

## Unrestricted Report

### ITEM NO: 09

Application No.  
**20/00290/FUL**

Ward:  
Little Sandhurst And  
Wellington

Date Registered:  
29 April 2020

Target Decision Date:  
24 June 2020

Site Address:

**Liberta House 17 Scotland Hill Sandhurst Berkshire  
GU47 8JR**

Proposal:

**Change of use of building and land from Use Class B1(c) (Light Industrial) to use Class C3 (Dwelling houses) creating 7no. one-bedroom apartments and 2no. two bedroom apartments with associated works, parking and amenity areas, and partial demolition of existing south elevation.**

Applicant:

Inspire 4 Design Ltd

Agent:

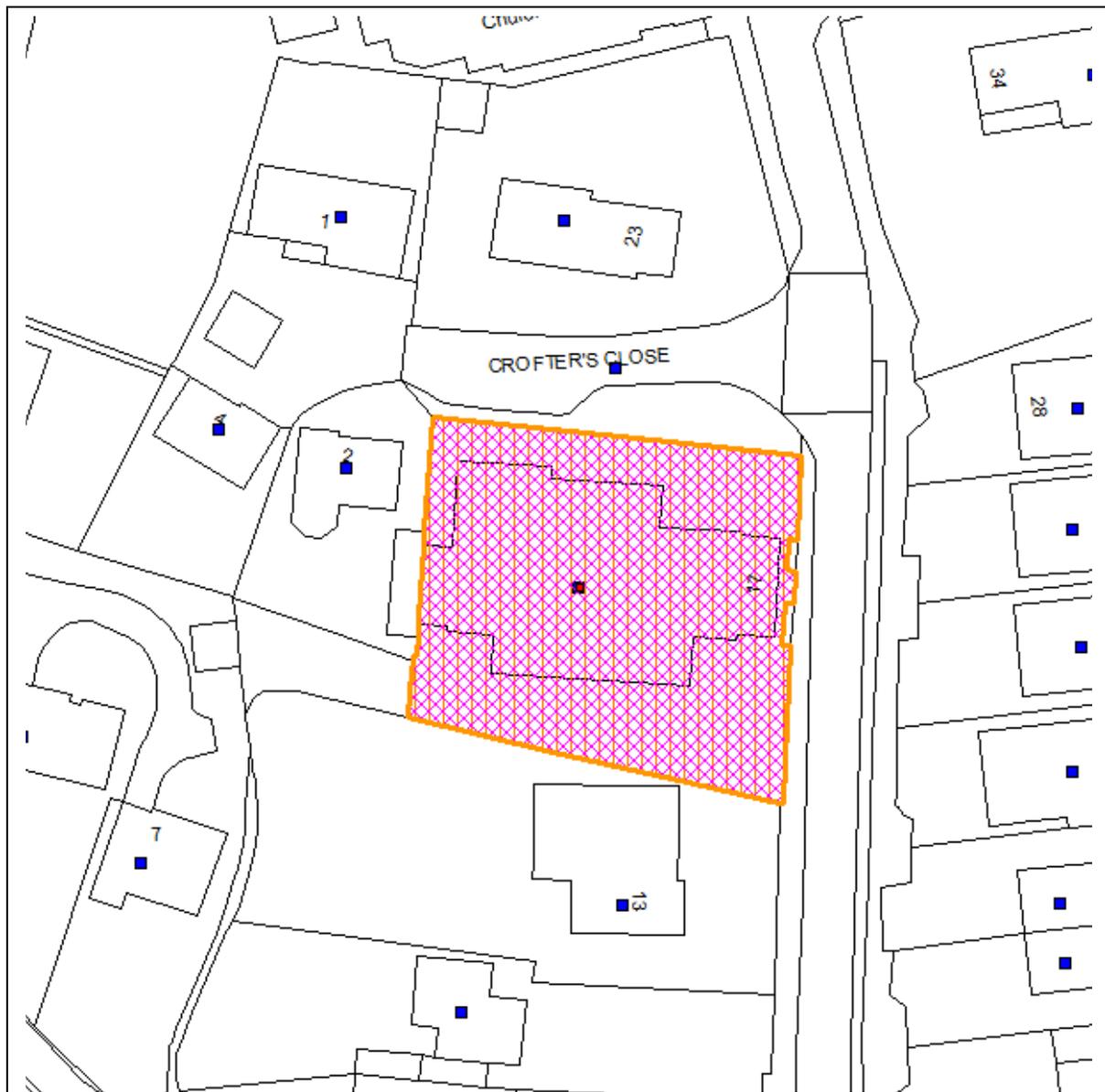
Mr Michael Ruddock

Case Officer:

