

**ITEM NO: 6**

Application No.

**17/00929/FUL**

Site Address:

Ward:

Priestwood And Garth

Date Registered:

29 August 2017

Target Decision Date:

24 October 2017

**28 Meadow Way Bracknell Berkshire RG42 1UF**

Proposal:

**Erection of 4no. dwellings following demolition of existing bungalow, including widening of existing vehicular access with associated parking, refuse and cycle storage.**

Applicant:

Mr &amp; Mrs Houghton

Agent:

Mr Jagdeep Bhavra

Case Officer:

Sarah Horwood, 01344 352000

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

## **OFFICER REPORT**

### **1. SUMMARY**

1.1 The proposal is for the erection of 4no. dwellings following demolition of existing bungalow.

1.2 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. The proposal would result in a net increase of 3no. family dwellings to contribute to the Council's housing supply. The proposal would not adversely affect the residential amenities of neighbouring dwellings and acceptable living conditions would be provided for future occupiers of the proposed dwellings. The proposal would not adversely impact upon the character and appearance of the surrounding area. No adverse highway safety implications would result. Relevant conditions will be imposed in relation to trees, biodiversity and sustainability. A legal agreement is required to secure contributions for SPA mitigation and the scheme is CIL liable.

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

2.1 The application has been reported to the Planning Committee following receipt of more than 5 objections.

### **3. PLANNING STATUS AND SITE DESCRIPTION**

<b>PLANNING STATUS</b>
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Land within defined settlement
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Within 5km of the Thames Basin Heath SPA
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3.1 28 Meadow Way is located to the north of the highway. The site comprises a bungalow facing onto the highway and to the rear is a detached garage which is accessed from a road serving a Scout Hut and communal garages.

3.2 The surrounding area is predominately residential, characterised by detached, semi-detached and terraced dwellings.

### **4. RELEVANT SITE HISTORY**

4.1 600212 approved 1974 for extension to bungalow forming kitchen and bedroom.

### **5. THE PROPOSAL**

5.1 Full permission is sought for the erection of 4no. dwellings following demolition of existing bungalow, widening of existing vehicular access with associated parking, refuse and cycle storage.

5.2 A pair of semi-detached dwellings comprising 3 bedrooms are proposed to the front of the site facing the highway (plots 1 and 2). The combined width of the houses proposed on plots 1 and 2 would be a total of 10.6m and they would be between 9.7m and 10.4m deep, with an eaves height of 5.2m and ridge height of 9.2m. The proposed dwellings would comprise the following layout:

GROUND FLOOR: hallway, kitchen/diner, living room, WC;

FIRST FLOOR: 2no. bedrooms, bathroom, cupboard;

SECOND FLOOR: bedroom with en-suite bathroom, cupboard.

5.3 To the rear, a further pair of 3 bedroomed semi-detached dwellings are also proposed (plots 3 and 4) facing onto an access road serving a Scout Hut and garage block. The proposed houses on plots 3 and 4 would be a total of 19.2m wide and between 6.1m and 6.9m deep, with an eaves height of between 4.4m and 4.9m and ridge height of 7.6m. The proposed dwellings would comprise the following layout:

GROUND FLOOR: hallway, kitchen/diner, living room, WC;

FIRST FLOOR: 3no. bedrooms, 1 with en-suite bathroom, family bathroom.

5.4 Associated amenity space, parking spaces, bin store and cycle stores are proposed to serve the residential dwellings.

5.5 Plots 1 and 2 would be served by a central access point off Meadow Way with a driveway and parking provided to serve these 2 plots. Plots 3-4 would be accessed off the access road serving the Scout Hut. Parking would be provided to the front of each dwelling.

## 6. REPRESENTATIONS RECEIVED

### Bracknell Town Council

6.1 Considered no objection.

### Other representations

6.2 Objections from 6 different postal addresses have been received which raise the following:

- Development would result in loss of privacy, overlooking and loss of light to nearby dwellings
- Development would be overbearing to nearby dwellings
- Additional noise and fumes from extra residents living in proposed houses
- Proposed houses out of keeping with surrounding properties
- Housing density too much for site with plots 3 and 4 located in the rear garden of existing bungalow
- Removal of trees on site
- Proposal driven by greed (officer comment: this is not a planning consideration).

