

Unrestricted Report

ITEM NO: 06

Application No.
14/00797/FUL
Site Address:

Ward:
College Town

Date Registered:
9 July 2014

Target Decision Date:
3 September 2014

Land At Rear Of 10 To 12 Branksome Hill Road College Town Sandhurst Berkshire

Proposal:

Erection of 1 no. 4 bedroom dwelling and garage with access from Davis Gardens.

Applicant:

Bancroft Developments Ltd

Agent:

The Edwards Irish Partnership LLP

Case Officer:

Laura Rain, 01344 352000

Development.control@bracknell-forest.gov.uk

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



OFFICER REPORT

1. REASON FOR REPORTING APPLICATION TO COMMITTEE

This application is reported to the Planning Committee as over three objections have been received.

2. SITE DESCRIPTION

The rectangular plot formed part of the rear gardens for 10 to 12 Branksome Hill Road and is bounded by 2m high close boarded fencing. The site has mature vegetation on it.

The street scene is fairly uniform with two different styles of dwellings with either a gable front feature, pitched dormer or a cantilevered first floor dormer.

The cul de sac is fairly high density however the street scene does not appear cramped due to the dwellings tending to be separated by single storey garage elements.

3. RELEVANT SITE HISTORY

None.

4. THE PROPOSAL

Number of New Units: Houses: 1
Number of New Units: Flats: 0
Number of New Units: Bungalows: 0
Number of New Units: Sheltered Residences: 0
Total New Residential Units: 1
Number Demolished: 0
Net Gain: 1

Housing Density in New Units/Hectare: 25

The proposal is for a detached dwelling on the rear gardens of 10 and 12 Branksome Hill Road. The site is 0.04 ha.

At ground floor the following would be provided:

- Single garage.
- A study.
- A WC.
- A utility room.
- Open plan living room and family.
- Open plan kitchen and dining room.

At first floor the following would be provided:

- 4 bedrooms.
- 1 en-suite.
- A bathroom.

5. REPRESENTATIONS RECEIVED

6 letters of objection have been received. The objections can be summarised as follows:

- Loss of privacy to rear gardens of neighbouring properties.
- The design does not match any of the others in the cul de sac.
- The dwelling is too large.
- Loss of light to neighbouring property.
- Concerns over flooding.
- There are too many cars parked within Davis Gardens already.
- Not enough car parking.
- Concerns over drainage of site.
- A tree was removed prior to the submission of this application.
- The garden is not large enough for children to play in and therefore they will play in the road which would be noisy and dangerous.

6. SUMMARY OF CONSULTATION RESPONSES

Highway Authority:

A s106 Agreement will be required to secure financial contributions and for the dedication of the land to the front. 3 spaces can be accommodated on site in line with the Council's Parking SPD.

SPA:

A S106 is required.

Drainage Engineer:

A Flood risk assessment has been submitted and provides a drainage design that is acceptable.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

Site Allocations Local Plan 2013 (SALP)
'Retained' Policies of the South East Plan 2009 (SEP)
Core Strategy Development Plan Document 2008 (CSDPD)
'Saved' Policies of the Bracknell Forest Borough Local Plan 2002 (BFBLP)
Bracknell Forest Borough Policies Map 2013

8. PRINCIPLE OF DEVELOPMENT

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

against the policies in the NPPF taken as a whole or where specific policies in the NPPF indicate development should be restricted.

Paragraph 47 of the NPPF requires Councils to identify a five year supply of housing land and paragraph 49 sets out that housing applications should be considered in the context of the presumption in favour of sustainable development and that where a Council cannot demonstrate a five year supply of land for housing, policies relevant to the supply of housing should not be considered up to date. Following the adoption of the SALP the Council is now considered to have a 5 year land supply.

CSDPD Policy CS15 sets out the overall housing provision (11,139) for the Borough from 2006 to 2026 and states that deliverable and developable sites will be allocated and phased to meet this provision in accordance with the sequential order set out in CSDPD Policy CS2. The SALP allocates sufficient sites to provide a five-year housing land supply (including a 20% buffer) based on the figure provided in Policy CS15. The Inspector's report on the SALP, dated 17 June 2013, endorses the Council's approach to calculating the five year housing land supply, that it is justified and that a five year supply can be demonstrated. If permitted this proposal would contribute to the small sites windfall allowance within the 5 year housing land supply. As such it is considered that, for the purposes of the NPPF, policies relevant to the supply of land for housing are up to date and the application should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

CSDPD Policy CS1 states that development will be permitted which makes efficient use of land, buildings and infrastructure, is located so as to reduce the need to travel and protects and enhances the character and quality of natural resources, landscapes and countryside. This is considered to be consistent with the NPPF.

