

Unrestricted Report

ITEM NO: 13

Application No.
12/00208/FUL
Site Address:

Ward:
Owlsmoor

Date Registered:
7 March 2012

Target Decision Date:
2 May 2012

Land At Whitmore Close Whitmore Close Owlsmoor Sandhurst Berkshire

Proposal: **Erection of 6no. three bedroom houses with garages and parking accessed from Whitmore Close.**

Applicant: Bancroft Developments

Agent: The Edwards Irish Partnership

Case Officer: Ken Lusted, 01344 352000

environment@bracknell-forest.gov.uk

Site Location Plan (for identification purposes only, not to scale)



1 **RELEVANT PLANNING HISTORY** (If Any)

No relevant planning history.

2 **RELEVANT PLANNING POLICIES**

Key to abbreviations

<i>BFBCS</i>	<i>Core Strategy Development Plan Document</i>
<i>BFBLP</i>	<i>Bracknell Forest Borough Local Plan</i>
<i>RMLP</i>	<i>Replacement Minerals Local Plan</i>
<i>WLP</i>	<i>Waste Local Plan for Berkshire</i>
<i>SPG</i>	<i>Supplementary Planning Guidance</i>
<i>SPD</i>	<i>Supplementary Planning Document</i>
<i>MPG</i>	<i>Minerals Planning Guidance</i>
<i>DCLG</i>	<i>Department for Communities and Local Government</i>
<i>NPPF</i>	<i>National Planning Policy Framework</i>
<i>SEP</i>	<i>South East Plan</i>

<u>Plan</u>	<u>Policy</u>	<u>Description</u> (May be abbreviated)
BFBLP	EN20	Design Considerations In New Development
BFBLP	M9	Vehicle And Cycle Parking
BFBLP	EN3L	Nature Conservation
BFBCS	CS6	Limiting the Impact of Development
BFBCS	CS7	Design
BFBCS	CS10	Sustainable Resources
BFBCS	CS12	Renewable Energy
BFBCS	CS14	ThamesBasinHeaths SpecialProtectionArea
BFBCS	CS24	Transport and New Development
BFBCS	CS2	Locational Principles
BFBCS	CS23	Transport
SEP	CC6	Sustainable Comms. & Character of Env.
SEP	CC7	Infrastructure and Implementation

3 **CONSULTATIONS**

(Comments may be abbreviated)

Environmental Health and Safety

The Environmental Health Team have identified the following issues as being important. The proximity of Sandhurst School; the access to the site is via a quiet cul-de-sac off Owlsmoor Road; dust and noise from the construction/demolition phase should be minimised as far as is reasonable. Measures should be adopted to ensure that local residents and school children are protected from vehicles entering/leaving the site during the construction/demolition phase.

The Environmental Health Team recommend that a condition is added to required that no demolition or construction work shall take place outside the hours of 08:00 and

17:00 Monday to Friday; 09:00 and 13:00 Saturday and not at all on Sundays and Public Holidays.

Additionally the Environmental Health Team recommend that before demolition/construction commences, the applicant is requested to contact the Environmental Protection team within Regulatory Services to agree the precautions to be employed to minimise the environmental impact of these activities including addressing health and safety concerns as outlined.

Transportation Officer

Any permission granted should include the following conditions relating to Pedestrian/cyclist access, Parking and the Retention of garages and S106 to secure contributions towards transportation.

Landscape Officer

No objection to the proposed development subject to a detailed landscape scheme. A landscape condition should be attached to any approvals.

Native species should be used in the planting scheme to promote biodiversity and to better link the development to surrounding landscape. The proposed laurel hedge along the amenity area fence should be replaced with a native species hedge.

Biodiversity Officer

The design of the development retains existing mature trees and provides a small area of retained habitat that could provide a valuable stepping stone as part of green infrastructure. The remaining areas of the gardens are likely to be of relatively low value to biodiversity

Sandhurst Town Council

Recommend refusal;

- (a) Plot no.1 would restrict light to the bedroom in no.7 Whitmore Close;
- (b) The proposed development would be detrimental to the amenities of the adjoining properties (2002);
- (c) We are concerned that this is an overdevelopment of the site as it would mean vehicles cannot enter or leave the site in a forward direction. There is also a constriction on the vehicle access to Plots 2, 3 and 4 and would recommend that Highways review the on road parking at the entrance to the site;
- (d) Concern was raised that the garage sizes would not meet the standards as set out in Residential Parking Guidelines 3.3 "Design of Spaces".