6.3 These matters are addressed in the remainder of this report.

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highways Officer

7.1 No objection subject to conditions.

### Biodiversity Officer

7.2 No objection subject to conditions.

## 8. MAIN POLICIES AND OTHER DOCUMENTS RELEVANT TO DECISION

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

	<b>Development Plan</b>	<b>NPPF</b>
General policies	CP1 of SALP, CS1 & CS2 of CSDPD	Consistent
Design	CS7 of CSDPD, Saved policy EN20 of BFBLP	Consistent
Housing	CS15 of the CSDPD	Consistent
Parking	Saved policy M9 of BFBLP	Consistent NPPF refers to LA's setting their own parking standards

		for residential development, this policy is considered to be consistent.
Transport	CS23 and CS24 of CSDPD	Consistent
Sustainability	CS10 & CS12 of CSDPD	Consistent
SPA	SEP Saved Policy NRM6, CS14 of CSDPD	Consistent
Trees, biodiversity and landscaping	Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD.	Consistent
<b>Supplementary Planning Documents (SPD)</b>		
Thames Basin Heath Special Protection Area (SPD)		
Design SPD		
Parking standards SPD		
<b>Other publications</b>		
National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG)		
CIL Charging Schedule		

## 9. PLANNING CONSIDERATIONS

9.1 The key issues for consideration are:

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

### i. PRINCIPLE OF DEVELOPMENT

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise, which is supported by the NPPF (paras. 2 and 12). This is also reflected in SALP Policy CP1 which sets out that a positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The development plan is the statutory starting point for decision making and planning applications which accord with the policies in the development plan will be approved without delay, unless material considerations indicate otherwise, and that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate development should be restricted.

9.2 SALP Policy CP1 refers to the presumption in favour of sustainable development as outlined within the National Planning Policy Framework (NPPF). SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can

be approved wherever possible, and to secure development that improves the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise. This is considered to be consistent with the NPPF.

9.3 CSDPD Policy CS1 sets out a number of sustainable development principles including making efficient use of land and buildings where it protects the character and quality of local landscapes.

9.4 CSDPD Policy CS2 states that development will be permitted within defined settlements and on allocated sites. Development that is consistent with the character, accessibility and provision of infrastructure and services within that settlement will be permitted, unless material considerations indicate otherwise.

9.5 CSDPD Policy CS15 requires the provision of 11,139 dwellings in the Borough over the Plan period.

9.6 CSDPD Policy CS16 requires a range of housing types, sizes and tenures.

9.7 These policies are considered to be consistent with the need for sustainable development including the need to boost the supply of housing delivering a wide choice of homes as set out in the NPPF. As a consequence they are considered to carry significant weight.

9.8 The site is located within the Defined Settlement as designated by the Bracknell Forest Borough Policies Map (2013). The proposed development would provide 4no. 3 bedroom dwellings within the settlement boundary, a net increase of 3no. dwellings to contribute towards the Borough's housing provision. As such, the proposal is considered acceptable in principle subject to no adverse impact on residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc.

## **ii. Residential amenity**

### 16-26 Meadow Way

9.9 The rear gardens of nos. 16 to 26 Meadow Way converge onto the side/rear boundaries of the application site.

9.10 The flank wall of plot 4 would be set 3m from the side boundary of no. 16 Meadow Way, siding onto the rear most part of the rear garden of no. 16 where an outbuilding/garage is sited. The rear elevation of plot 4 would itself be set 31m from the rear elevation of no. 16. It is not considered that plot 4 would result in any adverse harm to a residential outbuilding of no. 16. No windows are proposed in the flank wall of plot 4 at first floor level facing no. 16 and no unacceptable overlooking would therefore result to the rear garden of no. 16.

9.11 The rear elevations of plots 3-4 at 2 storeys high would be set 8.2m from the rear boundaries of nos. 18-26 with between 28m and 35m separation distance to the rear elevations of nos. 18-24. The Council's Design SPD states that for two storey houses a minimum back to back distance of 22m between facing windows would provide "a reasonable degree of privacy". As such, plots 3-4 would not result in undue overlooking to the rear elevations and rear gardens of nos. 18 to 24. Further, plots 3-4 would not appear overbearing to nos. 18 to 24.