CSDPD Policy CS2 sets out the sequence in which the Council will allocate land for development and states that development will be permitted within defined settlements and on allocated sites. The site is located within the defined settlement as shown on the Bracknell Forest Borough Proposals Map 2013, and is therefore acceptable in principle.. This is considered to be consistent with the NPPF which "seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it."

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

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

The proposal involves a net gain of 1 unit. In terms of the Council's housing provision the proposal constitutes a 'small' site and would therefore form part of the 'small' sites allowance. The new dwelling would have 4 no. bedrooms and would therefore add to the stock of family housing.

SALP Policy CP1, alongside CSDPD Policies CS1 and CS2 and the NPPF take a positive approach to development with the defined settlement. As such it is considered that the proposal for 1 new dwelling on an undeveloped plot within the defined

settlement is considered to be acceptable in principle. This is subject to no adverse impacts upon residential amenities of neighbouring properties, character and appearance of surrounding area, highway safety implications, etc. These matters are assessed below.

9. IMPACT ON CHARACTER AND APPEARANCE OF AREA

CSDPD Policy CS7 states that development will be permitted which builds upon the local character of the area, provides safe communities and enhances the local landscape where possible. BFBLP 'Saved' Policy EN20 states that development should be in sympathy with the appearance and character of the local area.

These policies are considered to be consistent with the objectives set out within the NPPF, and can be afforded significant weight. In addition para. 56 of the NPPF states that good design is a key aspect of sustainable development and should contribute positively to making places better for people to live. Furthermore para. 64 of the NPPF states that development should only be granted when the design takes the opportunities where available to improve the character and quality of an area and the way it functions.

The site is located within the Sandhurst 'Area E' (College Town) chapter of the Council's Character Area Assessments SPD. The SPD was adopted in 2010, following public consultation, so can be afforded significant weight. It provides guidance to supplement Core Strategy Policy CS7 (Design) This document lists a number of characteristics for Area E which are of relevance:-

- Uniform long narrow plots, although some variation in plot width, with small front gardens.
- No landmark elements or focal points.
- Very varied built form with a mixture of house styles and forms;
- Houses are of great variety with little coherent character.
- Material is predominantly red/orange brick.
- Building heights 1-2 storeys.

The recommendations of this chapter are as follows:

- Small infill development and redevelopment of individual plots may not be detrimental to the character of this area.

In line with the Council's Character Area Assessments SPD it is not considered that an infill development on the plot would have a detrimental impact upon the character and appearance of the area.

The resulting plot size for the dwelling would be very similar to the plot size for both 12 and 14 Davis Gardens and as such is in keeping with the pattern of development within Davis Gardens. The resulting plot size for 10 and 12 Branksome Hill Road is also in keeping with the neighbouring properties along Branksome Hill Road.

The height of the dwelling would be 8.9m which is higher than neighbouring property no 12 but lower than no 14. As such the ridge height would fall in-between the neighbouring properties either side which is considered to be acceptable.

The width of the two storey dwelling would be 9m which is 1m wider than the properties either side. It is not considered that the additional 1m width would result in a dwelling

that is disproportionately larger than the neighbouring properties; as such the size of the dwelling is considered to be acceptable.

The two storey element would be set in from the boundary with no. 14 by 1.2m and would be separated from no. 14 by the single garage of no. 14. The proposed single garage would separate the two storey built form with no 12. This ensures that the dwelling does not appear cramped within the street scene.

The eaves height and fenestration is in keeping with the neighbouring properties. The plans have been amended to incorporate a cantilevered first floor gable so the design is more in keeping with the street scene.

The dwellings on this side of Davis Gardens have a staggered frontage and as such the proposed dwelling being closer to the highway than no 14 would not have a detrimental impact upon the street scene.

It is therefore considered that the development would not result in an adverse impact on the character and appearance of the area and would be in accordance with CSDPD Policy CS7, BFBLP 'Saved' Policy EN20, the Character Area Assessment SPD and the NPPF.

