

ITEM NO: 5Application No.
16/00592/FULWard:
Little Sandhurst And
WellingtonDate Registered:
5 July 2016Target Decision Date:
30 August 2016

Site Address:

**Land East Of 51 To 57 Grampian Road Sandhurst
Berkshire**

Proposal:

Erection of a pair of 3 bed semi-detached houses with garages and parking space, together with 10 residents parking spaces and access drive.

Applicant:

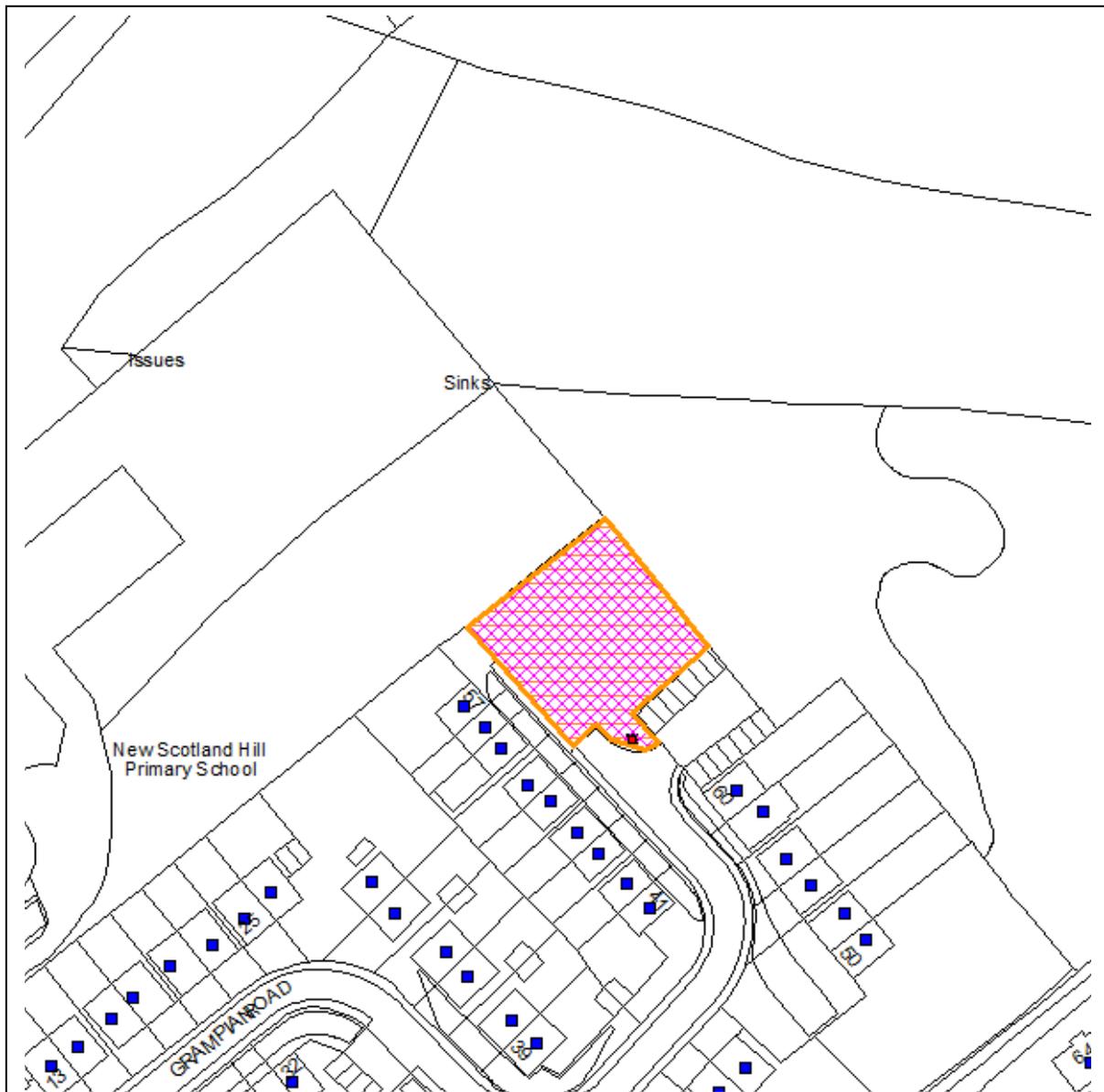
Mr Derek Allen

Agent:

(There is no agent for this application)

Case Officer:

Katie Walker, 01344 352000

development.control@bracknell-forest.gov.uk**Site Location Plan** (for identification purposes only, not to scale)

1. SUMMARY

1.1 The proposal is for the erection of two new dwellings with associated gardens, garages and parking, as well as the provision of 10 parking spaces for residents in Grampian Road.

