

ITEM NO: 13Application No.
14/01228/FUL

Site Address:

Ward:
College TownDate Registered:
8 December 2014Target Decision Date:
2 February 2015**94 To 96 College Road College Town Sandhurst
Berkshire GU47 0QZ**

Proposal:

Erection of 3 no. 4 bedroom houses and 1 no. 3 bedroom house with associated bin and cycle storage, landscaping, parking and vehicular access off Academy Place on land to the rear of 94 and 96 College Road.(revision to 14/00580/FUL)

Applicant:

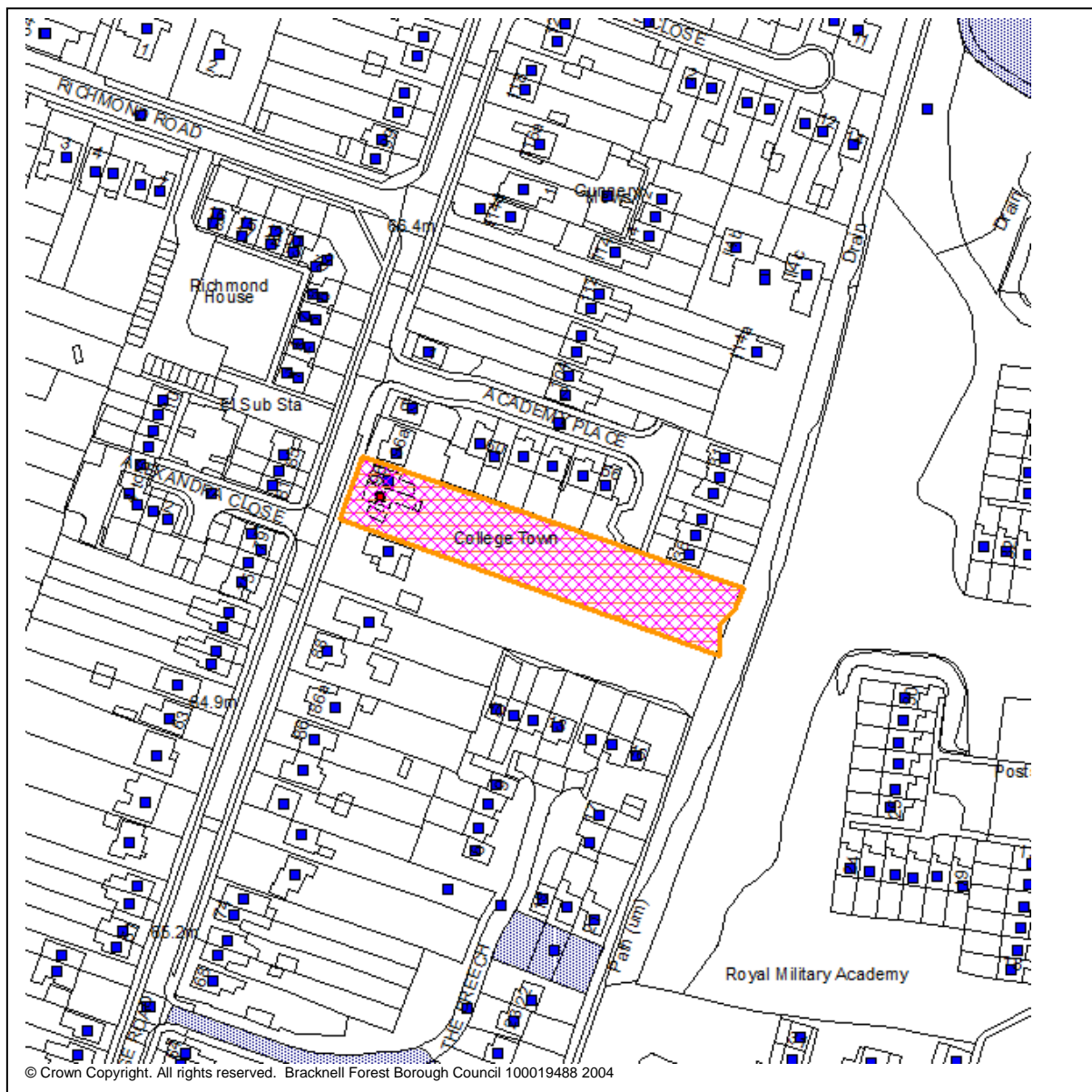
Mr Malcolm Hester

Agent:

Mr Paul Burman

Case Officer:

Paul Corbett, 01344 352000

environment@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 it has attracted more than 3 objections.

