

Unrestricted Report

ITEM NO: 6

Application No.
14/00863/FUL

Ward:
Winkfield And
Cranbourne

Date Registered:
1 August 2014

Target Decision Date:
26 September 2014

Site Address:

**Land At Rear Of 4 Hayley Green Cottages Forest
Road Hayley Green Warfield Bracknell Berkshire**

Proposal:

**Erection of 3 no. dwellings including associated parking, access
and amenity space.**

Applicant:

Stoneham Property Development

Agent:

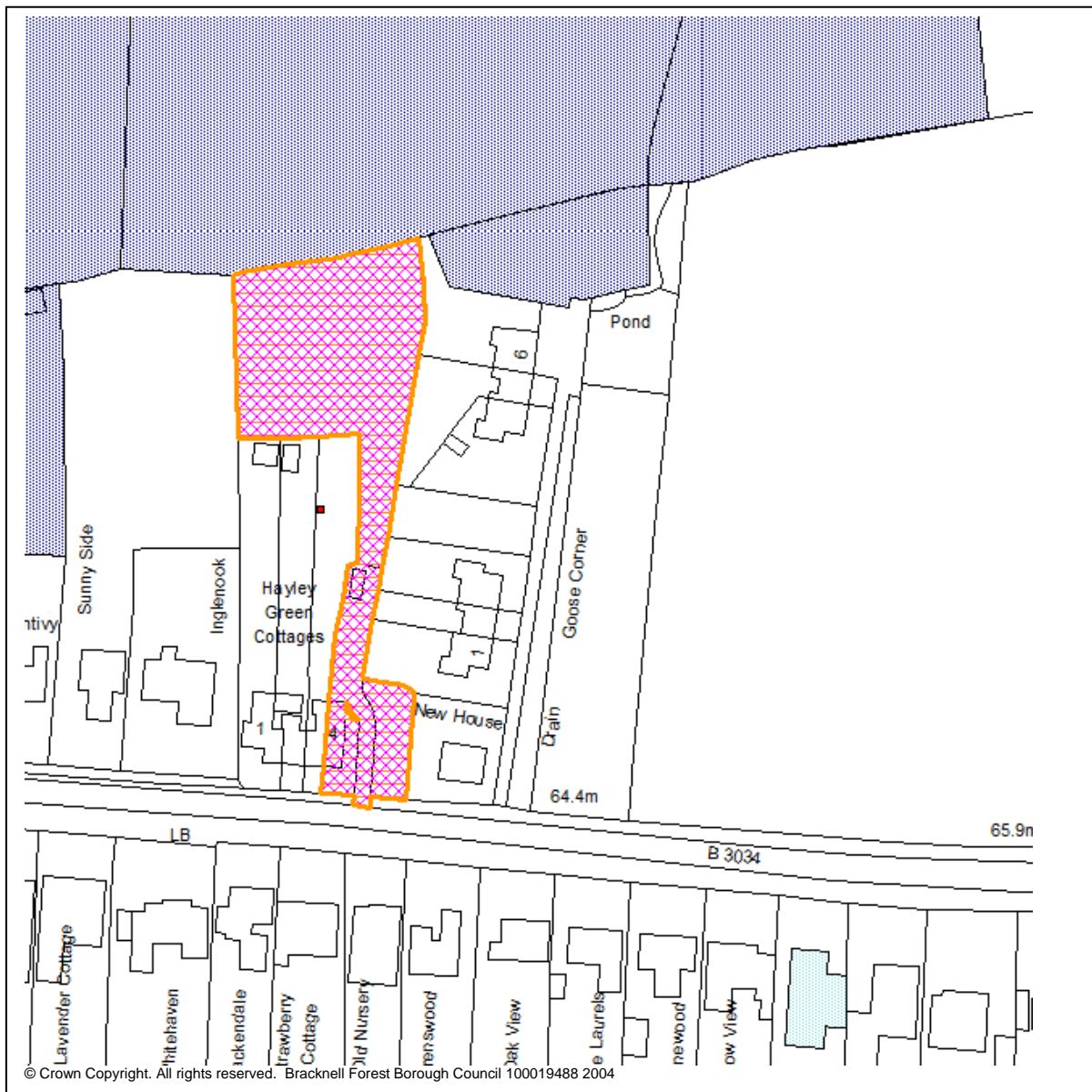
Mr S Brown

Case Officer:

Laura Rain, 01344 352000

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



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 application site is located in Hayley Green, a semi-rural area with low-density housing and a significant number of trees and vegetation visible within the street scene.

The site lies behind the gardens of 1-4 Hayley Green Cottages and is accessed via a gated, unmade track to the side of No.4. The last lawful use of the site was as an open storage facility for touring caravans (secured by a Lawful Development Certificate in 2003) although it now has the appearance of a large empty field.

To the north, behind the site, is open countryside. To the east, sitting perpendicular to the site, are the gardens of dwellings on Goose Corner (two terraces of three dwellings each) as well as New House, which fronts Forest Road. To the west is the rear garden of Sunnyside cottage, which fronts Forest Road (the adjacent property is actually Inglenook but the garden of Sunnyside extends across the back of Inglenook's garden to meet the application site).

3. RELEVANT SITE HISTORY

Site history:

03/00271/LDC - Land at Rear of 4 Hayley Green Cottages - Application for a certificate of lawfulness for the open storage of 19no. touring caravans accessed from Forest Road - granted July 2003.