1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties or the character and appearance of the surrounding area. The proposals would be acceptable in terms of highway safety and parking subject to the recommended conditions. Relevant conditions will be imposed in relation to detailed design, biodiversity and sustainability and a section 106 agreement will be entered into in relation to impacts on the SPA.

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

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 5km of the SPA

3.2 The site is opposite houses 51 - 57 Grampian Road. It is bounded to the west by 51 – 57 Grampian Road; to the north and east by woodland associated with Wellington College; and to the south by two garage blocks.

3.3 The site is currently vacant and is used informally as a parking area by residents in Grampian Road. However, the site is privately owned by the applicant. The original plans for Grampian Road show that a children's play area was proposed on the site, however this was never implemented.

3.4 The site is located in an urban setting within a defined settlement as shown on the Bracknell Forest Policies Map.

4. RELEVANT PLANNING HISTORY

4.1 The relevant planning history for the site is set out below:

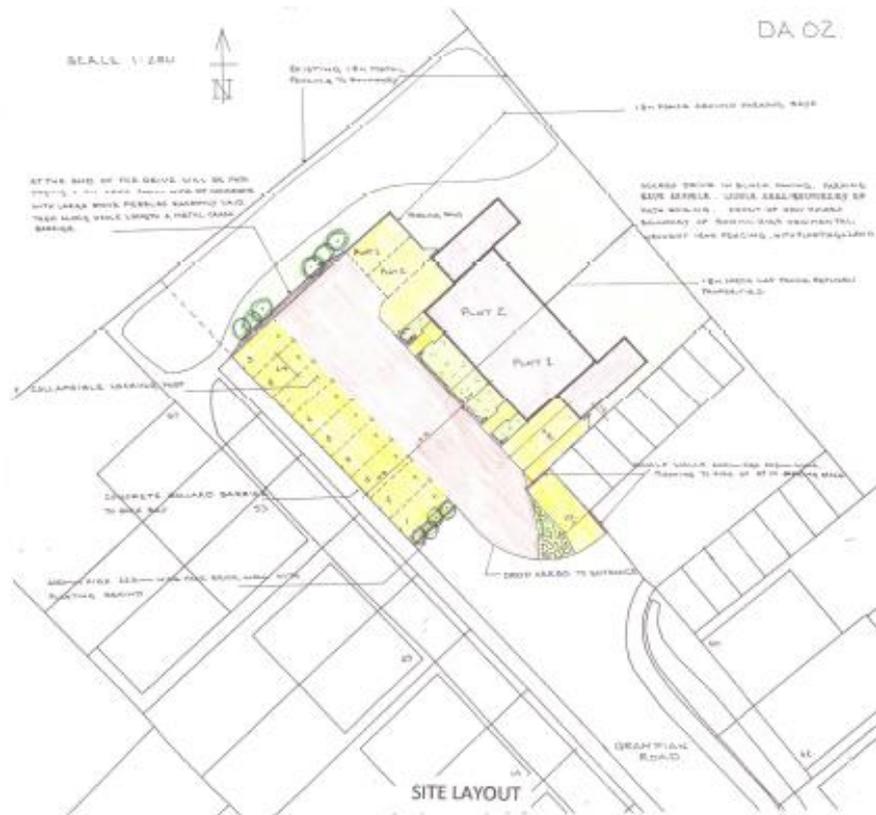
619158: Outline application for erection of detached bungalow with provision of 9 casual parking spaces for existing residents – refused 1993.

607040: Application for the erection of a detached house with garage and provision of concrete parking area for 8 cars on land adj. 42 – refused 1982.

12921: Outline residential dev. (Part of) (Affects Nos: 11b - 57 odd and 18 - 60b even Grampian Road) – approved 1967.

5. THE PROPOSAL

5.1 The proposal is for the erection of two, three-bedroom dwellings. These would face 51-57 Grampian Road, and would each have a rear garden and a garage and an additional parking space each. The proposal also includes 10 parking spaces for the use of residents in Grampian Road, to be allocated on a first-come-first-served basis.



