

ITEM NO:Application No.
17/00948/FULWard:
Little Sandhurst And
WellingtonDate Registered:
4 September 2017Target Decision Date:
30 October 2017

Site Address:

**Fox and Hounds Hancombe Road Sandhurst
Berkshire GU47 8NP**

Proposal:

Extension and conversion of existing public house to 2 no. dwellings following demolition of existing single storey extensions and erection of 2 no. dwellings with associated parking and landscaping.

Applicant:

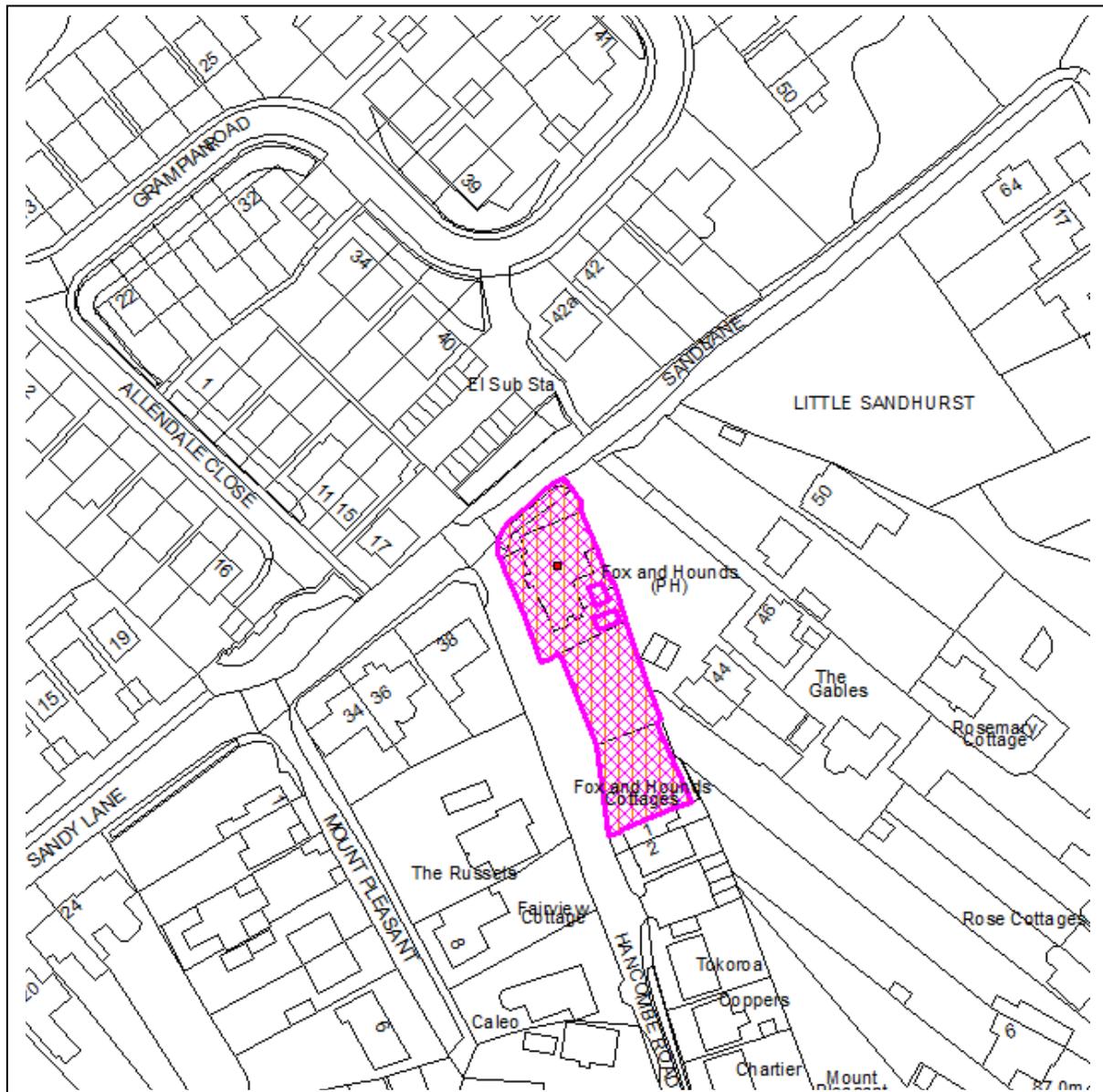
WPD 5 Ltd.

Agent:

Wakelin Associates

Case Officer:

Michael Ruddock, 01344 352000

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

OFFICER REPORT

1. SUMMARY

1.1 The proposed development is for the conversion and extension of the existing public house to form two dwellings, and the erection of two additional dwellings to the side of the existing building. The development would consist of 3no. three bedroom dwellings and a four bedroom dwelling. Parking spaces would be provided adjacent to the highway and each dwelling would be provided with a garage.