Paul Corbett, 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)



## 1. Summary

- 1.1 The applicant is seeking to convert a locally listed former commercial building to 7no. one-bedroom flats and 2no. two bedroom flats with associated works, parking and amenity areas, and partial demolition of existing south elevation.
- 1.2 The existing building is currently unoccupied and therefore requires an economically viable function to maintain and conserve the building. In view of the former light industrial use, a conversion to residential flats would appear to be the most likely use that would blend into the well-established residential setting.
- 1.2 The proposal would preserve a local heritage asset without detracting from the character and appearance of the building itself or that of the surrounding area or adversely impact upon the neighbours' amenities, biodiversity or highway safety. Therefore the recommendation is to approve this application subject to securing SPA Mitigation.

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| <b>RECOMMENDATION</b> |
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| Planning permission be granted subject to the recommendation and conditions in Section 11 of this report |
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## 2. REASON FOR REPORTING TO PLANNING COMMITTEE

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

## 3. PLANNING STATUS AND SITE DESCRIPTION

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|------------------------|
| <b>PLANNING STATUS</b> |
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|                                |
|--------------------------------|
| Within the Settlement Boundary |
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| Heritage Asset – locally listed building |
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| Within 5km SPA |
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- 3.1 The property known as Liberta House comprises a large two storey detached brick built building with a traditional tiled roof, and parking areas to the north and south of the building located on the western side of Scotland Hill, to the west of Sandhurst Town Centre and falls within a residential area within the settlement boundary.
- 3.2 Liberta House itself a self-contained industrial building with internal space across three levels. The previous occupants utilised all floors for their business which included warehousing, production space, storage areas and offices.
- 3.3 The southern elevation of the building includes a large industrial folding door and crane which was previously utilised as a delivery point for large bulky goods.
- 3.4 The existing perimeter boundary consists of traditional timber fencing and some brick and timber to the front of the site which will be retained and repaired where necessary.
- 3.5 The application site covers an area of approximately 0.10 ha.

## 4. RELEVANT SITE HISTORY

- 4.1 The building was originally constructed in 1895 and was previously known as 'The Old Theatre' which was presumably its original use. The building has been occupied by E Braude (London) Ltd since 1973 and was previously occupied since the 1950s by an industrial trading company known as Liberta Ibex.
- 4.2 The established lawful use of the building was confirmed under a certificate of lawfulness reference 19/00986/LDC which confirmed that for at least the last 10 years the building has had continued use for light industrial purposes under Use Class B1(c). The application was approved in January 2020, thereby establishing the lawful use of the building.

## 5. THE PROPOSAL

- 5.1 The applicant is seeking to change the use of the building to residential to form nine flats together with associated parking and amenity areas (see Figure 1). To facilitate the development, it is proposed to demolish a less than sympathetic sections of the south elevation and a shed to the rear of the building and remove the external steel staircases located to the rear and side elevations.
- 5.2 The proposed conversion will comprise 7no. one-bedroom apartments and 2no. two bedroom apartments arranged over three levels.
- 5.3 The proposed parking would be located on the existing areas of hardstanding to either side of the building.

Figure 1: Proposed Site Layout



## 6. REPRESENTATIONS RECEIVED

Sandhurst Town Council

6.1 No comments received to date

Other Representations

6.2 8 objections were received, these are summarised as follows:

- Over development of the site in terms of housing density
- number of additional windows detracts from the heritage building
- loss of privacy to 13 Scotland Hill
- noise and light disturbance
- lack of communal space for occupiers
- insufficient parking
- highway safety concerns
- disabilities/access concerns for future occupiers
- concerns the 1 bed flats will later be modified into 2 bedrooms

These are addressed within subsequent sections of this report.