6. REPRESENTATIONS RECEIVED

Parish Council

6.1 Sandhurst Town Council objected to the application on the following grounds:

- i) the distributor road network has insufficient spare capacity especially during peak traffic periods to accommodate, in safety and without delays, the extra traffic which would be generated by this proposal.
- ii) the proposed dwellings would occupy an elevated position causing overlooking of surrounding properties and headlights shining into bedrooms opposite; the members consider this constitutes an unneighbourly development.
- iii) the parking issues that currently exist are at best onerous and during the term time peak periods, vehicles are sharing the road with parents, children and buggies, presenting a very real H&S hazard. This issue will only be exacerbated by traffic movements from the proposed dwellings.
- iv) the members have concerns that construction work would have an adverse environmental impact on protected flora and fauna existing alongside the boundary with Wellington College Bog SSSI.
- v) local residents have long enjoyed (in excess of 20 years) access to the plot and a footpath through it onto surrounding heathland. To deny this would be detrimental to the amenities of the area.

vi) the offer of additional parking spaces for some of the local residents is divisive, the members would wish to see any additional parking being made available to all local residents.

Other Letters of Representation

6.2 55 letters of objection were received from 24 households. The issues raised can be summarised as follows:

- Loss of parking area is unacceptable and will result in on-street parking on a road already experiencing severe parking problems [*Officer note: the site is in private ownership and its use of the site for parking is unauthorised. The owner of the site could fence this off*].
- Concern regarding loss of trees [*Officer note: the trees are not subject to TPOs. The Council's Tree Service has been consulted and raise no objection. This is covered in the report*].
- Construction impacts of drop away of land [*Officer note: Construction concerns are not a planning matter*].
- Concerns regarding access of emergency and refuse vehicles [*Officer note: Berkshire Fire and Rescue raised no concerns; the Council's Waste Section raised no objection*].
- Residents have been offered a parking space by the developer which some residents consider inappropriate [*Officer note: this is not a planning matter*].
- Concerns over biodiversity impacts [*Officer note: the Council's Biodiversity Officer has not raised an objection. Refer to officer report*].
- Blocking of access to the heathland [*Officer note: there is no public right of way across this site*].
- The Council could adopt the land and make it into an official car park [*Officer note: this is not proposed by the application so cannot be considered as part of the assessment of the proposal*].
- The proposal only includes 1 space per house [*Officer note: the proposal includes two spaces for each house which is in line with the Council's parking standards*].
- Pedestrian safety as children and parents often have to walk in the road due to on street parking and this proposal will exacerbate this.
- The land is higher than the houses opposite and the development will obstruct their natural light and will also have privacy implications. Headlights from cars would shine into houses opposite.
- Concerns over maintenance of road [*Officer note: this is not a planning consideration*].
- Concerns over noise and disturbance.
- Removal of parking would cause disruption and unnecessary tension between neighbours [*Officer note: this is not a planning matter*].
- There are 5 spaces shown on the deeds for neighbouring properties not shown on this site [*Officer note: the applicant has demonstrated that he owns the land. The information in private deeds of those living on Grampian Road is not a planning matter*].
- The proposal is adjacent to a SSSI [*Officer note: Natural England has been consulted and raised no objection*].
- If the land has been used in excess of 12 years without any objection from the registered own you can claim "adverse possession". [*Officer note: this is a legal matter; however no claim for this was registered prior to submission of the planning application*].
- Concerns over number and type of vehicles during construction and where they will park.
- The area is used for children playing, and the original plans for the estate showed this as a children's play area [*Officer note: the land is used for parking, and residents have also stated that children play here. However, the land is in private ownership*].

- Concerns that the proposal would cause subsidence to existing garages [*Officer note: this would be dealt with under building regulations*].
- Existing garages have asbestos roofs and proposals could cause a health hazard.
- The land may have been contaminated [*Officer note: Council records do not show this as contaminated land*].
- The proposal would be contrary to the Human Rights Act 1998 which states that it is 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, including the substantive right of respect for a person's home; and the substantive right of peaceful enjoyment of one's possessions which include one's home and other land. This is due to the close proximity of the proposed parking spaces which will result in nuisance from car headlights and health risks from exhaust fumes [*Officer note: it is not considered that the parking layout, 6 metres from the existing houses, represents an unusual situation. The Human Rights Act is outside of planning, however it is not considered that the proposal breaches this Act. The existing site is largely used for parking and it is not considered that the proposal, for 10 resident spaces, would significantly impact over and above the existing informal parking arrangements in terms of health*].

