ITEM NO: 9
Application No. 08/00852/FUL
Site Address: 65 Dukes Ride Crowthorne Berkshire RG45 6NT

Ward: Crowthorne
Date Registered: 8 September 2008
Target Decision Date: 3 November 2008

Proposal:
Erection of two storey building forming 2 no. two bedroom flats and 2 no. one bedroom flats with associated parking and cycle bays, following demolition of existing dwelling.

Applicant: Sansara Homes
Agent: Mr Neil Davis
Case Officer: Simon Roskilly, 01344 352000 environment@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)
1 **RELEVANT PLANNING HISTORY** (If Any)

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Validation Date</th>
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<tr>
<td>2432</td>
<td>26.05.1954</td>
<td>Outline - Dwellinghouse Approved</td>
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<tr>
<td>3403</td>
<td>20.04.1956</td>
<td>Bungalow Approved</td>
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<td>600612</td>
<td>16.01.1975</td>
<td>Application for single storey extension forming additional bedroom at front and enlarged kitchen and dining area to side also additional garage. Approved</td>
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<tr>
<td>609076</td>
<td>22.08.1984</td>
<td>Single storey front extension forming bedroom, hall and porch and erection of new 1.8m high boundary fence fronting Dukes Ride. Approved</td>
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<tr>
<td>05/00725/FUL</td>
<td>02.08.2005</td>
<td>Enlargement of roof to provide accommodation at first floor level with the installation of front and rear dormer windows and alterations to the ground floor level. Formation of pitched roof to existing garage and widening of existing driveway. Approved</td>
</tr>
<tr>
<td>07/01131/FUL</td>
<td>01.11.2007</td>
<td>Erection of 4 no. two bedroom flats following demolition of existing dwelling. Refused</td>
</tr>
<tr>
<td>08/00245/FUL</td>
<td>18.03.2008</td>
<td>Erection of 2no. two bedroom flats and 2no. one bedroom flats following demolition of existing dwelling. Refused</td>
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2 **RELEVANT PLANNING POLICIES**

*Key to abbreviations*

- **BSP** Berkshire Structure Plan 2001 – 2016
- **BFBLP** Bracknell Forest Borough Local Plan
- **BFBCS** Core Strategy Development Plan Document (Submission)
- **RMLP** Replacement Minerals Local Plan
- **WLP** Waste Local Plan for Berkshire
- **SPG** Supplementary Planning Guidance
- **SPD** Supplementary Planning Document
- **RPG** Regional Planning Guidance
- **RSS** Regional Spatial Strategy (also known as the South East Plan)
- **PPG (No.)** Planning Policy Guidance (Published by DCLG)
- **PPS (No.)** Planning Policy Statement (Published by DCLG)
- **MPG** Minerals Planning Guidance
- **DCLG** Department for Communities and Local Government
Note: The BSP and the BFBLP contain some policies with the same title, e.g. EN1. In such cases, the policy will be suffixed with an "_S" for the BSP and an "L" for the BFBLP, e.g. EN1_S, EN1L.

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<tr>
<th>Plan</th>
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<td>DP4</td>
<td>Prov OfInfrastructure Services Amenities</td>
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<td>BSP</td>
<td>T4</td>
<td>Travel Impacts</td>
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<td>BFBLP</td>
<td>EN20</td>
<td>Design Considerations In New Development</td>
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<td>BFBLP</td>
<td>M4L</td>
<td>Highway Measures New Development</td>
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<td>BFBLP</td>
<td>R4</td>
<td>Provision Of Open Space Of Public Value</td>
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<td>BFBLP</td>
<td>M9</td>
<td>Vehicle And Cycle Parking</td>
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<td>Limiting the Impact of Development</td>
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<td>CS14</td>
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<td>BFBCS</td>
<td>CS12</td>
<td>Renewable Energy</td>
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3 CONSULTATIONS
(Comments may be abbreviated)

Crowthorne Parish Council

(No comments received at time of producing this report).