2. SITE DESCRIPTION

The application site is located within the settlement of College Town on the eastern side of College Road. The land to be developed currently comprises the rear gardens of two existing semi-detached houses namely no's 94 and 96 College Road.

The site is surrounded on three sides by other residential development and to the east is an undeveloped area of land.

The area is characterised by a mix of detached, semi-detached and terraced housing, the majority of which is two storeys in height. There has been some intensification of development in the area in recent years, through redevelopment and the introduction of cul de sacs.

3. RELEVANT SITE HISTORY

This revised application follows the refusal of the previous planning application (14/00580/FUL) which was refused by the Planning Committee on 13 November 2014 for the following key reason.

The proposed two storey buildings on plots 1-3 by reason of their siting, massing and close proximity to the northern boundary would result in an unneighbourly form of development to the detriment of the amenities of the occupiers of 57-59 Academy Place. The development is therefore contrary to Policy CS7 of the Core Strategy Development Plan Document and 'Saved' Policy EN20 of the Bracknell Forest Borough Local Plan.

The above proposal gave rise to concerns of the Planning Committee with plots 1-3 and their height siting and massing close proximity of the rear gardens of 57-59 Academy Place. It was felt the elevated gable end of the proposed plots 1-3 would adversely impact upon the neighbours amenities by reason of the overshadowing of the gardens.

The applicant has amended the scheme by removing one of the plots and increasing the distance between the rear elevations of 57-59 Academy Place to address this concern.

4. THE PROPOSAL

Erection of 3 no. 4 bedroom houses and 1 no. 3 bedroom house with associated bin and cycle storage, landscaping, parking and vehicular access off Academy Place on land to the rear of 94 and 96 College Road (revision to 14/00580/FUL).

This revised application seeks to address the Planning Committee's refusal on the 13 November 2014 (14/00580/FUL) as set out in the previous section above.

This revised proposal comprises two distinct elements:

(i) a pair of semi's (plots 3 & 4) with 3 car parking spaces each; and 2 visitor car parking spaces and

(ii) a pair of semi's 1 x 3 bed house (plot 4) and 1 x 4bed house (plot 5) with 2 and 3 car parking spaces respectively

The site is measured as having a total area of 0.2085 ha which equates to an approximate density of 24 dph.

5. REPRESENTATIONS RECEIVED

This application has resulted in 8 objections and the concerns are summarised as follows:

- Impact upon the character of the area
- Over development resulting in a visually cramped appearance
- Impact upon the neighbours amenities (overbearing, overshadowing of gardens and overlooking)
- Increase in vehicle movements and lack of parking
- Parking pressures from non-residents parking in Academy Place
- Impact upon wildlife
- Loss of trees

6. SUMMARY OF CONSULTATION RESPONSES

Sandhurst Town Council

The Town Council makes the following observations:

It considers that the cramped nature of the development and the number of parking spaces has been addressed.

While the light issue has been largely resolved, there is still some question over the relative levels of Academy Place properties compared with Plot 2 elevation and the angle of light calculations.

We consider the additional kitchen/breakfast and lounge/dining window on the north east elevation of Plot 2 should be obscured glass and note that this arrangement is not replicated on Plot 1.

We have concerns that the area to the north of Plot 2 designated for soft landscaping should not be used for hard landscaping and consideration should be given to extending the existing hedgerow along the boundary.

Highway Authority:

The Highways Officer supports this proposal subject to some minor amendments, the imposition of a number of conditions, and securing by a legal agreement the highways related financial contributions and adoption of the road as identified.

Biodiversity Officer

The Biodiversity Officer supports this proposal subject to the imposition of a number of conditions such as securing a reptile mitigation strategy and a scheme for the provision of bird and bat boxes (and other biodiversity enhancements).

Tree Officer

The Tree Officer supports the proposal as amended subject to securing the tree protection before works commence on the site and this can be secured by condition.

Drainage Engineer

The Councils Drainage Engineer has no objection subject to securing the drainage by condition.

7. DEVELOPMENT PLAN

The Development Plan for this Borough includes the following:

Core Strategy DPD (February 2008)
Site Allocations Local Plan (July 2013)
Policy NRM6 of the South East Plan (May 2009)
Bracknell Forest Borough Local Plan (January 2002) (saved policies)
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.