7. SUMMARY OF CONSULTATION RESPONSES

7.1 The following consultees have provided comments on the application, summarised below and within the report:

Biodiversity Officer

7.2 No objection subject to conditions.

Environmental Health

7.3 No comments.

Transportation Officer

7.4 No objection subject to conditions.

Berkshire Fire and Rescue

7.5 No objection. Recommends sprinkler systems installed in dwellings.

Waste Officer

7.6 No objection.

Natural England

7.7 No objection.

Tree Officer

7.8 No objection subject to conditions.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 and CS2 of CSDPD	Consistent
Housing	CS15 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Parking	Saved policy M9 of BFBLP	Consistent
Transport	CS23 of CSDPD	Consistent
Sustainability	CS10 and CS12 of CSDPD	Consistent
SPA	SEP Retained Policy NRM6, Saved Policy EN3 of CSDPD and Policy CS14 of CSDPD	Consistent

Trees, biodiversity and landscaping	Saved policy EN1 and EN2 of BFBLP, CS1 of CSDPD.	Consistent
Noise and pollution	Saved policy EN25 of BFBLP	Consistent
Supplementary Planning Documents (SPD)		
Thames Basin Heath Special Protection Area (SPD)		
Character Area Assessments (SPD)		
Parking standards (SPD)		
Other publications		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		
BRE Site Layout planning for Daylight and Sunlight: A Guide to Good Practice 2011.		

9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

- i Principle of development
- ii Impact on character and appearance of the area
- iii Impact on residential amenity
- iv Transport implications
- v Biodiversity considerations
- vi Impact on trees
- vii SPA
- viii Sustainability
- ix 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 and is at the end of an existing residential road. The proposal would provide a net increase of two new dwellings, contributing to the supply of housing within the Borough.

9.3 A number of residents have concerns that the proposal would result in the loss of a parking area. However, the site is privately owned and the parking on the site is unauthorised. The owner could, at any time, fence off the site, restricting access to it. Therefore, the principle of development on this site is not determined by the current unauthorised parking on the site.

9.4 Some residents are also concerned that the site was designated as a children's play area in the original plans for the estate. The original plans for the estate show the area as land subject to adoption by the Local Authority. However, this land was not adopted. The land was also allocated in the BFBLP under Proposal PR4 as an area of open space of public value, but recognised that this could only be realised through compulsory purchase of the site as the site was privately owned. However, this allocation was not saved and was not replaced in subsequent policy. Policy H12 of the BFBLP refers to the enclosure of land in residential areas, stating that this will not usually be permitted. However, this relates to the enclosure of land for the inclusion of amenity land into residential curtilage as opposed to development sites. The supporting text to this policy states that, for example, indiscriminate parking could be addressed through the use of fencing or stone

bollards. The site remains in private ownership and could be fenced off at any time. As such, the value of the site for children's play or parking can only be given limited weight.

9.5 The Council cannot demonstrate a 5 year supply of housing, and the proposed development would comprise an additional two dwellings, which would contribute to the housing supply in the Borough within the settlement boundary. The proposed development is therefore acceptable in principle in line with SALP Policy CP1, CSDPD Policies CS1, CS2 and CS15.

ii. IMPACT ON CHARACTER AND APPEARANCE OF AREA

9.6 The site is at the end of Grampian Road, opposite 51-57 Grampian Road. As the site is vacant, the erection of two additional dwellings will impact on the character and appearance of the area to a degree. However, 41-57 Grampian Road comprise 3 pairs of semi-detached houses, and a terrace of 3 houses. The creation of a pair of semi-detached houses is in line with the pattern of development. In addition, the backdrop of trees formed by woodland associated with Wellington College will remain. It is a material consideration that the site is privately owned and could be fenced off at any time, and therefore the fact that the site currently comprises informal open space can be afforded limited weight.