9.12 Plots 1-2 would be set 12m from the boundary with no. 24 Meadow Way at the closest point. Due to the orientation of nos. 20-24 relative to plots 1-2, the proposed dwellings would not appear overbearing to nos. 20-24. Windows proposed in the rear elevations of plots 1-2 would have oblique views over the rear gardens of nos. 20-24, however this would not result in an unacceptable level of overlooking.

9.13 Plot 2 would be set 1m from the side boundary with the rear garden of no. 26 with a 9m separation distance to a single storey extension to no. 26 and 15m from the 2 storey element of no. 26 at the closest point. In view of these separation distances and the orientation of no. 26 relative to plot 2, the proposed dwellings on plots 1-2 would not appear overbearing to no. 26. In the flank wall of plot 2 facing no. 26, 3no. windows are proposed over the three floors of the plot. 1no. window at first floor level would serve a bathroom and 1no. window at second floor level would serve a bedroom. These windows would be set 1m from the boundary with no. 26 and would have views over the rear garden of no. 26; as such a planning condition is recommended that restricts these windows to be obscure glazed and fixed shut.

9.14 The rear elevation of plot 3 would be set 8.6m from the boundary with no. 26, 21m from a single storey extension at no. 26 with a 26m separation distance to the rear elevation of the two storey element of no. 26. The rear elevation and rear garden of no. 26 is orientated away from the rear garden of plot 3 so there is not a direct rear to rear relationship between the two. In view of this and the separation distances, it is not considered that plot 3 would result in undue overlooking to the rear elevation and rear garden of no. 26.

9.15 The existing boundary treatment along the side garden of the application site with nos. 18 to 26 is open in areas, comprising low level wire fencing. The redevelopment of the site would provide the opportunity to include a more appropriate boundary treatment to improve privacy such as 1.8m high fencing and this will be secured by planning condition.

#### 30 Meadow Way

9.16 The flank wall of plot 1 would be set some 15m from no. 30 Meadow Way at the closest point. In view of this separation distance and the siting of plot 1 relative to no. 30, plots 1-2 would not appear overbearing or result in loss of daylight to no. 30. 3no. windows are proposed in the flank wall of plot 1 facing west towards no. 30. The Council's Design SPD states that a 12m separation distance between dwellings across streets would ensure sufficient privacy is maintained to dwellings. The proposed windows in the flank wall of plot 1 would be set some 15m from the flank wall of no. 30 at the closest point and therefore sufficient privacy would be maintained to no. 30.

9.17 Plot 3 would be set 13m from the rear garden of no. 30 at the closest point with an 18m separation distance to the rear elevation of no. 30 at the closest point. In view of this separation distance and the siting of plots 3-4 relative to no. 30, plots 3-4 would not appear overbearing to no. 30. Further, the separation distances between plot 3 and rear elevation and rear garden of no. 30 would ensure that no adverse level of overlooking would result.

#### 35 - 41 Meadow Way

9.18 Plots 1 and 2 would be set approximately 30m from the front elevations of nos. 35, 37 and 39 Meadow Way opposite the site to the south/south-west and some 40m from no. 41 Meadow Way. In view of these separation distances, no adverse overlooking would result to the front elevations of nos. 37 and 41 from windows in the front elevations of the proposed 2.5 storey high dwellings on plots 1 and 2. Further, the proposed dwellings at plots 1 and 2 would not appear overbearing or result in loss of daylight to nos. 35 to 41 in view of the 30-40m separation distance between the existing and proposed dwellings.

#### Scout Hut

9.19 Plots 3-4 would be set some 20m from the scout hut to the north of the application site. Given this building is not in residential use, no adverse impact would result to the scout hut as a result of the proposed redevelopment of the site for 4no. dwellings.

#### Future occupiers of proposed dwellings

9.20 Plots 1 and 2 would be sited on the same front and rear building lines and therefore no overbearing impact or loss of daylight would result to the adjoining respective plot. This would be the same with plots 3 and 4.

9.21 There would be a 10m separation distance between the rear wall of plots 1-2 and the flank wall of 3-4, with plots 3-4 orientated at 90 degrees to plots 1-2. In view of these separation distances and the orientation and siting of the dwellings, plots 1-2 to the front of the site would not appear overbearing or result in loss of daylight/overshadowing to plots 3-4 to the rear of the site.