11/00382/FUL - Erection of 4 no. new dwellings comprising 2 no. 3 bed and 2 no. 4 bed semi-detached dwellings including associated parking and garages. Refused on the following grounds:

01. The proposed change of use and associated buildings together with ancillary development is not acceptable as it would have an urbanising impact and would result in an inappropriate form of development that would adversely affect the rural character and visual amenities of the local area. The proposal would therefore be contrary to South East Plan Policy CC6, Bracknell Forest Borough Core Strategy DPD Policies CS2 and CS9 and Bracknell Forest Borough Local Plan Policies EN8 and H5.

02. By virtue of its density, scale, bulk, massing, design, poor separation distance, close proximity to site boundaries, large amount of hard surfacing and small garden size, the proposal would result in a cramped form of development, out of keeping with the surrounding pattern and form of development, to the detriment of the character and visual amenities of the local area. The proposed development would therefore be contrary to PPS1, South East Plan Policy CC6, Bracknell Forest Borough Core Strategy DPD Policies CS2, CS7 and CS9, Bracknell Forest Borough Local Plan Policies EN8, EN20 and H5 and the Character Area Assessments SPD.

03. The proposal fails to provide adequate amenity space for the existing dwelling at 4 Hayley Green Cottages, to the detriment of the living conditions of existing and future occupiers. The proposed development is therefore contrary to Bracknell Forest

Borough Core Strategy DPD Policy CS7 and Bracknell Forest Borough Local Plan Policies EN20 and H5.

04. By reason of the close proximity of the access road and car parking to the boundaries of adjacent dwellings, the proposal would be detrimental to the living conditions of occupiers of the neighbouring properties through noise and disturbance causing by increased traffic and the multiple manoeuvres required to access car parking spaces. The proposed development is therefore contrary to Bracknell Forest Borough Local Plan Policies EN20 and H5.

05. The proposal would not comply with the Local Planning Authority's standards in respect of access width, vehicle parking and turning and refuse collection. As such, the proposal is likely to encourage on-street parking and lead to vehicles waiting in the highway to enter the site, which is likely to have a detrimental impact upon highway safety and the flow of traffic. This would also discourage pedestrian and cyclist access to the site. Furthermore, in the absence of a speed survey, the applicant has failed to demonstrate that adequate visibility splays could be provided to ensure the development would not be detrimental to highway safety. The proposed development would therefore be contrary to South East Plan Policy T4, Bracknell Forest Borough Core Strategy DPD Policies CS1, CS23 and CS24, Bracknell Forest Borough Local Plan Policy M9 and the Parking Standards SPD.

06. In the absence of a survey and appropriate mitigation, the applicant has not demonstrated that the proposed development would not have an adverse impact on biodiversity and protected species, specifically bats and great crested newts. The applicant has also failed to demonstrate how local biodiversity would be protected and enhanced by the proposals. As such the proposed development would be contrary to PPS9, South East Plan Policy NRM5, Bracknell Forest Borough Core Strategy DPD Policies CS1 and CS7 and Bracknell Forest Borough Local Plan Policies EN3, EN20 and H5.

07. In the absence of a full and accurate survey of existing trees and vegetation on the site and full details of proposed retention/removal/replacement of trees and vegetation, the applicant has not demonstrated that the proposed development would not have an adverse impact on trees and vegetation, which contribute to the character, visual amenity and countryside setting of the local area. The applicant has further failed to demonstrate that adequate landscaping could be accommodated within the site to soften the appearance of the development. As such the proposed development would be contrary to South East Plan Policy CC6, Bracknell Forest Borough Core Strategy DPD Policies CS1 and CS7 and Bracknell Forest Borough Local Plan Policies EN1, EN8, EN20 and H5.

08. In the absence of a planning obligation, in terms agreeable to the Local Planning Authority, to secure contributions towards highways and transportation infrastructure, public open space, community and education facilities the proposal fails to deal with its direct impacts and is therefore contrary to South East Plan Policy CC7, Bracknell Forest Borough Core Strategy DPD Policies CS6, CS8 and CS24 and the 'Limiting the Impact of Development' SPD.

09. The occupants of the proposed development would put extra pressure on the Thames Basin Heaths Special Protection Area and the applicant has not satisfactorily mitigated against this impact. In the absence of a planning obligation, in terms agreeable to the Local Planning Authority, to secure suitable mitigation measures, the proposal is contrary to South East Plan Policy NRM6, Bracknell Forest Borough Core

Strategy DPD Policy CS14, Bracknell Forest Borough Local Plan Policy EN3 and 'Limiting the Impact of Development' SPD.

The informatives for this refusal advised that:

-Reasons for refusal 6 and 7 in relation to biodiversity, trees and landscaping could potentially be overcome by submission of the appropriate surveys and plans.

- Reasons for refusal 8 and 9 in relation to failing to provide adequate service, amenity and infrastructure contributions and failing to mitigate against the impact upon the Thames Basin Heaths Special Protection Area, could be addressed by planning obligations, formulated in terms which are acceptable to the Local Planning Authority and entered into as provided for by Section 106 of the Town and Country Planning Act 1990 (as amended).