9.7 The houses opposite the site are brown brick houses with brown hung tiles to the first floor and brown tiled pitched roofs. The houses on the same side as the proposed dwellings, beyond the garage blocks, are similar in colouring but have large white dormers to the first floor. The proposed dwellings would have a dormer in a similar style to the first floor, and would be similar in appearance to the existing dwellings on Grampian Road. A condition is recommended to require samples of materials for the proposed dwelling to ensure that the materials would be appropriate to the character of the area. The proposed dwellings would each have an attached garage and while this is different from the houses opposite, the site is next to garage blocks and the inclusion of attached garages is not considered harmful to the street scene.



FRONT ELEVATION

9.8 The houses opposite the site are sited at a lower level than the proposed houses by approximately half a storey. The houses are, however, at the same level as the other houses on the same side of Grampian Road and in terms of character and appearance, are considered acceptable.

9.9 The proposals are in keeping with the surrounding residential development in terms

of plot pattern and design. It is therefore considered that, subject to the recommended conditions, the development would not result in an adverse impact on the character and appearance of the area. It would therefore not be contrary to CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 or the NPPF.

iii. IMPACT ON RESIDENTIAL AMENITY

9.10 The proposed development would be opposite 51-57 Grampian Way. The properties would be sited at a higher level than the houses opposite, by approximately half a metre. It is acknowledged that some of the neighbours have concerns about overlooking into their properties. The front windows to the proposals are the living room at ground floor and a bedroom and bathroom at first floor, and it is understood that the houses opposite also have living rooms and bedrooms facing the site. However, the proposed houses would be situated in excess of 20 metres from the existing dwellings at 51-55 Grampian Road, which constitutes an acceptable front to front relationship. Although the houses opposite are half a storey lower than the proposed development, it is not considered that this would exacerbate the overlooking impacts, and the relationship between the proposed dwellings and the existing dwellings would be similar to that seen further down on Grampian Way, on the opposite side of the garage block. It is therefore considered that there would not be unacceptable overlooking to the properties opposite. As the houses are adjacent to woodland to the north and east and garage blocks to the west, there would not be overlooking impacts on any other properties as a result of the proposal. Also, due to the distance between the proposed houses and the houses opposite, there would not be any overshadowing impacts.

9.11 The residents opposite have also raised concerns over the impacts of the proposed parking on their residential amenity due to headlights and exhaust fumes. The proposed parking would be approximately 6 metres from the dwellings at 51 – 57 Grampian Road. It is not considered that to have cars parking opposite dwellings is unusual, and in addition a certain amount of the site is already used for parking. The additional harm that could arise as a result of the proposed parking layout is therefore not considered to be significant.

9.12 Some residents have raised concerns that the proposal would be overbearing in the street scene, as the site is currently vacant. It is inevitable that any building on a vacant site would be overbearing compared to that vacant site. While it is appreciated that the houses opposite the site currently have views of an informal parking area and the woodland associated with Wellington College, a right to a view is not a planning consideration. In any event, the dwellings are two storey, which is the same as the other houses on Grampian Road, and are of a typical scale for a residential street. As stated, the houses opposite are half a storey lower than the proposed dwellings, but the proposed dwellings are in keeping with the other properties on the same side of Grampian Road. As such, the provision of a pair of two storey, semi-detached dwellings is not considered to be overbearing.

9.13 Another concern raised by residents is that the area is used as an informal play area for children and that the loss of this would result in a loss of residential amenity. In addition, some residents have set out that the original plan for the estate designated this as a play area. The site was never formalised as a play area, and during Officer site visits in the middle of the day during the school summer holidays the site was being used informally for parking. While the residents' claims that the site is used for play is not disputed, the site is clearly not being used for children's play only and also comprises informal parking and the loss of this area purely as open space and play space is therefore limited. In any event, as explained, the site is privately owned and could be fenced off at any time.

9.14 A further concern of residents is that the site is used for access to the woodland and to Scotland Hill Primary School. There are, however, no official footpaths or rights of way across this land, and therefore the loss of this as residential amenity can not be given significant weight.

9.15 The proposed dwellings would each be provided with a private rear garden, approximately 10 metres long and 18 metres wide, which is considered proportionate to the size of the dwellings.