9.22 The rear elevations of plots 1-2 would be set 9.2m from the side boundary of plot 3 facing onto the rear garden at the closest point. Bi-fold doors are proposed at ground floor level, with Juliet balconies at first floor level and velux windows at second floor level on plots 1-2 facing towards the rear garden of plot 3. Whilst there would be some views across the rear garden of plot 3 from rear facing windows on plots 1-2, the level of overlooking would not be so adverse. The proposed velux windows at second floor level in the rear facing roof slope of plots 1-2 would be 1.7m above internal floor level and a condition is recommended to secure this in the interests of the privacy of future occupiers of plot 3.

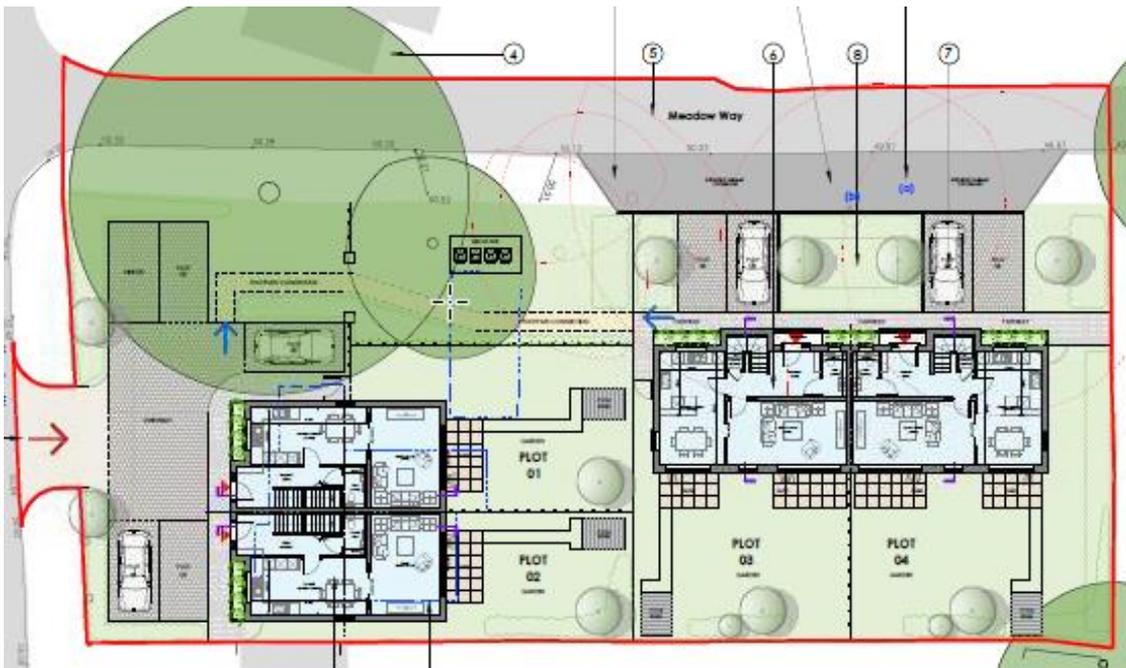
9.23 Each plot would have a private garden proportionate to the size of the proposed dwellings, along with on-site parking provision compliant with the Council's Parking Standards SPD.

9.24 As such, the proposal would not be considered to affect the residential amenities of neighbouring dwellings, acceptable living conditions would be provided for future occupiers of the proposed dwellings and the proposal would therefore be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

### **iii. Impact on character and appearance of surrounding area**

9.25 The Council adopted the Design SPD in March 2017 which seeks to secure good design and high quality development. The Design SPD sets out a number of recommendations that are relevant to the proposed development. Of particular relevance are the following recommendations:

- The form of new buildings, including roof should relate well to those found in the local context;
- 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;
- Backland development should not be highly visible from the main street frontage, not harm the existing character of the area, relate to a site of sufficient size and shape to accommodate the number of dwellings;
- Semi-detached dwellings should be designed as a symmetrical building;
- All entrances should be from the street frontage;
- Parking for houses should not dominate the streetscene.