4 REPRESENTATIONS

5no. objections were received stating the following:-

1. Impact upon local amenity and infrastructure
2. Loss of privacy
3. Overbearing
4. Highway safety implications
5. Inappropriate development
6. Density of development too high
7. Concern over Surface water drainage
5 OFFICER REPORT

Summary Of Key Aspects Of The Proposal (If Any)

Summary Of Key Aspects Of The Proposal

Existing Houses: 1
Proposed Car Parking - Spaces: 6
Number of New Units: Houses: 0
Number of New Units: Flats: 4

Total New Residential Units: 4
Net Gain: 3
Housing Density In New Units/Hectare: 57

This application is presented to the Planning and Highways Committee as more than 3 objections have been received.

1) PROPOSAL AND BACKGROUND

The proposal is for the demolition of the existing bungalow and erection of a two storey building accommodating 2no. 2 bedroom flats and 2no. 1 bedroom flats with associated parking and cycle and bin storage. The proposed building would be 8m high and would be located 3m from the footpath at its closest point, 5.2m from the boundary with no.2 Heath Hill Road North at its closest point and 2.5m from the boundary with Erlegh Lodge a block of flats west of the site, at its closest point. The plot a total of 0.07 hectares in size is triangular in shape with the building being located within the western side of the site and an area of parking for 6no. cars and bin storage located within the eastern area of the site. Cycle storage would be provided within the footprint of the main building.

Application 07/01131/FUL (Erection of 4 no. two bedroom flats following demolition of existing dwelling) was refused for the following reasons:-

01. The proposed flatted development provides insufficient parking, cycle and refuse storage for the size of development to the detriment of the highway safety. As such the proposal is contrary to Bracknell Forest Borough Local Plan Policies EN20, H1, M9, Berkshire Structure Plan Policies T1 and Core Strategy Development Plan Document (Submission) Policy CS7 and the adopted Parking Standards (July 2007).

02. The proposed flatted development due to its siting, size and design would provide parking and turning space adjacent to the boundary with no. 2 Heath Hill Road North to the detriment of the amenities of those occupiers of no. 2 Heath Hill Road. As such the proposal is contrary to Bracknell Forest Borough Local Plan Policies H1, EN20 and Core Strategy Development Plan Document (Submission) Policy CS7.

03. The proposed flatted development, due to its siting, size and design would result in a cramped form of development located closer to the road frontage than the existing
dwelling to the detriment of the character and appearance of the area. As such the proposal is contrary to Bracknell Forest Borough Local Plan Policies H1, EN20 and Core Strategy Development Plan Document (Submission) Policy CS7.

04. The proposed development would increase pressure on highways and transportation infrastructure, open space/recreational facilities and community facilities. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority and which secure contributions towards local transport infrastructure, open space and community facilities the proposal is contrary to Policies DP4 and T4 of the Berkshire Structure Plan, Policies SC1 and M4 of the Bracknell Forest Borough Local Plan and Policy CS6 of the Core Strategy Development Plan Document (Submission).

05. On the basis of the available information and in the light of representations of English Nature, the Local Planning Authority is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths SPA. Accordingly, since the planning authority is not satisfied that regulation 49 of the Conservation (Natural Habitats etc.) Regulations 1994 applies in this case, it must refuse permission in accordance with regulation 48 of the 1994 Regulations and Article 6(3) of Directive 92/43/EEC. For the same reasons, the proposal conflicts with Policy EN3 of the Berkshire Structure Plan, Policy EN3 of the Bracknell Forest Borough Local Plan and Core Strategy Development Plan Document (Submission) Policy CS14.

06. It has not been demonstrated that the proposal would not affect existing trees shown to be retained to the detriment of the visual amenity of the area. As such the proposal is contrary to Bracknell Forest Borough Local Plan Policies EN20, EN1 and Core Strategy Development Plan Document (Submission) Policy CS7.