## 7. SUMMARY OF CONSULTATION RESPONSES

7.1 Highways

No objection subject to conditions.

7.2 Biodiversity

No objection subject to conditions.

7.3 Conservation Officer

No objection

7.4 Environmental Health

No objection

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

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

|                                     | <b>Development Plan</b>                               | <b>NPPF</b> |
|-------------------------------------|---|-------------|
| General policies                    | CS1 and CS2 of the CSDPD                              | Consistent  |
| Character                           | CS7 of CSDPD, Saved policies EN2 and EN20 of BFBLP.   | Consistent  |
| Design                              | CS7 of CSDPD, Saved policy EN20 of BFBLP              | Consistent  |
| Residential Amenity                 | Saved policies EN20 and EN25 of BFBLP                 | Consistent  |
| Highways                            | 'Saved' policy M9 of the BFBLP CS23 of the CSDPD      | Consistent  |
| Trees, biodiversity and landscaping | Saved policy EN1, EN2 and EN3 of BFBLP, CS1 of CSDPD. | Consistent  |
| Sustainability                      | CS10 & CS12 of CSDPD                                  | Consistent  |
| SPA                                 | SEP Saved Policy NRM6, CS14                           | Consistent  |

|  |          |  |
|--|----------|--|
|  | of CSDPD |  |
| <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 character and appearance of surrounding area
- iii. Impact on residential amenity
- iv. Impact on highway safety
- v. Waste and recycling
- vi. Trees and Landscaping
- vii. Biodiversity
- viii. Contamination Risk
- ix. Thames Basin Heath SPA
- x. Community Infrastructure Levy (CIL)
- xi. Sustainability

### i. Principle of Development

9.2 The Government's planning policies are set out within the National Planning Policy Framework (NPPF) (2019). This explains, at paragraphs 10 and 11, that 'a *presumption of sustainable development lies at the heart of the NPPF*'. In terms of decision making this means that developments which accord with an up to date development plan 'should be approved without delay', or 'where there are no relevant policies, or the policies which are most important for determining are out of date' that permission be granted unless

- i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed'; or
- ii) any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole'.

The policy advice of the NPPF is supported by the National Planning Practice Guidance (NPPG).

9.3 It is important to note, having regard to point i) above, that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitat sites (in this case the Thames Basins Heaths SPA) or the '*project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site*' (Para 177 refers).

9.4 The presumption in favour of sustainable development is reflected in the local planning framework as set out in the Bracknell Forest Core Strategy (2008); the Bracknell Forest Local Plan (Jan 2002) (BFLP); the Site Allocations Local Plan (SALP) (July 2013). To summarise the key policies seek to:

- Ensure that development makes effective use of land, buildings and infrastructure whilst balancing this against the requirement to reduce the need to travel and protecting and enhancing character, the quality of local landscapes and natural resources. (Policy CS1 refers);

- Permit development within defined settlements and on allocated sites and to ensure that development is consistent with the character, accessibility and provision of infrastructure and services within the individual settlement. (Policy CS2 refers);

- Reflect a positive approach to considering development proposals supporting the presumption in favour of sustainable development, and have regard to the advice of the NPPF, to approve development without delay, unless material considerations indicate otherwise.

9.5 The existing building is currently unoccupied and therefore requires an economically viable function to maintain and conserve the building. In view of the former light industrial use, a conversion to residential flats would appear to be the most likely use that would blend into the well-established residential setting.

9.6 Given this context, the application is acceptable in principle: the site lies within a defined settlement. The remainder of the report considers the details of the proposal.

## **ii. Impact on the heritage asset and character and appearance of surrounding area**

9.7 Liberta House is not registered as a listed building of national historic interest. However, it is recognised locally as a building of local character and historic interest and appears on the Council's local list of buildings of architectural or historic interest. Whilst these buildings do not have the same statutory protection as listed buildings, they are designated as heritage assets to ensure that their significance is taken into account when assessing planning proposals or applications for development.

9.8 The building was originally constructed in 1895 and was previously known as 'The Old Theatre', its original use. The building was occupied in the 1950s by an industrial trading company known as Liberta Ibex and in 1973 taken over by E Braude (London) who manufacture industrial equipment.