4 REPRESENTATIONS

Representations have been received from 13 addresses expressing concerns on the following matters:

- The development is out of character with existing development.
- The development will result in a loss of light and overlooking.
- There is insufficient parking. The proposed development will exacerbate existing parking problems.
- The proposed development will result in addition traffic and congestion.

- The proposed development will cause a hazard to child safety and children who can currently play in relative safety in Whitmore Close.
- The development will result in mess and disturbance during construction works.
- Existing gardens and allotments should be retained.
- The proposed development will put pressure on doctors and other local facilities.
- The position of the 400m buffer for the SPA that is shown on the application drawings is questioned.

5 OFFICER REPORT

Proposed site area: 0.23ha
 Proposed number of parking spaces: 10
 Proposed number of residential units: 6
 Net gain: 6
 Proposed density 26 dwellings per hectare

This application is reported to Committee because more than 3 objections have been received.

i) PROPOSAL

It is proposed to erect six 3 bedroom dwellings with garages on land that previously formed part of the rear gardens of 1 – 9 Owlsmoor Road, Sandhurst. The development will be served by a vehicular access from the southern end of Whitmore Close.

ii) SITE

The application site previously formed part of the rear gardens of 1 – 9 Owlsmoor Road, Sandhurst but has now been fenced off from those properties. The site is relatively flat and it contains a number of shrubs and hedges. There are some mature trees at the western end of the site and on the adjoining land to the west. The northern side of the application site is adjacent to a turning head at the end of Whitmore Close and it is bounded by a chain link fence. The southern side of the application site is adjacent to a footpath/cycle way that links Owlsmoor Road to Snaprails Park. There is a chain link fence along this boundary. The land at the western end of the site, that is within 400metres of the Thames Basin Heaths SPA will not be developed. This land is to be retained by the owners of 7 and 9 Owlsmoor Road and maintained and managed as a private garden. The area surrounding the application site is predominantly residential.

iii) PLANNING CONSIDERATIONS

(1) Principle of the development

The site is within the settlement as identified on the Bracknell Forest Borough Proposals Map. The surrounding area is predominantly residential. A residential development is in accordance with CSDPD Policy CS2.

The application site is capable of accommodating the proposed development.

(2) Transport considerations

Vehicular access to the site will be gained over a 5.2m wide dropped kerb access off the end of the turning head on Whitmore Close. Pedestrian visibility splays of 2.0m x 2.0m, which are shown on the amended plan, will be provided.

The application proposes 6 three bedroom dwellings requiring 2 parking spaces each to comply with Bracknell Forest Borough Parking Standards (July 2007). Each dwelling has an integral garage and a 6.0m parking space, which is an acceptable level of parking. 4 additional parking spaces for visitors have been provided. The parking will be acceptable but a condition should be attached to any permission requiring the parking to be retained.

Cycle and refuse storage for each dwelling can be accommodated within the garages.

A bin store should be provided at the rear of the footway to the turning head on Whitmore Close which should not be within visibility splays. The development will generate approximately 42 additional vehicle movements/day and impact on the transport infrastructure should be offset by a S106 agreement

(3) Impact on character and appearance of the area

It is considered that the proposal will provide an acceptable development on vacant land at the southern end of Whitmore Close. It is considered that the development is acceptable and will complement the character of neighbouring properties in Whitmore Close and the wider surrounding area. The proposed development backs onto the footpath/cycleway. The existing chain link fence will be replaced by 1.8 metre high close boarded fence on gravel boards with concrete posts. It is considered that the proposed development will not unduly detract from the character of the footpath cycleway or the adjoining area to the south.

(4) Effect on the amenity of neighbouring residential property

The proposed dwelling on Plot 1 is about 1 metre from the boundary with 7 Whitmore Close and about 2 metres from the side of that dwelling. It is also about 2.5 metres further forward than the front of the existing dwelling at 7 Whitmore Close. That property has an integral garage adjacent to the application site with a bedroom above that is served by a high level secondary window. It is considered that the proposed dwelling on Plot 1 will not cause an undue loss of light or unduly affect the living conditions of the neighbours at 7 Whitmore Close or other neighbouring residents.