10. RESIDENTIAL AMENITY

BFPLP 'Saved' Policy EN20 (vii) refers to the need to not adversely affect the amenity of the surrounding properties and adjoining areas. In addition to this, part of the requirement for a development to provide a satisfactory design as stated in BFPLP Policy 'Saved' EN20 is for the development to be sympathetic to the visual amenity of neighbouring properties through its design implications. This is considered to be consistent with the core principle relating to design in paragraph 17 of the NPPF, which states that LPAs should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and consistent with the general design principles laid out in paras. 56 to 66 of the NPPF.

There are no first floor side facing windows proposed facing onto no. 12. The only first floor side facing window facing onto no 14 would be an en-suite window which can be conditioned to be fixed shut and obscure glazed.

To the front the two first floor bedroom windows would be 11.4m from the side boundary with no.21 Davis Gardens opposite. To the rear the first floor bedroom window closest to the boundary would be at a distance of 8.1m from the shared rear boundary with nos. 10 and 12 Branksome Hill Road. The back-to-back distance of the proposed first floor windows with the rear of nos. 10 and 12 Branksome Hill Road would be 31m. These distances are considered to be acceptable in terms of over looking and as such would not result in a detrimental impact in terms of loss of privacy.

The proposed dwelling would not extend beyond the rear of neighbouring property no.14 and would not extend beyond the conservatory of no. 12 Davies Gardens. As such it is not considered that the proposed development would result in an unduly overbearing impact upon these dwellings. The proposed dwelling would extend 7m forward from the front of the garage of neighbouring property no. 14. It is not considered that the overbearing impact upon the driveway and front garden of no. 14 Davis Gardens would be so great as to merit refusal.

There would be no light infringement to the front or rear of neighbouring properties, 12 and 14 Davis Gardens.

It is therefore considered that the development would not result in an adverse impact on the amenity of neighbouring properties, and is therefore in accordance with BFBLP 'Saved' Policy EN20 and the NPPF.

11. TRANSPORT IMPLICATIONS

CSDPD Policy CS23 states that the LPA will seek to increase the safety of travel. BFBLP 'Saved' Policy M9 seeks to ensure that new development has sufficient car parking. To supplement this policy the adopted Parking Standards SPD (2007) sets out the advised levels and size of parking spaces for residential dwellings. The SPD was adopted following public consultation, so can be afforded significant weight. For a dwelling that has or exceeds 3 bedrooms a minimum of 3 allocated parking spaces should be provided in accordance with the minimum measurements stated within the document. The NPPF allows for LPAs to set their own parking standards for residential development and therefore the above policies are considered to be consistent with the NPPF.

The applicant will need to enter into a section 106 legal agreement with the Highway Authority, to require a section 278/38 legal agreement. This section 278/38 legal agreement will need to include for the dedication of land which is currently outside of the highway, to become highway. This will enable vehicular access to be provided to the application site and a continuous 2m wide footway to be provided across the application site frontage for pedestrian safety.

Bracknell Forest Borough Parking Standards (July 2007) notes that 3 parking spaces should be provided for a 4-bedroom property or above. The number of on-site parking spaces being provided is therefore acceptable.

The revised site plan (drawing 03A), shows a pedestrian vision splay across land controlled by no.12 Davis Gardens. Pedestrian vision splays can be achieved in the other direction for any pedestrians coming from nos. 14, 15 and 16 who are then likely to cross Davis Gardens to use the existing footway on the north side of Davis Gardens (and vice-verse). Therefore given the likely low usage of the footway for movements across the site frontage from no. 12 to no. 14 the pedestrian vision splay across no. 12 is not required, if it cannot be achieved.

For the reasons given above, and subject to the recommended conditions and a S106 agreement, the proposal is considered to be in accordance with CSDPD Policy CS23, BFBLP 'Saved' Policy M9 and the NPPF. Furthermore it would meet the requirement of the Parking Standards SPD (2007) subject to the recommended conditions being imposed.

12. SUSTAINABILITY

CSDPD Policy CS10 requires the submission of a Sustainability Statement demonstrating how the proposals meet current best practice standards, i.e. Code for Sustainable Homes Level 3. Formal assessment of dwellings against the Code for Sustainable Homes must be carried out by an accredited assessor (accredited by BRE). The assessment has several stages: Pre-assessment Estimator, Design Stage Assessment, and Post Construction Review. All stages should be covered, and the assessments submitted to the Council. This is considered to be consistent with the NPPF which states in para. 95 "To support the move to a low carbon future, local planning authorities should:

- plan for new development in locations and ways which reduce greenhouse gas emissions;
- actively support energy efficiency improvements to existing buildings; and
- when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings Policy and adopt nationally described standards."