9.26 A pair of semi-detached dwellings, 2.5 storeys high (plots 1-2) is proposed on the site frontage, in a similar position to the existing bungalow. To the rear of the site and orientated at 90 degrees to plots 1-2, would be a pair of semi-detached dwellings, 2 storeys high (plots 3-4). The density of the proposal would be 36 dwellings per hectare which is considered to be an efficient use of land on a site which is considerably larger than that of surrounding plots and is the largest plot of all dwellings on Meadow Way. The level of development proposed is not considered to represent overdevelopment of the site. The proposal would result in the net gain of 3no. dwellings in the Borough, with adequate space retained between the proposed dwellings and adjoining buildings, along with adequate separation distances between plots 1-2 and 3-4 and appropriate sized gardens and on-site parking provision being provided. The NPPF refers to the effective use of land and it is considered that this proposal would comply with this objective with the net gain of 3no. dwellings on a previously developed site located within the settlement boundary.

9.27 Plots 1-2 would sit within a similar front building line to that of nos. 20- 26 Meadow Way. This pair of semi-detached dwellings would be 2.5m storeys high, with accommodation proposed in the roof space, served by velux windows. There are dwellings on Meadow Way that have accommodation in the roof space, served either by dormer or velux windows. Plots 1-2 would be 9.2m high to their ridge; however they would be separated from the row of terraces at nos. 30-36 Meadow Way by an un-adopted access road and would be separated from nos. 20-26 Meadow Way by a row of garages, with the nearest terrace dwelling at no. 26 angled away from plots 1-2. As such, the height of plots 1-2 would be acceptable. Plots 3-4 would constitute backland development, set back from the access road serving the Scout Hut and garage blocks by some 8m, with open frontages to integrate into the local area. The ridge heights of plots 3-4 would be 1.6m lower than the ridge heights of plots 1-2 addressing the main road frontage on Meadow Way and would be set back some 8m from the access road serving the scout hut and some 30m from the main road frontage. Whilst views of the flank wall of plot 3 would be visible from the main road frontage, given the positioning of plots 3-4 and their set back, they would not appear highly visible from the main street frontage on Meadow Way in accordance with the Design SPD for backland development.

9.28 The proposed pairs of semi-detached dwellings would be gable ended, finished externally with a mix of brick and render. Architectural detailing would be in the form of contrasting brick diaper patterning and the use of render. Existing dwellings on Meadow Way comprise either gable

ends or hipped roofs and the proposed form of the buildings would therefore assimilate well into the local context of the area. Further, there is a mix of use of brick, render and PVC cladding on existing dwellings in the immediate area and the proposed palette of materials for the 2no. pairs of semi-detached dwellings on site would reflect the external finishes of existing dwellings. The design would therefore identify the dwellings as a more recent addition within the street scene whilst reflecting design elements from the wider area.

9.29 The front elevations of plots 1-2 and 3-4 would be handed, so as to be symmetrical, creating a well designed façade facing addressing the street in accordance with the Council's Design SPD. The flank wall of plot 1 facing onto the access road serving plots 3-4 and the scout hut would be fairly simple but would contain 3no. windows and brick patterned detailing to add design interest to this elevation.

9.30 To the front of plots 1-2, parking and turning would be provided which would be softened by proposed soft landscaping facing onto the highway either side of the vehicular access. To the front of plots 3-4, the proposed parking spaces for each plot would be separated by proposed soft landscaping. The frontages of surrounding properties in close proximity to the application site are dominated by on-site parking provision. The proposed parking layout for the development would be mitigated by the addition of soft landscaping and a planning condition is recommended to secure this. As such, it is not considered that the parking layout as proposed would detract from the visual amenities of the surrounding area.

9.31 A bin collection point would be sited adjacent to the rear garden of plot 1 with a footpath linking from the side of plot 1 to plots 3-4 to the rear of the site. The bin collection point would be surrounded by soft landscaping. Cycle stores would be provided in the rear gardens of the proposed dwellings, in the form of timber sheds which is acceptable. An appropriate means of boundary treatment could be secured by planning condition.

9.32 In summary, the number of units, siting, form, layout and design would not harm the character and appearance of the surrounding area and as such would accord with Saved Policy EN20 of the BFBLP, Policy CS7 of CSDPD, the Design SPD and the NPPF.

#### **iv. Transport**

##### **Access**

9.34 This residential development would take access off Meadow Way, an adopted residential road which is subject to a 30mph speed limit. There are no parking restrictions.