SALP Policy CP1 refers to the presumption in favour of sustainable development as outlined within the National Planning Policy Framework (NPPF). SALP Policy CP1 states that the Council will act proactively and positively with applicants to seek solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions within the area. Planning applications that accord with the policies in the development plan for Bracknell Forest should be approved without delay, unless material considerations indicate otherwise. This is considered to be consistent with the NPPF.

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

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

The site is located in a residential area that is within a defined settlement on the Bracknell Forest Borough Policies Map (2013).

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

CSCPD Policy CS16 requires a range of housing types, sizes 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.

This amended proposal now results in 1 less unit involving a net gain of 4 units (3x 4beds and 1 x 3bed). In terms of the Council's housing provision the proposal constitutes a 'small' site and would therefore contribute to the 'small' sites allowance. It would also add to the Borough's stock of family housing.

As the proposal involves the development of private residential gardens, it is a greenfield site. Whilst the NPPF (para 111) encourages the use of previously developed land, it does not prohibit the use of greenfield sites. In such situations it is important to respond to local character and the existing pattern of development.

As a result the proposed development is considered to be acceptable in principle, subject to no adverse impact on the character of the area, amenity of neighbouring occupiers, highway safety, trees, etc. These issues are addressed elsewhere in this report.

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. The Character Area Assessments SPD provides guidance to help implement these policies. Saved Policy EN1 of the BFBLP seeks to retain trees and hedgerow which are important to the character and appearance of the townscape and act as green links between open spaces. These policies are consistent with the objectives set out within the NPPF.

College Town is identified as a distinct area (Area E) in the Character Areas SPD with recognition that the original rectilinear plot layout and regular development rhythm has been disrupted by cul de sacs, particularly to the east of College Road. The SPD refers to the need to limit further fragmentation and retain/enhance the street frontage and wooded links.

Access is now to be gained off Academy Place, and there will be little change to nos 94 and 96 College Road when viewed from the highway, the streetscene will not be disrupted and the pattern of development will appear similar. The proposed houses are now all orientated to face the extension of Academy Place, which will be offered for adoption. This results in a more natural layout and a natural continuation of the adjacent pattern of development. The new houses in the centre of the site will back on to the existing houses on the College Road frontage, namely no's 94 and 96.

In terms of density the number of units proposed is considered to be an appropriate number of dwellings when compared to the local established density. Furthermore, the scheme accords with the NPPF in that it makes efficient use of the land given the constraints of the trees on the sites boundaries. It is considered that to accommodate a greater number of dwellings would be out of keeping with the wider visual appearance of the area, and likely to adversely impact upon the protected trees on the boundaries of the site, and would not deliver high quality, well designed development in accordance with NPPF.

Objections received refer to this proposal being an over development of the site, but having regard to the form of the surrounding area the proposed density of approximately 24 dwellings per hectare and the scale, massing and appearance this development is not considered to be out of keeping with its surroundings.

In conclusion, it is considered that the proposal accords with the principles of Core Strategy Policy CS7, 'Saved' BFBLP Policies EN1 and EN20 and the NPPF.

10. RESIDENTIAL AMENITY

BFBLP 'Saved' Policy EN20 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 'Saved' Policy EN20 and CSDPD Policy CS7, 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 general design principles laid out in paras. 56 to 66 of the NPPF.

Objections refer to the proposed development being overbearing in relation to adjoining properties (no's. 58 and 59 Academy Place) with significant overshadowing of a number of the adjacent gardens.

Proposed plots 2 and 3 have been redesigned resulting in one less dwelling with roofs that are hipped away from the boundaries with a ridge height that has marginally increased to 8.65m (previously 8.5m) and a side to back distance of 16m (previously 13m) to the rear elevations of no's. 58 and 59 Academy Place.

Whilst it is acknowledged that this development will have some impact it is important to strike a balance between protecting the neighbours' amenities as well as making the most efficient use of land within settlements. It is considered that the reduced scale of this development and the increased intervening distances are now more than sufficient to ensure that the buildings will not be overly overbearing or result in overshadowing that would be so significant as to warrant refusal. It is felt that the proposal has been treated consistently with other developments in ensuring that it does not result in such an adverse impact upon the living conditions of the adjacent dwellings.