9.9 The proposals consist of conversion of the existing building into 9 residential apartments over the two storeys and the basement. Parking would be located on the existing areas of hardstanding to either side of the building. The proposals include the demolition of part of the south elevation of the building, which includes the existing crane and the commercial folding doors. It is also proposed to demolish a further flat roofed section to the south west corner of the existing building which was previously a toilet block, and a wooden shed to the rear of the building and remove the steel stair cases to the rear of the building.

9.10 The remaining changes to the existing building would comprise new windows, conversion of existing windows to larger windows or doors, the insertion of new openings for doors and the addition of new rooflights, to both sides of the building.

- 9.11 The front elevation facing the street is considered the most architecturally interesting and attractive part of the building. The front entrance section has a flat roof with terrace and balustrading above, a central arched doorway with keystone, and 2 flanking windows with gauged brick arches and a central keystone. Behind this section is the main building, of 2 storey height, with decorative timber framing in the gable end, scalloped barge boards and a tripartite window below. No alterations are proposed that would affect the external appearance of this part of the building.
- 9.12 NPPF para 192 states that, local planning authorities should take into account:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.13 In addition para 197 of the NPPF states that:  
The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 9.14 The existing building is currently unoccupied and therefore requires an economically viable function to maintain and conserve this building of local historic interest. In view of the former light industrial use, a conversion to residential flats would appear to be the most likely use that would blend into the well-established residential setting as opposed to a commercial use.
- 9.15 Whilst the partial demolition of the side extension and changes to the fenestration and addition of doorways and rooflights are not small-scale, they are confined to the side elevations which are of lesser architectural and historic interest. There would be some loss of fabric in the form of polychromatic brickwork. The side extension proposed for partial demolition retains some of this brickwork but has been significantly altered through the insertion of the large industrial entrance.
- 9.16 Overall, the retention of the building and the lack of alteration to the principal, front elevation, which contains most of the building's architectural and historic value, is considered, on balance, to preserve the character of the building and to justify the more intrusive changes to the side elevations
- 9.17 It is therefore considered that the current proposal to convert this former industrial building to residential flats is justified. It would ensure this historic building of local interest is preserved and the alternations and new use would not have any significant adverse impact on the character and appearance of the building itself or the wider area, therefore complying with CSDPD Policy CS7, CS9, BFBLP 'Saved' Policies EN20, the Design SPD, and the NPPF.

### **iii. Impact on Residential Amenity**

- 9.18 The objections from neighbouring occupiers are summarised in section 6 above. The following paragraphs draw together, and respond to, the key issues raised in respect of residential amenity.

- 9.19 The nearest residential dwellings that could potentially be affected by the proposed conversion of the building to flats would be the dwellings immediately to the rear of the site, 2 Crofters Close and 13 Scotland Hill to the south. The impact would primarily be caused by the introduction of windows that could overlook their private rear garden areas.
- 9.20 The westerly facing windows at first floor level looking towards 2 Crofters Close face directly onto the blank gable end of either the house or garage therefore removing any overlooking potential.
- 9.21 The south facing windows at first floor level retain a distance of approximately 10m to the common boundary with 13 Scotland Hill to the south to the point deemed to be the most private area. Furthermore 13 Scotland Hill has a number of trees that virtually screen the whole of the rear garden area. The proposed southerly facing rooflights have internal floor to cill heights of 1.7m therefore removing any overlooking potential.
- 9.22 The perimeter boundaries of the site are to be retained and repaired where necessary and there are no reasons to require any changes due to privacy concerns.
- 9.23 As such, the proposal would not be considered to adversely affect the residential amenities of neighbouring occupiers or the future occupiers of the proposed dwellings and would therefore be in accordance with Saved Policy EN20 of the BFBLP and the NPPF.