4. THE PROPOSAL

The proposal is for the erection of 3 detached dwellings, 1 no. four bed (plot 3), 2 no. three bed units (plots 1 and 2).

At ground floor each 3 bedroomed dwelling would have:

- A single garage with one space to the front.
- An open plan living and dining room.
- A kitchen/breakfast room.
- A WC
- A hall.

At first floor each 3 bedroomed dwelling would have:

- Three bedrooms.
- An en-suite.
- A bathroom.

The dwellings on plots 1 and 2 differ only in the positioning of the proposed garage (the garage on Plot 1 is set further back than on Plot 2.)

At ground floor the 4 bedroomed dwelling would have:

- A single garage with two spaces to the front.
- A living room.
- A dining room.
- A kitchen/breakfast room.
- A WC
- A hall.

At first floor the 4 bedroomed dwelling would have:

- Four bedrooms.
- An en-suite.
- A bathroom.

The dwellings would be of a uniform design with the dwellings on plots 1 and 2 being 8.9m wide and 10.7m deep and the dwelling on plot 3 being 9.7m by 11.3m. The roof is pitched on all sides and the maximum ridge height would be 7.9m for the dwellings.

5. REPRESENTATIONS RECEIVED

11 letters of objection from 10 households have been received which raise the following issues:

- The land is outside the settlement boundary and therefore inappropriate development.
- The development would have a detrimental impact upon the rural character of the area.
- The land has never been built on.
- The design of the dwellings is not inkeeping with the character of the area.
- The density is out of keeping with the character of the area.
- By removing part of the dwelling at no. 4 this would result in noise, hygiene concerns from bins and overlooking to neighbouring properties.
- The proposed dwelling should result in a reduction in natural light to neighbouring properties.
- There is a high level of housing planned in north of the borough so this site is not necessary.
- The backland development is out of keeping and would threaten the peaceful rear gardens of neighbouring properties.
- The amenity land left for 4 Hayley Green Cottages is not acceptable.
- Concern over noise and disturbance of construction vehicles.
- There will be a significant increase in noise and light pollution created by the additional dwellings.
- Approving this would set a precedent for back land development.
- The storage of caravans generates very little traffic.
- The access to the site is inappropriate and impractical and has poor visibility.
- There have been a number of crashes along Forest Road; cars regularly exceed the 30mph speed limit.
- There is not enough parking proposed.
- There is no space for visitors to park.
- There is no street lighting on Forest Road.
- Residents of Hayley Green Cottages park their cars on the land that will be used for access.
- Construction vehicles and emergency services would not be able to access the site.
- The proposal for internal circulation and vehicular movements would therefore create a safety hazard.
- The additional vehicles entering onto Forest Road would increase the risk of accidents on the highway.
- There would be significant increase in traffic.
- The introduction of double white lines in the middle of the road would be unsightly.
- Neighbouring property has a Right of Easement across the land.
- The proposal would reduce the security to the rear of the neighbouring properties.
- Refuse bins would clog up the frontage and create a visibility issue.
- Concerns over impact upon trees.
- Concerns over the impact upon footings of 1-4 Hayley Green Cottages which were built 1830 - 1850.
- Concerns over the capacity drainage system.
- Concerns over impact upon biodiversity and that Ecology Report is out of date
- Goose Corner floods as there is a stream at the front. This development would make it worse.

6. SUMMARY OF CONSULTATION RESPONSES

Warfield Parish Council

Recommend refusal for the following reasons:

1. The site of the proposed development is not identified as a site for future housing development in Bracknell Forest Council's Site Allocation Local Plan (July 2013) and is not within the settlement boundary identified therein.
2. The proposed access road and car parking is close to the boundaries of adjacent dwellings and so the proposal would be detrimental to the living conditions of occupiers of the neighbouring properties because of noise and disturbance caused by increased traffic and the multiple manoeuvres required to access car parking spaces.
3. The proposal will generate additional traffic movements into and out of Forest Road where vehicle speeds are known to be high and this would adversely affect road safety and impede the free flow of traffic.

Highway Authority

The Highway Authority has reviewed drawing 13/SP-HGC-02-E (Proposed 3 Unit Scheme) and access and parking for the 3 no. new dwellings and existing dwelling is now considered to be acceptable. The Highway Authority has no objection to this planning application.

Biodiversity Officer

No objection subject to conditions.

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. ASSESSMENT OF DEVELOPMENT

The proposal involves a net gain of 3 units. In terms of the Council's housing provision the proposal constitutes a 'small' site and (if approved) would form part of the 'small' sites allowance.

The site is located outside of a defined settlement as shown on the Bracknell Forest Borough Policies Map.

Position on 5 year supply

In relation to the five year housing land supply (as at 1 April 2014), an Inspector on a recent appeal (land north of Tilehurst Lane, application 13/00746/OUT, appeal APP/R0335/A/14/2219888, dismissed 2 February 2015) concluded that the Council could not demonstrate a five year supply of land for housing (and found that the supply was only 4.28 years). This appeal is a material consideration in the decision-taking process. A further material consideration are the recently published household projections (based at 2012) which suggest a slightly lower annual requirement than that set out in the Core Strategy. However, if certain conclusions from the above appeal are applied and the shortfall in housing that has been delivered since the beginning of the Plan period is spread across the next 5 year period (Sedgefield methodology), the 5 year supply remains just below 5 years.