The BRE Site Layout Planning for Daylight and Sunlight guidance recommends that, for a garden or amenity area to appear adequately sunlit throughout the year, at least half of it should receive at least 2 hours of sunlight on 21 March. If as a result of a new development the garden or amenity area does not achieve this and the area which can receive 2 hours of sun on 21 March is less than 0.8 times its former value then the loss of sunlight is likely to be noticeable. As recommended by the BRE's guidance all the gardens of 57, 58 and 59 remain adequately lit throughout the year. 50% of all the gardens receive at least 2 hours of sunlight on the 21st March and no garden receives more than 50 % shadows. It follows that if some sun is received on 21st March, there will be sun over the summer months. The gardens in Academy Place would not be in permanent shadow as a result of this proposal.

Another most notable point is that as the site is at a lower level (approx. 1m) than existing development at Academy Place, the potential impact of the new development on the existing houses is further reduced as a result of the lower setting of the building.

The relationship between the habitable room windows of the proposed dwellings and the neighbouring houses and their gardens will all be at oblique angles and will not be at all unusual in a built up area such as this. The only windows facing the neighbouring properties will be the first floor en-suite, which are all shown to be obscure glazed. Whilst it is

acknowledged concerns are raised with regards to the ground floor windows and door facing 58-59 Academy Place, the applicants drawing entitled 'Vertical Sky Component' (Dwg 12065-02-223) clearly demonstrates by way of a cross section through the site that these windows and door at ground floor will not overlook the adjacent gardens.

It is considered that the scheme as now amended is designed so as not to create any adverse impacts on the amenities of nearby residents and it is therefore in accordance with the Development Plan Policy CS7 BFPLP, 'Saved' Policy EN20 of the BFBLP and NPPF.

11. TRANSPORT IMPLICATIONS

CSDPD CS23 states that the Local Planning Authority will seek to reduce the need to travel and increase the safety of travel, while simultaneously promoting alternative modes of travel. Saved Policies M4 and M9 of the BFBLP ensure that development provides satisfactory highway measures and parking provision. To supplement this policy, the Local Planning Authority's Parking Standards SPD sets out the advised levels and size of parking spaces for residential dwellings. The NPPF allows for LPAs to set their own parking standards for residential development. The quoted policies are considered to be consistent with the NPPF.

The Highways Officer supports this revised proposal subject to securing the road adoption of the extended part of Academy Place via a s106 legal agreement in accordance with the design principles identified on the applicant's site layout drawing accompanying the application.

The existing road was designed to accommodate all types of predicted traffic movements by private vehicles, residential service vehicles (including those for waste collection and emergency vehicles), pedestrians and disabled persons. Whilst it would have been desirable to incorporate a better turning head into this development to facilitate extending the road in the future, it was felt the additional widths required would have impacted on a tree covered by a TPO.

The access would include provision of a 2m footway to the southern side of the entrance to provide safe and direct pedestrian access into the site. This footpath is no longer compromised by either Plot 1 or the entrance piers as they have been set back from the back edge of the footpath. The change in surface to the access road has been relocated further back into the development and the initial section of road and turning head would now be adopted.

Service margins have been provided along the extent of the adopted section of the access road with each of the dwellings having clearly defined pedestrian access to each plot.

Each dwelling would be provided with parking spaces, 2 parking spaces for the 3 beds and 3 parking spaces for the 4 bed which accords with the Council's residential car parking standards. Given the number of dwellings proposed there is no requirement for any visitor parking provision, however the applicant is aware of a number of representations received that raise parking as an issue and has therefore included 1 additional space into the scheme as a visitor space. The Highways Officer is satisfied with this parking provision.

Cycle parking is located within sheds in gardens of all properties.

In respect of refuse storage/collection the number and types of refuse and recycling bins would comply with the requirements of the Highway Authority. The proposed residential site would accommodate a turning area for refuse vehicles. The refuse provision would be in the form of bins kept in the rear gardens, which all have external access. A number of bin collection points have been identified on the site layout plan and these are considered to

adhere to the Council's thresholds in terms of carry distance for both refuse operatives and future residents.

The proposal would generate about 37 movements per day with a peak hour increase of approximately 4 movements per day at the Junction with College Road which is considered acceptable. This would cumulatively with other developments within the area have an impact upon the wider highway network.

Construction traffic will need to be controlled by condition but Academy Place is wide enough to accommodate such vehicles.