Application 08/00245/FUL (Erection of 2no. two bedroom flats and 2no. one bedroom flats following demolition of existing dwelling) was refused for the following reasons:-

01. The proposed flatted development, due to its siting, size and design would result in a cramped form of development to the detriment of the character and appearance of the area. As such the proposal is contrary to Bracknell Forest Borough Local Plan Policies H1, EN20 and Core Strategy Development Plan Document Policy CS7.

02. The proposed development would increase pressure on highways and transportation infrastructure, open space/recreational facilities and community facilities. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority and which secure contributions towards local transport infrastructure, open space and community facilities the proposal is contrary to Policies DP4 and T4 of the Berkshire Structure Plan, Policies SC1 and M4 of the Bracknell Forest Borough Local Plan and Policy CS6 of the Core Strategy Development Plan Document.

03. On the basis of the available information and in the light of representations of English Nature, the Local Planning Authority is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths SPA. Accordingly, since the planning authority is not satisfied that regulation 49 of the Conservation (Natural Habitats etc.) Regulations 1994 applies in this case, it must refuse permission in accordance with regulation 48 of the 1994 Regulations and Article 6(3) of Directive 92/43/EEC. For the same reasons, the proposal conflicts with Policy EN3 of the Berkshire Structure Plan, Policy EN3 of
04. **In the absence of a Sustainability Statement, it has not been demonstrated to the satisfaction of the Local Planning Authority that current best practice in the sustainable use of natural resources have been incorporated into the proposal. As such, the development would be contrary to CS10 of the Core Strategy.**

05. **In the absence of an Energy Demand Assessment, it has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development will reduce carbon dioxide emissions by at least 10% and provide at least 20% of its energy requirements from on-site renewable energy generation. As such, the development would be contrary to CS12 of the Core Strategy.**

2) **THE SITE**

The application site is a triangular piece of land currently comprising of a detached bungalow with associated single storey outbuildings located east of the dwelling. The plot is located on the corner of Dukes Ride and Heath Hill Road North, with vehicular access onto Dukes Ride.

3) **PLANNING CONSIDERATIONS**

(i) **Principle of Development**

The application site is located within an area designated under the Bracknell Forest Proposals Map as settlement where residential development is considered acceptable in principle, subject to no adverse impacts upon any adjoining residential amenity, character and appearance of the area, highway safety, local infrastructure and community facilities and the integrity of the Thames Basin Heath SPA.

(ii) **Transportation Implications**

Subject to there being no adverse comments the proposal would have no highway safety implications.

(iii) **Impact upon the character and appearance of the area**

The proposed building has been designed in a way to have the appearance of a large house whilst containing 4no. flats. The building would be located further forward than the original dwelling however this it is not considered to be out of keeping with the area. There is a flatted development immediately west of the application site, Erlegh Lodge, that is located further forward than the existing bungalow.

Application 05/00725/FUL for the enlargement of roof at no. 65 Dukes Ride to provide accommodation at first floor level with the installation of front and rear dormer windows and alterations to the ground floor level, formation of pitched roof to existing garage and widening of existing driveway was approved in 2005. This has not been implemented, however the consent allows the roof height to be extended up to 6.8m at its highest point from 4.6m, 1.2m lower than the height of the proposed flatted development (8m). Therefore comparisons between the previously approved scheme...
and the current proposal show that there would be no significant difference in maximum ridge heights.

The footprint of the original dwelling shown on the plans to be demolished when compared with the footprint of the proposed development looks to be similar in size. The footprint of the proposed flatted development would be 135 sqm with the original dwelling having a footprint of 123 sqm. The footprint of the new flatted development would be slightly larger however the scheme also involves the removal of 4no. outbuildings on site totalling 64.12 sqm in footprint. There will be 1no. bin store (4.8 sqm footprint) replacing one of the outbuildings that is to be removed. Therefore when the footprint of the outbuildings to be removed from the site are combined with the footprint of the existing dwelling the total footprint of buildings removed from the site would be 187.12 sqm. The footprint of the proposed flatted development combined with the proposed bin store is 139.8 sqm. Overall the proposal would result in less clutter on site when compared with what is currently on site.