The rear of the proposed dwelling on Plot 1 is about 11 metres from the boundary with 9 Owlsmoor Road and about 23 metres from the rear of that dwelling. It is considered that the proposed development will not cause an undue loss of light, undue overlooking or otherwise detract from the living conditions at 9 Owlsmoor Road or other neighbouring residents.

The side of the proposed dwelling on Plot 2 is about 1 metre from the boundary with properties at 3 and 7 Owlsmoor Road. There is a secondary window at ground floor level that serves living/dining room. It is considered that this will not cause undue overlooking of the neighbouring properties as the properties are separated by a 1.8 metre high close boarded fence. To ensure there is no future overlooking it is considered that any permission should be subject to a condition to prevent the insertion of other doors, windows or openings in the side elevation of the dwelling on Plot 2 at first floor level and above.

The rear of the proposed dwellings on Plots 3 – 6 are about 10 metres from boundary of the application site and about 27 metres from the rear of properties in Theal Close, which are on beyond the footpath cycleway. They are also well away from the existing dwellings in Whitmore Close and other surrounding roads. It is considered that the

proposed development will not cause an undue loss of light, undue overlooking or otherwise detract from the living conditions of neighbouring properties.

(5) Landscape

The Landscape Officer raises no objections to the proposed development. It is recommended that native species should be used in the planting scheme to promote biodiversity and to better link the development to surrounding landscape. The proposed laurel hedge along the amenity area fence should be replaced with a native species hedge. This can be covered by conditions on an approval.

(6) Sustainability

To accord with the Sustainable Resource Management SPD and CSDPD policies CS10 and CS12 conditions are recommended to be attached to any permission requiring a Sustainability Statement and an Energy Demand Assessment

(7) Thames Basin Heaths SPA

The 400m buffer line cuts through the site, however, all the proposed dwellings are more than 400m from the SPA.

The Council, in consultation with Natural England, has formed the view that that any net increase in residential development between 400m and 5km straight-line distance from the Thames Basin Heath SPA is likely to have a significant effect on the SPA, either alone or in-combination with other plans or projects.

The proposed development is located approximately 401 metres 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.

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 that prior to the permission being granted an applicant enters into a Section 106 Agreement for money 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 Shepherds Meadow is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The Template S106 also requires occupancy to be restricted until the works and measures are in place.

The Council has also signed a legal agreement to secure financial contributions towards Strategic Access Management and Monitoring (SAMM) which will be calculated on a per bedroom basis. This application for 6 X 3 bedroom dwellings will require an additional financial contribution.

(8) Infrastructure, Services and Amenities

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).

An agreed financial contribution towards:

Transportation - £13,440
Open Space and recreation - £12,000
Built Sports Facilities - £4,000
Secondary Education – £10,590
SPA mitigation and SANGS - £11,940

iv) CONCLUSIONS

It is considered that the proposed development is an acceptable development that will complement existing development and make use of existing vacant land.

The proposal has been considered in the light of the National Planning Policy Framework. It is considered this does not alter the recommendation to approve this application.

6 RECOMMENDATION

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

01. a) Transport facilities
b) Open space and recreation facilities
c) Built Sports
d) Secondary education facilities
e) Thames Basin Heath Special Protection Area

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

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990.
02. The development hereby permitted shall be carried out only in accordance with the following approved plans received by the Local Planning Authority on 18 April 2012:
Drawing no's 05B, 06B, 07B and 08A
REASON: To ensure that the development is carried out only as approved by the Local Planning Authority.
03. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: In the interests of the visual amenities of the area.
[Relevant Policies: SEP CC6, BFBLP EN20, Core Strategy DPD CS7]
04. The development hereby permitted shall not be begun until:
 - 1) a scheme depicting hard and soft landscaping, including any landscaping to be retained, and
 - 2) a three year post planting maintenance scheme have been submitted to and approved in writing by the Local Planning Authority. The approved post-planting maintenance schedule shall be performed and complied with.

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 approve.

REASON: In the interests of good landscape design and the visual amenity of the area.