1.2 The proposed development relates to a site within the settlement boundary. It is not considered that the development would result in an adverse impact on the streetscene or the character and appearance of the area. The relationship with adjoining properties is acceptable and it is not considered that the development would result in an unacceptable impact on highway safety or biodiversity. Relevant conditions will be imposed in relation to sustainability. A Section 106 legal agreement will secure contributions for SPA mitigation and the scheme is CIL liable.

RECOMMENDATION

Delegate to Head of Planning subject to the conditions in Section 11 of this report and the completion of a Section 106 Agreement.
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2. REASON FOR REPORTING APPLICATION TO COMMITTEE

2.1 The application is reported to the Planning Committee as more than five objections have been received.

3. PLANNING STATUS AND SITE DESCRIPTION

PLANNING STATUS

Within Defined Settlement

Within 5km of the SPA

3.1 The existing site consists of the Fox and Hounds, a vacant public house with two bedroom dwelling at first floor level and a beer garden and car park to the side with additional parking to the front of the beer garden. It has a width of approximately 60m and depth of approximately 20m. The site fronts Hancombe Road and runs north to south with the existing building at the north of the site and the garden and car park to the south. The site is bordered by Fox and Hounds Cottages to the south and by 42 Sandy Lane to the east at the rear. Properties facing towards Sandy Lane to the north are located west of the site as well as The Russets, a property fronting Hancombe Road.

3.2 The site has vehicular access onto Hancombe Road and can also be accessed by Sandy Lane. Both roads are private unadopted highway. Consequently the 'red line' marking the application site has been drawn to up to the boundary with the adopted highway on both Hancombe Road and Sandy Lane to demonstrate access. Notice has been served on any property with an access onto these roads where the red line has been drawn. The site is not affected by any Tree Preservation Orders.

4. RELEVANT SITE HISTORY

4.1 Planning history for the site consists of extensions and alterations to the public house only:

Application 18207 - Application for erection of ladies toilets, off existing porch - APPROVED 1972

Application 18471 - Saloon bar extension - APPROVED 1972

Application 18763 - Demolition of existing lean-to and formation of car park - APPROVED 1973

Application 19822 - Erection of precast concrete garage - APPROVED 1973

Application 606553 - Single storey side extension forming toilet block - APPROVED 1981

5. THE PROPOSAL

5.1 The proposed development is for the extension of the existing building and its conversion to form two residential dwellings following the demolition of two existing single storey extensions, and the erection of two further dwellings on land to the south of the existing building along with associated garages, parking and landscaping.

5.2 The two extensions to be demolished are either side of the existing building. They would be replaced with two new pitched roof extensions. The extension to the north of the building would have a width of 4.0m and a depth of 6.0m, and the extension to the south would have a width of 3.8m and a depth of 6.2m. Both extensions would have a height of approximately 6m, with dormers in the rear elevations. An extension would also be constructed to the rear of the existing building with a depth of 2.7m, a width of 7.4m and a height of 7.8m matching the height of the existing dwelling. This extension would form part of each of the new dwellings within the converted public house.

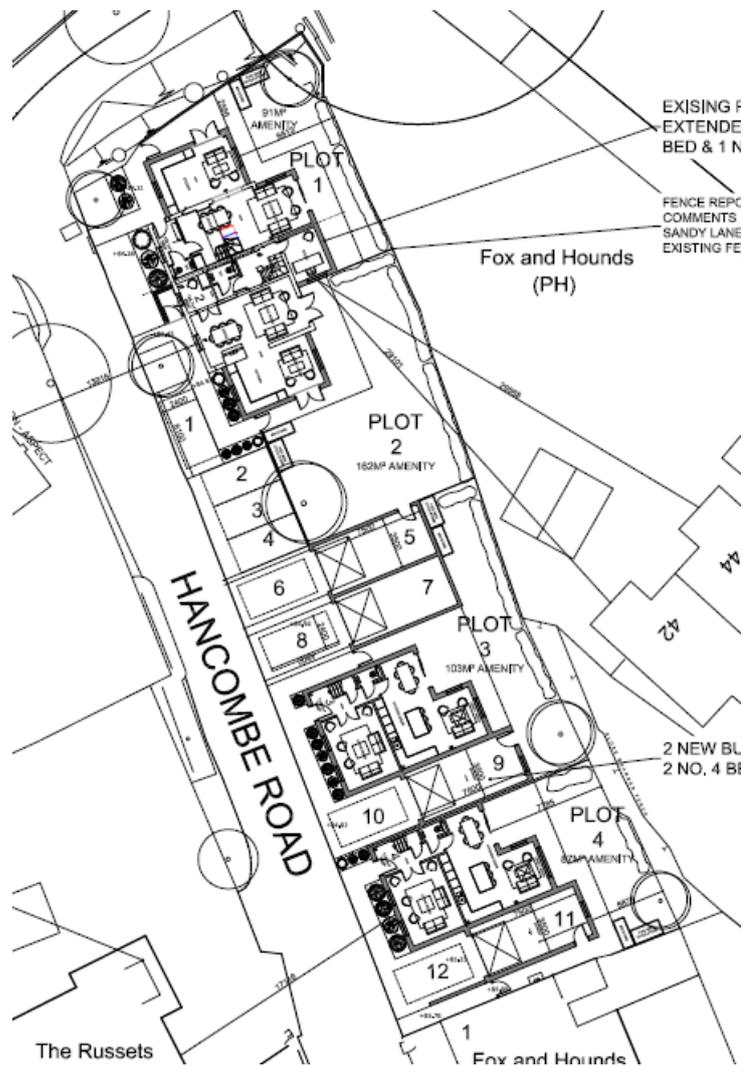
5.3 The converted building would consist of two plots, Plot 1 to the north and Plot 2 to the south. Plot 1 would be a three bedroom dwelling with a dining room, kitchen, family room, living room and bathroom. It would have an amenity area to the rear of the existing building and a new 1.8m close boarded fence would be sited on property boundary to the north of Plot 1. Plot 2 would be a four bedroom dwelling with a dining room, living room, kitchen, family room, study, bathroom and two en suites. It would have an amenity area to the side of the existing building. Parking would be located forward of Plot 2 and its amenity area, with a garage for each dwelling located to the south between Plot 2 and Plot 3. These would be a hipped roof double garage structure with a height of 5m. Further parking spaces would be located forward of the garages.