The key implication of the above is that as the Council cannot demonstrate a five year land supply, in accordance with para. 49 of the NPPF, relevant policies for the supply

of housing should not be considered up to date (and the weight to be attached to them reduces and the implications are discussed below).

Implications of 5 year supply position on principle

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 planning applications that accord with the Development Plan should be approved without delay, unless material considerations indicate otherwise. Policy CP1 also sets out a positive approach to considering development proposals that reflects the presumption in favour of sustainable development contained in the NPPF.

Regard also needs to be had to Policy CS1 of the CSDPD relating to sustainable development principles, which is considered to be consistent with the NPPF (and can be afforded full weight).

Since the Council has been found to be unable to demonstrate a 5 year supply of land for housing, parts of policies relating to the supply of housing cannot be considered up to date (the weight attached to them is therefore reduced). Of particular relevance is the presumption against development in the countryside (outside of the Green Belt) which can no longer be applied to housing development. The following Development Plan policies are affected:

- Core Strategy DPD Policy CS2
- Core Strategy DPD Policy CS9
- 'Saved' Bracknell Forest Borough Local Plan Policy EN8
- 'Saved' Bracknell Forest Borough Local Plan Policy H5

Elements of the above policies which seek to protect the character and appearance of the area are not out of date and can still be applied. (The Inspector at Tilehurst Lane concluded that the proposal was still contrary to those parts of Development Plan policies that did not directly impact on housing supply).

It therefore falls for the application to be considered in relation to the presumption in favour of sustainable development as set in SALP Policy CP1 (and para. 14 of the NPPF). This requires a balancing exercise to be undertaken which considers any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development set out in the NPPF:

01. The economic role of the planning system ensures that the system contributes towards building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

02. The social role of the planning system would ensure that a supply of housing is provided to support communities and that a high quality built environment is provided with accessible local services that reflect the communities needs and to support its health, social and cultural well being.

03. The environmental role of the planning system contributes to protecting and enhancing the natural, built and historic environment.

Where policies are out of date, permission should be granted unless the adverse impacts (harm) would significantly and demonstrably outweigh the benefits.

The Tilehurst Lane Inspector concluded (para. 111) that the application of para. 14 has been subject to case law which is clear that the presumption in favour only applies to sustainable development (i.e. if a development is not found to be 'sustainable', the presumption does not apply). He also concluded that the balancing exercise embedded in para. 14 should be taken into account in reaching an overall conclusion as to whether the proposal amounts to sustainable development

Notwithstanding the above, as the site is located outside of the defined settlement boundary, and proposes new residential development (not consistent with the provisions in saved Policies EN8 and H5 of the BFBLP relating to development on land outside of settlements and new dwellings outside settlements), it would constitute a departure from Development Plan policies, including Core Strategy Policies CS2 and CS9 (relating to locational principles and development on land outside settlements).

The remainder of the report undertakes the balancing exercise, considering any harm arising against any benefits of the proposal, in relation to the three dimensions of sustainable development.

ECONOMIC ROLE

Facilitate growth, provide jobs during construction, future occupiers would spend a proportion of their income in the local economy

SOCIAL ROLE

One of the main benefits of a housing scheme to be weighed in the balance is the provision of housing. The NPPF is a material consideration, and this seeks (para. 47) to 'boost significantly the supply of housing'. In considering this aspect, a proposal for housing needs to be deliverable.

The NPPF (footnote 11) is clear that for a site to be deliverable, it should:

- be available now;
- offer a suitable location for development now; and,
- be achievable, with a reasonable prospect that housing will be delivered on the site within five years, and in particular that development of the site is viable.

The site is available now and does not need any demolition or remedial works. The development of three dwellings could be achieved within the next 5 years.

The proposal would provide 3 family dwellings in a reasonably sustainable location. The applicant has provided details which show that the nearest school, supermarket, GP surgery and recreation ground are all within 1km. There are 3 bus routes with regular services (every two hours) in Bracknell and one hourly to Ascot. The bus stop is located 50m to the west of the access point.

As such it is considered that the location of the dwellings would not be isolated and would have sustainable transport links and access to services.

Therefore it is considered that the proposal would boost the supply of housing and would therefore have a social benefit in line with the NPPF.

ENVIRONMENTAL ROLE

(i) Impact on character and appearance of the area (environmental factor)

CSDPD Policy CS9 seeks to protect land from development that would adversely affect the character, appearance or function of the land. BFBLP 'saved' Policy EN8 seeks to

permit development only where it would not adversely affect the character, appearance or function of the land. BFBLP 'saved' Policy H5 seeks to restrict the development of new dwellings unless it can be demonstrated that it would cause no harm to the character of the area.

These measures of harm are reflected in the NPPF. Para. 17 of the NPPF sets out core planning principles that should underpin plan making and decision making. These include core planning principle 5 which states:

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.

In addition the NPPF states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Development that would harm rather than enhance the natural environment should not be considered sustainable. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. This can be achieved by protecting and enhancing valued landscapes.

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.

Hayley Green is covered by the Character Areas SPD under the Northern Villages Character Area B. Hayley Green consists primarily of ribbon development along Forest Road and is in a semi-rural location. This states that development form varies with predominantly detached dwellings with no consistent architectural approach.