[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]

05. 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 additional windows, similar openings or enlargement thereof shall be constructed in the east facing (side) elevation of the dwelling on plot 2 at first floor level and above.
REASON: To prevent the overlooking of neighbouring property.
[Relevant Policies: BFBLP EN20]
06. No dwelling shall be occupied until a means of vehicular access has been constructed in accordance with details which have been submitted to and approved by the Local Planning Authority.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
07. No dwelling shall be occupied until the associated vehicle parking 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: SEP T4, BFBLP M9, Core Strategy DPD CS23]
08. The garage accommodation shall be retained for the use of the parking of vehicles at all times.
REASON: To ensure that the Local Planning Authority's vehicle parking standards are met.
[Relevant Policy: BFBLP M9]
09. 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 without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

10. 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. 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]

11. Within one month of the first occupation of the development hereby permitted (or, where the development is phased, within one month of the first occupation of the final phase of that development), a Post Construction Review Report shall be carried out by an independent assessor licensed by the Building Research Establishment and a Final Code Certificate shall be submitted to the Local Planning Authority which demonstrates that the development has been constructed to meet a minimum standard of level 3 of the Code for Sustainable Homes.

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

[Relevant Policy: Core Strategy DPD CS10]

12. 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:

(a) that before taking account of any on-site renewable energy production the proposed development will reduce carbon dioxide emissions by at least 10% against the appropriate Target Emission Rate as set out in Part L of the Building Regulations (2006), and

(b) that a proportion of the development's energy requirements will be provided from on-site renewable energy production (which proportion shall be 20% unless otherwise agreed in writing by the Local Planning Authority).

The buildings thereafter constructed by the carrying out of 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]

Summary Of Reason(s) For Decision:

The following development plan policies have been taken into account in determining this planning application:

Bracknell Forest Borough Local Plan (BFBLP) Policies:

EN3 - which seeks

EN20 – which seeks to ensure that the design of the proposed development is in sympathy with the local environment.

M9 – which seeks satisfactory parking provision for vehicles and cycles.

Core Strategy Development Plan (CSDPD) Policies:

CS6 – which seeks to ensure that development will mitigate adverse impacts upon communities, transport and the environment.

CS7 – which seeks to ensure that developments are of high quality design.

CS10 - which requires development proposals to be accompanied by a Sustainability Statement.

CS12 - which requires development proposals to be accompanied by an Energy Demand Assessment.

CS14 - which seeks to avoid an adverse impact upon the integrity of the Thames Basins Heaths Special Protection Area.

CS23 - which seeks to ensure the Council will use its powers to reduce the need to travel, and promote alternative modes, increase safety of travel and maintain and improve the local road network.

South East Plan (SEP) Policies:

CC6 - Sustainable Communities. & Character of Environment - which seeks development that will respect and enhance the character and distinctiveness of settlements and landscapes, and use innovative design to create a high quality built environment which promotes a sense of place.

CC7 which requires sufficient capacity to be available in existing infrastructure to meet the needs of new development, and where this cannot be demonstrated, that additional capacity be released through demand management measures, better management of existing or provision of new infrastructure.

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

The following material considerations have been taken into account:

The proposed development will provide an acceptable development that does not detract from the living conditions of neighbours. It will also provide acceptable accesses and parking provision.

The proposal is considered to comply with BFBLP Policies EN20 and M9 CSDPD Policies CS6, CS7, CS10, CS12, CS14 and CS23 and SEP policies CC6 and CC7.

The proposal will not adversely affect the area of special housing character, neighbouring property or significantly affect the amenities of neighbouring property. The planning application is therefore approved.

The proposal has been considered in the light of the National Planning Policy Framework. It is considered this does not alter the recommendation to approve this application.

Informative(s):

01. Before construction, the applicant is requested to contact the housing and pollution team in the Environment and Leisure Department to agree the precautions to be employed to minimise the environmental impact of these activities.
 02. The landscaping for the proposed development should use native species to promote biodiversity and to provide a better link between the development and surrounding landscape. The proposed laurel hedge along the amenity area fence should be replaced with a native species hedge.
- (ii) In the event of the S106 planning obligation(s) not being completed by 30 June 2012 the Head of Development Management be authorised to **REFUSE** the application on the grounds of:-
01. The proposed development would unacceptably increase the pressure on highways and transportation infrastructure, public open space, community and outdoor recreation facilities, secondary education facilities and the Thames Basin Heath Special Protection Area. In the absence of a planning obligation in terms that are satisfactory to the Local Planning Authority, and which secure contributions towards integrated transport and highway safety measures the proposal is contrary to Policy CC7 of the South East Plan, Policy M4 of the Bracknell Forest Borough Local Plan and CS24 of the Core Strategy Development Plan Document and to Supplementary Planning Document Limiting the Impact of Development (adopted July 2007).

Doc. Ref: Uniform 7/DC/Agenda

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