5.4 The two new build dwellings (Plots 3 and 4) would be constructed to the south of the existing building, on land that was formerly a beer garden and car park serving the pub. Both dwellings would have a width of 7.5m and a ridge height of 8.0m with a hipped roof design. They would have a main two storey element with a depth of 7.8m with an additional single storey element to the rear. Both dwellings would have integral single storey garages to the side. The single storey elements would all have flat roofs with a height of 3.2m.

5.5 Plots 3 and 4 would both be three bedroom dwellings. They would both have a living room, kitchen/diner and family room at ground floor level and a bathroom and en suite at first floor level. Both dwellings would have an amenity area to the rear, with parking in the integral garage with an additional space forward of the garage.

5.6 All four dwellings would have a bin store and cycle store in the rear garden. The bin stores would have a height of 1.29m and the cycle stores a height of 1.34m. Twelve parking spaces would be provided overall four in garages and eight on hardstanding and driveways.

New fencing is shown between the amenity areas at the rear of the plots and also to the side of Plot 1 fronting Sandy Lane. Areas of landscaping are shown forward of all four properties.



5.7 During the course of the application a number of amendments have been made. Originally Plots 3 and 4 were semi detached dwellings with four bedrooms, therefore the size and bulk of these dwellings have been reduced. These amendments included a reduction to the height and bulk of the main roof, and the removal of bedrooms above the garages. The dwellings have also been set back in line with the building line to the south. The four garages have been enlarged and the rear boundary fence re-positioned to ensure no encroachment onto No.42 Sandy Lane at the rear.

6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 Comments were provided on the application as originally submitted, and refusal was recommended for the following reasons:

- The size and scale of the proposed new dwellings would be out of keeping with the design of nearby dwellings and would have an undesirable and unneighbourly impact on the overall appearance of the area.

- The proposal as a whole represents a cramped development taken to the boundary of the plot which would be out of keeping with the existing pattern of development in the area, and in particular would be detrimental to the amenities of adjoining dwellings.

Should the local planning authority be minded to approve the application, the members request the following be considered:

- Preclusion of development in the loft space of the 2 no. new dwellings.
- That during the development phase, due respect is given to access and buried utilities of neighbouring properties who have collective responsibility for 50% of the unadopted Hancombe Road.

[OFFICER COMMENT: The size and scale of the development has been reduced since these comments were made, which included a reduction to the overall volume of the roofs. Access is considered below.]

Other representations:

6.2 In response to the application as originally submitted, seventeen objections were received from local residents. The applicants then undertook a consultation with local residents, which resulted in the submission of the amended plans which are now under consideration. Following the submission of the amended plans, eight of these objections have been withdrawn however nine objections remain. The concerns raised can be summarised as follows:

- Scale of the development excessive and out of character with the area. Development would be out of keeping with the area.
- Concerns with regard to access to the site for construction vehicles along the private, unmade road.
- Concerns with regard to parking and an increase in traffic. Road is used by school children.
- Loss of privacy to neighbouring properties due to overlooking.
- Impact on visibility due to fencing and shrubs around the junction between Sandy Lane and Handcombe Road.
- Potential for disruption to electricity and phone lines which cross the site.

[OFFICER COMMENT: This is not a material planning consideration.]

6.3 Originally concerns were raised with regard to the height of the dwellings, a loss of light to the property to the west opposite the site, and the rooms above the garage, however the neighbours that raised these concerns have confirmed that they have been addressed.

7. SUMMARY OF CONSULTATION RESPONSES

Highways Officer

7.1 The proposed development would not cause an increase in traffic movements and following amendments the parking acceptable. Concerns were raised with regard to access for construction vehicles, however these have been addressed through the submission of a draft Construction Management Plan and the use of conditions.