For the reasons given above the proposal is considered to be in accordance with Saved Policies M4 and M9 of the BFBLP, Policy CS23 of the Core Strategy DPD and the NPPF.

12. ACCESSIBILITY

BFBLP Saved Policy EN22 and CSDPDP Policy CS7 states that the Local Planning Authority (LPA) will ensure that new development provides convenient access, parking space and facilities for people with disabilities. These policies are considered to be consistent with the NPPF which states that LPA's should take into account the accessibility of the development.

Given the proposal will need to comply with Part M of the Building Regulations with respect to access to and within the building as well as general access arrangements, it is therefore considered that the proposal would comply with the requirements of the Development Plan and the NPPF.

13. TREES AND LANDSCAPING IMPLICATIONS

BFBLP Saved Policies EN1 and EN2 state that the LPA will seek to protect tree and hedgerow cover. This is also supported by CSDPD Policy CS1 which seeks to protect the character of the local landscape. These policies are considered to be consistent with the NPPF section 11 which encourages LPAs to conserve and enhance the natural environment by protecting and enhancing valued landscapes.

The tree survey and report submitted with the application demonstrates how the trees to be retained on the site will be protected, including the Horse Chestnut which is the subject of a Tree Preservation Order. A large landscaped area is shown to encircle the tree and this space will be protected by a knee high rail.

A number of the lower quality trees will be removed however the majority of the boundary hedging and trees are shown to be retained.

The proposed retention of the existing trees and hedgerows on the boundaries of the site and proposed soft landscaping are considered to comply with Saved BFBLP Policy EN1 which make an important visual contribution to the area overall.

The Council's Tree Officer supports the proposal as amended subject to the tree protection being implemented before works commence on the site and this can be secured by condition.

The proposed landscaping is considered acceptable in principle and this will be secured by condition.

Therefore, subject to conditions, the proposal would comply with the relevant policies quoted and the NPPF.

14. BIODIVERSITY IMPLICATIONS

CSDPD Policy CS1 seeks to protect and enhance biodiversity and CS7 seeks to enhance and promote biodiversity. This is considered to be consistent with the NPPF which states that planning should contribute to "minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."

The supporting reports, namely the reptile survey and the updated phase 1 survey report, are considered sufficient to demonstrate how this proposal will minimise its impacts on biodiversity.

The Biodiversity Officer supports this proposal subject to the imposition of a number of conditions such as securing a reptile mitigation strategy and a scheme for the provision of bird and bat boxes (and other biodiversity enhancements) which would protect and enhance the wildlife value of the development. Subject to conditions the proposal would comply with the quoted policies and the NPPF.

15. DRAINAGE

CSDPD Policy CS10 seeks to secure the use of sustainable drainage systems in the management of surface water run-off which is considered to be consistent with the NPPF (para. 103) which states that new development should ensure that risks from flooding can be managed through suitable adaptation measures, including through the planning of green infrastructure and the use of sustainable drainage systems to reduce the causes and impacts of flooding.

The Council's Sud's Engineers have not objected but have recommended conditions to secure these details before any development may commence.

Subject to conditions, the proposal would comply with CSDPD Policy CS10 and the NPPF.

16. SUSTAINABILITY AND ENERGY DEMAND

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. This is considered to be consistent with the NPPF. 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.

A Sustainability Statement has been provided demonstrating that the development as a whole is likely to meet with Code for Sustainable Homes Level 3. Conditions are therefore recommended to secure the details proposed.

CSDPD Policy CS12 requires the submission of an Energy Demand Assessment demonstrating how the development's potential carbon dioxide emissions will be reduced by at least 10% and how 20% of the development's energy requirements will be met from on-site renewable energy generation. This is considered to be consistent with the NPPF.

The applicant has submitted an Energy Statement demonstrating that they would more than meet with the 10% reduction in carbon emissions. As for generating 20% of the

development's energy demand through the implementation of renewables the applicant has stated that they can't make the 20%. Going on the applicant's approach of a far greater initial reduction in carbon emissions, a lesser energy demand offset would be accepted however the applicant has not confirmed which technology they would implement. It is therefore considered this can be secured by condition.

Subject to conditions the proposal would comply with the requirements of CSDPD Policies are CS10 and CS12 and the NPPF.