9.16 Due to the design and layout of the proposals it is not considered that the development would result in a detrimental effect on the amenities of the residents of the neighbouring properties, and the houses would provide a good standard of residential amenity for future occupiers of the proposal. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

iv TRANSPORT IMPLICATIONS

Access

9.17 The site takes access off an adopted residential cul-de-sac which is subject to a 20mph speed limit. There are footways to either side of Grampian Road and the area is lit. On-street parking is unrestricted. The extent of the adopted highway is the turning head and the footpath heading towards no. 57 Grampian Road. The existing garage blocks to the east and the application site (to the north) are outside of the public highway.

9.18 The Highway Authority visited the area at around 8am on Monday 8th August 2016 and traffic movements were relatively low. There is a nearby primary school and the area may well be much busier during term-time. It is noted from local comments that school traffic drives to the end of Grampian Road to turn and exit the residential estate. Two new houses are likely to generate a total of 12 two-way movements per day, including one or two movements in peak periods and this represents a modest traffic increase relative to traffic already using Grampian Road.

9.19 Considerable parking was observed during the site visit with vehicles parked on the bend between nos. 48 and 58 Grampian Road. It may well be this parking, which local comments note, restricts access for Council bin lorries. The proposal provides parking for two new houses plus parking for existing residents and their visitors.

9.20 With respect to access, the amended Site Layout indicates that the new dwellings and parking area would take access off the adopted turning head. The extent of the applicant's red line area ties in with the limits of the adopted highway and thus a means of access could be created as shown on the amended Site Layout. An access width of around 6 metres is proposed to the new dwellings and the new parking area and this would enable vehicles to pass. Planting is proposed along with 600mm high dwarf walls and a condition is recommended to ensure that any planting should be low level to provide sight-lines between vehicles exiting adjacent accesses/parking spaces and pedestrians, including children.

9.21 Pedestrian access to the front doors of these new houses would be via individual footpaths which are to be a metre wide and this complies with the Council's requirements for new dwellings. Rear access to properties is to be provided for bin storage and residents would be expected to bring their bins to the front of the properties which would be no greater than 25 metres from the road. The Council's Waste Officer has confirmed that this is acceptable.

Parking

9.22 Each of these 3-bed dwellings is to be provided with two parking spaces to comply with the Council's parking standards (2016). The proposed garages do not comply with the current standards but do not form part of the parking provision. A condition is recommended to secure the use of garages for cycle parking.

9.23 The driveway lengths are shown on the amended Site Layout as 6.5 metres and this would enable parked vehicles to be clear of the access way. Roller shutter garage door should be secured by planning condition to further ensure parked vehicles do not interfere with access to the communal parking bays and passing vehicles. The driveway spaces are between 3 metres and 4 metres wide thus providing for less mobile/disabled users.

9.24 It is noted from the applicant's submission and local comments that the land of the application site is currently used for parking by local residents. The Highway Authority has visited the area and counted 12 vehicles to be parked on the land at around 8am on a typical morning. Similar numbers were counted during other observations with fewer cars parked on the land during the middle of the day (as would be expected for residential parking demand, given people are out at work etc). For example, only 7 vehicles were observed to be parked on the land at 11.30am on the 30th August 2016 (and 3 vehicles parked in the garage blocks). This planning application includes the provision of 10 parking spaces and as such this seems like reasonable provision, given these parking observations and there being around 15 properties close to this land. It is noted that the previous layout proposed 11 spaces and this has been reduced to 10 spaces due to the proposed garages not complying with the Council's standards for parking spaces.

9.25 The applicant owns the application site and as explained, the use of the site for parking is an informal arrangement which could cease at anytime. Thus while its loss for parking is regrettable, as explained the site is privately owned and can be fenced off by the applicant. The applicant is providing 10 spaces and the adjacent garage blocks are to remain.

9.26 The amended Site Layout shows collapsible bollards being provided such that parking spaces could be allocated to an individual/household and this allocation of parking would be a private matter between the applicant and residents, outside of the planning process.

9.27 The proposed parking spaces are shown on the amended Site Layout as 2.4 metres by 4.8 metres plus 6.2 metres of aisle space which complies with current standards. It is proposed to provide a barrier along the northern perimeter of the parking area to avoid vehicles manoeuvring in and out of parking spaces falling down the drop. Also, concrete bollards are shown at the back of the parking bays to prevent vehicles overhanging the adjacent adopted footpath and the exact positioning of these should be agreed with the Highway Authority (as should any works affecting the highway). The parking area should be constructed of permeable paving.