9.35 Two of the four dwellings (plots 1-2) would take access directly off Meadow Way via the formation of a new dropped kerb access more central to the plot than the existing dropped kerb serving the bungalow. The proposed access would be 5m wide which would enable vehicles to pass pedestrians and assist with two-way vehicular access. Sight-lines of 2.4m by 25m can be achieved to either side of the access which is acceptable for this residential road and boundary treatment/planting could be kept low to provide visibility between vehicles and pedestrians. The proposed driveway also provides at least 6m of access and manoeuvring space to enable vehicles to turn within the site and exit in a forward gear to enhance safety.

9.36 The other two dwellings (plots 3-4) would take access off an un-adopted access road to the north-west of 28 Meadow Way, which currently provides access to the existing garage of no. 28. The red line of the application site includes the access road to enable the proposed backland houses to provide vehicular access. The access road is around 3.5m wide, and while two vehicles are unable to pass, the proposed crossovers for access to the parking spaces serving plots 3-4 would create a localised widening which would enable vehicles pulling out of parking spaces to wait for other vehicles using the access road to pass. This existing access road is wide enough for a car to pass a pedestrian at low speed limiting the potential for conflict between traffic and

pedestrians accessing these new dwellings and the existing scout hut and garage blocks. New planting is proposed along the boundary of no. 28 with the access road and at the junction with Meadow Way and tidying up these boundaries should maximise sightlines for safety.

9.37 The Proposed Site Layout Plan shows pedestrian access to the front door of each dwelling and a footpath is proposed within the development for access to plots 3 and 4, as an alternative pedestrian access to the access road. The plan shows rear access to properties for rear cycle and bin storage and a communal bin store around 25m from Meadow Way which would enable collection of waste by the Council. Domestic deliveries could occur from the street, as is the case for other properties along Meadow Way.

#### Parking

9.38 The Highway Authority observed considerable on-street parking along Meadow Way at around 7.45am and 4.30pm on Tuesday 24<sup>th</sup> October 2017, including a couple of vehicles parked in front of the bungalow and across the existing dropped kerb serving the bungalow. The reinstatement of the existing dropped kerb would enable some on-street parking to be maintained across the frontage.

9.39 Each three bed dwelling is to be provided with two on-plot parking spaces and one visitor parking space is proposed to comply with the Council's parking standards (2016), thus the proposal could not be considered to add to on-street parking demand. The proposed parking spaces are shown on the Proposed Site Layout Plan as 2.4m by 5m with 6m of access space to comply with the current standards. Each of the dwellings is being provided with a cycle store in line with the parking standards.

#### Trips

9.40 Four dwellings are likely to generate 24 two-way trips per day, including 2 or 3 movements in both peak periods, though not all trips would be by car bearing in mind the site's accessibility to local facilities and bus routes. Construction traffic, including site deliveries and contractor parking could be dealt with by planning condition.

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

#### **v. Trees**

9.46 There were 3 trees along the north-western/western boundary of the application site facing onto the un-adopted access road which have been removed. These trees were not subject to Tree Preservation Orders and neither is the site in a Conservation Area and therefore the loss of these trees could not have been prevented at the time of their removal.

9.47 1no. additional tree is proposed to be removed for visibility purposes and another category U tree will be reduced in height to 3.5m and retained as standing deadwood for biodiversity value.

9.48 There are some trees to the west/south-west of plot 1 which are outside of the application site but would be retained and protected in line with BS 5837:2012. The proposed dwellings would be located outside the root protection area (RPA) of retained trees. An Arboricultural Method Statement has been submitted with the application which includes details of tree protection measures and no-dig construction for proposed driveway/parking/pedestrian footpath.

9.49 It is proposed to plant 10no.trees as compensation for the loss of some of the trees on site (4no. trees in total and one reduced in height and retained as a monolith) and this can be secured by planning condition as part of a landscaping plan.

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

**vi. Biodiversity**

9.51 No bats or evidence of roosting bats were found in existing buildings on site from initial inspections and measures are proposed to protect bats including the sensitive removal of soffit boards and lifted tiles. A further survey was undertaken of a particular tree on site which may have had potential for roosting bats as initially identified; however the follow up survey undertaken considered it was unsuitable for roosting bats and the tree is to be retained in part as standing deadwood to preserve its biodiversity value.

9.52 The preliminary ecological appraisal did not identify any ponds within 500m of the site; however there is a pond within the grounds of the Scout Hut. A follow up ecological survey was submitted where the pond was surveyed and was considered as having poor suitability for great crested newts.

9.53 Ecological enhancements are proposed including the installation of bat and bird boxes, new tree planting and the retention in part of a tree to be retained as standing deadwood.