17. WASTE AND RECYCLING ISSUES

Any new residential development needs to provide a bin collection point within 25m of the highway with a carry distance for residents not exceeding 30m. Given this site will result in 5 dwellings the Council will seek to adopt either all or a proportion of the site access road to facilitate the servicing of this site by a 10m refuse vehicle.

The houses are shown to be designed such that up to three wheeled bins can easily be stored away from the street scene usually by providing a gate or similar to enable owner/occupiers to store the bins within their rear gardens. A number of bin collection points have been identified on the site layout plan and these are considered to adhere to the Council's thresholds in terms of carry distance for both refuse operatives and future residents. The access road has also been designed to facilitate turning if refuse vehicles enter the site.

18. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

Retained South East Plan Policy NRM6 and Core Strategy DPD Policy CS14 seek to avoid an adverse impact upon the integrity of the Thames Basins Heaths Special Protection Area The Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) (March 2012) provides guidance on implementing these policies.

NPPF para 118 states that when determining planning applications, LPAs should aim to conserve and enhance biodiversity.

The Development Plan policies are considered to be consistent with the NPPF and should therefore be given full weight.

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 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.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.

A contribution 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 1 X 3 bedroom and 3 x 4 bedroom dwellings. The SANG costs are as follows:

Total SANG Contribution - 3 bedrooms (£2400) = £2,400 (1X 2400)
4 bedrooms (£2730) = £8,190 (3 x 2730)

The open space works at Shepherd Meadow is the most appropriate to this proposal (although it may be necessary to allocate the contribution to another SANG). The legal agreement will also incorporate a clause requiring 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 as follows:

Total SAMM Contribution - 3 bedrooms (£711) = £711 (1 X 711)
4 bedrooms (£807) = £2,421 (3 X 807)

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £13,722 (i.e. £10,590 + £3,132).that will need to be secured by S106 Legal Agreement.

Therefore subject to the completion of a S106 the proposal would comply with the quoted policies and the NPPF

19. PLANNING OBLIGATIONS

Developments are required to comply fully with Core Strategy Policy CS6, 'Limiting the Impact of Development' SPD (LID), 'Thames Basin Heaths Special Protection Area Avoidance and Mitigation' SPD and the Community Infrastructure Levy (CIL) Regulations, to offset the impacts of the development and make the development acceptable in planning terms. The requested planning obligations are considered to be in accordance with the tests set out in the CIL Regulations, in that they are:

- i) necessary to make the development acceptable in planning terms,
- ii) directly related to the development, and
- iii) fairly and reasonably related in scale and kind to the development.

This is considered to be consistent with the NPPF which states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."

It should be noted that the government has recently published changes to the NPPG stating Local Planning Authorities shall no longer seek contributions for residential development of 10 or less dwellings where the combined gross floorspace is less than 1,000m². In respect of this proposal the only financial contribution that will be sought relates to the SPA mitigating payment as set out in the previous section.

The following will be sought to be secured within the S106:-

- (i) SPA Mitigation (referred to in the previous section)
- (ii) Dedication of part of the site access as public highway
- (iii) Maintenance of public areas

The applicant is willing to secure the above identified mitigating contributions via S106 legal agreement before planning permission is granted.

It is considered that the obligations in the S106 are necessary to make the development acceptable in planning terms and are directly, fairly and reasonably related to the proposed development and are therefore consistent with Policy CS6 of the CSDPD and the NPPF.

20. CONCLUSIONS

It is considered that this proposal provides a scale of development within the settlement that not only seeks to make efficient use of the land but which is also sympathetic in terms of the form and layout of development. It does not compromise the streetscene, pattern of development and character of the local area. The proposed dwellings are considered appropriate in scale, mass, design, materials, layout and siting, in terms of the scheme itself and in relation to adjoining buildings, spaces and views.

The proposal is considered to be in accordance with the Development Plan policies and the NPPF.

The development proposal is therefore recommended for approval subject to conditions and completion of a S106 legal agreement.

RECOMMENDATION

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

- (i) SPA Mitigation
- (ii) Dedication of part of the site access as public highway
- (iii) Maintenance of public areas

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 and other submitted details.