The recommendations of this report state: "Infill development on back land sites in the form of cul de sacs must be designed so that any impact on the street scene is minimised"

The proposed development is considered to be acceptable in its impact on the rural character and visual amenities of the area as the site is well screened by vegetation, which could be supplemented by condition and is not considered to be open rolling countryside which is present to the north of the site. In addition the rear boundary of the site adjoins the rear boundary of the gardens of dwellings along Forest Road. The site would therefore have previously been garden area, prior to the change of use to caravan storage. It is not therefore considered that the proposal would have a significantly urbanising impact upon the rural area given the garden areas, with associated paraphernalia directly to the east and west.

The dwellings would be of a uniform design with the dwellings on plots 1 and 2 being 8.9m wide and 10.7m deep and the dwelling on plot 3 being 9.7m by 11.3m. The roofs are pitched on all sides and the maximum ridge height would be 7.9m..

The separation distance between the buildings would be approximately 2m, with the dwelling on plot 1 being set in 3m from the boundary shared with Sunnyside. The gap to the Goose Corner boundary would be between 5m and 6.5m. Each dwelling would be separated by single storey garages and therefore Plots 1 and 2 would be separated at first floor by 5m and Plots 2 and 3 at first floor by 7.5m.

Given these distances it is not considered that the proposal would appear cramped on site.

The dwellings would be set back from the highway by 85m and therefore they would not appear visually prominent within the street scene.

The proposed gardens would not be dissimilar in depth to those within Goose Corner. Whilst there are no other examples of backland development of this nature the dwellings would not extend further north than no.6 Goose Corner and as such the dwellings would not be isolated as they would be in close proximity to neighbouring properties in Goose Corner.

The design of the dwellings is not in keeping with the 1830s Hayley Green Cottages. However given that the dwellings would be over 60m from the rear of the row of cottages it is not considered that they would be 'read' together. In addition the Character Area SPD notes that there is a varied street scene with little architectural consistency. Therefore the differing design is considered to be acceptable.

In terms of character and appearance, the proposal would not give rise to material harm as it is not contrary to CSDPD Policies CS2, CS7 and CS9, BFBLP 'saved' Policies EN8, EN20 and H5 and the Character Area Assessments SPD.

(ii) Residential Amenity (environmental & social factors)

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 BFBLP 'Saved' Policy 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.

No windows are proposed in the side elevation of Plot 1 facing Sunnyside or in the side elevation of Plot 3 facing 5 and 6 Goose Corner. As such there would be no loss of privacy to these dwellings.

There are open fields to the rear and as such there would be no loss of privacy created by the rear facing windows.

The front facing windows would be 9m from the rear boundary with no 1 Hayley Green Cottage. However there would be a distance of over 50m due to the length of the rear gardens of 1-3 Hayley Green Cottages.

The side facing windows in the east of plots 1 and 2 and the west of plot 3 would serve en-suites and as such there would be no mutual overlooking.

In terms of overbearing impact the proposed dwelling would be set in from the boundary with Sunnyside by 3m and with 5 and 6 Goose Corner by 5 - 6.5m. Given these distances it is not considered that the proposal would result in an unduly overbearing impact upon the neighbouring properties. There would be no overbearing impact upon the future occupiers of the proposed dwellings.

Due to the positioning of the proposed dwellings in respect of the neighbouring properties, there would be no loss of light created. In addition there would be no unacceptable loss of light created by the proposed dwellings on the proposed dwellings.

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

(iii) Transport Implications (environmental and social factors)

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. For a dwelling that has 3 bedrooms a minimum of 2 car parking spaces are required, and for a dwelling which has or exceeds 4 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 application site is located to the rear of 4 Hayley Green Cottages with proposed vehicular and pedestrian access to the 3 new dwellings to be via an existing private driveway. This is to be widened and improved to serve the 3 new dwellings.

The private driveway currently provides access to the rear of no. 4 Hayley Green Cottages to an existing garage and to an area to the rear of the site which is used for the storage of caravans. The proposal for 3 new dwellings will therefore increase vehicular movements from the application site and intensify the use of an existing access.

The existing access onto the B3034 Forest Road is within a 30mph speed limit, though vehicles were observed to exceed the posted speed limit. This assertion is supported by speed survey data which has led to visibility splays of 2.4 metres by 60 metres in either direction as is being proposed.

The proposed visibility splay to the right, shown on drawing 13/SP-HGC-02, as originally submitted, (Proposed 3 Unit Scheme Site Layout) at 2.4 metres by 60 metres is across third-party land, which is outside of the control of the applicant. Visibility splays which accord with the required standard cannot therefore be secured. The proposal will intensify the use of an existing access which has a sub-standard visibility splay to the right. This can only create risks to highway safety for vehicle egress from the application site onto the B3034 Forest Road.

Currently, the existing property, no. 4 Hayley Green Cottages has parking in a garage to the rear, with turning to egress the application site in a forward gear. The proposal as originally submitted appeared to remove the parking and turning for the existing property and permission for a vehicular access would not be allowed due to lack of turning for a vehicle to egress onto the B3034 Forest Road in a forward gear.

In the light of the above concerns, the Highway Authority objected to this planning application, as originally submitted, as the visibility splay to the left was sub-standard and parking and turning for the existing property was to be removed.