#### **iv. Highways Implications**

##### **Access**

- 9.24 The site is located on Scotland Hill which is subject to a 30mph speed limit. The road has footways along it varying on both sides of the road. The access to the site already exists in the form of two separate dropped kerbs. These are proposed to be reused to provide for parking and access to the various flats being created.
- 9.25 Both vehicular entrance points have a barrier that is proposed to be removed to provide the full usable width. The main access width to the car park is considered wide enough for the access to function safely.
- 9.26 The paths to each property are to be lit with bollard lighting and are shown to be at least 1m wide to provide suitable access within the site and to comply with building regulations without the need for any steps. However, it is considered that the necessary levels will need to be secured by condition.
- 9.27 A section of unmade pathway immediately adjacent to the site nearest the driveway of 13 Scotland Hill is proposed to be surfaced to create a formal crossing point to the opposite side of the road to provide pedestrians and other less able persons a safer point in which to cross the highway. The Highway Authority has advised that this can be secured by an offsite highways condition requiring its implementation prior to occupation.
- 9.28 Some of the parking spaces have also been designed to be capable of use as disabled parking spaces to ensure the development is accessible to all persons.

##### **Parking**

- 9.29 The proposed onsite car parking provision comprises 1 space for each of the 1 bed flats and 2 spaces for the 2 bed flats and 2 visitor spaces. The parking is arranged across the site such that it provides the shortest distance between the flat it serves and the location of the parking space itself which complies with the Council's Car Parking Standards.
- 9.30 The Highways Officer is supportive of the proposed tandem parking provision to the north of the building where users are likely to reverse out of the site onto Scotland Hill. However this is likely to be limited in terms of movements reducing any associated risks.
- 9.31 Secure cycle parking is provided on both sides of the building, and the details of cycle parking will need to be secured by planning condition to ensure the stores are appropriately sized to accommodate 11 cycles.

#### **Trips**

- 9.32 In relation to traffic impact, the proposed use is expected to generate around 40 two way movements per day with around 4-5 two way movements expected in the morning and evening peak hours respectively. This is expected to be broadly similar in terms of trips associated to that of the existing B1(c) use.
- 9.33 To conclude, with suitable conditions, the proposal is not considered to result in any unacceptable highway safety implications and is therefore considered to comply with BFBLP Policies M4, M9 and CSDPD Policies CS23 and CS24 and the NPPF.

#### **v. Waste and Recycling**

- 9.34 Refuse storage facilities are shown to be provided within the site and split between the northern and southern parts of the building facilitating easy access to a bin storage area by all the residents. The Waste and Recycling Officer has reviewed the arrangements and confirmed they are acceptable.

#### **vi. Tree and Landscaping implications**

- 9.35 There are no trees of significance within the site and all the area surrounding the building is laid to tarmac.
- 9.36 The proposal will retain the box hedge to the front of the building and lay grass primarily to the rear end of the site with some grass to the northern side to form some communal outdoor space.
- 9.37 The site has limited scope for soft landscaping, and the amount of useable amenity space on site is considered to be relatively small. However, it is not considered to be so harmful as to warrant a reason for refusal as many occupiers do not necessarily require a large outdoor amenity area.
- 9.38 It is considered that this proposal would not conflict with BFBLP Policies EN1 and CSDPD Policies CS1 and the NPPF.

#### **vii. Biodiversity**

- 9.39 The Biodiversity Officer is satisfied that the proposals are unlikely to affect bats (or other protected species) and, as such, there are no objections to this application on ecological grounds. However, paragraph 175 of the NPPF states that "opportunities to incorporate biodiversity in and around developments should be encouraged". A

condition is therefore included to ensure that enhancements for wildlife are provided within the new development. Additional conditions are required to ensure that a wildlife-friendly lighting scheme is implemented and that works that could affect nesting birds do not occur during the nesting season.

- 9.40 As such, subject to conditions, the development would accord with Policies CS1 and CS7 of the CSDPD and the NPPF.

### **viii. Contamination Risk**

- 9.41 Given the site is linked to former industrial activity the applicant commissioned a contaminated land risk assessment.
- 9.42 Environmental Health has reviewed and agreed the applicant's findings in their report entitled 'Contaminated Land Risk Assessment' by Soil Environment Services Ltd (March 2020). This concludes that no significant plausible pollutant linkages or uncertainties exist at this site.

### **ix. Thames Basin Heath SPA**

- 9.43 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. An Appropriate Assessment has been carried out including mitigation requirements.

#### **Appropriate Assessment**

- 9.44 In accordance with The Conservation of Habitats and Species Regulations (2017) Regulation 63 a competent authority (in this case Bracknell Forest Council (BFC)), before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

- a. is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), and
- b. is not directly connected with or necessary to the management of that site.