Biodiversity Officer

7.2 Recommend conditional approval.

8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO THE DECISION

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

	Development Plan	NPPF
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	consistent
Residential Amenity	Saved policy EN20 of BFBLP	consistent
Highway Safety	CS23 of CSDPD, Saved policy M9 of BFBLP	consistent
Biodiversity	CS1 and CS7 of CSDPD	consistent
Sustainability	CS10, CS12 of CSDPD	consistent
SPA	NRM6 of SEP, CS14 of CSDPD, EN3 of BFBLP	consistent
Other publications	National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Design SPD, Character Area Assessments SPD, Parking Standards SPD, Thames Basin Heaths SPA Avoidance and Mitigation SPD, Planning Obligations SPD.	

9.1 The key issues for consideration are:

- I Principle of the Development
- ii Loss of a Public House
- iii Impact on character and appearance of the area
- iv Impact on residential amenity
- v Transport implications
- vi Biodiversity Considerations
- vii Sustainability
- viii SPA
- ix Community Infrastructure Levy

i. Principle of the development

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

ii. Loss of a Public House

9.3 Para 235 of the CSDPD refers to community functions. It states that "many retail units are hubs of the community...Units that perform an important community role including post offices, convenience stores, chemists and pubs will be protected. Planning applications involving their loss by redevelopment or change of use will not be allowed unless exceptional circumstances have been proven and an equivalent or better replacement facility has been

secured". Paragraph 70 of the NPPF requires Local Authorities to plan positively for the provision of community facilities such as public houses to enhance the sustainability of communities and residential environments. This infers a presumption against a proposal resulting in the loss of such a facility which is not justified.

9.4 The application is accompanied by a Viability Report prepared by Neil King of Andrew Crease and Co which sets out justification for the loss of the existing public house, the Fox and Hounds. This sets out that the property was acquired by the applicant in March 2017 vacant and has remained so since. It had been acquired by Enterprise Inns in 2002 and remained under their ownership prior to its closure and subsequent sale. Enterprise Inns is one of the largest pub owning companies in the UK with 4,470 pubs owned nationwide at the end of the accounting year of 2016. The pub was operating on a tied tenancy basis with the tenant tied to a specific product range. Responsibility was on the tenant to maintain the building and to make improvements at their own expense.

9.5 The pub became vacant when it was given up by the existing tenant. A new tenant was sought for the business when it was marketed by specialist leisure agents, Fleurets, for lease. Having failed to secure a letting in the market, the property was placed with a local commercial property agent who sold the property to the applicant. Since then, some informal attempts have been made to find a temporary tenant for the property without success.

9.6 The report sets out that the level of assessment required to bring the property back into beneficial use as a public house is prohibitive. Such investment is considered unworkable by reason of poor trading prospects and the physical circumstances of the site. Furthermore there are number of alternative public houses within a 0.5 – 1 mile (0.8-1.6km) radius of the site which offer a diverse range of mixed food and beverage options, in particular the Bird in Hand which is located a five minute walk from the site on High Street.

9.7 For these reasons, the report sets out that the property is unlikely to attract interest from potential public house operators going forward, and that the most likely purchaser of the property would be a developer looking to undertake a small scale redevelopment for residential purposes.

9.8 It is considered that the findings and the conclusions of the report are an accurate reflection of the site and the area and are not disputed. As such it is agreed that the extant use of the site as a public house is not viable. Furthermore, based on the existing provision in the locality, it is not considered that the community would be disadvantaged by the loss of the property as a public house. It is relevant here that no objections have been received at any stage relating to the loss of the public house facility, which suggests that it was not previously used extensively by the local community. It is therefore not considered that the development would be contrary to Paragraph 235 of the CSDPD or Paragraph 70 of the NPPF.

iii. Impact on the character and appearance of the area

9.9 The site is within Area A: Little Sandhurst of the Sandhurst Study Area within the Character Area Assessments SPD. This states that building heights are two storey, with a variety of architectural approaches and little consistency between buildings in terms of form, style and size. The quality of the area is established by the informal plot pattern, boundary treatments and landscape rather than a distinctive form of development and/or architecture. The SPD recommends that development should be in the form of short terraces and detached houses and their orientation can vary i.e. sides of buildings can also face streets.

9.10 The majority of the existing building would remain, with the only demolition being two single storey extensions. It is not considered that the demolition of these extensions would

be unacceptable. The additional extensions to the side would be visible in the streetscene, however they would appear subordinate to main building and would be in keeping with the design of the building. The dormers would be to the rear and due to their size and location they would not result in a significant impact on the character of the area.

9.11 The rear extension would be a larger feature, however given its location within the site it would not appear overly prominent in the streetscene. As with the main dwelling, this extension would have a pitched roof and it is considered that such a design would be in keeping with the character of the existing building. It is not considered that such an extension with a depth of 2.7m would result in a disproportionate addition to the existing building.

9.12 The new dwellings would be located to the south of the main building and would be sited within a current 40m gap between the existing Fox and Hounds public house and Fox and Hounds Cottages. The dwellings would reflect the building line of the cottages to the south, and their hipped roof design would be similar to the design of these cottages. It is not considered that these dwellings would be excessive in terms of their size and bulk which has been reduced during the course of the application with a change to the roof design and the removal of first floor accommodation above the garages.