The proposed visibility splay to the left, shown on drawing 13/SP-HGC-02 at 2.4 metres by 60 metres is to the centre-line. There are currently no restrictions on vehicle overtaking in this location, however, drawing 13/SP-HGC-02 shows a proposed double white line, to prevent overtaking. The Highway Authority would need to formally consult Thames Valley Police for such a proposal. Given the lack of control over the outcome of such a formal consultation, these highway works cannot be secured as a planning condition. It is considered that this proposal should be removed where the proposed visibility splay to the left is acceptable, as the road is straight in this location.

Pedestrian vision splays of 2 metres by 2 metres need to be provided for vehicular access from the application site across the footway fronting the application site access. It is suggested that a planning condition is imposed requiring the provision of these splays

The pedestrian access to these new residential dwellings which are to the rear of the application site provides an unwelcoming environment and therefore appropriate lighting is suggested. This can be secured by planning condition

The rumble strip may create a noise disturbance and as it is not necessary should be omitted.

Communal bin storage is required within 25 metres of the highway; however, the carry distance from the new dwellings to the communal bin storage exceeds the 30 metre distance and does not therefore comply with the Highway Authority's requirements. An informative is recommended informing future occupiers of this.

It would be preferable for the off-street parking spaces to be driveway parking or a car port as opposed to new garages. If this cannot be achieved, then a condition is suggested requiring the garage accommodation to be retained for the use of the parking of vehicles at all times.

The proposed garages as originally submitted did not have internal dimensions of 3 metres by 6 metres and the doors do not have a minimum width of 2.4 metres. An acceptable revised plan has been submitted and the Highway Authority considers that the access and parking for the 3 no. new dwellings and existing dwelling is now considered to be acceptable.

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

(iv) Sustainability (environmental factor)

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 could 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 this could be conditioned so that the scheme would comply with Policies CS10 and CS12 of the CSDPD and with the NPPF.

(v) Planning Obligations (environmental, economic and social factors)

Developments are required to comply with Core Strategy Policy CS6, Supplementary Planning Documents 'Limiting the Impact of Development' (LID) 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."

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 floor space 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 floor space of 1,000m² or less.

A S106 is still required however to secure contributions towards the Thames Basin Heath SPA. If the S106 is not completed and a decision not issued before 6th April 2015 the whole scheme will become CIL liable.

(vi) SPA (environmental factor)

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 adopted the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Supplementary Planning Document (SPA SPD) on 29 March 2012. 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 3.7 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 pre-application is for three dwellings and therefore the SANG costs are as follows on a pro-rata basis calculated by each number of the total 3 dwellings by their bedroom size (which in this case is 2 X 3 bedroom and 1 X 4 bedroom dwellings):

£4,800 (2 x £2,400) + £2,730 = Total SANG Contribution £7,530

The open space works at Englemere Pond are 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 is calculated on a per bedroom basis. This application is for three dwellings and therefore the SAMM costs are as follows on a pro-rata basis calculated by each number of the total 3 dwellings by their bedroom numbers (which in this case is 2 X 3 bedroom and 1 X 4 bedroom dwellings):

£1422 (2 x £711) + £807 = Total SAMM Contribution £2,229

In summary, the total SPA related financial contribution including a contribution towards the SAMM project for this proposal is £7,530 + £2,229 = £9,759.

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 Policy NRM6 (iii) and the SPA 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.

(vii) Trees (environmental factor)

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.

None of the trees on site are covered by Tree Preservation Orders. The impact upon the trees would not merit a reason for refusal; however conditions should be applied to protect them.

Generally, the site encompasses mature and semi mature trees around the boundaries including Ash, Oak, Holly and Sycamore. They vary in quality and although views of these trees from outside the site are partially obscured by buildings and other trees in the rear garden of No. 3 and neighbouring land, viewed from within the site, they generally contribute to its predominantly rural character.

The mature Ash trees on the north boundary referenced T9 & T10 in the survey, together with trees referenced T24 (Birch) and G27 (mature grouped Holly) on the south boundary, are the most important trees on the site and worthy of retention. However with reference to the grading of the trees in the Tree Report, based on its form, general condition and taking into account current BS 5837 (2012) guidance T24 is considered an A1 category specimen.

To realistically retain the above specimens, avoid adverse impact on their health and ensure sustainable tree to building relationships, it is important that full account is taken of their accurate root protection areas and size, together with underground service requirements and practical working space for construction.

Therefore conditions are proposed to protect the trees on site.

(viii) Biodiversity (environmental factor)

CSDPD Policy CS1 seeks to protect and enhance biodiversity and Policy 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 ecological report shows that the ecological value of the site is low and, the following conditions should be appended to any consent:

- No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive.
- No external lighting shall be installed on the site or affixed to any buildings.
- The demolition shall not be begun until a scheme for the provision of bird and bat boxes and other biodiversity enhancements has been approved.
- The development (including site clearance and demolition) shall not be begun until the trees to be felled have been surveyed for bats.

9. CONCLUSION

At the present time, the Council has been found to be unable to demonstrate a 5 year supply of land for housing, meaning elements of policies relevant to the supply of land for housing are 'out of date'. Therefore, the proposal should be considered in light of economic, social and environmental factors set out in the NPPF, and have regard to the presumption in favour of sustainable development as set out in Policy CP1 (and para. 14 of the NPPF).