9.54 Whilst trees have been lost on the site, these trees were not covered by TPOs and the site is not within a Conservation Area. To compensate, the enhancements proposed will create ecological benefits.

9.55 Subject to the imposition of conditions, the proposal would not adversely impact upon biodiversity and would be in accordance with Policies CS1 and CS7 of the CSDPD and the NPPF.

**vii. Thames Basin Heath Special Protection Area (SPA)**

9.56 The Council, in consultation with Natural England, has formed the view that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath Special Protection Area (SPA) is likely to have a significant effect on the integrity of the SPA, either alone or in-combination with other plans or projects. This site is located approximately 3.75km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.57 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. In this instance, the development would result in a net increase of 4 X three bedroom dwellings replacing the existing two bedroom dwelling which results in a total SANG contribution of £7,083.

9.58 The development is required to make a contribution towards Strategic Access Management and Monitoring (SAMM) which will be also calculated on a per bedroom basis. Taking account of the per bedroom contributions this results in a total SAMM contribution of £2,318.

9.59 The total SPA related financial contribution for this proposal is £9,401. 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 are completed. Subject to the completion of the S106 agreement, the proposal would not lead to an adverse effect on the integrity of the SPA and would comply with SEP Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area Avoidance and Mitigation SPD, the Planning Obligations SPD and the NPPF.

#### **viii. Community Infrastructure Levy (CIL)**

9.60 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015. CIL applies to any new build including those that involve the creation of additional dwellings.

9.61 CIL is applied as a charge on each square metre of new development. The amount payable varies depending on the location of the development within the borough and the type of development. The charging schedule states how much CIL will be charged (in pounds per square metre of net additional floorspace) based on the development type and location within the borough.

9.62 The site lies within the CIL charging zone of Outer Bracknell. The proposed development would be CIL liable.

#### **ix. Energy Sustainability**

9.63 Policy CS10 of the CSDPD requires the submission of a Sustainability Statement in relation to water usage. Whilst a statement has been submitted, this does not demonstrate that water usage would be restricted to the required level set by the LPA and this can be dealt with by planning condition.

9.64 Policy CS12 requires the submission of an Energy Demand Assessment to demonstrate that at least 10% of energy requirements would be generated from on-site renewable energy sources. An assessment has been submitted which demonstrates this would be achieved via photovoltaics (PV). A planning condition is recommended to ensure compliance with the details set out in the assessment.

#### **x. Drainage/SuDS**

9.65 The application site is located within Flood Zone 1. A condition is recommended to ensure that the hard surfaced areas proposed for access and on-site parking/turning are SuDS compliant.

### **10. CONCLUSIONS**

10.1 The proposed development relates to a site within the settlement boundary and is therefore acceptable in principle. The proposal would result in a net increase of 3no. family dwellings to contribute to the Council's housing supply.

10.2 The proposal would not adversely affect the residential amenities of neighbouring dwellings and acceptable living conditions would be provided for future occupiers of the proposed dwellings. The proposal would not adversely impact upon the character and appearance of the surrounding area. No adverse highway safety implications would result. Relevant conditions will be imposed in relation to trees, landscape, biodiversity, highway safety and sustainability.

10.3 A legal agreement is required to secure contributions for SPA mitigation and the scheme is CIL liable.

10.4 The proposal is therefore considered to be in accordance with Saved SEP Policy NRM6, 'Saved' Policies EN1, EN2, EN3, EN20 and M9 of the BFBLP, CS1, CS2, CS7, CS10, CS12, CS14, CS15, CS23, CS24 of the CSDPD and Policy CP1 of the SALP, all in accordance with the NPPF.

10.5 The application is therefore recommended for approval, subject to the completion of a legal agreement.

## 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 Basins Heath Special Protection Area (SPA);

That the Head of Planning be authorised to **APPROVE** the application subject to the following conditions:-

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

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

02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 22 November 2017 and 9 January 2018:

Drawing 17-03-PL-101-B  
Drawing 17-03-PL-102-A  
Drawing 17-03-PL-201-B  
Drawing 17-03-PL-501-B  
Drawing 17-03-PL-502-A  
Drawing 17-03-PL-503-A  
Drawing 17-03-PL- 504-A  
Drawing 17-03-PL-505  
Drawing 17-03-PL-506  
Drawing 17-03-PL-601-A  
Drawing 17-03-PL-701

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

03. The development hereby permitted shall not be begun until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

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

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

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

05. The first and second floor windows in the side elevation of plot 2 facing east shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent). They shall at all times be fixed shut with the exception of a top hung openable fanlight.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

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

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

07. The rooflights in the roof slopes of plots 1 and 2 facing north shall at all times be no less than 1.7 metres above internal floor level.