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

- 9.45 A person applying for any such consent, permission or other authorisation must provide such information as BFC may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.
- 9.46 BFC must for the purposes of the assessment consult Natural England (NE) and have regard to any representations made by that body. It must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate. In the light of the conclusions of the assessment, and subject to Regulation 64 (Considerations of overriding public interest), BFC may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site.

9.47 In considering whether a plan or project will adversely affect the integrity of the site, BFC must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which it proposes that the consent, permission or other authorisation should be given. The Council have undertaken an Appropriate Assessment following consultation with NE.

#### SPA mitigation

9.48 This site is located approximately 0.85 km from the boundary of the SPA and therefore is likely to result in an adverse effect on the SPA, unless it is carried out together with appropriate avoidance and mitigation measures.

9.49 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 Supplementary Planning Document (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. 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.

9.50 In this instance, the development would result in a net increase of 7 x 1-bedroom dwellings and two x 2-bedroom dwellings which results in a total SANG contribution of £41,207.

9.51 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 £3,845.

9.521 The total SPA related financial contribution for this proposal is £45,052. The applicant has agreed to enter into a S106 agreement to secure this contribution. 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 SPD, the Planning Obligations SPD and the NPP

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

9.53 Bracknell Forest Council commenced charging for its Community Infrastructure Levy (CIL) on 6th April 2015.

9.54 CIL applies to any new build (except outline applications and some reserved matters applications) including those that involves the creation of additional dwellings. 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.

9.55 This particular proposal for conversion of an existing building is not CIL liable.

#### **xi. Energy sustainability**

- 9.56 With regard to the requirements of Core Strategy Policies CS10 and CS12 which relate to energy sustainability and renewable energy, the application converts an existing building to residential use.
- 9.57 Paragraph 2.6 of the Sustainable Resource Management SPD states that proposals to convert or change the use of a building are excluded from Core Strategy Policies CS10 and CS12. Therefore no submission is required with regard to Policies CS10 and CS12 of the CSDPD

## 10. CONCLUSIONS

- 10.1 The proposed change of use of building and land from Use Class B1(c) (Light Industrial) to use Class C3 (Dwelling houses) creating 7no. one-bedroom apartments and 2no. two bedroom apartments with associated works, parking and amenity areas, and partial demolition of existing south elevations is considered acceptable in principle.
- 10.2 The proposal would preserve a local heritage asset without significantly detracting from the character and appearance of the building itself or that surrounding area or adversely impact upon the neighbours amenities, biodiversity or adversely impact upon highway safety.
- 10.3 The application is recommended for approval.

## 11. RECOMMENDATION

- 1.1 **Following the completion of planning obligations under Section 106** of the Town and Country Planning Act 1990 relating to:-  
01. mitigation of impacts on the Thames Basin Heaths SPA;

That the Head of Planning be authorised to **APPROVE** the application 20/00290/FUL subject to the following conditions amended, added to or deleted as the Head of Planning considers necessary and following the required consultation with the agent in relation to pre-commencement 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 (as amended).
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority.  
FLU.1143.01 Rev T - Proposed & Existing Site Layouts & Location Plan – received 24.08.20  
FLU.1143.07 Rev F - Proposed Lower Ground Floor Plan – received 22.06.20  
FLU.1143.08 Rev F - Proposed Ground Floor Plan – received 22.06.20  
FLU.1143.09 Rev F - Proposed First Floor Plan – received 22.06.20  
FLU.1143.10 Rev F - Proposed Front and Side Elevations – received 13.08.20  
FLU.1143.11 Rev D - Proposed Rear and Side Elevations – received 13.08.20  
FLU.1143.12 Rev B - Bin Store Plans & Elevations – received 05.08.20  
FLU.1143.13 Rev A - Pathway Plan received 24.08.20  
Hone Ecology Report dated 13 April 2020

Contaminated Land Risk Assessment by Soil Environment Services Ltd (March 2020)