The impacts of the proposed development can be summarised as follows:

- The design although not in keeping with the frontage properties is considered acceptable in this backland location as there is no consistent architectural approach in the area as highlighted in the Character Area Assessments SPD.
- The relationship with adjoining properties is acceptable with no adverse impact on the living conditions of neighbours or future occupiers.
- Trees on the site vary in quality but as they contribute to the character of the area will be protected by condition during construction. Landscaping will also be supplemented.
- Visibility splays, parking and turning are acceptable to the Highway Authority following receipt of revised plans.
- SPA mitigation will be secured by s106 agreement.
- The ecological report shows the site has low ecological value and therefore conditions are recommended in relation to biodiversity.
- The site is not isolated being located behind ribbon development served by buses and having access to local facilities.
- Whilst the development will have an urbanising impact on this countryside location the site is surrounded by gardens on 3 sides and its last lawful use is as open storage for touring caravans, its impact needs to be weighed up against the benefits of the scheme.

The benefits of the scheme include the provision of 3 family houses which can be achieved in the next 5 years. It will facilitate growth providing jobs during construction and future occupiers will spend a proportion of their income on the local economy.

On balance it is considered that the harm that arises from the proposal, as amended, does not significantly and demonstrably outweigh the benefits and as such the recommendation is for approval, subject to conditions and the completion of a s106 agreement to secure the necessary mitigation.

RECOMMENDATION

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

01. Thames Basin Heath SPA

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

Drg No 13/SP-HGC-02 Rev E received by LPA 02.02.2015

Drg No 13/SP-HGC-03 received by LPA 01.08.2014

Drg No 13/SP-HGC-04 received by LPA 01.08.2014

Drg No 13/SP-HGC-05 received by LPA 01.08.2014

Drg No 13/SP-HGC-06 received by LPA 01.08.2014

Drg No 13/SP-HGC-07 received by LPA 01.08.2014

Drg No 13/SP-HGC-08 received by LPA 01.08.2014

Drg No 13/SP-HGC-09 received by LPA 01.08.2014

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

03. No development shall take place until 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: BFBLP EN20, Core Strategy DPD CS7]

04. The development hereby permitted shall not be begun until:

1) a scheme depicting hard and soft landscaping 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. All hard landscaping works shall be carried out and completed prior to the occupation of any part of the approved development. As a minimum, the quality of all hard and soft landscape works shall be carried out in accordance with British Standard 4428:1989 'Code Of practice For General Landscape Operations' or any subsequent revision. All trees and other plants included within the approved details shall be healthy, well formed specimens of a

minimum quality that is compatible with British Standard 3936:1992 (Part 1) 'Specifications For Trees & Shrubs' and British Standard 4043 (where applicable) or any subsequent revision. Any trees or other plants which within a period of 5 years from the completion of the development, die, are removed, uprooted, are significantly damaged, become diseased or deformed, shall be replaced during the nearest planting season (1st October to 31st March inclusive) with others of the same size, species and quality as approved.

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

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

05. The areas shown for soft landscaping purposes on the approved plans shall thereafter be retained as such and shall not be used for any other purpose.
REASON: - In the interests of good landscape design and the visual amenity of the area.
[Relevant Policies: BFBLP EN2 and EN20, CSDPD CS7]
06. 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]
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 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 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]
09. 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 in writing by the Local Planning Authority.

REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

10. No dwelling shall be occupied until the associated vehicle parking and turning space has been surfaced and marked out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The 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 M9, Core Strategy DPD CS23]
11. 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]
12. No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, to accommodate:
 - (a) Parking of vehicles of site personnel, operatives and visitors
 - (b) Loading and unloading of plant and vehicles
 - (c) Storage of plant and materials used in constructing the development
 - (d) Wheel cleaning facilities
 - (e) Temporary portacabins and welfare for site operativesand each facility shall be retained throughout the course of construction of the development, free from any impediment to its designated use. No other areas on the site, other than those in the approved scheme shall be used for the purposes listed (a) to (e) above.
REASON: In the interests of amenity and road safety.
13. 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 additional windows, similar openings or enlargement thereof shall be constructed in the east or west elevation of the dwellings 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]
14. The first floor en-suite windows of the dwellings 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]
15. No development shall take place until details showing the slab level of the buildings in relation to a fixed datum point have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved drawing.
REASON: In the interests of the character of the area.
[Relevant Plans and Policies: BFBLP EN20 and CSDPD CS7]