No Sustainability Statement and no Pre-assessment Estimator have been submitted demonstrating that the development is likely to meet with Code for Sustainable Homes Level 3. Therefore this will be conditioned.

CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how 10% of the development's energy requirements will be met from on-site renewable energy generation. This is consistent with the NPPF which states that the LPA should have a positive strategy to promote energy from renewable and low carbon sources.

The applicant has provided no Energy Demand Assessment detailing how 10% of the development's energy demand can be offset as a result of implementing on-site renewable energy generation. Therefore, conditions are recommended to ensure the scheme would comply with Policies CS10 and CS12 of the CSDPD and with the NPPF.

13. PLANNING OBLIGATIONS

The National Planning Policy Guidance was updated on 28th November 2014. Paragraph 12 now states that: "There are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development." The criteria is listed as:

- contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm

The implications of this is that the LPA will no longer be able to seek contributions towards education, transport, public open space, libraries or community facilities for residential development on sites of 10 units or less and which have a maximum combined gross floorspace of 1,000m² or less. However S106 agreements will be still required for SPA mitigation.

14. SPA

The Council adopted the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) on 29 March 2012. This replaces 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). Therefore, all applications validated on or after 29 March 2012 will be considered under the SPA SPD. This SPD supplements Policy CS14, and was adopted following public consultation, so can be afforded significant weight

South East Plan retained Policy NRM6 and Core Strategy DPD Policy CS14 are consistent with the NPPF and should therefore be given full weight as Development Plan polices.

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.

This site is located approximately 1.1 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. In line with the Council's SPA SPD (March 2012), 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.

The SPA SPD Table 1 requires a contribution which is calculated on a per bedroom basis 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. In this instance, this application is for a single 4 bedroom dwelling. The SANG costs are £2,730.

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 is for a single 4 bedroom dwelling which requires an additional financial contribution of £807.

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £3,537 (i.e. 2,730 + 807).

Furthermore, there is a need to include an occupation restriction which is included in the Template s106 agreement. The occupation restriction is necessary to ensure that the SANGs works are in place before occupation thereby giving the certainty required to satisfy the Habitats Regulations in accordance with South East Plan retained Policy NRM6 (iii) and the Thames Basin Heaths Special Protection Area SPD paragraph 4.4.2.

Natural England has agreed that if the plans are implemented as stated in the SPA Avoidance and Mitigation Strategy and the Strategic Access Management and Monitoring Agreement, 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 effect on the integrity of the SPA. Pursuant to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 61(5) of the Conservation of Habitats and Species Regulations (2010) as amended, permission may be granted.

15. FLOOD RISK

The site is located within Flood Zone 2. Paragraph 100 of the NPPF states that "Inappropriate development in areas at risk of flooding should be avoided by directing

development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere". At paragraph 103, the NPPF states that "When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- * within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and

- * development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems".

The Sequential Test seeks to steer new development to areas with the lowest probability of flooding. The overall aim is to steer new development to Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, local planning authorities should consider the vulnerability of land uses and consider reasonably available sites in Flood Zone 2. Only where there are no reasonably available sites in Flood Zones 1 and 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the vulnerability of land uses and applying the Exception Test if required. The site lies within Flood Zone 2 where more vulnerable land uses (including residential development) are permitted.

A Flood Risk Assessment has been submitted which demonstrates that risk can be mitigated against and a condition is recommended to secure this. This is consistent with NPPG para 67, table 3 which shows that 'More Vulnerable' development (dwelling houses, student accommodation, hospitals) in Flood Zone 2 is classed as 'appropriate development'. The Council's Drainage Engineer has confirmed that the flood risk is minimal on the basis that the ground floor of the proposed property is situated above the probable flood level. The foul drainage would be in accordance with Building Regulations.

16. TREES

CSDPD Policy CS1 states that development will be permitted which inter alia protects and enhances the quality of natural resources and the character and quality of local landscapes. CSDPD Policy CS7 states that development will be permitted which enhances the landscape. BFBLP 'saved' Policy EN1 supports the retention of trees which are important to the character and appearance of the landscape and BFBLP 'saved' Policy EN20 requires development to retain beneficial landscape features. These policies are consistent with the core principles of the NPPF to conserve and enhance the natural environment, and can be afforded significant weight.