There is an existing 2.3m high hedge to the front of the site that would soften the development along the frontage with Dukes Ride. There is also significant screening on the southern boundary in the form of existing trees and hedging with some space for additional landscaping.

There are examples in the area of three storey flatted developments one at land at 78 To 84 Waterloo Road and one at Oakwood Place Dukes Ride. The proposal is considered to be sympathetically designed and in-keeping with the area and therefore not detrimental to the character and appearance of the streetscene.

(iv) Effect on the amenity of the neighbouring residential properties

Whilst the proposed flatted development would be 3.4m taller than the existing bungalow it would be located 5m away from the boundary with no. 2 Heath Hill Road North compared to the existing dwelling that is located 3m from the boundary. The proposal would result in the demolition of outbuildings on the boundary with no. 2 Heath Hill Road North which include a garage. This would be replaced with a parking and turning area with integrated landscaping. The scheme as a whole is considered not to appear uneighbourly and/or overbearing on any adjoining neighbouring amenity.

The building would have windows in the east elevation at first floor level to a living room (Flat 3). The side facing living room window is considered to be set a sufficient distance from the boundary with no. 2 Heath Hill Road North (10m) and at an angle where existing screening would prevent any significant overlooking. The rear facing lounge window and bathroom window (Flat 3), would be 9m from the boundary with 2 Heath Hill Road. However these windows would be conditioned to be obscure glazed and fixed shut except for a top opening fan light. A corridor window in the first floor south facing rear elevation and a lounge and kitchen window (Flat 4) in the same elevation would be set 10m from the boundary with no. 2 Heath Hill Road North. These windows would comply with guidelines set out in the Council’s extending your home leaflet and therefore would not result in a significant level of overlooking.

The west facing side elevation at first floor level would contain 1no. window to an en-suite bathroom which again would be conditioned to be obscure glazed. Windows proposed at first floor level would be either far enough away from the neighbouring dwellings or they would be conditioned to be obscure glazed so as to avoid any overlooking issues resulting from the proposal.
One of the reasons why Application 07/01131/FUL (similar proposal) was refused was that the proposed parking area would be located up against the boundary with no. 2 Heath Hill Road North. The use of this parking area up against the boundary was considered to be detrimental to the amenities at no. 2 Heath Hill Road North. However the current submission shows the parking area set off the boundary by 1.8m with an area of landscaping to be placed between the hardstanding and the boundary with no. 2 Heath Hill Road North. The applicant has now addressed previous concerns regarding neighbouring amenity.

Therefore to conclude the proposal as a whole would result in no materially adverse impacts upon the amenity of adjoining properties at no. 2 Heath Hill Road North and Erlegh Lodge.

(v) Accessibility

The applicant has not addressed the relevant accessibility issues associated within their Design and Access Statement; however this can be conditioned.

(vi) Limiting the Impacts of Development

A Supplementary Planning Document entitled ‘Limiting the Impact Upon Development’ was adopted in July 2007. This document recommends that contributions are sought for any net gain in dwelling depending upon their impact upon the local services and infrastructure. The document forms part of the Councils ongoing Local Development Framework process.

As set out under the LID document the following contributions are required under the following headings:-

1. Integrated Transport Measures and Local Highway Works

Transport-related matters, if sought by Highways Development Control e.g. off-site highway works (local roads and road junctions) may include contributions towards the implementation of new/improved road links and footpath/cycleways and/or public transport services. An agreed financial contribution should be sought towards transport improvements, in accordance with LID Table 2.2.

2. Open Space and Recreation

The proposed development will generate an increased demand for open space. No publicly usable open space is proposed on site. An agreed financial contribution should be sought towards improved open space and recreational facilities, in accordance with LID Table 4.3.