Trips

9.28 Two new houses are likely to generate a total of 12 two-way movements per day, including one or two movements in peak periods. A condition requiring a construction management plan is recommended to control construction traffic, including deliveries and contractor parking.

9.29 Subject to the proposed conditions, the application is in line with CSDPD PolicyCS23 and Saved Policy M9 of the BFBLP.

v BIODIVERSITY

9.30 The site is adjacent to a Site of Special Scientific Interest (SSSI) known as Wellington College Bog, which supports nationally important habitats and species. As such, Natural England were consulted on the application and raised no objection, subject to conditions regarding controls to ensure that there would be no impact on the SSSI from construction activities; and a condition ensuring that no materials, works or ongoing use should encroach on to the SSSI. These conditions have been recommended.

9.31 There are a number of other protected species nearby the site, including great crested newts and reptiles. Following comments from the Council's Biodiversity Officer, the applicant has submitted a preliminary ecology appraisal, carried out by a qualified ecologist. This demonstrates that no evidence of protected species was found on the site, and no further surveys are required.

9.32 The Council's Biodiversity Officer is satisfied with the findings of the report, including the report's suggested biodiversity mitigations and enhancements. A condition is recommended to secure these, as well as conditions regarding details of hard and soft landscaping, and restricting lighting. Subject to these conditions, the application is acceptable in line with CS Policies CS1 and CS7.

vi IMPACT ON TREES

9.33 The proposed development would be located adjacent to the Wellington College Bog SSSI, which comprises an area of woodland to the north and east of the site. The trees in this area are not subject to a TPO.

9.34 The applicant has submitted an arboricultural report which demonstrates that 3 trees and a group of trees would need to be removed to facilitate the proposed development. These trees are on the application site. Given the tree cover surrounding the site, it is not considered that the loss of these trees would have a significant impact on the overall woodland cover.

9.35 The arboricultural report also sets out measures including protective fencing for those trees to be retained, as well as 'no dig' technology. Conditions are recommended to secure the details and implementation of tree protection measures and, subject to this condition, the proposal is acceptable in accordance with Policies CS1, CS7 and EN1.

vii SPA

9.36 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 0.6 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.37 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.

9.38 In this instance, the development would result in a net increase of 2 three bedroom dwelling which results in a total SANG contribution of £4,342.

9.39 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 £1,422.

9.40 The total SPA related financial contribution for this proposal is £5,764. 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 Retained 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 SUSTAINABILITY

9.41 CS Policy CS10 seeks to ensure the best use of natural resources, and CS12 requires 10% of energy requirements for 5 or fewer dwellings to be generated from on-site renewables. This is in line with paragraph 97 of the NPPF, which seeks to promote energy from renewable and low carbon sources. A condition will secure the submission of a sustainability statement to demonstrate that the proposals can meet these requirements. A condition will also be included to ensure that the development will be SuDS compliant, in line with the NPPF and CSDPD Policy CS1.

9.42 Subject to these conditions, the application is acceptable with regards to CSDPD Policies CS10, CS12 and the provisions of the NPPF.

ix COMMUNITY INFRASTRUCTURE LEVY (CIL)

9.43 Bracknell Forest Council introduced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development.

9.44 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted), including extensions of 100 square metres of gross internal floor space, or more, or new build that involves the creation of additional dwellings.

9.45 In this case, the proposal would be CIL liable as it comprises the creation of 2 new dwellings. The dwellings fall within the Crowthorne/Sandhurst charging area.

10. CONCLUSIONS

10.1 The proposed development relates to a site within the settlement boundary, providing

2 additional dwellings in the Borough and is therefore acceptable in principle. It would not adversely affect the residential amenities of neighbouring properties and would not adversely impact upon the character and appearance of the surrounding area. No highway safety implications will arise subject to the imposition of conditions. Relevant conditions will be imposed in relation to detailed design, biodiversity, tree protection and sustainability. A legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable. The proposal is therefore considered to be in accordance with 'Saved' Policies EN1, EN20 and M9 of the BFBLP, CS1, CS2, CS7 and CS23 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

11. RECOMMENDATION

Following the completion of planning obligation(s) under Section 106 of the Town and Country Planning Act 1990 relating to measures to avoid and mitigate the impact of residential development upon the Thames Basins Heath Special Protection Area (SPA);

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 30 August 2016:

DA01 and DA02: Site layout, Location Plan, and Floorplans
Front Elevation, Section, Second Floor Plan, Rear Elevation, Side Elevations
First Floor 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 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 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]
- 05 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.
[Relevant Policies:BFBLP EN2 and EN20, CSDPD CS7]

06 The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees, hedgerows and groups of mature shrubs to be retained, in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following: -

- a) Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development.
- b) Positions and spreads of existing hedgerows and groups of mature shrubs.
- c) All proposed tree, hedge, shrub removal and retention.
- d) Minimum 'Root Protection Areas' of all existing retained trees within the site and on neighbouring land adjacent to the approved development, calculated in accordance with BS 5837 recommendations.
- e) Plans of a minimum scale of 1:200 (unless agreed otherwise by the Local Authority) showing the proposed locations of 2.3m high protective barrier/s, supported by a metal scaffold framework, constructed in accordance with Section 6 (Figure 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- f) Proposed ground protection measures in accordance with Section 9.3 (Figure 3) of BS 5837:2005.
- g) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
- h) Illustration/s of the proposed fencing structure/s to be erected.

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

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

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

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: -

- 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.

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

REASON: In the interests of nature conservation

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

- 09 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 implemented, observed and complied with.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: CSDPD CS1, CS7]

- 10 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.

REASON: In the interests of nature conservation.

[Relevant Plans and Policies: CSDPD CS1, CS7]

- 11 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]

- 12 No demolition or construction work shall take place outside the hours of 8:00 am and 6:00 pm Monday to Friday; 8:00 am and 1:00 pm Saturday and not at all on Sundays and Public Holidays.

REASON: In the interests of the amenities of the area.
[Relevant Policies: BFBLP EN25]

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

REASON: In the interests of the amenities of the occupiers of nearby residential premises.
[Relevant Policies: BFBLP EN25]

- 14 No dwelling shall be occupied until vehicular access as shown on drawing DA01 and DA02 has been constructed.

REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

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

REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

- 16 Any planting to the front of the proposed dwellings will be no taller than 600mm.

REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

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

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

- 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

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.

This information should also demonstrate that relevant controls are in place in order to ensure that there will be no impact on the adjacent SSSI site from construction activities, in particular through dust management and control, and polluted runoff control.

REASON: In the interests of amenity, road safety and to protect the SSSI.

- 19 No materials, machinery or work should encroach on to the SSSI either before, during or after demolition, construction or ongoing use.

REASON: In the interests of protecting the SSSI.

- 20 The garage doors hereby approved shall be of a roller shutter design. Any replacement or repair shall only be with a roller shutter type garage door.

REASON: To ensure that the garages are still accessible while a car is parked to the front of the properties avoiding inappropriately parked cars comprising the communal reversing/turning area.

[Relevant Policy: BFBLP M9]

- 21 The garage accommodation shall be retained for the use of the parking of cycles at all times.

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

[Relevant Policy: BFBLP M9]

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

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

- 23 The development shall not be begun until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

REASON: In the interests of sustainability and the efficient use of resources.

[Relevant Policy: Core Strategy DPD CS10]

- 24 The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 10%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

REASON: In the interests of the sustainability and the efficient use of resources.

[Relevant Plans and Policies: CSDPD Policy CS12]

- 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]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission subject to conditions, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
02. No details are required to be submitted in relation to the following conditions; however they are required to be complied with:
 1. Time limit
 2. Approved Plan
 8. Bird nesting
 11. Replacement trees
 12. Construction hours
 13. Delivery hours
 14. Vehicular access
 15. Visibility splays
 16. Height of planting
 17. Parking and turning
 19. No encroachment onto SSSI
 20. Roller shutter doors to garages
 21. Garage retained for cycle parking
 22. No gates

Details are required to be submitted in relation to the following conditions:

3. Materials
 4. Means of enclosure
 5. Hard and soft landscaping
 6. Tree protection
 7. No dig
 9. Biodiversity enhancements
 10. Lighting strategy
 18. Construction management plan
 23. Sustainability Statement
 24. Energy Demand Assessment
 25. SuDS
- 03 The Streetcare Team should be contacted at Department of Transport & Transportation, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.
 - 04 Berkshire fire and rescue recommend that sprinkler systems are installed in the dwellings.

In the event of the S106 agreement not being completed by 10 February 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).

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