- 12065-02-200 Rev.A - Location Plan received 08.12.14
- 12065-02-206 - Proposed Block Plan Ground Floor received 27.11.14
- 12065-02-207 - Proposed Block Plan First Floor received 27.11.14
- 12065-02-208 - Proposed Block Plan Roof Plan received 27.11.14
- 12065-02-209 - Proposed Elevations Plot 1, 2 received 27.11.14
- 12065-02-210 - Proposed Elevations Plot 3 & 4 received 27.11.14
- 12065-02-211 - Proposed Elevations & Sections received 27.11.14
- 12065-02-212 - Proposed Plot 1, 2 Ground Floor received 27.11.14

- 12065-02-214 - Proposed Plot 3 & 4 Ground Floor received 27.11.14
- 12065-02-215 - Proposed Plot 3 & 4 First Floor received 27.11.14
- 12065-02-217 – Proposed Cycle Storage received 27.11.14.09.14
- 12065-02-218 - Refuse Collection received 27.11.14
- 12065-02-220 - Typical Shed Elevations received 27.11.14
- 12065-02-221 - Knee Rail Fencing received 27.11.14
- 12065-02-222 - Extent of Road Adoption received 27.11.14
- 12065-02-224 - Sunlight & Day Assessment received 27.11.14

Arboricultural Survey and Implications Assessment Revised received 27.11.14
13-137-260 813 TC Revision 2 Arboricultural survey and constraints plan received 27.11.14
Reptile Survey Report by Lilacs Land Consultants LLP received 27.11.14
Sustainability Statement by The Blewburton Partnership (November 2014) received
27.11.14
Transport Statement by Dermot McCaffery (November 2014) received 27.11.14

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 include bricks and roof tiles and other hard surfaces to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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

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

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

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

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that order with or without modification) no enlargement, addition, improvement or other alteration permitted by Classes A, B, C, D and E of Part 1 of the Second Schedule of the 1995 Order shall be carried out.

REASON: The site is affected by a Tree Preservation Order/contains trees which are a feature of the site where strict control over development is required by the policies of the development to ensure their protection and safeguard the residential and visual amenities of the occupiers and adjoining properties

[Relevant Policies: BFBLP Saved Policies EN1 & EN20 Core Strategy DPD Policy CS7]

06. The development hereby permitted shall be implemented in accordance with the submitted 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 Policy CS10]

07. 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 Policy CS10]

08. 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: Core Strategy DPD Policy CS12]

09. No development (other than the construction of the access) shall take place until the access has been constructed in accordance with the details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD Policy CS23]

10. No dwelling shall be occupied until a means of access for pedestrians has been constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of accessibility and to facilitate access by cyclists and/or pedestrians.

[Relevant Policies: BEBLP Saved Policy M6, Core Strategy DPD Policy CS23]

11. The dwellings shall not be occupied until visibility splays of 2.0 metres by 2.0 metres have been provided at the junction of the driveway and the adjacent footway. The dimensions shall be measured along the edge of the drive and the back of the footway from their point of intersection. The visibility splays shall at all times thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the carriageway.

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD Policy CS23]

12. The gradient of private drives shall not exceed 1 in 12.

REASON: To ensure that adequate access to parking spaces and garages is provided.

[Relevant Policies: Core Strategy DPD Policy CS23]

13. No dwelling shall be occupied until the associated vehicle parking and turning space including drainage has been constructed and surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The vehicle parking and turning spaces shall not thereafter be used for any purpose other than parking and turning.

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 Saved Policy M9, Core Strategy DPD Policy CS23]

14. No dwelling shall be occupied until details of the signing for the visitor car parking space has been submitted to and approved in writing by the Local Planning Authority. The visitor car parking space shall be provided and signed in accordance with the approved details and the space and signage shall thereafter be retained.

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 Saved Policy M9, Core Strategy DPD Policy CS23]

15. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for covered and secure cycle parking facilities. The dwellings shall not be occupied until the approved scheme has been implemented and the facilities shall thereafter be retained.

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

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

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

REASON: In the interests of highway safety.

[Relevant Policies: Core Strategy DPD Policy CS23]

17. The development hereby permitted shall not be begun until a scheme has been submitted to and approved in writing by the Local Planning Authority for off site highway works including the following:

- to form an access into the site

The buildings provided by the carrying out of the development shall not be occupied until the off site highway works have been completed in accordance with the approved scheme.

REASON: In the interests of highway safety.

[Relevant Policy: BFBLP Saved Policy M4]

18. 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

(f) Construction management plan setting out measures to minimise impacts of this development upon the existing residents

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 (f) above without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and road safety.