3. Thames Basin Heaths Special Protection Area

The proposed development is between 400m and 5km of the SPA boundary and so it should make provision to mitigate its impact on the integrity of the Thames Basin Heath SPA in accordance with LID Table 11.3. Also in line with LID paragraph 11.28 there should be no occupation until the SPA Strategy works & measures payment has been applied by the Borough Council.

In line with the Borough Council’s policies of seeking to limit the impact of development and make it more sustainable, at this point in time the following obstacles to the
development going ahead should be addressed. Contributions are to be secured by Planning Obligations (created by s106 Agreement).

1. An agreed financial contribution towards:
   - Transportation - £3,520
   - Open space and recreation - £4,000
   - SPA mitigation- £4,608

2. No occupation until the Thames Basin Heaths SPA contribution has been applied by the Borough Council.

The applicant has submitted a draft Section 106 Legal Agreement stating their intention to provide the required contributions.

(vii) Impacts upon the SPA:

This site is located approximately 0.83 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

Therefore, an Appropriate Assessment must consider whether compliance with conditions or restrictions, such as a planning obligation, can enable it to be ascertained that the proposal would not adversely affect the integrity of the site.

Accompanying the application is a S106 Agreement (8th Sept 2008) which includes a commitment to contribute to avoidance and mitigation measures.

In line with the Council’s Special Protection Area Technical Background Document (June 2007) and Chapter 11 of the Limiting the Impact of Development SPD (July 2007) (LID), the project as proposed would not adversely impact on the integrity of the site provided:

Prior to the permission being granted an applicant enters into a Section 106 Agreement based upon the Template S106 Agreement within Limiting the Impact of Development SPD; this is set out at Appendix B and the Second and Third Schedules of LID.

The Template S106 requires a contribution of £1,536/net dwelling to be paid to the Council towards the cost of works and measures to avoid and mitigate against the effect upon the Thames Basin Heaths SPA, as set out in the Council’s Avoidance and Mitigation Strategy. The open space works at Horseshoe Lake is the most appropriate to this proposal. The Template S106 also requires occupancy to be restricted until the works and measures are in place.

Natural England has agreed that if the plans are implemented as stated in the SPA Avoidance and Mitigation Strategy, with certain monitoring requirements, Natural England will stop objecting to consultations on housing applications in those areas of the Borough which have mitigation in line with the avoidance strategy.

Therefore, the Council is convinced, following consultation with Natural England, that the above measures will prevent an adverse affect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 48(5) of the Conservation (Natural Habitats & c.) Regulations (1994) permission may be granted.
The applicant has submitted a draft Section 106 Legal Agreement stating their intention to accommodate SPA mitigation within their scheme.

(viii) Sustainability and Energy Demand Assessment:

Policies CS10 (Sustainable Resources) and CS12 (Renewable Energy) of the Core Strategy Development Plan Document require that both a Sustainability Statement and Energy Demand Assessment be submitted with the submission of development proposals. No Sustainability or Energy Demand Statements were included with the submission; however these can be addressed by condition.

4) CONCLUSION

The proposed development is considered not to have any materially adverse impacts upon the character and appearance of the area, adjoining neighbouring amenity, highway safety implications, impacts upon open space, highway infrastructure and the integrity of the Thames Basin Heath SPA, subject to no adverse highway safety comments and suitable mitigation being secured by way of a Section 106 Legal Agreement. Therefore the application is recommended for conditional approval subject to a Section 106 Legal Agreement being completed by 03.11.08.

6 RECOMMENDATION

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

01. Contributions towards transportation infrastructure, open space and recreation and measures to mitigate the adverse impact the development could have upon the Thames Basin Heaths SPA.

The Head of Development Management be authorised to APPROVE the application, subject to the following conditions and there being no further material objections received before the 30th October 2008.

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 plans:

07-P403-LP, 07-P403-20, 07-P403-21, 07-P403-22 and 07-P403-23 (or any plans or details subsequently agreed in writing by the Local Planning Authority as an amendment to the approved plans).