9.13 The Design SPD sets out a number of recommendations that are relevant to the proposed development. Of particular relevance are the following recommendations:

- Frontages should relate to the context of the area, in particular the relationships between existing building lines, set backs, landscaping and the continuity of the frontage.
- The design of built form should be specific to its location and role. The height, shape and form of buildings should be considered at the scale of the street frontage. New buildings should have a coherent design approach.
- Heights of buildings should respond to existing heights in the local context.

9.14 The building line and set back of the new development would reflect the existing. The design would be in keeping with existing residential development and it is considered that the development would have a coherent design approach and provide continuity to the frontage. The height of the buildings would be in keeping with the existing heights in the local context. As such it is not considered that the development would be contrary to the recommendations of the Design SPD.

9.15 In addition, the development would also provide garage accommodation for all the dwellings. A detached double garage would be provided between Plot 2 and Plot 3 which would serve Plot 1 and Plot 2. Although it would have a significant height of 5m, it would appear subordinate to the nearby dwellings and as a result of its hipped roof design it would not appear overly bulky. It would be set further back from the highway than the dwellings. The flat roof garages that would serve Plots 3 and 4 would not appear overly prominent in the streetscene.

9.16 All four dwellings would be provided with amenity areas to the rear which are considered acceptable. The spacing between the plots is considered acceptable and it is noted that there are sufficient set offs to the side to ensure that side access is provided for

all plots. The Design SPD sets out that development should reflect the existing pattern of development in terms of size and configuration, and it is considered that this is the case. Parking is provided along the frontage along with areas of soft landscaping which will break up the hardstanding. Taking account of the significant 60m width of the site, it is considered that the development would fit comfortably into the site and would not result in a cramped overdevelopment.

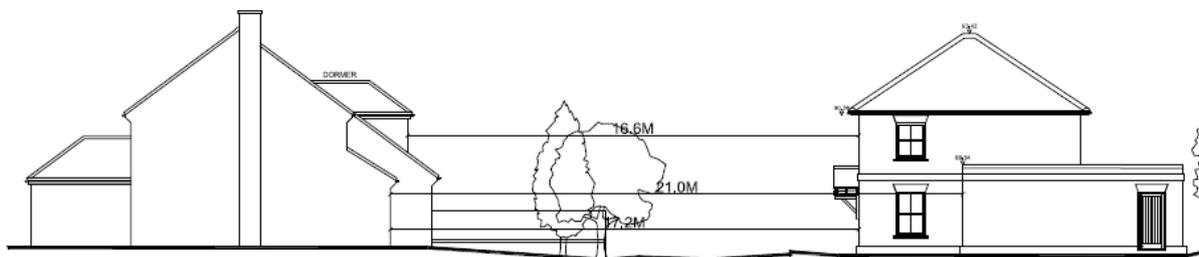
9.17 In addition to the garages, cycle and refuse storage areas would be provided to the rear of each plot. Due to their size and siting, none of these would be a significant addition to the streetscene. The new fence to the north would be visible in the streetscene however it is not considered that a 1.8m high fence set a minimum of 3m back from the highway would be an overly prominent addition to the streetscene.

9.18 As such it is considered that the development appropriately reflects the character and appearance of the area. The development therefore complies with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20 and the NPPF.

iv. Impact on residential amenity

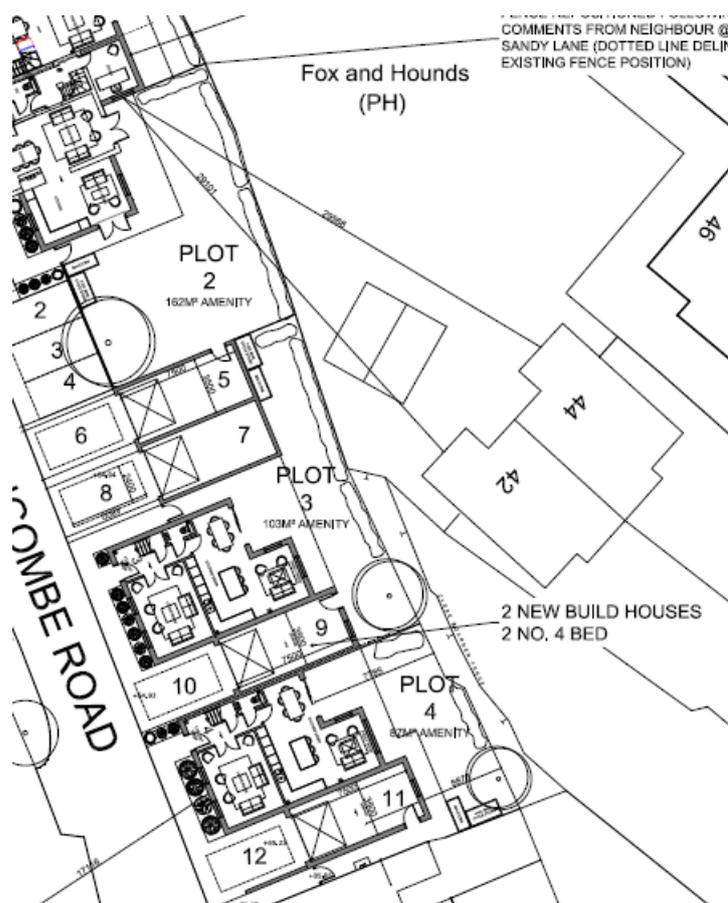
9.19 Due to the large width of the plot, the development has the potential to impact on a significant number of dwellings to the front, side and rear of the site. To the front, the development would face towards No.38 Sandy Lane and The Russets. The side elevation of No.38 Sandy Lane would face towards the site however there are no side facing windows that would be affected. The development would not result in any additional impact with regard to overlooking or overbearing, with front facing windows in the same position as existing and the only additional visible built form being the smaller additions to the side.

9.20 The Russets would face towards the new build plots, with a gap of approximately 17m at the closest point. A section drawing has been submitted to demonstrate the relationship between the properties, and such a front-to-front relationship is typical of a residential area. Furthermore the Design SPD recommends a minimum separation distance of 12m between the fronts of dwellings across streets. As such it is not considered that the development would result in an unacceptable loss of privacy or be unduly overbearing. A 25 degree line drawn on the vertical from the midpoint of the front facing window towards the nearest dwelling would not intersect the new development, and as such it is not considered that there would be an unacceptable loss of light to the front facing windows of that property.



9.21 The closest dwelling to the side is No.1 Fox and Hounds Cottages. The development would not project significantly beyond the rear elevation of that dwelling and as such would not result in an unacceptable loss of light to, or have an unduly overbearing effect on, the rear of that property. The development would be visible from a side facing kitchen window, however this room also has a rear facing window and as such the development would not result in an unacceptable loss of light to the room. A side facing bedroom window in Plot 4 would face towards the neighbouring property, and a condition is proposed to ensure that this is obscure glazed so that it does not result in an unacceptable loss of privacy to the adjacent property.

9.22 To the east, No.42 and No.44 Sandy Lane are set at an angle facing towards the site. As annotated on the Site Plan, the additional two storey rear extension would be set over 29m from the front elevation of both properties and as such would not result in an unacceptable loss of light to the front facing windows. It would be set close to the rear boundary of the site. However, as this part of the neighbouring properties is a front driveway it would not result in an unduly overbearing effect on the private amenity areas of those properties. Similarly, the dormer windows overlooking this area are not unacceptable. The side facing windows proposed in the rear and side extensions would face towards No.42 and No.44 Sandy Lane, however given the separation distances involved of 24m and 29m between windows they would not result in an unacceptable loss of privacy to those properties.



9.23 The new build dwellings would be located closer to these properties. Plot 3 would face towards the side elevation of No.42 Sandy Lane however ground floor windows face directly onto a fence and would not be affected. As such the only side facing window that could be affected is a first floor shower room window that is glazed in Pilkington Grade 1 obscure glass and this is not considered a habitable room. A loss of light to this window would not be unacceptable. The rear facing first floor windows in Plots 3 and 4 would face towards No.42 at a distance of 13m and 16m from the side elevation respectively. Whilst it is acknowledged that there could be an element of overlooking to this window, as it does not serve a habitable room it is not considered that this would warrant refusal of a planning application. Furthermore the overlooking effect is reduced by the new windows being set at an angle from the neighbouring property. The rear facing windows in Plot 4 would face towards the rear garden of No.42 Sandy Lane, however at a distance of 16m it is not considered that these would result in an unacceptable loss of privacy to that property through overlooking.

9.24 With regard to the relationships between the new dwellings, the development has been designed to ensure no loss of light or overlooking would occur between properties. Side facing windows would only overlook the amenity area of the same plot. It is considered that additional side facing windows should be restricted in the south facing side elevation of Plot 3 and both side elevations of Plot 4 to protect the amenity of future occupiers as well as the amenity of No.1 Fox and Hounds Cottages. Acceptable private amenity areas are provided for the four dwellings. As such the amenity of future occupiers would be acceptable.

9.25 The garage would be lower in height and it is not considered that it would result in an unacceptable loss of light to or have an unduly overbearing effect on the neighbouring properties. Due to the size of the cycle and refuse storage facilities it is not considered that these would result in a significant impact on residential amenity.

9.26 It is therefore not considered that the development would result in a detrimental effect on the amenity of the residents of the neighbouring properties. The development would therefore not be contrary to BFBLP 'Saved' Policy EN20 or the NPPF.

v. Transport implications

9.27 The application has been accompanied by the Milestone Transport Planning document 'Transport Planning Statement' dated August 2017. This sets out that the extant use of the site as a public house could potentially demonstrate more trips, an more vehicular traffic, than the proposed use as four residential dwellings. It is agreed that this is the case, and as such the development would not result in an increase in traffic generation in comparison with the extant use.

9.28 Twelve parking spaces would be provided for the proposed development, which includes four garages with internal dimensions of 7.5m x 3.5m with a height in excess of 2.4m. As such these would comply with the size requirements for garages set out in the Parking Standards SPD. The eight driveway parking spaces also comply with the requirements of the SPD.

9.29 The development to provide 3no. three bedroom dwellings and a four bedroom dwelling would have an overall parking requirement of nine spaces. Twelve spaces is in excess of what is required by the SPD for the development, however three visitor spaces would be available. As these could be used to visitors to the new dwellings or the existing, this would be a benefit as it could result in a reduction of on street parking. Given the level of parking that would be provided by the development, it is not considered that it would result in any parking concerns.

9.30 Three of the garages would be adjacent to the property they would serve and would also provide an access door to the amenity area. The garage to serve Plot 1 (space 7) is not adjacent to that dwelling and as such it is considered likely that this would be under-utilised. However, given the level of parking that would be provided elsewhere within the development, including spaces much closer to Plot 1, this is not a significant concern.

9.31 Concerns were originally raised by the Highways Officer with regard to access for construction and service vehicles, given that the site is located along a narrow, unmade road. As a result, a draft Construction Management Plan has been submitted. There is a concern that construction traffic could damage sub layers of the existing road, as it is not built for heavy loads. The applicant has set out potential measures, such as the installation of a temporary surface, to protect the unmade surface from damage and it has been agreed with the Highways Officer that such measures, together with a condition requiring any damage to the highway to be repaired, would overcome this issue. Such a condition can be

imposed as the 'red line' for the site includes the unmade sections of Hancombe Road and Sandy Lane which are a concern.

9.32 The draft Construction Management Plan also sets out a number of mitigation measures to reduce the impact of the development during the construction phase. As this document is in draft form at present, a further condition will be imposed to secure a formal, final version of this document. The draft plan also provides swept path diagrams for construction vehicles which are acceptable, although a low wall to the front of the existing pub would need to be removed to accommodate this. Refuse storage is provided along with rear access, and collection arrangements would be the same as for the existing residential properties. Cycle storage would be available both in sheds in the rear gardens and the garages.

9.33 Visibility for access to the parking areas is acceptable as Hancombe Road is generally straight and vehicle speeds would be low given the unmade nature of the road. Side access is provided for all properties with bin and cycle storage facilities to the rear. Whilst it is noted that side access would no longer be possible to No.1 Fox and Hounds Cottages, as this existing access is over the applicant's land this is not considered unacceptable.

9.34 A concern has been raised with regard to the new fence to the northern boundary of Plot 1 and the impact that this would have on visibility, however given that this would be set a minimum of 3m back from the highway this is not considered to be a significant concern especially taking account of vehicle speeds for this area. The Highways Officer has not raised any issues with regard to this element of the development.

9.35 As such it is not considered that the development would result in an adverse impact on highway safety. The development would therefore comply with CSDPD Policy CS23, BFBLP 'Saved' Policy M9 and the NPPF.

vi. Biodiversity Considerations

9.36 The application has been accompanied by a Bat Roost Assessment dated August 2017 and a further Bat Survey conducted in October 2017. These identify some evidence of bats on the existing pub and conclude that it is likely to be used by a small number of non-breeding soprano pipistrelles. The report gives a description of mitigation requirements and bat boxes on the rear elevations of the new dwellings have been shown.

9.37 The mitigation shall be secured by condition, and a further condition will restrict external lighting at the property. Subject to compliance with these conditions it is not considered that the development would result in an adverse impact on protected species. The development would therefore not be contrary to CSDPD Policies CS1 and CS7 or the NPPF.

vii. Sustainability

9.38 CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards for water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day. The submitted Sustainability Statement (dated 11th May 2016) confirms that this would be the case, and the document will be conditioned to be complied with.

9.39 SDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. As highlighted in the Council's Sustainable Resource Management Supplementary Planning Document (<http://www.bracknell-forest.gov.uk/srm>), an energy demand assessment should be submitted and include the following:

- A prediction of the energy demand (in kWh) and carbon emissions (in kg/CO₂) for the site;
- List of assumptions used i.e. whether these have come from Building Regulations or benchmarks;
- Details of energy efficiency measures;
- A prediction of the energy demand and carbon emissions for the site taking into account energy efficiency measures;
- A feasibility study for all relevant renewable energy technologies;
- The choice of renewable energy systems proposed and the associated energy and carbon savings.

viii. SPA

9.40 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 0.6km 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.

9.41 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.

9.42 In this instance, the development would result in a net increase of 3no. three bedroom dwellings and a four bedroom dwelling replacing the existing two bedroom dwelling which results in a total SANG contribution of £7,381. 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 £2,414.

9.43 The total SPA related financial contribution for this proposal is therefore £9,795. A draft Section 106 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 will need to be submitted. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP 'Saved' Policy NRM6, 'Saved' Policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

ix. Community Infrastructure Levy (CIL)

9.44 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.