16. No development shall commence until details of a scheme of walls, fences and any other means of enclosure has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the occupation of the dwellings approved in this permission.
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]
17. No demolition or construction work shall take place 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 EN25]
18. No development (including initial site-clearance) shall commence until a detailed scheme for the protection of existing trees, hedgerows, groups of mature shrubs and structural planting areas to be retained, 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. Protection measures shall be phased as necessary to take into account and provide protection during demolition/site clearance works - all construction works - hard landscaping works. Details shall include an approved development layout plan at a minimum scale of 1:200, showing the following:
- Accurate trunk positions and canopy spreads of all existing trees within the site and on adjoining land adjacent to the development within influencing distance of the development.
 - Positions and spreads of existing hedgerows and groups of mature shrubs.
 - All proposed tree, hedge or shrub removal. Shown clearly with a broken line.
 - Proposed location/s of 2m high (minimum) protective barrier/s, supported by a metal scaffold framework, constructed as a minimum in accordance with Section 6 (Figure 2), 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.
 - Illustration/s of the proposed protective barriers to be erected.
 - Proposed location/s and illustration/s ground protection measures within the main root protection areas of retained trees, designed as necessary for pedestrian light traffic or heavy plant machinery, as necessary to prevent contamination and ground compaction.
 - Annotated minimum distances between protective barriers and trunks of retained trees at regular intervals.
 - All fenced off areas clearly annotated as Tree Protection Areas/Construction Exclusion Zones.
 - Notes regarding restrictions which apply to Tree Protection Areas/Construction Exclusion Zones.
- The development shall be carried out in full accordance with the approved scheme.
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.
19. The protective fencing and other protection measures specified by condition 18 shall be erected in the locations agreed in writing by the Local Planning Authority prior to the commencement of any development works, including any initial clearance, and shall be maintained fully intact and (in the case of the fencing) upright, in its approved locations at all times, until the completion of all building operations on the site (unless agreed otherwise in writing by the Local Planning

Authority). Where phased protection measures have been approved, no works shall commence on the next phase of the development until the protective fencing barriers and other protective measures have been repositioned for that phase in full accordance with the approved details. No activity of any description must occur at any time within these areas including but not restricted to the following: -

- a) No mixing of cement or any other materials.
- b) Storage or disposal of any soil, building materials, rubble, machinery, fuel, chemicals, liquids waste residues or materials/debris of any other description.
- c) Siting of any temporary structures of any description including site office/sales buildings, temporary car parking facilities, porta-loos, storage compounds or hard standing areas of any other description.
- d) Soil/turf stripping, raising/lowering of existing levels, excavation or alterations to the existing surfaces/ ground conditions of any other description.
- e) Installation/siting of any underground services, temporary or otherwise including; drainage, water, gas, electricity, telephone, television, external lighting or any associated ducting.
- f) Parking/use of tracked or wheeled machinery or vehicles of any description.

In addition to the protection measures specified above,

- a) No fires shall be lit within 20 metres of the trunks of any trees or the centre line of any hedgerow shown to be retained.
- b) No signs, cables, fixtures or fittings of any other description shall be attached to any part of any retained tree.

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.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that order, no external lighting shall be installed on the site or affixed to any buildings on the site.
Reason: In the interests of visual amenity.
[Relevant Policies: BFBLP EN15, EN20 and EN25]
21. Prior to the commencement of development a scheme for the provision of biodiversity enhancements including a plan or drawing showing the location of these enhancements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be performed, observed and complied with.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: CSDPD CS1, CS7]
22. No site clearance shall take place during the main bird-nesting period of 1st March to 31st August inclusive.
REASON: In the interests of nature conservation
[Relevant Plans and Policies: BFBLP EN3]
23. No development shall take place until any trees to be felled have been surveyed for the presence of bats, and
 - (ii) the survey has been submitted to and approved by the Local Planning Authority, and
 - (iii) either the Local Planning Authority have agreed that no relocation of bats is necessary or the relocation of bats has been achieved in accordance with proposals previously submitted in writing to and approved by the Local Planning Authority.

REASON: In the interests of nature conservation
[Relevant Plans and Policies: Core Strategy CS1]

24. No dwelling shall be occupied until all the visibility splays shown on the approved drawings have been provided. These areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres measured from the surface of the adjacent carriageway.

REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

25. 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 carriageway. The dimensions shall be measured along the edge of the drive and the edge of the carriageway 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]

26. No development shall take place 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. The facilities shall thereafter be retained.

REASON: In the interests of accessibility of the development to cyclists.
[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

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

REASON: In the interests of highway safety.
[Relevant Policies: Core Strategy DPD CS23]

Informative(s):

01. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

02. The applicant is advised that the following conditions require discharging prior to commencement of development:

03. Materials.

04. Landscaping.

06. Sustainability Statement.

08. Energy Demand.

12. Site Organisation.

15. Slab levels

16. Boundary treatment

18. Tree protection

21. Biodiversity enhancements. (this should include, bird boxes, bat boxes, insect houses and hedgehog houses.)

23. Bat survey for trees.

26. Cycle parking.

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

The applicant is advised that the following conditions require discharging prior to occupation of development:

09. Access details.

10. Parking and turning.

The following conditions require discharge prior to the end of 1 month of occupation of the dwelling hereby approved:

07. Post Construction Report.

No details are required to be submitted in relation to the following conditions; however they are required to be complied with:

01. Time limit.

02. Approved plans.

05. Landscaping retention.

11. Garage retention.

13. No additional windows.

14. Obscure glazing.

17. Hours of demolition and construction.

19. Tree Protection.

20. No external lighting.

22. No site clearance shall take place during the main bird-nesting period.

24. Visibility Splays.

25. Pedestrian Visibility Splays.

03. Details in respect of condition 16 shall also detail the enclosure be provided to the front of no. 4 Hayley Green Cottages to prevent vehicles parking to the front of the existing property.
04. The applicant is advised that the proposal does not comply with the Council's standard in respect of the distance from the dwellings to the bin storage area and as such any occupiers will need to carry their bins/refuse to the bin storage area at the front of the site.

In the event of the S106 planning obligation(s) not being completed by 29th May 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