REASON: To prevent the overlooking of neighbouring properties.

[Relevant Policies: BFBLP EN20]

08. The development hereby permitted shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved. The areas shown for landscaping shall thereafter be retained.

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

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

09. 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 the new dwellings and retained as such thereafter.

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

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

10. Notwithstanding the details submitted, the development hereby permitted 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]

11. The development shall be implemented in full accordance with the details provided in the document entitled Sustainability Statement by Low Carbon Box received 31 August 2017 in relation to energy demand and renewable energy and retained as such thereafter.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

12. The dwellings hereby permitted shall not be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

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

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

13. The dwellings hereby permitted shall not be occupied until secure and covered parking for bicycles has been provided in accordance with the approved drawings and retained as such thereafter.

REASON: In order to ensure bicycle facilities are provided.

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

14. The dwellings shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall 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]

15. The dwellings shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

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

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

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

- (a) Parking of vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of plant and vehicles
- (c) Storage of plant and materials used in constructing the development
- (d) Wheel cleaning facilities
- (e) Temporary portacabins and welfare for site operatives

and each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.

REASON: In the interests of amenity and road safety.

[Relevant Policies: Core Strategy DPD CS23]

18. The parking and turning areas 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]

19. The demolition of the existing buildings on site shall be undertaken in full accordance with the details provided in the document by CSA Environmental received 22 November 2017 by the Local Planning Authority.

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

20. The bird and bat boxes and other biodiversity enhancements shall be implemented in full accordance with the details and plan provided in the document by CSA Environmental received 22 November 2017 by the Local Planning Authority before the occupation of the dwellings hereby permitted and shall thereafter be observed and complied with.

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

21. All existing trees, hedgerows and groups of shrubs shown to be retained in the document/plans of the Arboricultural Method Statement by CSA Environmental received 22 November 2017 by the Local Planning Authority shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard 5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved document/drawings.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

22. The protective fencing and other protection measures specified by condition 21 shall be erected prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site. No activity of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

REASON: In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.  
[Relevant Policies: BFBLP EN1 and EN20, CSDPD CS7]

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

- (i) a site layout plan showing the proposed layout of all underground services and external lighting and
- (ii) a programme for the phasing and timing of works

have been submitted to and approved in writing by the Local Planning Authority. Details of the site layout plan shall include: -

Accurate trunk positions and canopy spreads of all retained trees/hedgerows and mature groups of shrubs.

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

Soak-aways (where applicable)

Gas, electricity, telecom and cable television.

Lighting columns and all associated ducting for power supply.

Phasing and timing of works.

The development shall be carried out in accordance with the approved site layout plan and the approved programme.

REASON: In order to safeguard tree roots and thereby safeguard existing trees and other vegetation considered worthy of retention and to ensure new soft landscape planting areas are not adversely affected and can be used for their approved purpose, in the interests of the visual amenity of the area.

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

24. All hard surfaced areas of any description within the minimum root protection areas of retained trees calculated in accordance with British Standard 5837:2005 'Trees In Relation To Construction Recommendations', shall be based on a porous 'No-Dig' principle of construction in accordance with the document/plans contained in the Arboricultural Method Statement by CSA Environmental received 22 November 2017 by the Local Planning Authority. The 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]

Informatives:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

03. Materials

04. Slab level

08. Landscaping

09. Boundary treatment

10. Sustainability Statement

17. Site organisation

23. Services

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

01. Time limit

02. Approved plans

05. Obscure glazing

06. Restrictions on windows

07. Roof lights

11. Energy demand/ renewable energy

12. Parking and turning

13. Cycle storage

- 14. Visibility splay
- 15. Vehicular access
- 16. No gates
- 18. SuDS
- 19. Demolition
- 20. Biodiversity enhancements
- 21 and 22. Tree protection
- 24. Hard surfaces

**In the event of the S106 agreement not being completed by 30 May 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).