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

03. The residential accommodation hereby approved shall not comprise more than 7no. one-bedroom flats and 2no. two bedroom flats.  
REASON: To ensure the development does not impose undue pressure on the Thames Basin Heaths Special Protection Area over and above the financial mitigation secured by a legal agreement which was based upon the number of bedrooms approved under this planning permission.  
Relevant Policies: Saved Policy NRM6, Saved policy EN3 of the BFBLP and CS14 of CSDPD, the Thames Basin Heaths Special Protection Area SPD (April 2018), the Planning Obligations SPD and the NPPF.
04. No structure hereby permitted shall be built above existing ground level 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 submitted samples shall include details of bricks, roof tiles, windows and details of any hard surfaces. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of the historic fabric of the building and the visual amenities of the area.  
[Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]
05. The rooflights hereby permitted, or any replacement thereof, as shown in the roof slope of the proposed development shall at all times be high level windows having a sill height of not less than 1.7 metres above the internal floor of the room that they serve.  
REASON: To prevent the overlooking of neighbouring properties.  
[Relevant Policies: BFBLP EN20]
06. The first floor windows or any replacement serving the wc to flats 6 and 8 in the rear elevation of the building hereby permitted 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 non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.  
REASON: To prevent the overlooking of neighbouring properties.  
[Relevant Policies: BFBLP EN20]
07. None of the residential units hereby permitted shall be occupied until a means of access to it for pedestrians and cyclists has been constructed in accordance with the approved plans.  
REASON: In the interests of accessibility and to facilitate access by pedestrians and cyclists.  
[Relevant Policies: BFBLP M6, Core Strategy DPD CS23]
08. The car parking for the development hereby permitted shall not be brought into use until the following details have been submitted to and approved in writing by the Local Planning Authority:
- (a) directional signs and their locations;
  - (b) surface materials and markings;
  - (c) location and design of any lighting;
  - (d) pedestrian routes within the car park;

- (e) location and design of cycle parking;
- (f) the location of 2 level car parking spaces for people with disabilities including details of marking out and signage;
- (g) gradients of the pedestrian and access routes;
- (h) details of the signing for the visitor spaces

No parking space shall be brought into use until the approved scheme in respect of that parking area has been complied with in full. Thereafter the parking area shall be maintained in accordance with the approved scheme.

REASON: In the interests of the accessibility and safety of the car park users.

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

09. No residential accommodation hereby permitted shall be occupied until the following off-site highway works have been completed:
- relating to new section of footway and tactile crossing on Scotland Hill as shown on the approved site layout drawing listed in condition 1.

REASON: In the interests of highway safety.

[Relevant Policies: BFBLP M4, Core Strategy CS24]

10. The development shall not be occupied until 11 secure and covered cycle parking spaces have been provided in the location(s) identified for cycle parking on the approved plans within the development. The cycle parking facilities shall thereafter be retained.

REASON: In the interests of accessibility of the development to cyclists.

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

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

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD CS23]

12. No development (including demolition and site clearance) shall take place 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: BFBLP EN20, Core Strategy DPD CS23]

13. 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. 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.

REASON: In the interests of good landscape design and the visual amenity of the area. [Relevant Policies: BFBLP EN20, Core Strategy DPD CS7]

14. All ecological measures and/or works shall be carried out in accordance with the precautionary measures and recommendations contained in the Hone Ecology Report dated 13 April 2020 and maintained as such thereafter.

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

15. No part of the development hereby permitted shall be occupied until a scheme has been submitted to and approved in writing by the Local Planning Authority for external site lighting, including details of lighting units, and levels of illumination and hours of use. No lighting shall be provided at the site other than in accordance with the approved details. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of the nature conservation.

[Relevant Policies: BFBLP EN20 and EN25, Core Strategy DPD CS1 and CS7]

16. No residential accommodation hereby approved shall be occupied until a scheme for the provision of biodiversity enhancements, including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.

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

#### 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. This planning permission contains certain conditions that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site (including any initial clearance works). Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised. This may be highlighted in any subsequent search carried out on the property/ properties.

In the event of the S106 planning obligations not being completed by 30th November 2020, the Head of Planning be authorised to extend this period or REFUSE the application on the grounds of:-

1. 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 Supplementary Planning Document (2018).

Doc. Ref: Uniform 7/DC/Agenda

The application file to which this report relates can be viewed on-line at the Council's Time Square office during office hours or online at [www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk)