approved scheme shall be performed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1]

33. The development (including site clearance and demolition) shall be carried out in accordance with the Ethos Bat Survey and Report dated June 2015. The approved scheme shall be performed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN2]

34. An ecological site inspection report shall be submitted 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]

35. The following windows shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent):-
- Plot 1: 1st floor north-facing en-suite
- Plot 2: 1st floor north and east-facing en-suites
- Plot 3: 1st floor north-facing landing
- Plot 5: 1st floor south-facing landing
- Plot 20: 1st floor east-facing bathroom
- Plot 21: 1st floor east-facing bathroom.

They shall at all times be fixed shut with the exception of a top-hung openable fanlight.
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]

36. The development shall be carried out in accordance with recommendations contained within the Ground Appraisal Report prepared by Geo-Environmental for the site at Former Binfield Nursery (Ref: GE10203 GARv1JO011214 Version: 2.0 dated December 2014) attached to application 15/00095/COND.
REASON: The proposed development is located on a potentially contaminated site, due to its historic land use. 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 Policies: BFBLP EN25]

37. The development hereby approved shall be carried out in accordance with the details contained within the 'Remedial Options and Implementation Strategy' prepared by G&J Geoenvironmetal Consultants Ltd Dated June 2015.
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 Policies: BFBLP EN25]

38. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out to the dwellings on plots 1, 5, 6, 12, 13,
14 and 15.
REASON: To control development which might have an adverse impact on the C19th garden wall.

39. The dwellings on plots 19-24 (inclusive) shall only be occupied by persons:-
(a) who are aged 60 years or over requiring facilities which consist of the services of a non-resident warden, and
(b) provided that they are aged 55 years or more, the spouse or a partner of a person falling within (a) above who is in occupation of the accommodation.
REASON: To ensure that the special nature of the proposed development is properly controlled and to ensure adequate vehicle parking is provided.
[Relevant Plans and Policies: BFBLP M9, CSDPD CS16)

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

01. Time limit
02. Plans considered
06. Means of access (vehicles)
07. Means of access (pedestrians and cyclists)
08. Visibility splays
09. Parking and turning space
10. Garage parking
11. Distance between garage door and highway
12. Visitor space provision
15. Lighting
18. Soft landscape retention
19. Tree protection details
21. Tree management report
25. Water usage
26. Energy use report
30. Removal of PD rights
31. Site clearance
32. Ecological report (Newts)
33. Ecological report (Bats)
34. Post development ecological report
35. Obscure glazing
37. Land contamination remedial report
38. Removal of PD
39. Occupancy restriction.

The following conditions require discharge prior to the occupation of the dwellings hereby approved:
03. Materials
04. Finished floor levels
05. Knox Green turning head
13. Off site highway works
14. External lighting
16. Boundary treatments
17. Hard and Soft landscaping
20. Tree protection location
22. Garden wall stability
23. Garden wall protection
24. Sustainable drainage
27. Working method statement
28. Site management
29. Construction traffic management plan.
36. Land contamination report