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

19. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive, unless a scheme to minimise the impact on nesting birds during the construction of the development has been submitted to and approved by the Local Planning Authority.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP Saved Policy EN3, Core Strategy DPD Policies CS1, CS7]

20. No development shall take place until a reptile mitigation strategy has been submitted to and approved by the Council. The strategy should include the following:

- i. Details of measures taken to avoid harm to reptiles on site during development
- ii. Details of a suitable translocation receptor site
- iii. Details of any enhancements required of the receptor site
- iv. Details of management and maintenance requirements of the receptor site
- v. Details of monitoring

A close out report will be submitted to the council within 3 months of the occupation of the first dwelling

REASON: In the interests of nature conservation

[Relevant Plans and Policies: BFBLP Saved Policy EN3 Core Strategy DPD Policies CS1, CS7]

21. The scheme hereby permitted shall be carried out in accordance with the reptile mitigation measures outlined in information submitted under condition 20 (above). An ecological site inspection report shall be submitted for approval within three months of the first occupation of any dwelling hereby approved.

REASON: In the interests of nature conservation

[Relevant Plans and Policies: Core Strategy DPD Policy CS1]

22. No development shall commence until a scheme for the installation of bird and bat boxes, including a plan or drawing showing the location of the boxes, 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: Core Strategy DPD Policies CS1, CS7]

23. If more than 2 years elapse between the previous reptile survey and the due commencement date of works, an updated reptile survey shall be carried out by a suitably qualified ecologist. A report confirming the results and implications of the assessment, including any revised mitigation measures, shall be submitted to the Local Planning Authority before construction works commence on site. The scheme shall be implemented in accordance with the mitigation measures.

REASON: To ensure the status of reptiles on site has not changed since the last survey.

[Relevant Plans and Policies: Core Strategy DPD Policies CS1, CS7]

24. The development shall not be begun until a scheme depicting hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a 3 year post planting maintenance schedule.

All planting comprised in the soft landscaping works shall be carried out and completed in full accordance with the approved scheme, in the nearest planting season (1st October to 31st March inclusive) to the completion of the development or prior to the occupation of any part of the approved development, whichever is sooner, or as may otherwise be agreed in writing by the Local Planning Authority. All hard landscaping works shall be carried 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 Saved Policies EN2 and EN20, Core Strategy DPD Policy CS7]

25. All existing trees, hedgerows and groups of shrubs shown to be retained on the approved drawings shall be protected by 2m high (minimum) welded mesh panels, supported by a metal scaffold framework, constructed in accordance with Section 6.2 of British Standard

5837:2012, or any subsequent revision. The development shall be carried out in accordance with the approved drawings.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP Saved Policy EN1 and EN20, Core Strategy DPD Policy CS7]

26. The development hereby permitted (including initial site-clearance) shall not be begun until a detailed scheme, and programme for its implementation for the protection of existing trees in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include proposals for the phasing of its implementation so that protection is provided from the commencement of demolition or site clearance works (whichever is the sooner), through to the construction works and the completion of hard landscaping works. The submitted scheme shall include the following:

- a) Accurate trunk positions and canopy spreads of all existing trees
- b) Minimum 'Root Protection Areas' of all existing trees
- c) Plans of a minimum scale of 1:200 showing the proposed locations of protective barrier/s, constructed in accordance with Section 6 (Figures 2 or 3) of BS 5837:2012, to include appropriate weatherproof tree protection area signage (such as "Keep Out - Construction Exclusion Zone") securely fixed to the outside of the protective fencing structure at regular intervals.
- d) Proposed ground protection measures in accordance with Section 6 (Figure 3) of BS 5837:2012.
- e) Annotated minimum distances between fencing and trunks of retained trees at regular intervals.
- f) Illustration/s of the proposed fencing structure/s to be erected.

The development shall be carried out in accordance with the approved scheme and programme.

REASON: - In order to safeguard trees and other vegetation considered to be worthy of retention in the interests of the visual amenity of the area.

[Relevant Policies: BFBLP Saved Policy EN1 and EN20, Core Strategy DPD Policy CS7]

27. No building work or deliveries shall take place during the construction of the development hereby approved outside the hours of 08.00 hours and 18.00 hours Monday to Friday; 08.00 hours and 13.00 hours Saturday and not at all on Sundays and Public Holidays.

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

[Relevant Policies: BFBLP Saved Policy EN25]

Informative(s):

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

In the event of the S106 planning agreement not being completed by 22 March 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