There are no Tree Preservation Orders on site. The Tree Survey submitted confirms that there are no significant trees that would be affected by the development.

17. CONCLUSION

The proposal for the erection of one additional dwelling within the defined settlement is considered to be acceptable in principle.

It is not considered that the development would result in an adverse impact on the character and appearance of the area, the amenities of the residents of the neighbouring properties, or on highway safety. All other issues addressed in this report can be secured by condition or in the case of contributions, securing the land to the front and the impact upon the Thames Basin SPA by S106.

It is therefore considered that the proposed development complies with the Development Plan Policies SALP Policy CP1, CSDPD Policies CS1, CS2, CS6, CS7, CS10, CS12, CS14 and CS23, BFBLP 'Saved' Policies EN1, EN20 and M9, SEP retained Policy NRM6 and with the Parking Standards SPD, Character Areas SPD, Limiting the Impact of Development SPD, the SPA SPD and the NPPF.

18. RECOMMENDATION

The proposal is recommended for conditional approval subject to the successful completion of a S106.

RECOMMENDATION

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

01. SPA.
Dedication of a 2m wide continuous footway between 12 and 14 Davis Gardens.

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 plans:
Drg no 02A received by LPA 01.10.2014
Drg no 03A received by LPA 01.10.2014
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, CSDPD CS7]
04. 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.

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

[Relevant Policy: Core Strategy DPD CS10]

05. 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]

06. 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%). The buildings thereafter constructed by the carrying out of the development shall be in accordance with the approved assessment and retained in accordance therewith.

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

[Relevant Plans and Policies: CSDPD Policy CS12]

07. The slab level of the dwelling shall be constructed in accordance with the approved drawing no 03A received by LPA 01.10.2014.

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

[Relevant Plans and Policies: BFBLP EN20 and CSDPD CS7]

08. 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. All hard landscaping works shall be carried and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are

significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

[Relevant Policies: BFBLP EN20, CSDPD CS7]

09. 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 north elevation of the dwelling hereby permitted except for any which may be shown on the approved drawing(s).
REASON: To prevent the overlooking of neighbouring properties.
[Relevant Policies: BFBLP EN20]
10. The first floor window in the north elevation the en-suite of the dwelling shall not be glazed at any time other than with a minimum of Pilkington Level 3 obscure glass (or equivalent) to a height of 1.7m from floor level. The windows shall at all times be fixed to a height of 1.7m from floor level.
REASON: To prevent the overlooking of neighbouring property.
[Relevant Policies: BFBLP EN20]
11. The boundary treatment shall be erected in the locations shown on approved drawing 03 received by LPA 09.07.2014. The approved scheme shall be implemented in full before the occupation of the dwelling approved in this permission and retained thereafter.
REASON: - In the interests of the visual amenities of the area and to safeguard existing retained trees, hedges and shrubs.
[Relevant Plans and Policies: BFBLP EN20, Core Strategy DPD CS7]
12. 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]
13. The dwelling shall not be occupied until visibility splays of 2.0 metres by 2.0 metres to the north have been provided at the junction of the driveway and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.
REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]
14. The dwelling hereby approved shall not be occupied until the associated vehicle parking or vehicle parking and turning space [delete as appropriate] has been surfaced and marked out in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.
REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

15. The development hereby permitted shall not be begun until a drainage design in accordance with the Flood Risk assessment dated September 2014 has 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: The site is within the identified Area Liable to Flood where strict control over development is required by the policies of the Development Plan.

Informative(s):

01. The Council's Street Care Team should be contacted at the Environment, Culture and Communities Department, Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000, to agree the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.
02. 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.
03. The following conditions require the submission of details to the LPA prior to commencement of development:
- 03. Samples of materials
 - 04. Sustainability Statement
 - 08. Landscaping.
 - 14. Drainage design.

The applicant is requested to ensure that samples of materials are available on-site for inspection by the case officer.

The following conditions require the submission of details to the LPA prior to occupation of development:

- 13. Visibility splays to the north

No details are required in respect of the following conditions:

- 01. Time limit
- 02. Approved plans
- 07. Slab levels
- 09. No additional windows.
- 10. Obscure glazing.
- 11. Boundary treatment.
- 12. Garage restriction.

In the event of the S106 planning obligation(s) not being completed by
30th January 2015
the Head of Development Management be authorised to **REFUSE** the application on
the grounds of:-

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

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