9.45 CIL applies to any new build (except outline applications and some reserved matters applications that leave some reserved matters still to be submitted) including new build that involves the creation of additional dwellings. The proposed development involves the creation of additional dwellings, and the development is therefore CIL liable.

10. CONCLUSIONS

10.1 It is not considered that the development would result in an adverse impact on the character and appearance of the local area or the amenities of the residents of the neighbouring properties. The proposed parking arrangements are considered acceptable, and the development would not result in an adverse impact on highway safety or protected species.

10.2 It is therefore considered that the proposed development complies with Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS7, CS10, CS12, CS14 and CS23, BFBLP 'Saved' Policies EN3, EN20 and M9, SEP Policy NRM6 and the NPPF.

11. RECOMMENDATION

11.1 **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 Basin Heaths Special Protection Area (SPA).

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

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

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

02. The development hereby submitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 13.07.17, 13.10.17, 14.11.17, 18.12.17 and 04.01.18:

FH/17/PL/LP03, FH/17/PL/L01F, FH/17/PL/L02D, FH/17/PL/L10, FH/17/PL/L11, FH/17/PL/L12/E, FH/17/PL/L13/D, FH/17/PL/L20, FH/17/PL/L21, FH/17/PL/L22/E, FH/17/PL/L23D, FH/17/PL/L30A, FH/17/PL/L40E, FH/17/PL/L41/C, FH/18/PL/L50

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

03. No construction works shall take place until wall finish and tile samples 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. No construction works shall take place until details showing the finished floor levels of the dwelling hereby approved in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

05. No construction works shall take place until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of the building approved in this permission.

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

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

06. The first floor guest bedroom window in the south facing side elevation of the development hereby permitted shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). It 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]

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional windows, similar openings or enlargement thereof shall be constructed at first floor level and above in the south facing side elevation of Plot 3 and the north or south facing side elevations of the Plot 4 hereby permitted except for any which may be shown on the approved drawings.

REASON: To prevent the overlooking of neighbouring property.

[Relevant Policies: BFBLP EN20]

08. No dwelling shall be occupied until its means of vehicular access has been constructed in accordance with the approved site plan.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

09. No dwelling shall be occupied until the associated vehicle parking has been set out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

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

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

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

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

[Relevant Policy: BFBLP M9]

11. No dwelling shall be occupied until secure and covered parking for bicycles and storage for refuse has been provided in accordance with the approved drawings. They shall be retained as such thereafter.

REASON: In order to ensure bicycle and refuse storage facilities are provided.

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

12. Any damage to Sandy Lane or Hancombe Road that occurs as a result of construction of the proposed development shall be repaired and restored to its former condition in

accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of amenity and road safety.

[Relevant Policies Core Strategy CS23, BFBLP EN20]

13. The development hereby permitted shall not be begun until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of materials
- (c) Access to the site for construction vehicles
- (d) Storage of plant and materials used in constructing the development
- (e) Wheel Cleaning facilities
- (f) 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 (f) above.

REASON: In the interests of amenity and road safety.

[Relevant Policies Core Strategy CS23, BFBLP EN20]

14. All ecological measures and/or work shall be carried out in accordance with the BSG Bat Roost Assessment dated August 2017 and the BSG Further Bat Survey received on 30 October 2017.

REASON: In the interests of nature conservation.

[Relevant Policies Core Strategy CS1, CS7]

15. The areas shown for bat roost purposes on the approved plans shall thereafter not be used for any other purpose.

REASON: In the interests of nature conservation.

[Relevant Policies Core Strategy CS1, CS7]

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details set out in a lighting design strategy for biodiversity that has first been submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a) identify those area/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

REASON: In the interests of nature conservation.

[Relevant Policies Core Strategy CS1, CS7]

17. 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]

18. No part of any dwelling hereby permitted shall be occupied until a Sustainability Statement covering water efficiency aimed at achieving an average water use in new dwellings of 110 litres/person/day, has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented in accordance with the Sustainability Statement, as approved, and retained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS10]

19. No construction works shall take place until an Energy Demand Assessment demonstrating that at least 10% of the development's energy will be provided from on-site renewable energy production, has been submitted to and approved in writing by the Local Planning Authority. The dwelling as constructed shall be carried out in accordance with the approved assessment and retained as such thereafter.

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

[Relevant Policy: Core Strategy DPD CS12]

Informative(s):

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

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

1. Commencement
2. Approved Plans
6. Obscure glazing
7. Side facing windows
8. Access
9. Parking
10. Garages
11. Cycle parking and refuse storage
12. Damage to Sandy Lane (unless scheme needs to be submitted)
14. Ecology
15. Bat roost
16. External lighting (unless scheme submitted)
17. SuDS

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

3. Materials
4. Finished Floor Level
5. Means of enclosure
13. Construction Management Plan
19. Energy Demand Assessment

The applicant is advised that the following conditions requires discharging prior to occupation of the dwelling:

18. Sustainability Statement

In the event of the S106 agreement not being completed by 30 April 2018, the Head of Planning be authorised to either extend the period further or refuse the application on the grounds of:

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