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

03. No development shall take place until samples of the materials 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 Plans and Policies: BFBLP EN20 and CSDPD CS7]
04. The development hereby permitted shall not begin until details showing the finished floor levels of the building hereby approved in relation to a fixed datum point have been agreed 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 Plans and Policies: BFBLP EN20 and CSDPD CS7]

05. No development shall take place until a scheme indicating the provisions to be made for disabled people to gain access to both the dwellings has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented before the development hereby permitted is occupied. REASON: To ensure that people with disabilities have adequate access to the development. [Relevant Plans and Policies: BFBLP EN22]

06. No development shall take place until details of boundary treatment 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 and CSDPD CS7]

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows, other than those expressly authorised by this permission, shall be constructed in the side and rear elevations of the building hereby approved at both first floor level or above. REASON: To prevent overlooking of adjoining property. [Relevant Plans and Policies: BFBLP EN20 and CSDPD CS7]

08. The rear facing living room window and bathroom window in Flat 3 and the side facing bathroom window in Flat 4 hereby permitted shall not be glazed at any time other than with obscure glass. 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: BSP DP5, BFBLP EN20]

09. The development shall not be begun until a Sustainability Statement demonstrating how the development meets current best practice standards in the sustainable use of natural resources has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include either a Design Stage Report and BRE Interim Certificate or a pre-assessment estimator carried out by an independent assessor licensed by the Building Research Establishment demonstrating that the development meets a minimum standard of Level 3 of the Code for Sustainable Homes or a “Very Good” or “Excellent” BREEAM rating. The development shall be implemented in accordance with the Sustainability Statement and shall be retained in accordance therewith unless the Local Planning Authority gives prior written consent to any variation. REASON: In the interests of sustainability and the efficient use of resources. [Relevant Policy: Core Strategy DPD CS10]
10. The development shall not be begun until an Energy Demand Assessment has been submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that a proportion of the development’s energy requirements will be provided from on-site renewable energy production (which proportion shall be 10% unless otherwise agreed in writing by the Local Planning Authority). The buildings thereafter constructed by the carrying out if the development shall be in accordance with the approved assessment and retained in accordance therewith, unless the Local Planning Authority gives prior written consent to any variation.
REASON: In the interests of the sustainability and the efficient use of resources.
[Relevant Plans and Policies: CSDPD Policy CS12]

11. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule. All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 ‘Code Of practice For General Landscape Operations’ or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) ‘Specifications For Trees & Shrubs’ and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BSP DP5, BFBLP EN2 and EN20, CSDPD CS7]

12. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose without the prior written permission of the Local Planning Authority. If within a 5 year period of the completion of the development any soft landscaped area which is removed, uprooted, or is destroyed or dies shall be replaced by plants of the same species and size as that originally planted at the same place, unless the Local Planning Authority gives its written consent for any variation.
REASON: In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BSP DP5, BFBLP EN2 and EN20, CSDPD CS7]

Summary Of Reason(s) For Decision:
The following development plan policies have been taken into account in determining this planning application:

(Please note that this is not intended to be an exhaustive list).

The following material considerations have been taken into account:

The proposal is considered to comply with BFBLP Policies EN20, M4, M9 and R4, CS Policies CS2, CS6, CS7, CS8, CS14 and CS24 and BSP Policies DP4 and T4 The proposal will not adversely affect the character of the building, neighbouring property or area or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

In the event of the S106 planning obligation(s) not being completed by the Head of Development Management be authorised to REFUSE the application on the grounds of:-

01. In the absence of planning obligations in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards SPA mitigation, integrated transport and highway safety measures and recreational facilities not being secured by the 3rd November 2008, the proposal is contrary to policies DP4 and T4 of the Berkshire Structure Plan, policies R4 and M4 of the Bracknell Forest Borough Local Plan, policies CS6, CS8 and CS24 of the Bracknell Forest Borough Core Strategy Development Plan Document and Supplementary Planning Guidance contained in Limiting the Impact of Development 2 as approved July 2007 (including any subsequent revisions).

Doc. Ref: Uniform 7/DC/Age}na

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